

**CHAPTER 364**

**THE ANIMAL DISEASES ACT**

SUBSIDIARY LEGISLATION

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*List of Subsidiary Legislation*

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**THE ANIMAL DISEASES (COMPULSORY  
RINDERPEST VACCINATION) RULES**

[Legal Notice 232 of 1964]

1. These Rules may be cited as the Animal Diseases (Compulsory Rinderpest Vaccination) Rules.
  2. All cattle shall be immunized by a rinderpest vaccine approved by the Director of Veterinary Services and immunity shall be maintained by repeated vaccinations as considered necessary by the Director of Veterinary Services.
  3. Any person who contravenes the provisions of these Rules shall be guilty of an offence.
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**NOTIFIABLE DISEASES UNDER SECTION 2**

[Legal Notice 147 of 1965, Legal Notice 328 of 1966, Legal Notice 56 of 1977]

Notifiable Diseases Under Section 2

IN EXERCISE of the powers conferred by section 2 of the Animal Diseases Act, the Minister for Agriculture and Animal Husbandry hereby declares the following to be notifiable diseases for the purposes of the Act

Mucosal Disease Virus Diarrhoea Complex

[L.N. 147/1965]

Psittacosis or Ornithosis.

[L.N. 328/1966]

Avian Encephalomyelitis (Epidemic Tremor)

[L.N. 56/1977]

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**THE ANIMAL DISEASES (CONTROL OF PIG DISEASES) RULES**

[Legal Notice 71 of 1966, Legal Notice 78 of 2006]

1. These Rules may be cited as the Animal Diseases (Control of Pig Diseases) Rules.

2. In these Rules, unless the context otherwise requires—

"pig producer" means a person who has been issued with a licence to keep pigs under these Rules;

"premises" means any building, paddock or passages in which pigs are kept.

[L.N. 78/2006, r. 2.]

3. Deleted by L.N. 78/2006, r. 4.

4. Deleted by L.N. 78/2006, r. 5.

5. Every pig producer shall, on or before the 30th April each year, make application to the Director, in Form 1 in the First Schedule, for renewal of his licence, and such licence shall be renewed on receipt of the fee of five shillings, for a period of a year from the 1st July to 30th. June next, except that such a renewal may be refused in the same manner and for the same reasons that a licence may be revoked under rule 9.

[L.N. 78/2006, r. 3.]

6. Every pig producer shall stack all litter for at least one month before it is used.

[L.N. 78/2006, r. 3.]

7. (1) Every pig kept by a pig producer shall, whenever kept in a building, be confined in a pig-proof building and whenever not in a building shall be confined in a pig-proof paddock.

(2) Where such a pig is usually housed in a building, it shall be confined, when not in a building, in a pig-proof paddock, which shall be either within one hundred yards of the building or connected with it by a pig-proof passage.

[L.N. 78/2006, r. 3.]

8. A building, paddock or passage shall, for the purpose of these Rules, be pig-proof only if it is constructed in accordance with the specifications contained in the Second Schedule or higher specifications, and is in sound condition and a good state of repair.

9. (1) A pig producer whose premises are not pig-proof, or whose pigs are not kept in accordance with these Rules, shall be served with a warning, in writing sent by registered post, by an inspector, to the effect that his licence may be withdrawn; such warning shall include details, if any, of any infringements of these Rules by such pig producer.

(2) If, after two weeks have elapsed since receipt of such a warning by a pig producer, the recipient does not make such alterations or repairs as are considered necessary by an inspector, or continues to keep pigs other than in accordance with these Rules, the licence of such person may be revoked by the Director, by notice in writing.

[L.N. 78/2006, r. 3.]

10. Any person who keeps pigs without a licence, or who continues to keep pigs after his licence has been revoked by the Director in accordance with rule 7, shall be guilty of an offence and shall be liable to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding six months or to both.

11. Notwithstanding the revocation of the Pig Industry (Licence) Rules, licences issued under those Rules shall be deemed to be licences issued under these Rules and shall remain in force until 30th June 1967 and shall then expire.

[Subsidiary]

FIRST SCHEDULE

**FORM 1** ( r. 3)  
**APPLICATION FOR PIG PRODUCER'S LICENCE**

*(To be submitted in duplicate)*

**PART I**

- 1. Full Names .....*(In block letters)*
- 2. Postal Address .....
- 3. Address of place where pigs are kept including name of farm and district .....
- 4. Number of pigs kept at time of application:
  - (1) Boars .....
  - (2) Breeding Sows or Gilts .....
  - (3) Stores or Weaners .....
  - (4) Sucking Pigs .....

5. \*I hereby make application to keep pigs at the premises described in 4 above, and enclose a fee of Sh. 5.

\* I hereby make application for renewal of my licence to keep pigs, and enclose a fee of Sh. 5.

\* Delete whichever is inapplicable.

*Signed*

.....

*Note.*—The licence fee of Sh. 5 must be remitted together with this application.

**Part II**

***(To be completed by an inspector)***

I, ..... an inspector under the Animal Diseases Act, certify that I have on ....., 20 ..... inspected the premises described in 3 above and am satisfied that pigs can be kept on the said premises without danger of contact with wild pig and recommend that a licence be issued to ..... to keep pigs on the above described premises.

Signed .....

Designation .....

Date .....

**FORM 2** ( r. 4)  
**LICENCE TO KEEP PIGS**

To:  
Name .....

Address .....

Farm .....

You are hereby licensed to keep pigs on the farm described above. This licence expires on the 30th June 20 ..... Application for renewal must be made on or before 30th April 20 .....

Date .....

.....  
*Director of Veterinary Services.*



SECOND SCHEDULE

[Rule 8]

**SPECIFICATION OF PIG-PROOF BUILDINGS**

The walls and doors shall be not less than 3 feet 6 inches high, and shall be either—

- (a) of solid construction; or
- (b) made of posts not more than 4 feet apart, with rails of timber, off-cuts or poles not more than 3 inches apart, the bottom one being not more than 3 inches from the ground at any point; or
- (c) made of posts not more than 4 feet apart, with standard pig or sheep wire netting not lighter than 15 gauge, not more than 3 inches off the ground and barbed wire running along the top and bottom of the wire netting.

**SPECIFICATION OF PIG-PROOF PADDOCKS AND PASSAGES**

Paddocks and passages shall be bounded by continuous fences at least 3 feet 6 inches high and not more than 3 inches off the ground at any point, and one of the following constructions—

- (a) made of posts not more than 6 yards apart, with standard pig or sheep wire netting not lighter than 15 gauge and barbed wire running along the top and bottom of wire netting, and at least three droppers evenly spaced between every two posts; or
- (b) made of posts not more than 6 yards apart, with seven strands of barbed wire at the respective heights of 3, 7, 12, 18, 24, 32 and 42 inches from the ground, and three droppers evenly spaced between every two posts; or
- (c) made of posts and rails, the posts being not more than 10 feet apart and the rails not more than 4 inches apart, the rails being off-cuts, sawn timber or poles of at least 3 inches diameter.

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**THE ANIMAL DISEASES (COMPULSORY FOOT  
AND MOUTH VACCINATION) RULES, 1966**

[Legal Notice 91 of 1966]

1. These Rules may be cited as the Animal Diseases (Compulsory Foot and Mouth Vaccination) Rules.
2. The Director of Veterinary Services may, by notice in the Gazette, declare any area to be a compulsory foot and mouth vaccination area.
3. All cattle in a compulsory foot and mouth vaccination area shall be immunized against foot and mouth disease by a vaccine approved by the Director of Veterinary Services, and immunity shall be maintained by repeated vaccinations as considered necessary by the Director of Veterinary Services.
4. All cattle owners in a compulsory foot and mouth vaccination area shall be responsible for bearing the cost of immunizing their cattle against foot and mouth disease, except that under no circumstances shall they be charged more than the cost of vaccine as laid down in the Third Schedule to the Animal Diseases Rules (sub. leg).
5. All pigs, sheep and goats shall be vaccinated against foot and mouth disease as required by the Director of Veterinary Services, and the cost thereof shall be borne by the owners.
6. Any person who contravenes the provisions of these Rules shall be guilty of an offence and shall be liable to the penalty prescribed under section 20 of the Act.

[L.N. 91/1966.]

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**THE ANIMAL DISEASES — (FEES AND CHARGES)**

[Legal Notice 185 of 1966, Legal Notice 329 of 1966,  
Legal Notice 166 of 2021, Legal Notice 266 of 2021]

1. The fees specified in the First, Second, Third, Fourth and Fifth Schedules are prescribed in respect of the several matters therein specified.
2. The fees specified in the said First and Second Schedules shall be paid to the Director by the owner of the animals in respect of which the services specified in the said Schedules have been rendered, whether or not such services have been rendered at the request of the owner.
3. The fees specified in the said Third Schedule shall be paid at the Veterinary Stations at Garissa or Lamu before issue of movement permits, except that, in the case of cattle being moved for sale at the abattoir of the Kenya Meat Commission at Mombasa, fees may, with the consent of a veterinary inspector and subject to such directions as he may give, be paid at the abattoir of the Kenya Meat Commission at Mombasa. In all cases fees shall be assessed and paid in respect of the numbers of cattle for which each movement permit is issued.

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**FIRST SCHEDULE**
**FEES FOR MOVEMENT PERMITS**

[L.N. 252 of 1967, L.N. 229 of 1970, L.N. 204 of 1971, L.N. 158  
of 1975, L.N. 98 of 1998, L.N. 166 of 2021, L.N. 266/2021.]

<b>1. MOVEMENT PERMIT:</b>	<b>KSH.</b>
<b>(a) Local movement permits:</b>	
1 – 20 cattle	50
21 – 50	75
Over 50 cattle	100
1 – 50 sheep/goats	50
51 – 100 sheep/goats	75
Over 100 sheep/goats	100
Pigs per consignment	50
Dogs and cats per consignment	50
Poultry per consignment	50
Fish per consignment	50
Other species per consignment	50
<b>(b) Import permits</b>	
Meat and meat products per consignment	3,000
Milk and milk products per consignment	3,000
Animal feeds and feedstuff per consignment	3,000
Honey and other apiary products per consignment	3,000
Eggs and egg products per consignment	3,000

*Animal Diseases*

[Subsidiary]

Cattle for breeding per head	500
Cattle for slaughter (trade) per head	20
Horse per head	1000
Camel for breeding per head	350
Camel for slaughter (trade) each	50
Sheep, goats for slaughter (trade) each	10
Sheep, goats for breeding each	300
Rabbits for breeding per consignment	500
Other species for breeding each	400
Pigs for breeding each	200
Pigs for slaughter (trade) each	15
Parent stock, grandparent stock each chick	50
Other day old chicks, poults, ducklings each	50
Hatching eggs each	50
Ostrich or breeding each	100
Ostrich for slaughter each	50
Ostrich egg for hatching each	100
Semen each dose	20
Embryo each	200
Fish per consignment	1000
Parrots per consignment	300
Other ornamental birds 1 - 10	300
Over 100 each	30
Dogs and cats each	500
Import permits for all pets (dogs, cats, etc.) issued at embassies each	US\$ 50
<b>(c) Import permits for wild animals:</b>	
Large animals (elephants, rhinos, lions, etc.) each	1,000
Small animals (e.g. monkeys) each	500
Special inspection (excluding laboratory tests) each animal	50
Import of pet food per consignment	1,000

*Animal Diseases*

[Subsidiary]

Small wild animals (e.g. tortoises) each	20
<b>(d) Permits and health certificates for animals:</b>	<b>KSH.</b>
Meat and meat products per consignment	2,000
Milk and milk products per consignment	2,000
Animal feeds and feedstuff per consignment	2,000
Honey and other apiary products per consignment	2,000
Egg and eggs product per consignment	2,000
Products for export (horns, hooves, bones, fish) excluding laboratory tests per consignment	1,000
Export health certificate for wool per consignment	500
Export health certificate for skins of wild animals per consignment	2,000
Export certificate for ostrich skins per piece	50
Export certificate for semen per dose	5
Export certificate for embryo each	200
Export and import of drums made of hides/skins 1-100 pieces	1,000
Over 100 pieces	2,000
<b>2. FEES FOR GENERAL SERVICES (ANNUAL)</b>	
Application for pig producer licence (Form 1)	200
Licence to keep pigs (Form 2)	400
Application and inspection fee for hatchery	1,000
Licence for hatchery	5,000
Licence to distribute semen	1,500
Application and inspection fee for ostrich export farms (excluding laboratory tests)	2,500
Licence to keep ostriches for export	5,000
Licence to keep ostriches for local market	3,000

*Animal Diseases*

[Subsidiary]

Application and inspection fee for ostrich hatchery and farms for local and export market (excluding laboratory test)	1,500
Inseminator licence	500

**3. HEALTH CERTIFICATION EXCLUDING LABORATORY TESTS****(a) Certification of pullorum fowl typhoid disease tests:*****Poultry—minimum KSh. 1,000 or 50 cents per bird whichever is greater.******Ostrich—minimum KSh. 2,000 or KSh. 5 per bird whichever is greater.***

<b>(b) Cattle per head</b>	500
Horse each	400
Camel each	200
Sheep, goat each	50
Bull inspection each	400
Pig each	100
Donkey each	200
Poultry each	1
Ostrich each	200
Parrot each	800
Other ornamental birds	300
1-10	
Over 10 each	30
Dogs and cats each	500

**(c) Export health certificates and movement permits excluding laboratory tests:**

Cattle each	200
Camel each	200
Sheep, goat each	100
Pig each	200
Horse each	1,000
Donkey each	200
Large wild animals (elephants, rhinos, lions, etc.) each	1,200
Small wild animals (e.g. monkeys) each	500
Other small wild animals (e.g. tortoise) each	100
Poultry each	50
Poultry fertile egg each	50
Ostrich each	300
Ostrich egg each	300
Ostrich skin (trophy) each	100
Parrot each	800
Other ornamental birds	300
1-10	



*Animal Diseases*

[Subsidiary]

Other ornamental birds over 10 each	30
Dogs and cats each	500
Semen	200
Embryo	200
Rabbits per consignment	600
<b>4. KENNEL CHARGES</b>	
For first seven days each day	300
After first seven days each day	150

## SECOND SCHEDULE

## FEES FOR LABORATORY ANALYSIS AND EXAMINATIONS

[L.N. 145 of 1972, L.N. 108 of 1973, L.N. 100 of 1980, L.N. 98 of 1998.]

*Ksh.*

<b>1. Toxicological:</b>	
(a) Qualitative analysis for any one poison except arsenic .....	500
(b) Qualitative tests for arsenic .....	100
<b>2. Bacterial examination of foodstuffs and fertilizers:</b>	
(a) General investigation for presence of pathogenic organisms per sample .....	200
(b) Isolation and identification of pathogenic organisms per sample .....	200
<b>3. Cattle dips:</b>	
(a) Each organophosphate analysis .....	100
(b) Other analysis .....	200
<b>4. Serological and related tests:</b>	
(a) Brucella abortus serological tests per sample .....	75
(b) Mucous tests for vibrio or trichomonas per sample .....	50
(c) Complement fixation serological test per sample .....	50
(d) Contagious bovine pleuropneumonia test per sample .....	50
<b>(e) Other serological tests:</b>	
Agglutination tests per sample .....	50
Neutralization tests per sample .....	50

*Animal Diseases*

[Subsidiary]

Fluorescent antibody tests per sample ..... 50

NOTE:

(i) All notifiable diseases tests shall be free.

(ii) Mass screening of animal initiated by the Director of Veterinary Services shall be free.

(iii) For trade animals the charges will be as per Schedule.

**5. Materials from Equine and other species:**

(a) Complete blood examination:

Differential cell count, red and white cell account, haemoglobin estimation packed cell count ..... 200

(b) Bacteriological examination ..... 150

(c) Histological examination ..... 150

(d) Virological examination ..... 150

(e) Mineral estimation in blood and tissues ..... 200

(f) Faeces, urine, blood smears, skin scrappings ..... 100

(g) Swab examination for pregnancy ..... 400

(h) Biological tests ..... 50

(i) Serological test ..... 50

Provided that, in cases where in the opinion of the Director of Veterinary Services, it was reasonable to have suspected diseases of a type specified in section 2 of the Act, the examination shall be free.

6. Report on examination of a specimen or set of canine, feline, captive wild animal species except avian ..... 150

Provided that, in cases where in the opinion of the Director of Veterinary Services it was reasonable to have suspected diseases of a type specified in section 2 of the Act, the examination shall be free.

**7. Postmortem on animals excluding laboratory tests:**

Postmortem tests on: *KSh*  
Horse and mule per animal ..... 1,000

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[Subsidiary]

Horse and mule 50 per cent per additional animal .....	500
Donkey per animal .....	400
Donkey 50 per cent per additional animal .....	200
Cattle per animal .....	200
Cattle 50 per cent per additional animal .....	100
Pig, goat, sheep, calf, foal per animal .....	100
Pig, goat, sheep, calf, foal 50 per cent per additional animal .....	50
Dog, cat per animal .....	400
Dog, cat 50 per cent per additional animal .....	200
Laboratory animals .....	200
Laboratory animals 50 per cent per additional animal .....	100
Turkey, chicken, duck, goose, quail per animal .....	100
Turkey, chicken, duck, goose, quail 50 per cent per additional animal .....	50
Cage bird (parrot, guinea fowl, pigeon, dove, crow) .....	1,000
Cage bird (parrot, guinea fowl, pigeon, dove, crow) 50 per cent per additional animal .....	500
Ostrich, peacock, flamingo per animal .....	1,000
Ostrich, peacock, flamingo 50 per cent per additional animal .....	500
Crocodile per animal .....	1,000
Crocodile 50 per cent per additional animal .....	500
Reptile per animal .....	1,000
Reptile 50 per cent per additional animal .....	500
Antelope, gazelle, fox, wolf per animal .....	2,000
Antelope, gazelle, fox, wolf 50 per cent per additional animal .....	1,000
Monkey per animal .....	5,000

*Animal Diseases*

[Subsidiary]

Monkey 50 per cent per additional animal .....	2,500
Large wild animal (buffalo, eland, lion, cheetah, tiger, leopard, wildbeast, zebra, kangoni, hyena, etc.) per animal .....	5,000
Large wild animal (buffalo, eland, lion, cheetah, tiger, leopard, wildbeast, zebra, kangoni, hyena, etc.) 50 per cent per additional animal .....	2,500
Very large animals (elephant, whale, hippopotamus, rhinocerus, giraffe, buffalo, eland, etc.) per animal .....	10,000
Very large animals (elephant, whale, hippopotamus, rhinocerus, giraffe, buffalo, eland, etc.) 50 per cent per additional animal .....	5,000
Foetus per animal .....	200
Foetus 50 per cent per additional animal .....	100
Fish per animal .....	200
Fish 50 per cent per additional animal .....	100
Other aquatic animals per animal .....	1,000
Other aquatic animals 50 per cent per additional animal .....	500

## THIRD SCHEDULE

## DELETED

*Deleted by L.N. 98/1998.*

Animal Diseases

[Subsidiary]

[L.N. 149 of 1967, L.N. 100 of 1980.]

FOURTH SCHEDULE

DELETED

**Deleted by L.N. 98/1998.**

FIFTH SCHEDULE

CHARGES FOR THE VACCINATION OF CATTLE AGAINST FOOT-AND-MOUTH DISEASE IN ANY COMPULSORY FOOT AND MOUTH DISEASE VACCINATION AREA

[L.N. 158 of 1975.]

The fees specified in this Schedule shall be paid to the Director of Veterinary Services by the owner of the animals in respect of which the services have been rendered, whether or not such services have been rendered at the request of the owner.

	Sh.	cts.
1. Vaccination against types O or A when such vaccination is carried out at the discretion of the Director of Veterinary Services and at such time and place as pre - arranged by the Department		Free
2. Vaccination with Bivalent, Trivalent or Quadrivalent vaccine, where such vaccination is carried out at the time and place as prearranged according to a program laid down by the Veterinary Department, per head	2	00
3. (a) Vaccine supplied or used at any time other than in the course of a pre-arranged vaccination campaign will be charged for at the same rates as laid down in the Fourth Schedule to this Notice. (b) This paragraph shall apply to all cattle not presented for inoculation at the time and place laid down by the Veterinary Department.		

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**THE ANIMAL DISEASES — (FEES AND CHARGES)**

[Legal Notice 329 of 1966]

1. The fees specified in the Schedule are prescribed in respect of all cattle moved in the Lamu District.
2. Cattle sold through Lamu stock auction at Mkowe are exempted from the fees.
3. The fees shall be paid at the Veterinary Station at Lamu before issue of movement permit, except in the case of cattle being moved for sale at the abattoir of the Kenya Meat Commission at Mombasa, fees may, with the consent of a Veterinary Inspector and subject to such other directions as he may give, be paid at the abattoir of the Kenya Meat Commission at Mombasa. In all cases fees shall be paid in respect of the numbers of cattle for which each movement permit is issued.

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Schedule

*Fees for General Services:*

Special inspection per head .....	4.00
Grazing charge per head .....	1.00

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**THE ANIMAL DISEASES ACT 1965—VACCINATION AGAINST  
FOOT-AND-MOUTH DISEASE (FEES AND CHARGES)**

ARRANGEMENT OF SECTIONS

None – FIRST SCHEDULE

None – SECOND SCHEDULE

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## THE ANIMAL DISEASES 1965—VACCINATION AGAINST FOOT-AND-MOUTH DISEASE (FEES AND CHARGES)

[Legal Notice 29 of 1968]

### Vaccination Against Foot and Mouth Diseases (Fees and Charges)

IN EXERCISE of the powers conferred by section 15 of the Animal Diseases Act 1965, the Director of Veterinary Services hereby prescribes the fees and charges specified in the Schedules hereto.

The charges specified in the First Schedule are prescribed in respect of the vaccines specified therein.

The fees specified in the Second Schedule shall be paid to the Director of Veterinary Services by the owner of the animals in respect of which the services specified in the said Schedule have been rendered, whether or not such services have been rendered at the request of the owner.

### FIRST SCHEDULE

Charges for Foot-and-Mouth Disease vaccine:—

- (a) Bivalent combined types "O" and "A" vaccine (dosage 3 c.c.)-
- (i) per bottle of 150 doses (450 c.c.) ..... 412 50
  - (ii) per bottle of 30 doses (90 c.c.) ..... 90 00
  - (iii) per bottle of 10 doses (10 c.c.) ..... 40 00
- (b) Monovalent type "O" vaccine, per dose of 2 c.c. .... 1 75
- (c) Monovalent type "A" vaccine, per dose of 2 c.c. .... 1 75
- (d) Monovalent type "C" vaccine, per dose of 2 c.c. .... 1 75

### SECOND SCHEDULE

Fees for the vaccination of cattle against Foot-and-Mouth Disease in any compulsory Foot-and-Mouth vaccination area will be as follows:—

		Sh.	cts.
(a)	Vaccination against types "O" and "A" where such vaccination is carried out at the time and place as pre-arranged according to a programme laid down by the Department of Veterinary Services (per head) .....	2	50
(b)	Vaccination against types "C" or "S.A.T.", when such vaccination is carried out at the discretion of the Department of		

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[Subsidiary]

- Veterinary Services  
and at such time  
and place as  
prearranged by the  
Department .....
- (c) Vaccine supplied  
or used at any  
time other than  
in the course of  
a pre-arranged  
vaccination  
campaign will be  
charged for at the  
same rates

as laid down in the First Schedule. This will apply to all cattle not presented for inoculation at the time laid down by the Department of Veterinary Services.

[L.N. 29/1968]

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**THE ANIMAL DISEASES RULES**

## ARRANGEMENT OF RULES

## PART I – PRELIMINARY

*Rule*

1. Citation
2. Interpretation

## PART II – IMPORTATION OF ANIMALS

3. Importation by sea or air
4. Examination of imported animals
5. Certificates required for imported animals
6. Tests
7. Quarantine of dogs and cats
8. Director may require other certificates
9. Animals imported not to have been in contact with other animals
10. Fodder accompanying animals to be free from disease
11. Tests and quarantine for imported cattle
12. Imported animals may be dipped or otherwise treated
13. Imported animals infected with disease may be destroyed
14. Importation of animals from Tanzania and Uganda

## PART III – MOVEMENT OF ANIMALS

15. Meaning of animals in certain rules
16. Issuers of movement permits
17. No movement within restricted area without permit
18. Stray animals
19. Provision concerning permits
20. Issuers of permits to comply with Director's instructions
21. Cancellation or variation of permits
22. Movement of infected animals out of restricted areas
23. Permit holder responsible for breach of Rules
24. Detention of animals moved without permit
25. Removal of detained animals
26. Disease amongst animals being moved
27. Reporting of death or disposing of animals being moved
28. Surrender of expired permits

## PART IV – INFECTED AREAS

29. Notification of infected areas
30. Orders may be made in infected areas

## PART V – FURTHER PROVISIONS TO PREVENT SPREAD OF DISEASE

31. Gates to be kept shut
32. Herbage or animal products not to be removed from infected area or place of quarantine
33. Detention of animals at owner's risk
34. Branding of animals
35. Director to enter land and erect notices
36. Treatment of animals may be restricted

*Animal Diseases*

[Subsidiary]

37. Director, veterinary officer may require animal to be disinfected, and may make tests
38. All stock to be presented for treatment
39. Exemption of stock from treatment
40. Stray animals infected with disease
41. Destruction of carcasses of stray animals
42. Buried carcass not to be removed
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## PART VI – MISCELLANEOUS PROVISIONS

44. Keeping of stock in city, municipality, township or town
45. Disinfection of railway trucks and vehicles
46. Prohibition of public sale of stock
47. Disinfecting public and private stock yards
48. Certain things to be carried out under direction of veterinary officer
49. No matter to be removed from animals infected with rinderpest or anthrax
50. Payment and recovery of fees
51. Protection of Government
52. Owner, occupier or manager responsible for fees
53. Penalties

## SCHEDULES

RESTRICTED AREAS

COUNTRIES TO BE GRANTED WAIVER

DISINFECTION OF RAILWAY TRUCKS AND OTHER VEHICLES

## THE ANIMAL DISEASES RULES

[Legal Notice 244 of 1968, Legal Notice 120 of 1969, Legal Notice 259 of 1974, Legal Notice 381 of 1988, Legal Notice 127 of 2007]

### PART I – PRELIMINARY

#### 1. Citation

These Rules may be cited as the Animal Diseases Rules.

#### 2. Interpretation

In these Rules, unless the context otherwise requires—

"canine animals" means dogs, hyenas and other animals of the canine tribe;

"farm" means land used for agricultural purposes which is owned or occupied by any person or is in the possession of any person by virtue of a freehold or leasehold title and is not situated in a city, municipality, township, town or former trading centre:

Provided that if two or more farms occupied by one owner or occupier immediately adjoin each other they shall be deemed to be one farm for the purposes of these Rules, and any two farms so occupied, and divided by a public road only, shall be deemed to be adjoining;

"inspecting officer" means an inspector, a veterinary officer, or any person authorized by the Director to perform the duties of an inspecting officer under these Rules;

"issuer of permits" means a person appointed by or under rule 16 of these Rules to be an issuer of permits;

"licence" means a licence issued under rule 3(1);

"permit" means a permit issued under rule 17;

"place of quarantine" means a place where animals may be tested for any animal disease;

"restricted area" means any of the areas described in the First Schedule.

### PART II – IMPORTATION OF ANIMALS

#### 3. Importation by sea or air

(1) *Repealed by L.N. 127/2007.*

(2) Animals may be imported by sea only through the port of Mombasa or Lamu, and may be imported by air only through one of the airports of Mombasa, Nairobi or Kisumu.

(3) No imported cattle, horse, sheep, goat or swine may leave the port or airport of entry until the licence has been produced to the inspecting officer.

(4) Any person who contravenes any provision of this rule shall be guilty of an offence.

[L.N. 259/1974, L.N. 127/2007.]

#### 4. Examination of imported animals

(1) All animals which have been imported shall be moved to a place of quarantine by the inspecting officer for examination in accordance with these Rules, and shall be subject to any special directions or orders (including orders to destruction) as the Director may issue.

(2) Any person who removes an animal from a place of quarantine without the written authority of an inspecting officer, or who fails to comply with any direction or order of the Director issued under paragraph (1), shall be guilty of an offence.

[L.N. 259/1974.]

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[Subsidiary]

## **5. Certificates required for imported animals**

The following certificates from the veterinary authority of the country of origin (such veterinary authority being one approved by the Director) shall be furnished to the inspecting officer at the port of entry in respect of—

- (a) all animals: a certificate certifying that the animals come from an area free from contagious and infectious diseases, and a certificate from a veterinary surgeon based on clinical evidence certifying that the animals were in good health, and free from any contagious or infectious diseases, such certificates being dated not more than ten days prior to the date of embarkation;
- (b) cattle: a certificate certifying that the cattle are free from tuberculosis, as determined by an approved test, such certificate being dated not more than twenty days before the date of embarkation;
- (c) horses, mules and donkeys: a certificate certifying that the animals are free from glanders, as determined by an approved test, such certificate being dated not more than twenty-one days before the date of importation:

Provided that the conditions in this paragraph may be waived in respect of the countries which may be specified by the Director;

- (d) canine animals and feline animals: a certificate signed by a veterinary surgeon certifying that the animals have been vaccinated against rabies, such certificate being dated not earlier than three years and not later than six months before the date of importation:

Provided that the conditions in this paragraph may be waived or modified by the Director in case of the countries prescribed in the Second Schedule.

## **6. Tests**

(1) The Director may stipulate the details of carrying out any test or operations which is needed to enable a certificate or technical conclusion required under these Rules to be given.

(2) The Director may subject all horses, mules and donkeys imported from overseas to a Mallein test under such conditions as he may direct, and in the event of a positive reaction such horse, mule or donkey shall be destroyed.

## **7. Quarantine of dogs and cats**

If the Director is satisfied that a canine animal or feline animal which has been imported has not been suitably vaccinated against rabies he shall cause the animal to be detained and isolated at the expense of the owner in a place approved by the Director, for a period of up to six months.

## **8. Director may require other certificates**

The Director may require any animal which is being imported or moved in transit through Kenya to be accompanied by any other certificates as he may consider necessary to prevent introduction of any animal disease into Kenya.

## **9. Animals imported not to have been in contact with other animals**

The inspecting officer shall satisfy himself, after due inquiry that the animals imported (whether by sea, air, road or rail) were not during the journey either in contact with an animal which would be likely to spread disease or exposed to any other infection and, in the case of canine animals or feline animals, the inspecting officer shall require a certificate to this effect signed by the officer in charge of the aircraft, vessel or any other carriage.

## **10. Fodder accompanying animals to be free from disease**

The importer shall satisfy the inspecting officer that no fodder or foodstuff likely to cause disease or the spread of disease has been taken on board any vessel, aircraft, vehicle or rolling stock and has been in contact with the animal imported; and no such fodder nor



foodstuff shall be landed from or reloaded into such vessel, aircraft, vehicle or rolling stock except as approved by the inspecting officer acting in accordance with instructions from the Director.

#### **11. Tests and quarantine for imported cattle**

(1) All cattle which have been imported shall, as soon as the requirements as to licences and certificates have been satisfied, proceed, unless the Director otherwise directs, by train, air or motor transport to a place of quarantine and shall be subjected to a test for tuberculosis at the expense of the owner.

(2) No such cattle shall be released from the place of quarantine until they have given a negative reaction to the test for tuberculosis.

(3) Any person who fails to comply with paragraph (1) shall be guilty of an offence.

[L.N. 259/1974.]

#### **12. Imported animals may be dipped or otherwise treated**

In addition to any other powers conferred upon an inspecting officer, he may cause any animal which has been imported to be inoculated, dipped, disinfected, sprayed or otherwise treated, before a permit for movement is issued from the place of quarantine.

#### **13. Imported animals infected with disease may be destroyed**

In addition to any other powers conferred upon him by these Rules, an inspecting officer may, with the authority of the Director, cause any animals which have been imported and which are infected or suspected of being infected with any disease or which have been in contact with a diseased animal or have otherwise been exposed to infection or contagion of disease to be destroyed or to be subjected to treatment.

#### **14. Importation of animals from Tanzania and Uganda**

Notwithstanding anything contained in these Rules, animals may be imported from Tanzania or Uganda subject to such restrictions and requirements as the Director may from time to time direct.

### PART III – MOVEMENT OF ANIMALS

#### **15. Meaning of animals in certain rules**

For the purpose of rules 17, 18, 19, 20 and 21, "animals" means only cattle, swine, sheep, goats or captive wild animals of the natural order Artiodactyla.

#### **16. Issuers of movement permits**

(1) The Director may, by notice in the *Gazette*, appoint any person to be an issuer of permits for the purposes of these Rules.

(2) Every inspector shall be an issuer of permits.

#### **17. No movement within restricted area without permit**

(1) Within a restricted area no animal shall be moved from or onto any farm, onto or over any public road, into, from or over any forest area or from, onto or over any unalienated Government land, except in accordance with a permit.

(2) Within an infected area no animal shall be moved from or onto any farm, onto or over any public road, onto, from or over any forest area, from, onto or over unalienated Government land, without a permit.

(3) No animal shall be moved from or into a restricted area except in accordance with a permit authorizing such movement.

(4) No animal shall be moved from one district to another district without a permit authorizing such movement.

(5) For the purposes of this rule—

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- (a) all permits shall be issued subject to such special conditions as may be imposed by the Director or by an issuer of permits;
- (b) whenever a public road passes through a farm, it shall be lawful for the occupier of such farm, unless prohibited by the order of a veterinary officer, to move any healthy cattle, swine, sheep or goats across such road from one part to another part of the farm without a permit;
- (c) the Director, in declaring any area to be a restricted area, may exempt any part thereof from any of the provisions of these Rules, and may extend those provisions in any case to horses, mules or camels;
- (d) any person who moves or causes to be moved, any animal, contrary to this rule, shall be guilty of an offence.

**18. Stray animals**

Any animals found strayed are deemed, for the purposes of rule 17, to have been moved by the owner and also by the person actually in charge of them.

**19. Provision concerning permits**

(1) Every permit for the movement of animals issued under these Rules shall be in the form directed by the Director and shall include the conditions of movement.

(2) The issuer of a permit shall state in writing on the permit—

- (a) the number and description of the animals to be moved;
- (b) the route by which the animals are to travel;
- (c) the period for which the permit holds good;
- (d) the place to which the animals may be moved;
- (e) the method by which the animals may be moved; and
- (f) such other particulars as the Director may from time to time direct,

and no more time than is actually necessary to complete the journey shall be allowed.

(3) Every permit shall be made out in triplicate; the original shall be given to the applicant; the second shall be sent immediately to the veterinary officer of the district to which the stock are to be moved and the third shall be retained by the issuer of permits.

(4) Any person who fails to comply with any of the conditions of a permit, or who, not being an authorized issuer of permits makes any alteration to a permit, shall be guilty of an offence.

**20. Issuers of permits to comply with Director's instructions**

Every issuer of permits shall comply with such directions as may be given by the Director.

**21. Cancellation or variation of permits**

(1) A permit may, at any time, be cancelled or varied by an issuer of permits.

(2) In the case of an outbreak of a notifiable disease, issuers of permits shall cancel and vary permits as may be necessary to deal with the outbreak.

**22. Movement of infected animals out of restricted areas**

Outside a restricted area, any person who moves any animal infected with a notifiable disease, or which has been in contact with an animal so infected, otherwise than in accordance with a permit shall be guilty of an offence.

[L.N. 259/1974.]

**23. Permit holder responsible for breach of Rules**

(1) Where a person to whom a permit for the movement of any animal has been issued places such animal in the charge of any other person for the purposes of the movement—

- (a) he shall give the permit to such other person who shall carry it during the movement; and
- (b) if such other person is guilty of an offence under these Rules in respect of that movement, the person to whom the permit is issued shall be guilty of the like offence.

(2) *Permit to be produced on demand.*— The person in charge of an animal which is being moved under a permit shall, on demand being made by an issuer of permits or police officer produce the permit, to the issuer of permits or police officer and if he fails to produce the permit, he shall be guilty of an offence and the issuer of permits or police officer may without warrant detain him in custody:

Provided that any person so detained shall be taken with all practicable speed before a magistrate and shall not be detained without warrant longer than is necessary for the purpose.

[L.N. 259/1974.]

#### **24. Detention of animals moved without permit**

(1) If an issuer of permits or an inspecting officer has reason to believe that any animal is being moved otherwise than in accordance with a permit, he may detain the animal, but if he is not a veterinary officer, a veterinary inspector nor a police officer, he shall forthwith report such detention to a veterinary officer, a veterinary inspector or police officer.

(2) If an owner or occupier of land finds an animal, the movement of which, except in accordance with a permit, is prohibited by these Rules, straying on or being moved over the land, and a permit authorizing the movement of the animal is not produced to him, he may detain the animal, but shall forthwith report the detention to an inspecting officer or police officer.

#### **25. Removal of detained animals**

Any person, other than an inspecting officer or police officer or person acting on his instructions, who removes any animal detained under rule 24, without consent of the person who detained the animal, shall be guilty of an offence.

#### **26. Disease amongst animals being moved**

(1) If disease occurs among any animals which are being moved under a permit, the person in charge of the animals shall immediately report the occurrence to the nearest issuer of permits and shall not proceed with the movement of the animals until he receives the orders of a veterinary officer or inspector.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

[L.N. 259/1974.]

#### **27. Reporting of death or disposing of animals being moved**

(1) If any animal being moved under a permit dies or is disposed of, the person in charge of the animal shall report the death or disposal to the issuer of permits nearest to the place to which the animals are authorized to be moved.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

[L.N. 259/1974.]

#### **28. Surrender of expired permits**

(1) The person to whom a permit has been issued, or the person in charge of any animal in respect of which a movement permit has been issued, may be required, on the expiration of the period for which the permit has been issued, to deliver the expired permit to an issuer of permits forthwith.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

[L.N. 259/1974.]

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## PART IV – INFECTED AREAS

**29. Notification of infected areas**

Whenever a veterinary officer or an inspector has reason to believe that any animal is infected with a notifiable disease or has been exposed to such infection in any area, he shall notify the Director, who may declare that area to be an area infected by a notifiable disease.

**30. Orders may be made in infected areas**

(1) The Director, a veterinary officer or inspector shall order any animal which is in an infected area and which is infected with a notifiable disease or is exposed to such infection to be isolated or to be dealt with in such other manner as he may deem expedient, and may issue such orders, directions and prohibitions as he may consider necessary or advisable in order to prevent the spread of disease:

Provided that an inspector shall not cause an animal to be slaughtered except on the instructions of a veterinary officer.

(2) Any person who fails to obey any orders or directions or who does or permits to be done any act or thing prohibited by, a veterinary officer or inspector under this rule shall be guilty of an offence.

## PART V – FURTHER PROVISIONS TO PREVENT SPREAD OF DISEASE

**31. Gates to be kept shut**

(1) No person shall, in any infected area or in a place of quarantine, open and leave open any gate in any fence erected to restrict the movement of cattle or for the purpose of quarantine.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

[L.N. 259/1974.]

**32. Herbage or animal products not to be removed from infected area or place of quarantine**

(1) Any person who removes from any infected area or from a place of quarantine any grass, herbage, flesh, dung, skin or hide except with the approval of the veterinary officer or inspector in charge of the area or place shall be guilty of an offence.

(2) Any veterinary officer, inspector or police officer may seize and destroy, or otherwise deal with, any grass, herbage, flesh, offal, dung, skin or hide which has been removed in contravention of paragraph (1).

(3) A veterinary officer or an inspector (or a police officer on the directions of an inspecting officer) may seize and destroy or otherwise deal with any hide or skin which he has reason to believe has been derived from an animal infected with a notifiable disease.

(4) *Movement of animals from infected areas.*— A veterinary officer for the time being in charge of a province may authorize any veterinary officer or inspector within that province to issue a movement permit for the movement of any animal from an infected area, and where he does so he shall inform the Director forthwith.

[L.N. 259/1974.]

**33. Detention of animals at owner's risk**

Any animal detained in a place of quarantine for the purposes of the Act shall be so detained at the risk and expense of the owner whose duty it shall be to provide such shelter, accommodation and attendants as may be required for the detained animal.

**34. Branding of animals**

A veterinary officer or inspector may cause any animals within an infected area or which have been placed in quarantine to be branded with a registered brand.

**35. Director to enter land and erect notices**

The Director or a person authorized by him in writing may, for the purpose of restricting the movement of animals, enter upon any land, whether privately owned or not, and erect and maintain thereon any fences, notice boards, or beacons, or remove any fence, notice board or beacon so erected.

**36. Treatment of animals may be restricted**

It shall be lawful for the Director, in any case where he thinks fit for the purpose of preventing the spread of a notifiable disease, to order that no person other than a veterinary officer or inspector or a person acting under the directions of a veterinary officer shall treat any animal which is infected with a notifiable disease.

**37. Director, veterinary officer may require animal to be disinfected, and may make tests**

(1) The Director or any veterinary officer or inspector may, at any time, require any animal to be sprayed, dipped, washed or otherwise disinfected or inoculated, or confined in a place of quarantine, if he considers the same to be necessary in order to prevent the spread of a notifiable disease.

(2) The Director or any veterinary officer or inspector may, for the purpose of detecting or diagnosing a notifiable disease, take or cause to be taken from any animal blood smears or other specimens or apply such other tests as he may consider necessary.

(3) Any person who—

- (a) fails to comply with any requirement made to him under paragraph (1); or
- (b) obstructs or prevents, or attempts to obstruct or prevent the taking of any smear or sample, or the application of any test, under paragraph (2),

shall be guilty of an offence.

[L.N. 259/1974.]

**38. All stock to be presented for treatment**

Whenever treatment to immunize stock against a notifiable disease is undertaken on a farm or in an area, every person owning or having charge of stock on that farm or within that area shall, on being required thereto by the Director or by a veterinary officer or inspector, present all stock on the farm or within the area for treatment at such place or places on the farm or in the area as the Director, or veterinary officer or inspector directs and any person who fails so to present any stock shall be guilty of an offence.

[L.N. 259/1974.]

**39. Exemption of stock from treatment**

On an application being made by the owner or person having charge of any stock, the veterinary officer or inspector carrying out treatment under rule 38 may at his discretion exempt the stock from treatment:

Provided that if so requested he shall furnish the owner, occupier or manager of the farm with his reasons in writing for the exemption.

**40. Stray animals infected with disease**

(1) When stray animals are found to be infected with disease or suspected of being infected with disease—

- (a) they shall, if found on private land, be confined and isolated by the owner or occupier of the land as near as possible to the place where they have been found, or if found on unalienated land or on a road be confined and isolated at such place near to that at which they have been found as a veterinary officer, inspector, police officer or administrative officer may direct;

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- (b) all animals which have been in contact with such stray animals, and which by reason of such contact have become liable to infection shall be confined and isolated at such place as the Director, a veterinary officer, an inspector, a police officer or administrative officer may direct; and
- (c) the person detaining any such stray animals shall forthwith cause the nearest inspector or police officer to be notified of such detention.

(2) Any person who fails to comply with the provisions of paragraph (1) or with any direction given thereunder shall be guilty of an offence.

[L.N. 259/1974.]

**41. Destruction of carcasses of stray animals**

(1) If an occupier of land finds the carcass of any stray animal on his land, he shall either cause the carcass to be burned or buried and immediately thereafter report the matter to the police or give notice of the presence of the carcass to the police and take all reasonable precautions to prevent the carcass being disposed of otherwise than by being burned or buried pending the arrival of the police.

(2) A police officer, on receiving notice of the presence of the carcass of any stray animal upon any land (including private land) or upon any public road, shall take immediate steps to have the carcass buried or burned.

(3) Any expense incurred by the police or an occupier of land in or in connection with disposing of a carcass as required by this rule may be recovered from the owner of the carcass as if it were for work done on his behalf and at his request.

(4) Any person who fails to comply with the provisions of paragraph (1) shall be guilty of an offence.

[L.N. 259/1974.]

**42. Buried carcass not to be removed**

No person other than the Director, a veterinary officer, an inspector or a person acting on his instructions shall remove any animal which has been buried or, except for the purpose of burial or burying any carcass which has been ordered to be buried or burned in pursuance of the Act and any person who contravenes this rule shall be guilty of an offence.

[L.N. 259/1974.]

**43. Orders as to method of carcass disposal**

The Director or veterinary officer may issue orders as to the method of disposal of the carcasses of animals which have died from a notifiable disease and any expense incurred in complying with such orders shall be borne by the owners of the carcasses and any person who fails to comply with any such order issued to him shall be guilty of an offence.

[L.N. 259/1974.]

**43A. Regulation of stock on railway land and road**

(1) Notwithstanding that an area is not an infected area, no person shall, without reasonable excuse, graze stock or permit stock to be on any railway land or public road in any area.

(2) Any person who contravenes subrule (1) shall be guilty of an offence.

(3) Where any person is charged with an offence under this rule the burden of proving that he had reasonable excuse shall lie upon that person.

(4) In this rule—

"railway land" means land used or reserved for the purpose of, or in connection with, a railway operated or to be operated by the Kenya Railways Corporation established under the Kenya Railways Corporation Act (Cap. 397);

"public road" has the same meaning as is assigned to that term in section 2 of the Public Roads and Roads of Access Act (Cap. 399).

[L.N. 381/1988.]

#### PART VI – MISCELLANEOUS PROVISIONS

#### **44. Keeping of stock in city, municipality, township or town**

The Director may, with the approval of the Minister, forbid, by notice in the *Gazette*, the keeping of cattle, swine, sheep, or goats in any city, municipality, township or town and any person who keeps any such animal in contravention of any such notice shall be guilty of an offence.

[L.N. 259/1974.]

#### **45. Disinfection of railway trucks and vehicles**

The Director may, for the purpose of preventing the spread of a notifiable disease prohibit in any district or portion thereof the holding of any exhibition of animals or the sale of animals in open markets or in private sale yards and any person who holds any exhibition or sells any animal in contravention of any such prohibition shall be guilty of an offence.

[L.N. 259/1974.]

#### **46. Prohibition of public sale of stock**

Where any cattle, swine, sheep, goats or captive wild animals of the natural order Artiodactyla have been moved to any railway track or other vehicles, the owner or persons responsible for such vehicles shall cause them to be disinfected in the manner specified in the Third Schedule and any person who fails to comply with this rule shall be guilty of an offence.

[L.N. 259/1974.]

#### **47. Disinfecting public and private stock yards**

(1) All public markets for stock and private sale yards and all structures and enclosures connected therewith in which stock have been confined shall, if so ordered by a veterinary officer or inspector, be cleaned and disinfected at the close of each day.

(2) The cleaning shall be carried out by and at the expense of the appropriate authority or owner to the satisfaction of a veterinary officer or an inspector inspecting the same.

(3) The person in charge of any market or sale yard in respect of which an order under paragraph (1) is not complied with shall be guilty of an offence.

[L.N. 259/1974.]

#### **48. Certain things to be carried out under direction of veterinary officer**

Any inoculation, vaccination or other technical operation for conferring immunity to a notifiable disease if carried out for the purpose of obtaining a Government brand shall be carried out under the immediate direction of a veterinary officer or in such other manner as the Director may direct.

#### **49. No matter to be removed from animals infected with rinderpest or anthrax**

No blood, meat or other matter shall be removed from any animal or from the carcass of any animal which is, or is suspected of being, infected with rinderpest or anthrax, except by or with the approval of a veterinary officer and any person who contravenes this rule shall be guilty of an offence.

[L.N. 259/1974.]

#### **50. Payment and recovery of fees**

(1) The Director, a veterinary officer or an inspector, in giving effect to any of his powers under the Act may detain or direct the detention of any animal in respect of which a service

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has been rendered by the Veterinary Department until the prescribed fees payable in respect of that service, together with any expenses incurred by the Government by reasons of such detention, have been paid.

(2) Whenever the Veterinary Department rendered any services in respect of any animal in its lawful custody, and the owner thereof cannot be found or fails after due notice to pay for the services rendered and remove the animal, the Director or a provincial veterinary officer may cause the animal to be sold by public auction or to be disposed of in any other manner including destruction:

Provided that if any money is realized by the disposal it shall be applied in paying for the services rendered as aforesaid and in defraying any other expenses incurred in connection with the sale or other manner of disposal and the balance, if any, shall be paid into the Consolidated Fund unless it is claimed within three months from the date of disposal.

(3) Laboratory products ordered by private individuals shall be paid for as follows—

- (a) if the products are ordered by letter, a money order, postal order or cheque covering the cost of the products shall be sent with the letter;
- (b) if the products are ordered by telegram, the sender shall say in it how payment has been made and give the amount of the payment;
- (c) if the products are ordered by telegram, payment shall be made—
  - (i) by depositing in cash or a cheque equal to the cost at an office of the Veterinary Department or of a district commissioner;
  - (ii) by sending a money order, postal order or cheque by the first available post after despatching the order by telegram, and the telegram shall say which method is being adopted and how much money is being deposited or sent;
- (d) when the products are used in an inoculation by a member of the veterinary staff, the fees must be paid either in cash or by cheque to the officer concerned before the inoculation is made:

Provided that the Director may vary the application of this paragraph if he considers that the health of other person's stock is threatened and there are other good reasons why payment should not be required in the manner prescribed by this rule.

## **51. Protection of Government**

No liability shall attach to the Government or any public officer in respect of any loss or damage which may be suffered as a result of any of the services rendered by the Government or a public officer upon payment of the prescribed fees, or as a result of the use of any of the products sold or supplied by or on behalf of the Director.

## **52. Owner, occupier or manager responsible for fees**

(1) The owner, occupier or manager of a farm shall be responsible to the Government for the collection and payment of all fees in connexion with any treatment carried out on his farm under the Act, notwithstanding that the stock treated may be the property of other persons.

(2) Any fees paid by the owner, manager or occupier in respect of services rendered for stock shall be recoverable by him as a debt from the owner or person having charge of the stock.

## **53. Penalties**

(1) Any person guilty of an offence under these Rules shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding five thousand shillings, or to both.

(2) Where a person is convicted of an offence under these Rules, the court convicting such person may in addition to or in lieu of imposing any other punishment order that any



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animal, or all or any of the animals, in respect of which such offence was committed shall be forfeited.

[L.N. 120/1969.]

FIRST SCHEDULE

[r. 2]

RESTRICTED AREAS

The areas of land declared to be scheduled areas by Legal Notice No. 364 of 1961, the boundaries whereof are delineated in red on a map, Boundary Plan No. 476/A-K, deposited in the Survey Records Office, Nairobi.

SECOND SCHEDULE

[r. 5(d)]

COUNTRIES TO BE GRANTED WAIVER

United Kingdom, Eire, Sweden, Norway, Australia and New Zealand.

THIRD SCHEDULE

[r. 46]

DISINFECTION OF RAILWAY TRUCKS AND OTHER VEHICLES

1. Railway trucks or other vehicles shall be disinfected after each occasion of which they have been used for the transport of animals, in the following manner—

- (a) the interior of the vehicle shall be sprayed with a solution containing not less than 4 per cent of Sodium Carbonate (Magadi Soda) and shall then be scrubbed and swept and the sweepings removed, following which the interior of the vehicle shall be thoroughly washed with a disinfectant approved by the Director; or
- (b) the interior of the vehicle shall be damped with water then scrubbed and swept and the sweepings removed following which the interior of the vehicle shall be sprayed with a solution containing not less than 2 per cent of formalin; or
- (c) the vehicle shall be disinfected in such other manner as authorized by the Director in writing.

2. All pens and enclosures used for the loading or unloading of animals, and everything connected therewith shall be cleaned and effectively disinfected before being again occupied by, or used for, animals.

Cities, municipalities, townships or towns where the keeping of animals is prohibited under rule 44 of the Animal Diseases Rules

[L.N. 21/1971.]

Cattle, swine, sheep and goats ..... Athi River Township



**THE ANIMAL DISEASES—PROHIBITION**

[Legal Notice 21 of 1971, Legal Notice 6 of 2017]

IN EXERCISE of the powers conferred by rule 44 of the Animal Diseases Rules, 1968, the Director of Veterinary Services, with the approval of the Minister for Agriculture, hereby prohibits the keeping of animals specified in the Schedule to this notice within the Athi River Township.

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Schedule

Cattle

Swine

Sheep

Goats

This Order shall come into operation on the 28th February, 1971.

[L.N. 21/1971.]

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**THE ANIMAL DISEASES (HATCHERIES) RULES**

ARRANGEMENT OF RULES

*Rule*

1. Citation
2. Interpretation
3. Hatcheries to be licensed
4. Application for a licence
5. Hatchery licence
6. Hatchery premises and equipment to be sanitary and fit for the purpose
7. Maintenance and cleaning of brooder rooms and incubators
8. Breeding flock, *etc.*
9. Hatchery personnel
10. Inspection
11. Breeding and sale from infected hatchery
12. Licensee to keep records
13. Power of inspecting officer
14. Offences and penalty

SCHEDULES

LICENCE TO OPERATE A HATCHERY

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## THE ANIMAL DISEASES (HATCHERIES) RULES

[Legal Notice 47 of 1985]

### 1. Citation

These Rules may be cited as the Animal Diseases (Hatcheries) Rules.

### 2. Interpretation

In these Rules, unless the context otherwise requires—

"avian tuberculosis" means the poultry disease caused by *Mycobacterium avian*;

"baby chicks" includes all newly hatched poultry which are less than three days old;

"epidemic tremor" means the poultry disease caused by avian encephalomyelitis virus;

"flock" means a collection of poultry of the same breed, cross or variety, capable of interbreeding;

"fowl pest" means the poultry disease caused by Newcastle disease virus;

"fowl typhoid" means the poultry disease caused by *Salmonella gallinarum*;

"hatchery" includes any equipment operated or controlled for the production of baby chicks;

"inspecting officer" means an inspector or a veterinary officer;

"poultry" includes chickens, turkeys, geese, ducks, guinea fowls, pigeons, quails, pea fowl, pheasants, parrots, ostrich, game birds, and other domestic fowl which are bred for the primary purpose of production of eggs and meat;

"pullorum disease" means the disease of poultry caused by *Salmonella pullorum*.

### 3. Hatcheries to be licensed

A person shall not operate a hatchery for the sale of baby chicks to farmers without a licence.

### 4. Application for a licence

(1) A person who intends to operate a hatchery for the production of baby chicks for sale to farmers shall apply for a licence to the nearest inspecting officer in the approved form.

(2) An inspecting officer, on receipt of an application, shall inspect the premises intended to be used as a hatchery and shall forward a report thereon to the Director.

(3) On receipt of the report of the inspecting officer, the Director may issue a licence in the form set out in the Schedule to the applicant on payment of a fee.

(4) Where an inspecting officer believes that the applicant should not be granted a licence, he shall first inform the applicant in writing of the reasons thereof and the inspecting officer shall allow the applicant two months from the date of receipt thereof to remedy any defects in the premises or equipment before he forwards a report to the Director.

### 5. Hatchery licence

(1) A hatchery licence shall expire on the 30th June in each year, but may be renewed.

(2) The fees for a licence for the first year or part of a year and for each annual renewal shall be one hundred shillings.

(3) An application for renewal shall be made to the Director in the approved form before the 30th April in each year accompanied by the renewal fee.

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[Subsidiary]

## **6. Hatchery premises and equipment to be sanitary and fit for the purpose**

(1) A hatchery shall be situated away from residential and commercial premises and shall be constructed to prevent the escape of the flock and the entry of unauthorized personnel.

(2) The equipment, poultry houses, brooder rooms and incubators at the premises of a hatchery, and the land shall be kept in a clean sanitary condition.

## **7. Maintenance and cleaning of brooder rooms and incubators**

(1) The walls, floors and trays of incubators shall be kept clean and sanitary, free from broken eggs, eggshells and droppings.

(2) Hatching trays shall be cleaned, disinfected and fumigated after each batch.

## **8. Breeding flock, etc.**

(1) A breeding flock shall consist of healthy, normal individuals and shall be characteristic of the breed, variety, cross or other combination which it is stated to represent.

(2) The breeding flock, eggs and equipment connected therewith shall be kept separate from any other flock and other animals.

(3) The breeding flock shall, so far as it is possible so to do, be kept vaccinated against notifiable diseases to which it is liable; and the breeding flock between eighteen and twenty-two weeks old shall be tested by an inspecting officer for pullorum disease and fowl typhoid.

(4) Incubated eggs shall be sound in shell, typical for their breed, variety, strain or cross and reasonably uniform in shape and hatching eggs shall be placed in tray.

(5) Baby chicks shall be boxed in new boxes.

(6) A licensee shall immediately report in writing to an inspecting officer all cases of sickness, unusual mortality or significant drop in egg production.

## **9. Hatchery personnel**

The licensee shall ensure that all personnel who come into contact with the breeding flock and the hatchery shall take sanitary precautions, including the disinfection of footwear and change of clothing, to prevent the transmission of infection.

## **10. Inspection**

An inspecting officer shall inspect the breeding flock, the equipment and premises of a hatchery regularly, and the inspection shall be carried out not less than six times in a year.

## **11. Breeding and sale from infected hatchery**

(1) A person shall not, for the purpose of sale, breed poultry unless the breeding flock has passed a blood test for pullorum disease.

(2) A person shall not sell, expose or offer for sale any poultry, baby chicks or eggs from a hatchery which is infected with a notifiable disease affecting poultry.

## **12. Licensee to keep records**

A licensee shall keep written records of—

- (a) movements of hatching eggs, baby chicks and birds to and from the hatchery;
- (b) names and addresses of consignors and consignees;
- (c) the fertility, hatching rate and culls for each hatch of eggs set; and
- (d) treatment, tests and results of post-mortems carried out.

## **13. Power of inspecting officer**

An inspecting officer may, with the written authority of the Director, cause poultry, baby chicks or eggs, which he suspects to be infected with a notifiable disease affecting poultry, to be destroyed and the hatchery from which they come to be cleaned, disinfected and fumigated.



**14. Offences and penalty**

A person who contravenes a provision of these Rules shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding five thousand shillings, or to both.

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SCHEDULE

[r. 4(3)]

LICENCE TO OPERATE A HATCHERY

Name .....

Address .....

Premises L.R. No. ....

You are licensed to operate a hatchery at the above mentioned premises from ....., 20 ..... to 30th June, 20 .....

Application for renewal shall be made to the Director not later than 30th April, 20 .....

Dated the ....., 20 .....

.....  
*Director of Veterinary  
Services.*



**DECLARATION OF ANIMALS UNDER SECTION 2**

[Legal Notice 158 of 2007]

Declaration of Animals under Section 2

IN EXERCISE of the powers conferred by section 2 of the Animal Diseases Act, the Minister for Livestock and Fisheries Development declares the following to be animals for the purpose of the Act:—

Fish and Bees

[L.N. 158/2007.]

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