

SPECIAL ISSUE

Kenya Gazette Supplement No. 14 (Turkana County Acts No. 6)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

TURKANA COUNTY ACTS, 2023

NAIROBI, 23rd November, 2023

CONTENT

Act—	PAGE
The Turkana County Animal Health Act, 2023	1

THE TURKANA COUNTY ANIMAL HEALTH ACT, 2023**No. 6 of 2023***Date of Assent: 16th November, 2023**Date of Commencement: 23rd November, 2023***ARRANGEMENT OF SECTION***Sections***PART I – PRELIMINARY**

- 1— Short title
- 2— Interpretation
- 3— Objects of the Act
- 4— Guiding Values and Principles

**PART II – LEGAL AND INSTITUTIONAL FRAMEWORK
FOR LIVESTOCK DISEASE CONTROL AND ANIMAL
HEALTH**

- 5— Institutional responsibility for implementation of the Act
- 6— Functions of Department, Directorate or entity responsible for Animal Health
- 7— Establishment and composition of the County Animal Health Committee
- 8— Appointment and Term of the County Animal Health Committee
- 9— Functions of the County Animal Health Committee
- 10— Removal of a Member of the County Animal Health Committee
- 11— Meetings of the County Animal Health Committee
- 12— Allowances of the County Animal Health Committee

**PART III – MEASURES FOR CONTROLLING AND
PREVENTING ANIMAL DISEASE**

- 13— Power to control introduction and spread of disease
- 14— Deployment of Inspectors
- 15— Function and powers of inspectors
- 16— Power to carry out tests
- 17— Animals affected with notifiable diseases

- 18— Powers of Executive Committee Member to declare areas as infected
- 19— Provisions affecting infected areas
- 20— Slaughter of infected animals
- 21— Disposal of carcass of slaughtered animals
- 22— Prohibition of roadside grazing and urban livestock keeping
- 23— Power to prescribe fees, etc.
- 24— Release, seizure and destruction
- 25— Identification and traceability of animals
- 26— Declaration of quarantine area
- 27— Designation of animal quarantine stations
- 28— Lifting of quarantine
- 29— Approval of laboratories
- 30— County Animal Health Regulations

PART IV - LIVESTOCK SLAUGHTER

- 31— Prohibition of slaughter of certain livestock
- 32— Permit to slaughter livestock
- 33— Permit for slaughterhouses
- 34— Power of entry

PART V – PUBLIC PARTICIPATION AND ACCESS TO INFORMATION

- 35— Public participation
- 36— Access to information

PART VI—FINANCIAL PROVISIONS

- 37— Establishment of Animal Health Fund and funds for animal health and disease control

PART VII – MISCELLANEOUS PROVISIONS

- 38— Protection from personal liability
- 39— Offences and Penalties
- 40— Regulations

THE TURKANA COUNTY ANIMAL HEALTH ACT, 2023

AN ACT of the County Assembly of Turkana to provide for measures to promote animal health and welfare and to control animal diseases; to provide for the establishment of legal and institutional framework for promotion of animal health; and for connected purposes.

ENACTED by the County Assembly of Turkana, as follows—

PART I – PRELIMINARY

1. This Act may be cited as the Turkana County Animal Health Act, 2023. Short Title

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

“authorized officer” means an officer registered by the Kenya Veterinary Board, employed by the County Government and deployed to various parts of the county to monitor animal disease”.

“Community Animal Disease Reporter” means a person who is a member of the community appointed under Section 16

“County” means Turkana County as established under the First Schedule of the Constitution of Kenya, 2010;

“County Executive Committee” means the County Executive Committee provided for under Article 179 of the Constitution of Kenya, 2010;

“County Government” means the County Government of Turkana provided for under Article 176 of the Constitution;

“County Public Service Board” means the County Public Service Board established under County Governments Act;

“Department” means the County Department for the time being responsible for Veterinary Services;

“Director” means the Director of the County Directorate of Veterinary Services;

“Directorate” means the County Directorate of Veterinary Services;

“Executive Committee Member” means the County Executive Committee Member who for the time being is

responsible for animal health matters in the County;

“immature cattle, donkey or Camel” means cattle, donkey or Camel male or female, under the age of six months or not having four permanent incisor teeth yet erupted;

“Inspector” means the inspector recruited and deployed as such under Section 16 of this Act;

“notifiable disease” means any animal disease that is required by the law to be reported to government authorities and the collection of the information allows the authorities to monitor the disease, and provide early warning of possible outbreak. *This* includes cattle plague (rinderpest), anthrax, contagious bovine pleuropneumonia, tuberculosis, East Coast fever, epizootic or ulcerative lymphangitis, rabies, foot-and-mouth disease, sheep-pox, scab, swine-fever, swine erysipelas, glanders, farcy, surra, trypanosomiasis, heartwater, mange (scabies) in horses and mules, bacillary white diarrhoea and pullorum disease, fowl pest, lumpy skin disease, paratuberculosis (Johnes disease), atrophic rhinitis and scrapie and any other contagious or infectious disease of animals and zoonotic diseases that the Executive Committee Member may, on the advice of the Director, declare, by notice in the Gazette, to be a notifiable disease for the purposes of this Act:

Provided that the Executive Committee Member may, by notice in the Gazette, remove from this definition the name of any notifiable disease included therein;

“Salaries and Remuneration Commission” means the Salaries and Remuneration Commission established under Article 230 of the Constitution of Kenya, 2010;

“slaughter” means the killing of livestock for any purpose and includes the butchering and dressing of a carcass;

“slaughterhouse” means a building or place where livestock are slaughtered or held for slaughter,

“veterinary para-professionals” shall have the same meaning as that assigned to that expression in the Veterinary Surgeons and Veterinary Para-Professionals Act No. 29 of 2011;

“veterinary surgeon” shall have the same meaning as that assigned to that expression in the Veterinary Surgeons and Veterinary Para-Professionals Act No. 29 of 2011.

3. The objects of this Act are to—

Objects of the Act

- (a) Give effect to the provisions of Part II of the Fourth Schedule of the Constitution in so far as it relates to animal health matters as a devolved function of the County Government;
- (b) Enhance and expand the provision of veterinary services in the County in collaboration with relevant stakeholders;
- (c) Establish and maintain a financially sustainable mechanism for the prevention and control of animal diseases in the County;
- (d) Provide for animal disease and vector control and management in all livestock markets in the County;
- (e) Establish an efficient mechanism for reporting of observable signs of animal diseases from the community level;
- (f) Maintain the requisite public health standards for the prevention of the spread of zoonotic diseases;
- (g) Promote the use of technology in developing breeding programmes;
- (h) Promote the highest attainable standards of animal welfare in the County;
- (i) Enhance research, training and capacity development in the animal health sector; and
- (j) To improve the County’s regional, intra-county and inter-county collaboration in identification, prevention control and management of Trans-boundary Animal Diseases.

4. The Executive Committee Member, Department, Directorate or entity or person and any person administering or applying this Act shall be guided by the following principles and values:

Guiding values and principles

- (a) Public Participation;
- (b) Inclusivity;

- (c) Flexibility;
- (d) *Transparency*
- (e) Socio-cultural values;
- (f) Sustainability;
- (g) Animal welfare;
- (h) Research and Innovation; and
- (i) Principles of Public Finance.

**PART II – LEGAL AND INSTITUTIONAL
FRAMEWORK FOR LIVESTOCK DISEASE
CONTROL AND ANIMAL HEALTH**

5. (1) The County Department, Directorate or entity for the time being responsible for veterinary services shall implement the provisions of this Act and any other laws within the County relating to livestock disease control and promotion of animal health.

Institutional
responsibility for
implementation of
the Act

(2) Subject to any other written law, any authorized officers in the Department, Directorate or entity responsible for veterinary services shall exercise such powers and functions and perform such duties as necessary in order to give effect to the provisions of this Act.

6. Notwithstanding the provisions of any written law, executive order or any such arrangements for provision of animal health including veterinary services in the County, the Department, Directorate or entity for the time being responsible for animal health services shall perform the following functions-

Functions of
Department,
Directorate or
entity responsible
for animal health

- (a) advising the Executive Committee Member on matters of legislation, policy, co-ordination and the performance of the animal health sector;
- (b) development of the County animal health services sector standards and guidelines including principles, code of practice, quality assurance and procedures;
- (c) collection and dissemination to the public, from time to time, of information on outbreaks, prevention and control of animal diseases;
- (d) monitoring, evaluation and assessment of the

animal health sector performance;

- (e) promotion of the use of modern technology in developing breeding programmes;
- (f) setting up and managing county veterinary laboratories for the testing of animal feed, vaccine, veterinary products, animal products and animal by-products; or for animal disease diagnosis; or food safety and assurance; or any other activity considered necessary under this Act;
- (g) identification and implementation of strategies and measures for the prevention, control and management of animal diseases; and
- (h) facilitating the formation of and coordination of the functions of the County Animal Health Committee;
- (i) preventing and controlling animal diseases;
- (j) controlling vectors that contribute to disease propagation in animals;
- (k) regulating the provision of veterinary services;
- (l) collecting, analysing and presenting data related to the livestock sector;
- (m) certifying for trade measures, veterinary services, animals, animal products, animal by-products, articles and premises; and
- (n) doing all such acts and things as are necessary, incidental or conducive to the better carrying out of its functions under this Act or any other law.

7. (1) For the effective implementation of this Act and any other written laws relating to animal health in the County, there is established the County Animal Health Committee.

Establishment and composition of the County Animal Health Committee

(2) The County Animal Health Committee shall comprise of:

- (a) the Chief Officer in charge of livestock matters;
- (b) the Director in charge of veterinary services who shall be the Secretary;
- (c) one representative of National Government in the County;

- (d) one representative of non-governmental organizations dealing in animal health matters within the County;
- (e) one representative representing private animal health practitioners in the County;
- (f) two members of the public who are residents of the County *who are conversant with matters animal health.*

(3) The Committee Members shall elect the chairperson among the members appointed in sub-section 7(2)(f) above, and, among themselves, the Vice Chairperson in their first sitting.

8. (1) Members of the County Animal Health Committee who are members other than by virtue of their office shall be appointed by the Executive Committee Member.

Appointment and
Term of the County
Animal Health
Committee

(2) Members of the County Animal Health Committee appointed under subsection (1) may serve for a term of three years and shall be eligible for re-appointment for a further term of three years.

9. (1) The functions of the County Animal Health Committee shall be:

Functions of the
County Animal
Health Committee

- (a) formulate strategies, priority programs, projects and activities for preventing and controlling the spread of a notifiable disease or other animal diseases;
- (b) oversee the disbursements from the Animal Health Fund for the prevention and control of animal diseases;
- (c) promote co-operation and co-ordination between the County Department, Directorate or entity responsible for veterinary service and *other stakeholders responsible* in the implementation of the measures in respect of preventing and controlling the spread of a notifiable disease or other disease using the sectoral skills and resources of respective government organs;
- (d) resource mobilization through partnerships with the private sector and development partners;
- (e) collect proposals from each ward and review and

prioritize such proposals as submitted by the Wards on the implementation of the measures in respect of preventing and controlling the spread of a notifiable disease or other animal disease in the said wards;

- (f) organize ward meetings to review, refine and collate proposals from wards into a list of prospective proposals for funding;
- (g) coordinate research and knowledge management on animal health matters.
- (h) ensure proper reporting and documentation of information relating animal disease

10. (1) A member of the County Animal Health Committee may at any time resign from the Committee by giving one month's notice to the Executive Committee Member.

Vacancy in the
Office of a Member
of the County
Animal Health
Committee

(2) A member of the County Animal Health Committee may be removed from the Committee by the Executive Committee Member on any one or a combination of the following grounds:

- (a) failure to attend two consecutive meetings of the County Animal Health Committee without reasonable cause duly communicated to the chairperson of the Committee;
- (b) serious violation of the Constitution;
- (c) gross misconduct;
- (d) physical or mental incapacity; and
- (e) bankruptcy.

(3) A person who is a member of the County Animal Health Committee by virtue of his or her office shall cease to be a member of the Committee upon ceasing to hold that office.

(4) A person who is a member of the County Animal Health Committee appointed under Section 7(2) shall cease to be a member of the County Animal Health Committee upon ceasing to be a member of the interest group or upon being recalled by the interest group for a good cause and through a written communication from an authorized official of the interest group to the Executive Committee Member.

(5) Whenever a member of the County Animal Health Committee is removed or otherwise ceases to be a member of the Committee, the Executive Committee Member shall appoint a replacement within 30 days of the vacancy.

(6) When a member of the County Animal Health Committee under Section 7(2) is removed or otherwise ceases to be a member of the Committee, the relevant interest group shall nominate a replacement who shall be appointed within 30 days of the vacancy.

11. (1) The County Animal Health Committee shall meet once every quarter in a year.

Meetings of the
County Animal
Health Committee

(2) The County Animal Health Committee may choose to rotate the location of its regular meetings to different wards in the County for purposes of engaging directly with communities and familiarizing itself with their animal health-related challenges.

(3) The quorum for meetings of the County Animal Health Committee shall be two-thirds of the members.

(4) A resolution of the County Animal Health Committee shall require an affirmative vote of more than one half of the membership present at a meeting and the chairperson's vote which shall be a casting vote.

(5) In the absence of the chairperson, the vice-chairperson shall preside over a meeting, and in the absence of both the chairperson and the vice-chairperson, the members in attendance shall elect one of them to chair the meeting; provided that no two consecutive meetings shall be held without either the chairperson or the vice-chairperson being present.

(6) The County Animal Health Committee may invite to its meetings any technical staff of the National or County Government who it considers will contribute to its deliberations, and the attendance and participation of such person shall be recorded in the minutes of the County Animal Health Committee.

12. Members of the County Animal Health Committee shall be paid such allowances as are stipulated by Guidelines from the Salaries and Remuneration Commission.

Allowances of the
County Animal
Health Committee

PART III – MEASURES FOR CONTROLLING AND PREVENTING ANIMAL DISEASE

13. (1) Where at any place within or outside the County there exists, or is suspected to exist, any disease which is likely to affect animals in the County, the Executive Committee Member or authorized officer in charge of veterinary services may make such order as the Executive Committee Member or authorized officer considers necessary for all or any of the following purposes:

Power to control
Introduction and
spread of disease

- (a) to prohibit or prevent the introduction of any disease from such place into the County or any part of the County;
- (b) to prohibit or regulate the entry and movement of any animal, animal product, animal by-product, article or conveyance within or out of any part of the County named in the order;
- (c) to regulate the quarantine, isolation, disinfection or treatment of any animal, animal product, animal byproduct, article or conveyance in any part of the County named in the order;
- (d) to prohibit or regulate the sale of any animal, animal product, animal by-product or conveyance and control agricultural show grounds, stock markets or sale yards in any area specified in the order;
- (e) to provide for the establishment of veterinary spot checks and check points on roads and such other areas as may be necessary to control diseases;
- (f) to regulate and provide for the conduct of meat inspection in a slaughter facility for the purpose of controlling animal diseases and residues in meat; or
- (g) to regulate the production, distribution and use of veterinary drugs, biologicals, vitamins, minerals, hormones, growth promoters, animal feed and feed additives for the purposes of animal disease control, drug resistance, residue control and imbalances.

14. (1) The Department, Directorate or entity

Deployment of
Inspectors

responsible for veterinary services may deploy such qualified persons recruited by the County Public Service Board as inspectors in each ward under this Act or any other relevant laws of Kenya.

(2) Every veterinary surgeon in the employment of the County Government shall be an inspector for the purposes of this Act and any other relevant laws of Kenya.

15. (1) The Executive Committee Member, in consultation with the department of Veterinary Services and other stakeholders, shall recruit, train and deploy Community Animal Disease Reporters from each ward in the County.

Appointment of the
Community
Animal Disease
Reporters

(2) The Community Animal Disease Reporters shall serve under the general direction and guidance of the relevant ward veterinary officer and per prescribed job description.

(3) A ward veterinary officer shall assign to the Community Animal Disease Reporter such number households within an administrative village in liaison with village administrator/or council.

16. (1) The functions of the Community Animal Disease Reporters

Functions of the
Animal Health
Reporters

- (a) Reporting of animal disease syndromes to ward veterinary officers/veterinary authorities;
- (b) Advice pastoralists on animal health routine procedures and practices;
- (c) Visit households to identify and report livestock disease occurrence;
- (d) Community sensitization and mobilization during livestock vaccinations;
- (e) Livestock restrain during livestock disease control and management;
- (f) Refer all livestock disease cases to ward veterinary doctors;
- (g) Advise livestock owners on marketing of livestock and livestock products;
- (h) Report occurrence of livestock diseases, including notifiable diseases, to the Department of Veterinary Services or the supervising

veterinarian AHT;

- (i) Monitor herd health and production;
- (j) Advise communities on public health issues including meat and milk hygiene to avoid zoonotic diseases;
- (k) Promote sharing and conservation of natural resources and the environment;
- (l) Sensitize communities on policy and legislative issues relating to the livestock sector with particular emphasis on handling of veterinary drugs, quarantines and livestock movement and their relevance to disease control;
- (m) Promote Livestock Identification and Traceability through appropriate branding of livestock to maintain high quality of hides and skins; and
- (n) Any other function assigned by the Department of Veterinary Services with respect to animal health and welfare.

17. The Community Animal Health Reporters shall be paid such allowances as are stipulated by Guidelines from the Salaries and Remuneration Commission.

Remuneration of
Community
Animal Health

18. An inspector may, in the performance of his or her duties under this Act –

Functions and
powers of
inspectors

- (a) enter into any land, structure, premises, vehicle or vessel holding or ferrying animals including pets;
- (b) inspect any animal, including pets, and subject them to any tests for any disease;
- (c) order any animals to be collected, detained or isolated; and
- (d) perform any other function or exercise such other power as may be conferred under this Act or other written law.

19. An inspector or a veterinary para-professional shall have powers for the purposes of this Act—

Power to carry out
tests

- (a) take or cause to be taken from an animal, any samples or specimen;
- (b) take or cause to be taken from a building, shed,

place or conveyance, any article, sample or specimen; and

- (c) apply such other tests as the officer may consider necessary.

20. (1) Every person having in his possession or charge an animal infected with a notifiable disease or suspected of being infected with a notifiable disease shall—

Animals affected with notifiable diseases

- (a) keep such animal tied up or enclosed in an animal shed or other enclosed place and kept separate from other animals not so infected or suspected of being infected; and
- (b) forthwith give notice of that fact to the nearest administrative officer or inspector, and for the purposes of this subsection any animal lawfully on a farm with the agreement of the owner or occupier shall be deemed to be in the possession or charge of the owner or occupier of such farm.

(2) Any veterinary surgeon who has reason to believe or suspect that any notifiable disease exists on any *kraal* or in any area shall, notwithstanding the provisions of subsection (1), forthwith give notice of that fact to the nearest administrative officer or inspector.

(3) Any inspector to whom notice is given under subsection (1) or subsection (2) may require the person having the animal or animals in question in his possession or charge to submit to him within a period of not more than twenty-four hours such specimens from such animal or animals or, if such animal dies, from its carcass as may be reasonably required for the purpose of ascertaining the existence and nature of the notifiable disease.

(4) An inspector shall, on being satisfied of the existence or suspected existence of a notifiable disease within his jurisdiction, forthwith cause all owners or occupiers of farms and owners of stock in the neighbourhood to be notified of the outbreak, and shall further inform the most senior veterinary para-professional in the adjoining jurisdiction.

(5) If it appears to an inspector that an animal suffers from a notifiable disease, the inspector—

- (a) shall at once notify the owner or person in charge of the animal; and
- (b) may order that the owner or person keep the animal safely in quarantine where it will not be brought into contact with or be in danger of transmitting the disease to other animals until the case is fully disposed of under this Act, or for periods as may be authorized by regulation.

(6) Subsection (5) (b) does not apply if the owner of the diseased animal consents in writing to the destruction of the diseased animal, in which event the inspector shall cause the diseased animal to be destroyed at once.

(7) If it appears to the inspector that there is danger of the disease being transmitted through other animals on the farm or other place where the diseased animal is found or kept, the inspector may quarantine the farm or other place for a period and subject to any conditions authorized by regulation or until the disease is managed.

(8) Any person who contravenes any of the provisions of this Section shall be guilty of an offence.

21. The Executive Committee Member may by notice in the Gazette—

Powers of Executive Committee Member to declare areas as infected

- (a) declare any area to be an area infected by notifiable disease;
- (b) extend, diminish or otherwise alter the limit of an area declared to be an infected area;
- (c) declare any such infected area to be free from notifiable disease; and
- (d) for the purpose of preventing notifiable disease prohibit the movement of animals from one County, Sub-County, Ward, place or area to any other County, Sub-County, Ward, place or area.

22. (1) The following provisions shall, in the absence of other provisions made by regulations under this Act, apply to all infected areas—

Provisions affecting infected areas

- (a) no stock shall be moved from or into any infected area or from place to place within such area without the written permission of the of authorized officer;
- (b) no animal shall be moved from any such area

unless previously disinfected and treated in the manner directed authorized officer in writing by him;

- (c) all stock in any such area shall be herded as far as possible from any public road, and shall not graze on any road reserve;
- (d) authorized officer in writing may require the owner or person in charge of any animal or animals within any such area to isolate such animal or animals from other animals within the infected area or to remove such animal or animals from such area;
- (e) no person shall leave any such area without having complied with such reasonable precautions for preventing the spread of notifiable disease as may be required by the inspector or veterinary para-professional in charge of the area; and
- (f) the carcasses of all animals infected with notifiable disease shall be disposed of in accordance with any general or specific instructions issued by an inspector or a veterinary para-professional.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence.

22. An authorized officer may cause to be slaughtered any animal infected or suspected of being infected with any notifiable disease or any animal which has been in contact with an animal infected by notifiable disease or has been otherwise exposed to the infection or contagion of notifiable disease.

Slaughter of infected animals

23. Where an animal has been slaughtered under this Act, its carcass shall belong to the County Government and shall be buried or otherwise disposed of under such conditions as a veterinary surgeon or veterinary para-professional thinks fit.

Disposal of carcass of slaughtered animals

24. (1) All livestock owners are restricted from grazing alongside roads (cattle, camels, sheep, goats, donkeys, horses,) in urban centers as a disease prevention measure.

Prohibition of roadside grazing and urban livestock keeping

(2) An officer authorized by the County Government may impound any livestock for purposes of implementing this act or any written law and the impounded animal may only be release upon payment of charges specified in the First Schedule of this Act.

25. (1) The Department, Directorate or entity responsible for veterinary services may prescribe—

Power to prescribe fees, etc.

- (a) fees for the examination of animals carried out under this Act;
- (b) fees and payments for feeding and stalling of animals detained in quarantine; and
- (c) fees and payments in connection with any services rendered or any matter under this Act.

(2) Any fees or payments due or payable under this Section shall be a civil debt due to the County Government and may recovered with costs.

26. (1) Where a veterinary surgeon or veterinary para-professional reasonably believes that it is not necessary to destroy an animal, animal product, animal byproduct or article seized, the veterinary surgeon or veterinary para-professional shall—

Release, seizure and destruction

- (a) release the animal, animal product, animal by-product, animal feed or property to its lawful owner; or
- (b) release the animal, animal product, animal by-product, animal feed or property to its lawful owner on conditional payment of any charges incurred, in connection with its impounding or other measures taken by the veterinary surgeon or veterinary para-professional.

(2) At the time of release, a veterinary surgeon or veterinary para-professional shall, by order in writing, require an owner of any animal, animal product, animal byproduct, article or animal feed to take measures to eliminate any risk associated with a notifiable disease.

27. The Department, Directorate or entity responsible for veterinary services shall, for the purpose of disease control and animal and animal product traceability, use an animal and animal product identification system that allows for the tracing of animals and animal products from

Identification and traceability of animals

origin to end-use for the purpose of disease control.

28. (1) The Executive Committee Member may declare any land, premises or area that is infected or is suspected to be infected with a notifiable disease to be a quarantine area for such period as the Executive Committee Member may determine.

Declaration of
quarantine area

(2) The Executive Committee Member may, where the Executive Committee Member declares an area a quarantine area under subsection (1) —

- (a) determine measures for the treatment or disposal of any animal, animal product, animal by-product or article in the area;
- (b) order the treatment of any conveyance, whether infected or not;
- (c) prohibit the movement of any person, conveyance, animal, animal product, animal by-product or article from or to the area; and
- (d) order the taking of any other measure to eradicate the disease as the department considers necessary.

29. (1) The Executive Committee Member may designate any place as an animal quarantine station.

Designation of
animal quarantine
stations

(2) The Executive Committee Member may require any animal, animal product, animal by-product or article, to be kept at an animal quarantine station or at any other location identified by the Executive Committee Member, on such conditions as the Executive Committee Member may determine.

30. The Executive Committee Member may, by written notice served on an owner of animals which are in a quarantine station or area, lift the quarantine where the Executive Committee Member determines that a notifiable disease is no longer present in the quarantine station or area and does not pose a threat to other animals outside the quarantine station or area.

Lifting of
quarantine

31. (1) The Executive Committee Member may for the purposes of disease control and veterinary public health, approve a laboratory for—

Approval of
laboratories

- (a) the testing of animal feed, vaccine, veterinary products, animal products and animal by-

products;

- (b) disease diagnosis;
- (c) food safety and assurance; or
- (d) any other activity considered necessary under this Act.

(2) The Executive Committee Member shall cause to be kept a register of approved laboratories in the prescribed manner and form.

32. (1) The Executive Committee Member may, by regulations, provide for the eradication of diseases and the prevention or control of the spread of diseases.

County Animal
Health Regulations

(2) Without derogating from the generality of subsection (1), the Executive Committee Member may provide for—

- (a) the disinfection, treatment, destruction or disposal of an animal, animal product, animal by-product or article infected, or appearing to be infected, with a disease, or anything liable to infect an animal with a disease;
- (b) the prohibition, restriction and regulation of the transportation of animals, animal products, animal byproducts and articles;
- (c) the prohibition, restriction and regulation of the keeping of animals where a disease cannot otherwise be readily or adequately controlled or eradicated;
- (d) the reporting of the occurrence of a disease by the public and the collection and transmission of specimens of a disease by an officer or a veterinary inspector;
- (e) the method, age, and time limits for the slaughter of animals;
- (f) the inspection and registration of slaughter houses, slaughter slabs, abattoirs, farms, hatcheries, livestock markets and animal product processing plants and the imposition of registration fees for such registration and inspection;
- (g) the collection, processing methods and

authorized uses of animal by-products;

- (h) the disinfection, fumigation and treatment of land, warehouses, buildings and structures suspected of being or having been used for the storage of anything likely to infect an animal with a disease;
- (i) the declaration of disease control zones and the prohibition, restriction and regulation of the removal of animals, animal products, animal by-products and articles or any other thing whatsoever to or from a disease control zone;
- (j) the maintenance of a disease free area;
- (k) the forms of records to be kept and of records to be made by owners of approved laboratories;
- (l) the standards of hygiene and quality assurance to be maintained in rendering plants and approved laboratories;
- (m) the methods to be employed by an approved laboratory in the testing of animal feed for purposes of this Act and the fees to be paid for such testing;
- (n) the inspection, disinfection or fumigation of any conveyance used in the transportation of an animal, animal product, animal by-product or article; and
- (o) the payment and recovery of fees for any inspection, disinfection, fumigation or treatment carried out by an officer or an inspector.

PART IV - LIVESTOCK SLAUGHTER

33. (1) A person shall not slaughter any immature cattle, or pregnant livestock unless the person is in possession of a permit granted under Section 34 in respect of the slaughter.

Prohibition of slaughter of certain livestock

(2) Any person who contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding Kenya Shillings Two Hundred Thousand or to imprisonment for a period not exceeding two years, or to both.

(1) Any person who wishes to slaughter immature

Permit to slaughter livestock

cattle or pregnant livestock shall apply to the Director for a permit in the prescribed manner and form upon payment of the prescribed fee.

(2) The Director may, upon receipt of an application under subsection (1) and where the application meets the requirements of this Act, grant the applicant a permit authorizing the slaughter of such number of livestock as may be specified on the permit.

(3) A person shall, where the person slaughters immature cattle or pregnant livestock, furnish an officer with—

- (a) the permit granted in respect of the slaughter; and
- (b) such other information relating to the livestock and the slaughter thereof as the Executive Committee Member may, by statutory instrument, prescribe.

34. (1) A person shall not slaughter livestock for food for animals or for human consumption unless the person is licensed under this Act to operate a slaughterhouse;

Permit for slaughterhouses

(2) A person who intends to operate any premises as a Class B and/or Class C slaughterhouse shall apply to for a permit in the prescribed manner and form upon payment of the prescribed fee.

(3) The Department, Directorate or entity responsible for veterinary services shall, upon receipt of an application under subsection (1) and where the application meets the requirements of this Act, grant the applicant a permit to authorize the operation of the slaughterhouse.

(4) Any person found slaughtering livestock outside the designated slaughter houses shall be liable to pay a penalty as prescribed in Part II of the First Schedule.

(5) The Executive Committee Member may, by statutory instrument, prescribe the manner and form for the registration of any premises as a slaughterhouse.

35. (1) An officer may, at any reasonable time, enter any land or premises where livestock are kept for slaughter or offered for sale, and may inspect any livestock or carcass found on the land or premises.

Power of entry

(2) An officer may, in the exercise of the officer's

powers under subsection (1), prohibit the slaughtering of any livestock and may seize and remove any carcass or part thereof.

PART V – PUBLIC PARTICIPATION AND ACCESS TO INFORMATION

36. (1) Public participation under this Act shall be conducted in accordance with the provisions of any other relevant laws of Kenya.

Public participation

(2) Within one year of this Act coming into force, the County Animal Health Committee in conjunction with the Department, Directorate or entity responsible for veterinary services shall develop a comprehensive county strategy for public education and awareness creation on prevention, control, management and eradication of animal diseases.

(3) The County Animal Health Committee shall ensure that the development of any animal disease response programmes, plans, projects or activities in the County are preceded by a comprehensive campaign of public sensitization and awareness to facilitate informed public participation.

(4) the County Animal Health Committee shall implement comprehensive programmes of capacity building to equip individual citizens and communities in the County for effective participation in animal disease prevention, control, management and response.

37. (1) The Department, Directorate or entity for the time being responsible for animal health shall publish, publicize and ensure access to all important animal health information in possession of the County Government in the appropriate and usable.

Access to information

PART VI – FINANCIAL PROVISION

38. (1) Where applicable and based on the recommendations of the County Animal Health Committee, the Executive Committee Member may request the County Executive Committee Member, at the time being responsible for finance, to establish a special purpose fund for animal health in accordance with the provisions of the Public Finance Management Act, 2012.

Establishment of Animal Health Fund and funds for animal health and disease control

(2) The County Government shall provide sufficient

funding for the prevention, control and eradication of animal diseases and for related purposes.

(3) The funds for the Department, Directorate or entity for time being responsible for veterinary services may consist of—

- (a) monies appropriated by the County Assembly annually for the purposes of provision of veterinary services;
- (b) donations, endowments, bequests, grants and gifts from individuals, public and private entities local or foreign;
- (c) funds raised by partners;
- (d) monies from any other lawful sources.

PART VII – MISCELLANEOUS PROVISIONS

39. (1) No action taken or thing done by a member, officer or agent of the Department, Directorate or entity responsible for veterinary services, in good faith and in performance of functions or execution of powers vested in the said entities by this Act, shall render the member, officer or agent or any person acting on their directions personally liable for any action, claim or demand whatsoever.

Protection from
personal liability

(2) The provisions of subsection (1) shall not relieve the Department, Directorate or entity responsible for veterinary services of liability to pay compensation or damages to any person for any injury to him, his property or any of his interests caused by negligence in the exercise of any power conferred by this Act or any other written law or by failure wholly or partially of any works.

40. A person who—

- (a) contravenes or fails to comply with a provision of this Act, regulations or any order or notice made or issued under this Act;
- (b) contravenes or fails to comply with any condition of a permit issued under this Act;
- (c) intentionally introduces or causes the introduction or spread of a disease;
- (d) on being required to do so, fails or refuses to produce to a veterinary surgeon, veterinary para-professional, police officer or other authorised

Offences and
penalties

person a permit or other document relevant for purposes of this Act;

- (e) fails or refuses, without reasonable cause, to give information to a veterinary surgeon, veterinary para-professional or a police officer when required to do so under this Act;
- (f) knowingly or recklessly gives false or incomplete information for purposes of obtaining a permit or other requirement under this Act;
- (g) for the purpose of obtaining the issue of a permit whether for that person or any other person, makes a declaration or statement which the person knows to be false in any material particular or makes use of a declaration, statement or document containing the same;
- (h) grows, possesses, sells, offers for sale, transports or distributes in any manner, any animal, animal product, animal by-product or article knowing that the animal, animal product, animal by-product or article is infected with a disease;
- (i) tampers with any sample taken for purposes of this Act; or
- (j) alters, forges, defaces or destroys any document issued under this Act;
- (k) commits an offence and is liable on conviction—
 - (i) for a contravention of subsections (c) and (h), to a fine not exceeding Kenya Shillings Five Hundred Thousand Only or to imprisonment for a period not exceeding five years, or to both; or
 - (ii) for any other offence, to a fine not exceeding ten thousand shillings or to imprisonment for a period not exceeding two months, or to both.

41. (1) The Executive Committee Member may make regulations generally for the better carrying out of the provisions of this Act. Regulations

(2) Without prejudice to the generality of the

foregoing, regulations made under this Section may provide for—

- (a) the approval and licensing of veterinary clinics, hospitals, laboratories, premises or other facilities used in private practice;
- (b) the handling of animals within a view to safeguarding their welfare; and
- (c) anything required by this Act to be prescribed.

FIRST SCHEDULE

Part I: Impounding of animals grazing alongside roads in urban areas

ITEM DESCRIPTION	UNIT OF MEASURE	CHARGE
Impounding charge on roaming animals in town (Lodwar, Kakuma, Lokichoggio, Lokichar)		
Cattle	per head	100
Sheep/Goat	per head	50
Dogs	per head	500
Pigs	per head	500
Donkeys	per head	100
Poultry	Per head	50
Camel	per head	100
Storage charge on impounded animals (Daily)		
Cattle	per head	50
Sheep/Goat	per head	20
Dogs	per head	300
Pigs	per head	300
Donkeys	per head	100
Camel	per head	200
Poultry	Per head	10
Penalty beyond a week 30% of daily rate + daily rate(After two weeks the animal will become the property of county government)		
Certificate for keeping pets in town		
Dogs	per year	500
Cats	per year	100
Snake	per year	15,000

No. 6 *Turkana County Animal Health* **2023**

Birds	per year	100
Ornamental fish	per year	100
Crop Farming	per year	Free
Rearing of Livestock (Towns)	per year	Free
Monkeys	Per year	1,000
Tortoise	Per year	500
Rabbits	Per year	2000

Part II: Penalty for slaughtering animals outside the slaughterhouse (s. 34 (5))

Penalty for Slaughtering animals outside the slaughterhouse		
Cow	per head	2000
Goat/Sheep	per head	1000
Camel	per head	5000
Donkey	per head	5,000