

**THE STATUTE LAW (REPEALS AND
MISCELLANEOUS AMENDMENTS)
ACT, 1981**

No. 10 of 1981

Date of Assent: 5th November, 1981

Date of Commencement: 13th November, 1981

An Act of Parliament to repeal certain laws which have become obsolete and to make minor amendments to the statute law

ENACTED by the Parliament of Kenya as follows:—

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| 1. This Act may be cited as the Statute Law (Repeals and Miscellaneous Amendments) Act, 1981. | Short title. |
| 2. The Jute Control Act is repealed with effect from 1st April, 1981. | Repeal of Cap. 118. |
| 3. The African Arms Act is repealed. | Repeal of Cap. 125. |
| 4. The several written laws specified in the first column of the Schedule are amended, in relation to the provisions thereof specified in the second column, in the manner specified in the third column. | Amendment of written laws |
| 5. The amendments specified in the Schedule in relation to the Valuation for Rating Act shall be deemed to have come into force on the 30th June, 1980, and those in relation to the Law of Succession Act on the 1st July, 1981. | Retrospective effect of certain amendments. |

SCHEDULE

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
The National Assembly (Powers and Privileges) Act (Cap. 6)	s. 10 (1)	Delete "five other members" and substitute "ten other members".
	s. 23	Delete "section 7" in paragraphs (a) and (b) and substitute "section 17" in each case.

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SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
The National Assembly and Presidential Elections Act (Cap. 7).	s. 4	Delete subsection (2) and substitute the following— (2) The Minister may, whenever it is in his opinion necessary, after consultation with the Electoral Commission, direct that all registers, or any particular register, of electors shall be revised so as to bring them or it up to date.
The Prisons Act (Cap. 90)	s. 46 (5)	Delete “Commissioner” and substitute “Minister”.
The Firearms Act (Cap. 114)	s. 4	Delete “five years or a fine not exceeding ten thousand shillings, or to both such imprisonment and such fine” and substitute “ten years”.
The Betting Lotteries and Gaming Act (Cap. 131).	s. 2	In the definition of “permit holder” delete “and 54” and substitute “,54 and 58”. In definition of “premises” delete “and 53” and substitute “,53 and 58”.
	s. 11 (2)	Delete “or section 54” and substitute “,section 54 or section 58”.
	s. 58	Delete the whole section and insert a new section as follows— 58 (1) The Board may, subject to any regulations made under this Act, issue a permit authorizing the use of an amusement machine or amusement machines on premises approved by it. (2) A permit issued under this section shall be subject to such conditions as the Board may impose and in every case to the condition that no person under the age of eighteen years shall play an amusement machine unless in the presence of, and with the permission of, his parent or guardian. (3) Any person who— (a) uses or permits the use of an amusement machine in respect of which a permit has not been issued under subsection (1);

SCHEDULE—(Contd.)

<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
		<p>(b) contravenes or allows the contravention of any condition provided for or imposed by the Board under subsection (2), shall be guilty of an offence and liable, in the case of an offence under paragraph (a), to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment, and, in the case of an offence under paragraph (b), to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two months or both such fine and imprisonment.</p> <p>(4) In this section "amusement machine" means a machine, other than a gaming machine—</p> <p>(a) which is operated by the insertion of a coin or coins into the machine; and</p> <p>(b) whereby a successful player neither receives nor is offered any benefit other than—</p> <p>(i) the opportunity afforded by the automatic action of the machine to play the game again without insertion of a coin; or</p> <p>(ii) the delivery by the machine of a coin or coins of a value not exceeding that required in order to play the game once.</p>
The Law of Succession Act (Cap. 160)	s. 3	Delete from the definition of "house" in subsection (1) the words and commas", in the case of a deceased person who has married under any system of law allowing polygamous marriages,".

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<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
		Insert the following new subsection—
		(5) Notwithstanding the provisions of any other written law, a woman married under a system of law which permits polygamy is, where her husband has contracted a previous or subsequent monogamous marriage to another woman, nevertheless a wife for the purposes of this Act, and in particular sections 29 and 40 thereof, and her children are accordingly children within the meaning of this Act.
The Egerton Agricultural College Act (Cap. 214).	s. 6	In subsection (1) delete “five <i>ex-officio</i> members” and substitute “seven <i>ex-officio</i> members”. Delete subsection (4) and substitute the following—
		(4) The <i>ex-officio</i> members shall be—
		(a) the Permanent Secretary to the Ministry of Agriculture or his appointed representative;
		(b) the Director of Agriculture or his appointed representative;
		(c) the Permanent Secretary to the Ministry of Livestock Development or his appointed representative;
		(d) the Director of Livestock Development or his appointed representative;
		(e) the Director of Higher Education or his appointed representative;
		(f) the Chief Conservator of Forests or his appointed representative;
		(g) the Principal.
The Industrial Training Act (Cap. 237).	s. 4(1)	Delete “sixteen other members” and substitute “eighteen other members”. Delete “four” in paragraph (c) and substitute “six”.
	s. 4A(2)	Delete “thirteen persons” and substitute “fifteen persons”.

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<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
		Delete "three" in paragraph (c) and substitute "five".
	s. 28	Delete "one thousand shillings" and substitute "six thousand shillings".
The Valuation for Rating Act (Cap. 266).	s. 7(2)	Delete and substitute the following— (2) For the purposes of subsection (1), "registered" means registered under any law relating to the registration of title to immovable property and of dealings therewith.
The Kenya Meat Commission Act (Cap. 363).	s. 3(1)	Delete paragraph (e) and substitute the (e) the Permanent Secretary to the Ministry of Livestock Development or a person deputed by him in writing for the purposes of this Act;
The Stamp Duty Act (Cap. 480).	s. 18	Delete "twenty-one days" in subsection (1) and substitute "sixty days". Delete "three hundred shillings" in subsection (2) and substitute "five thousand shillings".
The Estate Duty Act (Cap. 483).	s. 7(3)	Delete the words "First President and Commander-in-Chief of the Armed Forces of the Republic of Kenya" and substitute "nor to His Excellency Daniel Toroitich arap Moi".
The Registration of Business Names Act (Cap. 499).	s. 9	Insert at the beginning of subsection (1) the words "Subject to subsection (2) of section 17,".
		Insert after "the Registrar shall" in subsection (2) the words and commas ",subject to the provisions of section 17,".
	s. 17(1)	Delete "The Registrar shall refuse to register any firm, individual or corporation carrying on" and substitute "The Registrar shall refuse to register, or, in the case of an application under section 9, to register a change of business name of, any firm, individual or corporation carrying on, or proposing to carry on".
	s. 17(2)	Insert after "as required by section 6" in the sixth line the words and commas ",or, in the case of a proposed change of business name, the notice of change required by section 9,".

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<i>Written Law</i>	<i>Section</i>	<i>Amendments</i>
		Delete "in the manner of that section" in the ninth and tenth lines and substitute "as required by either of those sections".
	s. 17(3)	Insert after "any business name" in the first and second lines the words "or change of business name".
		Insert after "entitled to registration in" in the third line the words and commas "or of registration of change to,".
	s. 17(5)	Insert after "of a business name" in the first line the words "or change of business name".