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ISILOLO COUNTY BILLS, 2021

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**THE ISIOLO COUNTY WILDLIFE MANAGEMENT AND
CONSERVATION BILL, 2021**

A Bill for

AN ACT of the County Assembly of Isiolo to provide for the protection, conservation and sustainable utilization of wild animals in Isiolo County, and to provide for matters connected therewith

ENACTED by the County Assembly of Isiolo, as follows—

PART I—PRELIMINARY

Short title and commencement

1. This Act may be cited as the Isiolo County Wildlife Management and Conservation Act, 2021.

Application

2. This Act shall apply to all wildlife resources on public, community and private land within the County.

Interpretation

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

“capture” includes any act immediately directed at the taking alive of wildlife or the taking of nests, eggs or young of any wildlife;

“community” means a group of individuals or families who share a common heritage, interest, or stake in unidentifiable land, land-based resources or benefits that may derived therefrom;

“community wildlife association” refers to an association established under the provisions of this Act;

“conservation area” means a tract of land, lake or sea with notable environmental, natural features, biological diversity, cultural heritage, or historical importance that is protected by law against undesirable changes;

“Conservation order” means a wildlife conservation order issued under section 65 of the Wildlife Conservation and Management Act, 2013;

“corridor” means an area used by wild animals when migrating from one part of the ecosystem to another periodically.

“County” means the county Government of Isiolo;

“County Assembly” means the County Assembly of Isiolo;

“culling” means selective removal of wildlife based on ecological scientific principles for management purposes;

“cultivate” means the artificial reproduction of plants in any manner whatsoever;

“Inspectorate” means the County Inspectorate for the time being responsible for matters relating to Tourism and Wildlife;

“Dispersal areas” mean areas adjacent to or surrounding protected wildlife conservancies and sanctuaries into which wild animals move during some periods of the year.

“ecosystem” means a dynamic complex of plant, animal, micro-organism communities and their non-living environment interacting as a functional unit;

“endangered ecosystem” means an ecosystem of exceptional biodiversity value or a habitat of endangered or endemic species which has undergone severe degradation;

“Endangered species” is as defined in the Wildlife Conservation Act.

“Environmental impact assessment” as the meaning assigned to it under the Environmental Management and Coordination Act, 1999.

“Executive Committee Member” means the County Executive Committee Member for the time being responsible for matters relating to wildlife;

“game farming” means the rearing of wildlife in an enclosed and controlled environment for wildlife conservation, trade and recreation;

“game ranching” means the keeping of wildlife under natural extensive conditions with the intention of engaging in wildlife conservation, recreation and trade;

“hazardous substance” means any chemical, waste, gas, medicine, drug, plant, animal or micro-organism which is likely to be injurious to human health or the environment;

“license” means a license issued under this Act;

“meat” means the fat, flesh or tissue of any wild species whether fresh or dry, pickled or otherwise preserved or processed;

“National legislation” means the Wildlife Conservation and Management Act, 2013.

“national reserve” means an area of community land declared to be a national reserve under National Law or under any other applicable written law;

“permit” means a permit issued under this Act;

“poaching” means illegal hunting, illegal capturing and illegal harvesting of any wildlife but does not include the control of species widely and commonly regarded as pests or vermin;

“poison” means any poison, preparation or chemical substance used to catch, immobilize, sterilize, kill or physically harm a wild animal;

“possess”, in relation to an animal or the carcass thereof or a plant, means to know of the presence of and to have physical control over any such animal or carcass thereof or any such plant, or to have the power and intention to exercise physical control over any such animal or carcass thereof or any such plant;

“problem animal” means any wildlife which has caused or is causing damage to or harm to human life or property;

“protected area” means a clearly defined geographical space, recognized, dedicated and managed through legal or other effective means, to achieve long- term conservation of nature with associated ecosystem services and cultural values;

“sanctuary” means an area of land and water set aside and maintained by government, community, individual or private entity for the conservation and protection of one or more species of wildlife;

“sell” includes hawk, peddle, barter or exchange or offer, advertise, expose or have in possession for the purpose of sale, hawking, peddling, bartering or exchanging;

“specimen” means a portion of quantity of wildlife material for use in testing, examination, education, study or research;

“sport hunting” means authorized pursuit and killing of wildlife for recreation and trophy collection;

“sustainable use” means present use of the wildlife resources, which does not compromise the use of the same by future generations or degrade the carrying capacity of wildlife ecosystems and habitats;

“sustainable management” in relation to wildlife, means management of wildlife resources so as to permit only such use of it as constitutes sustainable use;

“threatened ecosystem” means an ecosystem of high biodiversity value or habitat of endangered or endemic species that is under threat of degradation;

“threatened species” means any wildlife species specified in the Fourth Schedule to this Act or declared as such under any other written

law or specified in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);

“weapon” means any other instrument which is capable of propelling a projectile or which can itself be propelled or used in such a way that a wild animal may be killed, injured or immobilized thereby

“wetlands” means areas of marsh, fen, peat land, or water, whether natural or artificial, permanent or temporary, with water is static or flowing, fresh, brackish, salt, including areas of marine water the depth of which does not exceed six meters at low tide;

“wildlife” means any wild and indigenous animal, plant or microorganism or parts thereof within its constituent habitat or ecosystem on land or in water, as well as species that have been introduced into or established in Kenya;

“wildlife conservancy” means land set aside by an individual landowner, body corporate, group of owners or a community for purposes of wildlife conservation in accordance with the provisions of this Act;

“wildlife conservation area” means a tract of land, lake or sea that is protected by law for purposes of wildlife and biological diversity conservation and may include a national park, national reserve, game reserve or sanctuary;

“wildlife conservation area” means a tract of land, lake or sea that is protected by law for purposes of wildlife and biological diversity conservation and may include a national park, national reserve, game reserve or sanctuary.

Object and Purpose of the Act

4. (1) The objective of this Act is Wildlife Management and Conservation in Isiolo County and more particularly to—

- (a) protect, conserve and administer areas with great biological diversity, including wetlands within the county that are major wildlife habitats;
- (b) protect and conserve wildlife resources and its habitats including all animals found in areas adjacent to these areas, by putting in place appropriate infrastructure, sufficient personnel and equipment;
- (c) promote and enhance the contribution of the wildlife sector to the sustainable development of the County and the conservation and management of wildlife and natural resources for the benefit of present and future generations, without any discrimination;

- (d) promote and enhance the development of wildlife eco-system as well as development of protected areas network for purposes of enhancing bio-diversity conservation;
- (e) support, strengthen and enlarge the wildlife protected areas network as the core of conservation activities;
- (f) enhance the conservation of wildlife and its habitats outside wildlife protected areas by establishing Wildlife Management Areas for the purposes of effecting community-based conservation;
- (g) encourage, promote and facilitate active involvement and participation of local and traditional communities in the sustainable management, use and conservation of wildlife resources in and outside wildlife protected areas network;
- (h) integrate wildlife conservation with rural development through the transfer of the management responsibility of Wildlife Management Areas to local communities and ensure that the local communities obtain substantial tangible benefits from wildlife conservation, as the case may be;
- (i) foster sustainable and legal use of wildlife resources and take appropriate measures to prevent illegal use of wildlife;
- (j) facilitate greater public awareness of the cultural, economic and social benefits for conserving wildlife resources and to enhance the recognition of indigenous knowledge systems of wildlife conservation and management and the intrinsic value of wildlife to rural people in wildlife management plans;
- (k) mitigate human-wildlife conflicts wherever they occur;
- (l) enable the implementation of national laws and policies on wildlife conservation and management.

Guiding Principles and Values

5. (1) The County Executive Committee member and any person applying this Act shall be guided by the principles and values set out in Articles 10 and 232 of the Constitution.

Promotion of National Laws and Policies

6. Any person exercising powers under this Act shall be under the general obligation to promote and have regard to the National Wildlife Policy, Strategies and all relevant legislations.

PART II—ISIOLO COUNTY WILDLIFE SERVICE**Establishment of the Service**

7. There is established a disciplined and uniformed formation known as the Isiolo County Wildlife Service.

Functions of the Service

8. The Functions of the Service shall be to—
- (a) conserve and manage wildlife conservation areas, and sanctuaries within the County;
 - (b) provide security for wildlife and visitors in county wildlife conservation areas, animal orphanages and sanctuaries;
 - (c) undertake and conduct enforcement activities such as anti-poaching operations, wildlife protection, intelligence gathering, investigations and other enforcement activities for the effective carrying out of the provisions of this Act;
 - (d) promote and undertake extension service programmes intended to enhance wildlife conservation, education and training;
 - (e) Subject to the provisions of other county legislation, to monitor the compliance of terms and conditions of licenses;
 - (f) Protect policies regarding the utilization of all plants and animals, the latter not being domestic animals;
 - (g) Provide wildlife conservation education and extension services;
 - (h) Create public awareness and solicit for public support for wildlife conservation policies;
 - (i) Identify manpower requirements and recommend to the Board the manpower requirements for wildlife conservation and management;
 - (j) provide advice to land owners on the best methods of wildlife conservation and management to mitigate on human-wildlife conflict; and
 - (k) perform such other functions as may be assigned or as are incidental or conducive to the exercise by the Service of any or all of the functions provided under this Act or National Legislation.

Establishment of the Board of Trustees

9. (1) The Service shall be managed by a Board of Trustees to be known as the Isiolo County Wildlife Conservation and Management Board of Trustees appointed under subsection (2).

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- (2) The members of the Board of Trustees shall comprise of—
- (a) an executive chairperson appointed by the Governor;
 - (b) the Chief Officer for the time being responsible for matters relating to tourism and wildlife or a designated representative who shall be an *ex-officio* member;
 - (c) the Chief Officer for the time being responsible for finance or a designated representative who shall be an *ex-officio* member;
 - (d) the Director of the Service, who shall be the secretary to the Board of Trustees and shall be who shall be an *ex-officio* member;
 - (e) five other persons with demonstrable experience in matters of wildlife management and conservation and appointed by the Governor as follows—
 - (i) one person representing the umbrella tourism association;
 - (ii) two representatives from communities living around the game reserves;
 - (iii) one representative from persons living with disabilities; and
 - (iv) one representative of the special interest category representing youth and women.

(3) The Chairperson and members of the Board of Trustees, other than *ex-officio* members, shall hold office for a term of three years and shall be eligible for re-appointment in accordance with subsection (2) for one further and last term of three years.

(4) The members of the Board shall be appointed in a staggered manner so that the respective expiry dates of their terms shall fall at different times.

(5) There shall be paid to the chairperson and members such remuneration, fees or allowances for expenses as the Salaries and Remuneration Commission may determine.

(6) The Board shall be a body corporate with perpetual succession and a common Seal and shall, in its corporate capacity, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing and disposing of movable and immovable property;
- (c) entering into contracts and;

- (d) doing such other things as may be necessary to enable it discharge its functions under this Act which may be lawfully done or performed by a body corporate.
- (7) The Chairman of the Board—
 - (a) shall be the chief executive of the service;
 - (b) shall chair all Board meetings, and in his absence, the members of the Board sitting will nominate the meeting Chair;(iii) shall ensure that all Board strategies and resolutions are implemented by the service;
 - (c) shall oversee the management and implementation of all programs for the services; and
 - (d) shall undertake such other tasks as the Board may from time to time assign.

Functions and Powers of the Board

- 10.** The functions of the Board of Trustees shall be to—
 - (a) manage the human resource function of the Board and the Isiolo County Wildlife Service including the appointment of the Director of the Service under Section 9(1) below.
 - (b) promote or undertake commercial and other activities for the purpose of achieving sustainable wildlife conservation;
 - (c) subject to other county legislation on revenue collection and enforcement thereof, collect revenue and charges due to the county from wildlife and tourism;
 - (d) as may be appropriate, develop mechanisms for benefit sharing with communities living in wildlife areas;
 - (e) advise the County Executive Committee on matters pertaining to wildlife policy, strategy and legislation;
 - (f) co-ordinate the preparation and implementation of ecosystem plans;
 - (g) prepare and implement national reserves management plans;
 - (h) in association with national entities, assist and advise in the preparation of management plans for community and private wildlife conservancies and sanctuaries;
 - (i) develop, implement and co-ordinate a county tourism marketing strategy aimed at marketing county and game reserves locally,

regionally, nationally and internationally as a premier tourist destination;

- (j) conduct and co-ordinate, all research activities in the field of wildlife conservation and management and ensure application of research findings in conservation planning, implementation and decision making;
- (k) identify, determine and implement capital projects in the game reserves;
- (l) establish public relations services necessary for the promotion of the image of tourism and wildlife management in the county;
- (m) identify market needs, improve and promote local tourism products and advice county tourism stakeholders on market trends;
- (n) develop and manage a county convention, cultural and tourism exhibition centre for hosting conferences and marketing cultural products and services;
- (o) establish and work in partnership with national, regional and international organizations as well as local tourists, stakeholders and agencies in Kenya to improve the tourism environment;
- (p) initiate education and awareness programs on tourism within the county, nationally and internationally;
- (q) monitor the quality and standards of facilities available to both local and international tourists, advise and improve the facilities for various target markets;
- (r) Co-ordinate the preparation and implementation of ecosystem plans;
- (s) in association with national entities, assist and advise in the preparation of management plans for community and private wildlife conservancies and sanctuaries;
- (t) develop, implement and manage integrated security management plan for the national reserves;
- (u) conduct and coordinate all research activities in the field of wildlife conservation and management and ensure application of research findings in conservation planning, implementation and decision making;
- (v) establish and develop a county tourist health facilities within its areas of operation;

- (w) define boundaries of all national reserves, and secure all dispersal areas for the purpose of protecting wildlife habitat.
- (x) open bank accounts for funds for the service;
- (y) oversee the effective implementation of the functions of the service.
- (z) advise on resource mobilization strategies;
- (aa) approve the strategic plans, operational policies and capital and recurrent budget of the Service;
- (bb) perform any other functions that are ancillary to the object and purpose for which the service is established.

Appointment of the Director of the Service

11. (1) There shall be a Director of the Service who shall be competitively recruited by the Board.

(2) The Director shall hold office for a term of three years and shall be eligible for re-appointment for one further term of three years.

(3) The Director shall be the administrative head of the Service and shall be responsible to the Board of Trustees for the day to day management of the affairs of the Service.

(4) A person shall qualify for appointment as a Director if the person—

- (a) holds a minimum qualification of a postgraduate degree in a relevant field, from a university recognized in Kenya;
- (b) has at least ten years' working experience in a relevant profession; and
- (c) meets the requirements of Chapter Six of the Constitution.

Terms and conditions of the Service

12. (1) The Board shall establish the terms and conditions of the Service including appointment, enlistment, enrolment and secondment of members of the Service in consultation with the County Public Service Board.

(2) The Board shall appoint or employ such personnel as are necessary for the proper exercise of its functions and that of the Service.

(3) The Board shall establish such ranks and prescribe appropriate disciplinary codes for purposes of efficient running of the Service.

(4) Without prejudice to the generality of sub-section (3) above, the County Executive Committee Member may, in consultation with the Board, make appropriate regulations for the better carrying out of the Board's functions under sub-section (3).

Funds of the Board

13. The funds of the Board shall comprise of—

- (a) such moneys as may be approved and allocated to the Board by the County Assembly as part of the budget process;
- (b) grants and donations from lawful sources;
- (c) such moneys or proceeds from investments as may vest in the Board from the performance of its duties; and
- (d) any grants or donations to the Board's revenue from joint partnerships.

Financial Year of the Board

14. The financial year of the Board shall be the period of twelve months ending on the thirtieth of June in each year.

PART II—ISIOLO COUNTY WILDLIFE CONSERVATION AND MANAGEMENT FUND

Establishment of the Isiolo County Wildlife Conservation and Management Fund

15. There is hereby established a fund, to be known as the Isiolo County Wildlife Conservation and Management Fund.

(2) Subject to this Act and other written law, the object of the Fund shall be a special purpose Fund to be used the development of the local wildlife and tourism sector in the County.

Sources of funds for the Fund.

16. The Fund shall consist of—

- (a) any moneys that may be payable to the Fund from moneys appropriated for the purpose by the County Assembly; and
- (b) any moneys that the Fund may obtain, with the approval of the County Executive Committee Member and the County Executive Committee Member responsible for finance, by way of donations, or other financial assistance; and
- (c) proportion of such moneys as may be levied for payment of environmental services by beneficiaries in productive and service sectors as a contribution towards the Fund as the County

Executive Committee Member may, upon the recommendation of the Service, determine;

- (d) income from investments made by the Board; and
- (e) any other moneys that may vest in or accrue to the Fund, whether in terms of this Act or otherwise.

Administration of the Fund

17. The County Executive Committee Member for finance and economic planning shall designate an accounting officer as the person responsible for administering the fund and who shall—

- (a) supervise and control the administration of the Fund;
- (b) be the accounting officer of the Fund;
- (c) prepare a budget and such plans for the administration of the fund to be approved by the County Executive Committee;
- (d) impose conditions and restrictions on the use of any expenditure arising from the fund;
- (e) ensure that the earnings of, or accruals to the Fund are retained in the fund, unless the County Executive Committee Member for finance directs otherwise;
- (f) ensure that money held in the fund, including any earnings or accruals referred to in paragraph (e) is spent only for the purposes for which the fund is established;
- (g) prepare accounts for the fund for each financial year;
- (h) ensure that the accounts for the fund and the annual financial statements relating to those accounts comply with the accounting standards prescribed and published by the Accounting Standards Board from time to time;
- (i) not later than three months after the end of each financial year, submit financial statements relating to those accounts to the Auditor-General;
- (j) furnish such additional information as may be required for examination and audit by the Auditor-General or under any applicable law;
- (k) present the financial statements to the County Assembly.

(2) All monies of the fund shall be maintained in a separate bank account in the name of the fund opened and administered in accordance with the provisions of the Public Finance Management Act, 2012.

(3) The balance of the fund at the close of each financial year shall be retained in the fund for the purpose for which the Fund is established.

Application of the Fund

18. Moneys in the Fund shall be applied as a special purpose fund shall be a special purpose Fund to be used the development of the local wildlife and tourism sector in the county. Without prejudice to the generality of the foregoing, the County Executive Committee Member for the time being responsible for Finance shall, by regulations made for that purpose in consultation with the County Executive Committee Member for the time being responsible for wildlife management and conservation, provide for the objects of the Fund in the manner contemplated by this Section.

Financial Year of the Fund

19. The financial year of the Fund shall be the period of twelve months ending on the 30th June each year.

Books of Accounts

- 20.** (1) The accounting officer shall ensure that—
- (a) proper accounts and other records relating thereto are kept in relation to all the financial transactions of the Fund and
 - (b) in respect of each financial year—
 - (i) a balance-sheet; and
 - (ii) a statement of the transactions referred to in paragraph (a) are prepared without undue delay.

Accounts and Audits

21. (1) The accounting officer shall cause to be kept proper books and records of account of the income, expenditure, assets and liabilities of the Fund.

(2) The annual accounts of the must be prepared, audited and reported upon in accordance with the provisions of Articles 226 and 229 of the Constitution and the law for the time being relating to public audit.

PART III—WILDLIFE PROTECTION UNIT

Wildlife Protection Unit

22. (1) The Service may after consultation with relevant national institutions and organs including the Kenya Wildlife Services, establish a unit to be known as the Wildlife Protection Unit.

(2) The Service shall, after consultation with all relevant national institutions and organs, and by regulations made pursuant to this Act, provide for—

- (a) the organization and deployment of the Unit, the conditions and terms of service and the various grades-ranks and appointments in it;
- (b) the duties to be performed by members of the Unit, and their guidance in the discharge of those duties;
- (c) the regulation of matters relating to discipline in the Unit;
- (d) matters relating generally to the good order and administration of the Unit.

Offices within the Unit

23. The Service may further establish such offices as it may deem appropriate for the exercise and performance of its powers and functions.

PART IV—RESTRICTIONS ON NATIONAL RESERVES

Protection of Vegetation in National Reserves

24. (1) No person shall willfully or negligently cause any bush or grass fire, or fell, cut, burn, injure or remove any standing tree, shrub, bush, grass, sapling, seedling or any part thereof in a national reserve.

(2) Any person who contravenes subsection (1) commits an offence and on conviction shall be liable to a fine of not less than one hundred thousand or to imprisonment for a term not exceeding six months.

Protection of Vegetation in National Reserves and Wetland areas

25. (1) No person shall graze any livestock in a national reserve.

(2) Any person who contravenes subsection (1) commits an offence and on conviction shall be liable to a fine not exceeding one hundred thousand shillings or imprisonment for a term of not more than six months or to both.

Restrictions on Entry

26. (1) No person other than a person travelling through the reserve along a highway shall enter a national reserve except by and in accordance with the written authority of the service previously sought and obtained or upon the payment of any wildlife viewing fee as may be prescribed by the service.

(2) Any person who contravenes any provision of this section or any condition attached to any authority granted under subsection (1), commits

an offence and on conviction shall be liable to a fine of not more than one hundred thousand shillings, or to imprisonment for a term of not more than six months.

Other restrictions applying to national reserves, wetlands, reserve and game-controlled area

27. No person shall within any game reserve, wetlands reserve or game-controlled area—

- (a) dig, lay, or construct any pitfall, net, trap, snare or use other device whatsoever, capable of killing, capturing or wounding any animal;
- (b) carry or have in his or her possession or under his or her control any weapon in respect of which he fails to satisfy the Service that it was intended to be used for a purpose other than hunting, killing, wounding or capturing of an animal; or
- (c) conduct crop cultivation.

No mining in National Reserves

28. Except as may be provided for by national legislation, no person shall collect sand, prospect or mine in any game reserve.

Unauthorized entry into Protected Areas

29. (1) No person may enter land or be on land where wild animals are found or are likely to be found, while he or she is in the possession of a weapon, unless such person has a lawful reason to do so or has beforehand obtained the written permission of either the Service or from the landowner of the land concerned.

(2) Unless otherwise authorized by law, no person may convey a firearm on a public road traversing land on which wild animals are found or are likely to be found.

Prohibited Hunting Methods or Instruments

30. (1) Without limiting the meaning of the word “hunt”, no person shall hunt a wild animal—

- (a) by means of fire;
- (b) by means of poison;
- (c) by means of a vehicle or aircraft;
- (d) during the night;
- (e) with the aid of an artificial light, floodlight or spotlight;

- (f) by means of a trap or pitfall;
- (g) by means of a trap cage;
- (h) by means of a gin-trap;
- (i) by means of a wire or rope snare or similar device;
- (j) by means of an airgun;
- (k) by means of a firearm;
- (l) by means of darting or a device which injects an intoxicating or a narcotic agent or poison into such animal;
- (m) which is kept in captivity, confined to a cage, in an enclosure or trapped against a fence where it does not have a fair chance of evading the hunter;
- (n) which is under the influence of a tranquilizing or narcotic immobilizing or similar agent;
- (o) by the use of a dog, except for the hunting, flushing, pointing or retrieving of birds, or for the purpose of searching or following the animal which has been wounded;
- (p) in the case of a bird, in or upon any aquatic systems, by the use of a boat for the purpose of chasing or killing the bird;
- (q) by means of setting a set trap, set gun, poison firing apparatus or snare;
- (r) by luring or by means of a simulation or recording of the natural sound made by an animal or by means of bait or scent or any other induced luring method;
- (s) by any other device of which the use could result in injuring or killing an animal in a way which is not an acceptable humane hunting method;
- (t) by means of any terrestrial animal or bird of prey;
- (u) by means of a bow and arrow, crossbow, spear gun or similar device discharging an arrow or dart;

(2) A person engaging in any of the prohibited acts listed above commits an offence and on conviction shall be liable to imprisonment for a period not exceeding twelve (12) months or to a fine not exceeding KSh. 500,000/-, or to both such imprisonment and fine.

**PART V—PROTECTION OF WILDLIFE CORRIDOR,
DISPERSAL AREA, BUFFER ZONES AND MIGRATORY
ROUTES**

Designation of dispersal corridors and buffer zones

31. (1) The service may, in consultation with relevant local entities and by order in the Gazette, designate wildlife corridors, dispersal areas, buffer zones and migratory routes within the County.

(2) The service may, after consultation with the relevant local entities, prescribe for regulations in the Gazette to govern the management of designated wildlife corridors, dispersal areas, buffer zones and migratory routes.

Requirement for Environmental Impact Assessment

32. (1) Every significant physical development in a wildlife protected area, the Wildlife Management Area, the buffer zone, migratory route or dispersal area to which this section applies, whether that development is prepared by, or is being implemented by a person or organization in the public or private sector, the prospective developer shall prepare and submit to the satisfaction of the department responsible for environment affairs a report on Environmental Impact Assessment of the proposed Notwithstanding sub-section (1) or any other law to the contrary, any development to which this section applies shall not commence unless and until an Environmental Impact Assessment certificate has been issued by the relevant national entity.

(2) The developments in a wildlife protected area and Wildlife Management Areas to which this section applies shall include—

- (a) mining development;
- (b) road construction or laying of pipe lines;
- (c) semi or permanent establishments;
- (d) construction of dams, power stations, electrical and telecommunication installations; and
- (e) Such other similar developments or activities as the department may, for good cause, prescribe.

(3) The Environmental Impact Assessment conducted under subsection (2) shall include the impact upon wildlife and shall provide for—

- (a) a statement of the existing or anticipated economic impacts to the conservation of wildlife, including an account of the species,

communities and habitats affected and the extent to which they are or may be threatened;

- (b) a statement of whether rare, endangered or endemic species and their habitats are or may be affected;
- (c) a list of alternative actions, including action and mitigation measures to adverse effects which may be taken to remove or lessen adverse impacts; and
- (d) recommendations for subsequent action.

PART VI—MISCELLANEOUS

Regulations

33. The Executive Committee Member may, on his or her own motion or on the recommendation of the respective tourism Departments or that of the Service, make regulations prescribing all matters which by this Act are required to be prescribed or which are necessary for the better carrying out of, or giving effect to, the provisions of this Act.

Prosecutorial Powers

(Cap. 75).

34. An authorized officer may, with the leave of the Director of Public Prosecutions given under the Criminal Procedure Code conduct prosecution for an offence committed under this Act.

Repeal of Act No. 12 of 2015

35. The Isiolo County Tourism Act, 2015 (No. 12 of 2015), is hereby repealed.

SCHEDULES

RANKS OF THE SERVICE

**PART I—PROVISIONS RELATING TO THE OFFICERS OF THE
ISIOLO COUNTY WILDLIFE SERVICE**

Officers of the Service

1. (1) The officers of the Service shall hold the ranks specified in subparagraph (2).

(2) The ranks of the officers of the Service referred to in subparagraph (1) in order of seniority shall be as follows—

- (i) Director;
- (ii) Assistant Director;
- (iii) Chief Warden;
- (iv) Warden I;
- (v) Warden II;
- (vi) Assistant Warden I;
- (vii) Assistant Warden II;
- (viii) Sergeant Major;
- (ix) Senior Sergeant;
- (x) Sergeant;
- (xi) Corporal;
- (xii) Ranger.

CODE OF CONDUCT

THE COUNTY OF ISIOLO WILDLIFE SERVICE DISCIPLINARY CODE, 2021

Citation

1. This Code shall be cited as the County of Isiolo wildlife service Disciplinary Code, 2021.

General Administration

2. The Administration of this Code shall be in accordance with the Constitution, Isiolo County Wildlife service Act 2021, County Government Tourism Act 2021, the Fair Administrative Action Act, 2016 and park operation standing orders.

Interpretation

3. In this Code, unless the context otherwise requires—

“Act” means the County of Isiolo Wildlife Service, Tourism Act 2020 and Wildlife Conservation and Management Act 2013 (Laws of Kenya);

“Service” means the County of Isiolo Wildlife Service;

“Director” means county Chief Executive Officer of Tourism and Wildlife;

“Charge sheet” means the charge sheet as prescribed in the First Schedule;

“Senior Officers ” means officer of or above the rank of Warden 1;

“Inquiry” means investigation into circumstances leading to an alleged offence;

“Officer” means a member of the uniformed Wing from the rank of Assistant Warden III to Warden 1;

“Officer-in- charge” means any Officer for the time being in charge of a, National Reserve, or Unit of the Service in which a defaulter is for the time being serving;

“Presiding officer” means an officer authorized to preside over “Orderly Room Proceedings” (ORP) against alleged offence(s) Under Regulation 7.

“Ranger” means a member of the Service in the uniformed and disciplined cadre and includes Corporal, Sergeant, Senior Sergeant and

Sergeant Major as per Second Schedule of the Act

“Orderly Room Proceedings” means the process in which a defaulter is informed of an alleged offence and in turn takes plea of guilty/not guilty thereby allowing the Presiding Officer (PO) to either terminate the case or proceed to full hearing and determination;

Unless otherwise provided, words implying the masculine gender also include the feminine.

PART II—GENERAL ADMINISTRATION

The scope of the code

4. This Code shall apply to uniformed members of the Service and cover the nature of offences, scale of punishment and appeals in general.

Powers to arrest defaulters

5. (1) Any member of the Service and person(s) seconded to the Service from another county or any other Disciplined Service in Kenya, who commits any offence as specified in the Disciplinary Code or any offence specified in the Act may be arrested without warrant by or on the order, in the case of an officer, an officer of superior rank to or placed in command over him and, in the case of a ranger by a person of superior rank or placed in command over him.

Provided that:

- (a) if any member of the Service is engaged in any quarrel or disorder he may be arrested by any officer of any rank; and
- (b) the powers of arrest given by this paragraph may be exercised either personally or by order.

(2) The person arrested shall be taken without delay and in any case within twenty-four hours before a senior officer, who may, if the circumstances so warrant, confine such person or cause him to be confined in any building suitable for the purpose, pending the determination of disciplinary proceedings or other disposal of the matter and if there is no Senior officer in the area in which the arrest is made, then the person arrested shall be taken before the officer in charge of such area and such officer shall have the same powers of confinement as a Senior officer.

Anonymous correspondence

6. Letters, emails and calls of anonymous or pseudonymous nature purporting to be addressed by members of the Service to county Headquarters or to a senior officer, or any Ministry or individual shall be ignored (unless there is credible information to the contrary, be investigated to logical conclusion) and no inquiry shall be made

concerning the alleged grievances contained therein. When such letters are received they shall be returned to the officer in-charge of the / Reserve/Station/Unit wherever they appear to have emanated.

PART III—OFFENCES AND PENALTIES

Offences

7. A uniformed member of the Service who—
 - (a) Knowingly furnishes any person with arms or ammunition for unlawful use; or
 - (b) Willfully disobeys any lawful command; or
 - (c) Communicates confidential information without authority; or
 - (d) Interferes or jams radio communication equipment and transmission; or
 - (e) Without proper authority discloses or conveys any information concerning investigation or other Service matters; or
 - (f) While in command of an aircraft, vessel, vehicle, motor cycle or establishment of the Service fails to pursue any person whom it is his duty to pursue or to assist to the utmost of his ability any person whom it is his duty to assist; or
 - (g) Shows acts of cowardice; or
 - (h) Leaves his post or place of duty before he is regularly relieved except in fresh pursuit of a defaulter which it is his duty to apprehend; or
 - (i) Is idle, reckless or negligent in the performance of his duty; or
 - (j) Is found sleeping while on duty; or
 - (k) Is drunk while on duty; or
 - (l) Absents himself without leave; or
 - (m) When on guard duty or watch loses by neglect or fails to take all necessary steps to preserve the loss, whether by theft or otherwise, of any property whether public or private which it is his duty either alone or jointly with others to safeguard; or
 - (n) Strikes or otherwise uses force against a person on guard duty, or watch being a member of the Service, or other person who is for the time being seconded to or is operating in conjunction with the Service, or by the threat of force compels any such person to let him or other person pass; or

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- (o) Strikes or otherwise uses violence against, or offers violence to, or uses threatening or insubordinate language to any member of the Service senior to him in rank or placed in command over him; or
 - (p) Contravenes, refuses or fails to comply with a provision, which he knows of or might reasonably be expected to know of, of any Standing Orders or other routine orders or regulations of a continuing nature made for the Service or for a particular place or area for the time being coming under the Service; or
 - (q) Refuses or neglects to make or send any report or return which it is his duty to make or send, or fails to properly maintain in the manner prescribed any occurrence book, register, gate entry book or other official record or document; or
 - (r) Without reasonable cause, fails to attend or arrives late at or leaves before permitted to do so, any parade, instruction class or court or any other duty which he is required to attend or refuses or fails to attend Orderly Room Proceedings; or
 - (s) Appears on duty untidy or dirty in his person, arms, clothing or equipment; or
 - (t) is slovenly, inattentive, uncivil or quarrelsome in the performance of his duties; or
 - (u) Behaves, speaks or uses any gesture or other means including but not limited to electronic media, showing or calculated to show disrespect to any member of the Service or the Service; or
 - (v) malingers or feigns any disease or infirmity or willfully causes himself any bodily harm; or
 - (w) willfully disobeys, whether in hospital or elsewhere, any orders or causes or aggravates any disease or infirmity or delays its cure; or
 - (x) consumes intoxicating liquor, or psychotropic substances or controlled drugs or smokes while in uniform when actively engaged in active duty; or
 - (y) fights or quarrels with any other person or uses threatening, abusive, insulting or provocative words or behavior likely to cause a disturbance; or

- (z) discharges or causes to be discharged any weapon without orders or without reasonable or lawful cause; or improperly uses firearm to threaten another member of the Service or person or
- (aa) either willfully or by negligence, causes or allows an aircraft, or vehicle belonging to the county/Service or to the Government and for the time being in use by the Service or any other aircraft, or vehicle for the time being in use in a National Reserve, Station, wildlife sanctuary or other place in connection with the conservation and management of wildlife to be lost, destroyed, damaged, stranded or hazarded; or
- (bb) being the driver of a vehicle or mechanical plant or rider of a motor cycle belonging to the Service or to the Government and for the time being in use by the Service whether on a public road or in any other place and whether within or outside any National Reserve, Station or wildlife sanctuary fails to maintain that vehicle or mechanical plant in good efficient working order and condition; or
- (cc) being in command or otherwise in charge of an aircraft, vehicle belonging to the Service or to the Government and for the time being in use by the Service or being a member of its crew without lawful authority, improperly uses that aircraft, or vehicle for any purpose whatsoever not connected with the official duties of that member; or
- (dd) steals or fraudulently misapplies or is in improper possession of public or Service property/monies or property/monies belonging to a member of the Service or to any other person, or is concerned in or connives at the stealing or fraudulent misapplication of any such property/monies or receives or retains any such property/monies as foresaid, knowing or having reasons to believe it to have been stolen or to have been fraudulently applied; or
- (ee) sells, pawns, loses by neglect, makes away with, destroys or willfully damages or fails to report any loss or damage to any arms, ammunition or accoutrement uniform or other article of personal issue or vehicle or other property committed to his charge belonging to the Service or for which the county Government of Isiolo is responsible; or
- (ff) fails to take proper care of an animal, bird, plant or trophy or exhibits of which he has charge; or

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- (gg) without lawful authority, kills, destroys or wounds any animals or in any manner makes away with or disposes of the same; or
 - (hh) unlawfully uses or permits the use of any arms or ammunition issued to him or to any member of the Service under his command for the use of Service purpose, to kill any animal otherwise than in accordance with section 112 of the WCMA 2013; and CIWS and Tourism Act 2020 or
 - (ii) either willfully or by negligence allows the escape of a person who is committed to his charge, or whom it is his duty to guard, or without proper authority releases any person who is committed to his charge; or;
 - (jj) resists a member of the Service whose duty it is to arrest him or have him in his charge; or
 - (kk) neglects or refuses to assist in the apprehension of any member of the Service or any other person charged with any offence, when lawfully ordered to do so; or
 - (ll) escapes from arrest or any other lawful custody; or
 - (mm) makes or signs a statement or entry in a document or official record which is to his knowledge false in material particulars or suppresses, defaces or makes away with a document or official record which it is his duty to preserve or produce; or
 - (nn) makes an accusation against a member of the Service or any other person which he knows to be false or does not believe to be true; or
 - (oo) in making a complaint when he thinks himself wronged, makes a statement affecting the character of another member of the Service or of any other person for the time being seconded to the Service which he knows to be false or does not believe to be true, or willfully suppresses any material facts, or makes or joins in making, any anonymous complaint; or
 - (pp) is found in improper possession of government trophy; or
 - (qq) makes any false statement, fraudulently obtains any document in order to gain or seek favors from the Service; or
 - (rr) without proper authority demands or exacts from any person any carriage portage or provisions; or

- (ss) engages without authority in any other employment, business conflicting with employee's day to day duties or office; or
- (tt) is improperly dressed while on duty; or
- (uu) has committed any act or omission which constitutes an offence under an Act of Parliament currently in force; or
- (vv) fails to properly account for the firearm(s) or ammunition issued to him; or
- (ww) fails to take proper care of his firearm or ammunition; or
- (xx) commits an act which amounts to corruption; or
- (yy) harasses another person sexually through; direct or indirect request for favors, use of language whether written or spoken of a sexual nature, use visual material of a sexual nature and show physical behavior of a sexual nature which directly or indirectly subjects the person to behavior that is unwelcome or offensive; or
- (zz) posts offensive, racist, tribal, or obscene material on their personal social media site; or
- (aaa) is guilty of any act, conduct, disorder or neglect to the prejudice of good order and discipline with the Service not herein before specified in this sub-regulation,

Commits an offense and shall be liable on conviction by a competent authority to such penalty or combination of penalties prescribed in this Code.

Interdiction

8. (1) A Member of the Service may be interdicted from duty to allow investigations to be conducted in a case where proceedings may lead to dismissal.

(2) A member of the Service who is interdicted shall be eligible for half ($\frac{1}{2}$) of his basic salary with full house allowance and medical benefits.

(3) A member of the Service on interdiction shall report to his supervisor at agreed intervals and may not leave the duty station without the permission of the Director or of any officer who is empowered to give such permission on behalf of the Director.

(4) Where disciplinary proceedings have been taken or instituted against a member of the Service under interdiction and such a member of the Service is neither dismissed nor otherwise punished under these regulations, any salary withheld shall be restored to him upon the

termination of such proceedings with effect from the date the salary was stopped.

(5) A member of the Service whose interdiction has been lifted shall promptly be served with a decision letter.

Suspension

9. A member of the Service may be suspended from duty under the following circumstance—

- (a) where a member of the Service is suspected to have committed acts of gross misconduct as stipulated in the Employment Act, 2007; warrants suspension to allow for investigations;
- (b) where a member of the Service is suspended from the exercise of the functions of his public office, he shall be entitled to full house allowance, medical benefits and no basic salary;
- (c) a member of the Service on suspension will be required to report to his supervisor at agreed intervals if necessary;
- (d) where disciplinary or criminal proceedings have been taken or instituted against a member of the Service under suspension and such a member of the Service is neither dismissed nor otherwise punished under these regulations, the whole or any salary withheld shall be restored to him upon the termination of such proceedings with effect from the date the salary was stopped.

PART IV—INQUIRY INTO OFFENCES

Investigation (Inquiry)

10. (1) Where it is alleged that an offence has been committed or upon receipt of a report that an offence has been committed, management shall institute an inquiry as per the applicable procedures in line with Articles 47 and 50 of the Constitution of Kenya 2010 and a file compiled;

(2) Where it is established that an offence has been committed, an ORP shall be instituted and the accused given reasonable access to evidence against him.

(3) In the event it is established that an investigation was not conducted fairly or conclusively; the inquiry file shall be returned back to the investigating officer in writing indicating issues requiring further investigations or clarifications or order fresh investigations and the same shall be done within three (3) months from the date of instruction. Where investigation will require more than three (3) months, the same shall be communicated in writing.

(4) Where it is established that no offence has been committed, the

case shall be closed and formal communication sent to the accused member of the Service to that effect within twenty one (21) days from the day the case was concluded.

Re-conducting an Inquiry

11. In the event that a Senior Officer finds that an investigation was not conducted fairly or conclusively; the same officer shall in writing direct that fresh or further investigations be carried out stating the reasons for such direction and the same shall be done by another officer within three (3) Months from the date of instruction.

PART V—PROCEDURE OF ORDERLY ROOM PROCEEDINGS

Orderly Room Proceedings (ORP)

12. ORP shall be instituted based on strength of the available evidence after an inquiry has been conducted

Members of ORP

13. Membership of ORP shall include the following—

- (a) The Presiding Officer (PO);
- (b) Orderly;
- (c) Escort;
- (d) Accused;
- (e) Witnesses where the case may demand;
- (f) Accused representative.

Procedure of ORP

14. (1) In all ORPs against alleged disciplinary offences, the Presiding Officer shall notify the accused in writing, at least 24 hours (unless the notice is waived) before the commencement of the ORP into an offence against discipline, which he is alleged to have committed, as provided under Schedule A1 of these Regulations,

(2) The Presiding Officer shall satisfy himself that the accused person brought before him is the person named in the charge sheet, which shall be made out in the form set out in the First Schedule, and the accused person first having been marched into his presence under escort and with his hat and belt removed, shall then proceed as follows—

- (a) record that the accused person is before him and that he has been charged with the particulars of the offence(s) as shown in the charge sheet;
- (b) record that the accused admits that he understands the charge he

has been required to plead to;

- (c) record the plea of the accused which shall be recorded in the language used by the accused;
- (d) a plea of “not guilty” shall be recorded as such and an equivocal plea shall be treated and recorded as a plea of “not guilty”
- (e) if the plea is one of “not guilty”, the Presiding Officer shall proceed as follows—
 - (i) each prosecution witness shall be summoned in writing at least twenty-four hours before the commencement of the disciplinary proceedings, as provided under Schedule A2 of these Regulations and shall give his evidence orally in the presence of the accused.
 - (ii) the accused shall be allowed to cross-examine any prosecution witness(es);
 - (iii) the accused may, on his own behalf, give evidence or may make a statement without being sworn or may swear or may remain silent;
 - (iv) the accused may, whichever course he may have adopted call witnesses in his defense, who shall give their evidence orally and in his presence;
- (f) notwithstanding that the accused has heard all or only part of the evidence himself, he shall cause notes of the salient points of the evidence given by the prosecution and by the defense to be recorded in writing;
- (g) where the evidence taken in accordance with the provisions of this regulation discloses an offence other than the offence which is the subject of the investigation, a new charge alleging that offence may be preferred against the accused in addition to, or in substitution for the original charge and the investigation of the original charge may be treated for the purposes of this Code, as the investigation of the added or substituted charge;
- (h) after hearing the prosecution witnesses, the Presiding Officer shall then decide whether a “prima facie” case has been established against the accused; if the evidence for the prosecution appears to the Presiding Officer to be unconvincing or conflicting, he shall record dismissal of the charge but if a “prima facie” case has been established, the accused shall be asked to make his own statement and to call witnesses in support of his defense and the Presiding Officer shall closely examine the

accused and the defense witness to see whether he is satisfied beyond reasonable doubt as to the guilt of the accused;

- (i) on reaching the conclusion that the accused is guilty of the charge, the Presiding Officer shall record his judgement on the case, giving his reasons for reaching his conclusions and after recording anything which the accused may say in mitigation, sentence shall then be passed and the case record signed and dated and a signed certificate shall then be added to the record by the Presiding Officer that the accused has been informed of his right of appeal to the higher authority against the decision and his desire in this regard shall be recorded and signed by him.
- (j) if a charge is dismissed or the accused person is subsequently found “not guilty” no entry shall be made in the accused register or on the accused person’s Service record and if a punishment is awarded which does not require confirmation the necessary extracts from the charge sheet and the case record shall be written in the accused register and the accused record of Service, but if the accused appeals against the decision no entry shall be made known and only the final decision shall be recorded when both the original award and the final decision shall be recorded in the register;
- (k) the charge sheet and case record shall be filed and carefully preserved;
- (l) the Presiding Officer shall render to the Director General, in such form as the Director may prescribe, a return of all disciplinary punishments not requiring confirmation awarded by him.

(3) In addition to the removal from the accused person of his hat and belt, the Presiding Officer may, at his discretion, order the accused person to remove any article which the Presiding Officer considers could be used as a weapon or missile during the proceedings.

(4) No accused person shall be handcuffed during ORP unless it is deemed necessary by the Presiding Officer for the purpose of preventing his escape or rescue or of restraining violent conduct and where the Presiding Officer requires an accused person to be handcuffed, he shall record the fact and the reasons thereof in the case record.

(5) No Orderly Room Proceedings shall be instituted earlier than twenty four (24) hours after the commission of the offence.

Representation for the accused

15. During the ORP the accused person shall be entitled to have

another employee of his choice present during the hearing and shall not be of higher rank than the PO nor be a lawyer.

Waiver notice

16. The Presiding Officer shall in exceptional circumstances waive or reduce the notification period provided that the accused person's representations are considered as well as the circumstances of the case, complexity and gravity of the matter as provided for in Schedule B.

Matters for consideration by presiding officer

17. In the exercise of disciplinary powers, the Presiding Officer shall constantly bear in mind the following principles—

- (1) The Fair Administrative Action Act, 2016;
- (2) The circumstances in which the offence was committed and the gravity thereof;
- (3) The seniority and length of Service of the accused;
- (4) The previous record and conduct of the accused;
- (5) That while the punishment must be adequate for the offence, it must also be appropriate to the character and circumstances of the accused and the discipline and good name of the Service;
- (6) That no punishment shall be awarded unless there has been a full and careful ORP and the Presiding Officer is satisfied beyond reasonable doubt that the accused person is guilty;
- (7) That where there is doubt as to the true facts, the accused shall be given the benefit of doubt and the charge dismissed;
- (8) That no person shall be punished until he has had an opportunity of hearing the charge and evidence against him, of making his defense and of calling witnesses, if any, in support of his defense;
- (9) That no person shall be punished twice for the same offence;
- (10) That he may at any time during the proceedings dismiss a charge if he is of the opinion that it ought not to be proceeded with further;
- (11) Any other relevant matter as the case may be.

Trial in absentia

18. (1) Where an accused person has properly been notified, refuses to attend an Orderly Room Proceedings for an offence against discipline for which he is being charged; fails to attend such Orderly Room

Proceedings in such a manner as to prevent the proceedings from being conducted, the Orderly Room Proceedings shall proceed in his absence as though they were present if fourteen (14) days have elapsed after the notification;

(2) Where it becomes necessary to carry out such proceedings; the Presiding Officer will record the manner in which service of Schedule A1 was issued, the place the notification was served, name of the officer who served the notification and details of persons who witnessed the serving process or record the refusal of service by the accused;

(3) The evidence adduced relevant to the disciplinary offence(s) shall be heard and the Presiding Officer shall record all witness accounts given on account of the Orderly Room Proceedings in the absence of the accused.

(4) The Presiding Officer where so empowered shall award a penalty provided for under this code and submit the proceedings to the Director General for confirmation. Where the powers of the Presiding Officer are inadequate, he shall recommend a penalty as provided for under this code and shall submit the same to the Director General to award the sentence.

(5) The accused shall thereafter be informed in writing the outcome of the Orderly Room Proceedings within fourteen (14) days after conclusion of the proceedings in his absence and he shall be informed of his right of appeal.

Scale of punishment

19. (1) Subject to and in accordance with the provision of the Third schedule; any offence against discipline may upon hearing of evidence be determined by an officer empowered to preside over an Orderly Room Proceedings; and if the officer is satisfied that the offence has been proved, he may award against the accused one of the punishments he is empowered to award as prescribed in that schedule.

(2) Nothing in this Code shall restrict the offences for which a person may be tried in a court of law or in the jurisdiction of a court of law subject to this Code.

Procedure of appeal

20. (1) A member of the Service who has been convicted otherwise than on his own plea of guilty, of an offence against discipline by a senior officer or an officer in charge may, within thirty (30) days of that conviction appeal to the Director against the conviction and/or penalty.

(2) The appeal shall be in writing stating clearly the grounds upon which he bases his appeal which shall be submitted to the Director. Upon

receiving the appeal, the Staff Officer Administration shall forward the appeal in the prescribed format as in the Second Schedule to the Disciplinary Appeals Advisory Board (DAAB) for deliberations.

(3) The DAAB shall deliberate on the appeal as per the applicable procedure that involves inviting the appellant and giving him an opportunity to be heard. Thereafter, DAAB shall forward its recommendations to the Director for consideration and decision on the appeal(s).

Penalties

21. (1) The Director or an Officer in-charge on finding the accused person guilty, may convict him and award any one or more of the following penalties—

- (a) Dismissal from the Service;
- (b) Reduction in rank;
- (c) Fine;
- (d) Reprimand;
- (e) Severe reprimand;
- (f) Admonition;
- (g) Stoppage of increment;
- (h) Deferment of increment;
- (i) Fatigue or extra duty/drill.

(2) In case of a charge relating to damage to, or loss of Service or Government property, the accused may be surcharged and such surcharge does not amount to or exclude imposition of a penalty or combination of penalties under this Code.

(3) Where a Presiding Officer has convicted an officer or ranger and is of the opinion that his powers of punishment are, having regard to the gravity of the offence, inadequate in all the circumstances of the case, he shall forthwith send the complete case record to the Director by the fastest available means for sentence.

(4) Whether a penalty imposed by a senior officer or an officer in charge requires the confirmation of the Director or not, the Director may enhance, vary, suspend or permit a penalty so imposed.

(5) No penalty shall be enhanced unless the accused person has been given an opportunity of being heard by the Director, or a senior officer nominated by the Director.

(6) Where a penalty is suspended by the Director; that suspension shall be for such period, not exceeding six months, or as the Director may determine.

(7) Where a penalty has been suspended under paragraph (6), the Director shall at the expiration of the period of suspension review the case, and may thereupon order the penalty to be remitted or reduced, in which case he shall cause any entry relating to the offence which has been made in the records of the accused to be expunged or altered, as the case may be or may order the penalty to be forthwith carried into execution; and if during the period of suspension the accused is convicted of a further offence against discipline, the suspended penalty shall forthwith be put into execution.

(8) No punishment shall be awarded to any member of the Service which is contrary to any law.

Revision of Orderly Room Proceedings

22. (1) The Director, or a senior officer nominated for that purpose by the Director, may also call for and review any proceedings and shall, within thirty (30) days of receipt of the original proceedings, where he deems it necessary, confirm, reduce, suspend, enhance or set aside any conviction or sentence; or may order a retrial:

Provided that such a revision or order shall not be made after the expiry of thirty (30) days from the date of completion of the original proceedings.

Disciplinary action after acquittal of criminal charges

23. An officer or ranger in the Service acquitted of a criminal charge shall not be dismissed or otherwise punished on any charge upon which he has been acquitted, but nothing in this regulation shall prevent him being dismissed or otherwise punished on any charges arising out of his conduct in the matter, unless the charges rise substantially the same issues as those on which he was acquitted.

Guidelines for disciplinary procedures for senior officers

24. (1) Senior officers comprise of officers in the ranks of chief Warden, Assistant Director, and Director.

(2) Officers in this category who commit Disciplinary offences shall not be subjected to Orderly Room Proceedings (ORP).

(3) Disciplinary offences committed by officers in this cadre shall be handled subject to the following procedures when it is alleged that an offence has been committed or upon receipt of a verbal or written report

that an offence has been committed—

- (a) where necessary, management shall institute investigation as per the applicable procedure and an inquiry file compiled;
- (b) the Director shall exercise his powers in relation to interdiction and suspension of members of the Service in this category where it is considered that a member of the Service shall cease forthwith to exercise powers and functions of his office;
- (c) depending on the findings, where it is established that an offence has been committed, a statement of the alleged offence in the form of a show cause letter shall be issued to the member of the Service concerned, and such a member of the Service shall respond within twenty one (21) days of receipt of the letter;
- (d) where it is established that no offence has been committed, the case shall be closed and formal communication sent to the accused member of the Service to that effect;
- (e) upon receipt of a response to a show cause letter, Staff Officer Administration shall couch the response in a memorandum format by addressing all issues raised by the accused and make recommendations on the case;
- (f) subject to paragraph (g) below, management shall thereafter convene an Independent Internal Disciplinary Panel comprising not more than three (3) members as follows—
 - (i) where the member of the Service against whom a charge is brought holds the rank of chief Warden, the panel shall consist of a member of the Service holding the rank of Assistant Director as chair and at least two (2) other members holding the rank of Assistant Director;
 - (ii) where the member of the Service against whom a charge is brought holds the rank of Assistant Director, the panel shall consist of a member of the Service holding the rank of County Chief Officers as chair and at least two (2) other members holding the similar;
 - (iii) where the member of the Service against whom a charge is brought holds the rank of Director, the panel shall consist of the Chair of the Public Service Board charged with the affairs of human Resource as chair, at least two (2) members of the Committee;
- (g) the county legal officer shall sit as a member of the panel for the purpose of addressing any legal issues that may arise;

- (h) in cases (i), & (ii), the county chief officer responsible for public service board shall consider the panels' recommendations and forward the cases to the PSB for final decision;
- (i) in case (iii), the recommendations of the panel shall be forwarded directly to the Public Service Board through the Chair of the Board Committee charged with affairs of Human Capital for final decision;
- (j) all disciplinary cases shall be dealt with and concluded within a period of six (6) months from the time the offence is reported. Where it is found impracticable to do so, the concerned officer shall report in writing individual cases to Director explaining the reason for the delay.

Conduct of the Panels

25. The disciplinary panels established under these guidelines shall—
- (a) transact business with integrity, in an objective, transparent and accountable manner in accordance with the provisions of the Public Officer Ethics and Fair Administrative Action Acts;
 - (b) give opportunity to accused persons to be heard and defend themselves and, where necessary, to summon witnesses to give oral evidence;
 - (c) observe the highest degree of confidentiality in their deliberations; and
 - (d) document all the deliberations in a format approved by the Service.

Desertion

26. (1) Any warden or ranger who is absent without leave, or who overstays any period of leave without just cause for more than 21 days, shall unless the contrary is proved, be deemed to have deserted from the Service.

(2) Any warden or ranger who is guilty of desertion under Clause 4 of the Second Schedule of the Act shall be dismissed from the Service, provided that such member has a just cause, shall be granted a hearing before dismissal.

Fines and recovery thereof

27. (1) All fines and recoveries imposed on a member of the Service in respect of a disciplinary offence under this Code or an offence under the Act may be recovered from the accused pay and allowances due to him at the time of committing that offence or thereafter accruing to him.

(2) The amount to be recovered in respect of fines or recoveries shall be at the discretion of by whom the fine or recoveries was imposed, but shall in no case exceed one-third of the monthly pay of the accused, and whenever more than one order of stoppage is in force against the same person, not more than one-third of his monthly pay shall be stopped.

(3) Where more than one order of recovery of fines or recoveries is made upon the same person, the order or orders later in date shall, if the total amount deductible exceeds a third of the accused pay, be suspended until the earlier order or orders have been discharged.

Disciplinary Appeals Advisory Board

28. (1) There shall be established a Disciplinary Appeals Advisory Board (DAAB) to advise the Director in the exercise of his appellate powers as set in the third schedule.

(2) The Board shall consist of the officers in-charge of the following functions—

- (a) Security, who shall be the Chairperson;
- (b) Officer-in-charge of the Reserves;
- (c) Community warden;
- (d) Human Capital, who shall be the Secretary;
- (e) Legal Services;
- (f) the Staff Officer in-charge of Administration and Discipline (Armed Wing);
- (g) the Board may co-opt any other member as may be necessary.

(3) The officers in charge of Human Resource and Legal Services shall have advisory role but no voting power.

(4) The Disciplinary Appeals Advisory Board may advise the Director-General to confirm, reduce, suspend, enhance or set aside any conviction or sentence in the exercise of his appellate powers.

(5) The Disciplinary Appeals Advisory Board shall entertain only one appeal in each case.

(6) Provided that before the Disciplinary Appeals Advisory Board advises the Director on the enhancement of any conviction or sentence, the accused shall be called upon to support the grounds upon which he based his appeal.

(7) Where a member of the Disciplinary Appeals Advisory Board has any interest in the proceedings, the same shall be declared in writing and

where necessary, the member shall recuse himself.

(8) The quorum for meetings to deliberate on appeal cases shall be two-thirds membership provided that at least three members including the Chair are from the Armed Wing.

Disciplinary Review Committee

29. (1) There shall be established a Disciplinary Review Committee whose functions shall among others include—

- (a) analyze and review the annual disciplinary report;
- (b) review and give guidance on the disciplinary policy;
- (c) document and analyze trends of disciplinary offences;
- (d) analyze effectiveness of penalties awarded;
- (e) analyze effectiveness of Presiding Officers and recommend appropriate trainings;
- (f) recommend and advice management on remedial measures to be taken.

(2) The Committee shall consist of the officers-in-charge of the following departmental functions—

- (a) Reserves, who shall be the Chairperson;
- (b) Security operation;
- (c) Director Human Resource Secretary;
- (d) Officer-in-charge Administration.

SCHEDULE A1

NOTIFICATION OF ORDERLY ROOM PROCEEDINGS

(To be served at least 24 hours before commencement of the O.R.P.)

**REGULATION 13 (1) OF CGI TOURISM & WILDLIFE
(UNIFORMED WING) DISCIPLINARY CODE 2018**

PF/NO.....RANK.....

NAME:.....

Take notice that an ORP is scheduled to be held in respect of an offence against discipline alleged to have been committed by you in that:

On theday of.....about.....a.m./p.m.
at..... you.....

.....
This is an offence contrary to Regulation 7 paragraph () of the CGI Tourism & Wildlife (Uniformed Wing) Disciplinary Code 2018.

The ORP will commence at.....a.m./p.m.....on the.....day of.....before..... (Presiding Officer) at.....

You shall let me know by.....a.m. /p.m. on the.....day of..... if you wish to be accompanied by a fellow employee during the proceedings and if you wish to call any witnesses to give evidence on your behalf.

Serving Officer:.....

I certify that I have received this notice from (Name & Rank).....on the.....day of.at.....a.m./p.m.

Do you wish to be accompanied by a fellow employee? Yes....No..... Do you wish to call witnesses? Yes....No.....

Accused name..... PF No.....
Date.....
Time.....Signature.....

Witnesses:

I certify that the accused has been served/refused to be served in my presence (Tick as appropriate)

1 Name.....PF No.....
Rank.....Date.....

Time.....Signature.....
2 Name.....PF No.....
Rank.....Date.....
Time.....Signature.....

SCHEDULE A2

WITNESS SUMMONS

(To be served at least 24 hours before commencement of O.R.P.)

**REGULATION 13 (2) (e) (i) OF CGI TOURISM & WILDLIFE
(UNIFORMED WING) (DISCIPLINARY) CODE 2018**

To:

PF/NO.....RANK.....

NAME.....

of.....Reserve/Unit/Station or Address

Whereas a charge of having committed an offence against discipline has been preferred against:

PF/NO.....RANK.....

NAME.....

of.....Reserve/Unit/Station

I have directed that an ORP be held at.....on the (date).....day of.....at.....O'clock in the.....

Now, in exercise of the powers conferred upon me by Regulation 13 (2) (e) (i) of CGI TOURISM & WILDLIFE (Uniformed wing) (Disciplinary) Code, 2018, I do hereby summon and require you to attend as a witness at the place named above and bring with you any exhibit you may wish to produce in support of your oral evidence.

Given under my hand at.....on the.....day of.....Name.....

Signature.....

PRESIDING OFFICER

SCHEDULE B

WAIVER NOTICE

PF/NO.....RANK.....NAME.....
Park/Reserve/Station P.O. BOX.....
STATION.....

WAIVER NOTICE OF INTENDED ORDERLY ROOM PROCEEDINGS

Take notice that under the powers conferred upon me by Regulation 14 of the CGI TOURISM & WILDLIFE (Uniformed Wing) Disciplinary Code, 2018, I hereby waive the 24 hours’ notice of the intended Orderly Room Proceedings in respect of an alleged offence against discipline committed by you as indicated below;

PARTICULARS OF OFFENCE:

.....
.....

Contrary to Regulation 13 (1) of the County of Isiolo wildlife Service Disciplinary Code, 2020.

The ORP will be presided over by..... On
.....at.....am/pm.....at.....

You are required to attend the proceedings.

I certify that I have received this waiver notice.

Signature

Date

Time

Waived by:

Name

Rank

Signature

Date

SCHEME OF SERVICE

1. Job Title: County Director of Tourism & Wildlife

2. Job Group: R

Division/Department/Section: **Tourism and wildlife**

Director's Office Position Responsible To: **County Chief Officer
Tourism & Wildlife**

Positions Reporting To the Job Title: Assistant Director Tourism
: Assistant Director Wildlife

Overall Responsibility:

Provision of overall management and strategic direction for the county government towards achieving its objectives/Mandate in relation to tourism and wildlife conservation.

Objectives:

- (a) Strategic planning and implementation;
- (b) Link with external partners, stakeholders and general public;
- (c) Prudent financial resources management;
- (d) Optimal labor productivity;
- (e) Customer service and growth;
- (f) Sound conservation Management.

Key Tasks

- (a) Providing strategic direction and leadership to Tourism and wildlife sub sector in order to achieve county government goals;
- (b) Chairing the management committee meetings that develop business goals and strategies;
- (c) Overseeing implementation of Sub Sector plans and strategies based on the county government business Plans;
- (d) Philosophy, mission, vision and core values;
- (e) Facilitating operations and administration of the county executive committee decisions, interfacing between the CEC and staff and assisting the CECs evaluation of achievements of county government objectives;

- (f)Overseeing financial management and investment undertakings by ensuring that sound policies and practices are adopted for optimal utilization and returns;
- (g) Overseeing effective management of human resources for optimal productivity through policies and strategies that attract and retain qualified and competent staff;
- (h) Overseeing effective management of physical and material assets for optimal returns from the investment;
- (i)Providing strategic linkages with the corporate world, business community, government agencies and other social partners for the benefit of the county Government of Isiolo;
- (j)Providing leadership in business growth and customer service in line with the county government business plan and strategy;
- (k) Ensuring corporate compliance with all statutory, legal, social and regulatory requirements in the execution of its business strategies;
- (l)Overseeing execution of all Sub Sector business processes within the set policies, procedures, norms and standards to meet the stakeholder's expectations;
- (m) Directing and coordinating all business activities and operations to ensure that various organs of the Sub Sector operate harmoniously and in conformity with the overall operational plans and performance targets;
- (n) Overseeing development and implementation of corporate social responsibility initiatives and ensuring that the sub sector image is well projected and protected;
- (o) Promoting management and technological innovations to enhance Sub Sector efficiency and productivity;
- (p) Managing Sub Sector change through adopting policies and strategies that will ensure Sub Sector effectiveness and business survival.

Job Specifications

- (a) *Educational Qualifications*: Master's degree
- (b) *Professional Qualifications*: Member of a Professional Body
- (c) *Working Experience*: 10 years

3. Job Title: Assistant Director Wildlife

4. Job Group: Q

Sub Sector: Tourism and Wildlife

Position Responsible To: County Director Tourism & Wildlife

Positions Reporting To the Job Title: Chief Warden Reserves

Overall Responsibility: Formulate policies and strategies necessary for effective management of the national reserves.

Objectives:

- (a) Securing the integrity of National Reserves ecosystems;
- (b) Cost control measures;
- (c) Effective management and conservation of wildlife inside and outside the reserves;
- (d) Timely and accurate reports.

Key Tasks

- (a) Formulating and interpreting policies on the reserves management
- (b) Ensuring effective handling of administration issues arising from the national reserves and sanctuaries.
- (c) Ensuring effective revenue collection
- (d) Supervising, appraising and ensuring appropriate training of personnel.
- (e) Ensuring preparation of accurate and timely reports.
- (f) Ensuring visitor statistics are appropriately maintained.
- (g) Ensuring enforcement of the National reserves rules and regulations.
- (h) Preparing annual work plans and budgets.
- (i) Maintaining appropriate linkages with relevant stakeholders.
- (j) Initiating resource mobilization.
- (k) Performing any other duties as may be assigned from time to time

Job Specifications

Educational Qualifications: Master's Degree in Wildlife Management

Professional Qualifications: Diploma in Management.

Working Experience: 5 years

5. Job Title: Assistant Director Tourism**6. Job Group: Q**

Sub Sector: Tourism and Wildlife

Position Responsible To: County Director Tourism & Wildlife

Positions Reporting To the Job Title: Chief Warden Reserves

Overall Responsibility: Ensure development, management and market tourist products.

Objectives:

Increase in revenue generated

Availability of high quality products

Effective products Development

Quality customer service

Competitive pricing of products and services

Key Tasks:

- (a) Coordinating the development of policies and strategies for marketing and business development;
- (b) Ensuring development of new tourism products and determining the appropriate pricing and marketing strategies that can optimize benefits to the county government;
- (c) Ensuring viable business proposals are developed and submitted to development partners for financing;
- (d) Developing and ensuring implementation of effective customer service mechanisms that ensure responsiveness to customer expectations;
- (e) Developing policies for tourist facilities development and management;
- (f) Coordinating the preparation of annual work plans and budgets;
- (g) Ensuring implementation of appropriate systems to develop and manage tourism facilities that meet customer expectations;
- (h) Ensuring timely and accurate tourism related management information is provided to stakeholders;
- (i) Supervising, appraising and ensuring appropriate training of personnel;

- (j) Identifying, implementing and managing approved business projects;
- (k) Exploring potential commercial business opportunities available;
- (l) Preparing and presenting regular status reports on the organization tourism business status;
- (m) Ensuring optimization of revenue generated from leases and property licenses;
- (n) Ensuring tourism product quality control standards in liaison with Assistant Directors Wildlife;
- (o) Liaising with local, regional and international stakeholders;
- (p) Performing any other duties as may be assigned from time to time.

Job Specifications:

Educational Qualifications: Master’s Degree (Marketing or Strategic management) or equivalent.

Professional Qualifications: Diploma in Tourism or Marketing: Member (CIM)

Working Experience: 5 years in related field.

7. Job Title: Chief Warden National Reserves

Job Group: P

Sub Sector: Tourism and Wildlife

Position Responsible To: Assistant Directors Tourism & Wildlife

Positions Reporting To The Job Title : Wardens Buffalo National Reserves

: Wardens Shaba National Reserves

:
Wardens BisanAdhi National Reserves

:
Wardens National Reserves Security

: Wardens Community Service.

Overall Responsibility:

Ensure effective coordination and implementation of Tourism and wildlife management, policies, plans, and Community programs in the county with a view to achieving county government sub sector goals.

Objectives:

- (2) Ensure effective management of operations in sub sector area.
- (3) Ensure Cost control
- (4) Timely and accurate reports
- (5) Achievement of area set targets
- (6) Quality Services

Key Tasks:

- (1) Monitoring the performance of all units in the sub sector and initiating necessary interventions measures.
- (2) Enhancing quality standards of services of the Sub - Sector in line with approved policies and procedures
- (3) Ensuring implementation of plans as per approved policies and procedures
- (4) Coordinating and facilitating the efficient operation of each functional role in the Reserves to ensure achievement of reserves and sub sector targets.
- (5) Ensuring development of the Management of the National Reserves budgets and control
- (6) Developing strategies to address Tourism and conservation issues in the National Reserves.
- (7) Managing human, financial and material resources in the Reserves.
- (8) Ensuring effective management of the Reserves.
- (9) Ensuring effective control and proper utilization resources.
- (10) Ensuring establishment of strong linkages with stakeholders in the County.
- (11) Supervising, appraising and identifying training needs of staff.
- (12) Ensuring timely and efficient handling of conflicts between the subsector and surrounding communities
- (13) Ensuring compliance to Tourism and conservation laws in all development activities in the National Reserves.

- (14) Ensuring effective management of staff welfare services
- (15) Ensuring marketing of services and tourism promotion in the County
- (16) Mobilizing resources as required in the sub sector.
- (17) Ensuring preparation of timely and accurate reports and distributing to appropriate users.
- (18) Performing any other duties as may be assigned from time to time

Job Specifications:

Educational Qualifications: MSc. degree in Natural Sciences

Professional Qualifications: Diploma in Tourism/ Wildlife conservation management

Working Experience: 5 years

8. Job Title : Warden 1 (In Charge Security Operation)

9. Job Group: N

Sub Sector : Tourism and Wildlife

Position Responsible To: Chief Warden

Positions Reporting to the Job Title : Operation Commanders (Warden)
: In- Charge Intelligence
: Officer Administration
: Officer in charge supplies

Overall Responsibility:

Ensure effective management of security operations

Objectives:

- (1) Quality wildlife security services.
- (2) Enforce compliance to security measures.
- (3) Planning security operations.
- (4) Timely reports.

Key Tasks:

- (a) Interpreting and implementing policies, standards norms and procedures pertaining to the security function

- (b) Managing the operational activities of all county protection operation units.
- (c) Formulating of operational strategies for both county and wildlife protection.
- (d) Planning and deploying security personnel as per operation requirements.
- (e) Ensuring effective utilization of resources assigned.
- (f) Planning and coordinating joint security operations with other law enforcement agencies.
- (g) Ensuring availability, effective use, safety and maintenance of security equipment and other Security facilities
- (h) As member of the security team, participate in implementation of security measures.
- (i) Development of work plans and departmental budgets.
- (j) Managing, appraising and ensuring appropriate training of personnel.
- (k) Preparing timely and accurate reports.
- (l) Performing any other duties that may be assigned from time to time

Job Specifications:

Educational Qualifications: Bachelor degree in Wildlife Management/equivalent.

Professional Qualifications: Advanced Certificate in Law Enforcement.

Working Experience : 5 years.

10. Job Title : Head Intelligence (Warden II)

11. Job Group : M

Sub-Sector : Tourism and Wildlife

Position Responsible To : Warden Security Operation

Positions Reporting To the Job Title : Operation Commanders (Warden)

: Intelligence officers

Overall Responsibility:

Ensure timely and effective gathering of intelligence information required in conservation and protection of wildlife with a view of attaining set corporate objectives

Objectives:

- (1) Effective control against malpractices/irregularities of conservation
- (2) Enforce compliance to security measures
- (3) Timely availability of intelligence information
- (4) Reduced wildlife and other crime rates
- (5) Coordination of implementation of interstate agreements
- (6) Timely and Accurate intelligence reports

Key Tasks:

- (a) Developing and implementing sub sector plans in line with the county government objectives
- (b) Formulating and ensuring implementation of strategies and programs on intelligence information gathering.
- (c) Participating in implementing security strategies, and measures to ensure maximum protection of wildlife and county government property
- (d) Planning and coordinating collection and interpretation and dissemination of intelligence information to appropriate users.
- (e) Formulating operational strategies and carrying out implementation as per approved procedures.
- (f) Ensuring proper planning, preparation of annual work plans and budget estimates and AIE for the unit.
- (g) Planning and co-coordinating procurement of equipment required for all undercover operations.
- (h) Managing, appraising and ensuring appropriate training of personnel.
- (i) Managing of confidential expenditure records and carrying out periodic audits in the field
- (j) Coordinating the implementation of relevant protocols as well as cross border security matters
- (k) Preparing timely and accurate reports

- (l) Establishing and maintaining linkages with law enforcement agencies to enhance information gathering process and strengthening of security measures.
- (m) Collecting and collating intelligence information on current trends in crime and other matters that could adversely affect the county government operations and security.
- (n) Performing any other duties as may be assigned from time to time

Job Specifications:

Educational Qualifications: Master's degree in Natural Resources or Equivalent.

Professional Qualification : Diploma in Crime Management.

Working Experience :5 years

12. Job Title : Operation commanders (Assistant Warden)

Job Group : L

Sub Sector : Tourism and Wildlife

Position Responsible To : warden Security

Positions Reporting To the Job Title : Sergeant
: Corporal
: Ranger

Overall Responsibility:

Timely implementation of security operations as per approved plans

Objectives:

- (1) Effective security operations
- (2) Enforce compliance to security measures
- (3) Achievement of set targets
- (4) Maintenance of accurate records
- (5) Timely and accurate reports

Key Tasks:

- (a) Planning and directing security operations within the area of jurisdiction as per approved procedures;

- (b) Conducting continuous operational training for the security personnel under the command;
- (c) Preparing returns and operational reports;
- (d) Ensuring safety of firearms, ammunition and other county government resources;
- (e) Ensuring achievement of set targets;
- (f) Liaising with other security agencies in the process of carrying out field operations;
- (g) Supervising and appraising personnel;
- (h) Performing any other duties that may be assigned from time to time.

Job Specifications:

<i>Educational Qualifications</i>	: KCSE
<i>Professional Qualifications</i>	: Diploma in Wildlife / Security Management
<i>Working Experience</i>	: Security Commander's Course : 3 years
13. Job Title	: Warden (National Reserve)
Job Group	: M
Sub- Sector	: Tourism and Wildlife
Position Responsible To	: Chief Warden
Positions Reporting to the Job Title	: Wardens Security : Tourism Warden : Community Warden : intelligence officer : Accounts Assistant : Procurement officer : Transport Officer

Overall Responsibility:

Ensure efficient management and implementation of the National Reserve's plans with a view of achieving set goals

Objectives:

- (1) Ensure safety of visitors and wildlife
- (2) Conservation education
- (3) Development and maintenance of Park infrastructure
- (4) Provide Conducive working environment
- (5) Development of tourism products
- (6) Timely reports
- (7) Cost control measures
- (8) Achievement of set targets

Key Tasks:

- (a) Interpreting and ensuring implementation of Tourism and conservation policies and procedures in the Reserve.
- (b) Liaising with relevant organizations in the implementation of Tourism and conservation plans and policies.
- (c) Ensuring effective management and implementation of the Reserves strategic plans.
- (d) Ensuring all developments in the Reserves comply with EMCA and other county Law.
- (e) Monitoring the ecosystem balance of wildlife in the Reserves as per approved policies and procedures.
- (f) Maintaining special surveillance of endangered species and monitoring their movement
- (g) Ensuring fire management plan is implemented and reviewed regularly.
- (h) Ensuring security in the reserves is up to date
- (i) Ensuring provision of education and tourism services as per approved procedures and policies
- (j) Coordinating implementation of revenue generating projects relevant to the adjacent communities
- (k) Preparing annual plans and budget and managing the utilization of financial resources within the approved policies and procedures
- (l) Supervising, appraising and ensuring appropriate training of personnel

- (m) Managing staff welfare and disciplinary cases within the approved procedures and policies
- (n) Ensuring proper maintenance of infrastructure, vehicles, equipment's, plants and buildings as per approved plans and procedures within the reserve.
- (o) Developing linkages with stakeholders in promotion of tourism and conservation in assigned Reserve
- (p) Preparing timely and accurate reports
- (q) Ensuring achievement of set targets for the Reserve.
- (r) Performing any other duties as may be assigned from time to time

Job Specifications:

Educational Qualifications: Bachelor's degree in Tourism/Wildlife Conservation or equivalent

Professional Qualifications : Diploma in management

Working Experience : 3 years

9. Job Title : Tourism Warden

Job Group : L

Sub Sector : Tourism and Wildlife

Position Responsible To : Warden National Reserve

Positions Reporting To The Job Title: Gate clerks,
: Campsite attendants / Caretaker

Overall Responsibility:

Ensure provision of quality services to visitor and efficient revenue collection with a view to attain set targets.

Objectives:

- (1) Quality service to customers
- (2) Increased sales
- (3) Efficient revenue collection
- (4) Cost control measures
- (5) Maintenance of accurate Records
- (6) Timely and accurate reports

(7) Safety of accountable records

Key Tasks:

- (a) participating in preparation of marketing plans, strategies, policies norms and procedures;
- (b) implementing programs on marketing of tourism products;
- (c) participating in Co-coordinating implementation of national Reserves marketing policies and strategies;
- (d) developing new products and improving on existing ones;
- (e) ensuring timely Reserves access operations and proper handling of visitors;
- (f) ensuring Information dissemination to Reserves visitors;
- (g) ensuring availability of information at Reserves Gates;
- (h) monitor efficient implementation of tourism facilities leases;
- (i) ensuring compliance to all National Reserve regulations;
- (j) managing signage for proper direction and information to visitors;
- (k) managing visitor facilities;
- (l) participating in designing and implementing measures to enhance revenue collection and protection;
- (m) preparing annual plans and budget;
- (n) supervising, appraising and ensuring appropriate training of personnel;
- (o) ensuring effective records management;
- (p) preparing timely and accurate reports;
- (q) performing any other duties as may be assigned from time to time.

Job Specifications:

Educational Qualifications : KCSE

Professional Qualifications : Diploma in Tourism or equivalent.

Working Experience : 3 years

14. Job Title : **Warden Community**

Job Group : **M**

Sub Sector : Tourism and Wildlife

Position Responsible To : Warden National Reserve

Overall Responsibility:

Timely Implementation of community Tourism and wildlife programs in the county

Objectives:

- (1) Quality service to community
- (2) Effective handling of Human wildlife conflict resolution
- (3) Awareness program for community mobilization
- (4) Timely and accurate reports
- (5) Effective cost control measures

Key Tasks:

- (a) Facilitating community participation in wildlife conservation and management program;
- (b) Implementing human wildlife conflict resolution strategies;
- (c) Monitoring the ecosystem balance of wildlife in the county;
- (d) Maintaining special surveillance of endangered species and ensuring minimum destruction;
- (e) Providing education services to public on living in the same environment with wildlife;
- (f) Identifying, designing and implementing and effectively monitoring community based projects;
- (g) Supervising, appraising and ensuring appropriate training of personnel;
- (h) Maintaining accurate information/ data and records;
- (i) Developing linkages with stakeholders in conservation and promotion of wildlife;
- (j) Preparing timely and reports;
- (k) Performing any other duties as may be assigned from time to time.

Job Specifications:

Educational Qualifications : KCSE

Professional Qualifications : Diploma in Community/wildlife management

Working Experience : 3 years

15. Job Title : **Intelligence officers**

Job Group : **E**

Sub Sector : Tourism and Wildlife

Position Responsible To : Head Intelligence

Overall Responsibility:

Ensure effective gathering and dissemination of intelligence information

Objectives:

- (1) Quality information for security operations
- (2) Availability of reliable intelligence data
- (3) Timely dissemination of intelligence information
- (4) Effective management of an intelligence information
- (5) Effective coordination of intelligence operations
- (6) Reduction of crime

Key Tasks:

- (a) Ensuring effective Recruiting and allocating work to informants as per approved procedures;
- (b) Conducting covert investigation on movement of wildlife Product and other activities within the assigned area;
- (c) Keeping safe custody of records;
- (d) Training informants on information gathering and personal security;
- (e) Managing confidential expenditure Imprests and updating records as required;
- (f) Liaising with other security agencies on security matters in their areas of jurisdiction;
- (g) Appraising the performance of informants and ensuring attainment of set targets;
- (h) Collecting, collating and disseminating information;

- (i) Preparing, implementing and monitoring annual work plans and budgets;
- (j) Preparing accurate and timely reports;
- (k) Performing any other duties that may be assigned from time to time.

Job Specifications:

Educational Qualifications : KCSE

Professional Qualifications : Diploma in Crime Management or equivalent.

: Paramilitary training.

Working Experience : 3 years

16. Job Title : **Communication officer**

Job Group : **K**

Sub-sector : Tourism and Wildlife

Position Responsible To : Operation commander

Positions Reporting to the Job Title : Radio operators

Overall Responsibility:

Ensure provision of effective radio communication services.

Objectives:

- (1) Coordination of radio communication and personnel
- (2) Effective delivery of radio messages
- (3) Timely reports
- (4) Effective communication
- (5) Quality communication equipment
- (6) Security of telecommunication systems and data
- (7) Effective utilization of radio equipment in the department

Key Tasks:

- (a) Managing radio communications activities as per approved plans;
- (b) Participating in identification of communication equipment;
- (c) Liaising with other field units in the control of communication equipment;

- (d) Reviewing and recommending appropriate call signs on local V.H.F & H.F networks;
- (e) Preparing monthly reports on operations of the radio operation;
- (f) Reviewing and updating working radio operations;
- (g) Coordination of training programmes for the uniformed staff;
- (h) Reviewing and updating working methods in radio communication;
- (i) Ensuring appropriate training of radio communication personnel.
- (j) Organizing seminars/workshops;
- (k) Participating in the recruitment of suitable radio communication personnel within the county units;
- (l) Performing any other duties that may be assigned from time to time.

Job Specifications:

3. Educational Qualifications: KCSE

Professional Qualifications: Certificate in Radio - Telephony/Telegraphy.

: Paramilitary training.

Working Experience : 2 years

13. Job Title : **Sergeant Major**

Job Group : **J**

Sub-sector : Tourism and Wildlife

Position Responsible To : Operation commander

Positions reporting to the Job Title : Non Commissioned Officers

Overall Responsibility:

Maintenance of discipline, welfare and camp cleanliness as per approved procedures

Objectives:

- (1) Enforce measures discipline in the camp
- (2) Cleanliness and hygiene standards
- (3) Effective management of Staff welfare

- (4) Timely and accurate records

Tasks:

- (a) Participating in development and implementation of unit strategic plans.
- (b) Maintaining operational linkages with other units, departments and management of Human resources in the section.
- (c) Participating in budgeting and budgetary control for the Section.
- (d) Maintaining a supportive working environment to foster optimum performance.
- (e) Monitoring sectional performance and initiating necessary interventions.
- (f) Supervising, appraising staff and identifying their training and developmental needs.
- (g) Carrying out regular inspections ensure maintenance of hygiene standards.
- (h) Ensuring proper discipline, cleanliness and staff welfare.
- (i) Resolving conflicts in the camp as and when occurs.
- (j) Preparing timely and accurate reports.
- (k) Performing any other duties that may be assigned from time to time

Job Specifications:

- Educational Qualifications* : KCSE
- Professional Qualifications* : Paramilitary training.
- Working Experience* : 2 years as a Senior Sergeant.

14. Job Title : **Senior Sergeant**

Job Group : **H**

Sub Sector : Tourism and Wildlife

Position Responsible To : Operation commander

Positions reporting to the Job Title : Sergeants

: Corporals

: Rangers

Overall Responsibility:

Ensure effective management of the reserves as per approved procedures and policies

Objectives:

- (1) Quality security services
- (2) Enforce compliance to security measures
- (3) Administration of the Camp
- (4) Ensures security measures
- (5) Timely reports
- (6) Ensures Maintenance of accurate records

Key Tasks:

- (a) Planning Supervising security & patrols
- (b) Participating in management of security of wildlife, Reserves visitors, county government assets and protection of human life and property from wildlife.
- (c) Participating in formulation of sectional policies, norms and procedures.
- (d) Participating in formulation and implementation of security strategies and programs for wildlife protection and county government Assets.
- (e) Implementing security strategies, and measures to ensure maximum protection of unit resources
- (f) Participating in establishing and maintaining linkages with law enforcement agencies to enhance security operations.
- (g) Enforcing discipline measures in all areas of operation
- (h) Ensuring safety and maintenance of firearms and ammunition as per approved procedures.
- (i) Conducting investigations as assigned and presenting to appropriate authority for action.
- (j) Participating in implementation of safety and security measures and regulations by employees and customers as per approved procedures and policies.
- (k) Ensuring processing of investigation documents as per approved procedures.

- (l) Ensuring maintenance of inventory and safety of all exhibits.
- (m) Monitoring and inspecting revenue collection and ticketing processing to protect revenue loss.
- (n) Preparing timely and accurate reports.
- (o) Supervising, appraising and ensuring appropriate training of personnel.
- (p) Conducting covert operations as and when required.
- (q) Supervising informants in the assigned area.
- (r) Performing any other duties that may be assigned from time to time.

Job Specifications:

Educational Qualifications : KCSE
Professional Qualifications : Paramilitary training.
Working Experience : 3 years as a Sergeant

15. Job Title : Sergeant

Job Group : E

Sub Sector : Tourism and Wildlife

Position Responsible To : Operation commander

Positions reporting to the Job Title : Ranger Corporal
: Rangers

Overall Responsibility:

Coordination of security for wildlife, Reserves visitors, county government assets and protection of human life and property from wildlife

Objectives:

- (1) Quality security services
- (2) Administration of the Camp
- (3) Effective security measures
- (4) Timely reports
- (5) Maintenance of accurate records

Key Tasks:

- (a) Participating in management of security of wildlife, Reserves visitors, county government assets and protection of human life and property from wildlife;
- (b) Participating in formulation of unit policies, norms and procedures;
- (c) Participating in formulation and implementation of security strategies and programs for wildlife protection and county government Resources;
- (d) Implementing security strategies, and measures to ensure maximum protection of unit resources;
- (e) Participating in establishing and maintaining linkages with law enforcement agencies to enhance Security operations;
- (f) Planning and supervising security & Reserves patrols as per approved procedures;
- (g) Enforcing ranger discipline as per approved procedure and policies;
- (h) Ensuring safety and maintenance of firearms and ammunition at times;
- (i) Conducting investigations as assigned;
- (j) Participating in processing of investigation documents as per approved procedures;
- (k) Ensuring maintenance of inventory and safety of all exhibits;
- (l) Carrying out inspection of revenue collection and ticketing process;
- (m) Undertaking instructional duties as assigned;
- (n) Preparing timely and accurate reports;
- (o) Ensuring maintenance of cleanliness, hygiene standard and general welfare of the camp;
- (p) Supervising, appraising and ensuring appropriate training of personnel;
- (q) Conducting covert operations as assigned or required;
- (r) Supervising informants as assigned in the work area;
- (s) Performing any other duties that may be assigned from time to time.

Job Specifications:

Educational Qualifications	: KCSE
Professional Qualifications	: Paramilitary training.
Working Experience	: 3 years as a Corporal Ranger.
16. Job Title	: Corporal Ranger
Job Group	: D
Sub Sector	: Tourism and Wildlife
Position Responsible To	: operation Commander
	: Sergeant

Overall Responsibility:

Provision of Security services as per approved procedures and policies

Objective

- (1) Quality security services
- (2) Achievement of set targets
- (3) Enforcement of security measures
- (4) Timely reports

Key Tasks:

- (a) Participating in formulation and implementation of security strategies and programs for wildlife protection and county Government;
- (b) Implementing security strategies, and measures to ensure maximum protection of Units resources;
- (c) Conducting morning parades and attending to any emerging issues as may be required;
- (d) Commanding security operations as required;
- (e) Maintaining accurate patrol record as per approved procedures;
- (f) Supervising, appraising and ensuring appropriate training of personnel;
- (g) Ensuring maintenance and safety of equipment;
- (h) Participating in conducting investigations of issues assigned;
- (i) Preparing timely and accurate reports;
- (j) Participating in conducting covert operations and carrying out arrests as required;
- (k) Supervising informants assigned to work area;

- (l) Participating in processing of prosecution documents as required;
- (m) Participating in maintaining inventory and safety of all exhibits as per approved procedures and policies;
- (n) Undertaking instructional duties as assigned;
- (o) Performing any other duties that may be assigned from time to time

Job Specifications:

Educational Qualifications :KCSE

Professional Qualifications :Ranger to Corporal promotion course

Working Experience :3 years as a Ranger.

17. Job Title : **Ranger**

Job Group : **C**

Sub Sector : Tourism and Wildlife

Position Responsible To : Corporal Ranger

Positions Reporting to Job Title : None

Overall Responsibility:

Timely implementation of security measures as per approved policies and procedures

Objectives:

- (1) Quality security services
- (2) Enforce compliance to security measures
- (3) Safety of company property, wildlife and personnel
- (4) Timely preparation of report

Key Tasks:

- (a) Undertaking security patrols and operations as per approved procedures;
- (b) Providing routine security services to protect wildlife and safeguard county government assets;
- (c) Detecting and preventing occurrence of wildlife crime within the Reserve and surrounding environment;
- (d) Participating in investigating wildlife and other crime as assigned;

- (e) Performing sentry duties as assigned;
- (f) Providing escort services as and when required;
- (g) Reporting detected incidences in the assigned area;
- (h) Monitoring the movement of wildlife and collecting data as assigned;
- (i) Engaging communities in protection of wildlife within the community land;
- (j) Recruiting and supervising informant's as required;
- (k) Participating in conducting covert operations and arrests as per approved procedures;
- (l) Ensuring safety of exhibits as per approved procedures;
- (m) Performing any other duties that may be assigned from time to time.

Job Specifications:

<i>Educational Qualifications</i>	: KCSE
<i>Professional Qualifications</i>	: Paramilitary Training
<i>Working Experience</i>	: 6 months induction

MEMORANDUM OF OBJECTS AND REASONS

The principal purpose of this Bill is to provide a legislative framework that supplements National Legislation for the protection, conservation and management of wildlife within, around and throughout the County of Isiolo.

Part I of the Bill provides for preliminary matters, and also sets out the guiding principles for the implementation of the provisions of the Bill.

Part II provides for the Bill provides for the establishment and functions of the Isiolo Wildlife Service.

Part III contains the financial provisions with respect to the service including the creation of the Wildlife and Tourism Fund.

Part IV provides for the establishment of the Wildlife Protecting Unit.

Part V provides for the conservation protection and management of wildlife including Restrictions on National Reserves.

PART VI prescribes offences and penalties.

Part VII provides for the enforcement of and compliance with the provisions of the Act.

ISSACK ABDUBA FAYO,
Leader of Majority.