

**CHAPTER 50**

**THE ANIMALS (STRAYING) ACT**

**Arrangement of Sections**

Section

1. Interpretation
2. Power to seize straying animals
3. Disposal of straying animals
4. Power to amend Schedule

**SCHEDULE**

*Schedule*

Currency Point

**CHAPTER 50****THE ANIMALS (STRAYING) ACT**

*Commencement:* 30 December, 1922

**An Act relating to the straying of animals.****1. Interpretation**

In this Act, “currency point” has the value assigned to it in the Schedule to this Act.

**2. Power to seize straying animals**

(1) An administrative, veterinary or police officer or inspecting officer may seize any animal found straying, or any animal of which he or she has reason to believe the owner refuses to take and keep charge, and may order that animal to be taken immediately into any area or place, or he or she may remove the animal to any pound, enclosure or other place selected by a veterinary officer and detain it there subject to the orders of a magistrate.

(2) Any seizure and detention made under this section shall with all practicable speed be reported by the official making it to a magistrate having jurisdiction in the area within which the seizure has been made.

**3. Disposal of straying animals**

Whenever it is reported to a magistrate that any animal has been seized and detained under section 2, but that the owner of the animal is unknown or cannot be found, the magistrate may, if satisfied by evidence on oath that the owner is unknown or cannot be found, make such order for the detention, sale or disposal of the animal and of the proceeds therefrom, if any, as he or she may think fit; but—

- (a) no order shall be made unless the owner, if his or her name and whereabouts are known, of the animal has had an opportunity of appearing before the magistrate to show cause why the order should not be made; and

- (b) if it appears that the owner is willing to take and keep charge of the animal, the magistrate may make such an order releasing the animal to the owner on payment of the expenses incurred in connection with the animal as shall be stated by the magistrate in the order and, in addition, if the magistrate thinks fit, of a fine not exceeding five currency points for each animal.

#### **4. Power to amend Schedule**

The Minister responsible for finance may, by statutory instrument, with the approval of Cabinet, amend the Schedule to this Act.

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### **SCHEDULE**

Sections 1, 4

#### **Currency Point**

A currency point is equivalent to twenty thousand shillings.

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**History:** Cap. 221 (Revised Edition, 1964); Cap. 40 (Revised Edition, 2000); Act 17/2023

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