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**CHAPTER 341**

**SISAL INDUSTRY ACT**

SUBSIDIARY LEGISLATION

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*List of Subsidiary Legislation*

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**SISAL INDUSTRY (REGISTRATION) RULES**

[Cap. 196 (1948), Sub. Leg., G.N. 1198/1949.]

**RULES UNDER SECTION 14**

1. These Rules may be cited as the Sisal Industry (Registration) Rules.
2. (1) The owner or manager of every sisal plantation shall apply in writing to the Sisal Board for the registration of—
  - (a) the name of each sisal plantation owned or managed by him;
  - (b) the plantation marks used in respect of the plantation.(2) Each such application shall state the address or addresses of each plantation and the names and addresses of the owners of such plantations; and in the case of plantations which are of leasehold tenure the names and addresses of the lessees shall also be stated.
3. There shall be payable in respect of each application—
  - (a) for the registration of each plantation name, a fee of twenty shillings;
  - (b) for the registration of each plantation mark, a fee of twenty shillings.4. The Board may refuse to register any plantation mark if in its opinion such mark is identical with that of any other registered plantation, or if such mark so nearly resembles any other such marks as to be likely to deceive, or if it is of the opinion that some other plantation by reason of prior usage has a greater claim to the registration of that or a similar mark.
5. In the event of the Board refusing to register any plantation mark, it may allot a plantation mark to an applicant whose application for registration of a plantation mark has been refused.
6. Following the registration of a plantation mark or of plantation marks, the owner or manager of the plantation or plantations concerned shall thereafter use such mark or marks clearly imprinted upon the package of all produce exported from the plantation or plantations.
7. The owner or manager of each registered sisal plantation shall complete and forward to the Board on or before the seventh day of each month a return in Form No. 1 in the Schedule in respect of the preceding month.
8. The owner or manager of each registered sisal plantation shall on or before the 14th January in each year complete and forward to the Board a return in Form No. 2 in the Schedule in respect of the preceding month.
9. The owner or manager of every sisal plantation shall notify the Board in writing within thirty days of any change in the ownership of the plantation or of a leasehold interest in the plantation, and shall notify all changes of addresses of such owners or lessees.
10. The owner or manager of each sisal plantation shall cause to be paid any cess that may be from time to time imposed to the Secretary, Sisal Board, on or before the 15th day of the month following the month for which the cess is due.
11. Any person who fails to comply with any of these Rules shall be guilty of an offence and liable, on conviction by a subordinate court of the first or second class, to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding six months or to both.
12. The Board shall cause to be prepared and maintained a register of sisal plantations containing the several particulars set out in Form No. 3 in the Schedule.

Sisal Industry

[Subsidiary]

SCHEDULE

FORM No. 1

(r. 7)

SISAL BOARD

MONTHLY PRODUCTION AND STOCK RETURN

[To be shown in long tons and decimals of long tons]

Name of plantation .....

Shipping mark .....

Particulars of production for the month of ....., 20 .....

	No. 1	A	No. 2	3L	No.3	SCWF	UG	T1	T2				Total
Stock unsold brought forward from previous month .....													
Stocks sold brought forward .....													
Production of baled fibre during month .....													
<b>Total .....</b>													
Baled fibre railed during month .....													
Baled fibre sold locally .....													
Stock at end of month carried forward .....													
(a) sold but not railed .....													
(b) unsold ...													
<b>Total .....</b>													

Labour

Men

Juveniles/Women

Under written contract.....

Under 30 days contract .....

Resident .....

Employed by contractors .....

SCHEDULE—continued

FORM No. 2

(r. 8)

PLANTATION RETURN

- A. Name of estate .....
- Postal address .....
- Owners .....
- Postal address .....
- Lessees (if any) .....
- Postal address .....
- Registered No. .... Registered mark or marks .....
- Number of staff ..... Estate established, 20 .....
- London agents .....
- Postal address .....
- Coastal agents .....
- Postal address .....

B. PARTICULARS OF SISAL-PLANTED AREAS IN HECTARES ON THE 31ST DECEMBER, 20 .....

	1	2	3	4	5
	Mature areas	Immature areas replanted on old sisal areas	Immature areas planted on new land	Controlled sucker areas	Totals
Planted up to end 20 .....					
Planted during 20 .....					
" " 20 .....					
" " 20 .....					
" " 20 .....					
" " 20 .....					
Grand Total .....					

Notes.—The total figures of columns 1, 2, 3 and 4 *must* agree with the totals shown in column 5. The interplanted areas which have not reached maturity are to be shown in column 2 only. Controlled sucker areas are only to be entered in column 4 on the 20 ..... line. *They must*, however, be included in column 5 *Totals* and the *Grand Total* line.

*Hectares*

Mature sisal not cut during the year ended 31st December, 20 .....

Mature sisal not cut during the year ended 31st December, 20 .....

*Tons*

Average yield per acre cut during the year ended 31st December, 20 .....

C. PARTICULARS OF AREAS NOT PLANTED WITH SISAL ON THE 31ST DECEMBER, 20 .....

- Suitable for sisal cleared but not planted .....
- Old sisal areas, now fallow .....
- Unsuitable for sisal, undeveloped .....
- Total .....

Sisal Industry

[Subsidiary]

SCHEDULE—continued

AREA PLANTED WITH OTHER CROPS DURING THE YEAR 20 .....

Name of crop	Interplanted with sisal	Not interplanted with sisal	Total in hectares
		TOTAL	

D. PARTICULARS OF ANNUAL PRODUCTION OF BALED FIBRE IN TONS FROM THE YEAR 1939

	Tons	Remarks
Total registered production, 1939 to 20 .....	.....	.....
Average annual production, 1939 to 20 .....	.....	.....

PRODUCTION OF BALED FIBRE IN TONS DURING THE YEAR ENDED 31ST DECEMBER, 20 .....

Grade	1	A	2	3L	3	SCWF	R	Others	Tow 1	Tow 2	Flume tow	Total
Tons .....												

ESTIMATED PRODUCTION OF BALED FIBRE IN TONS DURING THE YEAR ENDING 31ST DECEMBER, 20 .....

Grade	1	A	2	3L	3	SCWF	R	Others	Tow 1	Tow 2	Flume tow	Total
Tons												

N.B.—Ton = 1 long ton of 2,240 lb.

E. PARTICULARS OF LABOUR EMPLOYED DURING THE YEAR ENDED 31ST DECEMBER, 20 .....

	LABOUR RECRUITED		Local or other Labour	TOTAL
	Attested on contract	Not on contract		
Number on roll at 1st January, 20.....				
New arrivals during the year .....				
Total				
Repatriated during the year .....				
Desertion " " "				
Deaths " " "				
Other departures during the year				
Total deductions				
Number on roll at 31st December, 20 .....				
Man-days worked during the year .....				

SCHEDULE—continued

F. PARTICULARS OF FACTORY AND TRANSPORT FACILITIES DURING THE YEAR ENDED 31ST DECEMBER, 20 .....

Factory Erected and Completed 20 .....

1. Number of decorticators, stating type and style .....
2. Number of raspadors, stating number of drums and whether single or double .....
3. Number of prime and subsidiary movers, stating make, h.p., and principle (i.e. steam, diesel electric or water). If on electric power give h.p. of each motor:—  
 For: decorticators ....., brush machines ....., press ....., pumps ....., workshops ....., other purposes .....
4. Type and source of power .....
5. Water supply: steam, borehole, well, etc., and delivery in gallons per hour .....
6. Number of locomotives. State h.p., age and make. Number working .....
7. Number and capacity of trollies .....
8. Length of rail track .....
9. Contour of land. State whether hilly or flat .....
10. Capacity of drying lines, giving details of construction .....
11. Number of brush machines, stating make or whether of local construction and number of brushes to each unit .....
12. Number of presses, stating type. Number of bales per net ton of 2,240 lb. State whether single press or preliminary and finishing press .....
13. Storage capacity, in tons, at—  
 Estate .....,  
 Railway station or siding .....,  
 Port (private godown) .....
14. Method of transport to port—  
 (a) to railhead .....,  
 (b) to loading port .....

Note.—This return must be sent by registered post to, or delivered at, the office of the Registration Officer, Sisal Board, P.O. Box 1179, Nairobi, on or before the 14th day of January, annually.

Date ....., 20 .....

.....  
 Signature of Owner, Manager or Lessee

Form No. 3

(r. 12)

**SISAL BOARD**  
**REGISTER OF SISAL PLANTATIONS**  
*(Sisal Industry Act Part III, Section 14(a) and (f))*

1	2	3	4	5	6	7	8
Date of registration	Registered number	Registered name of plantation	Plantation address	Name of owners	Registered address of owners	Registered mark	Remarks



**SISAL INDUSTRY (STANDARDIZATION OF BALING PRESSES) RULES\***

[Cap. 196 (1948), Sub. Leg.]

1. These Rules may be cited as the Sisal Industry (Standardisation of Baling Presses) Rules.
  2. No person shall bale any sisal fibre for export unless such fibre has been baled in a baling press approved by the Board.
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\* These Rules were made under s. 13 of the Sisal Industry Ordinance, 1939 (19 of 1939); they are kept in force by s. 19 of the Sisal Industry Ordinance (Cap. 196 (1948)).



**SISAL INDUSTRY (INSPECTION) RULES, 1950**

[G.N. 586/1950, G.N. 477/1951, G.N. 181/1954, L.N. 276/1989.]

1. These Rules may be cited as the Sisal Industry (Inspection) Rules.
2. In these Rules, unless the context otherwise requires—
  - “**inspector**” means any person holding office under the Board and authorized by the chairman of the Board to act as an inspector of sisal;
  - “**sisal plantation**” means a registered sisal plantation.
3. An inspector may enter any premises, other than a dwelling-house, at all reasonable hours for the purpose of inspecting sisal fibre and for causing measures to be taken under these Rules:

Provided that before entering upon any premises such inspector shall give reasonable notice to the owner or occupier.
4. (1) All sisal for export shall be baled and fastened in such manner as is required by the Board, each bale being labelled and legibly and clearly marked with the date of production, the plantation mark and the grade mark, and such other mark as may be required by the Board.
  - (2) (a) All sisal fibre, other than unwashed sisal fibre, shall be graded according to the grades specified in the Schedule.
  - (b) Unwashed sisal fibre shall not be graded in accordance with paragraph (a) but shall be sold by sample.
5. The duties of an inspector shall be—
  - (a) to ensure that the contents of any bale or package of sisal conforms with the provisions of paragraph (2) of rule 4;
  - (b) to check the weight of sisal specified as being the weight of any bale or package;
  - (c) to check, so far as may be practicable, the accuracy of any scale upon which sisal is weighed.
6. An inspector shall be authorized to open any bale or package for the purpose of inspection.
7. Any sisal which is degraded by an inspector may be reprocessed by the sisal plantation and held for re-inspection or, if railed as of the grade to which it has been degraded, shall be marked in red.
8. (1) Any disagreement between an owner or manager of a sisal plantation and an inspector as to the grade of any sisal inspected shall be reported to the Board by both parties.
  - (2) The disagreement shall be considered by the Board, and their decision shall be final.
9. (1) There shall be payable a sisal inspection service charge at the rate of one half (0.5) per cent of the gross F.O.B. value per ton of all exported or locally spinned sisal fibre and tow.
  - (2) Every licensee licensed under section 7 of the Act shall cause to be paid to the Board the inspection service charges on or before the 15th of the month following the month for which the charges are due.

[Subsidiary]

(3) The owner or manager of each sisal spinning mill or factory shall cause to be paid all inspection service charges, in respect of sisal fibre or tow not sold through a marketing agent licensed under section 7 of the Act, to the Board on or before the 15th of the month following the month for which the charges are due.

(4) The owner or manager of each sisal spinning mill or factory and a marketing agent licensed under section 7 of the Act shall complete and forward to the Board on or before the seventh day of each month a return in a form to be prescribed by the Board.

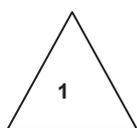
10. Any person who fails to comply with any of these Rules shall be guilty of an offence and liable to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding six months or to both.

SCHEDULE

[Rule 4 (2).]

SISAL GRADING DEFINITIONS

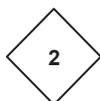
*Bale Marks*



Length from 3 ft. with average 3 ft. 6 in.  
 Free of defective decortications  
 Properly brushed.  
 Free of tow, bunchy ends, knots and harshness.  
 Colour: creamy white to cream.

A

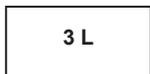
Same as Grade 1 but colour yellowish, sunburned, slightly spotted or slightly discoloured.



Length from 2 ft. 6 in. upwards. Otherwise same as Grade 1.



Length from 2 ft. upwards, consisting of brushed fibre that does not conform to Grades 1, A or 2. Although minor defects in colour and cleaning are allowable, it must be free of barky or undecorticated fibre and knots.



Length from 3 ft. upwards. Otherwise the same as Grade 3.

UG

Fibre that does not conform to the above-mentioned grades as regards length, colour and cleaning, but minimum length 2 ft.

SCWF

Length not less than 18 in. and not more than 24 in. Otherwise same as Grade 3.

TOW 1

Proper tow from the brushing machines. Free of line fibre, cuttings, dust, dirt, sweepings and knots.

Colour: creamy white to cream.

TOW 2

Darker colour allowed. Small percentage of line fibre, long white cuttings, and not entirely free of dust, but entirely free of sweepings and knots.

Notes relating to Grades 1, A, 2, 3L, 3, UG and SCWF—

- (a) All grades to be of parallel packing, no ties or knots, free of dampness and excessive baling pressure.
- (b) The word “**harshness**” included in the definitions of Grades 1, A, and 2 only refers to fibre from which the gum has not been sufficiently extracted by cleaning, and does not apply to fibre which is coarse in texture owing to soil or climatic conditions.

**SISAL INDUSTRY (SALE OF SISAL AND COLLECTION OF CESS) RULES, 1951**

[G.N. 873/1951, L.N. 277/1989, L.N. 89/2006.]

1. These Rules may be cited as the Sisal Industry (Sale of Sisal and Collection of Cess) Rules, 1951.
2. No sisal or sisal fibre produced within Kenya shall be sold except through an agent duly licensed under section 7 of the Act, and any person who sells sisal or sisal fibre other than through such an agent shall be guilty of an offence.
3. Every agent appointed by the Board under section 7 of the Act shall be issued with a certificate of appointment which shall be in the form prescribed in the Third Schedule.
4. The Board may from time to time attach such conditions or additional conditions as it may consider necessary to the appointment of any person as an agent, or delete any conditions therefrom and may enter such conditions or additional conditions in the certificate issued under these Rules.
5. An agent appointed by the Board shall be remunerated in such manner as the Board may, in consultation with the Minister, determine which manner shall be subsequently accepted in writing by the agent.
6. Deleted by L.N. 89/2006.
7. The Board may by notice in writing, require the holder of a certificate issued under these Rules to surrender it to the Board within a specific period for the entry or deletion of any conditions under rule 3.
8. It shall be the duty of the Board from time to time to determine the prices which shall be paid for sisal and sisal fibre.
9. No sisal or sisal fibre produced within Kenya shall be exported except under a licence granted by the board which shall be in the form in the schedule to these Rules, and any person who exports sisal or sisal fibre without a licence shall be guilty of an offence.
10. The cess imposed under section 18 of the Act shall be paid monthly to the Board by every licensee licensed under section 13 of the Act.
11. The fees for licences issued by the Board under section 13 of the Act shall be those specified in the Second Schedule.
12. Any person who is guilty of an offence under these Rules shall be liable to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding six months or to both.

FIRST SCHEDULE

[Rule 4.]

EXPORT LICENCE

Application for permission to export Sisal and/or Sisal Fibre.

[To be sent to the Secretary, Sisal Board, P.O. Box 1179, Nairobi, in triplicate.]

Mark(s) .....

Central Contract No. ....

Local Contract No. ....

Name of Licensed Agent .....

Address .....

Sisal Industry

[Subsidiary]

FIRST SCHEDULE—*continued*

Grade	1	A	2	3L	3	SCWF	UG	T1	T2
Sisal to be exported in tons .....									
Price c.i.f. U.K. basis per ton .....									
Total value c.i.f. basis .....									
Total value f.o.b. basis .....									

Country of destination .....

To whom consigned .....

Date of shipment .....

Name of ship .....

I/We hereby certify that the information which I/we have given above is true and accurate to the best of my/our knowledge and belief.

Date ..... Signed .....

FOR OFFICIAL USE ONLY Licence No. ....

Export of .....

approved .....

Date ..... Secretary,

For and on behalf of Sisal Board

SECOND SCHEDULE

[Rule 6.]

FEES

	<i>Sh</i>
1. Fees for an agency licence authorizing the holder to buy and sell sisal and sisal fibre produced in Kenya for purposes of export only .....	5,000 per annum
2. Fees for an agency licence authorizing the holder to buy and sell sisal and sisal fibre produced in Kenya for the purposes of the domestic market only .....	1,000 per annum
3. Fees for each export licence authorizing the holder to export sisal fibre or tow from Kenya .....	50
4. Fees for a licence authorizing the holder to process his own sisal leaf exclusively .....	1,000 per annum
5. Fees for a licence authorizing the holder to process the leaf of other growers as well as his own .....	1,500 per annum
6. Fees for a licence authorizing the holder to process bought fibre only .....	500 per annum

*Sisal Industry*

[Subsidiary]

THIRD SCHEDULE

[Rule 3.]

SISAL BOARD OF KENYA

CERTIFICATE OF APPOINTMENT OF AGENT

This is to Certify that .....

has been appointed under section 7 of the Sisal Industry Act (Cap. 341) to be an agent of the Board for the purposes of receipt and sale or other disposal of sisal fibre produced in Kenya on the following terms and conditions:

Date ..... Signed .....

Designation .....

for Sisal Board of Kenya

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**SISAL INDUSTRY (CESS ON SISAL FIBRE) ORDER, 1965**

[L.N. 148/1965, L.N. 200/1967, L.N. 76/1971, L.N. 144/1973, L.N. 64/1974, L.N. 218/1977,  
L.N. 100/1984.]

ORDER UNDER SECTION 18

1. This Order may be cited as the Sisal Industry (Cess on Sisal Fibre) Order.
2. There shall be levied a cess on all sisal fibre produced in Kenya at the following rate—  
Line fibre and brushed tow ..... Sh. 30 per tonne.

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