

**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) ACT, 1971**

No. 14 of 1971

Date of Assent: 5th June, 1971

Date of Commencement: 11th June, 1971

**An Act of Parliament to make minor amendments to the
statute law**

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Statute Law (Miscellaneous Amendments) Act, 1971. Short title.

2. The several written laws specified in the first column of the Schedule to this Act are hereby amended, in relation to the provisions thereof specified in the second column of that Schedule, in the manner specified in relation thereto in the third column of that Schedule. Amendment of written laws.

SCHEDULE

(s. 2)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Election Offences Act (Cap. 66).	s. 2	Delete the definition of "election" and substitute— "election" means any election, including a primary election, held in accordance with the provisions of any written law relating to the election of the President or of persons to be members of the National Assembly or a council;
The Administration Police Act (Cap. 85).	s. 7	Delete and substitute— Area of duty. 7. An officer shall carry out the duties imposed upon him by this Act within the district or area in which he is appointed.
The Wakf Commissioners Act (Cap. 109).	s. 6 (1)	Delete "Liwali" and substitute "Provincial Commissioner".
	s. 6 (2)	Delete "five years" and substitute "three years".
	s. 8 (1)	Delete and substitute— (1) At the first meeting held in each year the Wakf Commissioners shall elect a prominent Moslem from among their Members to be the chairman for the ensuing year.

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Wakf Commissioners Act (Cap. 109)—(Contd.).	s. 9	Insert after the word “secretary” the words “who shall hold a professional qualification as an accountant or a secretary”.
	s. 23	Delete “Wakf Commissioners” where it occurs for the second time and substitute “Minister”.
	s. 25 (2)	Delete “Wakf Commissioners” and substitute “Minister”.
The Births and Deaths Registration Act (Cap. 149).	s. 8	Insert after “Registrar-General” the words “issued in accordance with the rules”.
The Trustee Act (Cap. 167).	s. 2	Insert the following after the definition of “authorized investments”— “bank” means a bank licensed as such under the Banking Act; “building society” means a society registered under the Building Societies Act and declared by the Minister, by notice in the Gazette, to be a building society for the purposes of this Act.
		Delete the definition of “fixed-interest security” and substitute— “fixed-interest security” means— (a) a security which, under its terms of issue, bears a fixed rate of interest; or (b) a mortgage of immovable property; or (c) a deposit, whether fixed-term or otherwise, with a bank, building society or Post Office Savings Bank.
	s. 4 (1)	Add a new paragraph— (c) in any shares of a building society.
The Provident Fund Act (Cap. 191).	s. 3 (2)	Delete “President” and substitute “Minister”.
The Kenya Regiment (Territorial Force) Act (Cap. 200).	s. 2	Delete the definition of “Military Council”.
		Insert in its appropriate place the following— “Defence Council” means the Defence Council established by section 5 of the Armed Forces Act, 1968.
	ss. 2, 3 (3), 7, 8, 9, 14, 15, 18 (3), 35 and 37 (1)	Delete “Military Council” wherever it appears and substitute “Defence Council”.

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Public Health Act (Cap. 242).	s. 55	Delete subsection (5).
The National Hospital Insurance Act (Cap. 255).	s. 41 (1)	Delete "fifty-three thousand" and substitute "thirty-nine thousand, eight hundred and eighty-one".
	s. 42 (1)	Delete "thirty-seven thousand" and substitute "thirty-five thousand".
The Plant Protection Act (Cap. 324).	s. 3	Delete "in Kenya".
	s. 8 (2)	Add at the end the following— (g) direct or authorize the detention of any plant, or any article likely to infect any plant with any pest or disease, which is intended to be exported, and prescribe the precautions to be observed to prevent the risk of the introduction or spread of any pest or disease by such plant or article; (h) prohibit or control the movement of plants or classes of plants likely to be infected with any pest or disease into or within any specified place or area.
The Tea Act (Cap. 343).	s. 8	Delete "acreage" and "acreages" wherever they occur and substitute "number of hectares".
	s. 15 (3)	Delete "two pounds" and substitute "one kilogram". Delete "eight ounces" and substitute "two hundred grams".
	s. 18 (1)	Delete "acre" and substitute "hectare".
The Traffic Act (Cap. 403).	s. 30 (4)	Delete and substitute— (4) Driving licences shall be issued, and upon expiry renewed on production, by a licensing officer upon payment of the prescribed fee, and a driving licence so issued or renewed may be expressed to be valid for a period of twelve months or of three years, from the date of issue or renewal, at the option of the holder thereof.
	s. 42 (1)	Delete "the speed specified in the Second Schedule to this Act" and substitute "such speed as may be prescribed".

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Provision</i>	<i>Amendment</i>
The Traffic Act Cap. (403)—(Contd.).	s. 42 (2)	Insert after "Every vehicle" the words "of a prescribed class".
	Second Schedule	Delete.
The United Kingdom Designs Protection Act (Cap. 510).	s. 2	Delete "Patents and Designs Acts, 1907 to 1946" and substitute "Registered Designs Act, 1949".
	s. 7	<p>Renumber existing section as subsection (1) and add—</p> <p>(2) In the application of this Act to female members of the services of the armed forces—</p> <p>(a) so much of this Act as provides for active service punishment shall not apply; and</p> <p>(b) a female warrant officer or non-commissioned officer shall not exercise powers of command over male members of the services of the armed forces:</p> <p>Provided that any such female warrant or non-commissioned officer may give instructions to such a male member who has been expressly ordered by his superior officer to obey such instructions.</p>
The Armed Forces Act (No. 60 of 1968).	s. 12 (2)	After "may be" insert "arrested,".
	s. 115 (2)	Delete "of the promulgation".
	s. 117	Delete "in the prescribed form".
	s. 142 (2)	Delete "or have a charge against him dealt with summarily".
	s. 163	<p>Add new subsection as follows—</p> <p>(7) The court of a Resident Magistrate shall have jurisdiction to deal with any claim arising under this section irrespective of the amount of the claim.</p>
	s. 164	Delete "(1) (b)".