

**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) ACT 1967**

No. 9 of 1967

Date of Assent: 20th April 1967

Date of Commencement: 21st April 1967

An Act of Parliament to make amendments to the statute law, and to validate certain things done under the Landlord and Tenant (Shops, Hotels and Catering Establishments) Act 1965 and the Nurses, Midwives and Health Visitors Act 1965

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Statute Law (Miscellaneous Amendments) Act 1967.

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.

3. (1) Legal Notice No. 283 of 1966, made by the Minister for Commerce and Industry on the 19th September 1966 and published in the Gazette on the 27th September 1966, appointing several dates for the purpose of section 1 of the Landlord and Tenant (Shops, Hotels and Catering Establishments) Act 1965, shall have full effect according to the terms expressed therein, notwithstanding that the dates prescribed therein were then already past, and that Act shall accordingly be deemed to have come into operation on the 1st November 1965 in the Nairobi Area, on the 3rd May 1966 in the local government areas specified therein and on the 1st August 1966 in the remainder of Kenya.

Validation of things done under Act 13 of 1965.

(2) All proceedings under the said Act, and all decisions thereon, and all other things purporting to have been done under the said Act, which if the Act had been in full force on the said dates would have been validly taken, given or done, shall for all purposes be deemed to have been validly taken, given or done.

4. The Nurses, Midwives and Health Visitors Act 1965 shall be deemed to have come into operation on the 10th August 1965, and all regulations and appointments purport-

Commencement of Act 21 of 1965.

ing to have been made, and all other things purporting to have been done, thereunder at any time after that date shall be deemed to have been effectually made or done as if the said Act had been fully in operation at such time.

Retrospective
effect of certain
amendments.
Cap. 2.

5. (1) The amendment to the definition of "Minister" in the Interpretation and General Provisions Act shall be deemed to have come into effect on the 8th December 1964, and the President, the Vice-President and the Attorney-General shall be deemed to have been at all times since that date Ministers within the meaning of that definition.

Cap. 484.

(2) The amendment to the Second-hand Motor Vehicles Purchase Tax Act shall be deemed to have been made on the 1st July 1964.

10 of 1964.

(3) The amendment to section 10 (2) (d) of the Pyrethrum Act 1964 shall be deemed to have been made on the 15th September 1964.

SCHEDULE

(s. 2)

The Laws of Kenya
(Revision) Act
(Cap. 1).

s. 2.

In the definition of "annual supplement" delete "annual" where it secondly appears.

s. 10.

Delete "proclamation" and substitute "order".

s. 11 (1).

Delete paragraph (b).

Add a proviso as follows—

Provided that a supplement may be prepared in respect of more than one year where the Attorney-General considers it expedient.

The Interpretation and
General Provisions Act
(Cap. 2).

s. 3 (1).

Add at the end of the definition of "district" the words "or the Nairobi Area".

Add at the end of the definition of "Kenya" the words "and includes the territorial waters".

Delete the definitions of "Minister" and "the Minister" and substitute—

"Minister" means a person appointed as a Minister of the Government of Kenya under the Constitution, or the President, the Vice-President or the Attorney-General;

"the Minister" means the Minister for the time being responsible for the matter in question.

SCHEDULE—(Contd.)

- | | | |
|--|-----------|---|
| The Interpretation and General Provisions Act (Cap. 2)—(Contd.). | s. 3 (1). | <p>In the definition of "public officer", delete "the Crown in right of" and "or a province".</p> <p>Insert in their respective alphabetical positions new definitions as follows—</p> <p style="padding-left: 2em;">"armed forces" means the military, air and naval forces of the Republic;</p> <p style="padding-left: 2em;">"the Republic" means the Republic of Kenya.</p> <p>Delete the definition of "Law Officer".</p> |
| The Advocates Act (Cap. 16). | s. 2. | In the definition of "articles", delete all words after "articled clerk". |
| | s. 9. | <p>Delete "if duly qualified as a legal practitioner (by whatever name called) in any country", and substitute "if he holds one of the qualifications specified in paragraphs (a), (b), (c) and (d) of section 12 (1) of this Act".</p> <p>Insert, immediately after section 18, a new section as follows—</p> <p style="padding-left: 2em;">Certain officers may take pupils and articled clerks.</p> <p style="padding-left: 2em;">18A. The Attorney-General and the Legal Secretary of the Organization may each take pupils and articled clerks in accordance with this Part, and in this Part and in any regulations made thereunder "advocate", in the context of pupillage or articles under this Part, includes those officers.</p> |
| | s. 29. | <p>Delete, and substitute a new section as follows—</p> <p style="padding-left: 2em;">29. (1) Every practising certificate shall bear the date of the day on which it is issued and shall have effect from the beginning of that day:</p> <p style="padding-left: 2em;">Provided that any practising certificate which is issued during the first month of any practising year shall have effect for all purposes from the beginning of that month.</p> |

SCHEDULE—(Contd.)

The Advocates Act (Cap. 16)—(Contd.).	s. 29.	(2) The practising year shall be from the 1st day of January to the 31st day of December: Provided that the Council of the Society, with the approval of the Chief Justice, may by order alter the practising year, and the order may make such transitional provision in regard to incidental matters as may be expedient. (3) Every practising certificate shall expire at the end of the practising year in which it was issued: Provided that, where the name of an advocate is removed from or struck off the Roll, the practising certificate (if any) of that advocate shall expire forthwith. (4) The Registrar shall enter upon the Roll a note of the date of the issue of every practising certificate.
The Bankruptcy Act (Cap. 53).	s. 38 (1).	Immediately following the words "due to the Government" where they appear in paragraph (a) insert "or the Organization".
The Tribal Police Act (Cap. 85).	Long title and throughout, except s. 26. s. 13 (e).	Delete "tribal" and "Tribal" and substitute "administration" and "Administration" respectively. Delete "Her Majesty's naval, military or air forces" and substitute "the armed forces or the National Youth Service".
	s. 25.	Delete "Legislative Council" and substitute "Parliament".
	2nd Schedule.	Delete "Our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors" and substitute "the President and to the Republic".
The Housing Act (Cap. 117).	s. 2.	Delete the definition of "local authority" and substitute— "local authority" means a local authority established under the Local Government Regulations 1963 or any person whom or body of persons which the Minister may by notice in the Gazette declare to be a local authority for the purposes of this Act".

SCHEDULE—(Contd.)

The Housing Act (Cap. 117)—(Contd.)	s. 3 (3).	Delete "President" and substitute "Minister".
	s. 5 (5).	Delete "the Legislative Council" and "the Council" and substitute "the National Assembly".
	s. 6 (3).	Delete "the Legislative Council" and substitute "Parliament".
	s. 9, s. 20 and marginal note, and s. 21.	Delete "Governor in Council" wherever it appears and substitute "Minister".
	s. 28.	Delete "Her Majesty the Queen, Her Heirs and Successors, or of any body or bodies politic or corporate or other person or persons" and substitute "the Government or any person".
The Liquor Licensing Act (Cap. 121).	s. 42.	Delete "Chief Commissioner" and substitute "Commissioner".
The Chief's Authority Act (Cap. 128).	s. 8 (3).	Delete "any African" in line 2 and substitute "any person". Delete "any person" in line 3 and substitute "any African".
	s. 12.	Delete the word "in" in line 7.
	ss. 21 (a) and 23.	Delete "in relation to the Nairobi Area, or a Regional Assembly in relation to its province".
The Adoption Act (Cap. 143).	s. 2.	Delete the definition of "East African Territories" and substitute— "East African Territories" means Kenya, Uganda and Tanzania;
The Legitimacy Act (Cap. 145).	s. 4 (1).	Delete "and whether a natural born Commonwealth citizen or not" and substitute "and whether a Kenya citizen or not". Delete "Her Majesty" and substitute "the Government".
	s. 9 (3).	Delete.
	The Matrimonial Causes Act (Cap. 152).	s. 2.
s. 34 (a).		Delete "under the directions of the Attorney-General".
s. 34 (b).		Delete "Attorney-General", and substitute "he".
s. 34 (c).		Delete "under the direction of the Attorney-General,".

SCHEDULE—(Contd.)

	Throughout.	Insert "President's" before "Proctor" throughout the Act.
The Administration of Estates by Consular Officers Act (Cap. 164).	s. 3 (b).	Delete "Her Majesty" and substitute "the Government".
The Trustee Act (Cap. 167).	s. 24.	Delete "of commerce and navigation". Insert at the end thereof a new subsection as follows— (4) A Trustee which is a trust corporation may appoint a person to act as its attorney either generally or in any particular case for the purpose of executing instruments effecting the transfer of or other dealing with any movable or immovable property subject to any trust for the time being administered by it.
The Immigration Act (Cap. 172).	s. 11 (1).	Insert "or in respect of whom a recommendation has been made to him under section 26A of the Penal Code," after "unlawful".
The Consular Conventions Act (Cap. 181).	Throughout.	Delete "Her Majesty" and substitute "the Government".
	s. 4 (1).	Delete "Governor with the concurrence of the Secretary of State" and substitute "President".
The Asiatic Widows' and Orphans' Pensions Act (Cap. 193).	s. 16 (2).	Delete ", as the case may be,".
The Asian Officers' Family Pensions Act (Cap. 194).	s. 3 (3).	Delete "a European or Asian, as the case may be," and substitute "a public officer".
Her Majesty's Forces (Out of Bounds Areas) Act (Cap. 202).	Long title and throughout.	Delete "Her Majesty's Forces" and substitute "the Armed Forces".
	s. 2.	Insert in the appropriate alphabetical order the new definition— "the armed forces" includes any foreign military, naval or air forces lawfully present in Kenya;"
The Cantonments Act (Cap. 203).	s. 2.	Delete the proviso and substitute— Provided that no area or place within— (i) any area of trust land shall be declared to be a cantonment without prior consultation with the County Council for that area; or

SCHEDULE—(Contd.)

The Cantonments Act (Cap. 203)—(Contd.).	s. 2.	(ii) any municipality shall be declared to be a cantonment without prior consultation with the Municipal Council for that municipality.
The Education Act (Cap. 211).	s. 75 (1).	Delete, and substitute a new subsection as follows— (1) This Part shall apply to such classes of children as the Minister may, by notice in the Gazette, prescribe.
	s. 82 (1) (g).	Delete "African District Councils" and substitute "local authorities".
The Employment Act (Cap. 226).	s. 3.	In the proviso to the definition of "foreign contract of service" delete "or in the United Republic of Tanganyika and Zanzibar" and "the United Republic" and substitute "Tanzania". Delete the definition of "the Government" and substitute— "the Government" includes the Organization and the Government of any member nation of the Commonwealth in respect of persons in the civil employment of such Government being persons who have entered into a contract of service in Kenya, Uganda or Tanzania to serve such Government".
	s 13, proviso.	Delete "the United Republic of Tanganyika and Zanzibar" and "the United Republic" wherever they appear and substitute in each case "Tanzania".
	s. 59 (2).	Delete, and substitute the new subsection following— (2) If the contract was made in any foreign place the attestation may be by any justice of the peace, Kenya consular officer or any other officer authorized by law to take affidavits or attest contracts of service.
	s. 61.	Delete "African".

SCHEDULE—(Contd.)

The Regulation of Wages and Conditions of Employment Act (Cap. 229).	s. 2.	Delete the definition of "the Government".
The Trade Unions Act (Cap. 233).	s. 2.	Delete the definition of "the Government".
	s. 53 (4).	Delete "Her Majesty or" and "or a Regional Assembly".
	s. 61.	Delete "Native Authority Act" and substitute "Chief's Authority Act".
The Kenya Society for the Blind Act (Cap. 251).	s. 6.	Delete subsections (2) and (3) and substitute a new subsection as follows—
	(2) The Council shall consist of—	
	(a) five members, being the Permanent Secretaries to the Ministries for the time being responsible for health, agriculture, social services, education and local government respectively, or the person deputed in writing from time to time by any such Permanent Secretary to take his place as a member of the Council;	
	(b) two members appointed by the Minister; and	
(c) seven elected members.		
The Local Government Loans Act (Cap. 270).	s. 5 (1).	Delete, and substitute a new subsection as follows—
	(1) The Authority shall keep such capital, revenue and other accounts as the Minister for the time being responsible for finance may from time to time require, and such accounts together with a balance sheet shall be submitted for audit to the Controller and Auditor-General within four months after the end of each financial year or within such further period as the Minister may in any particular case direct.	
	s. 5 (2).	Delete "the 31st day of December" and substitute "the report of the Controller and Auditor-General on the accounts for the preceding financial year has been received".

SCHEDULE—(Contd.)

The Local Authorities Provident Fund Act (Cap. 272).	s. 5 (1).	Delete paragraphs (a) and (b) and substitute two new paragraphs as follows— (a) the members for the time being of the Local Government Staff Commission established under the Local Government Regulations 1963, and the chairman and vice-chairman of that Commission shall be the chairman and vice-chairman respectively of the Board; (b) the Principal Local Government Financial Officer.
	s. 5 (2) and (3).	Delete.
	s. 5 (6).	Delete, and substitute a new subsection as follows— (6) Six members of the Board shall form a quorum.
	s. 5 (7).	Delete "may" and substitute "shall".
The Trust Land Act (Cap. 288).	s. 5.	Delete paragraph (a) and substitute— (a) a chairman, appointed by the Minister for the time being responsible for land after consultation with the Council; Delete the proviso, and substitute— Provided that, where a Divisional Board established under the Kenya (Land Control) (Transitional Provisions) Regulations 1963 has jurisdiction over any division created under this Part, that Board shall be the Divisional Land Board for that division for the purposes of this Act.
	s. 10	Delete, and substitute a new section as follows— Appeals as to compensation 10. (1) Any person who is dissatisfied with the rejection of his application for compensation under section 9 of this Act, or with the amount of the award, may, within thirty days after being notified of the award or rejection, as the case may be,

SCHEDULE—(Contd.)

The Trust Land Act (Cap. 288)—(Contd.).	s. 10.	appeal in writing through the District Commissioner to the Provincial Agricultural Board of the Province in which the land to be set apart is situate, and that Board shall hear and determine the appeal and shall notify the appellant in writing of its decision. (2) If the Commissioner of Lands is dissatisfied with the making of an award, or with the amount of an award, he may appeal in like manner to the Provincial Agricultural Board, who shall hear and determine the matter accordingly. (3) The Minister may make regulations to provide for the practice and procedure to be followed in respect of appeals to a Provincial Agricultural Board under this section. (4) Any party to an appeal to a Provincial Agricultural Board who is dissatisfied with the decision of that Board may appeal to the High Court, whose decision shall be final.
The Oil Production Act (Cap. 308).	s. 3 (2).	In subparagraph (ii) of paragraph (b) delete the words "or Regional" in both places where they appear.
The Agriculture Act (Cap. 318).	s. 1.	Delete, and substitute— Short title. 1. This Act may be cited as the Agriculture Act.
	s. 2.	Delete the definitions of "Central Land Board" and "Provincial Agricultural Committee". Insert in the appropriate alphabetical order the new definition— "Central Land Board" means the Central Land Board established by section 187 of the former Constitution of Kenya as set out in Schedule 2 of the Kenya Order in Council 1963;.

SCHEDULE—(Contd.)

- The Agriculture Act
(Cap. 318)—(Contd.).
- s. 2. In the definition of "Fund" delete "section 172" and substitute "section 168".
- In the definition of "large-scale farm" delete "twenty" and substitute "ten".
- s. 2 (4) (a). Delete "or a Province" and "or a Provincial" wherever they appear.
- s. 22 (1). Delete and substitute—
- (1) Except where the Minister otherwise approves, there shall be established a District Agricultural Committee for every district.
- s. 22 (3). Delete, and substitute—
- (3) (a) The chairman of a District Agricultural Committee shall be appointed by the Minister from among the members thereof.
- (b) The members of a District Agricultural Committee shall elect annually a deputy chairman from among the persons elected or appointed in accordance with paragraph (a) of subsection (2) of this section.
- (c) In the absence of the chairman and deputy chairman from a meeting the members present at the meeting shall elect one of themselves to preside at that meeting.
- ss. 22, 23, 24,
26, 30, 31, 33
and 35. Delete "Regional Assembly" wherever it appears, and substitute "Minister".
- s. 29 (1). Delete, and substitute—
- (1) There shall be established a Provincial Agricultural Board for every province.
- s. 29 (2). Delete paragraph (a).
- Add at the end of this subsection a new subsection as follows—
- (3) (a) The chairman of a Provincial Agricultural Committee shall be appointed by the Minister from among the members thereof.

SCHEDULE—(Contd.)

- The Agriculture Act
(Cap. 318)—(Contd.).
- s. 29 (2). (b) The members of a Provincial Agricultural Board shall elect annually a deputy chairman from among the persons appointed in accordance with paragraph (b) of subsection (2) of this section.
- (c) In the absence of the chairman and deputy chairman from a meeting the members present at the meeting shall elect one of themselves to preside at that meeting.
- s. 30. Delete “and methods of appointment of a deputy chairman”.
- s. 32 (c). Delete.
- s. 32 (d). Delete “, with the consent of the Regional Assembly,”.
- s. 35 (1) (a). Delete, and substitute—
(a) seven members, one to represent each of the seven provinces, appointed by the Minister;.
- s. 62A. Delete.
- s. 65 (2). Delete, and substitute—
(2) As soon as may be after the expiration of such period of 14 days, the Provincial Agricultural Board, having taken into consideration any representations made to it under subsection (1) of this section, may submit a report embodying such representations (if any) as aforesaid and such facts and circumstances relating to the management or development of the land as are known to the Provincial Agricultural Board, to the Central Agricultural Board, and, whether or not it decides to submit such a report, communicate its decision in writing to the person upon whom the notice was served:
Provided that no such report shall be made without prior inspection of the land by at least one member of the Provincial Agricultural Board, the owner or occupier having been given reasonable opportunity for himself or his representative to attend such inspection.

SCHEDULE—(Contd.)

The Agriculture Act (Cap. 318)—(Contd.).	s. 66 (3).	Delete "Agricultural Board" and substitute "Provincial Agricultural Board".
	ss. 74A, 81A.	Delete.
	s. 168 (2) (a).	Delete "the Central Legislature" and substitute "Parliament".
	s. 174.	Delete "Land and Agricultural Bank Act" and substitute "Agricultural Credit Act".
	s. 222.	Delete, and substitute—
	Provisions of rules under this Act to prevail over by-laws.	222. The provisions of any rules or regulations made under section 48 or section 184 of this Act shall prevail over those of any by-laws made by a local authority under the Local Government Regulations 1963 to the extent of any inconsistency between the two, or in so far as the subject matter of the rules and regulations and the by-laws is the same.
The Crop Production and Livestock Act (Cap. 321).	s. 6.	Insert "agricultural produce" immediately after "crop" wherever that word appears in the section.
The Agricultural Credit Act (Cap. 323).	s. 4 (1) (a).	Delete, and substitute—
		(a) seven persons, one to represent each of the seven provinces, appointed by the Minister;
	ss. 36, 55, Schedule, covenant (7).	Delete "or a Regional Assembly" wherever it appears.
	s. 46 (3) and (5).	Delete "public" and substitute "Government".
	s. 54 (5).	Delete "Crown".
		Insert the words "from the Government" immediately after "grant".
The Suppression of Noxious Weeds Act (Cap. 325).	s. 2.	Delete "public" and substitute "Government".
The Grass Fires Act (Cap. 327).	s. 2.	In the definition of "owner and occupier", delete "and in respect of Regional land the Regional Assembly or its appointed agents,".

SCHEDULE—(Contd.)

The Grass Fires Act (Cap. 327)—(Contd.).	s. 2.	Insert in its appropriate alphabetical order the new definition— “reserved areas” means Trust land in the North-Eastern Province and the Isiolo, Marsabit, Turkana and Samburu Districts;.
The Coffee Act (Cap. 333).	s. 3 (2).	Delete paragraph (b) and substitute— (b) of those appointed under paragraph (c), four shall retire at the end of the first year, four at the end of the second year and three at the end of the third year, and so on for each succeeding three years;.
The Cotton Lint and Seed Marketing Act (Cap. 335).	s. 3 (2) (a) and (b).	Delete, and substitute— (a) a chairman, who shall be appointed by the Minister, either from among the members of the Board or from elsewhere; (b) the Director of Agriculture, or, if the Director of Agriculture is appointed as chairman of the Board or for any other reason is unable to take his place as a member of the Board, the person deputed in writing from time to time by the Director of Agriculture;.
The Dairy Industry Act (Cap. 336).	s. 19	Add at the end a new paragraph as follows— (v) making different provisions with respect to different cases or classes of case, different areas, seasons or circumstances, and for different purposes of this Act and may impose conditions and restrictions and make exceptions.
	s. 20.	Add at the end two new paragraphs as follows— (d) the particulars, information, proof or evidence to be furnished as to any question or matter arising under this Act or such regulations;

SCHEDULE—(Contd.)

- | | | |
|--|---------------------------------|--|
| The Dairy Industry Act
(Cap. 336)—(Contd.). | s. 20. | (e) imposing on any person accused of an offence under this Act or such regulations the burden of proving particular facts, but not so as to impose on any accused person the general burden of proving his innocence. |
| The Tea Act
(Cap. 343). | s. 2. | Delete the definitions "Non-scheduled Areas" and "Scheduled Areas".
Add at the end of the definition of "tea" the words "and its leaf".
Delete "Tanganyika" and substitute "Tanzania". |
| | s. 3. | Delete, and substitute two new sections as follows— |
| | Establish-
ment of
Board. | 3. (1) There is hereby established a Board, to be known as the Tea Board of Kenya, which shall consist of— |
| | | (a) a chairman, who shall be appointed by the Minister either from among the members of the Board or from elsewhere; |
| | | (b) the Director of Agriculture or, if the Director of Agriculture is appointed as chairman of the Board, the person deputed in writing from time to time by the Director of Agriculture to take his place as a member of the Board; |
| | | (c) one member, who shall be appointed by the East African Tea Trade Association and shall hold office for a period of three years; |
| | | (d) the General Manager of the Kenya Tea Development Authority and four other members, appointed by the |

SCHEDULE—(Contd.)

The Tea Act
(Cap. 343)—(Contd.).

s. 3.

Minister to represent the interests of licensees, selected after consultation with such Authority.

(e) five members, appointed by the Minister to represent the interests of licensees, selected after consultation with the Kenya Tea Growers Association.

(f) not more than three members who shall be appointed by the Minister from amongst persons who, in his opinion, possess knowledge and experience likely to be of benefit to the Board.

(2) Any member of the Board may authorize a representative to attend any meeting of the Board in his place, and any such representative shall be deemed to be a member of the Board for the purposes of any meeting which he is so authorized to attend.

(3) The Board may co-opt to serve on it for such length of time as it thinks fit any person or persons whose assistance or advice it may require, but a person so co-opted shall not be entitled to vote at any meeting of the Board or be counted as a member for the purpose of forming a quorum.

(4) The Board shall elect a deputy chairman annually from amongst its members.

SCHEDULE—(Contd.)

The Tea Act
(Cap. 343)—(Contd.).

s. 3.

Tenure
of office.

(5) Any member who ceases to hold office as such shall be eligible for re-appointment.

3A. (1) This section shall apply to the chairman and other members of the Board who are appointed by the Minister.

(2) Subject as hereinafter provided, the chairman and other members to whom this section applies shall hold or vacate office as such in accordance with the instruments respectively appointing them.

(3) The chairman and any other member to whom this section applies may at any time, by a notice in writing under his hand addressed to the Minister, resign his office as such.

(4) If the Minister is satisfied that the chairman or any other member to whom this section applies—

(a) has been absent from three consecutive meetings of the Board without the permission of the Board; or

(b) has become bankrupt or made an arrangement with his creditors; or

(c) is incapacitated by physical or mental illness; or

(d) is otherwise unable or unfit to discharge the functions of his office,

the Minister may declare his office as chairman or a member of the Board, as the case may be, to be vacant, and shall notify the fact in such

SCHEDULE—(Contd.)

- | | | |
|--|------------|---|
| The Tea Act
(Cap. 343)—(Contd.). | s. 3. | manner as the Minister thinks fit; and thereupon the office shall become vacant. |
| | s. 6 (4). | Delete "five" and substitute "six" in both places where it appears.

Delete "paragraphs (c) and (e)" and substitute "paragraph (e) and at least two shall be members appointed under paragraph (f)".

In the proviso, immediately before the words "the said paragraphs", insert the words "each of". |
| | s. 6 (7). | Delete. |
| | s. 7. | Delete. |
| | s. 8 (4). | Delete "the Marketing of African Produce Act" and substitute "any written law". |
| | s. 13. | Delete "Director" in both places and substitute "Minister" in each case. |
| | s. 22 (2). | Delete "fourteen" where it first appears and substitute "thirty". |
| | s. 25 (1). | Delete "with the approval of" and substitute "after consultation with". |
| The Veterinary Surgeons Act (Cap. 366). | s. 17. | Delete "Her Majesty's Forces" and substitute "the armed forces or any foreign military, naval or air forces lawfully present in Kenya". |
| | s. 24 (b). | Delete "the Council of the Royal College of Veterinary Surgeons" and substitute "the Board". |
| The Wild Animals Protection Act (Cap 376). | s. 17. | Add at the end a new subsection as follows—

(7) Where any person commits an offence under this Act or any regulations made thereunder, any holder of an assistant's permit who is assisting that person at the time of the commission of that offence, shall be guilty of a like offence. |

Provided that such holder shall not be guilty of such offence if he establishes to the satisfaction of the court that he exercised due diligence to prevent the commission of the offence and that the offence occurred by reason of matters beyond his control.

SCHEDULE—(Contd.)

- | | | |
|---|-------|---|
| The National Parks of Kenya Act (Cap. 377). | s. 2. | Delete the definition of "competent authority" and substitute a new definition as follows—
"competent authority" means—
(a) in relation to Government land, the Minister for the time being responsible for land;
(b) in relation to Trust land, the County Council in which the land is vested;
(c) in relation to any other land, the owner thereof or the person beneficially entitled to the rents and profits thereof. |
| | s. 3. | Delete, and substitute—
Establishment of National Park. 3. (1) The Minister, after consultation with the competent authority, may, by order, declare any area of land to be, or to cease to be, a National Park for the purposes of this Act:
Provided that, if the competent authority does not consent to the declaration of a National Park, no such order shall be made unless the National Assembly has by resolution approved a draft thereof, whether with or without modification.
(2) In relation to Trust land, if the competent authority does not consent to the declaration of a National Park, no such order shall have effect until the area of land has first been set apart in accordance with section 209 of the Constitution. |
| | s. 4. | Delete, and substitute—
Amendment of National Park boundaries. 4. Subject to the provisions of section 3 of this Act, the Minister may, from time to time, by order—
(a) assign a name to any such National Park; |

SCHEDULE—(Contd.)

The National Parks of Kenya Act (Cap. 377)— (Contd.).	s. 4.	<p>(b) define the boundaries of any such National Park, and from time to time alter the same, whether by adding to or subtracting from the area thereof, or otherwise;</p> <p>(c) amalgamate two or more National Parks into one;</p> <p>(d) divide any National Park into two or more National Parks;</p> <p>(e) transfer any part of a National Park to another National Park.</p>
The Fish Protection Act (Cap. 378).	s. 3.	<p>Delete paragraph (i) of subsection (1) and substitute a new paragraph as follows—</p> <p>(i) prohibiting or regulating the delivery, sale, purchase, disposal, marketing and processing of any fish;</p> <p>Insert at the end a new subsection as follows—</p> <p>(3) For the purposes of subsection (1) (i) of this section, the Minister may issue licences upon such conditions as he may from time to time impose, and a licence issued by the Minister may vest in any person, to the exclusion of all other persons, a right in respect of any matter referred to in that subsection; and any licence issued by the Minister may relate to the whole of Kenya or any part thereof.</p>
The Road Authority Act (Cap. 401).	s. 3.	Delete "President" and substitute "Minister".
The Traffic Act (Cap. 403).	s. 31 (1).	Delete "Her Majesty's dominions" and substitute "the Commonwealth".
	s. 35.	Delete "Her Majesty's Forces" and substitute "the armed forces or any foreign military, naval or air forces lawfully present in Kenya".
	s. 35 and marginal note.	Delete "H.M. Forces" and substitute "armed forces".
	s. 68 (2).	Delete "the Legislative Council" and substitute "the National Assembly".

SCHEDULE—(Contd.)

The Transport Licensing Act (Cap. 404).	s. 3 (1) (a).	Delete "a Chairman appointed by the Prime Minister and eight members, of whom one shall be appointed by the Minister to represent the Nairobi Area and one appointed by each Regional Assembly", and substitute "a Chairman appointed by the President, and eight other members appointed by the Minister, one to represent the Nairobi Area and one to represent each province".
	s. 5 (1) (c) proviso.	Delete "Tanganyika" and substitute "Tanzania".
	s. 19.	Delete "President" and substitute "Minister".
The Second-hand Motor Vehicles Purchase Tax Act (Cap. 484).	ss. 3 (3), 4 (1) and 4 (2).	Delete "Controller of Revenue" and substitute "Registrar of Motor Vehicles".
The Companies Act (Cap. 486).	ss. 202 (1) (c) and 371 (2) (c).	Delete and substitute the new paragraph following— (c) his nationality, if he is not a Kenya citizen.
	s. 241 (4).	Delete "Tanganyika, Zanzihar" and substitute "Tanzania".
	ss. 311, 340 and 341.	Delete "Crown" and "Crown's" and substitute "Government" and "Government's" respectively.
	s. 337.	Delete "any of Her Majesty's consuls, vice-consuls or pro-consuls" and substitute "a Kenya consular officer"
	s. 376 (1) (a) (ii).	Delete "enactments" and "an enactment" and substitute "legislation".
The Companies Act (Cap. 486).	s. 382.	Delete subsection (1) and substitute a new subsection as follows— (1) There shall be a Registrar, a Deputy Registrar and such Assistant Registrars as may be necessary for the registration of companies under this Act. Add at the end a new subsection as follows— (4) The Minister may make regulations with respect to the duties of the Registrar, Deputy Registrar and Assistant Registrars under this Act.

SCHEDULE—(Contd.)

The Companies Act (Cap. 486)—(Contd.)	s. 389.	Delete "Parliament" and substitute "the United Kingdom".
The Building Societies Act (Cap. 489).	s. 70.	Insert after subsection (1) a new subsection as follows— (2) The Registrar of his own motion, if he has reason to believe that the society is unable to meet the claims of its members, and that it would be for their benefit that it should be dissolved, may investigate the affairs of the society.
	Schedule, paragraph 2.	Delete "a Regional Assembly".
The East African Industrial Licensing Act (Cap. 496).	s. 5.	Delete "or deemed under section 24 of this Act to have been issued".
The Auctioneers Act (Cap. 526).	s. 9.	Delete "in the case of the Nairobi Area or the President of a Regional Assembly in the case of a Region".
	s. 17.	Delete "of Kenya or the Government of a Region" wherever it appears.
	s. 18.	Delete "in the case of the Nairobi Area, or the Regional Assembly in the case of a Region".
The Land Control Regulations 1961 (L.N. 142 of 1961).	Regulation 6 (1).	Renumber subparagraph (g) as subparagraph (h) and insert a new subparagraph as follows— (g) a public officer deputed by the Minister for the time being responsible for water development.
The Kenya (Land Control) (Transitional Provisions) Regulations 1963 (L.N. 457 of 1963).	Throughout, except regulations 7, 8 and 20.	Delete "President" and substitute "Minister".
	Regulation 5 (2).	Delete, and substitute— (2) A Divisional Board established by the Minister under paragraph (1) of this regulation shall consist of the District Commissioner or such other person as the Minister may designate, who shall be chairman, and such number of other persons as the Minister may think fit, appointed by notice in the Gazette.
	Regulation 9 (2).	Delete "Subject to the provisions of regulation 5 (2) the members of a Divisional Board shall from among their number elect a Chairman, who" and substitute "The Chairman".

SCHEDULE—(Contd.)

The Pyrethrum Act (10 of 1964).	s. 4 (2).	Delete paragraph (b) and substitute— (b) one member, appointed by the Minister, to represent each of the provinces in which pyrethrum is licensed to be grown;
	s. 10 (2) (d).	Insert “the processing of pyrethrum,” immediately after “Minister”.
The Broadcast Receiving (Licensing) Act 1965 (12 of 1965).	s. 17.	Add at the end a new paragraph as follows— (e) the granting of licences at concessionary rates to organizations established for educational purposes.
	Schedule, 5th item.	Delete “and intermediate schools” and substitute “, intermediate and secondary schools, teacher training colleges and university colleges,”.
The Public Archives Act 1965 (32 of 1965).	s. 14 (1).	Delete “Ministry” and substitute “Minister”.
The Extradition Act 1966 (7 of 1966).	s. 22.	Immediately after the word “from” insert “time”.
The Income Tax (Allowances, Reliefs and Rates) Act 1966 (8 of 1966).	s. 1.	Delete “come into operation on such day as the President shall, by notice in the Gazette, appoint” and substitute “be deemed to have come into operation on the 1st January 1966”.
The Betting, Lotteries and Gaming Act 1966 (9 of 1966).	s. 10 (2).	Delete “or in any return to the Board”.
	s. 44 (1).	Delete “this Part” and substitute “sections 40, 41 and 42”.
	s. 44 (2).	Delete “prescribed” and substitute “specified”.
	s. 46 (2).	Delete, and substitute— (2) A licence shall be issued in respect of each premises to be used for gaming and any licence to be issued under this section shall state the game or games which the licensee may, on the premises named therein, organize and manage.
The Graduated Personal Tax Act 1966 (38 of 1966).	s. 57 (3) (a) (ii).	Delete “nominal”.
	s. 9.	Delete subsection (5) and substitute a new subsection as follows— (5) Where an individual liable to pay tax in respect of income not derived from employment is not

SCHEDULE—(Contd.)

The Graduated Personal
Tax Act 1966
(38 of 1966)—
(Contd.).

s. 9.

present in Kenya on the 1st day of January in the tax year and arrives in Kenya after that date in the tax year—

(a) he shall pay the whole of the tax—

(i) on or before the expiry of two months after his arrival in Kenya; or

(ii) on or before 31st day of March in the tax year,

whichever is the later; or

(b) if before the date prescribed by paragraph (a) of this subsection he opts to pay the tax by two equal instalments, he shall pay one-half of the tax not later than the date prescribed by paragraph (a) of this subsection and the remainder not later than five months after his arrival in Kenya,

and in respect of such an individual subsections (1), (2), (3) and (4) of this section shall be construed as if for the references to the 31st day of March and the 30th day of June there were substituted references to the dates prescribed by paragraph (a) or paragraph (b), as the case may be, of this subsection.