

LAWS OF KENYA

THE KENYA SCOUTS ACT

CHAPTER 219

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CHAPTER 219

Cap.92 (1948).
L.N. 365/1964.

THE KENYA SCOUTS ACT

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

Short title
L.N. 365/1964
Interpretation
L.N./365/1964

1. This Act may be cited as the Kenya Scouts Act.

2. In this Act, except where the context otherwise requires “Association” means the Kenya Scouts Association established by section 2A of this Act:

“Scout” means a Rover or Jasiri, Senior or Mwamba, Junior or Chipukizi Cub or Sungura recognized as such under the rules of the Association and includes also all officers of the Association:

“Patron” means the person appointed, or to act in the office of the Patron under the Constitution of the Association.

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

“Chief Commissioner” means the person appointed to, or to act in, the office of Chief Commissioner of Kenya 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.

Establishment of
Association
L.N.365/1964

2A. (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 political affiliation. As a member of World Organization of the Scout Movement (WOSM) Kenya Scouts Association is a voluntary, non-political and educational movement of young people.

Establishment of
and appointments to
the Council
L.N.365/1964

2B. (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 the

- a) The Patron
- b) The Chief Scout
- c) The Chief Commissioner
- d) Not more than fifty members, to be known as elected members, elected in accordance with the constitution and
- e) **Such other members as may be provided for by the constitution.**

Functions of
Council L.N.
365/1964

2C. 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 Scout 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.

Executive and other
committees
L.N/365/1964

2D. 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.

3. 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.

Restriction on sale of badges, etc

4. (i) No Merchandise 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/she shall have first obtained authority from the Chief Commissioner in writing to do so.

(ii) No person shall reproduce, sell or utilize training literature or any information by whatever means produced by Kenya Scouts Association without specific written permission from the Chief Commissioner.

Scout not to pass him/herself off as Police Officer, etc
L.N. 365/1964

5. (i) It shall not be lawful for any Scout, not being otherwise thereunto lawfully entitled and authorized, to pretend to be, or pass him/herself off as, or to arrogate to him/herself the authority, position or powers of, or to claim to be or to act as:-
- a) a police officer or
 - b) administration police officer; or member of the armed forces or
 - c) an agent or officer of the Government or of any local authority or tribunal.

(ii) No Scout shall seek or attempt, by virtue of his/her wearing 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.

No person falsely to claim connection with Association

6. 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 of body of persons claiming or purporting to be Scouts shall apply within three months of such date to the Chief Commissioner for authority under the rules of the Association to continue in such work, unless and until the Chief Commissioner shall have refused to issue such authority and shall have informed the applicant accordingly.

Penalties

7. Any person who contravenes any of the provisions of this Act shall be guilty of an offence and liable to a penalty not exceeding 100,000 Kenya shillings or to a term of imprisonment not exceeding 3 years or to both such fine and such imprisonment.