



THE REPUBLIC OF KENYA

LAWS OF KENYA

RECORDS DISPOSAL ACT

CHAPTER 14

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CHAPTER 14

RECORDS DISPOSAL ACT
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CHAPTER 14

RECORDS DISPOSAL ACT

[Date of assent: 28th May, 1962.]

[Date of commencement: 12th June, 1962.]

An Act of Parliament to provide for the disposal of records in the custody of the High Court or of the Registrar-General

[Act No. 12 of 1962, L.N. 2/1963, Act No. 32 of 1965, Act No. 19 of 2015, Act No. 31 of 2016, L.N. 105/2017.]

1. Short title

This Act may be cited as the Records Disposal Act.

2. Power to make rules for the disposal of records

(1) The Chief Justice after consultation with the Kenya National Archives and Documentation Service and the Commission on Administrative Justice and subject to the provisions of the Public Archives Act (Cap.19), may from time to time make rules to provide for the disposal by destruction or otherwise of such records, books and papers, belonging to or being in the custody of the High Court or of courts of civil or criminal jurisdiction subordinate thereto, as he may consider to be of no further use or unworthy of being permanently preserved.

(2) The Attorney-General may, after consultation with the Kenya National Archives and Documentation Service and the Commission on Administrative Justice and subject to the provisions of the Public Archives Act (Cap.19), from time to time make rules to provide for the disposal by destruction or otherwise of such records, books and papers, belonging to or being in the custody of the Registrar-General as he may consider to be of no further use or unworthy of being permanently preserved.

(3) For the purposes of this section, “**Registrar-General**” includes the officers specified in the Schedule to this Act.

[L.N. 2/1963, Act No. 32 of 1965, s. 16, Act No. 31 of 2016, Sch.]

3. Saving

Nothing herein contained shall be deemed to authorize the destruction of any document which under the provisions of any law for the time being in force is required to be kept or maintained.

4. No suit to lie on account of destruction

No suit or other proceeding shall be instituted against any person in respect of the disposal by destruction or otherwise of any records, books or papers in accordance with any rules made under this Act.

5. Repeal

The Records (Disposal) Act (Cap. 17) is hereby repealed.

Records Disposal

SCHEDULE

[Section 2(3), Act No. 19 of 2015, s. 2, L.N. 105/2017.]

OFFICERS INCLUDED IN THE DEFINITION OF "REGISTRAR-GENERAL"

<i>Officer</i>	<i>Act under which appointed</i>
Official Receiver.	Bankruptcy Act (Cap. 53) - section 74.
Registrar of Societies.	Societies Act (Cap. 108) - section 8.
Registrar of Books and Newspapers.	Books and Newspapers Act (Cap. 111) - section 3.
Registrar-General of Births and Deaths.	Births and Deaths Registration Act (Cap. 149) - section 3.
Registrar-General of Marriages.	Marriage Act (Cap. 150)- section 2
Public Trustee.	Public Trustee Act (Cap. 168) - section 3.
Registrar of Trade Unions.	Trade Unions Act (Cap. 233) - section 5.
Registrar of Companies.	Companies Act, 2015 - section 844.
Registrar of Insurance Companies.	Insurance Companies Act (Cap. 487) - section 3
Registrar of Building Societies.	Building Societies Act (Cap. 489) - section 3
Registrar of Business Names.	Registration of Business Names Act (Cap. 499) - section 3.
Registrar of Trade Marks.	Trade Marks Act (Cap. 506) - section 3.
Registrar of Patents.	Patents Registration Act (Cap. 508) - section 2.
Assistant Estate Duty Commissioner.	Estate Duty Act (Cap. 483) - section 2.

