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**THE WEST POKOT COUNTY MEAT AND
LIVESTOCK (NASUKUTA EXPORT ABATTOIR)
CORPORATION ACT, 2022**

No. 3 of 2022

Date of Assent: 10th February, 2022

Date of Commencement: See Section 1

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**THE WEST POKOT COUNTY MEAT AND
LIVESTOCK (NASUKUTA EXPORT ABATTOIR)
CORPORATION ACT, 2022**

AN ACT of the County Assembly of West Pokot for the establishment and management of West Pokot County Meat and Livestock (Nasukuta Export Abattoir) Corporation and its transition to a public company limited by shares and for connected purposes

ENACTED by the County Assembly of West Pokot County, as follows—

PART I—PRELIMINARY PROVISIONS

1. This Act may be cited as the West Pokot County Meat and Livestock (Nasukuta Export Abattoir) Corporation Act, 2022 and shall come into operation upon publication.

Short title and commencement

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

Interpretation

“appointed day” means the date appointed by the County Executive Committee Member under section 37;

“Corporation” means West Pokot County Meat and Livestock (Nasukuta Export Abattoir) Corporation established under section 5;

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

“County Executive Committee Member” means the County Executive Member for the time being responsible for livestock matters;

“Chief Officer” means the Chief Officer for the time being responsible for livestock matters;

“Livestock” means domestic animals used for food including cattle, sheep, goats and camels;

“meat” means the fresh or preserved flesh of cattle, calves, sheep, lambs, goats or other animals and includes meat products, meat by-products and edible offal, but does not include meat declared to be unfit for human consumption;

“meat product” means food prepared from meat or

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containing meat.

3. The objects of this Act are to—

Objects of the Act

- (a) establish West Pokot County Meat and Livestock Corporation for the purpose of slaughtering livestock and processing livestock products for local consumption and export;
- (b) provide for the efficient and effective management of the Corporation;
- (c) promote the production of high quality livestock and livestock products;
- (d) enhance value addition to livestock and livestock products;
- (e) accelerate development of the County Livestock Sector by providing a ready market for livestock; and
- (f) provide for transition of the Corporation into a public company limited by shares.

4. This Act shall apply to livestock and livestock products industry in West Pokot County.

Application

**PART II—ESTABLISHMENT OF WEST POKOT
COUNTY MEAT AND LIVESTOCK (NASUKUTA
EXPORT ABATTOIR) CORPORATION**

5. (1) There is established a corporation, to be known as the West Pokot County Meat and Livestock Corporation.

Establishment of the Corporation

(2) The Corporation shall be a body corporate with perpetual succession and a common seal and shall in its corporate name be capable of—

- (a) suing and being sued;
- (b) taking, purchasing, or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (c) borrowing and lending money; and
- (d) doing all such other things or acts as may lawfully be done by a body corporate.

6. (1) There shall be a Board of the Corporation, which shall have the responsibility of managing the

Composition and appointment of members of the Corporation

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Corporation in accordance with the provisions of this Act.

- (2) The Board shall consist of—
- (a) a chairperson;
 - (b) three members of whom—
 - (i) one shall represent livestock farmers;
 - (ii) one shall represent livestock traders; and
 - (iii) one shall represent other dealers in livestock and livestock products;
 - (c) the County Attorney;
 - (d) the Chief Officer responsible for financial matters;
 - (e) the Chief Officer responsible for livestock;
 - (f) the County Director of veterinary services;
 - (g) the County Director of livestock production; and
 - (h) the Chief Executive Officer of the Corporation appointed under Section 18 who shall be an *ex-officio* member.

(3) The chairperson shall be appointed by the Governor and members referred to under subsection (2) (b) shall be—

- (a) nominated by a registered umbrella organization of livestock producers in the county; and
- (b) appointed by the County Executive Committee Member, by notice in the Kenya Gazette.

(3) The appointment of members under subsection (1)(b) shall take into account the representation of gender, youth, persons with disability and minorities and marginalized communities.

(4) Where a vacancy arises under members referred to under subsection (2)(b), the recruitment of a new member shall be as set out under this section.

7. The functions of the Corporation are to—

- (a) advise the county government on matters relating to marketing of livestock and livestock products;
- (b) advise the county government on matters relating

Functions of the Corporation

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- to policies and strategies on marketing of livestock and livestock products;
- (c) conduct or support research on the requirements of markets for livestock and livestock products;
 - (d) support the development and rehabilitation of livestock marketing infrastructure to facilitate trade in livestock and livestock products;
 - (e) develop and maintain systems that reduce post-production losses of livestock and livestock products;
 - (f) advise the county government on levies, fees and charges for purposes of enhancing trade in livestock and livestock products;
 - (g) establish viable business partnerships for trade in livestock and livestock products;
 - (h) liaise with the private sector and other agencies on matters relating to marketing of livestock and livestock products in order to enhance trade in livestock and livestock products;
 - (i) promote the trade of livestock and livestock products including trade contracts, marketing organizations and co-operatives societies;
 - (j) manage information for trade in livestock and livestock products including collecting, collating and disseminating data;
 - (k) promote the adoption of standards and best practices in livestock production systems that support marketing of livestock and livestock products;
 - (l) mobilize resources for investment in and promotion of marketing of livestock and livestock products;
 - (m) provide market information in order to facilitate the marketing of livestock and livestock products within the county, in the country and internationally; and
 - (n) promote value addition to livestock and livestock products;

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- (o) establish and maintain meat markets, acquire meat transport and meat storage facilities and process hides, skins and other by-products for local and export markets;
- (p) carry on business of livestock and livestock products in local and export markets;
- (q) in consultation with the Director Veterinary Services, import livestock and export livestock products;
- (r) establish and maintain infrastructure, works, plant and machinery necessary for the livestock industry;
- (s) carry on business of warehousing in repeat of meat and meat products; and
- (t) undertake any other function incidental to meat and livestock products.

8. (1) The Board shall have all the powers necessary for the proper performance of the functions of the Corporation under this Act and in particular but without prejudice to the generality of the foregoing, the Board shall have power to—

Powers of the Board

- (a) enter into contracts, including contracts for the purchase of livestock and sale or supply of meat and livestock products with—
 - (i) a retailer for the purpose of resale;
 - (ii) an institution such as a hospital, hotel, military establishment or school; or
 - (iii) any other person meeting the prescribed requirements.
- (b) manage, control and administer the assets of the Corporation in such manner and for such purposes as is best to promote the functions of the Corporation;
- (c) work or otherwise beneficially use, exchange, let, sell or pledge any property of the Corporation for use in connection with the objects of this Act;
- (d) receive grants, donations, endowments, gifts or other forms of money on behalf of the

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Corporation and make disbursements therefrom in accordance to the provisions of this Act;

- (e) raise money by way of loans or other means as the County Executive Committee Member may approve;
- (f) draw, accept, endorse, discount, execute and issue bills of exchange, promissory notes, bills of landing, warrants and other negotiable instruments or transferable instruments or securities;
- (g) purchase, lease, maintain and develop land required by the Corporation for holding livestock and other purposes;
- (h) enter into association with such other bodies or organizations within or outside Kenya as it may consider desirable or appropriate in furtherance of the purposes for which the Corporation is established;
- (i) open bank accounts for the funds of the corporation;
- (j) offer services relating to its mandate to any person as it may from time to time determine; and
- (k) pay ex-gratia compensation to any person adversely affected by the exercise of the powers conferred to it under this Act.

(2) The Corporation may from time to time delegate to the Chief Executive Officer, either generally or specially, such powers as it may deem necessary or convenient to delegate.

9. Subject to this Act, the Board may, in writing generally or in any particular case, delegate to a member, an employee, a committee or agent, the exercise of any of its powers or the performance of any of the functions under this Act.

Delegation of functions

10. (1) Corporation may for the effective discharge of its functions co-opt into membership such persons with technical expertise or knowledge for the better carrying out of the functions of the Corporation.

Co-option of specialized persons

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(2) The person co-opted under subsection (1) shall only serve for the duration of the subject matter of the co-option.

11. (1) The Corporation may constitute the following committees to achieve greater efficiency in the conduct of its affairs—

Committees of the Corporation

- (a) livestock purchase and livestock product pricing committee;
- (b) market research committee;
- (c) liaison and partnerships committee; and
- (d) any other committee that it deems necessary for the performance of its functions.

(2) A committee constituted under subsection (1) shall elect a chairperson and from among its members.

(3) Members of the committees in subsection (1) shall be appointed from among members of the Board, including co-opted members.

(4) Deliberations of the committees shall be presented to the Board by the chairperson of the committee or a member acting in that capacity.

(5) The Board may adopt, amend or reject the deliberations of the committees.

12. (1) The business and affairs of the Board shall be conducted in accordance with the Schedule.

Meetings of the Corporation

(2) Without prejudice to subsection (1), the Board may regulate its own procedure.

(3) The Board may invite a person to attend any of its meetings and to participate in its deliberations, but such person shall not have a vote in the decision of the Board.

13. The Chairperson and members of the Board appointed under section 6 (2) (b) shall hold office for a term of three years and shall be eligible for re-appointment for one further term.

Term of office

14. (1) The chairperson and members of the Board appointed under section 6 (2) (b) may—

Resignation and removal of members from office

- (a) at any time resign from office by notice in writing to the respective appointing authority; or

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- (b) be removed from office by the appointing authority, on the advice of the Board if the member –
- (i) is declared bankrupt;
 - (ii) is absent from three consecutive meetings of the Board, without the permission of the chairperson;
 - (iii) is convicted of a criminal offence and, sentenced to a term of imprisonment of more than six months;
 - (iv) is unable due to physical or mental illness, to perform the functions of the office; or
 - (v) has failed to comply with the provisions of Chapter Six of the Constitution.

15. Members of the Board shall be paid remuneration and allowances specified in the instrument of appointment or as may be approved by the County Executive Committee Member from time to time in consultation with the Salaries and Remuneration Commission.

Remuneration of members of the Board

16. (1) If any person is present at a meeting of the Corporation or any committee at which any matter is the subject of consideration and in which matter that person or that person's spouse or relative is directly or indirectly interested in a private capacity, that person shall as soon as is practicable after the commencement of the meeting declare such interest and shall not, unless the Corporation or committee otherwise directs, take part in any consideration or discussion of, or vote on any question connected to such matter.

Conflict of interest

(2) The disclosure of interest shall be recorded in the minutes of the meeting at which it is made.

(3) A member or employee of the Corporation shall not carry out business or trade with the Corporation.

(4) A member or staff of the Corporation who contravenes provisions of this Section commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year or to both.

17. (1) The Corporation shall have a common seal which shall be kept by the Chief Executive Officer.

Common seal and logo of the Corporation

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(2) The affixing of the seal shall be authenticated by signature of the chairperson and the Chief Executive Officer and in his absence, the signature of any other member authorized by a resolution of the Corporation.

(3) The Corporation shall have an appropriate logo.

18. (1) There shall be a Chief Executive Officer who shall be appointed by the Corporation through a competitive process and whose terms and conditions of service shall be determined by the Corporation in the letter of appointment.

Chief Executive
Officer

(2) A person shall be qualified for appointment as a Chief Executive officer, if that person—

- (a) is a Kenyan citizen;
- (b) holds a Bachelor's degree in veterinary medicine, veterinary science, animal sciences; range management or any other relevant degree from a recognized university;
- (c) has at least five years' experience two of which must have been at senior management level; and
- (d) satisfies the requirements of Chapter Six of the Constitution.

(3) The Chief Executive Officer shall be an ex-officio member of the Corporation and shall have no right to vote at any meeting of the Corporation.

(4) The Chief Executive Officer shall hold office for a term of three years and shall be eligible for reappointment for one further term.

(5) The Chief Executive Officer shall, in the performance of the functions and duties of his office, be responsible to the Corporation.

(6) Without prejudice to the provisions of subsection (5), the Chief Executive Officer shall—

- (a) be responsible for:
 - (i) carrying into effect the decisions of the Corporation;
 - (ii) day-to-day administration and management of the affairs of the Corporation;

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- (iii) supervision of the staff of the Corporation; and
- (b) perform such other duties as may be assigned by the Corporation.

19. (1) The Chief Executive Officer may be removed from office by the Corporation in accordance with the terms and condition of service, for—

Removal of the
Chief Executive
Officer from office

- (a) inability to perform functions of the office arising out of physical or mental infirmity;
- (b) gross misconduct or misbehavior;
- (c) incompetence or negligence of duty;
- (d) violation of the Constitution and any other written law; or
- (e) any other grounds specified in the terms and conditions of service.

(2) Where the question of the removal of the Chief Executive Officer under subsection (1) arises, the Board shall—

- (a) inform the Chief Executive Officer in writing of the reasons for the intended removal; and
- (b) provide the Chief Executive Officer with the opportunity to be heard in accordance with the principles of fair administrative action safeguarded under Article 47 of the Constitution.

20. The Board may, in consultation with the County Public Service Board, appoint professional, technical and other staff on such terms and conditions as the Board may, with the approval of the County Executive Committee Member, determine.

Staff of the
Corporation

21. No matter or thing done by a member of the Board or by any officer, member of staff, or agent of the Corporation shall, if the matter or thing is done bona fide for executing the functions, powers or duties of the Corporation under this Act, render the member, officer, employee or agent or any person acting on their directions personally liable to any action, claim or demand whatsoever.

Protection from
personal liability

22. (1) The provisions of section 21 shall not relieve the Corporation of the liability to pay compensation or

Liability for
damages

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damages to any person for any injury to him, his property or any of his interests caused by the exercise of any power conferred by this Act or any other written law or by the failure, wholly or partially, of any works.

(2) Every member of the Corporation shall be held liable for their acts of commission and omission arising from their negligence, default, or breach of duty or trust.

23. The Corporation shall not divulge to a third party confidential information that it receives except for information which must be made public if circumstances so require, in order to protect public health.

Confidentiality

24. (1) The Corporation shall ensure that the public and any interested parties are rapidly given objective, reliable and easily accessible information, in particular with regard to the results of its work. In order to achieve these objectives, the Corporation shall develop, package and disseminate information to public.

Communication
from the Corporation

(2) The Corporation shall ensure wide access to the documents which it possesses to any member of the public except as limited by provision of subsection (1).

(3) The Corporation shall develop effective contacts with consumer representatives, producer representatives, processors and any other interested parties for purposes of marketing livestock and livestock products.

25. (1) The Corporation shall, not more than three months after the end of each financial year, prepare a report on—

Reporting

- (a) its activities during the year;
- (b) the progress made towards the improvement of marketing livestock and livestock products;
- (c) whether its objectives for the year under review were met and the reasons why any targets were not achieved;
- (d) any applicable efforts which may be necessary to achieve its objectives;
- (e) the actions taken by the County Government to address the challenges facing livestock and livestock product marketing during the year; and

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- (f) any other matter relating to its functions.
- (2) The Corporation shall—
 - (a) submit its report to the County Assembly;
 - (b) display its report in the County Government’s website or any other public website in the County; and
 - (c) share its report with any interested party provided that the person requesting the report will meet the cost of its printing and binding.

PART III—FINANCIAL PROVISIONS

26. The funds of the Corporation shall consist of—

Funds of the Corporation

- (a) money appropriated by County Assembly for the purposes of the Corporation;
- (b) money accruing to or vesting in the Corporation in the course of the exercise of its powers or the performance of its functions under this Act;
- (c) money payable to the Corporation pursuant to this Act or any other law;
- (d) grants, donations or gifts as may be given to the Corporation; and
- (e) money from any other source payable to the Corporation.

27. The financial year of the Corporation shall be the period of twelve months from first July to thirtieth of June.

Financial year

28. (1) At least three months before the commencement of each financial year, the Corporation shall cause to be prepared its estimates of the revenue and expenditure for that financial year.

Annual estimates

(2) The annual estimates shall make provision for all estimated expenditure of the Corporation for the financial year concerned, and in particular shall provide for—

- (a) the payment of salaries, allowances and other charges in respect of the officers, members of staff, or agents of the Corporation;
- (b) the payment of pensions, gratuities and other charges in respect of retirement benefits payable

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to the members of staff of the Corporation;

- (c) the proper maintenance of the buildings and grounds of the Corporation;
- (d) the proper maintenance, repair and replacement of the equipment and other movable property of the Corporation; and
- (e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance, replacement of buildings or equipment, or in respect of such other matters as the Corporation may deem fit.

(3) The annual estimates shall be approved by the Corporation before the commencement of the financial year to which they relate and, once approved, the sum provided in the estimates shall be submitted to the County Executive Committee Member for approval.

(4) No expenditure shall be incurred for the purposes of the Corporation except in accordance with the annual estimates approved under subsection (3), or in pursuance of an authorization of the Corporation given with prior written approval of the County Executive Committee Member, and the Chief Officer responsible for the County Treasury.

29. (1) The Corporation shall cause to be kept proper books and other records of accounts of its income, expenditure, assets and liabilities.

Accounts and audit

(2) Within a period of three months after the end of each financial year, the Corporation shall submit to the Controller and Auditor-General its accounts, in respect of that year, together with—

- (a) a statement of income and expenditure during that financial year; and
- (b) a statement of the assets and liabilities of the Corporation on the last day of that financial year.

(3) The accounts of the Corporation shall be examined, audited and reported upon annually by the Controller and Auditor-General in accordance with the provisions of the Public Audit Act No. 34 of 2015.

30. The Corporation may—

Investment of funds

- (a) invest any of its funds in securities in which, by law, it may invest trust funds, or in any other

securities which the County Treasury may, from time to time, approve; or

- (b) place on deposit, with such bank or banks as it may determine, any moneys not immediately required for its purposes.

PART IV—ADMINISTRATION

31. (1) The purchase of livestock by the Corporation shall be carried out under the guidance of the livestock purchase and livestock product pricing committee.

Purchase of livestock

(2) The County Executive Committee Member shall make regulations stating the procedures, methods of pricing and methods of payments for livestock and livestock products.

32. Grading of livestock and livestock products shall be performed according to standards stipulated in the regulations under this Act.

Grading

33. (1) The Corporation may process its livestock products to the highest end possible.

Payment of bonus

(2) Part of the proceeds from the sale of processed livestock products under subsection (1) shall be paid to livestock producers who deliver livestock to the Corporation as a bonus at the end of every financial year.

(3) The County Executive Committee Member shall make regulations for the better carrying out of the provisions in this section.

34. (1) In the performance of its functions under this Act, the Corporation shall at all times adhere to provisions of the relevant applicable laws in Kenya.

Adherence to laws

(2) Pursuant to subsection (1), the Corporation shall, in particular, adhere to the requirements of the County and national government animal health, meat control, animal welfare and food safety laws.

35. (1) Whenever a client of the Corporation is of the opinion that the action taken by the Corporation is incompatible with the provisions of this Act, the client shall refer the matter to the County Executive Committee Member within thirty days of such action occurring.

Mediation procedure

(2) The County Executive Committee Member shall

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act on the complaint made under subsection (1) within fifteen days and provide a verdict to the client.

(3) If the client is not satisfied with the verdict of the County Executive Committee Member under subsection (2), the client shall refer the matter to a competent court of law.

PART V—TRANSITION TO PUBLIC LIMITED COMPANY

36. (1) The County Executive Committee member shall, not more than five years from the date of commencement of this Act, by a notice in the *gazette*, appoint a date on which the Corporation shall transition into a public company limited by shares.

Incorporation of company

(2) On the appointed day, there shall be incorporated under the Companies Act a public company limited by shares having as its name the Nasukuta Export Abattoir (Kenya) Limited (plc).

(3) The company shall have as its memorandum and articles of association such memorandum and articles of association as may, from time to time, be approved by the County Executive Committee Member, and the memorandum and articles of association may, notwithstanding anything to the contrary in the Companies Act, be modified from time to time by special resolution of the company in such manner and to such extent as the County Executive Committee Member may approve.

(4) Notwithstanding anything to the contrary in the Stamp Duty Act (Cap. 480), no stamp duty shall be payable in respect of the original or any increased capital of the company.

37. The Company shall be the successor of the Corporation and, subject to this Act, all rights, duties, obligations, assets and liabilities of the Corporation existing on the appointed day shall be automatically and fully transferred to the Company and any reference to the Corporation in any contract or document shall for all purposes be deemed to be a reference to the Company.

Company to be successor of Corporation

38. (1) Any property or right vested in the Company by virtue of this Act which immediately before the appointed day, vested in the Corporation, either alone or

Trust property

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jointly with any other person—

- (a) as trustee or custodian trustee under any trust deed, settlement, covenant or under any other instrument;
- (b) as executor or trustee of any person;
- (c) as judicial trustee appointed by order of any court; or
- (d) in any other fiduciary capacity,

shall, on the appointed day, vest in the Company alone or jointly with such other person, upon the same trusts and subject to the same powers, provisions, liabilities and obligations.

(2) Any existing instrument or order of any court by virtue of which any property or right vested in the Corporation in any capacity shall, on and after the appointed day, be construed to vest in the Company.

39. Any existing contract, agreement, conveyance, deed, lease, license, permit, exemption, power of attorney, undertaking, security or other instrument entered into by, made with, granted or addressed to the Corporation shall, as from the appointed day, be binding and of full force and effect against or in favour of the Company as if the Company had been a party thereto.

Existing contracts,
conveyances,
licenses etc.

40. (1) The following provisions shall have effect in relation to the business of the Corporation vested in the Company by virtue of this Act—

Existing business

- (a) any account between the Corporation and a customer shall, on and after the appointed day, become an account between the Company and the customer, with the same rights and subject to the same obligations and incidents, including the rights of set-off as theretofore, and the account shall be deemed to be a single continuing account: Provided that nothing in this paragraph shall affect any right of the Company or of the customer to vary the conditions or incidents subject to which the account is kept;
- (b) any existing instruction, direction, mandate, power of attorney, authority or consent given to or by the Corporation shall have effect, on and

after the day, as if given to or by the Company;

- (c) any security held by the Corporation for the payment of debts or liabilities, whether present or future, actual or contingent, of any person, which is transferred to the Company shall, on and after the appointed day, be held by and be available to the Company as security for the payment of such debts and liabilities to the Company;
- (d) the Company shall, in relation to any security transferred to it and to the moneys thereby secured, be entitled to the same rights and priorities, and be subject to the same obligations and incidents, as the Corporation would have been entitled and subject to;
- (e) any negotiable instrument or order for payment of money, whether drawn, given, accepted or endorsed before, on or after the appointed day, which is expressed to be drawn by or on, given by or to, or accepted or endorsed by the Corporation shall on or after the appointed day have effect as if it had been drawn by or on, or given by or to, or accepted or endorsed by the Company;
- (f) the custody of any documents, goods or other property held by the Corporation as bailee for any other person shall be transferred to the Company on the appointed day and the rights and obligations of the Corporation under any contract of bailment relating to such documents, goods or other property shall be transferred or deemed to be transferred to the Company on that day; and
- (g) any bank or other accounts, books of accounts, revenue accounts, balance sheets, audited accounts, profit and loss accounts, actuarial or other valuations, accounting records, or any other accountable documents held by or belonging to the Corporation immediately before the appointed day shall on and after the appointed day be held by and belong to the Company.

41. (1) No existing legal or arbitration proceedings shall abate, be discontinued or be in any way prejudiced by reason only of the provisions of this Act, but the same may be prosecuted or continued by or against the Company and any judgment or award obtained by or against the

Existing legal
proceedings

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Corporation and not fully satisfied before the appointed day shall thereafter be enforceable by or against the Company.

(2) In any legal or arbitration proceedings concerning any right or liability transferred to or vested in the Company by this Act, a certificate under the hand of the manager of a branch of the Company that such right or liability has been so transferred to or vested in the Company shall be prima facie evidence of that transfer or vesting.

42. (1) Any person who is employed by the Corporation immediately before the appointed day shall on that day become an employee of the Company on the same terms and conditions of service as his existing terms and conditions and subject to any subsisting notice of termination, resignation or variation, and such employment with the Corporation and the Company shall be deemed to be continuous.

Employees and
pension schemes

(2) Any reference to the Corporation in any trust deed or rules constituting or relating to any pension scheme or provident or superannuation fund of which persons employed by the Corporation are members shall, on and after the appointed day, be construed and have effect as if the same were a reference to the Company but so that, for the purpose of ascertaining and calculating any right to benefits under such scheme or fund, service with the Corporation up to the appointed day shall be taken into account as if it were service with the Company.

43. Save as otherwise provided in this Act or other law, the company shall be subject to all the provisions of the Companies Act (Cap. 486).

Application of the
Companies Act

PART VI—GENERAL PROVISIONS

44. The County Executive Committee Member may, in consultation with the Board, make regulations for the better carrying out of this Act, and in particular, such regulations may provide for—

Power to make
regulations

- (a) purchase of livestock;
- (b) pricing of livestock and livestock products;
- (c) partnerships with other agencies for the purposes of this Act;

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- (d) management of meat markets;
- (e) management of meat processing plants;
- (f) management of plants processing other livestock products or processing livestock by-products;
- (g) grading of livestock and livestock products;
- (h) prescribing any matter that may be necessary to achieve the purposes of this Act.

45. Any person convicted of an offence under this Act, where no penalty is provided for, is liable to a fine not exceeding two hundred thousand shillings or to imprisonment for a period not exceeding one year, or to both.

General penalty

SCHEDULE**PROVISIONS AS TO THE CONDUCT OF BUSINESS AND
AFFAIRS OF THE BOARD*****Section 12*****1. Meetings of the Board**

(1) The Board shall meet not less than four times in every financial year and not more than eight times a year, except in case of an emergency, for transaction of its business, and such meetings shall be held at such places and times as the Board may determine.

(2) The Board shall at its first meeting elect its vice chairperson from the three members referred to under section 6 (2) (b).

2. Quorum

The quorum for the conduct of the business of the Board shall be five of the total number of members including the chairperson or the person presiding and at least two of the members referred to under section 6 (2) (b).

3. Presiding over meetings

(1) The chairperson shall preside at every meeting of the Board at which the chairperson is present.

(2) In the absence of the chairperson, the vice-chairperson or one member elected by the members present, shall preside over the meeting and shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson.

4. Decisions of the Board

(1) Unless a unanimous decision is reached, a decision on any matter before the Board 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 person presiding over the meeting shall have a casting vote.

(2) The proceedings of the Board shall not be invalidated by reason of a vacancy within its membership.

(3) Subject to provisions of this Schedule, the Board may determine its own procedure and the procedure for any committee of the Board and for the attendance of other persons at its meetings thereof.

5. Disclosure of interest

(1) If a member is directly or indirectly interested in any contract, proposed contract or other matter before the Board and is present at a meeting of the Board at which the contract, proposed contract or other

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matter is the subject of consideration, the member shall, at the meeting and as soon as reasonably practicable after the commencement thereof, disclose the fact, and shall not take part in the deliberations over, or vote on, the matter.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

(3) A member of the Board who contravenes subparagraph (1) commits an offence and shall be liable on conviction to a fine of one hundred thousand shillings, or to imprisonment for a term of six months, or to both.

6. Minutes

The deliberations and minutes of meetings of the Board shall be confidential.