THE ANIMAL TECHNICIANS BILL, 2009

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SCHEDULE – PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE COUNCIL
THE ANIMAL TECHNICIANS BILL, 2009

A Bill for

AN ACT of Parliament to provide for training, registration and licensing of animal technicians, to provide for the regulation of the standards and practice of the profession and for connected purposes

ENACTED by the Parliament of Kenya, as follows -

PART I—PRELIMINARY

1. This Act may be cited as the Animal Technicians Act, 2009 and shall come into operation on such date as the Minister may, by notice in the Gazette, appoint which date shall not be later than ninety days from the date of publication.

2. (1) In this Act, unless the context otherwise requires-

“animal technician” means a person registered as such under section 17;

“Council” means the Animal Technicians Council established under section 4;

“Disciplinary Committee” means the Committee established under section 30;

“Minister” means the Minister for the time being responsible for matters relating to livestock development.

“Principal Animal Technician” means an officer in the public service designated as such;

“Registrar” means the Registrar of Animal Technicians as provided under section 15; and

“veterinary surgeon” has the meaning assigned to the term in the Veterinary Surgeons Act.

3. (1) Subject to the provisions of this Act, no person shall, unless he is registered under this Act, practice or hold himself out whether directly or by implication, as practicing or being prepared to practice as an animal technician.
(2) Nothing in this Act, shall be construed as to derogate from the provisions of the Veterinary Surgeons Act, as relates to the practice of veterinary surgery.

(3) Without prejudice to the generality of subsection (2), the practice of animal technicians shall be as specified in the schedule to the Veterinary Surgeons Act.

PART II – ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COUNCIL

4. (1) There is established a Council to be known as the Animal Technicians Council.

(2) The Council shall be a body corporate with perpetual succession and a common seal, and shall, in its corporate name be capable of-

(a) suing and being sued;

(b) taking, purchasing or otherwise acquiring, holding charging or disposing of movable and immovable property;

(c) borrowing money or making investments; and

(d) doing or performing all other acts or things for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

5. The functions of the Council shall be to –

(a) establish and improve standards of service for animal technicians;

(b) safeguard the interests of all animal technicians;

(c) prescribe in consultation with such training institutions as the Council may approve, the syllabuses of instruction and courses of training for persons seeking registration under this Act;

(d) consider and approve the qualification of animal technicians for the purpose of registration under this Act;
(e) licence and regulate the business and practice of animal technicians;

(f) approve institutions for the purpose of training persons seeking registration under this Act;

(g) prescribe and conduct examinations for persons seeking registration under this Act;

(h) regulate the professional conduct of persons registered, or licensed under this Act, and take such disciplinary measures as may be necessary to maintain a proper standard of conduct among such persons;

(i) direct and supervise the compilation and maintenance of register, and records required to be kept under section 16;

(j) perform such other functions as may be necessary for the proper administration of this Act.
6. (1) The Council shall consist of -

(a) a chairperson who shall be a registered animal technician appointed by the Minister;

(b) the Director of Veterinary Service;

(c) the Registrar;

(d) the Principal Animal Technician or a person deputed by him in writing;

(e) seven other persons who are registered animal technicians and actively engaged in animal health care, elected by registered animal technicians in such manner as may be prescribed, and appointed by the Minister.

(2) The following persons appointed by the Minister -

(a) one person from an approved training institution dealing with livestock development;

(b) one person representing the Kenya Association of Livestock Technician;

(c) one person representing a society whose object is the protection and care of animals.

(3) The Minister shall make rules for the election of members under subsection (1) (e).

7. The conduct and regulation of the business and affairs of the Council shall be as provided in the Schedule.

8. (1) There shall be a Chief Executive Officer who shall be appointed by the Council and whose terms and conditions of service shall be determined by the Council in the instrument of appointment or otherwise in writing from time to time.

(2) The Chief Executive Officer shall be an ex-officio member of the Council and shall have no right to vote at any meeting of the Council.

(3) A person shall not be appointed as the Chief Executive Officer unless such person –
(a) is registered or qualified to be registered as an animal technician under this Act;

(b) has at least five years post qualification working experience in a managerial position;

(c) is a person of integrity.

(4) The Chief Executive Officer shall –

(a) be the secretary to the Council;

(b) subject to the directions of the Council be responsible for the day to day management of the affairs and staff of the Council; and

(c) perform such other functions as the Council may, from time to time, determine.

9. Subject to this Act, the Council may, either generally or in particular case, delegate to any Committee of the Council or to any member, officer, employee or agent of the Council, the exercise of any of the functions of the Council under this Act.

10. The Council shall pay to its members such remuneration, fees or allowances for expenses as it may determine with the approval of the Minister.

11. The Council may appoint such officers, agents and other staff as are necessary for the proper discharge of its functions under this Act, upon such terms and conditions as the Council may determine.

12. (1) No matter or thing done by any member of the Council or by officer, employee, agent or servant thereof shall, if the act or omission was done bona fide for the purposes of executing a function, power or duty under the Act, render such member, officer, employee, agent or servant personally liable to any action, claim or demand whatsoever.

(2) The provisions of subsection (1) shall not relieve the Council of the liability to pay compensation or damages to any person for any injury to him, his property or any of his interests caused by the exercise of any power conferred by this Act or by the failure, whether wholly or partially, or any works.
13. (1) The common seal of the Council shall be kept in such custody as the Council may direct and shall not be used except on the order of the Council.

(2) Affixing of the common seal of the Council shall be authenticated by the signature of the Chairperson and the Chief Executive Officer and any document not required by law to be made under seal and all decisions of the Council may be authenticated by the signatures of the Chairperson and the Chief Executive Officer.

(3) Notwithstanding the provisions of subsection (2), the Council shall, in the absence of either the Chairperson or the Chief Executive Officer in any particular matter, nominate one member to authenticate the seal of the Council on behalf of either the Chairperson or the Chief Executive Officer.

14. The contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Council by any person generally or specially authorized by the Council for that purpose.

PART III - REGISTRATION AND LICENSING OF ANIMAL TECHNICIAN

15. The Council shall, with the approval of the Minister appoint a Registrar, who shall be a registered animal technician and who shall perform such duties in connection with the register as the Council may direct.

16. (1) The Registrar shall keep or cause to be kept a register which shall contain –

   (a) a list of the names and qualifications of all registered animal technicians;

   (b) a list of the names and qualifications of all persons issued with annual private practice licenses; and

   (c) such other details as the Council may direct.

(2) The Registrar shall keep up to date or cause to be kept up to date the register and records required to be kept under or for the purposes of this Act, subject to any directions which may from time to time be issued to him by the Council.
(3) The Registrar shall not later than the 31st January in every year, cause to be published in the Gazette, the names from the lists referred to in subsection (1), and any person whose name does not appear in the Gazette shall be deemed not to be registered under this Act.

17. A person shall be eligible to be registered as an animal technician if such person -

(a) is of good conduct;

(b) has paid the prescribed registration fees;

(c) has successfully attended a course of instruction for animal technicians prescribed by the Council in any approved training institution in Kenya;

(d) has attended a course of instruction for animal technicians recognized by the Council as equivalent to the course prescribed by the Council, at any training institution outside Kenya approved by the Council; or

(e) holds such other qualifications as the Council may prescribe;

18. Every registered animal technician whose name appears on the register kept under section 16 shall pay annually or at such longer intervals as the Council may deem appropriate a fee to be known as retention fee as a condition for maintaining his name in the register.

19. (1) Any person wishing to be registered as an animal technician under this Act may apply to the Registrar.

(2) An application under this section shall be made in the prescribed manner and form and shall be accompanied by the prescribed fee.

(3) Where an application is made by a person in accordance with this section, the Council shall approve the application if it is satisfied that the person meets the requirements specified under section 17.

(4) Upon approval by the Council, the Registrar shall register every qualified person by entering his name, address, professional qualifications and such other
particulars as the Council may prescribe, in the appropriate register kept for that purpose pursuant to section 16.

20. The Council shall issue to every person registered under this Act a certificate of registration in the prescribed form.

21. (1) The Council may, at any time, direct that the name of a person be removed from the register where such person -

(a) requests that his name be removed from the register, in which case such person may be required to satisfy the Council by an affidavit lodged with the Registrar that no criminal proceedings under this Act have been instituted or are likely to be instituted against him;

(b) is found by the Council to be guilty of professional misconduct in accordance with this Act.

(2) The Registrar shall remove from the register -

(a) the names of every deceased persons;

(b) any entry which has been incorrectly or fraudulently made.

(3) The Registrar shall cause the name and address of every person whose name is removed from the register under this section, to be published in the Gazette within one month from the date of such removal.

(4) Subject to the provisions of this Act, the removal of a person’s name from the register shall be notified by the Registrar to the person by registered mail addressed to the address appearing in the register against his name immediately before such removal.

(5) Where the name of any person has been removed from the register under this Act, such name shall not be reinstated except by direction of the Council.

(6) A person whose name has been removed from the register shall cease to be registered for the purpose of this Act from the date of such removal.
22. The Registrar shall from time to time make any necessary alteration or correction in the register in relation to any entry therein.

23. Where the name of any person has been removed from the register, the Council may, either of its own motion or on the application by the person concerned made in the prescribed manner, and in either case after holding such inquiry as the Council thinks fit, direct that -

(a) the removal of such person’s name from the register be confirmed; or

(b) the name of the person be restored in the register.

PART IV – PROVISIONS RELATING TO PRIVATE PRACTICE

24. (1) Subject to this Act, no person shall be qualified to engage in private practice as an animal technician unless such person -

(a) is a Kenyan citizen;

(b) is registered under this Act;

(c) holds a valid license issued under this Act;

(d) has served as an animal technician under supervision of a veterinary surgeon for a period of not less than five years after being registered;

(e) holds such other qualification as the Council may prescribe.

(2) For the purposes of this Act, a person shall be deemed to engage in private practice if he practices as animal technician -

(a) on his own account and is to receive the entire amount of all fees and charges earned for his own financial benefit; or

(b) in partnership with others and is entitled to receive a share of the profits earned by such partnership for his own financial benefit and is liable to bear a share of any losses incurred by such partnership, but no
person shall be deemed to engage in private practice where he is employed -

(i) by the Government or any other public body;

(ii) by any state corporation as defined in the State Corporations Act; or

(iii) as an employee of any person or partnership engaged in his profession where all fees and charges earned by him in his professional capacity ensure to the benefit of his employer, notwithstanding that he is employed in his professional capacity as an animal technician.

(3) A person who engages in private practice as an animal technician contrary to the provisions of this section commits an offence and shall be liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding five years, or both.

25. No person shall engage in private practice unless he has been issued with a valid licence to practice.

26. (1) An application for an annual license under this section shall be made to the Registrar in duplicate, signed by the applicant, specifying his name and place of business, his registration number and the date of his registration as an animal technician.

(2) Every application under this section shall be accompanied by the prescribed fee.

(3) Where an application is made by a person in accordance with this section, the Registrar shall issue such a person an annual license to practice if satisfied that the person —

(a) holds a certificate of registration; and

(b) meets such other requirement as may be prescribed, and if not satisfied, shall refuse the applications.

(4) Every annual license shall bear the date on which it is issued and be effective from that date and shall expire at the
end of the license year in which it is issued unless its holder ceases to be a registered member under this Act.

(5) Where an annual license ceases to be in force in accordance with subsection (4), the person to whom the license was issued shall deliver it to the Council within thirty days from the date on which he ceases to be registered.

(6) Any person who without reasonable excuse contravenes subsection (5) commits an offence and shall be liable on conviction to a fine not exceeding fifty thousand shillings.

(7) Where the name of a person registered as an animal technician is removed from the register, the annual licence of that person shall be cancelled forthwith.

Valid of the license. 27. An annual licence issued under this Act shall be valid from the date of issue to the thirty first December of the year of issue.

Renewal of annual license. 28. (1) On expiry, a license may be renewed for a further period not exceeding one year.

(2) Where a license expires and is not renewed, the name of the holder of the license shall be removed from the register.

Use of title. 29. A person registered under this Act shall -

(a) by virtue of being so registered, be entitled to take and use the title and description of animal technician; and

(b) not take or use, or affix to or use in connection with his premises, any title or description, in addition to that of an animal technician, other than as indicated by the particulars relating to his qualifications entered in the register.

PART V – DISCIPLINARY PROVISIONS

The Disciplinary Committee. 30. (1) There shall be a committee to be known as the Disciplinary Committee.
(2) The Committee shall consist of the following members -

(a) a chairperson appointed by the Council who shall be a qualified animal technician with at least ten years experience;

(b) the Attorney General or his representative;

(c) the Registrar, who shall be the secretary;

(d) one person nominated by the Minister, who shall not be a member of the Council;

(e) two animal technicians from private practice nominated by the Council, who shall not be members of the Council.

Reference of matters to the committee.

31. (1) If the Council has reason to believe in respect of any registered person that such person, either before or after he became registered -

(a) has been convicted of an offence punishable by imprisonment, the commission of which in the opinion of the Council, has dishonored him in the public estimation;

(b) has been guilty of negligence or malpractice in respect of his profession; or

(c) has been guilty of impropriety or misconduct, whether in respect of his profession or not, it may refer the matter to the Disciplinary Committee.

Inquiry by the Disciplinary Committee.

32. (1) Upon inquiry held by the Disciplinary Committee, the person whose conduct is being inquired into shall be afforded an opportunity to be heard in person.

(2) For the purpose of proceedings at any inquiry held by the Disciplinary Committee, the Committee may administer oaths, and may subject to any regulations made under this Act, enforce attendance of persons as witnesses and the production of books and document.

(3) The Disciplinary Committee shall, subject to any regulations made under this Act, have power to regulate its own procedure.
Powers of the Disciplinary Committee.

33. (1) Where, on recommendation of the Disciplinary Committee, the Council is satisfied that an animal technician is in breach of any of the terms or conditions prescribed by the Council under section 31, the Council may –

(a) issue the animal technician with a letter of admonishment;

(b) suspend the registration of the animal technician for a specified period not exceeding twelve months;

(c) withdraw or cancel the license of the animal technician for such period not exceeding five years as may be appropriate;

(d) impose a fine which the Council deems appropriate in the circumstances; or

(e) remove the name of the animal technician from the register.

(2) The Council shall as soon as practically possible inform the animal technician of the action to be taken against him.

(3) Any person whose name has been removed from the register or whose license has been suspended shall forthwith surrender to the Council his certificate of registration or annual license.

(4) Any person being a registered animal technician who refuses or fails to surrender his certificate of registration or license to the Council shall be guilty of professional misconduct and shall be liable to a fine not exceeding twenty thousand shillings.

(5) Any person aggrieved by the decision of the Council in the exercise of its powers under this section may within sixty days from the date of the decision of the Council, appeal to the High Court and in any such appeal, the High Court may annul or vary the decision as it thinks fit.

Lifting of suspension.

34. (1) Where an animal technician has been suspended from practicing, he may appeal to the Council for the lifting of the suspension at any time before the expiry thereof.
(2) Where the Council is satisfied in respect of any animal technician that he should have his suspension lifted, the Council shall, upon the receipt of the prescribed fee, lift the suspension and restore to the animal technician, his registration and annual license.

PART VI - FINANCIAL PROVISIONS

Funds of the Council. **35.** The funds of the Council shall comprise of -

(a) such monies as may accrue to or vest in the Council in the course of the exercise of its powers or the performance of its functions under this Act;

(b) all monies from any other source provided for or donated or lent to the Council.

Financial year. **36.** The financial year of the Council shall be the period of twelve months ending on the 30th June in each year.

Annual estimates. **37.** (1) Before the commencement of each financial year, the Council shall cause to be prepared estimates of revenue and expenditure of the Council for that year.

(2) The annual estimates shall make provisions for all the estimated expenditure of the Council for the financial year concerned and in particular shall provide for -

(a) the payment of salaries, allowances and other changes in respect of the staff of the Council;

(b) the payment of pensions, gratuity and other changes in respect of retirement benefits which are payable out of the funds of the Council;

(c) the acquisition, maintenance, repair and replacement of the equipment and other movable properties of the Council;

(d) the proper maintenance of buildings and grounds of the Council;

(e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of such other matter as the Council may deem as appropriate.
(3) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate and shall be submitted to the Minister for approval and after the Minister has given his approval, the Council shall not increase any sum provided in the estimates without the consent of the Minister.

38. (1) The Council shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the Council.

(2) Within a period of three months after the end of each financial year, the Council shall submit to the Controller and Auditor General, the accounts of the Council in respect of that year together with –
   (a) a statement of income and expenditure during the year; and
   (b) a statement of the assets and liabilities of the Council on the last day of that year.

(3) The accounts of the Council shall be audited and reported upon in accordance with the provisions of the Public Audit Act, 2003.

39. (1) The Council may invest any of the funds of the Council in securities in which for the time being trustees may by law invest funds or in any other securities which the Treasury may from time to time, approve for that purpose.

(2) The Council may place on deposit, with such bank or banks as it may determine, any monies not immediately required for the purpose of the Council.

PART VII - MISCELLANEOUS PROVISIONS

40. (1) Any person who, not being eligible to be registered or licensed under this Act, uses any title appropriate to a person so registered or licensed, or holds himself out directly or indirectly as being so registered or licensed, commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years or to both.

(2) Any person, who not being eligible to be registered or licensed under the Act practices for gain as an animal technician, except in an area which the Minister has, by notice in the Gazette, determined to be suitable for
such practice by persons who are not so registered, or licensed or except in such circumstances as may be specifically laid down in regulations made under this Act, commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

(3) Nothing in this section shall prohibit persons in employment in the service of the Government, or by an approved institution, from performing their duties under the supervision of a veterinary practitioner or of a person registered or licensed under this Act.

41. Any person who, though eligible to be registered or licensed under this Act, is not so registered or licensed but practices as an animal technician, commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding two years, or to both.

42. (1) No person shall, being in charge of a training institution in Kenya –

(a) admit persons for training with a view to qualifying for registration under this Act;

(b) conduct a course of training or administer the examinations prescribed for the purpose of registration under this Act;

(c) issue any document or statement or seal implying that the holder thereof has undergone a course of instructions or passed an examination prescribed by the Council;

(d) issue any document, statement or seal implying that the institution under his charge is approved by the Council as an institution for training of persons seeking registration under this Act,

unless such institution is approved by the Council for that purpose in accordance with this Act.

(2) A person who contravenes any of the provisions of subsection (1) commits an offence and shall be liable on
conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding five years, or to both.

(3) The Council may, in regulations, prescribe the procedure for approving training institutions for the purposes of this section.

Employment of unregistered staff. 43. Any person who employs another person as an animal technician while that other person is not registered or licensed under this Act, commits an offence, and shall be liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding three years, or to both.

Falsification of registers or records. 44. Any person who willfully makes or causes to be made any false entry in, or falsification of, any register or record kept under this Act, or who presents or attempts to present himself or any person to be registered or licensed under this Act by making or producing or causing to be made or produced a false or fraudulent representation or declaration, either orally or in writing, commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

General penalty. 45. Any person convicted of an offence under this Act for which no penalty is provided shall be liable to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding two years, or to both.

Regulations. 46. The Council may, with the approval of the Minister, make regulations generally for the better carrying out of the provisions of this Act, and without prejudice to the generality of the foregoing, may make regulations to provide for –

(a) the form and method of keeping the register and records under this Act;

(b) the conditions of admission to the register and of the issue of licenses;

(c) the manner in which the training of the persons for whom provision is made in the Act for registration may be established and their training regulated;

(d) the conditions under which training institutions for persons desirous of obtaining registration under this Act may be approved and the courses of training and instruction to be undergone by persons seeking such registration;
(e) the subject matter of training courses and examinations to be conducted by the Council;

(f) the conditions of admission for entry to training courses and examinations to be conducted by the Council;

(g) the standards and conditions of professional practice of persons registered or licensed under this Act;

(h) the fees payable in respect of examinations, registration, issue of licenses and in respect of any other matters under this Act;

(i) the procedure for election of those members of the Council who are required to be elected;

(j) the summoning of meetings of and the direction of the proceedings of the Council;

(k) the powers and duties of local supervising authorities;

(l) the disposal of fees collected, the authorization of such disbursements, as may be necessary and the management of any funds within the control of the Council;

(m) the keeping and opening of new registers and records or parts thereof.

**SCHEDULE**

**PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE COUNCIL**

1. A member of the Council shall hold office for a period of three years and shall be eligible for re-appointment for a further and final term of three years.

2. No person shall be qualified for appointment as a member of the Council if -

   (a) he is adjudged bankrupt; or

   (b) his name has been removed from the register or his registration, or license has been suspended under section 33.
3. An office of a member of the Council shall become vacant if the member -

(a) dies;

(b) becomes subject to any of the disqualifications referred to in paragraph 2;

(c) resigns the office by writing under his hand delivered to the chairperson of the Council;

(d) is absent without the permission of the chairperson from three or more consecutive meetings of the Council;

(e) is convicted of an offence and sentenced to imprisonment for a term of six months or more without the option of a fine;

(f) is found guilty of an offence under section 31 of the Act which in the opinion of the Council renders him unsuitable to continue to hold office;

(g) becomes for any reason including infirmity of body or mind, incompetent or incapable of performing the functions of the office; or

(h) is otherwise unable to discharge his functions.

4. A vacancy in the office of a member under paragraph 3 shall be filled, by a person appointed by the Minister in accordance with the provisions of this Schedule.

5. The Council shall, at its first meeting, elect a vice chairperson from amongst the persons appointed under section 6(1) (e) of this Act.

6. The Council shall meet at least four times in each year.

7. The Chairperson may at any time convene a special meeting of the Council and shall do so within fifteen days of a written requisition for the meeting signed by at least three members.

8. (1) The Chairperson shall preside at all meetings of the Council, which he is present and in the case of his absence, the Vice Chairperson shall preside.
(2) At a meeting of the Council at which neither the Chairperson or Vice chairperson is present, the members of the Council present shall elect one of their number to preside, and the person so elected shall have all the powers of the chairperson with respect to that meeting and the business transacted thereat.

Quorum.

9. The quorum for the conduct of the business of the Council shall be nine members.

Voting procedure.

10. The decisions of the Council shall be by a majority of votes, and the Chairperson of the meeting shall have an original and a casting vote.

Validity of proceedings.

11. The validity of any proceedings of the Council shall not be affected by any vacancy among the membership thereof, or by any defect in the appointment of a member thereof.

Minutes.

12. Minutes of the proceedings at meetings of the Council shall be kept in such a manner as the Council directs, and, on the written request of the Minister, shall be made available to him or any person nominated by him.

Committees of the Council.

13. The Council may establish such committees as may be necessary for the performance of the functions of the Council and may, subject to the provisions of this Act, delegate powers conferred on it to any such committee.

Power of the Council to regulate own procedure.

14. Subject to the provisions of this Schedule, the Council shall regulate its own procedure.

Disclosure of interest

15. (1) If a member of the Council is directly or indirectly interested in any contract, proposed contract or other matter before the Council and is present at a meeting of the Council at which the contract, proposed contract or other matter is the subject of consideration, he shall, at the meeting and as soon as reasonably practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.
MEMORANDUM OF OBJECTS AND REASONS

The Principal object of this Bill is to anchor the existence and practice of the animal technicians in statute law. While it is universally acknowledged that agriculture remains the backbone of the Kenyan economy and that the livestock subsector contributes about 13 per cent of the Gross Domestic Product (GDP), there has never been an attempt to clothe the practice of animal technicians in a fine statutory line. It is imperative to note that this country and in particular livestock farmers in the ASAL areas who hold over 80% of the livestock population rely on the animal technicians who are more in number than veterinary surgeons.

The entire legal framework does not provide any substantive and procedural essentials for the animal technicians, most of the Acts that relate to animal health care for example the Animal Diseases Act, (Cap 364) and Veterinary Surgeons Act (Cap 366) are silent. The result therefore is that the practice of animal technicians which is very crucial to this country goes about in a state of virtual legal nudity.

This Bill therefore seeks to address these challenges and thereby empower and strengthen the practice of animal technicians. This will not only enhance disease surveillance but also strengthen control and avoid losses.

Further, the Bill seeks to seal the existing lacuna whereby middle class cadre technicians who in spite of being trained are not registered to practice thus resulting to decline in animal sector productivity. Significantly, the Bill creates an Animal Technicians Council to regulate animal health care through proper training, registration and licensing of private practitioners of trained animal technicians in this country.

Part I of the Bill contains preliminary provisions.

Part II of the Bill provides for the establishment and functions of the Animal Technicians Council.

Part III of the Bill contains the provisions relating to registration and licensing of animal technicians.

Part IV of the Bill provides for private practice.

Part V of the Bill contains provisions relating to discipline of animal technicians.

Part VI of the Bill sets out the financial provisions relating to the Council.

Part VII of the Bill provides for miscellaneous provisions.

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 2nd October, 2009.

JOSEPH LEKUTON,
Member of Parliament.