

THE TRUST LAND (ISIOLO) RULES

1. These Rules may be cited as the Trust Land (Isiolo) Rules, and Shall apply to the area which on the 31st May, 1963, constituted the Isiolo Special Leasehold Area and was then defined in the Sixth Schedule to the Government Lands Act (hereinafter referred to as the area).

2. In these Rules, except where the context otherwise requires—

"dependant" means, in relation to a licensee, his father and mother and such of his children as are unmarried and under the age of eighteen years;

"licence" means a licence, granted under paragraph (1) of rule 4 of these Rules, to occupy the area or any portion thereof;

"licensee" means any group, family or individual to whom a licence has been granted, and includes any person who succeeds a licensee, or who acts for such successor under rule 6 of these Rules;

"register" means the register maintained in accordance with paragraph (2) of rule 4 of these Rules;

"registered dependant" means any person whose name is entered in the register as being a dependant of a licensee;

"Settlement Officer" means the District Commissioner or any person appointed by the Chairman of the Provincial Council to be in charge of the area for the purposes of these Rules;

"stock" means any bull, cow, bullock, heifer, calf, ox, sheep, goat, mule, donkey, camel or swine, and includes poultry and domestic animals.

3. Any person who occupies land or who possesses, herds or depastures stock otherwise than under and in

accordance with the terms of a valid licence in respect of which he is the licensee under these Rules shall be guilty of an offence.

4. (1) Every licence shall be in the form in the First Schedule to these Rules and shall be prepared in duplicate; the original shall be given to the licensee and the duplicate to the Settlement Officer.

(2) The Settlement Officer shall maintain a register in which shall be entered the name of every licensee, together with the names of his dependants, the details of the stock permitted to him, a description of the area which he may occupy and in which he may depasture his stock and the name of the person nominated as the licensee's successor as hereinafter provided.

5. (1) Before delivering the licence to the licensee, the Settlement Officer shall—

(a) cause these Rules to be read and explained to the applicant in a language which he understands;

(b) give the applicant a copy of these Rules; and

(c) obtain from the applicant in writing a receipt for the Rules, an acknowledgement that he understands them and an undertaking to observe them; such receipt, acknowledgement and undertaking shall be in the form in the Second Schedule to these Rules.

(2) On delivering the licence to the licensee, the Settlement Officer shall inform him of the number of his registered dependants and the number and kinds of stock which he may keep, herd or depasture, and the fees and rents payable under paragraph (a) of rule 7 of these Rules.

6. (1) Within one year of being granted a licence, the licensee may nominate another who shall, in the event of the licensee's death, assume the rights and liabilities prescribed by these Rules.

(2) No person nominated as successor may succeed until he reaches the age of eighteen years; if he has not reached that age, his family or section shall select a person who shall act for him and shall assume the rights and liabilities prescribed by these Rules until the successor reaches the age of eighteen years; and if no such person is selected who is able and willing to act the licence shall be terminated.

7. A licence shall entitle the licensee to occupy and use the land denoted therein subject to the following

conditions—

- (a) the licensee shall pay such dues as may be prescribed by the Provincial Commissioner;
- (b) the licensee shall himself reside in the area, and shall erect and maintain therein a dwelling-house and any other necessary buildings to the satisfaction of the Settlement Officer;
- (c) the licensee shall not, except with the permission of the Settlement Officer, keep, herd or depasture any stock in excess of the numbers of stock entered on his licence;
- (d) the licensee shall comply with all instructions which may from time to time be given by the Settlement Officer in writing with regard to the branding, dipping, inoculating, herding, grazing or watering of stock, the preservation of fertility of the soil and the prevention of soil erosion, the felling, stumping and clearing of trees and vegetation, and the production of silage and hay, or by the Settlement Officer or the Medical Officer of Health in writing with regard to the welfare, health and good discipline of the inhabitants of the area;
- (e) the licensee shall declare to the Settlement Officer the natural increase of his permitted stock and comply with any instructions issued by the Settlement Officer as to their disposal.

8. Any licensee who fails to comply with any of the conditions set out in rule 7 of 'these Rules, or with any lawful order or instruction issued thereunder, shall be guilty of an offence.

9. (1) Where any stock in excess of the numbers entered in the licence, which has not been declared under paragraph (e) of rule 7 of these Rules, is found in the possession or under the control of any licensee within the area, the Settlement Officer may order the licensee to remove such excess stock from the area within such reasonable time as he shall specify.

(2) If the licensee fails within such time to comply with such order, the Settlement Officer may confiscate and sell such excess stock, paying the proceeds thereof, less any expenses of the sale, to the licensee.

10. The Settlement Officer may, by order in writing, authorize any person named in such order to perform such of the acts which he himself is authorized by these Rules to perform, as may be specified in such order:

Provided that—

- (i) an appeal shall lie to the Settlement Officer against any order issued by a person authorized under this rule;
- (ii) the power conferred by rule 5 of these Rules shall not be so delegated.

FIRST SCHEDULE (r. 4 (I))
LICENCE

No.

Under the Trust Land (Isiolo) Rules

..... son of

of is hereby authorized

to occupy the Isiolo Special Leasehold Area as described in the Sixth
Schedule to the Government Lands Act and to keep thereon not more
than the following number of stock—

..... Bulls Cows

..... Oxen Sheep

..... Heifers Mules

..... Goats Camels

..... Donkeys [Other stock

or domestic animals],

subject to the conditions prescribed by the Trust Land (Isiolo) Rules.

Dated this day of 19....

.....

Settlement Officer

In accordance with rule 5 of the said Rules, I have caused those
Rules to be read and explained to the above-named licensee in the

..... language, which he understands.

Date

Settlement Officer

.....

Signature or thumb-print
of licensee

.....

Witness

SECOND SCHEDULE (r. 5 (1))

ACKNOWLEDGEMENT AND UNDERTAKING

I, son of

of hereby acknowledge
receipt of a copy of the Trust Land (Isiolo) Rules. I have had these
Rules explained to me and I fully understand them and I undertake
to observe all these Rules.

Licence No,.....

Dale

Signature or thumb-print
of licensee

.....

Witness