

G.N.962/1952,
G.N.966/1954,
L.N.207/1956,
L.N.359/1958,
L.N.625/1963.

THE TRUST LAND (ATHI-TIVA) (LAND UTILIZATION) RULES

1. These Rules may be cited as the Trust Land (Athi-Tiva) (Land Utilization) Rules.

2. In these Rules—

"the area" means the Athi-Tiva Land Utilization Area as defined in the Schedule to these Rules;

"licence" means a licence issued under rule 4 of these Rules;

"licensing officer" means the District Commissioner or any other officer whom the council may appoint in writing to be a licensing officer for the purposes of these Rules;

"stock" means any bull, cow, ox, heifer, calf, sheep, goat, mule, donkey or swine.

3. (1) No person shall possess, herd or depasture any stock within the area unless such person is in possession of a valid licence authorizing him so to do, for which licence there shall be payable annually in advance a fee calculated at the rate of fifty cents per month per head of cattle.

(2) Every holder of a licence shall produce his licence at such time and place as the licensing officer may direct.

(3) Any person who possesses, herds or depastures any stock within the area without being in possession of a valid licence as aforesaid shall be guilty of an offence.

4. (1) The licensing officer may issue to any member of the Kitui Akamba tribe a licence authorizing him to possess, herd or depasture a stated number of stock within the area.

(2) For the purposes of this rule, one donkey or five sheep or five goats shall equal one head of cattle, and an

unweaned foal, calf, lamb or kid shall not be taken into account in reckoning a number of stock.

(3) Any person who possesses, herds or depastures a greater number of stock in the area than is specified in his licence, or who commits a breach of any other condition of his licence, shall be guilty of an offence.

5. The licensing officer may cancel a licence if the holder of the licence, or any person acting upon his instructions, is convicted of an offence under these Rules, or of an offence under any other law for the time being in force which, in the opinion of the licensing officer, is prejudicial to proper use of the land in the area.

6. The licensing officer may, by order in writing, require any person whose licence has been cancelled to remove his stock, from the area within such period as may be specified in such order, and, if such person fails to comply with such order, the licensing officer may order him to leave the area together with his family and stock, and in so doing may use such force as is reasonably necessary.

7. A licence shall be issued subject to the following conditions—

(a) the licence holder shall state that he fully understands that he is bound by the conditions of fee licence and that he will observe such conditions;

(b) the licence holder shall not possess, herd or depasture within the area any stock except as may be authorized in writing by the licensing officer;

(c) the licence holder shall comply with all such instructions as may from time to time be given by the licensing officer in regard to the branding and inspection of stock, and shall remove from the area any stock which the licensing officer may order him to remove;

(d) the licence holder shall comply with all directions of the licensing officer relating to the herding, paddocking, grazing and watering of stock;

(e) the licence holder shall comply with all orders of the licensing officer in regard to the felling, stumping and clearing of vegetation within the area.

8. (1) A veterinary officer may require the owner of, or the person herding or depasturing, any stock for the time being in the area to be immunized against rinderpest or any other disease or treated for any disease within a

period of not less than twenty-four hours.

(2) Any person who, having been served with such notice as aforesaid, fails to comply therewith within the period specified therein shall be guilty of an offence.

9. (1) No person, whether or not he holds a valid licence, shall remove any stock from the area except with the written permission of the licensing officer.

(2) Any person who contravenes the provisions of this rule shall be guilty of an offence.

10. Any permission, instruction, requirement or order issued to a person under these Rules may be served upon the person to whom it is issued either personally or by leaving it for him at his last known place of abode.

SCHEDULE

(r. 2)

THE ATHI-TIVA LAND UTILIZATION AREA

An area of land situated in the Kitui District.

Commencing at the intersection of the Tiva River and the track passing through Kavisuni and Mombasa Camp;

thence along that track in a north-westerly direction to its junction with the track running south from Yatta Camp to Ikutha;

thence on a bearing of 270° to a point on the Athi River;

thence downstream by that river to a point on that river immediately below the Ikutha-Kibwezi bridge;

thence north-easterly by the boundary of the Kamba Land Unit to its intersection with the Tiva River;

thence up-stream by that river to its intersection with the Kavisuni-Mombasa-Yatta Road, the point of