



LAWS OF KENYA

KENYA SCOUTS ACT

CHAPTER 219

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CHAPTER 219

KENYA SCOUTS ACT

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CHAPTER 219

KENYA SCOUTS ACT

[Date of commencement: 23rd August, 1935.]

An Act of Parliament to establish the Kenya Scouts Association, to further and protect the activities and interests of the Kenya Scouts Association and for matters connected therewith and incidental thereto

[Act No. 35 of 1935, Cap. 92 (1948), L.N. 2/1964, L.N. 365/1964, Act No. 4 of 1974.]

1. Short title

This Act may be cited as the Kenya Scouts Act.

[L.N. 365/1964, Act No. 4 of 1974, Sch.]

2. Interpretation

In this Act, except where the context otherwise requires—

“**Association**” means the Kenya Scouts Association established by section 2A of this Act;

“**Chief Scout**” means the person appointed to, or to act in, the office of Chief Scout under the constitution of the Association;

“**Commissioner**” means the person appointed to, or to act in, the office of Chief Commissioner of Scouts under the constitution of the Association;

“**constitution**” means the constitution of the Association adopted by the Council under section 2C of this Act;

“**Council**” means the Kenya Scout Council established by section 2B of this Act;

“**rules of the Association**” means the rules relating to the Association contained in the book entitled “Policy, Organization and Rules”, as from time to time amended, and subject to any variations sanctioned in due form in accordance with the said rules to meet local conditions in Kenya.

“**Scout**” means a Warranted Officer, Rover Scout, Scout or Wolf Cub recognized as such under the rules of the Association and includes also all officers of the Association;

[L.N. 365/1964, Act No. 4 of 1974, Sch.]

2A. Establishment of Association

(1) There is hereby established an Association, to be known as the Kenya Scouts Association, the functions, aims, objects and practices of which shall be in accordance with the constitution adopted by the Council.

(2) It is hereby declared that the Association shall not be regarded as the servant or agent of the Government or as enjoying any status, immunity or privilege of the Government.

[L.N. 365/1964, Act No. 4 of 1974, Sch.]

2B. Establishment of and appointments to the Council

(1) For the proper management and control of the Association there is hereby established a Council, to be known as the Kenya Scout Council, which shall be a body corporate with a common seal, with power to sue and be sued and to purchase, hold, manage and dispose of land and other property, to raise and administer funds and to enter into contracts for and on behalf of the Association and to exercise all the powers and perform all the duties conferred or imposed on it in accordance with the constitution.

(2) The Council shall consist of—

- (a) the Chief Scout;
- (b) the Commissioner;
- (c) not more than fifty members, to be known as elected members, initially appointed by the Governor-General, and thereafter elected in accordance with the constitution; and
- (d) such other members as may be provided for by the constitution.

[L.N. 365/1964.]

2C. Functions of Council

The Council shall, in addition to any other powers conferred on it, have power to—

- (a) adopt a constitution for the Association and regulate its relation with other members of the Scouts World Conference; and
- (b) do such other things consistent with this Act as are, in its opinion, necessary for the continued well-being of the Scout movement in Kenya.

[L.N. 365/1964, Act No. 4 of 1974, Sch.]

2D. Executive and other committees

The Council may appoint an executive committee and such other committees as it may deem necessary, and may delegate to such committee or committees such of its powers, functions and duties as it may deem necessary in the interests of efficiency and the expeditious despatch of business.

[L.N. 365/1964.]

3. Restriction on use of uniform of the Association

It shall not be lawful for any person, not being under the rules of the Association duly authorized and entitled so to do, publicly to wear, carry or bear any uniform, badge, token or emblem which under the said rules is specifically adopted for use under the authority of the Association or which could reasonably be held to be an imitation of the same in such style or manner as to convey an impression that such person is under the said rules entitled so to wear, carry or bear such uniform, badge, token or emblem.

4. Restriction on sale of badges, etc.

No person shall sell, or offer for sale, any article bearing a badge, token or emblem specifically adopted for use under the authority of the Association, or which could reasonably be held to be an imitation of the same, unless he shall have first obtained authority from the Commissioner in writing to do so.

5. Scout not to pass himself off as police officer, etc.

(1) It shall not be lawful for any Scout, not being otherwise thereunto lawfully entitled and authorized, to pretend to be, or to pass himself off as, or to arrogate to himself the authority, position or powers of, or to claim to be or to act as—

- (a) a police officer; or
- (b) a tribal police officer; or
- (c) an agent or officer of the Government or of any local authority or tribunal.

(2) No Scout shall seek or attempt, by virtue of his wearing any uniform, badge, token or emblem of the Association or any uniform, badge, token or emblem purporting or appearing to be such, to enforce or exercise authority otherwise than in accordance with and as authorized by the rules of the Association.

[L.N. 365/1964, Act No. 4 of 1974, Sch.]

6. No person falsely to claim connection with Association

It shall not be lawful for any person to form, organize, or work in connection with, or be concerned in forming, organizing, or working in connection with, any corps or body of persons who without due authority granted in accordance with the rules of the Association claim or purport to be Scouts or otherwise to be connected with the Association or who hold themselves out, or pass themselves off, as Scouts or as otherwise connected with the Association:

Provided that no person shall be liable to conviction under this section who, being engaged at the date of the commencement of this Act in work in connection with the corps or body of persons claiming or purporting to be Scouts, shall apply within three months of such date to the Commissioner for authority under the rules of the Association to continue in such work, unless and until the Commissioner shall have refused to issue such authority and shall have informed the applicant accordingly.

[Act No. 4 of 1974, Sch.]

7. Penalties

Any person who contravenes any of the provisions of this Act shall be guilty of an offence and liable to a penalty not exceeding two hundred shillings or to a term of imprisonment not exceeding one month or to both such fine and such imprisonment.
