

G.N1321/1954.
L.N. 625/1963.

THE TRUST LAND (LAMBWE VALLEY) RULES

1. These Rules may be cited as the Trust Land (Lambwe Valley) Rules.

2. In these Rules—

"licence" means a licence issued under rule 5 of these Rules;

"register" means the register kept under rule 4 of these Rules;

"registered person" means any person whose name is entered in the register;

"settlement area" means the Lambwe Valley Settlement Area as defined in the Schedule to these Rules;

"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, ox, heifer, calf, sheep, goat, mule, donkey or swine.

3. (1) The Settlement Officer shall appoint a committee, to be known as the African Advisory Committee, to advise him upon the exercise of his powers, duties and functions under these Rules.

(2) Such committee shall consist of a headman or headmen of the settlement area and at least three other persons to be nominated by the Settlement Officer after consultation with the registered persons in the settlement area.

4. The Settlement Officer shall keep a register in which shall be entered—

- (a) the names of all persons who, on the 14th September, 1954, are, with the permission of the Settlement Officer, lawfully occupying land in the settlement area;
- (b) the names of all persons who, after the said date obtain permission in writing from the Settlement Officer to occupy land in the settlement area; and
- (c) the details of any licence issued.

5. (1) The Settlement Officer may issue to any registered person a licence authorizing him to cultivate a certain area of land within the settlement area and to herd and depasture a stated number of stock thereon.

(2) There shall be paid in respect of any such licence an annual fee to be determined by the Provincial Commissioner.

6. (1) No person other than a registered person shall occupy any land in the settlement area.

(2) No person other than a registered person to whom a licence has been issued shall cultivate land or herd or depasture any stock within the settlement area.

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

7. (1) 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 the licence;
- (b) the licence holder shall not herd or depasture a greater number of stock than that authorized by the Settlement Officer;
- (c) the licence holder shall cultivate only such area of land as is specified in the licence;
- (d) the licence holder shall comply with all such instructions as may from time to time be given by the Settlement Officer either communally or individually, in regard to sound farming practice, including land management and crop

and stock husbandry;

(e) the licence holder shall not dispose of any land which he is authorized to cultivate by such licence without the prior permission of the Chief Commissioner;

(f) the licence holder shall not, save with the prior permission of the Settlement Officer, allow any person other than a registered person to reside in, or to cultivate, or to herd or depasture stock in, the settlement area;

(g) the registered person shall take all measures in relation to his plots and holdings as the Settlement Officer or Medical Officer of Health may, from time to time, require for the maintenance of the health of persons within the settlement area.

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

8. (1) The Settlement Officer, or any person authorized by him in writing for that purpose, may uproot, graze or otherwise dispose of any crop planted in contravention of any direction issued by the Settlement Officer under rule 7 of these Rules.

(2) No compensation shall be payable in respect of any crop which has been so uprooted, grazed or otherwise disposed of.

9. (1) Where the Settlement Officer is satisfied that a registered person has not complied with any of the provisions of these Rules, or of any lawful order, direction or requirement issued thereunder, or under any other law for the time being in force, or with the rules of good husbandry, he shall serve written notice upon the registered person warning him to that effect, and requiring him to take such steps, within such period, as may be specified in such notice to remedy his default.

(2) Where the registered person has failed, on the expiration of such period, to comply with the terms of such notice, the Settlement Officer shall, by notice in writing, call upon the registered person to show cause, on a date to be specified in the said notice, to the Settlement Officer and the African Advisory Committee why his name and the names of any other registered persons, who are authorized to occupy with him the area of land entered against his name in the register, should not be expunged from the register.

(3) The registered person shall appear personally in answer to the notice to show cause why his name should not

be expunged from the register, and the case shall be heard by the Settlement Officer, with at least three members of the African Advisory Committee sitting as assessors; the Settlement Officer shall ask the opinions of the members of the African Advisory Committee but shall not be bound by their opinions:

Provided that, where the opinion of the majority of the members of the African Advisory Committee differs from the opinion of the Settlement Officer, the matter shall be referred to the council, whose decision shall be final.

(4) Where the registered person has failed to show cause to the satisfaction of either the Settlement Officer or the council, as provided in the proviso to paragraph (3) of this rule, his name, and the names of all other registered persons who are authorized to occupy with him the area of land specified in the licence issued to him, shall be expunged from the register, and he and such other persons shall be required to remove themselves and their stock from the area within such time as the Settlement Officer may specify.

(5) Any registered person who is required under paragraph (4) of this rule to remove himself from the settlement area shall be entitled to receive from the Government compensation for any standing crops, buildings or improvements which he is compelled to abandon, at such rates as may be fixed by a committee of arbitration appointed under paragraph (6) of this rule.

(6) Where any registered person is required to remove himself from the settlement area under paragraph (4) of this rule, the Settlement Officer shall appoint a committee of arbitration consisting of himself as chairman, an agricultural officer and a representative of the African District Council to determine the amount of compensation to be paid to the registered person under paragraph (5) of this rule.

10. In addition to the provisions of rule 9 of these Rules, any person who is guilty of an offence under these Rules shall be liable to a fine not exceeding five hundred shillings or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

SCHEDULE	(r. 2)
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THE LAMBWE VALLEY SETTLEMENT AREA

The area of land in the South Nyanza District the boundaries whereof are delineated on a plan signed by the Provincial Commissioner and the Acting Chief Native Commissioner and deposited at the Settlement Officer's Office.