

(Legislative Supplement No. II)

LEGAL NOTICE No. 40

THE LAND CONTROL ACT, 1967

(No. 34 of 1967)

EXEMPTION

IN EXERCISE of the powers conferred by section 24 of the Land Control Act 1967, I, Jomo Kenyatta, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, hereby exempt the controlled transaction details of which are set out in the Schedule hereto from all the provisions of the Act.

SCHEDULE

<i>Parties</i>	<i>Description of Land</i>
Proposed lease for a period of four years from the Hon. Dr. Njoroge Mungai, E.G.H., M.P., to the East African Railways Corporation.	A dwelling house and curtilage of 1.5 acres (0.60 hectares) being part of L.R. No. 1127/3 containing 104.5 acres (42.29 hectares) of leasehold land situate at Nairobi.

Dated this 9th day of March, 1970.

JOMO KENYATTA,
President.

LEGAL NOTICE No. 41

THE LOCAL GOVERNMENT (TRANSFER OF FUNCTIONS)
ACT, 1969*(No. 20 of 1969)*

IN EXERCISE of the powers conferred by section 2 of the Local Government (Transfer of Functions) Act, 1969, I, Jomo Kenyatta, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, hereby make the following Regulations:—

THE TRANSFER OF FUNCTIONS (HEALTH AND
EDUCATION) REGULATIONS, 1970

1. These Regulations may be cited as the Transfer of Functions (Health and Education) Regulations, 1970.
2. The several written laws specified in the first column of the Schedule to these Regulations are hereby amended, in relation to the provisions thereof specified in the second column of that Schedule, in the manner specified in the third column of the Schedule.

SCHEDULE

(r. 2)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Public Health Act (Cap. 242)	s. 2	<p>Delete the definitions of "district", "local health authority", "medical officer of health" and "slaughterhouse".</p> <p>Insert the following in their proper alphabetical place—</p> <p>"health authority" in relation to the area of a municipality, means the municipal council of the municipality concerned, and, in relation to any other area, means the Minister;</p> <p>"meat inspector" means any person employed by a health authority to inspect any meat;</p> <p>"medical officer of health" means—</p> <p>(a) the Director of Medical Services; and</p> <p>(b) in relation to the area of any municipality, the duly appointed medical officer of health of the municipality including a public officer seconded by the Government to hold such office; and</p> <p>(c) in relation to any other area a medical officer of health appointed by the Minister for that area;</p> <p>"the Minister" means the Minister for the time being responsible for matters relating to health;</p> <p>"slaughterhouse" means any premises set aside for the purpose of the slaughter of animals for human consumption;</p>
	s. 9 (1A)	Delete "local authority" and substitute "municipal council".
	s. 13	Delete "local".
	s. 14	Delete "local health authority" wherever it occurs and substitute "municipal council".
	s. 15	Delete "local authority" and substitute "municipal council".
	s. 17 (2) (c)	Delete "to the district of any local authority or".
	s. 19	Delete "local health authority, or where there is no local health authority the Government" and substitute "health authority".

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Public Health Act (Cap. 242)— (Contd.)	ss. 22, 23, 24, 25, and 26	Delete "local health authority" wherever it occurs and substitute "health authority".
	s. 32 (1)	Delete "local authority" and substitute "municipal council". Delete "district" wherever it occurs and substitute "area".
	s. 32 (2)	Delete.
	ss. 33 and 34	Delete "local authority" wherever it occurs and substitute "municipal council".
	s. 36	Delete "the whole or any part or parts of the district of any local authority, and such district or part or parts thereof" and substitute "any area specified in the order, and such area".
	s. 37	Delete "local" wherever it occurs.
	s. 39	Delete.
	s. 40 (1)	Delete "local authority or".
	s. 41	Delete "local authority" and substitute "medical officer of health". Delete "or the nearest medical officer of health".
	s. 55 (4)	Delete "local authority" and substitute "municipal council".
	s. 59 (1)	Delete "local authority" and substitute "health authority".
	s. 61	Delete "local health authority or". Delete "district" and substitute "area".
	s. 106 (a)	Delete "local health authority or the";
	(b)	Delete "local health authority" and substitute "municipal council".
	s. 114 (c) and (d)	Delete "local authorities" wherever it occurs and substitute "municipal councils".
	s. 117	Delete "local health authority" and substitute "health authority". Delete "under the law or rules in force in its district".
	ss. 119, 120 and 121	Delete "local health authority or" and "or local health authority" wherever they occur.

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>	
The Public Health Act (Cap. 242)— (Contd.)	ss. 122, 123 and 124	Delete "local" wherever it occurs.	
	s. 127 (2)	Delete "local authority" where it occurs for the first time and substitute "medical officer of health". Delete "local authority" where it occurs for the second time and substitute "health authority".	
	s. 132	Delete "local".	
	s. 135A	Delete "and every urban and area council". Delete "local authority" wherever it occurs and substitute "municipal council".	
	s. 140	Delete "local".	
	s. 151	Delete "local authority" and substitute "medical officer of health".	
	s. 163 (1)	Delete "local authority" and substitute "municipal council".	
	s. 167 (1)	Delete "local authority" and substitute "health authority". Delete "by the mayor or chairman thereof" and substitute "by the authority". Delete "district" and substitute "area".	
	s. 167 (2)	Delete "an officer or person authorized by a local authority" and substitute "any officer or person". Delete "authorized by a local authority" where it occurs for the second time.	
	s. 168	Delete "local authority" wherever it occurs and substitute "municipal council". Delete "district" and substitute "area".	
	s. 168A	Delete "local authority" and substitute "municipal council".	
	The Malaria Prevention Act (Cap. 246)	Throughout	Delete "local authority" wherever it occurs and substitute "health authority".
	The Food, Drugs and Chemical Substances Act (Cap. 254)	ss. 2, 27 and 32	Delete "local authority" and "local authorities" wherever they occur and substitute "municipal council" and "municipal councils" respectively.

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Local Government Regulations, 1963 (L.N. 256 of 1963)	r. 92A	Delete.
	r. 113	Delete.
	r. 114 (1)	Delete "or regulation 113" and "medical officer of health".
	r. 115	Delete "113".
	r. 117 (2)	Delete the proviso.
	r. 125	Delete "local authority" and substitute "municipal council".
	r. 127	Delete "or medical officer of health" where it occurs for the second time.
	r. 131	Delete "local authority" wherever it occurs and substitute "municipal council".
	r. 133 (1)	Delete "or regulation 113".
	r. 134 (1)	Delete "regulation 113".
	r. 145 (i)	Insert before "establish" the words "in the case of a municipal council" and delete "local".
	r. 145 (j)	Insert before "establish" the words "in the case of a municipal council".
	r. 146	Delete paragraph (a).
	r. 152	Delete and substitute—
	Schools and bursaries.	152. (1) A municipal council may, with the consent of the Minister, establish and maintain schools and educational institutions, including boarding blocks and school hostels.
	(2) A municipal council or county council with the consent of the Minister and an urban or area council with the approval of the council of the county in which its division is situate and with the consent of the Minister, may make grants to any school of educational institution, within or without its area, for the provisions of scholarships for persons, and the children of persons, ordinarily resident within its area.	

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Local Government Regulations, 1963 (L.N. 256 of 1963)—(Contd.)		(3) A local authority other than a local council may, subject to such conditions as the Minister may prescribe, provide bursaries to assist persons and the children of persons, ordinarily resident in its area in their education and maintenance at any school or educational institution within or without its area.
	r. 156	Delete.
	r. 160	Insert after "municipal council and" the words and commas ", except in regard to the matters contained in paragraphs (c) and (h) of this regulation,".
	r. 162	Insert after "municipal council and" the words and commas ", except in regard to the matters contained in paragraphs (a) and (j) of this regulation,".
	r. 163	Insert after "municipal council and" the words and commas ", except in regard to the matters contained in paragraph (g) of this regulation,".
	r. 196 (1)	Delete "except functions which it exercises by reason of being a local health authority".
	Second Schedule Standing Order 30	Insert after "committee" the words "of a municipal council".
The Education Act (No. 5 of 1968)	s. 5 (4)	Delete "local authority" wherever it occurs and substitute "municipal council".

Made this 10th day of March, 1970.

JOMO KENYATTA,
President.