

**THE STATUTE LAW (MISCELLANEOUS  
AMENDMENTS) ACT, 1972**

**No. 13 of 1972**

*Date of Assent: 13th November, 1972*

*Date of Commencement: 17th November, 1972*

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

ENACTED by the Parliament of Kenya, as follows:—

Short title.

**1.** This Act may be cited as the Statute Law (Miscellaneous Amendments) Act, 1972.

Amendment of  
written laws.

**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.

SCHEDULE

(s. 2)

| <i>Written Law</i>                   | <i>Provision</i>        | <i>Amendment</i>  |
|--------------------------------------|-------------------------|---|
| The Kadhi's Courts Act (Cap. 11).    | s. 4 (2) (a)            | Delete "so much of Tana River District as lies to the south-east of a line joining the north-western boundaries of the Kilifi and Lamu Districts" and substitute "Tana River District". |
| The Evidence Act (Cap. 80).          | s. 132                  | Insert "by any person" after the words "communications made".   |
| The Exchange Control Act (Cap. 113). | Fifth Schedule, Part II | Delete subparagraphs (3), (4) and (5) of paragraph I and substitute—  |

(3) Any person who commits an offence under this Act shall be liable to imprisonment for a term not exceeding ten years or to a fine not exceeding two hundred thousand shillings or to both such imprisonment and fine; and, where the offence is concerned with any property, the court shall order the property to be forfeited unless it sees good reason not to do so.

## SCHEDULE—(Contd.)

| <i>Written Law</i>                                | <i>Provision</i>                   | <i>Amendment</i>  |
|---|------------------------------------|---|
| The Exchange Control Act (Cap. 113)—<br>(Contd.). | Fifth Schedule<br>Part II—(Contd.) | (4) Notwithstanding the provisions of any other written law, where any person is convicted of an offence under this Act by a subordinate court of the first class, that court shall have power to impose the full penalties provided by subparagraph (3) of this paragraph.<br><br>(5) Where a court imposes a fine under this paragraph it may order that, in respect of the non-payment of such fine, the convicted person shall serve such term of imprisonment, not exceeding ten years, as in the opinion of the court will satisfy the justice of the case. |
| The Firearms Act (Cap. 114).                      | s. 4 (2)                           | (a) Delete the words "if the offence was committed in a scheduled area";<br><br>(b) Delete everything after the words "such fine" where they appear for the first time.   |
|   | s. 4 (3) and (4)                   | Delete.   |
|   | Schedule                           | Delete.   |
| The Trustee Act (Cap. 167).                       | s. 4 (1)                           | Insert after paragraph (cc) the following new paragraph—<br>(cd) in any security issued by the East African Railways Corporation.   |
| The Films and Stage Plays Act (Cap. 222).         | s. 2                               | Delete the definition "child" and substitute—<br>"child" means a person who has attained the age of four years but has not attained the age of eighteen years.  |
| The Government Lands Act (Cap. 280).              | s. 107 (2)                         | Delete "document was executed" and substitute "document was registered".  |
| The Registration of Titles Act (Cap. 281).        | s. 33 (2)                          | Delete "instrument was executed" and substitute "instrument was registered".  |
| The Land Titles Act (Cap. 282).                   | s. 63                              | Delete everything after the word "section" where it appears for the first time and substitute "21 of the Rating Act and unless such statement is expressed to be available until the day upon which, or until a day not earlier than that upon which, the said document was registered".  |
|   | s. 63                              | Renumber as subsection (1) and add—<br>(2) The registrar shall not register any document purporting to transfer or create any interest in land unless a certificate is produced to him certifying that no rent is owing to the Government in respect of the land, or that the land is freehold.   |

## SCHEDULE—(Contd.)

| <i>Written Law</i>   | <i>Provision</i>                                   | <i>Amendment</i>  |
|--|--|---|
| The Traffic Act<br>(Cap. 403).   | s. 2   | Delete the definition "highway authority"<br>and substitute—<br>"highway authority" means—<br>(a) in relation to the area of jurisdiction<br>of a municipality, the municipal<br>council concerned; and<br>(b) in relation to any other area, the<br>Minister for the time being res-<br>ponsible for matters relating to<br>public works.  |
| The Stamp Duty Act<br>(Cap. 480)   | s. 117   | Delete subsection (2) and substitute—<br>(2) The exemption conferred by this<br>section on the Government shall extend<br>to the Community and to the Corpora-<br>tions within the Community.   |
| The Central Bank<br>of Kenya Act<br>(Cap. 491).                          | s. 48<br><br>Limit on<br>lending to<br>Government. | Delete and substitute—<br>48. (1) The Bank's direct advances to<br>the Government under the authority of<br>section 46 of this Act shall not at any<br>time exceed twenty-five per centum<br>of the gross recurrent revenue of the<br>Government as shown in the Approp-<br>riation Accounts for the latest year for<br>which such Accounts have been audited<br>by the Controller and Auditor-General.<br><br>(2) For the purposes of subsection (1) of<br>this section, the recurrent revenue of the<br>Government shall include revenue from<br>taxes, customs, excise, export and other<br>duties, fees, rents, profits and income<br>from any investment or undertaking, but<br>shall not include proceeds from grants,<br>or loans or any form of borrowing<br>whether short-term or long-term. |
| The Land<br>Acquisition Act, 1968<br>(No. 47 of 1968).                   | s. 14<br><br>Schedule                              | Delete.<br><br>In paragraph 4, delete everything after<br>"disturbance".  |
| The Agricultural<br>Finance Corporation<br>Act, 1969<br>(No. 1 of 1969). | s. 3   | Add new subsection—<br>(3) Where the General Manager has<br>been authorized under subsection (2) of<br>this section to signify documents he may,<br>with the approval of the Board, authorize<br>any other officer of the Corporation to<br>sign any document approving a loan not<br>exceeding ten thousand shillings.   |