



LAWS OF KENYA

RABIES ACT

CHAPTER 365

Revised Edition 2012 [1967]

Published by the National Council for Law Reporting
with the Authority of the Attorney-General

www.kenyalaw.org

CHAPTER 365

RABIES ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 365**RABIES ACT**

[Date of commencement: 30th December, 1932.]

An Act of Parliament to provide for the suppression of rabies

[Act No. 26 of 1932, Cap. 214 (1948), Act No. 55 of 1951, Act No. 2 of 1953, G.N. 1721 of 1955, Act No. 3 of 1959, L.N. 173/1960, Act No. 28 of 1961, Act No. 33 of 1962, L.N. 649/1963, L.N. 2/1964.]

1. Short title

This Act may be cited as the Rabies Act.

2. Interpretation

In this Act, except where the context otherwise requires—

“**cat**” includes any animal of the feline tribe;

“**Director**” means the Director of Veterinary Services;

“**disease**” means rabies, and “**diseased**” means infected with rabies;

“**dog**” includes any animal of the canine tribe;

“**inspector**” means an inspector within the meaning of section 2 of the Animal Diseases Act (Cap. 364);

“**rabies control area**” means any area which may be declared by the Director, by notice in the *Gazette*, to be a rabies control area for the purposes of this Act:

Provided that any area so declared shall cease to be a rabies control area on being declared by the Director, by notice in the *Gazette*, to be free from infection;

“**stray cat**” means any cat wandering at large in a public place;

“**stray dog**” means any dog wandering at large in a public place;

“**suspected**” means suspected of being diseased.

[Act No. 55 of 1951, s. 2, Act No. 2 of 1953, s. 2, Act No. 3 of 1959, s. 2.]

3. Power to seize, detain or destroy stray dogs or stray cats

(1) An administrative officer, a veterinary officer, a police officer of or above the rank of Inspector, an inspector or any person authorized by the Director may seize and detain any stray dog or stray cat in a rabies control area.

(2) In any rabies control area an administration officer, a veterinary officer, a police officer of or above the rank of Inspector, an inspector or any person expressly authorized thereto by the Director may shoot or otherwise destroy any stray dog or stray cat found in any public place or any stray dog or stray cat which he has reason to suppose to be suspected.

[Act No. 55 of 1951, s. 3, Act No. 2 of 1953, s. 3, Act No. 3 of 1959, s. 3, L.N. 649/1963, Sch.]

4. Dogs and cats seized to be impounded

(1) Every dog or cat seized under section 3 of this Act shall be detained in such place as shall be appointed in that behalf by the Director, until the owner has claimed the same and paid all expenses incurred by reason of such detention.

(2) Notice of the seizure of a dog or cat shall immediately be given to the owner, if known.

(3) When a dog or cat has remained under detention for three clear days without the owner claiming it and paying all expenses incurred by reason of its detention, a veterinary officer may cause it to be sold or destroyed.

[Act No. 55 of 1951, s. 4.]

5. Order on owner of dog or cat

Any magistrate, if satisfied on a complaint made by any person that a dog or cat in a rabies control area is not kept under proper control, may make an order on the owner or the person in charge of the dog or cat directing that the dog or cat be kept under proper control, and every person failing to comply with such order shall be guilty of an offence and liable to a fine of five shillings for every day during which such default continues.

[Act No. 55 of 1951, s. 4, Act No. 2 of 1953, s. 3.]

6. Duties of owners of certain dogs and cats

(1) Every owner or person in charge of a diseased dog or diseased cat shall forthwith cause the same to be destroyed, and shall give notice thereof to a veterinary officer.

(2) Every owner or person in charge of a suspected dog or suspected cat shall forthwith cause the same to be destroyed or to be securely tied or otherwise confined, and shall give notice thereof to a veterinary officer.

(3) Any person failing to comply with the requirements of subsection (1) or subsection (2) of this section shall be guilty of an offence and liable to a fine of two thousand shillings, or to imprisonment for three months, or to both such fine and such imprisonment.

[Act No. 55 of 1951, s. 5, Act No. 28 of 1961, Sch.]

7. Powers of certain officers in respect of diseased or suspected dogs and cats

An administrative officer, a veterinary officer, an inspector or a police officer of or above the rank of Inspector, receiving credible information of or having reasonable grounds for suspecting the existence of, rabies shall forthwith cause the matter to be investigated, and for such purpose may cause any dog or cat to be examined and any diseased or suspected dog or cat to be destroyed or otherwise dealt with as he may think necessary.

[Act No. 55 of 1951, s. 4, Act No. 3 of 1959, s. 3, L.N. 649/1963, Sch.]

7A. Director may lay poison baits

(1) Subject to subsection (2) of this section, the Director may, in case of an outbreak or expected outbreak of rabies in any area, lay or expose, or cause to be laid or exposed, any poison, or any fluid or edible matter which has been rendered poisonous, as bait for the destruction of stray dogs, stray cats or diseased or suspected animals in that area.

(2) The Director shall, before and during the laying or exposing of any bait under subsection (1) of this section, take reasonable precautions to prevent injury thereby to persons and animals other than suspected or diseased animals, stray dogs or stray cats.

[Act No. 33 of 1962, s. 2.]

8. Regulations in case of outbreak or expected outbreak of disease

(1) The Director may, in case of an outbreak or expected outbreak of rabies in any areas, make regulations—

- (a) prescribing the manner in which dogs and cats shall be kept under control by the owner or the person in charge thereof;
- (b) providing for the seizure, detention and disposal or destruction of dogs and cats not being kept under control in the manner prescribed;
- (c) prescribing the manner in which dogs and cats shall be inoculated;
- (d) prescribing the manner in which any dog or cat may be moved out of or into the area;
- (e) providing for the recovery by any veterinary officer of the expenses incurred in respect of the detention of any dog or cat seized, detained, disposed of or destroyed under regulations made under this subsection.

(2) Any regulations made under subsection (1) of this section shall be published in the *Gazette* and shall come into force on such day, being the day of or a day after the making thereof, as may be specified therein, and shall remain in force until revoked by the Director.

(3) Any person who contravenes any regulations made under this section shall be guilty of an offence and liable to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two months, or to both such fine and such imprisonment.

[Act No. 55 of 1951, s. 6, Act No. 3 of 1959, s. 4, Act No. 33 of 1962, s. 3.]

9. Indemnity

No action shall lie against the Government or any public officer or any person authorized by a public officer for any act done in good faith under this Act or under any rules, regulations or order made thereunder, and no compensation shall be payable to any person for any act so done:

Provided that nothing in this section shall exempt the Government or any public officer or any person authorized by a public officer from liability for any act done negligently under section 7A(1) of this Act.

[Act No. 33 of 1962, s. 4.]

10. Rules

The Minister may make rules for prescribing fees for the inoculation, testing, disinfecting and maintenance of dogs and cats, and for better carrying into effect the purposes of this Act.

[Act No. 55 of 1951, s. 7, G.N. 1721 of 1955, Sch., L.N. 173/1960, Sch.]
