

## THE CROP PRODUCTION AND LIVESTOCK (CULLING OF CATTLE) RULES

L.N. 50/1959

1. These Rules may be cited as the Crop Production and Livestock (Culling of Cattle) Rules, and shall apply to the area set out in the Schedule to these Rules.

2. For the purposes of these Rules—

"cattle" means bulls, cows, oxen, heifers and calves;

"inspector" means any administrative officer or any officer of the Agricultural Department or Veterinary Department;

"stock" means cattle, sheep and goats;

"surplus cattle" means—

(a) any bull which, in the opinion of an inspector, is over fifteen months old and which is unsuitable for breeding purposes;

(h) any ox which, in the opinion of an inspector, is over five years old, and which is not required and actually used for draught purposes;

(c) any cow which, in the opinion of an inspector, has not produced a live calf within three years before the date of inspection;

"undesirable cattle" means cattle which, in the opinion of an inspector, are suffering from any incurable defect or injury.

3. An inspector may order the owner of any stock to produce for inspection all or any of such stock before him at such time and at such place as the inspector may appoint. 4. (1) Where any stock so produced for inspection under rule 3 of these Rules are surplus cattle, they shall be branded, or caused to be branded, by an inspector with the letters "C.L."

(2) Any surplus cattle branded under paragraph (1) of this rule shall be treated or disposed of in such manner and within such time as the Minister may direct.

5. The Minister may direct that all undesirable cattle shall be destroyed or disposed of, and in the event of any such cattle being destroyed, the hide or carcass thereof shall be given to the owner thereof, or, in the event of its being disposed of, the proceeds, less the cost of disposing of such cattle, shall be paid to the owner thereof:

Provided that—

(i) if the owner of any undesirable cattle so destroyed cannot with due care and diligence be found when such cattle are destroyed, the hide or carcass shall be disposed of in such manner as the Minister may from time to time direct, and, if sold, the proceeds, less the cost of disposing of such cattle, shall, after the expiration of one month from the date of such sale and if no claim thereto is made by the owner within that period, be paid to the County Council fund concerned;

(ii) if the owner of any undesirable cattle so disposed of cannot with due care and diligence be found within a period of one month after the date of such disposal, the proceeds, less the cost of disposing of such cattle, shall, if no claim thereto is made by the owner within that period, be paid to the County

6. (1) Any—

(a) surplus cattle which have been branded under paragraph (1) of rule 4 of these Rules and which have not been disposed of within the time specified under paragraph (2) of that rule; or

(b) cattle, other than undesirable cattle, which have not been produced for inspection before an inspector in accordance with an order given under rule 3 of these Rules; or

(c) surplus cattle the owner of which cannot with reasonable care and diligence be found,

may be impounded by the District Commissioner and may be disposed of in such manner as the Minister may direct.

(2) Any moneys received from the disposal of any such cattle shall, after deducting therefrom the cost of disposing of such cattle, be paid to the owner of such cattle:

Provided that, if the owner of any such cattle cannot with due care and diligence be found within a period of one month after the date of such impounding, any moneys so received shall be paid to the County Council Fund concerned.

7. Any person who fails to comply with any order issued under these Rules shall be deemed to have committed a breach of these Rules.

8. Where any person has been convicted of a breach of these Rules and the court orders any stock in respect of which the breach has been committed to be confiscated, such stock shall be disposed of by sale in such manner as the Minister may from time to time direct, and the proceeds, less 5 per centum, shall be paid to the person so convicted.

#### SCHEDULE (r. 1)

That area of the Northern Frontier District known as Samburu, the boundaries whereof, commencing at Sugota Marmar and proceeding east by a line of stone cairns to Bergoi Beacon 5948;

run thence easterly to Bergoi Beacon;

thence south-easterly to Kirimon;

thence down the Kirimon River to its junction with Uaso Nyiro;

thence following the north bank of that river to Gotu;

thence north-easterly to Kome;

thence north-westerly to Merille;

thence westerly to Odermuru,

thence north-westerly via Irrerr and Ngornet to Haul;

thence north-westerly to S. Horr;

thence north-westerly to Porow (Sirima);

thence westerly to the shore of Lake Rudolf;

thence southerly along the south-east shore of Lake Rudolf to its intersection with the Turkana District boundary;

thence following -hat boundary southerly to the intersection of that boundary with the River Amaya;

thence by that river up-stream to a point due west of Sugota Marmar;

thence by a line of cairns due east to the point of commencement at Sugota Marmar.