



LAWS OF KENYA



NATIONAL POLICE SERVICE ACT

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NATIONAL POLICE SERVICE ACT

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(4) If a police officer in any area in which all or any arms have been ordered to be surrendered under subsection (2)(a), has reasonable cause to believe that the delay which would occur in obtaining a search warrant would, or would tend to, defeat the purposes of this section, the police officer may, without warrant, enter and search any land, premises or place in or upon which he has reason to believe any arms ordered to be surrendered may be found, and may seize any such arms.

(5) A police officer entering upon any land, premises or place under subsection (4) shall, if required to do so by the occupier thereof, produce to the occupier the officer's certificate of appointment.

(6) Every notice issued under subsection (1) shall state the period for which it is to remain in force, and may, at any time, be withdrawn or continued in force for such further period as the Cabinet Secretary may, in each case, by notice in the *Gazette*, direct.

(7) In this section, "inhabitants" means all persons who, by themselves or their agents, servants or tenants, occupy or have a lawful interest in any land within an area specified in a notice issued under subsection (1).

PART XIV – RECIPROCAL ARRANGEMENTS WITH RECIPROCATING COUNTRIES

107. Reciprocating country defined

In this Part, "**reciprocating country**" means any country which the President may, being satisfied that the law of that country contains provisions reciprocal to this Part and that Kenya is or shall be declared a reciprocating country for the purpose of those provisions, by notice in the *Gazette*, declare to be a reciprocating country for the purposes of this Part.

108. Service of officers in reciprocating country

(1) The President may, on the application of the Government of a reciprocating country, order such number of police officers as the President may think fit to proceed to that country for service therein for the purpose of assisting the police service of that country in a temporary emergency.

(2) Where a police officer is punished under the law of a reciprocating country, or under any provisions of this Act applied by the law of a reciprocating country to a police officer whilst present therein, for any offence (whether against discipline or otherwise) committed by him while he was present in that country in pursuance of this Part, he shall be deemed for all purposes to have been punished in Kenya for a similar offence committed within Kenya.

109. Service of police officers of reciprocating country in Kenya

(1) The President may make application to the Government of a reciprocating country for police officers of that country to be sent to Kenya for service therein for the purpose of assisting the Service in a temporary emergency.

(2) Whenever police officers from a reciprocating country are present in Kenya in pursuance of an application made under subsection (1)—

- (a) the police officers shall be under the command of a senior officer of the Service;

- (b) they shall have and may exercise the powers, and shall be liable to perform the duties, of police officers of equivalent rank in the Service, and shall for that purpose be deemed to be members of the Service;
- (c) any contract of service between such an officer and his Government may be enforced in Kenya in the same way and with the same effect as if it were made between the officer and the Government of Kenya.

PART XV – THE NATIONAL POLICE RESERVE

110. Composition of the Reserve

(1) The National Police Reserve (hereinafter referred to as “the Reserve”) shall consist of such persons resident in Kenya (other than serving members of the Kenya disciplined services) as, having attained the age of eighteen years, volunteer for service and are enrolled as reserve police officers.

(2) The Commission shall determine the maximum number Reserve police officers.

(3) The Reserve may be deployed in Kenya to assist the Kenya Police Service or the Administration Police Service in their respective mandates including in the—

- (a) maintenance of law and order;
- (b) preservation of peace;
- (c) protection of life and property;
- (d) prevention and detection of crime;
- (e) apprehension of offenders; and
- (f) enforcement of all laws and regulations with which the Service is charged.

(4) A person serving as a Reserve police officer shall be bound by the same requirements as a police officer and shall be supervised by the Service.

(5) The Commission shall keep, maintain and update a database of all the officers of the Reserve police officers.

(6) The Commission shall upon the commencement of this Act, vet all existing Reserve police officers to assess their suitability and competence, and any such officer who fails the vetting shall not continue to serve the Service.

(7) After the commencement of this Act the Commission may undertake the training of existing Reserve police Officers to ensure that the existing officers are conversant with and conform to the Constitution and this Act.

111. Certificate of appointment for Reserve police officers

(1) A certificate of appointment, in such form as may be prescribed, shall be issued to every Reserve police officer and shall be evidence of the appointment under this Act.

(2) A Reserve police officer shall be recruited, enlisted and trained in accordance with the rules and regulations developed by the Commission.