

THE CATTLE CLEANSING (AMENDMENT) ACT 1967**No. 5 of 1967***Date of Assent: 29th March 1967**Date of Commencement: 31st March 1967***An Act of Parliament to amend the Cattle Cleansing Act**

ENACTED by the Parliament of Kenya, as follows:—

Short title.

1. This Act may be cited as the Cattle Cleansing (Amendment) Act 1967.

Amendment of
Cap. 358.

2. The provisions of the Cattle Cleansing Act specified in the first column of the Schedule to this Act shall be amended in the manner specified in relation thereto in the second column of that Schedule.

SCHEDULE

(s. 2)

*Provision**Amendment*

Section 2.

- (a) Delete the definitions of "clean area", "cleansing district", "immune cattle", "infected area" and "landowner";
- (b) in the definition of "clean", insert immediately before the words "the submersion" the words "the spraying of such cattle or";
- (c) in the definition of "holding", substitute for paragraph (c) thereof the following—
(c) any land lawfully occupied under any customary law;
- (d) in the definition of "inspector"—
(i) insert immediately after the words "veterinary officer" the words ", assistant veterinary officer";
(ii) substitute for the word "Minister" the word "Director";
- (e) insert in their proper alphabetical positions the following definitions—
"cattle cleansing area" means any area declared under section 4 of this Act to be a cattle cleansing area;
"clean area" means any area declared by the Director by notice in the Gazette to be free from East Coast Fever and to be a clean area;
"dipping" means the complete immersion of cattle in a dipping tank containing an effective tick-destroying agent;
"infected area" means any area declared by the Director by notice in the Gazette to be infected with East Coast Fever and to be an infected area;

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“landowner” includes any person in actual occupation of, or entitled as owner or lessee to occupy, any land or the representative or agent of any such person;

“spraying” means the complete saturation of cattle with an effective tick-destroying agent, mechanically or by hand;

“spray race or hand spray pump” means any effective contrivance approved by the Director for the cleansing of cattle by spraying.

Section 3.

Delete.

Section 4.

Delete, and substitute the following—

Minister
may declare
cattle
cleansing
areas.

4. (1) Where a Provincial Agricultural Board has recommended to the Minister that any area within the province for which that Board is established should be a cattle cleansing area, the Minister may, if he is satisfied that it will be of general benefit to the stock owners in the area to do so, by notice in the Gazette declare that area, or any part thereof, to be a cattle cleansing area.

(2) Any declaration made by the Minister under this section shall, unless the contrary is proved, be presumed to have been made in compliance with the requirements of this section.

Section 5.

Substitute for the words “proclaimed districts or proclaimed native districts, as the case may be,” the words “cattle cleansing areas”.

Section 6.

(a) Substitute for the words “proclaimed district or proclaimed native district” the words “cattle cleansing area”;

(b) substitute for the words “such district” the words “such area”.

Section 7.

Substitute for the words “proclaimed district or proclaimed native district” the words “cattle cleansing area”.

Section 8.

(a) In subsection (1) thereof, delete the words “The Director and”;

(b) in subsection (2) thereof, delete the words “Director or”.

Section 9.

(a) Substitute for subsection (1) thereof the following subsection—

(1) A landowner in a cattle cleansing area on whose land cattle are kept with his consent shall, to the satisfaction of an inspector, provide facilities for the dipping or spraying of cattle and shall make provision for sufficient quantities of effective tick-destroying agents for the cleansing of cattle;

(b) in subsection (2) thereof, substitute for the words “proclaimed district” the words “cattle cleansing area”.

Sections 10
and 11.

Delete, and substitute the following—

10. Where any landowner on whose land cattle owned by him are kept is absent from Kenya and does not

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have a representative or agent in Kenya with authority to carry out the terms of this Act, any veterinary officer may authorize the due performance of the terms of this Act in such manner as he may deem expedient, and any expenditure thereby incurred shall be recoverable by the Director as a civil debt.

Construction and repair of dipping and spraying facilities.

11. (1) An inspector may require any landowner or cattle owner in a cattle cleansing area to provide dipping or spraying facilities of an approved design on the land of such landowner or cattle owner, or may require such landowner or cattle owner to make efficient by repair or otherwise any existing dipping or spraying facilities on such land at the expense of such landowner or cattle owner:

Provided that nothing in this subsection shall be deemed to prohibit the provision of dipping or spraying facilities for the common use of two or more landowners or cattle owners with the approval of a veterinary officer.

(2) For the purposes of this section, an inspector may enter upon any holding and may give written notice to the landowner or to the owner of any cattle found thereon to provide dipping or spraying facilities within a reasonable period, being not less than thirty days, to be specified in such notice, and in default of compliance with such notice the inspector may proceed to provide dipping or spraying facilities and may recover the cost thereof from such landowner or cattle owner.

(3) Any land owner or cattle owner who refuses or neglects or fails to comply with any notice given by an inspector under this section shall be guilty of an offence.

Section 12.

Delete.

Section 13.

(a) In subsection (1) thereof—

(i) substitute for the words "African District Council or other native authority" the words "cattle owner"; and

(ii) insert immediately after the word "tanks" the words ", spray race or spray races";

(b) in subsection (2) thereof—

(i) substitute for paragraph (a) the following—

(a) the Agricultural Finance Corporation;

(ii) in paragraph (b) substitute for the words "the Legislature" the word "Parliament".

Section 14.

Substitute for the words "is constructed in a proclaimed district" the words "or spray race is constructed in a cattle cleansing area".

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- Section 15. (a) In subsection (1) thereof, delete the words "In order to facilitate the movement of cattle in proclaimed districts and proclaimed native district,";
- (b) delete subsection (2) thereof;
- (c) in subsection (3) thereof, substitute for the words "proclaimed districts or proclaimed native districts" the words "cattle cleansing areas";
- (d) insert immediately after the word "tanks" wherever it appears therein, the words "or spray races".
- Section 16. (a) Delete the words "township or" wherever they appear therein;
- (b) insert immediately after the word "tanks" the words "spray races".
- Section 17. Substitute for the word "Minister" the word "Director".
- Section 18. (a) Insert immediately after the word "tank" wherever it appears therein the words "or spray race";
- (b) in subsection (3) thereof, substitute for the words "cattle owner or landowner in any proclaimed area or proclaimed native district" the words "person in any cattle cleansing area".
- Section 21. Substitute for the words "proclaimed district or proclaimed native district" the words "cattle cleansing area".