



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

---

---

**GUARANTEE (HIGH COMMISSION POSTS AND  
TELECOMMUNICATIONS LOAN) (NO. 3) ACT**

CHAPTER 452

Revised Edition 2012 [1960]

Published by the National Council for Law Reporting  
with the Authority of the Attorney-General



*Guarantee (high Commission Posts  
and Telecommunications Loan) (no. 3)*

---

---



**CHAPTER 452**

**GUARANTEE (HIGH COMMISSION POSTS AND  
TELECOMMUNICATIONS LOAN) (NO. 3) ACT**

ARRANGEMENT OF SECTIONS

*Section*

1. Short title.
  2. Interpretation.
  3. Guarantee of loan.
  4. Sums charged on general revenues and assets.
  5. Provision for payment of money due to stockholders.
  6. Certificate by Crown Agents.
  7. *Deleted.*
-

*Guarantee (high Commission Posts  
and Telecommunications Loan) (no. 3)*

---

**CHAPTER 452**

**GUARANTEE (HIGH COMMISSION POSTS AND  
TELECOMMUNICATIONS LOAN) (NO. 3) ACT**

*[Date of assent: 13th June, 1960.]*

*[Date of commencement: 14th February, 1961.]*

**An Act to guarantee a loan of three million pounds sterling to be raised by the High Commission for certain purposes of the East African Posts and Telecommunications Administration; to facilitate the investment of trust and other funds in the United Kingdom or elsewhere in High Commission securities issued for the purposes of that loan; and for other matters relating thereto and connected therewith**

*[Act No. 22 of 1960, L.N. 109/1961, L.N. 2/1964, L.N. 374/1964.]*

**1. Short title**

This Act may be cited as the Guarantee (High Commission Posts and Telecommunications Loan) (No. 3) Act.

**2. Interpretation**

In this Act—

“**the Act of 1959**” means the Loan (Posts and Telecommunications) Act, 1959 (No. 9 of 1959), of the High Commission.

*Guarantee (high Commission Posts  
and Telecommunications Loan) (no. 3)*

---

**“final judgment, decree, rule or order”** means in the case of appeal the final judgment, decree, rule or order of the ultimate court hearing the appeal;

**“High Commission (Posts and Telecommunications Loan) securities”** means all securities created or issued by the High Commission for the purpose of raising the loan authorized by the Act of 1959, to which securities for the time being the Colonial Stock Acts, 1877 to 1948, of the United Kingdom apply, and which securities are for the time being registered in the United Kingdom in accordance with those Acts;

[Act No. 12 and Act No. 13, Geo. 6, c. 1.]

### **3. Guarantee of loan**

Payment of the principal moneys raised by the High Commission under the authority of the Act of 1959 and any interest and other charges thereon, to the extent to which such principal moneys and interest and other charges are not paid out of the Posts and Telecommunications Fund maintained for the East African Posts and Telecommunications Administration under section 97 of the East African Posts and Telecommunications Act (Cap. 4 of 1951) of the High Commission is hereby guaranteed out of the consolidated fund:

Provided that the principal moneys guaranteed under this Act shall not in the aggregate exceed three million two hundred and fifty thousand pounds sterling.

### **4. Sums charged on general revenues and assets**

Any sum required for fulfilling the guarantee created by section 3 of this Act shall be charged on the general revenues and assets of Kenya, and the Government shall issue out of the consolidated fund and remit to the Crown Agents any such sum; and any sum received by way of repayment of any sum so paid shall be placed to the credit of the exchequer account and shall form part of the consolidated fund.

### **5. Provision for payment of money due to stockholders**

(1) Whenever by the final judgment, decree, rule or order of any court of competent jurisdiction in the United Kingdom any sum of money is adjudged or declared to be payable in respect of any of the High Commission (Posts and Telecommunications Loan) securities, then that sum, if not forthwith paid by the High Commission, shall be paid by the Minister out of the funds of Kenya in the hands of the Crown Agents.

(2) Whenever any sum of money is required to be paid to Her Majesty's Government in the United Kingdom under section 7 of the Act of 1959, then that sum, if not forthwith paid by the High Commission, shall be paid by the Minister out of the funds of Kenya in the hands of the Crown Agents.

(3) If the sum remitted to the Crown Agents under section 4 of this Act is insufficient for the payment of any sum adjudged or declared to be payable under subsection (1), or required to be paid under subsection (2), of this section, any balance required to meet such deficit shall be charged upon the general revenues and assets of Kenya, and the Minister shall forthwith issue out of the

*Guarantee (high Commission Posts  
and Telecommunications Loan) (no. 3)*

---

consolidated fund and shall remit to the Crown Agents a sum equal to the amount of that balance; and such sum shall be applied by the Crown Agents in the satisfaction of any such final judgment, decree, rule or order, or of the amount required to be paid as aforesaid.

[L.N. 374/1964, Sch.]

**6. Certificate by Crown Agents**

In order to enable every payment under this Act to be duly made, a certificate under the hands of the Crown Agents, specifying the sums so paid under a final judgment, decree, rule or order of any court in the United Kingdom, or paid to Her Majesty's Government in the United Kingdom, as the case may be, shall be sufficient authority to the Controller and Auditor-General, or other officer having the auditing of the accounts of the Crown Agents, for passing such sums without further appropriation.

**7. Deleted by L.N. 374/1964, Sch.**

---

*Guarantee (high Commission Posts  
and Telecommunications Loan) (no. 3)*

---

*Guarantee (high Commission Posts  
and Telecommunications Loan) (no. 3)*

---