

PROCLAMATION.¹

BY

HIS EXCELLENCY THE RIGHT HONOURABLE HERCULES GEORGE
ROBERT ROBINSON, BARON ROSMEAD, &c., &c.

No. 22, 1896.—DATED 31st OCTOBER, 1896.

Preamble.

WHEREAS it is provided by Section 4 of Her Majesty's Order in Council of May 9th, 1891, that the High Commissioner may from time to time, by Proclamation, provide for the peace, order, and good government of all persons within the limits of the said Order:

And whereas it is expedient that the whole of the Military and Police Forces engaged or established in the territories within the limits of the said Order should be placed under the direct control and authority of the High Commissioner:

And whereas it is further expedient to make provision for the maintenance of discipline and good order in the said Police Forces:

Now, therefore, under and by virtue of the powers in me vested, I do hereby proclaim, declare and make known as follows:—

¹See Proclamation No. 41 of 1927.

Repeal of Proclamation of 22nd December, 1893, and all other repugnant laws.

1. Proclamation of the High Commissioner, dated December 22nd, 1893, and also any other Proclamation, Ordinance, Regulation or Law to the extent that the same is repugnant to, or inconsistent with, this Proclamation, are hereby repealed: Provided that any proceedings commenced and pending under the said Proclamation of December 22nd, 1893, or other Law above referred to shall be continued and concluded as if this Proclamation had not been passed.

The whole of the military and police forces to obey the orders of the High Commissioner.

2. The whole of the Military and Police Forces engaged or established in the territories within the limits of Her Majesty's Order in Council of May 9th, 1891, shall be and remain under the direct control and authority of the High Commissioner, and all officers and members of the said forces shall conform to and obey such instructions and orders as they may from time to time receive from the High Commissioner or from any person appointed by him to act on his behalf.

The High Commissioner may make regulations.

3. The powers exercised by the Governor under section six of the Cape Mounted Riflemen Act of the Colony of the Cape of Good Hope, No. 9 of 1878, may be exercised *mutatis mutandis*, by the High Commissioner under this Proclamation with regard to any Police Force employed within any portion of the said territories.

Part I of Act 9, 1878, and the Schedule thereto to apply to the police forces. Jurisdiction of Board of Officers. Of Assistant Commissioners.

4. Part II of the said Act, together with the schedule thereto,¹ shall, *mutatis mutandis*, be in force and be applicable to all members of the said Police Forces whilst employed within any portion of the said territories: provided that nothing in this or any other law shall be taken to confer upon Boards of Officers in any portion of the said territories any other jurisdiction than that exercisable under the said Act by Resident Magistrates of the Cape Colony, and provided further that the jurisdiction conferred under section nine of the said Act upon Superior Courts of Law shall be exercisable as to members of the said Forces charged with having committed offences within the limits of the Bechuanaland Protectorate, by the Resident Commissioner, the Assistant Commissioners and Resident Magistrates thereof.

Resident Commissioner to have power of Review.

5. The Resident Commissioner of the Bechuanaland Protectorate shall within the limits of the said Protectorate exercise the jurisdiction in review conferred by section fifteen of the said Act.

6. [*Relates to Rhodesia.*]

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Protectorate native police force not to be employed outside the Protectorate.

8. Nothing in this Proclamation, or in any other law now in force, shall be taken to authorise or permit the employment of the Police Force styled the "Protectorate Native Police Force," now employed within the Bechuanaland Protectorate, outside the limits of the said Protectorate.¹

Commencement of Proclamation.

9. This Proclamation shall take effect from the date of its publication in the *Gazette*.

¹The Rules and Regulations made under Section 6 of the Act also in force. See Proclamation No. 17 of 1897. See also H.C. Notice No. 8 of 1903.