

THE ANIMAL HEALTH BILL, 2025

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A Bill for

AN ACT of Parliament to provide a framework for the promotion, protection and sustainable management of animal health; the detection, prevention and control of animal diseases; to provide for a framework for consultation and co-operation on matters relating to veterinary services; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

Short title.

1. This Act may be cited as the Animal Health Act, 2024.

Interpretation.

2. In this Act, unless the context otherwise requires—

“animal” means any member of the animal kingdom except humans, whether alive or dead, including mammals, birds, reptiles and aquatic animals;

“animal by-product” means prescribed material, taken from the body of an animal, that is not intended to be used for human consumption;

“animal product” means any part or portion of, or product derived from or yielded by an animal, including any such part, portion or product that has been processed and may transmit a disease;

“animal health” means a state of complete physical well-being and optimum welfare of an animal;

“animal material” includes any animal product, feed, fodder or equipment;

“biosecurity” includes –

- (a) institutional and personal security measures designed to prevent the loss, theft, misuse, diversion or intentional release of pathogens

and toxins; or

- (b) a set of management and physical measures designed to reduce the risk of introduction, establishment and spread of animal diseases, infections or infestations to, from and within an animal population;

“biosecurity measures” means actions taken to minimise the spread of a disease or a disease-causing agent;

Cap. 366. “Board” means the Kenya Veterinary Board established under section 3(1) of the Veterinary Surgeons and Veterinary Para-Professionals Act;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to veterinary services;

“clean” means free and maintain free from pest infestation;

“contaminated material” means any material or any other fomite that comes into contact with a diseased animal or a disease-causing agent;

“conveyance” includes a vehicle, railway, aircraft or watercraft or any other mode of transport of whatever kind;

“County Director” means a County Director of Veterinary Services appointed under section 20(1);

“County Executive Committee member” means the County Executive Committee member responsible for matters relating to veterinary services;

“Director-General” means the Director-General of appointed under section 13(1);

“disease” includes—

- (a) a notifiable disease;
- (b) a zoonotic disease, emerging or re-emerging disease;
- (c) a pathological abnormality, symptom or behaviour that is generally recognized by veterinary professionals as resulting or likely to result from a single cause, or the interaction of more than one cause; and
- (d) an abnormal symptom or behavior, or a group of abnormal symptoms or behavior, whose cause has not been identified or isolated;

“disease-causing agent” means a micro-organism, macro-organism, chemical, poison, toxin or other agent that causes or may cause a disease;

“disease control” means taking measures to—

- (a) prevent the occurrence or establishment of a disease;
- (b) limit the spread of a disease;
- (c) reduce the occurrence of a disease; and
- (d) eradicate a disease;

“farm gate value” means the prices received by farmers for the sale of their livestock products or domesticated animals at a farm;

“fomite” means an inanimate object, except for a conveyance, that is capable of carrying a disease-causing agent;

“Forum” means One-Health Consultative Forum established under section 24(1);

“infected place” means any place declared by the Director-General or County Director to be an infected place under section 38;

“inspector” means a person designated as such under section 22(1);

“Joint Committee” means the Joint Committee for Veterinary Services established under section 28(1);

“non-food animal product” means any prescribed material, taken from the body of an animal, that is not intended to be used for human consumption;

“notifiable disease” means a disease declared to be a notifiable disease in accordance with section 35(1);

“one-health” means the inter-relationship of human, animal, plant and environmental health;

“owner” in relation to —

- (a) an animal, includes a person who has custody or care and control or is responsible for the care and control of an animal;
- (b) premises, includes a person who operates or occupies the premises; and
- (c) a conveyance, includes a person who operates the conveyance;

“protected area” means any area declared by the Director-General to be protected area under section 37(1);

“quarantine area” means a place declared to be a quarantine area in accordance with section 46(4);

“restricted area” means a place declared to be a restricted area in accordance with section 39(1);

“Service” means the Kenya Veterinary Service established under section 7(1);

“stray animal” means any animal not under the direct control of a person;

“surveillance” means the systematic collection, collation, and analysis of information related to animal health and the timely dissemination of that information to those who need to know so that action can be taken;

“traceability system” means the system established under section 70(1);

Cap 275. “urban area” has the meaning assigned under the Urban Areas and Cities Act;

“vector” means a living organism, that is capable of carrying and transmitting a disease-causing agent;

“veterinary professional” means a veterinary surgeon or a veterinary paraprofessional registered in accordance with the Veterinary Surgeons and Veterinary Para-professionals Act; and

“zoonotic disease” means a disease transmissible from an animal to a human being.

Objectives of the Act.

3. The objectives of this Act are to—

- (a) provide a framework for the prevention and control of animal diseases and pests;
- (b) guide consultation and co-operation between the national and county governments on the sustainable management and promotion of animal health;
- (c) provide the norms and standards for efficient governance of veterinary services; and

- (d) give effect to animal health measures required by regional and international laws and conventions ratified by Kenya.

PART II –ADMINISTRATION OF VETERINARY SERVICES MATTERS

Responsibilities of the National Government.

4. The functions of the National Government in respect to veterinary services matters shall be as set out in Part I of the First Schedule.

Responsibilities of County Governments.

5. The functions of the county governments in respect to veterinary services matters shall be as set out in Part II of the First Schedule.

Responsibilities of the Cabinet Secretary and Principal Secretary.

6. The Cabinet Secretary and the Principal Secretary shall be responsible for—

- (a) providing policy direction on matters relating to prevention and spread of animal diseases and pests;
- (b) on the advice of the Service, development of strategies for collaboration with Ministries, Departments and Agencies on matters relating to—
 - (i) animal health including fish and wildlife health, wildlife interactions;
 - (ii) zoonotic diseases; and
 - (iii) any other matter of mutual concern to animal, human, plant and environmental health through the one-health approach.

Kenya Veterinary Service

Establishment of
the Kenya
Veterinary
Service.

7. (1) There is established a service to be known as the Kenya Veterinary Service.

(2) The Service shall be the successor to the Department of veterinary Services established within the Ministry responsible for matters relating to veterinary services.

(3) The Service shall consist of—

- (a) the Director General;
- (b) other veterinary surgeons and veterinary paraprofessionals; and
- (c) such other officers and members of staff of the Service.

(4) The composition of the Service shall reflect the gender, regional and other diversities of the people of Kenya.

Functions of the
Service.

8. (1) The Service shall, under the general supervision of the Principal Secretary, be responsible for the implementation of policies, directions and laws relating to veterinary services.

(2) Without prejudice to the generality of subsection (1), the Service shall —

- (a) advise the Principal Secretary, Ministries, Departments, Agencies and other stakeholders on all matters related to veterinary services;
- (b) in consultation with the Principal Secretary, coordinate the implementation of the veterinary functions of the national government;

- (c) be the lead agency on all matters relating to animal disease control, veterinary public health and animal welfare;
- (d) be the competent authority for purposes of delivery of veterinary services;
- (e) provide technical assistance and information on behalf of the national government to county governments on matters relating to veterinary services;
- (f) certify animals, animal products or animal materials for purposes of export and import;
- (g) foster strategic partnerships for purposes of the laws which the Service administers and the development of veterinary services;
- (h) support the management and evaluation of national veterinary programs;
- (i) establishment and operation of veterinary referral laboratories;
- (j) develop a framework for monitoring and evaluation, management, research and development activities of veterinary services;
- (k) in collaboration with relevant government agencies, negotiate trade agreements and resolving trade disputes involving sanitary mandates for animals, animal products or animal materials;
- (l) be the liaison office for international conventions relating to veterinary services, animal health and animal welfare;
- (m) publish reports of actions taken with respect

to the prevention and control of notifiable animal diseases; and

- (n) perform such other function as may be conferred on it under this Act or any other relevant law.

(3) In the performance of its functions under this Act, the Service shall be guided by the national values and principles of governance set out in Article 10 of the Constitution and any other written law.

Powers of the Service.

9. (1) The Service shall have all powers necessary for the proper performance its functions under this Act.

(2) Without prejudice to subsection (1), the Service shall have the power to—

- (a) charge fees for services rendered in the performance of its functions or implementation of the laws set out in the Schedule;
- (b) enter into association with such other bodies or organizations or authorized persons as may be desirable or appropriate in furtherance of the purposes for which the Service is established;
- (c) create, develop, apply for and hold rights in intellectual property, and enter into agreements for the commercial exploitation of such rights or otherwise as may be appropriate; and
- (d) perform all other functions necessary for the proper and efficient discharge of its function and consistent with this Act.

Enquiry point for notifiable animal disease.

10. The Service shall be the World Trade Organization enquiry point and national notification authority on matters relating to notifiable diseases of

animals.

Headquarters of the Service.

11. (1) The Headquarters of the Service shall be in Nairobi.

(2) The Service may establish branches at any place in Kenya to ensure reasonable access to its services.

Service to administer laws in Second Schedule.

12. (1) The Service shall, in the performance of its functions under this Act, implement the laws specified in the Second Schedule.

(2) The Cabinet Secretary may, on the recommendation of the Service and by notice in the Kenya Gazette, amend the Second Schedule to this Act.

Director-General of the Service.

13. (1) There shall be a Director-General of the Service who shall be competitively recruited and appointed on such terms and conditions as the Public Service Commission may determine.

(2) A person is qualified to be appointed as the Director-General, if that person—

- (a) is a Kenyan citizen;
- (b) holds a Bachelor's degree in veterinary medicine or veterinary science from a university recognised in Kenya;
- (c) holds at least a master's degree in veterinary science or animal health related field;
- (d) has at least fifteen years' post qualification experience in veterinary science, five of which shall be at a senior management level
- (e) is registered as a veterinary surgeon by the Kenya Veterinary Board; and
- (f) meets the requirements of Chapter Six of the

Constitution.

(3) The Director-General shall hold office for a term of three years but may be eligible for a reappointment for a further single term of three years.

Responsibilities
of the Director-
General.

14. The Director General shall be the Chief Executive Officer of the Service and shall—

- (a) be responsible for the day-to-day management of the Service;
- (b) have overall responsibility for the objectives, policy direction, administration and programs of the Service;
- (c) be the head of Veterinary Services in Kenya and technical advisor on all matters of veterinary services
- (d) be the World Organization for Animal Health delegate for Kenya;
- (e) perform such other duties as may be assigned from time to time.

Staff of the
Service.

15. (1) There shall be such number of directors, officers and other staff of the Service as may be necessary for the proper and efficient discharge of the functions of the Service as approved by the Public Service Commission.

(2) The directors, officers and other staff of the Service shall exercise their functions under the direction and supervision of the Director-General.

(3) The officers and other staff of the Service shall be recruited and appointed on such terms and condition as the Public Service Commission may determine.

Funds of the Service.

16. The funds of the Service shall consist of—

- (a) monies allocated by Parliament for purposes of the Service;
- (b) grants, gifts, donations or other endowments given to the Service; and
- (c) such funds as may vest in or accrue to the Service in the performance of its functions under this Act or any other written law.

Annual estimates.

Cap. 412A.

17. (1) Before the commencement of each financial year, the Cabinet Secretary shall cause to be prepared the estimates of revenue and expenditure of the Service for that year in accordance with the Public Finance Management Act.

(2) The annual estimates prepared under subsection (1) shall include estimates for—

- (a) the payment of the salaries, allowances and other charges in respect of the staff of the Service;
- (b) maintenance of the buildings and grounds of the Service;
- (c) proper maintenance, repair and replacement of equipment and other movable property of the Service;
- (d) funding of training, research and development activities of the Service; and
- (e) any other expenditure necessary for the performance of the functions of the Service.

Annual report.

18. Within three months after the end of each financial year, the Director-General shall prepare and

submit to the Cabinet Secretary a report of the operations of the Service for the immediately preceding financial year.

County Executive Committee Member

Responsibilities of the County Executive Committee Member and Chief Officer.

19. The County Executive Committee Member and Chief Officer shall have the following functions under this Act—

- (a) implementation of national policy and formulation of the county government policy and strategy concerning veterinary services at the county level;
- (b) development of strategies for collaboration with relevant county departments on matters of relating to animal health at the county level.

County Director of Veterinary Services

Establishment of the Office of County Director of Veterinary Services.

20. (1) There is established the Office of the County Director of Veterinary Services which shall be an office in the county public service.

(2) The County Director of Veterinary Service shall advice and be responsible to the Chief Officer.

(3) Without prejudice to subsection (2), the County Director for Veterinary Services shall be responsible for the following—

- (a) advising the county government on matters relating to veterinary services that impact the county;
- (b) under the supervision of the Chief Officer,

coordinating the implementation of the veterinary functions of the county government;

- (c) under the supervision of the Chief Officer, the implementation of national veterinary policies, strategies and programs;
- (d) be the technical lead on matters relating to veterinary services at the county level;
- (e) undertaking research on matters relating to veterinary services at the county level;
- (f) in collaboration with relevant county departments, coordinate the promotion of fish health, the management of livestock-wildlife disease interface, zoonotic diseases and matters relating to one-health at the county level;
- (g) communicating the decisions of the county government on matters relating to veterinary services; and
- (h) perform such other function as may be assigned from time to time.

Qualifications for appointment as a County Director.

21. A person is qualified for appointment as a County Director, if that person—

- (a) is a Kenyan citizen;
- (b) holds a Bachelor's degree in veterinary medicine or veterinary science from a university recognised in Kenya;
- (c) holds a master's degree in veterinary science or any other animal health related field;
- (d) is registered by the Board as a veterinary surgeon;

- (e) has at least ten years' post qualification experience in veterinary science, three of which shall be at a senior management level; and
- (f) meets the requirements of Chapter Six of the Constitution.

Veterinary services inspectors

Designation of inspectors.

22. (1) The Director-General may, in writing, designate inspectors for purposes of monitoring compliance with the laws relating to veterinary services and enforcement of the national government functions under this Act.

(2) A County Director shall designate such number of inspectors as are necessary to ensure compliance with the laws relating to veterinary services at the county level and enforcement of the county government functions under this Act.

Powers of an inspector.

23. (1) An inspector designated under section 22 shall have the power to—

- (a) enter and search any premises, other than the dwelling premises, where animals are present or where the inspector reasonably believes that animals are present;
- (b) stop and search any conveyance that contains animals or that the inspector reasonably believes to contain an animal;
- (c) inspect and take samples from any animal that is infected with, or that the inspector reasonably believes to be infected with, a notifiable animal disease;
- (d) examine, seize, make copies of or take extracts from any document or other record

- that appears to indicate that an offence under this Act has been, or is being, committed;
- (e) take photographs and video recordings in any conveyance or place lawfully entered;
 - (f) examine, test, treat or vaccinate any animal;
 - (g) isolate any animal, animal material or disease agent;
 - (h) seize and detain any animal, animal product, animal material or disease agent if the inspector knows or has reason to believe that this Act has been or is being contravened in respect of that animal, animal product, animal material or disease agent;
 - (i) remove any animal, animal product, animal material or disease agent;
 - (j) place any animal, animal product, animal material or disease agent under quarantine in any place the inspector considers appropriate;
 - (k) tag or mark an animal, animal product, animal material or disease agent in any manner appropriate for the purposes of identification;
 - (l) perform a post-mortem examination, or cause a post-mortem examination to be performed on any animal;
 - (m) dispose of a carcass of an animal as appropriate;
 - (n) control or prevent the movement of any animal, animal product, animal material or disease agent into or out of a conveyance or place; and

- (o) return, or cause to be returned, to its origin, any animal, animal product or animal material that has been—
 - (i) imported in contravention of this Act; or
 - (ii) moved into, within or out of an infected place, restricted area, control area or protected area in contravention of this Act; or
 - (iii) presented for sale, exhibition or competition and is, or may be, infected.

(2) A person who interferes with or fails to comply with any lawful request made by an inspector under this Act or hinders an inspector from exercising the powers set out under subsection (1), commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term of one year, or to both.

(3) An inspector shall not disclose any information acquired during the performance of functions under this Act, except—

- (a) in so far as reasonably necessary for the proper lawful application of this Act, and which shall be in the public interest;
- (b) when summoned in a court of law for the purpose of a judicial proceeding; or
- (c) in compliance with laws relating to access to information or data protection.

Intergovernmental veterinary committees

Establishment of

24.(1) There is established a forum to be known as

the One-Health
Consultative
Forum.

the Kenya One-Health Consultative Forum.

(2) The Forum shall consist of—

- (a) two representatives from the Kenya Veterinary Service;
- (b) two representatives from the state department responsible for public health;
- (c) two representatives of the county governments nominated by the Council of Governors, one of whom shall be a County Director of Veterinary Services;
- (d) one representative of the Kenya Plant Health Inspectorate Service;
- (e) one representative of the Kenya Wildlife Service;
- (f) one person responsible for veterinary research at a national livestock research institution;
- (g) one representative of the Kenya Medical Research Institute; and
- (h) one representative of the National Environment Management Authority.

(3) The Chairperson of the Forum shall be elected from amongst the members under subsection (2)(a) and (b).

(4) The Forum may, by resolution, co-opt any person to attend any of its meetings for that person's special skills, interest and knowledge but that person shall not vote at such meeting.

(5) The Ministry responsible for matters relating to

veterinary services shall co-ordinate the meetings of the Forum and provide secretariat services.

Functions of the Forum.

25. The One-Health Consultative Forum shall be a platform for—

- (a) developing a framework for determining *one-health* technical matters and measures requiring inter-governmental consultation;
- (b) developing and recommending inter-governmental technical agreements for joint implementation of any activities relating to control and management of antimicrobial resistance for consideration by the national and county governments;
- (c) mutual consultation, coordination and collaboration between the national and county governments on all technical matters related to one-health approach; and
- (d) promoting effective coordination and integration of veterinary measures, activities and initiatives under one-health approach.

Conduct of business and affairs of the Forum.

26. (1) Unless otherwise provided, the procedure for conduct of business and affairs of the Forum shall be as set out in Part I of the Third Schedule.

Operational expenses of the Forum.

27. The operational expenses of the Forum shall be met by the Principal Secretary and provided for in the annual estimates of revenue and expenditure of the Ministry responsible for matters relating to veterinary service.

Establishment of Joint Committee on Veterinary Services.

28. (1) There is established a committee to be known as Joint Committee for Veterinary Services.

(2) The Joint Committee shall consist of—

- (a) the Director-General or a representative, appointed in writing, who shall be the Chairperson of the Committee;
- (b) the heads of the directorates within the Service;
- (c) the County Director from each county or a representative designated in writing; and
- (d) one person, who has knowledge and experience in matters relating to veterinary services, nominated by the Principal Secretary responsible for matters relating to veterinary services;
- (e) one person, who has knowledge and experience in matters relating to veterinary services, nominated by the Council of Governors.

Functions of the
Joint Committee.
Cap. 265F.

29. Subject to the Intergovernmental Relations Act, the Joint Committee shall—

- (a) be the platform for mutual consultation, coordination and collaboration between the national and county governments on technical matters relating to delivery veterinary services;
- (b) develop a framework for recommending technical matters requiring inter-governmental considerations in delivery of veterinary services;
- (c) provide feedback for monitoring and recommend appropriate measures for the implementation of development plans for national and county veterinary services;
- (d) make recommendations for harmonization and the development of national and county

policies on veterinary services;

- (e) perform any other function as may be necessary for supporting better delivery of veterinary services.

Conduct of business and affairs of the Joint Committee.

30. (1) The conduct of business of the Joint Committee shall be as set out in Part II of the Third Schedule.

Operational expenses of the Joint Committee.

31. The operational expenses of the Joint Committee shall be met by the Principal Secretary as provided for in the annual estimates of revenue and expenditure of the Ministry responsible for matters relating to veterinary service.

PART III — DISEASE PREVENTION, SURVEILLANCE AND CONTROL

Disease prevention measures

Declaration of animal products.

32. The Director-General may, in consultation with a County Director and by notice in the *Kenya Gazette*, declare any product to be an animal product or by-product for purposes of this Act.

Declaration of disease-causing agents.

33. The Director-General may, by notice in the *Kenya Gazette*, declare any substance or material which may cause a disease in an animal to be a disease-causing agent for purposes of this Act.

Declaration of restricted material.

34. The Director-General may, by notice in the *Kenya Gazette*, declare any animal material of a class specified in the notice to be a restricted material for purposes of this Act.

Power to

35. (1) The Director General may by notice in

prohibit importation of animals

the Gazette, prohibit for such time as he thinks necessary, or regulate, the importation or the exportation of all animals or any specified kinds of animals, or of carcasses, meat, hides, skins, hair, wool, litter, dung, live viruses capable of setting up infections in animals, sera, vaccines and other biological or chemical products intended to be used for the control of animal disease, or contaminated fodder, from any specified country, port or territory.

2. Any person who contravenes the provisions of any notice issued under subsection (1) shall be guilty of an offence.

Power to prohibit use of vaccine or drug

36. The Director General in consultation with other agencies may prohibit the use of any vaccine or drug for the treatment of animal disease in Kenya.

(2). No person will be cleared by the veterinary medicines regulatory agency to supply, sell, purchase, obtain or use any vaccine or drug for the treatment of animal diseases, the use of which has been prohibited by the Director.

Declaration of notifiable disease.

37. (1) The Director-General may, in consultation with and by notice in the Kenya *Gazette*, declare any animal disease to be a notifiable disease for the purposes of this Act.

(2) For purpose of this section (1), “notifiable disease” means a disease that requires monitoring—

- (a) because the presence or the location of the disease may affect domestic or international trade;
- (b) because its potential effects on animal health or public health are not known;
- (c) because the disease-causing agent has changed and the effects of the change or the potential effects of the change on animal or

public health are not known;

- (d) for any other relevant reason for purposes of this Act.

Disease prevention, surveillance and control measures.

38. (1) For the purpose of disease control, the Director-General shall institute measures for disease surveillance and prevention at ports of entry, along international borders or through national veterinary investigation laboratories.

(2) For the purposes of disease control, every County Director shall institute measures to prevent, detect and eradicate any animal disease at the county level.

(3) The measures anticipated under this section include—

- (a) identification, registration, examination and testing of an animal, animal product or animal material;
- (b) disease surveillance;
- (c) treatment of an animal, animal product, animal material and associated article;
- (d) vaccination of an animal;
- (e) imposition of a quarantine;
- (f) control of movement of animals, animal products or animal materials;
- (g) control of vectors;
- (h) control of dog and cat populations;
- (i) destruction and prescribed disposal of animal products;

- (j) destruction and prescribed disposal of sick animals and animals proven to have been in contact with sick animals; or
- (k) any other scientifically efficacious disease control measures.

(3) The Cabinet Secretary may, on the advice of the Director-General, prescribe other efficacious measures for control of specified diseases.

Declaration of protected area.

39. (1) The Director-General may, by notice in the Kenya *Gazette*, declare any area that is free from an animal disease, disease-causing agent or an arthropod pest of veterinary importance to be a protected area for purposes of this Act.

(2) Without prejudice to subsection (1), the Director-General, may in consultation with a respective County Director and by notice in the Kenya *Gazette*, declare an area of the county to be a protected area for the purpose of preventing the spread of an animal disease.

(3) A declaration under this section, may specify the species of animals, animal products and animal materials that—

- (a) shall not be moved into the protected area; and
- (b) may only be moved into the area if the conditions specified in the declaration are complied with.

(4) A declaration under this section shall remain in force for the duration specified in the notice.

Declaration of an infected area.

40. (1) The Director-General may, in consultation with the respective County Director and by notice in the *Gazette*, declare any area or conveyance that contains a notifiable disease to be an infected area for the purposes

of this Act.

(2) For purposes of subsection (1), an area or conveyance shall be deemed to contain a notifiable disease if it is—

- (a) confirmed through laboratory diagnosis to be present in that place or conveyance; or
- (b) suspected to be present in that place or conveyance.

(3) A declaration under this section shall contain—

- (a) the location and boundaries of the infected area;
- (b) the specific notifiable disease identified in the infected place;
- (c) the species of animal the notifiable disease occurs in;
- (d) the authority that the Director-General or a County Director has in respect of the infected place; and
- (e) such other information as may be relevant or necessary to inform the public and prevent the spread of the notifiable disease within or outside the infected place.

(4) A declaration under this section shall remain in force for such period as may be in the notice.

Declaration of a restricted area.

41. (1) The Director-General may, in consultation with a respective County Director and by notice in the *Kenya Gazette*, declare an area to be a restricted area for the purpose of controlling and preventing the spread of a disease present in the area.

(2) A declaration made under subsection (1) shall

remain in force for such period as may be specified in the notice.

Obligations relating to disease prevention

Duties of owner or occupier.

42. (1) A person who owns or has custody of an animal shall take reasonable steps to—

- (a) prevent infection of the animal with any animal disease;
- (b) prevent infestation of the animal with any parasite;
- (c) prevent the spread of any animal disease; and
- (d) report immediately to an inspector any abnormal morbidity or mortality in an animal population.

(2) A person who owns or has custody of an animal shall, whenever there is an infection, infestation or spread of any animal disease, co-operate with the respective County Director in the control of the animal disease.

(3) Whenever an animal is reasonably suspected to be infected with any disease or disease-causing agent, the owner or a person who has custody of the animal, shall seek treatment at the earliest time possible from a registered veterinary surgeon or a registered veterinary para-professional.

(4) A person who contravenes this section commits an offence and shall be liable, on conviction, to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding one year, or to both.

Notification of suspicious animal disease.

43. (1) A person who owns or has custody of an animal and suspects that the animal is infected with a disease shall—

- (a) isolate the infected animal or group of infected animals in a secure enclosure separate from other animals not so infected or suspected of being infected;
- (b) take all other reasonable steps to prevent the spread of the disease; and
- (c) notify an inspector, veterinary surgeon or veterinary para-professional of the disease within forty-eight hours of knowing about the possibility of infection.

(2) A person who contravenes subsection (1), commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year, or both.

Notification of a notifiable disease.

44. (1) A person who owns or has custody of an animal infected with a notifiable disease or suspected of being infected with a notifiable disease shall—

- (a) confine such animal in a secure enclosure separate from other animals not so infected or suspected of being infected; and
- (b) give notice of the infection to the nearest inspector, veterinary surgeon or veterinary paraprofessional.

(2) The inspector, veterinary surgeon or veterinary paraprofessional to whom a notice is issued under subsection (1)(b), shall take samples from the animal within twenty-four hours from the date of the notice, for the purpose of ascertaining the existence and nature of the disease.

(3) A person who fails to comply with subsection

(1), commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding two years, or both.

Controlled areas

Control of grazing areas.

45. (1) A person shall not graze or keep an animal in—

- (a) any public roadsides, road reserve, urban areas including towns, municipalities or cities except under confinement;
- (b) public forests;
- (c) garbage dumpsites;
- (d) national parks;
- (e) airports or airfields;
- (f) railway line frontages; and
- (g) such other place as may be prescribed by the Cabinet Secretary.

(2) A person who grazes or herds an animal in contravention of subsection (1) commits an offence and shall be liable, on conviction, to a fine not exceeding ten thousand shillings in respect of each animal or to imprisonment for a term not exceeding six months, or to both.

Control of animal movement.

46. (1) A person shall not move an animal from one place to another, other than for purposes of grazing within a ward in the County, without a valid movement permit issued by a County Director.

(2) A person seeking to move an animal from one county to another county shall obtain a “no objection” permit from the County Director of the county of

destination in the prescribed manner.

(4) A person who moves or causes to be moved any animal, without a movement permit issued under this section, commits an offence and shall be liable, on conviction, to a fine not exceeding two-hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both.

Animal cleaning
and disinfection
of places.

47. (1) A person who owns or has custody of an animal shall, for the purpose of pest control, clean the animal.

(2) Without prejudice to the generality of subsection (1), the Director-General may make orders as to the—

- (a) cleaning of animals;
- (b) disinfection of places used for the holding of markets, fairs, exhibitions or sale of animals, or for temporary holding of animals, and yards, sheds, stables and other places used for the accommodation of animals;
- (c) disinfection of any conveyance or other object used for the transportation of animals;
- (d) disinfection of clothing or other material coming into contact with or near animals having or suspected of having disease and other precautions to be taken against the spread of disease; and
- (e) modes of cleaning and disinfection.

(3) An inspector may at any time inspect an animal subjected to cleaning for the purpose of confirming compliance with any of the orders issued under subsection (2).

(4) A person who keeps an animal that is infested

with pests without taking reasonable measures necessary to rid the animal of the pests and prevent the infestation of other animals, commits an offence and shall be liable, on conviction, to a fine not exceeding one thousand shillings per infested animal head or to imprisonment for a term of six months.

Quarantine.

48. (1) A County Director, in consultation with the Director General, may issue an order that an animal be quarantined, where the animal has been tested and confirmed to have a notifiable disease.

(2) An order issued under subsection (1) may prescribe such conditions as the County Director deems necessary to minimise the risk of spreading a notifiable disease including the method of destruction of the animal that has been tested and confirmed to be infected with a notifiable disease.

(3) Without prejudice to subsection (2), a quarantine order shall—

- (a) specify the notifiable disease;
- (b) name the owner of the animal, animal product or animal by-product affected by a notifiable disease;
- (c) describe the location of—
 - (i) the premises at which the animal is under quarantine;
 - (ii) the animal under quarantine;
 - (iii) the animal product or animal by-product of a quarantined animal, whether known to be contaminated or not;
 - (iv) the conveyance used to transport a quarantined animal; or

- (v) any material that is or is suspected of being contaminated by a quarantined animal;
 - (d) any other relevant information.
- (4) Upon issuance of an order under this section,—
- (a) an inspector shall apply an identification mark, symbol, tag or electronic device to an animal, or to record an identification mark, symbol, tag or electronic device that has been previously applied to an animal to identify the animal under quarantine;
 - (b) the owner of a quarantined animal to identify, clean and disinfect any conveyance, material, object or premises that has come into contact with the quarantined animal, including the entirety of any pen, stall or other enclosure in which the animal is kept;
 - (c) the owner of an animal under quarantine to care for and feed all animals within the premises, including by isolating any identified animal or group of animals;
 - (d) the order shall restrict or impose conditions on the movement of fomites, vectors, animals, animal products, animal by-products, individuals, conveyance and contaminated material that may carry a disease-causing agent for the notifiable disease from entering or leaving the premises at which an animal is under quarantine;
 - (e) the order shall restrict or impose conditions on the movement of animals, animal products, animal by-products and contaminated material within the premises at which an animal is under quarantine;

- (f) the order shall specify any precautions or biosecurity measures for animals, animal products, animal by-products, individuals, conveyance and contaminated material entering or leaving the premises at which an animal is under quarantine;
- (g) the order shall specify the tests to be conducted to determine the presence of a notifiable disease or disease-causing agent;
- (h) the owner of the quarantined animal shall vaccinate any other animal that has or is suspected of having been exposed to a notifiable disease; or
- (i) the owner of a quarantined animal shall inform an inspector of any other animal that becomes infected with a notifiable disease or has died in the premises during the period of quarantine.

(4) Without prejudice to the foregoing, the Director-General, in consultation with the relevant County Director, may through a notice in the *Gazette*, declare an area to be a quarantine area if the Director-General considers it necessary to control a disease present in the area or is likely to enter the area whether the disease is known or unknown.

(5) A quarantine order issued under this section shall remain in force for such duration as the Director-General or County Director may determine.

(6) A person who is the subject of a quarantine order who contravenes the conditions of a quarantine order issued under this section, an inspector may enforce the terms and conditions at the person's cost which costs shall be a civil debt due to the state.

Management of a quarantine area.

49. (1) A County Director may, at any time during the period of a quarantine order, issue written directions

to the owner of a quarantine area in relation to the—

- (a) management, maintenance, operation and security of the quarantine area;
- (b) handling, keeping, examination, testing, vaccination, identification and treatment of any animal, animal product or animal material in the quarantine area;
- (c) products and methods to be used for disinfection relating to the animal disease under consideration; and
- (d) use of disinfection at critical points and for critical functions within the quarantine area.

(2) A County Director may assume the management of a quarantine area, where a person fails to comply with the conditions set out in the quarantine order.

Restrictions in a quarantine area.

50. (1) Where an area has been quarantined, the respective County Director may, by notice, regulate —

- (a) the holding of markets, fairs, sales, shows, parades, race meetings or any other gathering or competition involving animals;
- (b) the purposes for which specified animals, animal products, animal materials or related articles may be used;
- (c) the treatment of animals, animal products or animal materials;
- (d) the keeping, transport or management of specified animals, animal products or animal materials;
- (e) the identification of specified animals, animal products or animal materials;

- (f) the movement of specified animals, animal products or animal materials, within or out of the control area; and
- (g) the cleaning or disinfection of persons, animals, animal materials, conveyance and other related articles that may enter, remain in, move within or leave the quarantine area.

(2) The notice issued under subsection (1) shall be for such period as may be specified in the notice.

Movement of animals in a restricted, protected or quarantine area.

51. (1) A person shall not move an animal or cause an animal to be moved out of an area of quarantine, protected or restricted area, without a permit issued by a County Director.

(2) Without prejudice to the generality of subsection (1), a person may move an animal, animal product, animal by-product, conveyance or contaminated material from an area of quarantine to another location only in accordance with the terms and conditions in the restriction, protection or quarantine order.

(3) A person who contravenes this section, commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both.

Animal markets and other gatherings.

52. A County Director shall—

- (a) maintain a register of animal markets in accordance with the law relating to livestock;
- (b) ascertain that animals are sold only in a registered market unless the sale is at the

farm gate;

- (c) certify transportation of animals to and from the animal market and other gatherings by issuing a movement permit;
- (d) conduct health inspections of all animals in animal markets and other gatherings;
- (e) ascertain that animal markets bear structures that support animal health including loading and offloading ramps, isolation pens, watering troughs, restraining crush, disinfection and sample collection equipment; and
- (f) keep a record of animals sold in a market.

Disease free zone or compartment.

53. (1) The Director-General may, in consultation with the respective County Director and by notice in the *Kenya Gazette*, designate an area to be a disease-free zone or compartment for the purpose of—

- (a) controlling a specified disease; or
- (b) improving or processing an animal product or by-product.

(2) The Director-General may through a notice in the *Gazette*, revoke the disease-free status of a zone or compartment if it no longer meets the terms and conditions set out in the notice.

(3) A person who moves an animal out of a disease-free zone or compartment without a valid permit commits an offence and shall on conviction be liable to a fine not exceeding one hundred thousand shillings or to a term of imprisonment of one year, or to both.

Destruction of infected animals or animal

54. The Director-General or a County Director, as the case may be, may order the owner of an animal to

products. destroy or dispose of an infected animal in the prescribed manner.

(2) An order under subsection (1) may be issued if the animal—

- (a) has been tested and confirmed to be infected with a notifiable disease;
- (b) has a notifiable disease and in the opinion of the Director-General or a County Director, allowing the animal to live would be cruel or inhumane;
- (c) has come into contact with an animal that has a notifiable disease;
- (d) is in a quarantine area;
- (e) is carrying a disease-causing agent of a notifiable disease; or
- (f) product or material is tested and confirmed to be contaminated with a disease-causing agent of a notifiable disease.

(3) Where the Director-General or a County Director orders the destruction and disposal of an animal, a copy of the order shall be served on the owner of the animal.

(4) The Cabinet Secretary may prescribe the methods of destruction of an infected animal under this section.

Compensation. **55.** (1) The Cabinet Secretary may, by regulations, prescribe the amount and manner of compensation—

- (a) to an owner whose animal or animal product or by-product, is ordered to be destroyed under section 52;

- (b) for the cost of cleaning and disinfecting anything in compliance with a quarantine order or an order in respect of an infected or restricted area;
 - (c) for the cost of destruction and disposal of an animal product or by product; or
 - (d) for any other matter prescribed under this Act.
- (2) A request for compensation under subsection (1) may varied or rejected if—
- (a) the owner has failed to comply with an order, direction or request made by the Director-General, County Director or an inspector;
 - (b) the owner has failed to implement biosecurity measures as specified in the regulations;
 - (c) the owner has otherwise failed to comply with this Act or any other statutory duty directly related to the animal or the notifiable disease; or
 - (d) the animal was infected with a disease when imported or became infected before it was passed for inspection at the port of entry.
- (3) The amount of compensation contemplated under subsection (1) shall be at least fifty percent of the farm gate value of the animal.

Emergency response measures

Animal disease emergency.

- 56.** (1) Where an animal disease outbreak or parasite infestation occurs in the Country —
- (a) causing significant economic losses or is

likely to cause such losses;

- (b) is a zoonotic disease and causes morbidity or mortality in the human or animal population; or
- (c) causing extreme suffering, pain or distress to a significant population of animals,

the Director-General shall, on the recommendation of the relevant County Director, declare the disease outbreak or parasite infestation to be an animal health emergency in the Country.

(2) Where any chemical or drug —

- (a) adversely affects an animal;
- (b) causes or is likely to cause socio-economic loss; or
- (c) causes morbidity or mortality in the human population through consumption or use of an animal product containing the chemical or drug,

the Director-General shall, on the advice of the institution responsible for drugs and chemicals, declare the chemical or drug impact to be an animal emergency in the Country.

(3) A County Director, shall where a declaration is made under this section, immediately take necessary measures to—

- (a) protect animal resources;
- (b) maintain animal health;
- (c) protect the public from any animal related hazard; and

- (d) do any other thing necessary for the—
 - (i) protection and preservation of animal resources; and
 - (ii) maintenance of veterinary public health in accordance with the law relating to veterinary public health

Animal health disaster.

57. (1) An animal disease outbreak or parasite infestation may be declared as an animal health disaster if the disease or parasite infestation affects at least thirty percent of the animal population in the Country, and is—

- (a) of an infectious or contagious nature and causes extensive socio-economic loss; or
- (b) zoonotic disease and causes morbidity or mortality in the human or animal population.

(2) The Cabinet Secretary shall, on the recommendation of the Director-General, declare an animal disease or parasite infestation to be a animal health disaster under subsection (1).

(3) The declaration under subsection (2) shall be published in the Kenya *Gazette*.

Control of rabies

Seizure and detention of stray animals.

58. (1) An inspector or any other person acting under the authority of the Director-General or a County Director may seize and detain any stray dog, cat or other stray animal.

(2) A veterinary surgeon, veterinary para-professional, police officer, inspector or any other

person acting under the delegated authority of the Director-General or a County Director may destroy any animal that is confirmed to be suffering from rabies.

(3) The detention of a stray animal shall be made in such a place as the Director-General or a County Director may determine, until the owner has claimed and paid expenses incurred for the detention.

(4) Where the stray animal under detention is not claimed within seven days after issuance of a notice to the owner, if known, the County Director may cause the stray animal to be sold or adopted.

Orders as to dogs or cats.

59. (1) The Director-General or a County Director, may make an order for the—

- (a) keeping of dogs or cats under control;
- (b) seizure, detention and disposal of stray dogs or cats and of dogs or cats not otherwise being kept under control; and
- (c) recovery from the owners of dogs or cats of the expenses incurred in respect of their detention.

(2) Without prejudice to the generality of subsection (1), the Director-General or a County Director may if satisfied that a dog or cat in a rabies control area is not kept under control, make an order that the dog or cat be kept under control.

(3) A person who fails to comply with an order issued under subsection (1) commits an offence and shall be liable, on conviction, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year, or both.

Duties of a dog or cat owner as regards rabies.

60. (1) A person who owns or has custody of a dog or cat that is infected with rabies shall on becoming aware of the infection, give a notice of the infection to a

veterinary surgeon or veterinary para-professional or cause the dog or cat to be destroyed or confined.

(2) A person who fails to take the measures set out in subsection (1) commits an offence and shall on conviction, be liable to a fine of one hundred thousand shillings or to imprisonment for a term not exceeding one year, or both.

Vaccination
against rabies.

61. (1) A person who owns a dog or cat shall ensure that such a dog or cat is vaccinated against rabies.

(2) A person who fails to vaccinate a dog or cat against rabies as required under subsection (1), or as may be advised by a veterinary surgeon or veterinary para-professional commits an offence and shall be liable, on conviction, to a fine not exceeding fifty thousand shillings or to an imprisonment for a term of six months, or to both.

Investigation of
rabies.

62. (1) An inspector shall, on receipt of information of or on reasonable grounds to believe the existence of rabies in an area, cause the matter to be investigated and have affected animals examined.

(2) The Director-General or a County Director may upon investigations and, in case of an outbreak of rabies in an area, cause a stray dog or cat or diseased animal in that area to be destroyed.

(3) The Director-General or a County Director shall, before causing the destruction of a stray dog, cat or animal, take reasonable steps to prevent any injury to persons and other animals.

control of animal reproductive health

Control of
diseases
transmissible
through genetic
material.

63. (1) A person in-charge of a semen collection centre shall, for purposes of controlling animal diseases transmitted through animal genetic material, ensure that semen collection and breeding technologies undertaken

in the centre are done as prescribed under this Act.

(2) Without prejudice to the generality of subsection (1), the Director- General or a County Director shall prohibit the—

- (a) the use of a breeding animal that is not certified to be free from diseases; and
- (b) the sale or distribution of infected semen, embryos, ova or genetic material of any kind.

Artificial inseminators and animal genetic resource production and processing centres.

64. (1) For purposes of animal disease control, the Director General shall keep a register of all artificial inseminators in the Country as licensed by the Kenya Veterinary Board.

(2) The Director-General shall, for purposes of animal disease control—

- (a) keep a register of animal genetic resource production and processing centres in Kenya;
- (b) certify freedom of animal genetic resource distribution centres from disease;
- (c) certify animal genetic resources including semen, embryos and ova freedom from disease;
- (d) certify disease freedom of assisted reproductive technologies for use in Kenya;
- (e) certify disease freedom of breeding animals; and
- (f) monitor biosafety in genetic engineering for animal reproduction in accordance with the Biosafety Act.

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(3) All persons who undertake artificial insemination or acts as an animal genetic distributor shall comply with disease control provisions of this Act.

PART IV — ANIMAL FEEDS

Sanitary standards of animal feeds.

65. The Director-General shall, in collaboration with other agencies responsible for standards in Kenya, provide sanitary standards for the manufacture and production of animal feeds under this Act.

Register of animal feeds establishments.

66. Subject to the law relating to the registration of animal feeds, a County Director shall keep and maintain a register of approved and licensed establishments on animal feeds.

Import, export and inspection of animal feeds.

67. The Cabinet Secretary shall, for the effective administration of this Act and protection of animal and public health, prescribe the procedure for the import and export of animal feeds free from disease under this Act or other relevant law.

Recall of animal feeds likely to transmit disease.

68. (1) An animal feed business operator shall recall, from the market, any animal feed product that is hazardous or likely to present a hazard to human, animal, plant or environmental health.

(2) Without prejudice to the generality of subsection (1), the Director-General or relevant County Director, in consultation with any other relevant agencies, may, at any time, cause a recall from the market any animal feed that is hazardous or likely to be hazardous to human, animal, plant or environmental health.

PART V — VETERINARY CERTIFICATION OF EXPORTS AND IMPORTS

Restriction of export.

69. (1) A person shall not export any animal, animal product or animal material without a valid international veterinary certificate issued by the

Director-General under this Act.

(2) The international veterinary certificate referred to under subsection (1) shall set out—

- (a) the health status of the animal;
- (b) the safety of the animal product;
- (c) the occurrence or non-occurrence of animal diseases in the country or in the area of origin of the animal or animal product; and
- (d) any other information that may be necessary for the purpose of facilitating the export.

Restriction of imports.

70. (1) A person who wishes to import or convey in transit any animal, animal product or animal by-product shall obtain a no objection veterinary certificate from the Director-General under this Act.

(2) A person shall not import or convey in transit any animal, animal product or by-product unless the animal, animal product or animal by product has been inspected at the port of entry and certified by the Director-General or designated inspectors.

(3) Any animal, animal product or animal by-product imported under subsection (2), shall—

- (a) unless exempted in the no objection clearance, be introduced into the Country through the port of entry specified;
- (b) be introduced into the Country within the period specified in a no objection veterinary certificate;
- (c) be detained in the prescribed manner at the

relevant port of entry if in contravention of this Act or any other written law;

- (d) be made available to the Director-General for purposes of inspection; and
- (e) not be removed from a port of entry without a written authority of the Director-General.

Isolation of imported animal, animal product or animal by-product.

71. (1) Any imported animal or animal product that is required by the Director-General to be kept in isolation at any quarantine station, quarantine camp, institution or other place shall—

- (a) not be removed from such quarantine station, quarantine camp or institution without a written authority of the Director-General; and
- (b) be detained at the quarantine station, quarantine camp, institution or port of entry for the period determined by the Director-General.

(2) A person who removes any animal or animal product from any quarantine station, quarantine camp, institution or place under this section without the written authority of the Director-General commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings, or imprisonment for a term not exceeding one year, or to both.

PART VI – ANIMAL HEALTH AND SAFETY ASSUARANCE

Animal identification and traceability system.

72. (1) The Cabinet Secretary may establish an animal identification and traceability system for the purpose of tracking —

- (a) an animal;

(b) an animal product or by-product; and

(c) a prescribed thing in relation to an animal, an animal product or a by-product.

(2) An animal and animal product identification and traceability system established under subsection (1), may include information relating to—

(a) the means of identification of an animal;

(b) identification of premises where animals are located or kept, including—

(i) the location of premises;

(ii) the name, address and telephone number of the owner of premises; and

(iii) the type of premises and the business name of premises;

(c) the type of premises and the business name of premises;

(d) the unique identification number of an animal and the associated premises at which an animal is kept and animal product or by-product is produced; and

(e) any other information that the Cabinet Secretary may deem necessary for the purpose of animal and animal product traceability.

Veterinary diagnostic and efficacy trial centres.

73. (1) The Cabinet Secretary may, in consultation with the Principal Secretary and the Service, establish veterinary efficacy trial centres for the purposes of—

(a) efficacy trial of veterinary medicines, vaccines, biologicals and acaricides;

- (b) rearing of sentinel herds;
- (c) rearing of laboratory animals including mice and rabbits;
- (d) harvesting of cells or tissues for laboratory tests;
- (e) obtaining animal materials including blood of different animal species to aid in laboratory diagnosis; and
- (f) conducting any other disease diagnostic processes or harvesting animal materials that the Cabinet Secretary may prescribe under this Act.

Veterinary
reference
laboratories.

74. (1) The Director-General may designate veterinary reference laboratories for analysis, testing, diagnosis and quality assurance the purposes.

(2) Without prejudice to the generality of subsection (1), a veterinary reference laboratory may be a laboratory that has demonstrated expertise for—

- (a) a particular animal disease;
- (b) a particular testing methodology including capability for characterizing and assigning values to reference reagents and samples; and
- (c) testing and certifying animal products and animal materials for use in the Country and for export or import.

PART VII — MISCELANEOUS PROVISIONS

Application for
review.

75. (1) A person aggrieved by a decision of an inspector under this Act, may in the case of an inspector acting under the delegated authority of —

- (a) the Director-General, apply for a review of the inspector's decision or action to the Director-General within fifteen days of the inspector's decision or action; or
- (b) the County Director, apply for a review of the inspector's decision or action to the County Director within fifteen days of the inspector's decision or action.

(2) The Director-General or a County Director shall subject to the law relating to fair administrative action, make a determination within ninety days from the date of the application, providing written reasons for the determination.

(3) A person aggrieved by the decision of the Director-General or a County Director, under subsection (2), may appeal to the courts of relevant jurisdiction

Performance of veterinary services.

76. (1) In the implementation of this Act, The Director-General may apply the World Organization for Animal Health tool for evaluation of the performance of veterinary services.

(2) The evaluation tool referred to under subsection (1), shall be the basis for objective evaluation of the quality of veterinary services in the country, including animal health systems in the National Government or county governments.

Collection, use and disclosure of information.

77. (1) The Director-General or a County Director may collect information from any source as reasonably required for the effective administration and implementation of this Act.

(2) Without prejudice to the generality of subsection (1), the information collected by the Director-General or a County Director, may be used for—

- (a) protecting animal or human health;
- (b) detecting the presence or prevalence of a notifiable disease;
- (c) complying with and supporting ongoing animal health, safety and biosecurity measures to minimize the risk of a notifiable disease spreading or persisting;
- (d) controlling, suppressing or mitigating a notifiable disease;
- (e) enhancing emergency preparedness in the case of an outbreak of a notifiable disease;
- (f) conducting veterinary related research, developing policy with respect to veterinary services and designing or implementing programs in respect of veterinary services;
- (g) eliminating animal disease barriers for domestic and export market access;
- (h) analysing the geographical distribution of a disease and pest;
- (i) analysing the epidemiology of disease outbreaks;
- (j) conducting assessments and models to predict disease risk;
- (k) notifying the public of a potential or present threat to public health;
- (l) establishing and operating an animal and animal product identification and traceability system; or

- (m) any other purpose as may be deemed to be reasonably necessary.

Duty to report.

78. (1) A veterinary surgeon or veterinary para-professional shall report the occurrence of an animal disease or any matter relating to animal health to the Director-General or a County Director.

(2) The Director-General and County Directors shall annually prepare and share reports on the development and management of veterinary Services in the Country and counties, respectively.

Protection from liability.

79. No action or proceeding for damages may be commenced against the Director-General, a County Director, an inspector or any person acting under the delegated authority of the Director-General or a County Director or any other person performing functions assigned under this Act, for any act or omission done lawfully and in good faith in the performance or intended performance of any duty or the exercise or intended exercise of any power under this Act.

Access to information.

80. (1) The Director-General or a County Director shall ensure that the public, stakeholders or any interested party is given access to accurate, reliable and complete information regarding veterinary services, in compliance with Article 35 of the Constitution.

(2) Despite subsection (1), the Director-General or a County Director may only withhold such information as required under the law relating to access to information and attendant regulations if it will jeopardize disease control efforts.

Fees and charges.

81. The Cabinet Secretary may, on the advice of the Service and by a notice in the Kenya Gazette, prescribe a fee or charges for any service offered by the Service.

Regulations.

82. (1) The Cabinet Secretary may make Regulations for the effective implementation of the

provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Cabinet Secretary may make Regulations relating to—

- (a) disease prevention, surveillance and control;
- (b) the designation and effect of infected and restricted areas;
- (c) disease control in animal reproductive health;
- (d) imposition and management of a quarantine;
- (e) control of rabies and stray animals;
- (f) establishment and operations of disease-free zones and compartments;
- (g) control of disease spread in animal markets and other gatherings;
- (h) control of disease spread through animal genetics, germplasm, reproductive health and reproductive technologies.
- (i) evaluation of performance of veterinary services;
- (j) control of animal pests;
- (k) animal disease emergencies and animal disasters;
- (l) control of animal movement;
- (m) animal identification and traceability;
- (n) designation of veterinary reference laboratories;

- (o) biosecurity measures to be implemented for general or specific disease control;
- (p) sanitary standards of animal feeds;
- (q) fees for services rendered under this Act;
- (r) measures relating to—
 - (i) preventing introduction of disease in the importation and exportation of any animal, animal product or animal material;
 - (ii) the designation of specified animal diseases as notifiable diseases;
 - (iii) the designation of specified areas as controlled areas in respect to certain controlled animal diseases;
 - (iv) the method of taking and analysing samples of any animal or animal product or by-product to detect disease;
 - (v) methods for and the manner in which animals, animal products or animal by-product are to be seized, detained, destroyed or disposed of when diseased;
 - (vi) records to be kept in respect of this Act;
- (s) the procedure for requesting and conducting a review of decisions or actions taken under this Act; and
- (t) any other matter that the Cabinet Secretary may deem necessary.

PART X — REPEALS, TRANSITIONAL AND SAVINGS PROVISIONS

Interpretation of Part.

83. For purposes of this Part, —

“former Department” means the Department of veterinary Services established within the Ministry responsible for matters relating to veterinary services existing immediately before the commencement of this Act;

“repealed Acts” means the laws set out in the Fourth Schedule.

Transitional provisions.

84. (1) Any rights and obligations of the former Department existing at the commencement of this Act shall, by virtue of this subsection, vest in the Service.

(2) Any reference in any written law, document or instrument to the former Department shall be deemed to be a reference to the Service.

(3) Any rights and obligations vested in or enforceable by or against the former Department shall, by virtue of this subsection, be vested in, or become enforceable by or against the Service.

(4) Any asset and liabilities held by or on behalf of the former Department shall, by virtue of this subsection vest in the Service.

(5) Any permit or authorization issued by the former Department under any written law and subsisting immediately before the commencement of this Act shall be deemed to have been issued under this Act.

(6) Any veterinary efficacy trial centre established or managed by the former Department shall vest in the Service and managed by the Service in accordance with

this Act

(7) Any person who immediately before the commencement of this Act was an officer or employee of the former Department shall be deemed to be a member of staff of the Service based on the terms and conditions of their engagement.

Repeals and savings.

85. (1) Subject to subsection (2), the laws set out the Fourth Schedule are repealed.

(2) Notwithstanding subsection (1)—

- (a) any act done or action undertaken under the repealed Act shall, unless a contrary intention appears, be deemed to have been done under the provisions of this Act;
- (b) any statutory instrument issued under the repealed Acts shall remain in force until specifically revoked under this Act;
- (c) any certificate or licence issued under the repealed Act and subsisting immediately before the commencement of this Act shall continue to be in force unless it is cancelled or expires; and
- (d) any contractual obligations existing pursuant to the repealed Act are preserved.

FIRST SCHEDULE

(ss. 4 and 5)

FUNCTIONS OF NATIONAL GOVERNMENT AND COUNTY GOVERNMENTS IN RESPECT TO VETERINARY SERVICES

PART I—RESPONSIBILITIES OF THE NATIONAL GOVERNMENT WITH RESPECT TO VETERINARY SERVICES

1. Develop and review of national policies on veterinary services;
2. Animal disease investigation, surveillance, diagnosis, reporting and notification.
3. Regulation of animal movement across county boundaries.
4. Control of import and export of animals, animal products, feedstuffs and veterinary products.
5. Management of ports of entry for purposes of implementing laws relating to veterinary services in this Act.
6. Development of national disease management strategies and trans-boundary animal disease control programs.
7. Integration of regional and international animal health measures and standards under agreements and treaties ratified by Kenya.
8. Development and review of animal disaster and animal disease emergency management strategies.
9. Capacity building and technical assistance to counties on matters of veterinary importance.
10. Any other matter necessary for the development and effective provision of veterinary services in Kenya, as agreed upon by the national and county veterinary services, pursuant to Article 189(1)(a) of the Constitution.

PART II— RESPONSIBILITIES OF COUNTY GOVERNMENTS WITH RESPECT TO THE PROVISION OF VETERINARY SERVICES

1. Implementation of national veterinary policies and strategies, including international treaties on veterinary services at the county level;
2. Development of relevant county veterinary policies and strategies;
3. Research for veterinary services at the county level;
4. Management of county abattoirs;
5. Provision of primary animal healthcare including vaccination campaigns;
6. Coordination and oversight of veterinary clinical services;

7. Implementation of national disease control programs;
8. Disease control and surveillance;
9. Vector surveillance and control, including tick and tsetse fly control;
10. Control of animal movement within counties;
11. Implementation of international standards on animal health, production and food safety at the county level.
12. Animal control and animal welfare including -
 - (a) licensing of dogs;
 - (b) implementation of animal welfare standards; and
 - (c) maintenance of facilities for accommodation, care and burial of animals;
13. Provision of animal health and animal welfare advisory services to animal value chain actors;
14. Implementation of disease control in animal reproductive services including assisted reproductive technologies;
15. Collection and synthesizing of technical veterinary data including disease and vector data for county planning and reporting to the Director-General;
16. Coordination of sanitary development of markets and value addition infrastructure for animals and animal products and by-products;
17. Promotion and protection of the safety and quality of non-food animal products including hides, skins, wool, feathers, horns, hooves and scales;
18. Any other matter relevant to animal diseases of mutual concern to animal and public health.

SECOND SCHEDULE

(ss. 9(11) and (12))

LAWS TO BE IMPLEMENTED BY THE SERVICE

1. Animal Health Act
2. Fertilizer and Animal Foodstuffs Act (Cap 345)
3. Meat Control Act (Cap 356)
4. Branding of Stock Act, (Cap. 357).
5. Cattle Cleansing Act, (Cap. 358).
6. Hides, Skins and Leather Trade Act (Cap 359)
7. Prevention to cruelty to Animals Act (Cap 360)
8. Animal Diseases Act, (Cap. 364).
9. Rabies Act, (Cap. 365).

THIRD SCHEDULE

(ss.26(1), 30(1))

PART I - CONDUCT OF BUSINESS AND AFFAIRS OF THE ONE-HEALTH CONSULTATIVE FORUM

1. Meetings.

(1) The Forum shall meet at least once in a year.

(2) The Cabinet Secretary shall for the purpose of election of the Chairperson, convene the first meeting of the Forum.

(3) The Chairperson shall preside at every meeting of the Forum at which the Chairperson is present but in the Chairperson's absence, any other member designated by the Chairperson in writing shall preside.

(4) Unless a unanimous decision is reached, a decision on any matter before the Forum shall be by a majority of the votes of the members present and voting and in the case of an equality of votes, the Chairperson or a person presiding shall have a casting vote.

2. Quorum.

The quorum at a meeting of the Forum shall be one third of the members or a greater number determined by the Forum, in respect of an important matter.

3. Committees

The Forum may establish committees for the effective performance of its functions.

4. Procedure

Unless otherwise provided, the Forum shall regulate its own procedure.

PART II - CONDUCT OF BUSINESS AND AFFAIRS OF THE JOINT COMMITTEE FOR VETERINARY SERVICES

1. Meetings.

(1) The Joint Committee shall at the request of the Chairperson, meet at least twice in each financial year and not more than four months shall lapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding paragraph (1), the Chairperson may on own motion or on requisition in writing by at least one third of the members, convene a special meeting of the Joint Committee at any time for the transaction of the business of the Joint Committee.

(3) Unless one third of the total members of the Joint Committee otherwise agree, at least fourteen days' written notice of every meeting of the Committee shall be given to every member of the Joint Committee.

(4) The Chairperson shall preside at every meeting of the Joint Committee at which the Chairperson is present but in the Chairperson's absence, any other member designated by the Chairperson in writing shall preside.

(5) Unless a unanimous decision is reached, a decision on any matter before the Joint Committee shall be by a majority of the votes of the members present and voting and in the case of an equality of votes, the chairperson or a person presiding shall have a casting vote.

2. Quorum.

The quorum at a meeting of the Joint Committee shall be two thirds of the members of the Committee.

3. Sub-committees.

The Joint Committee may establish such standing or ad hoc sub-committees charged with specific responsibilities.

4. Procedure

Unless otherwise provided, the Joint Committee shall regulate its own procedure.

FOURTH SCHEDULE

(ss. 81 and 83(1))

REPEALED ACTS

1. Animal Diseases Act, (Cap. 364).