

CHAPTER 282

THE SLEEPING SICKNESS ACT.

Arrangement of Sections.

Section

1. Interpretation.
2. Compulsory examination of person infected or suspected to be infected with sleeping sickness.
3. Compulsory treatment of persons infected with sleeping sickness.

Sleeping sickness areas.

4. Declaration of sleeping sickness area.
5. Persons resident in sleeping sickness area to furnish personal particulars.
6. Certificate of particulars furnished.
7. Owner or occupier of land required to take measures against outbreak or spread of sleeping sickness.
8. Administrative orders for the suppression or prevention of the spread of sleeping sickness.
9. Registration of vessels.
10. Control of woodcutting in sleeping sickness area.
11. Control of fishing in sleeping sickness area.

Infected areas.

12. Declaration of infected areas.
13. Passes for residents within infected area.
14. Residents not to leave infected area without medical sanction.
15. Medical examination of residents desiring to leave infected area.
16. Residents not to reenter infected area without medical sanction.
17. Medical examination of residents desiring to reenter infected area.
18. Nonresidents not to enter infected area without pass.
19. Medical examination of nonresidents prior to issue of pass to enter infected area.
20. Applicant for pass to enter infected area to furnish information.
21. Pass to enter infected area to be valid only for period and purpose sanctioned.

22. New pass required to extend period or alter purpose allowed by former pass.
23. Passes to be retained.
24. Nonresidents not to leave infected area without medical sanction.
25. Medical examination of nonresidents desiring to leave infected area.

Restricted areas.

26. Declaration of restricted area.
27. Persons not to enter restricted area without permit.
28. Medical examination prior to entry into restricted area.
29. Applicant for permit to enter restricted area to furnish information.
30. Permit to enter restricted area to be valid only for period sanctioned and purpose stated.
31. New permit required to extend period or alter purpose allowed by former permit.
32. Permits to be retained.

Miscellaneous.

33. Improper dealings with documents.
34. Documents to be produced on demand.
35. Arrest without warrant.
36. Seizure and forfeiture of vessels, etc.
37. Offences and penalties.
38. Variation and substitution of forms.
39. Rules.

Schedules

<i>First Schedule</i>	Notice.
<i>Second Schedule</i>	Infected area residents pass.
<i>Third Schedule</i>	Infected area nonresidents pass.
<i>Fourth Schedule</i>	Restricted area entry permit.

CHAPTER 282

THE SLEEPING SICKNESS ACT.

Commencement: 15 April, 1929.

An Act to enable measures to be taken for the prevention, arrest and suppression of sleeping sickness.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “administrative officer” includes, for the purposes of sections 5, 6 and 18 to 22, a sleeping sickness inspector and a chief to whom the administrative officer has delegated his or her powers subject to such restrictions as the administrative officer may have imposed;
- (b) “cattle” includes sheep and goats and the young of cattle, sheep and goats;
- (c) “document” means any certificate, pass or permit issued under this Act or under any rules made under this Act;
- (d) “examining officer” means any medical officer appointed by the chief medical officer to carry out the duties imposed by this Act upon an examining officer and includes any person whom that medical officer authorises to carry out any such duties;
- (e) “*glossina*” means any species of tsetse fly;
- (f) “invalid document” is a document which under this Act or any rules made under this Act is cancelled, or which is no longer required to be retained;
- (g) “post of examination” means any place appointed by the chief medical officer to be a post of examination for an infected area or restricted area;
- (h) “road” includes any path, track or route over any line of land;
- (i) “sleeping sickness” means any of the forms of human trypanosomiasis; (j) “vessel” means any kind of vessel howsoever propelled used in navigation.

2. Compulsory examination of person infected or suspected to be infected with sleeping sickness.

Any examining officer may require any person whom he or she knows or

suspects to be infected with sleeping sickness to submit himself or herself for examination at such time and place as the examining officer may prescribe, and any person who on being so required refuses or neglects to be so examined commits an offence.

3. Compulsory treatment of persons infected with sleeping sickness.

Any medical officer who finds any person to be infected with sleeping sickness may require that person to submit himself or herself for treatment at such time and place as the medical officer may prescribe, and any person who on being so required refuses so to submit himself or herself or to continue so to submit himself or herself commits an offence.

Sleeping sickness areas.

4. Declaration of sleeping sickness area.

When the Minister is satisfied that sleeping sickness is likely to break out or to be found in any part of Uganda, he or she may, by statutory order, define such part and declare it to be a sleeping sickness area and may assign to that sleeping sickness area any designation which may seem fit to the Minister.

5. Persons resident in sleeping sickness area to furnish personal particulars.

(1) Any administrative officer may require any person resident in a sleeping sickness area to furnish him or her with such personal particulars as the Minister from time to time may specify by statutory order; except that the Minister may by statutory instrument exempt all or any of the residents or any class of residents in any sleeping sickness area or in any defined portion of any sleeping sickness area from the provisions of this subsection.

(2) Any person who refuses or omits without reasonable excuse to furnish any such particulars as he or she may be required to furnish or makes any statement concerning such particulars which he or she knows to be false commits an offence.

6. Certificate of particulars furnished.

Any person who has furnished the particulars required by section 5 shall, except where provided otherwise by section 13, be given by the

administrative officer a certificate in such form as the Minister may by statutory order from time to time prescribe, and the certificate shall be carried at all times when the person to whom it has been issued is within a sleeping sickness area.

7. Owner or occupier of land required to take measures against outbreak or spread of sleeping sickness.

(1) Whenever any district commissioner is informed in writing by the chief medical officer or any medical officer authorised in that behalf by the chief medical officer that there exists on any land within the limits of his or her district or area situated within a sleeping sickness area a condition of things conducive to an outbreak of or the spread of sleeping sickness, he or she may serve or cause to be served a notice on the owner or occupier requiring him or her in order to remedy that condition to take such measures as the chief medical officer or the authorised medical officer may prescribe in the notice.

(2) The form of the notice under subsection (1) shall be that set out in the First Schedule to this Act.

(3) If the owner or occupier upon whom any notice authorised by subsection (1) is served refuses or fails without reasonable excuse to carry out any of the measures prescribed in the notice, he or she commits an offence, and the district commissioner may enter or authorise any person to enter upon the land there to carry out the prescribed measures and may recover in his or her own name the expenses incurred by civil suit from the owner or occupier.

8. Administrative orders for the suppression or prevention of the spread of sleeping sickness.

(1) Subject to any written law for the time being in force, any district commissioner within the limits of his or her district or area may for the purposes of arresting or preventing the outbreak or spread of sleeping sickness in any sleeping sickness area, on the advice of a medical officer of health, issue orders to be obeyed by any person residing in or entering the area.

(2) The orders under subsection (1) may—

(a) direct the making and maintenance of protective clearings;

- (b) prohibit persons from residing in, assembling at, resorting to or frequenting particular places;
- (c) prohibit persons from journeying along any specified road or along any other than a specified road;
- (d) prohibit persons in charge of vessels from navigating them along any specified route or along any other than a specified route;
- (e) prohibit persons from landing from or embarking in any vessel at any specified place or at any other than a specified place;
- (f) direct persons moving cattle into, within or through the area to proceed along specified roads or paths, and prescribe the number of any such animals which may be driven by any single person;
- (g) prohibit the sale of cattle at any specified place or at any other than a specified place;
- (h) direct persons resident within or visiting the area to move either temporarily or permanently outside the area or from any one place to any other place within the area.

(3) Any person who in disregard of any order issued under this section does any act which he or she is prohibited from doing or omits to do any act he or she is required to do under the order commits an offence.

9. Registration of vessels.

- (1) (a) The Minister may by rules—
 - prescribe that all vessels or any class of vessel plying or used upon any waters or any part of any waters in any sleeping sickness area shall be registered, and may provide for the limitation of the number of vessels which may be so used in any
- (b) (c) such area or part of the area;
 - prescribe the person to effect the registration;
- (d) prohibit absolutely or conditionally any person from managing, using or being conveyed in any vessel not registered as required by these rules;
- (e) prescribe the method of application for registration, the period of registration and the fee payable therefor;
- (f) (g) prescribe the officer or other person before whom the registration shall be effected;
 - prescribe the form of certificate of registration;
 - prescribe letters, numbers or other marks for the identification of vessels registered under such rules defining the size and shape of the marks and the method of displaying them,

and may annex to the breach or attempted breach of any of the rules a period of imprisonment not exceeding six months and, in addition, or alternatively a fine not exceeding five hundred shillings.

(2) Nothing in this section shall require the registration under rules made under this section of any vessel required to be registered under the Vessels (Registration) Act or any law for the time being in force in Kenya or Tanzania, but no vessel so exempt from registration shall for that reason only be exempt from registration under such rules.

10. Control of woodcutting in sleeping sickness area.

(1) The Minister may make rules—

- (a) prohibiting any person from cutting wood in any sleeping sickness area, or in any defined part of the area, or prescribed place in the area, or elsewhere than a defined part or prescribed place;
- (b) prohibiting any person from cutting wood in any sleeping sickness area, or in any defined part of the area, or prescribed place in the area, or elsewhere than a defined part or prescribed place, without a permit issued in that behalf; prescribing the form
- (c) of permit above-mentioned, the period of availability and the fees payable therefor; cancelling or restricting the area of availability
- (d) of any permit issued if any of such rules is contravened or if necessary for the prevention or arrest or the spread or outbreak of sleeping sickness;
- (e) ordering the retention of permits;
- (f) directing the submission to medical examination of persons cutting wood or applying for permits to cut wood in any sleeping sickness area and prescribing the times and places for the examination;
- (g) extending the provisions of any of the rules made under this section to persons assisting or accompanying others when cutting or carrying away wood in a sleeping sickness area, and to persons removing from a sleeping sickness area wood cut in the area either by themselves or by another person,

and may annex to the breach or attempted breach of any of the rules a period of imprisonment not exceeding six months and in addition or alternatively a fine not exceeding five hundred shillings.

(2) The Minister may by rules appoint such officers or other persons as may be necessary for giving suitable effect to or for suitably carrying out the provisions of any of the rules made under subsection (1) and may define their powers and duties for those purposes.

(3) No rule made under subsection (1) shall apply to any person resident in a sleeping sickness area who cuts or carries away any wood cut in that sleeping sickness area for his or her domestic use in that area nor to any person resident within that sleeping sickness area accompanying or assisting any other person resident in that area in cutting or carrying away wood for the above-mentioned purpose.

(4) The possession of a licence issued under the Forests Act shall not of itself authorise any person to cut or carry away wood within a sleeping sickness area in contravention of the rules made under subsection (1).

11. Control of fishing in sleeping sickness area.

- (1) The Minister may make rules—
 - (a) prohibiting any person from fishing in any sleeping sickness area, or in any defined part of the area, or prescribed place in the area, or elsewhere than a defined part or prescribed place;
 - (b) prohibiting any person from fishing in any sleeping sickness area, or in any defined part of the area, or prescribed place in the area, or elsewhere than a defined part or prescribed place, without a permit issued in that behalf;
 - (c) prescribing the form of permit, the period of availability and the fees payable therefor;
 - (d) cancelling or restricting the area of availability of any permit issued if any of the rules is contravened or if necessary for the prevention or arrest of the spread or outbreak of sleeping sickness;
 - (e) ordering the retention of such permits;
 - (f) directing the submission to medical examination of persons fishing or applying for permits to fish in any sleeping sickness area and prescribing the times and places for the examination;
 - (g) extending the provisions of any of the rules made under this section to persons assisting or accompanying others when fishing in a sleeping sickness area and to persons conveyed in any vessel used for fishing in a sleeping sickness area or being in possession of any fishing apparatus or appliance in a sleeping sickness area,

and may annex to the breach or attempted breach of any of the rules a period of imprisonment not exceeding six months and in addition or alternatively a fine not exceeding five hundred shillings.

(2) The Minister may by rules appoint such officers or other persons as may be necessary for giving suitable effect to or for suitably carrying out the provisions of any of the rules made under subsection (1) and may define their powers and duties for those purposes.

Infected area.

12. Declaration of infected area.

When the Minister is satisfied that sleeping sickness is to be found in any sleeping sickness area, he or she may by statutory order declare that sleeping sickness area or any part of it defined in the statutory order to be an infected area and may assign to the infected area any designation which may seem fit to him or her.

13. Passes for residents within infected area.

(1) Every person resident in an infected area shall, if he or she furnishes the particulars required by section 5, be given by the administrative officer a pass in the form set out in the Second Schedule to this Act in lieu of the certificate prescribed by section 6.

(2) Every pass shall be retained so long as the person to whom it has been issued remains within a sleeping sickness area.

14. Residents not to leave infected area without medical sanction.

Any resident in an infected area who leaves the area without the prior consent of an examining officer commits an offence.

15. Medical examination of residents desiring to leave infected area.

(1) If any resident in an infected area desires to leave the area, he or she shall, not more than one month before the date of his or her intended departure, present himself or herself for examination to an examining officer at a post of examination.

(2) The examining officer shall endorse upon the pass of the resident the result of the examination and shall if he or she is of the opinion that the condition of the examinee so justifies grant the examinee sanction to leave the infected area; but if he or she is of the contrary opinion, he or she may refuse sanction.

16. Residents not to reenter infected area without medical sanction.

Any resident in an infected area who having left the area reenters without prior sanction of an examining officer commits an offence.

17. Medical examination of residents desiring to reenter infected area.

(1) Any resident in an infected area who having left the area desires to reenter shall, not more than one month before his or her intended reentry, present himself or herself for examination by an examining officer at a post of examination.

(2) The examining officer shall endorse upon the pass of the resident the result of the examination; and if he or she is of the opinion that the condition of the examinee so justifies, he or she shall grant the resident sanction to reenter the infected area; but if he or she is of the contrary opinion, he or she may refuse sanction.

18. Nonresidents not to enter infected area without pass.

(1) Any person who enters an infected area in which he or she is not a resident without being in possession of a pass issued to him or her for that purpose commits an offence.

(2) Application may be made for a pass to the administrative officer who may in his or her discretion limit the period of validity of the pass.

(3) The pass shall be in the form set out in the Third Schedule to this Act.

(4) The Minister may by statutory instrument exempt any person or class of persons from all or any of the provisions of sections 18 to 25.

19. Medical examination of nonresidents prior to issue of pass to enter infected area.

(1) Any person requiring a pass to enter an infected area shall first submit himself or herself for medical examination to an examining officer at a post of examination not more than one month before his or her intended entry.

(2) If the examining officer is of the opinion that the condition of the examinee justifies the issue of the pass, the administrative officer may, subject to section 20, issue the pass and the examining officer shall endorse it accordingly; but if the examining officer is of the contrary opinion, the administrative officer shall refuse to issue the pass.

20. Applicant for pass to enter infected area to furnish information.

(1) Any person applying for a pass to enter an infected area shall furnish such information as to the purpose of his or her entry into the infected area and the period he or she proposes to remain in the area as the administrative officer to whom he or she makes application may require.

(2) If any person on being required under subsection (1) to furnish information states what he or she knows to be false or does not believe to be true, the administrative officer may refuse to issue the pass; or if the pass has already been issued the Minister may cancel it, and it shall be deemed not to have been issued.

(3) Any person aggrieved by a refusal on the part of an administrative officer may appeal to the Minister.

21. Pass to enter infected area to be valid only for period and purpose sanctioned.

Every pass to enter an infected area shall be valid only for the period sanctioned by the administrative officer and for the purpose stated by the applicant, and any person to whom a pass has been issued who remains within the area beyond that period or for any other purpose commits an offence.

22. New pass required to extend period or alter purpose allowed by former pass.

If any person to whom a pass to enter an infected area has been issued desires to remain in the area beyond the period or for any other purpose than that allowed by the pass, he or she shall apply for a fresh pass to enter whether he or she has left the infected area or not, and sections 18, 20 and 21 shall apply in respect to him or her and further, if the administrative officer to whom he or she makes application for a pass so requires, he or she shall present himself or herself forthwith for examination by an examining officer in which event section 19(2) shall apply.

23. Passes to be retained.

Every pass to enter an infected area shall be retained by the person to whom it has been issued until that person leaves the area or obtains a fresh pass under section 22, and every fresh pass so obtained shall be retained until the person to whom it has been issued leaves the area.

24. Nonresidents not to leave infected area without medical sanction.

Any person who leaves an infected area in which he or she is not a resident without the prior sanction of an examining officer commits an offence.

25. Medical examination of nonresidents desiring to leave infected area.

(1) If any person desires to leave an infected area in which he or she is not a resident, he or she shall, not more than one month before the date of his or her intended departure, present himself or herself for examination to an examining officer at a post of examination.

(2) The examining officer shall endorse upon the pass of the examinee the result of the examination and shall, if he or she considers the condition of the examinee so justifies, grant him or her sanction to leave the area; but if he or she is of the contrary opinion, he or she may refuse sanction.

Restricted areas.

26. Declaration of restricted area.

When the Minister is satisfied that permanent occupation of or frequent resort to any sleeping sickness area or any part of the area is undesirable on account of the difficulty of protecting persons from contact with *glossina*, he or she may by statutory order declare that sleeping sickness area or any part of it defined in the statutory order to be a restricted area and may assign to the restricted area any designation that may seem fit to him or her.

27. Persons not to enter restricted area without permit.

(1) Any person who enters a restricted area without a permit issued to him or her on that behalf by an administrative officer commits an offence.

(2) Application may be made for a permit to the administrative officer who may in his or her discretion limit the period of validity of the permit.

(3) The permit shall be in the form set out in the Fourth Schedule to this Act.

(4) The Minister may exempt any person or class of persons from all or any of the provisions of sections 27 to 32.

28. Medical examination prior to entry into restricted area.

(1) If any person desires to enter a restricted area, he or she shall not more than one month before the date of his or her intended entry present himself or herself for examination to an examining officer at a post of examination.

(2) If the examining officer is of the opinion that the condition of the examinee justifies the issue of the permit, the administrative officer as aforesaid may, subject to section 29, issue the permit, and the examining officer shall endorse it accordingly; but if the examining officer is of the contrary opinion, the administrative officer shall refuse to issue the permit.

29. Applicant for permit to enter restricted area to furnish information.

(1) Any person applying for a permit to enter a restricted area shall furnish such information as to the purpose of his or her entry into the restricted area and the period he or she proposes to remain in the area as the administrative officer to whom he or she makes application may require.

(2) If any person on being required as aforesaid to furnish information states what he or she knows to be false or does not believe to be true, the administrative officer may refuse to issue the permit, or if the permit has already been issued the Minister may cancel it, and it shall be deemed not to have been issued.

(3) Any person aggrieved by a refusal on the part of an administrative officer may appeal to the Minister.

30. Permit to enter restricted area to be valid only for period sanctioned and purpose stated.

Every permit to enter a restricted area shall be valid only for the period sanctioned by the administrative officer and for the purpose stated by the applicant, and any person to whom a permit has been issued who remains within the area beyond that period or for any other purpose commits an offence.

31. New permit required to extend period or alter purpose allowed by former permit.

If any person to whom a permit to enter a restricted area has been issued desires to remain in the restricted area beyond the period or for any other purpose than that allowed by the permit, he or she shall apply for a fresh permit to enter whether he or she has left the restricted area or not and sections 27, 29 and 30 shall apply in respect to him or her and further, if the administrative officer to whom he or she makes application for a permit so requires, he or she shall present himself or herself forthwith for examination by an examining officer in which event section 28(2) shall apply.

32. Permits to be retained.

Every permit to enter a restricted area shall be retained by the person to

whom it has been issued until that person leaves the area or obtains a fresh permit under section 31, and every fresh permit so obtained shall be retained until the person to whom it has been issued leaves the area.

Miscellaneous.

33. Improper dealings with documents.

Any person who—

- (a) without authority makes or causes to be made any paper purporting to be a document or uses any paper so made for any purpose for which a document is required by this Act or any rules made under this Act;
- (b) without authority alters or causes to be altered any document with the intent that it should appear to have been issued under this Act or any rules made under this Act in that altered form or uses a document so altered with that intent;
- (c) uses an invalid document for any purpose for which a document is required under this Act or any rules made under this Act;
- (d) transfers any document to any person to whom the document has not been issued with intent that the transferee should use it for any purpose for which a document is required under this Act or any rules made under this Act; or
- (e) uses any document so transferred with that intent,

commits an offence and is liable on conviction to imprisonment for a period not exceeding one year and in addition or alternatively to a fine not exceeding one thousand shillings.

34. Documents to be produced on demand.

Any person who, on the demand of any administrative officer or person authorised in that behalf by any administrative officer or of any medical officer officiating within the district or area to which he or she has been appointed or of any police officer, refuses or fails without reasonable excuse to produce any document of which he or she is required to be in possession by this Act or any rules made under this Act commits an offence.

35. Arrest without warrant.

(1) Any administrative officer, police officer or person authorised in that behalf by that administrative officer may arrest without warrant any

person whom he or she knows or reasonably suspects to have committed an offence against this Act or against any rules made under this Act, other than an offence against section 7.

(2) Where the arrest is made by any person other than a police officer, he or she shall without unnecessary delay make over the person arrested to a police officer or take him or her to the nearest police station or bring him or her before a court having jurisdiction in respect of the offence.

36. Seizure and forfeiture of vessels, etc.

(1) Any administrative officer, police officer of or above the rank of corporal or person authorised by an administrative officer may seize and detain any vessel, outboard motor, fishing apparatus and other equipment found either unattended or in the possession of any person in such circumstances as to lead to the reasonable suspicion that it has been used or that there is an intention to use it for the commission of or to facilitate the commission of an offence against this Act and it is found either in an infected or restricted area or is found outside such an area in the possession of any person who has been pursued from the area.

(2) Any seizure and detention under subsection (1) shall be reported to a magistrate's court which may order any vessel, outboard motor, fishing apparatus or other equipment so seized—

- (a) to be forfeited or otherwise disposed of in accordance with section 37(2), if the court convicts any person of any offence in relation to which the vessel, outboard motor, fishing apparatus and other equipment was seized;
- (b) to be returned to the owner or to any person appearing to the court to be entitled to possession of it if no person is prosecuted within a reasonable time, or the person prosecuted is discharged or acquitted; or
- (c) to be forfeited where its owner is unknown, and no claim is made within one month of the date of the seizure.

37. Offences and penalties.

(1) Any offence against this Act for which no penalty is specifically provided shall be punishable with imprisonment for a period not exceeding six months and in addition or alternatively with a fine not exceeding five hundred shillings, and an attempt to commit any such offence shall be

similarly punishable.

(2) On the conviction of any person for any offence against this Act or any rules made under this Act, the court may, in addition to any other penalty, direct that any vessel, outboard motor, fishing apparatus or other equipment proved to have been used for the commission of or to facilitate the commission of the offence shall be forfeited or otherwise disposed of in such manner as the court may think fit; except that where the person convicted is not the owner of any such vessel, outboard motor, fishing apparatus or other appliance, no order of forfeiture shall be made unless its owner has been given an opportunity of being heard.

(3) The provisions of subsection (2) shall be in addition to and not in derogation of the provisions of section 36.

38. Variation and substitution of forms.

The Minister may by statutory order vary or replace any or all of the forms in the Schedules to this Act.

39. Rules.

In addition to any other power to make rules under this Act, the Minister may make rules generally for better carrying out the provisions of this Act.

SCHEDULES

First Schedule.

s. 7.

Notice.

To the owner/occupier of _____
at _____ or in the subcounty
of _____ in the _____
sleeping sickness area.

Take notice that as the above-mentioned _____
is in a condition conducive to the outbreak or spread of sleeping sickness,
you are required to _____

_____.

Date

District Commissioner

Second Schedule.

s. 13.

Infected Area Residents Pass.

Name _____
Son/Daughter/Wife of _____
is registered as a resident in the _____
infected area on page _____ of the sleeping sickness register under chief
_____ in the county of _____.

Date

District Commissioner

Infected Area Nonresidents Pass.

Name _____
Son/Daughter/Wife of _____
District/Area _____ County _____
Chief _____ having been found free from signs of
sleeping sickness on _____ (date)
by
_____ (examining officer) is permitted to enter
_____ infected area and remain there until
_____ (date) for the following
purpose

Date _____ District Commissioner

The above-named having been found free from signs of sleeping sickness on
_____ (date) is permitted to leave the infected area.

Date _____ Examining Officer

Restricted Area Entry Permit.

Name _____
Son/Daughter/Wife of _____
District/Area _____ County _____
Chief _____ having been found free from signs
of sleeping sickness on _____ (date)
by _____ (examining
officer).
is permitted to enter _____ restricted
area and remain there until _____ (date) for
the following purpose _____

Date

District Commissioner

History: Cap. 274; Act 13/1970, s. 241.

Cross References

Forests Act, Cap. 146.

Vessels (Registration) Act, Cap. 362.