

**THE LIVESTOCK BILL, 2020**

**ARRANGEMENT OF CLAUSES**

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**PART I—PRELIMINARY**

- 1—Short title.
- 2—Interpretation.
- 3— Objects of this Act.
- 4— Guiding principles.
- 5— Application.
- 6— Scope of the Act.
- 7— Roles of county governments.
- 8— Development of the livestock sector.

**PART II—THE LIVESTOCK INPUTS AND PRODUCTS REGULATORY AUTHORITY**

- 9— Establishment of the Livestock Inputs and Products Regulatory Authority.
- 10— Composition of the Board of the Authority.
- 11— Qualifications for appointment to the Board of the Authority.
- 12— The Chief Executive Officer of the Authority.
- 13— Qualifications for appointment as the Chief Executive Officer.
- 14— Functions of the Authority.
- 15— Powers of the Board of the Authority.
- 16— Funds of the Authority.
- 17— Appointment of livestock inputs and products inspectors.

**PART III—THE KENYA VETERINARY VACCINES INSTITUTE**

- 18— Establishment of the Kenya Veterinary Vaccines Institute.
- 19— Composition of the Board.
- 20—Qualifications for appointment to the Board of the Institute.
- 21— Chief Executive Officer of the Institute.
- 22— Qualifications for appointment as Chief Executive Officer of the Institute.
- 23— The functions of the Institute.
- 24— Powers of the Board of the Institute.
- 25— Contracts of manufacturing.
- 26— Designation of quarantine areas.
- 27— Funds of the Institute.

**PART IV—THE KENYA TSETSE AND TRYPANOSOMIASIS ERADICATION COUNCIL**

- 28— Establishment of the Kenya Tsetse and Trypanosomiasis Eradication Council.
- 29— The Board of the Council.
- 30— Qualifications for appointment to the Council.
- 31— Functions of the Council.
- 32— Powers of the Council.
- 33— Appointment of the Chief Executive Officer.
- 34— Qualifications for appointment to the Board of the Council.
- 35— Qualifications for appointment as Chief Executive Officer of the Council.

36– Funds of the Council.

#### PART V—THE KENYA ANIMAL GENETIC RESOURCES CENTRE

- 37– Establishment of the Kenya Animal Genetic Resources Centre.
- 38– Composition of the Board.
- 39– Qualifications for appointment as the Chairperson of the Centre.
- 40– Functions of the Centre.
- 41– Powers of the Board of the Centre.
- 42– The Chief Executive Officer of the Centre.

#### PART VI—GENERAL PROVISIONS ON LIVESTOCK AGENCIES

- 43– Disqualification for appointment to livestock agencies.
- 44– Personal liability.
- 45– Conduct of business and affairs of the livestock agency.
- 46– Delegation by the Board.
- 47– Functions of the Chief Executive Officer.
- 48– Remuneration of board members.
- 49– Committees of the Board,
- 50– Engagement of experts or consultants
- 51– Vacation of office.
- 52– Common seal.
- 53– Removal from office.
- 54– Establishment of county offices and collaboration with counties.
- 55– Staff of the livestock agencies.
- 56– Disclosure of interest.
- 57– Legal proceedings against the Board.

#### PART VII—FINANCIAL PROVISIONS

- 58– Financial year.
- 59– Annual estimates.
- 60– Accounts, audit and annual reports.

#### PART VIII- ESTABLISHMENT OF LIVESTOCK TRAINING INSTITUTIONS.

- 61– Establishment of livestock training Institutions.
- 62– Establishment of an academic board.
- 63– Designation of county livestock farmers training centres.

#### PART IX- OFFENCES AND PENALTIES

- 64- Offences and penalties

#### PART X—PROVISIONS ON DELEGATED LEGISLATION

- 65– Regulations.

PART XI—SAVINGS AND TRANSITIONAL PROVISIONS

66— Revocation of L.N No.223 of 1990.

67— Revocation of the Kenya Tsetse and Trypanosomiasis Eradication Council Order, 2012.

68— Revocation of the Kenya Animal Genetic Resources Order, 2011

69—The National Livestock Development and Promotion Service Order.

## **THE LIVESTOCK BILL, 2020**

### **A Bill for**

**AN ACT** of Parliament to provide for the promotion, development, regulation and capacity building of the livestock sector; the establishment of livestock agencies and for connected purposes

**ENACTED** by the Parliament of Kenya, as follows—

### **PART I — PRELIMINARY**

Short title.

1. This Act may be cited as the Livestock Act, 2020.

Interpretation.

2. In this Act, unless the context otherwise requires—

“animal” means any domestic or wild animal, and includes a bird, fish, bees or other aquatic animals;

“animal genetic resource” includes the germ plasm of an animal or other organism containing useful characteristics of actual or potential value;

“animal health” means the general wellbeing of an animal or population of animals with respect to nutrition and presence or absence of infectious or non-infectious disease causing agents, chemicals, drugs or residues;

“animal identification” means the combination of the identification and registration of an animal individually, with a unique identifier, or collectively by its epidemiological unit or group, with a unique group identifier;

“animal science” includes the disciplines of animal production, range management or veterinary medicine;

“Authority” means the Livestock Inputs and Products Regulatory Authority established under section 7;

“animal product” means any part or portion of, or product derived from or yielded by any animal, including any such part, portion or product that has been processed;

“antigen” means materials used for the production of vaccines;

“apiculture” means the keeping of bees;

“aquatic animal” means fish, mollusk, crustacean or amphibian originating from an aquaculture establishment;

“biological products” means products such as cells, fluids, tissues and master seed required in the production of vaccines and other products;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to livestock;

“Centre” means the Kenya Animal Genetic Resources Centre established under section 35;

“cold chain” means facilities utilized for maintaining prescribed temperature conditions for vaccines storage and transport;

“companion animal” includes a dog, cat, horse or any other animal or bird kept as a pet;

“Council” means the Kenya Tsetse and Trypanosomiasis Eradication Council established under section 28;

“County Executive Committee Member” means the County Executive Committee Member for the time being responsible to matters relating to Livestock;

“consumer” has the meaning assigned to it under section 2 of the Consumer Protection Act;

“crush pen” means facility used to restrain animal for safe handling while carrying out a procedure;

“draught animal” means a camel, donkey, horse, mule, ox or any animal that provides draught power;

“domestic animal” includes horse, mare, gelding, bull, cow, ox, heifer, steer, calf, mule, ass, sheep, lamb, hog, pig, sow, goat, fowl, ostrich, dog, cat, or any emerging livestock, any wild animal, bird or reptile in a state of captivity;

“emerging livestock” means nontraditional livestock consisting of animal species and includes quail, ostrich, guinea fowl and a farmed game animal or any other animal that the Cabinet Secretary may by notice in the *Gazette* declare to be an emerging livestock species;

“food safety” means the state of food of animal origin, intended for human or animal consumption, being free of biological, chemical or physical material harmful to health;

“Inspector” means an officer appointed by the Authority in accordance with section 17 and includes an officer appointed by the county government as an inspector under Regulations made pursuant to this Act;

“licence” means a license issued in accordance with the provisions of this Act and Regulations made pursuant to this Act;

;

“Institute” means the Kenya Veterinary Vaccines Institute established under section 27;

“in-process” means stages in the vaccine production line where quality assurance is guaranteed;

“livestock” means cattle, camel, sheep, goat, pig, poultry, lagomorphs, companion animals, draught animals, bees and includes their young ones and any other animal which the Cabinet secretary may, by notice in the gazette declare to be livestock.

“livestock enterprise” means a business venture, or company formed in the livestock industry for purposes of making profit;

“livestock industry” means any activity that involves the production, processing, marketing or distribution of livestock and livestock products or services;

“livestock market information system” means a system that collects, analyses and distributes marketing information on livestock and livestock products;

“livestock product” means a carcass or parts of a carcass of livestock, and any product consisting of parts of, or derived from livestock, and includes hides and skins, wool, feather, meat, dairy products, poultry products, hive products and includes any other product from livestock that the Cabinet Secretary may by order in the Gazette, declare to be a livestock product;

“livestock production” means the art of managing livestock resources and use of the resources to produce livestock for food, labour and raw material for industry for purposes of achieving social, cultural or economic benefits;

“livestock agency” means the Livestock Inputs and Products Regulatory Authority, the Kenya Veterinary Vaccines Institute, the Kenya Tsetse and Trypanosomiasis

Eradication Council or the Kenya Animal Genetic Resources Centre established under this Act;

“livestock resources” means the entire worth of livestock and livestock products including land, pastures, infrastructure, knowledge, skills and gene pool;

“livestock industry” means any activity that involves the production, processing, marketing or distribution of livestock and livestock products or services;

“livestock infrastructure” means structures and facilities serving the livestock economy which includes roads, holding grounds, water points, disease free zones, markets and livestock vehicles;

“livestock market information system” means a system that collects, analyses and distributes marketing information on livestock and livestock products;

“livestock sector” includes the meat industry, the hides and skins, leather, wool and fur industry, the poultry industry, the pig industry, the apiculture industry, the camel industry and the small stock.

“Marketing Board” means the Livestock and Livestock Products Marketing Board established under section 18;

“media” means the environment conducive for the growth of microorganisms;

“mobile targets” means a mobile animal, equipment or object treated with insecticide that is used to suppress tsetse flies;

“occupier” means any person in actual lawful occupation of land without regard to the title under which he or she occupies such land, and includes the owner, or any manager or other person who is authorized to represent the owner of land, who actually resides on such land;

“owner” used with reference to immovable property, includes any person receiving rent or profits from any tenant or occupier thereof or who would receive such rent or profits if the premises were let, whether on his or her own account or as agent for any other person;

“produce” means livestock product;

“processor” means a person who adds value to a livestock product;

“producer” means a person who produces, processes, manufactures, prepares or treats livestock products for sale;

“public livestock Centre” means a livestock Centre established under this Act, or such other Centre as the Cabinet Secretary may, by notice in the Gazette, determine;

“rangeland” means a large unimproved or improved open land for keeping, rearing and grazing animals;

“sanitary” means the protection from risks arising from biological, chemical or physical agents that may have adverse effects on animal or human health;

“sequential aerial technique” means systematic spraying of an area through use of aerial means;

“service provider” means a person engaged in the provision of technical or support services to the livestock industry;

“strategic animal feed reserve” means an animal feed of good quality whose availability in quantities in the domestic market is important for food security and its reserve is established through either the provision of finance or the direct provision of the product;

“target” means a device treated with insecticide used to control tsetse fly;

“tsetse control picket” means any barrier erected on any road or recognized footpath in terms of sections 69(2)(d) and 72(1)(d);

“tsetse fly area” means any area defined and declared in terms of section 20 to be a tsetse fly area;

“tsetse belts” means the areas specified as tsetse belts under this Act;

“vehicle” means any carriage or conveyance for use upon land or water, or any aircraft; and

Objects of this Act. **3.** The objects of this Act are to—

(a) enhance capacity building in the livestock sector;



- (b) coordinate the development and regulation of the livestock sector;
- (c) coordinate the provision of incentives to farmers;
- (d) regulate the production, manufacturing and utilization of livestock inputs and livestock products;
- (e) to regulate marketing of livestock inputs and livestock products;
- (f) provide for the establishment of animal resource training institutions;
- (g) promote and coordinate the development of livestock industry;
- (h) provide for coordinated development of the livestock sector to achieve the realization of the national food and nutrition security, and food safety;
- (i) establishment of livestock sector agencies for effective service delivery and better coordination;
- (j) support a value chain approach for capacity building, and research in livestock production and development; and
- (k) enforce standards, strategies and policies relating to livestock development.

Guiding principles. **4.** The guiding principles of this Act are—

- (a) effective, efficient and sustainable utilization of the livestock resource base as a key pillar of improving livelihoods, nutrition, food security and economic development;
- (b) promotion of innovative, commercially oriented and modern livestock sector for global competitiveness through adoption of best practices;
- (c) promotion and sustenance of biodiversity and genetic diversity in livestock resources while ensuring sound environmental management for sustainability; and
- (d) provision of competitive returns to livestock producers.

Application.

**5.** (1) This Act shall apply to—

- (a) livestock inputs and livestock products; and
- (b) value chain actors in the livestock sector.

(2) This Act shall not apply to—

- (a) regulation of veterinary practice including veterinary medicines;
- (b) regulation of dairy industry and products;
- (c) sanitary and phytosanitary aspects of livestock industry regulation.

Scope of the Act.

**6.** The scope of this Act shall include—

- (a) capacity building, development, production, processing, distribution, research and regulation of the livestock sector;
- (b) regulating marketing of livestock and livestock products;
- (c) setting and enforcement of standards for animal feeds;
- (d) establishment of strategic livestock feed reserves;
- (e) setting standards for the rearing and appropriate utilization and management of draught animals;
- (f) promotion and regulation of livestock breeding, conservation of animal genetic material, and establishing a national animal resources gene bank;

- (g) identification, classification, production and utilization of emerging livestock;
- (h) sustainable use of rangelands resources and establishment of mechanisms for harvesting, storage and access to water for livestock;
- (i) setting standards for co-ordination, delivery and regulation of extension services;
- (j) identification of research agenda, co-ordination, undertaking and strengthening of livestock research;
- (k) sustainable use of holding grounds, animal genetics conservation farms, diagnostic and efficacy trial centers;
- (l) establishment of mechanisms for the collection, processing and dissemination of livestock information including surveys and census;
- (m) promoting the uptake of livestock insurance;
- (n) establish mechanism of stabilization of producer prices;
- (o) strengthening the livestock sector agencies;
- (p) carry out emergency preparedness and mitigate disasters in the livestock sector; and
- (q) establishment of livestock sector training institutions.

Roles of county governments.

7. Subject to Article 186 of the Constitution every department responsible for livestock in each county shall—

- (a) provide livestock extension services along the entire value chains;
- (b) enhance access to affordable credit and livestock insurance;
- (c) in collaboration with the national agencies, enforce standards and regulations on livestock inputs and products;
- (d) implement standards on pasture, water management and conservation of natural resources;
- (e) develop markets and value addition infrastructure;
- (f) ensure compliance with standards on the design and construction of animal structures within the county;
- (g) collect and collate county specific livestock data and submit the data to the national government; and
- (h) in collaboration with the national government, mitigate emergency measures in disasters affecting livestock.

Development of the livestock sector.

- 8.** (1) The Cabinet Secretary shall in collaboration with the Council of Governors support development of the livestock sector as appropriate through—
- (a) provision of affordable and safe inputs to the livestock sector and improving access of livestock and livestock products to the local and international markets; and
  - (b) building the capacity of farmer associations, value chain organizations and livestock based cooperatives.
- (2) The national and county departments responsible for the livestock sector may
- (a) mobilize resources and provide incentives including grants to farmer associations and value chain actors;
  - (b) link small scale livestock farmers with off takers, postharvest storage providers, processors, livestock farmer associations and small and medium enterprises;
  - (c) encourage registration of livestock farmers; and
  - (d) establish mechanisms for engaging and supporting the

private sector within the livestock sector as appropriate.

**PART II – THE LIVESTOCK INPUTS AND PRODUCTS REGULATORY AUTHORITY**

Establishment of the Livestock Inputs and Products Regulatory Authority.

9. (1) There is established an authority to be known as the Livestock Inputs and Products Regulatory Authority.

(2) The Authority 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; and

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

(3) The Authority shall be the successor of the National Livestock Development and Promotion Service established under the National Livestock Development and Promotion Service Order and existing immediately before the commencement of this Act.

(4) The headquarters of the Authority shall be in Nairobi.

Composition of the Board of the Authority.

10.(1) The management of the Authority shall vest in a Board which shall comprise —

(a) a chairperson appointed by the President ;

(b) the Principal Secretary for the time being responsible for matters relating to livestock or a representative not being below the level of Deputy Director of Veterinary Services;

(c) the Principal Secretary for the time being responsible for matters relating to finance or a representative;

(d) the Director of Livestock Production;

(e) two County Executive Committee Members responsible for matters relating to livestock nominated by the Council of Governors, one being from the pastoralist counties; and

(f) two professionals in animal sciences (industry), not being public officers, appointed by the Cabinet Secretary from the livestock value chains being regulated;

(g) one person being a livestock producer appointed by the Cabinet Secretary; and

(h) the Chief Executive Officer.

(2) In nominating members of the Board for appointment under this section, the nominating authorities shall observe the principles of gender, equity, regional balance, and have due regard to the principle of equal opportunities for persons with disabilities.

(3) A member under subsection (2) (e), (f) or (g) shall be appointed by notice in the Gazette.

(5) The chairperson and the members appointed under subsection (2) (e), (f) or (g) shall serve for a term of three years and shall be eligible for re-appointment for one further term of three years.

Qualifications for appointment to the Board of the Authority.

**11.**(1) A person shall be qualified for appointment as a chairperson if the person holds a degree in a livestock related field and has at least ten years post qualification experience in livestock related matters.

(2) A person shall be qualified for appointment as a member of the Board under section 8(1) (f) if the person holds a degree in animal sciences and has at least ten years' post qualification experience.

(3) A person shall be qualified for appointment under section 8(g) as a member of the Board, if the person is competitively nominated by a professional body and appointed by the Cabinet Secretary.

The Chief Executive Officer of the Authority.

**12.**(1) There shall be a Chief Executive Officer of the Authority who shall be appointed by the Board through a competitive process.

(2) The Chief Executive Officer of the Authority is responsible for—

(a) daily routines of the Agency and supervision of employees of the Authority;

(b) the performance of such other duties as may be assigned by the Board.

Qualifications for appointment as the Chief Executive Officer.

**13.**A person is qualified for appointment as the Chief Executive Officer of the Authority if the person —

(a) is a Kenyan citizen;

- (b) holds an undergraduate degree in animal sciences or an equivalent qualification from a university recognized in Kenya;
- (c) holds a relevant master's degree from a university recognized in Kenya;
- (d) has at least ten years professional experience in the livestock sector five of which shall be in a senior management position;
- (e) possesses leadership and management skills ; and
- (f) meets the requirements of Chapter Six of the Constitution.

Functions of the Authority.

**14.** The functions of the Authority shall be to—

- (a) Regulate in collaboration with the county governments the production, manufacture, importation, distribution and sale of animal feedstuff with respect to fodder, concentrates, supplements, feed additives and premixes to ensure compliance with national standards;
- (b) Regulate stud identification and registration of breeding animals, performance recording, genetic evaluation, sustainable use and conservation of animal genetic resources;
- (c) control utilization of imported and local animal genetic resources intended for breed improvement;
- (d) regulate the design and construction of animal structures and importation of equipment to ensure compliance with set standards;
- (e) regulate in collaboration with the county governments



the production, processing and importation of hive products;

- (f) set standards for livestock infrastructure;
- (g) maintain a county and national database for livestock value chain actors including breeders, breeder associations, animal feeds dealers and other input and product service providers;
- (h) regulate marketing of livestock products in collaboration with other agencies to guarantee consumer protection;
- (i) advise the Cabinet Secretary on livestock matters that require capacity building in county governments; and
- (j) collaborate with county governments and other government agencies in the enforcement of standards through inspections, registration and licencing of livestock inputs and products.

Powers of the Board of the Authority.

**15.(1)** The Board shall have all the powers necessary for the performance of the functions of the Authority.

(2) Without prejudice to the generality of sub section (1), the Board may—

- (a) establish units as it deems necessary for the better carrying out of the provisions of the Part;
- (b) hire staff on terms and conditions, as it may consider necessary for the efficient operations of the Board

and implementation of the provisions of this Part including appointing inspectors;

- (c) establish such facilities and systems in furtherance of the object and purpose of this Part;
- (d) compel the production of any information required for the performance of its functions;
- (e) establish a banking account or special accounts as it may consider necessary;
- (f) borrow money, mortgage or charge any of its assets with the consent of the Cabinet Secretary;
- (g) invest its money in approved securities or other income generating activities as the Cabinet Secretary for finance may approve;
- (h) establish special funds or reserves as it considers necessary or expedient for any purpose contemplated by this part;
- (i) manage and utilize the resources of the Board in accordance with the provisions of this Act and in a manner, which in the opinion of the Board, promote the best interests of the livestock sector; and
- (j) ensure effective communication with stakeholders and undertake any activity necessary to effectively carry out its functions.

Funds of the Authority.

**16.**(1) The funds of the Authority shall consist of—

- (a) monies allocated and appropriated by the National Assembly for purposes of the Authority;
- (b) any grants, gifts, donations or other endowments given to the Authority; and
- (c) such funds as may vest in or accrue to the Authority in the performance of its functions or exercise of its powers under this Act or under any other written law.

(2) The receipts, earnings or accruals of the Authority and the balances at the close of each financial year shall be paid into the Consolidated Fund.

Appointment of livestock inputs and products inspectors.

**17.** (1) The Authority may appoint qualified persons as specified in the regulations, to be livestock inputs and products inspectors to carry out inspections on compliance with standards, guidelines and legislation on livestock inputs and products for the purposes of this Act.

(2) The County Executive Committee Member responsible for livestock matters may nominate for appointment county inspectors in line with guidelines provided by the Authority for livestock inputs and products within the respective county as may be necessary for the purposes of this Act.

### **PART III—THE KENYA VETERINARY VACCINES INSTITUTE**

Establishment of the Kenya Veterinary Vaccines Institute.

**18.**(1) There is established an Institute to be known as the Kenya Veterinary Vaccines Institute.

(2) The Institute 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; and

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

(3) The Institute shall be the successor of the Kenya Veterinary Vaccines Institute established in accordance with the Kenya Veterinary Vaccines Institute Order and existing immediately before the commencement of this Act.

(4) The headquarters of the Institute shall be in Nairobi.

Composition of the Board.

**19.(1)** The management of the Institute shall be vested in a Board which shall consist of—

(a) a non-executive chairperson appointed by the President;

(b) the Principal Secretary responsible for Livestock or a representative not being below the level of Deputy Director of Livestock Production;

(c) the Principal Secretary responsible for matters relating to finance or his representative;

(d) the Director of Veterinary Services or his representative;

(e) the Director General of the Kenya Agricultural and Livestock Research Organization or his representative;

(f) one County Executive Committee Member responsible for livestock nominated by the Council of Governors;

(g) the Chief Executive Officer of the Institute; and

(h) two persons appointed by the Cabinet Secretary from the livestock industry, one from a livestock vaccine distribution value chain and another being

a representative nominated by a livestock breeders' association.

(i) one person being a livestock keeper appointed by the Cabinet Secretary.

(2) In appointing members of the Board under subsection (1)(h) & (i) the Cabinet Secretary shall adhere to the principles of gender equity, regional and ethnic balance, and shall have due regard to the principle of equal opportunities for persons with disabilities.

Qualifications for appointment to the Board of the Institute.

**20.**(1) A person shall be qualified for appointment as the Chairperson of the Board of the Institute if that person—

(a) holds a degree in animal sciences from a university recognized in Kenya;

(b) has at least ten years' experience in matters relating to livestock; and

(c) meets the requirements of Chapter Six of the Constitution.

(2) A person shall be qualified for appointment as a member of the Board of the Institute under paragraph 2 (1)(h), if that person—

(a) holds at a degree from a university recognized in Kenya;

(b) has at least five years' post-qualification experience;

(c) has knowledge related to vaccines and their use; and

(d) satisfies the requirements of Chapter Six of the Constitution.

Chief Executive Officer of the Institute.

**21.**(1) There shall be a Chief Executive Officer of the Institute who shall be appointed by the Board through a competitive recruitment process.

(2) The Chief Executive Officer shall hold office for a term of three years and shall be eligible for re-appointment for one further term of three years upon satisfactory performance.

Qualifications for appointment as

**22.** (1) A person shall be qualified for appointment as the Chief Executive Officer of the Institute if the person—

Chief Executive  
Officer of the  
Institute.

- (a) holds an undergraduate degree in veterinary medicine from a university recognized in Kenya;
- (b) Master's degree in a relevant field in vaccine production.
- (c) has worked in a senior management position in the private or public sector;
- (d) has at least ten years' post-qualification professional experience five of which should be at a senior level;
- (e) has demonstrated leadership and management skills; and
- (f) satisfies the requirements of Chapter Six of the Constitution.

The functions of the  
Institute.

**23.** The functions of the Institute shall be to—

- (a) produce safe, efficacious and affordable veterinary vaccines;
- (b) manufacture, market and distribute veterinary vaccines, locally, regionally and internationally;
- (c) undertake research, either alone or in collaboration with other research institutions, into new innovations of veterinary vaccines production;
- (d) develop and produce chemicals, media, reagents and biological products for use in the production of vaccines and other products;

- (e) maintain strategic vaccines reserve for the country;
- (f) serve as a custodian of master seeds for veterinary vaccines production in the country;
- (g) advise the Cabinet Secretary on all matters relating to veterinary vaccines; and
- (h) undertake any other activities necessary for the better carrying out the functions of the Institute.

Powers of the Board of the Institute.

**24.(1)** The Board of the Institute shall have all the powers necessary for the proper performance of its functions under this Act and subject to the provisions of this Act, the Board shall have the power to—

- (a) enter into contracts or associations with such other bodies or organizations within or outside Kenya, as the Board may consider desirable or appropriate and in furtherance of the purposes for which the Institute is established;
- (b) apply for and hold intellectual property rights and enter into agreements or arrangements for their commercial exploitation or otherwise the board may determine
- (c) appoint the chief executive officer and the senior management staff of the Institute in accordance with the existing government procedures;
- (d) source for funds for the Institute;
- (e) oversee management, control and administration of

land and assets of the Institute in such manner and for such purposes as best promotes the purpose for which the Institute is established;

- (f) establish administrative units for the institute;
- (g) request, in writing, any person to furnish the Institute with such information or produce such documents or records as they may consider necessary for the performance of the functions of the Institute;
- (h) receive gifts, grants, donations or endowments made to the Institute and make disbursement therefrom;
- (i) open such bank accounts as may be necessary for the management of the funds of the Institute into which all moneys received by the Institute shall be paid in the first instance and out of which all payments made by the Institute shall be made;
- (j) establish a Fund which shall be managed by the Board in accordance with Regulations made under this Act;
- (k) ensure effective communication with stakeholders; and
- (l) invest any funds of the Institute not immediately required for its purposes.

Contracts of manufacturing.

**25.**The Institute may enter into a contract with any local or international organization to produce specific veterinary vaccines and other biological products.

Designation of quarantine areas. Cap 364.

**26.**The Director of Veterinary Services shall designate vaccine production facilities and their testing premises as quarantine



areas in accordance with the Animal Diseases Act.

Funds of the Institute.

**27.**(1) The funds of the Institute shall consist of—

- (a) monies allocated by the National Assembly for purposes of the Institute;
- (b) any grants, gifts, donations or other endowments given to the Institute; and
- (c) such funds as may vest in or accrue to the Institute in the performance of its functions or exercise of its powers under this Act or under any other written law.

(2) The receipts, earnings or accruals of the Institute and the balances at the close of each financial year shall be paid into the Consolidated Fund.

#### **PART IV—THE KENYA TSETSE AND TRYPANOSOMIASIS ERADICATION COUNCIL**

Establishment of the Kenya Tsetse and Trypanosomiasis Eradication Council.

**28.**(1) There is established a council to be known as the Kenya Tsetse and Trypanosomiasis Eradication 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 and lending money;

- (d) investing any of the funds of the Council which are not immediately required for its purposes;
- (e) entering into contracts; and
- (f) performing all other functions for the proper performance of its functions under this Act.

(3) The Council shall be the successor of the Kenya Tsetse and Trypanosomiasis Eradication Council established in accordance with the Kenya Tsetse and Trypanosomiasis Eradication Council Order, 2012 and existing immediately before the commencement of this Act.

(4) The headquarters of the Council shall be in Nairobi.

The Board of the Council.

**29. (1)** The Board of the Council shall consist of –

- (a) a non executive chairperson appointed by the President;
- (b) the Principal Secretary responsible for matters relating to livestock or a representative not being below the level of Deputy Director Livestock Production;
- (c) the Principal Secretary responsible for finance or his representative;
- (d) the Director of Veterinary Services;
- (e) the Chief Executive Officer of the Council who shall be an ex officio member of the Board and shall have no powers to vote at a meeting of the Board;
- (f) two County Executive Committee Member responsible for livestock from Tsetse infested counties, nominated by the Council of Governors;
- (g) the Director-General of the Kenya Wildlife Service or his representative;

(h) The Director General Health

(i) two persons being livestock producers of opposite gender, nominated by the Cabinet Secretary associations representing farming and livestock producing community with relevant experience in eradication of tsetse and trypanosomiasis.

(2) The Cabinet Secretary shall, in appointing the members of the Board, ensure—

(a) the observation of the principles of gender equity, regional balance, and shall have due regard to the principle of equal opportunities for persons with disabilities; and

(b) that the members of the Council shall be appointed at different times so that the respective expiry dates of their terms of office shall fall at different times;

(3) The chairperson and the members appointed under subsection (1) (h) and (i) shall serve for a term of three years and shall be eligible for re-appointment for one further term of three years.

Qualifications for appointment to the Council.

**30.**(1) A person shall be qualified for appointment as the Chairperson of the Board of the Council if that person—

(a) holds a degree in animal sciences from a university recognized in Kenya;

(b) has at least ten years' experience in matters relating to livestock; and

(c) meets the requirements of Chapter Six of the Constitution.

(2) A person shall be qualified for appointment as member of the Board under section 39 (1) (i) if that person—

- (a) is a livestock farmer within a tsetse belt;
- (b) has a minimum education of ordinary level certificate or equivalent; and
- (c) fulfils the requirements of Chapter six of the Constitution.

Functions of the Council.

**31. (1) The Functions of the Council shall be to –**

- (a) set standards and guidelines for tsetse and trypanosomiasis eradication;
- (b) determine and advise the Cabinet Secretary on national goals, priorities and strategies for the tsetse and trypanosomiasis eradication;
- (c) in consultation with the County Executive Committee Member and other relevant bodies, coordinate and plan tsetse and trypanosomiasis eradication programmes in areas which straddle more than one county.
- (d) promote collaboration among stakeholders on tsetse and trypanosomiasis eradication;
- (e) act as the lead agency on tsetse and trypanosomiasis eradication activities in Kenya;
- (f) negotiate, source and mobilize resources for the tsetse and trypanosomiasis eradication;
- (g) ensure effective and efficient use of resources provided by the Government and other financiers or donors for tsetse and trypanosomiasis eradication;
- (h) establish and maintain appropriate tsetse and

trypanosomiasis knowledge, information and communication system and data base based on contemporary science and technology;

- (i) co-ordinate, guide and facilitate research and use of technologies and development of science for the purposes of eradication of tsetse and trypanosomiasis;
- (j) develop a co-ordinated and efficient system-wide framework for planning, development and management of resources available for tsetse and trypanosomiasis eradication activities;
- (k) promote and facilitate activities in all relevant sectors including land use management and sustainable livelihoods to sustain tsetse and trypanosomiasis eradication in Kenya;
- (l) provide support services with respect to tsetse and trypanosomiasis eradication
- (m) promote public and private sector partnership for sustainable tsetse and trypanosomiasis eradication;
- (n) undertake any other activities necessary for the better carrying out the functions of the council.

Powers of the Council.

**32.(1)** In performing the functions set out under section 29, the Board of the Council shall have the power to—

- (a) formulate, with approval of the Cabinet Secretary, policies pertaining to the organization, management and implementation of the objectives of the Council;
- (b) in collaboration with county governments and other stakeholders provide advisory and technical services to

community groups, individual farmers and institutions on planning, implementation, monitoring and evaluation of tsetse and trypanosomiasis eradication;

(c) enter into association with such other bodies or organizations within or outside Kenya, as the Board may consider desirable or appropriate and in furtherance of the purposes for which the Council is established;

(d) ensure effective communication with stakeholders; and

(e) declare an area to be within the tsetse belt or declare an area to no longer be within the tsetse belt.

Appointment of the Chief Executive Officer.

**33.**(1) There shall be a Chief Executive Officer who shall be the Chief Executive Officer of the Council and shall be appointed by the Board of the council through a competitive recruitment process.

(2) The Chief Executive Officer shall hold office on such terms and conditions of employment as the Board may, in consultation in with Salaries and Remuneration Commission, determine.

(3) The Chief Executive Officer shall be an ex-officio member of the Board, but shall have no right to vote.

Qualifications for appointment to the Board of the Council.

**34.**(1) A person shall be qualified for appointment as the Chairperson of the Board of the Council if that person—

(a) holds a degree in animal sciences from a university recognized in Kenya;

(b) has at least ten years' experience in matters relating to livestock; and

(c) meets the requirements of Chapter Six of the Constitution.

- (2) A person shall be qualified for appointment as a member of the Board of the Council under paragraph 2 (1)(h), if that person—
- (d) holds at a degree from a university recognized in Kenya;
  - (e) has at least five years' post-qualification experience;
  - (f) has knowledge in vector control; and
  - (g) satisfies the requirements of Chapter Six of the Constitution.

Qualifications for appointment as Chief Executive Officer of the Council.

**35.** A person shall qualify for appointment as Chief Executive Officer of the Council if the person—

- (a) is a citizen of Kenya;
- (b) holds a bachelor's degree in biological science from a university recognized in Kenya;
- (c) holds a relevant master's degree from a university recognized in Kenya;
- (d) has demonstrated leadership and management skills;
- (e) has a minimum of ten years' experience post qualification experience five of which should be at a senior level;
- (f) meets the requirements of Chapter Six of the Constitution;

Funds of the Council.

**36.(1)** The funds of the Council shall consist of—

- (a) monies allocated by the National Assembly for purposes of the Council;

(b) any grants, gifts, donations or other endowments given to the Council; and

(c) such funds as may vest in or accrue to the Council in the performance of its functions or exercise of its powers under this Act or under any other written law.

(2) The receipts, earnings or accruals of the Council and the balances at the close of each financial year shall be paid into the Consolidated Fund.

#### **PART V—THE KENYA ANIMAL GENETIC RESOURCES CENTRE**

Establishment of the Kenya Animal Genetic Resources Centre.

**37.**(1) There is established an Agency to be known as the Kenya Animal Genetic Resources Centre.

(2) The Centre 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 and disposing movable and immovable property; and

(c) doing or performing all such other things or acts for the proper discharge of its functions under this Act or any written law, as may lawfully be done or performed by a body corporate.

(3) The Centre shall be the successor of the Kenya Animal Genetic Resources Centre established in accordance with the



Kenya Animal Genetic Resources Centre Order, 2011 and existing immediately before the commencement of this Act.

(4) The headquarters of the Centre shall be in Nairobi

Composition of the Board.

**38.**(1) The management of the Centre shall vest in a Board which shall consist of –

- (a) a non-executive chairman appointed by the President;
- (b) the Principal Secretary in responsible for matters relating to livestock or a representative not being below the level of Deputy Director of Livestock Production;
- (c) the Principal Secretary responsible for finance;
- (d) the Director of Veterinary Services;
- (e) the Chief Executive Officer of the Centre appointed by the Board;
- (f) one County Executive Committee Member responsible for livestock nominated by the Council of Governors;
- (g) four persons appointed by the Cabinet Secretary not being public officers comprising of—
  - (a) a breeding expert,
  - (b) a representative of livestock farmers an
  - (c) a representative of the value chain actor; and
  - (d) an artificial insemination practitioner.

(2) The chairperson and the members appointed under subsection (1)(g) shall serve for a term of three years and shall be eligible for re-appointment for one further term of three years.

Qualifications for appointment as the Chairperson of the Centre.

**39.** A person shall be qualified for appointment as the Chairperson of the Board of the Centre if that person—

- (a) holds a degree in animal sciences from a university recognized in Kenya and has at least ten years' post qualification experience; and
- (b) meets the requirements of Chapter Six of the Constitution.

Functions of the Centre.

**40.** The functions of the Centre shall be to —

- (a) establish and manage an animal genetic resources gene bank;
- (b) establish and manage an animal breeding unit;
- (c) in collaboration with county governments and other institutions, engage in conservation of animal genetic resources;
- (d) in collaboration with county governments, establish and manage satellite centres for various livestock species;
- (e) engage in germplasm production and distribution;
- (f) serve as an accredited laboratory for testing of semen, embryos, genotyping, and related animal germplasm;
- (g) conservation of animal genetic resources;
- (h) in collaboration with other institutions, research, develop, adopt and promote reproductive technologies

for animal reproduction;

- (i) in collaboration with other institutions, provide animal genetic resources conservation, germplasm processing and related reproductive technologies transfer and capacity building;
- (j) in collaboration with breed societies, individual farmers and breeding institutions to effectively manage breed improvement; and
- (k) engage in other activities that promote its best interests in accordance with this Act as the Board may determine from time to time.

Powers of the Board of the Centre.

**41.** The powers of the Board shall be to –

- (a) set and oversee the overall strategy and approve significant policies of the Centre;
- (b) ensure that the strategy is aligned with the purpose of the Centre and the legitimate interests and expectations of its stakeholders;
- (c) administer assets and funds of the Centre in such manner and for such purposes as will promote the purpose for which the Centre is established;
- (d) receive gifts donations, grants or other monies and equipment on behalf of the Centre and make legitimate disbursement there from;
- (e) have powers to enter into associations with other persons, bodies or organizations within or outside Kenya as the board may consider appropriate and in furtherance of the purpose for which the Centre is established;

- (f) apply for and hold intellectual property rights and enter into agreements or arrangements for their commercial exploitation or otherwise as the board may consider appropriate;
- (g) approve the organizational structure of the Centre;
- (h) approve the annual budget of the Centre;
- (i) monitor the Centre's performance and ensure sustainability;
- (j) enhance the corporate image of the Centre;
- (k) ensure availability of adequate resources for achievement of the Centre's objectives;
- (l) recruit the chief executive officer on such terms and conditions of service of the Centre and approve the appointment of senior management staff; and
- (m) ensure effective communication with stakeholders.

The Chief Executive Officer of the Centre.

**42.**(1) There shall be a Chief Executive Officer of the Centre who shall be appointed by the Board through a competitive process.

(2) The Chief Executive Officer shall hold office for a term of three years and shall be eligible for re-appointment for one further term of three years.

## **PART VI—GENERAL PROVISIONS ON LIVESTOCK AGENCIES**

Disqualification for appointment to livestock agencies.

**43.**A person shall not be qualified for appointment as a member of a livestock agency established under this Act if the person—

- (a) is a State officer excluding members representing Council of Governors & the Principal Secretary,
- (b) is a member of a governing body of a political party;

(c) is an undischarged bankrupt; or

(d) has been removed from public office for contravening the Constitution or any other law.

(e) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months without the option of a fine.

Personal liability.

**44.**(1) A member of any of the livestock agency or any officer, employee or agent of any livestock agency shall not be liable for an act done by that person or omitted to be done or ordered to be done by that person in discharge of the persons' duties if done in good faith for the purpose of executing the powers, functions or duties of the livestock agency.

(2) The provisions of subsection (1) shall not relieve a livestock agency of the liability to pay compensation or damages to a person for an injury to him, his property or any of his interests caused by the exercise of the powers conferred on the respective livestock agency by this Act or by any other law or by the failure, whether wholly or partially, or any work.

Conduct of business and affairs of the livestock agency.

**45.** The conduct and regulation of the business and affairs of a livestock agency shall be as provided in the Second Schedule but subject thereto, the livestock agency may regulate its own procedure.

Delegation by the Board.

**46.** A livestock agency may by resolution, either generally or in any particular case, delegate to any committee, member of the livestock agency, or employee the exercise of any of the powers or the performance of any of the functions or duties of the livestock agency.

Functions of the Chief Executive Officer.

**47.** The Chief Executive Officer of a livestock agency shall be responsible for—

(a) the day to day administration of the affairs of the livestock agency, subject to the direction of the Board of the livestock agency;

(b) formulation of the long term strategy, budget and plans for adoption by the livestock agency;

(c) administration, organization and control of the staff of the livestock agency;

(d) management of funds, property and affairs of the

livestock agency;

(e) implementation of the policies and programs of the livestock agency and reporting to the Board of the livestock agency; and

(f) the performance of any other duty necessary for the implementation of this Act as may be assigned by the Board of the livestock agency.

Remuneration of board members.

**48.** The members of the boards of the respective livestock agencies shall be paid such remuneration and allowances as the Salaries and Remuneration Commission shall advise.

Committees of the Board,

**49.** (1) Every livestock agency may constitute such committees as may be necessary for the performance of its functions.

(2) In addition to the general governance committees, the livestock agency may establish thematic committees to address the specific industry sub-sectors.

(3) A committee shall be subject to the control of the livestock agency under which it is constituted and may be discharged or reconstituted at any time as the livestock agency may deem proper.

(4) The livestock agency may co-opt experts into the membership of the specialized thematic committees, persons whose knowledge and skills may be necessary for the performance of its function.

Engagement of experts or consultants.

**50.** A livestock agency may engage experts or consultants to assist in the discharge of the functions of the livestock agency.

Vacation of office.

**51.** The chairperson or a member of a livestock agency, other than an ex officio member, shall vacate office if the member –

(a) resigns by notice in writing to the Cabinet Secretary;

(b) is unable to perform the functions of the office by reason of prolonged physical or mental incapacity;

(c) is adjudged bankrupt by a court of competent jurisdiction; or

(d) is removed from office by the Cabinet Secretary by notice in writing setting out the reasons for such removal.

Common seal.

**52.**(1) The common seal of a livestock agency shall be kept in custody of the CEO and shall not be used except on the order of the Board.

(2) The affixing of the common seal of the livestock agency shall be authenticated by the signature of the Chairperson and the Chief Executive Officer.

(3) The livestock agency shall in the absence of either the Chairperson or the Chief Executive Officer, in any particular matter, nominate one member of the livestock agency to authenticate the seal of the livestock agency on behalf of either the Chairperson-or the Chief Executive Officer.

(4) The common seal of a livestock agency when affixed to a document and duly authenticated, shall be judicially and officially and unless the contrary is proved, any necessary order or authorization by the livestock agency under this section shall be presumed to have been duly given.

Removal from office.

**53.**The chairperson or member of the Board of a respective livestock agency may be removed from Office for –

(a) inability to perform the functions of the office arising out of physical or mental incapacity;

(b) gross misconduct or misbehaviour;

(c) being absent for three consecutive meetings of the Board without notice to the chairperson or without sufficient cause;

(d) incompetence; or

(e) violation of the Constitution.

Establishment of

**54.**(1) A livestock agency may establish county offices as

county offices and collaboration with counties.

appropriate to implement its functions.

(2) The livestock agency shall—

(a) facilitate the effective implementation of this Act in collaboration with county governments;

(b) ensure that appropriate capacity building and development is undertaken for purposes of regulating the relevant aspects of the livestock industry in the county; and

(c) advise a county upon request by the county government, on any matter in respect to the relevant livestock sector regulation.

Staff of the livestock agencies.

**55.** A livestock agency may appoint such officers, agents and staff as are necessary for the proper and efficient discharge of the functions of the livestock agency under this Act upon such terms and conditions of service as the Board may determine.

Disclosure of interest.

**56.**(1) A member of any livestock agency who has an interest in a matter for consideration by the livestock agency shall disclose, in writing, the nature of that interest and shall not participate in any deliberations of the livestock agency relating that matter.

(2) A member of any livestock agency who fails to disclose interest in a matter in accordance with subsection (1) shall cease to be a member of the Council.

Legal proceedings against the Board. Cap 40.

**57.**(1) Proceedings against the respective livestock agencies shall be deemed to be proceedings against the Government and shall be subject to the Government Proceedings Act.

(2) Any notice or other processes in respect of legal proceedings under subsection (1) shall be served upon the Chief Executive Officer of the livestock agency.

## **PART VII—FINANCIAL PROVISIONS**

Financial year.

**58.** The financial year of A livestock agency established under this Act shall be the period of twelve months ending on the thirtieth June in each year.



Annual estimates.

**59.**(1) At least three months before the commencement of each financial year, the respective livestock agencies established under this Act shall cause to be prepared estimates of the revenue and expenditures for that year.

(2) The annual estimates shall make provision for all the estimated expenditure of the respective livestock agency for the financial year and in particular, the estimates shall provide for—

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

(b) the payment of pensions, gratuities and other charges in respect of the staff;

(c) the proper maintenance of the buildings and grounds;

(d) the maintenance, repair and replacement of the equipment and other property; and

(e) the creation of reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of any other matters.

(3) The annual estimates shall be approved by the boards of the respective livestock agency before the commencement of the financial year to which they relate, and shall be submitted to the Cabinet Secretary for approval, and after the Cabinet Secretary has given approval, the respective livestock agency shall not increase any sum provided in the estimates without the written consent of the Cabinet Secretary.

(4) No expenditure shall be incurred for the purposes of a livestock agency except in accordance with the annual estimates approved under subsection (3), or in pursuance of an authorization of the respective to livestock agency given with the prior approval of the Minister.

Accounts, audit and annual reports.

**60.**(1) The respective livestock agencies shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the respective livestock agencies.

(2) The respective livestock agency shall cause accounts of each respective livestock agency to be prepared and be reported in accordance with the Public Audit Act.

#### **PART VIII- ESTABLISHMENT OF LIVESTOCK TRAINING INSTITUTIONS.**

Establishment of livestock training Institutions.

**61.**(1) The Cabinet Secretary may, by order, establish a livestock training institution.

(2) Without prejudice to the generality of subsection (1), the order issued under this section shall provide for—

(a) the power for the training institution to conduct examination in the various fields of livestock sector training and award academic certificates;

(b) the appointment of boards of management for each of the training institutions;

(c) the establishment of each institute existing administratively as a body corporate.

(3) The Institutions established by the Cabinet secretary pursuant to Orders made under this section shall be successors to the institutions previously established administratively in the livestock sector and existing immediately before the commencement of this Act.

Establishment of an academic board.

**62.**(1) The Cabinet Secretary shall, by order, establish an academic board which shall be independent from the training institutions established under section 61.

- (2) The academic board established under subsection (3) shall—
- (a) exercise oversight over all examinations offered by the respective training institutes; and
  - (b) provide quality assurance for the academic programmes offered by the training institutions.
- (3) The staff of the academic board shall comprise contracted experts or such number of officers as may, upon request by the academic board, be deployed from the state department responsible for livestock.
- (4) The expenses incurred by the academic board in accordance with this Act shall be borne by the state department responsible for livestock.

Designation of county livestock farmers training centres.

**63.**(1) The Cabinet Secretary shall, in consultation with the Council of Governors, notice in the Gazette, develop standards for the establishment of farmers demonstration centres within the Counties.

- (2) The County Executive Committee Member responsible for livestock shall establish a farmers training centre in accordance with the standards developed in accordance with subsection (1).

## **PART IX – OFFENCES AND PENALTIES**

Offences and Penalties

**64.** Any person who contravenes the provisions of 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 one year, or both.

## **PART X – PROVISIONS ON DELEGATED LEGISLATION**

Regulations.

**65.** The Cabinet Secretary may, in consultation with the Council of Governors make regulations generally for the better carrying out of the purposes and provisions of this Act, and without

prejudice to the generality of the foregoing, may make regulations prescribing—

- (a) regulation of livestock inputs and products;
- (b) marketing of livestock and livestock sector products;
- (c) the standards on animal husbandry in respect to the livestock sector;
- (d) mechanisms of supporting development in the livestock sector including mobilizing investment;
- (e) the provision of credit, farm inputs and other incentives to livestock and livestock products;
- (f) Tsetse and trypanosomiasis eradication;
- (g) standards for production of livestock and livestock inputs;
- (h) standards for non-sanitary aspects of breeding, infrastructure and feeds, registration of breeders;
- (i) in consultation with relevant institutions on livestock marketing, livestock research;
- (j) production, processing, distribution and marketing of bee and bee products;
- (k) the qualifications, powers and duties of livestock agencies compliance officers and other persons appointed to exercise powers and perform duties under the livestock agencies;
- (l) imposing levies, fees or charges for purposes of this Act;
- (m) requiring the registration and certification of producers, breeders, breeder associations, processors and manufacturers for the purposes of this Board;
- (n) requiring the registration and licensing of animal feeds service providers;
- (o) the forms of application, and of licenses, marks, registers and all documents to be used for the purpose of this Act;
- (p) the examination, inspection, analyzing and testing of

livestock products, inputs, equipment and how the samples of such products or inputs may be taken;

- (q) making provision for receiving complaints on the quality of livestock products or inputs;
- (r) appointment of inspectors as appropriate for better implementation of this Act;
- (s) establishment of livestock sector training institutions; and
- (t) any other matter for the better carrying out of the functions of the livestock agencies.

## **PART XI—SAVINGS AND TRANSITIONAL PROVISIONS**

Revocation of L.N  
No.223 of 1990.

**66.**(1) The Kenya Veterinary Vaccines Production Institute Order is revoked.

(2) In this section —

“appointed day” means the date of publication and commencement of this Act;

“former Institute” means the Kenya Veterinary Vaccines Production Institute.

(3) Despite subsection (1) —

(a) any person who, immediately before the commencement of this Act, was a member of staff of the former Institute shall be deemed to have been appointed under this Act;

(b) the Board of the Institute which immediately before the appointed day was the Board of the former Institute shall serve the remainder of their term of office.

(c) all the funds, assets and other property, both movable and immovable, which immediately before the appointed day were

vested in the former Institute shall, by virtue of this paragraph, vest in the Institute;

(d) all rights, powers and liabilities which immediately before the appointed day were vested in, imposed on or enforceable against the former Institute shall, by virtue of this paragraph, be vested in, imposed on or enforceable against the Institute;

(e) any proceedings taken against or by the former Institute or pending against it or any other person immediately before the commencement of this Act may be continued by or against the Institute as if instituted under this Act:

Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question.

(f) any administrative investigation or inquiry instituted in terms of the repealed Legal Notice which was pending before the commencement of this Act shall be continued or disposed of as if instituted under this Act;

(g) all disciplinary proceedings which immediately before the commencement of this Act were pending shall be continued or concluded as if instituted under this Act;

(h) all appeal processes, which immediately before the commencement of this Act were pending, shall proceed as if instituted under this Act;

(i) a valid contract entered into on behalf of the former Institute before the commencement of this Act, shall continue to be in force to the extent that the terms and conditions thereof are not inconsistent with the provisions of this Act;

(j) the annual estimates of former Institute for the financial

year in which the appointed day occurs shall be deemed to be the annual estimates of the Institute for the remainder of that financial year:

Provided that such estimates may be varied by the Board in such manner as the Cabinet Secretary may approve.

(k) the administrative directions made by the former Institute or by the Cabinet Secretary which are in force immediately before the appointed day shall, on or after such day, have force as if they were directions made by the Institute or the Cabinet Secretary under this Act;

(l) any reference in any written law or in any document or instrument to the former Institute shall, on and after the appointed day, be construed to be a reference to the Institute.

Revocation of The Kenya Tsetse and Trypanosomiasis Eradication Council Order, 2012.

**67.**(1) The Kenya Tsetse and Trypanosomiasis Eradication Council Order, 2012 is revoked.

(2) Despite subsection (1) –

(a) any person who, immediately before the commencement of this Act, was a member of staff of the former Council shall be deemed to have been appointed under this Act;

(b) any person who, immediately before the commencement of this Act, was a member of the Board of Council appointed under the former council shall serve for the remainder of their term under this Act;

(c) movable and immovable property and the rights and liabilities previously attaching to the former Council and property held by any person on behalf of the former Council before the commencement of this Act shall, upon commencement, vest in the Council;

- (d) any proceedings taken against or by the former Council or pending against it or any other person immediately before the commencement of this Act may be continued by or against the Council as if instituted under this Act;
- (e) Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question;
- (f) any administrative investigation or inquiry instituted in terms of the revoked Legal Notice which was pending before the commencement of this Act shall be continued or disposed of as if instituted under this Act;
- (g) all disciplinary proceedings which immediately before the commencement of this Act were pending shall be continued or concluded as if instituted under this Act;
- (h) all appeal processes, which immediately before the commencement of this Act were pending, shall proceed as if instituted under this Act;
- (i) a valid contract entered into on behalf of the former Council before the commencement of this Act, shall continue to be in force to the extent that the terms and conditions thereof are not inconsistent with the provisions of the Act.

Revocation of The  
Kenya Animal  
Genetic Resources  
Order, 2012.

(3) For the purposes of this section, "former Council" means the Tsetse and Trypanosomiasis Eradication Council established under the repealed Legal Notice.

**68.**(1) The Kenya Animal Genetic Resources Centre Order, 2011 is hereby revoked.

(2) Despite subsection (1) –

(a) any person who, immediately before the commencement of this Act, was a member of staff of the former Centre shall be deemed to have been appointed under this Act;



any person who, immediately before the commencement of this Act, was a member of the Board of Council appointed under the former council shall serve for the remainder of their term under this Act;

(c) movable and immovable property and the rights and liabilities previously attaching to the former Centre and property held by any person on behalf of the former Centre before the commencement of this Act shall, upon commencement, vest in the Council;

(j) any proceedings taken against or by the former Centre or pending against it or any other person immediately before the commencement of this Act may be continued by or against the Centre as if instituted under this Act;

(k) Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question;

(l) any administrative investigation or inquiry instituted in terms of the revoked Legal Notice which was pending before the commencement of this Act shall be continued or disposed of as if instituted under this Act;

Revocation of the National Livestock Development and Promotion Service Order.

(m) all disciplinary proceedings which immediately before the commencement of this Act were pending shall be continued or concluded as if instituted under this Act;

(n) all appeal processes, which immediately before the commencement of this Act were pending, shall proceed as if instituted under this Act;

(o) a valid contract entered into on behalf of the former Centre before the commencement of this Act, shall continue to be in

force to the extent that the terms and conditions thereof are not inconsistent with the provisions of the Act.

(3) For the purposes of this section, “former Centre” means the Kenya Animal Genetic Resources Centre established under the repealed Legal Notice.

**69.** The National Livestock Development and Promotion Service Order is hereby revoked. Upon commencement of this Act, the Service shall have a twelve months transition period.

