

L.N.267/1961,  
L.N.589/1961,  
L.N.625/1963.

## **THE TRUST LAND (MERU CONCESSIONAL AREA) RULES**

1. These Rules may be cited as the Trust Land (Meru Concessional Area) Rules, and shall apply to the area known as the Meru Concessional Area the boundaries of which are set out in the First Schedule to these Rules.

2. In these Rules—

"area" means the area to which these Rules apply;

"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 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 a successor under rule 6 of these Rules;

"register" means the register kept under 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 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 Second 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 keep 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 Third 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 defined therein subject to the following conditions—

- (a) the licensee shall pay such dues as may be prescribed by the Provincial Council;
- (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:

Provided that—

- (i) such dwelling-house and outbuildings shall be built only of temporary materials;
- (ii) no compensation shall be payable to a licensee in respect of such dwelling-house and outbuildings in the event of his being ordered to vacate or move such dwelling-house and outbuildings;
- (c) the licensee shall not, except with the permission of the Settlement Officer, keep, herd or depasture any stock in excess of the number 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 (f) 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.

[Subsidiary]

#### FIRST SCHEDULE

(r. 1)

#### MERU CONCESSIONAL AREA

That area of the Meru Land Unit commonly known as the Meru Concessional Area contained within the following boundaries—

Commencing where the eastern boundary of Isiolo Township intersects the main road from Isiolo to Wajir;

thence continuing northwards and westwards by that boundary to its intersection with the Isiolo River;

thence downstream by the centre line of that river to its intersection with the Northern Frontier District boundary in the vicinity of the old K.A.R. Wagon Camp;

thence north-easterly by that district boundary in a straight line to the southern of the two principal summits of Shaba Hill;

thence southerly by a straight line to a beacon on the main road from Isiolo to Wajir twenty miles from Isiolo;

thence south-westerly by that road to the point of commencement.

SECOND SCHEDULE

(r. 4 (1))

LICENCE

*Under the Trust Land (Meru Concessional Area) Rules*

....., son of .....,  
of the ..... District of the Northern Province, is hereby authorized to occupy that part of the Meru Land Unit  
commonly known as the Meru Concessional Area as described in the Trust Land (Meru Concessional Area) Rules,  
and to keep thereon not more than the following number of stock—

..... Bulls .....	..... Cow
..... Oxen .....	..... Sheep
..... Heifers .....	..... Mules
..... Goats .....	..... Camels
..... Donkeys .....	..... [Other

*stock or domestic animals]*

subject to the conditions prescribed by the Trust Land (Meru  
Concessional Area) 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*

[Subsidiary]

THIRD SCHEDULE

(r. 5 (1))

### ACKNOWLEDGEMENT AND UNDERTAKING

I, ..... son of ..... of the ..... District of the Northern Province,  
hereby acknowledge receipt of a copy of the Trust Land (Meru Concessional Area) Rules. I have had these Rules  
explained to me and I fully understand them and I undertake to observe all these Rules.

Licence No.....

*Date*.....

.....  
*Signature or thumb-print  
of licensee*

.....  
*Witness*