

**THE CRIMINAL PROCEDURE (POLICE SUPERVISION) RULES**

[Legal Notice 33 of 1966]

1. These Rules may be cited as the Criminal Procedure (Police Supervision) Rules.
2. In these Rules, "police officer in charge of the area" includes the person in charge of the office of that police officer.
3. Before the date of release from prison of a person who is made subject to police supervision by order under section 343 of the Code (hereinafter referred to as a police supervisee), the officer in charge of the prison shall inform the officer in charge of the Criminal Records Office, Nairobi, and the police officer in charge of the area in which the police supervisee has been directed to reside under section 344(1)(a) of the Code, or, where no such direction has been given, the police officer in charge of the area in which the police supervisee intends to reside after release from prison, of the date of release from prison of that police supervisee.
4. (1) The officer in charge of the prison shall inform every police supervisee before his release from prison of the requirements with which the court has directed him to comply under section 344 of the Code, and shall issue to the police supervisee an identity card (hereinafter referred to as the identity card) in the form in the Schedule in which shall be entered such particulars as are applicable to the police supervisee.  
(2) A copy of these Rules shall be annexed to each identity card issued under this rule.
5. When a police supervisee has been directed to comply with any requirements specified under section 344 of the Code other than a requirement to reside within the limits of a specified area, he shall, one month before the date of his release from prison, inform the officer in charge of the prison of the area in which he intends to reside after his release from prison and the officer shall enter particulars of that area in the identity card of the police supervisee.
6. Any written consent given under section 344(1) paragraph (b) or paragraph (c) of the Code shall be recorded in the identity card of the police supervisee by the police officer in charge of the area in which the supervisee resides.
7. When a police supervisee has been directed under section 344(1)(d) of the Code to keep the police officer in charge of the area in which he resides notified of the house or place in which he resides, any such notification and the date thereof shall be recorded in the identity card of the police supervisee by that police officer.
8. (1) When a police supervisee has been directed under section 344(1)(e) of the Code to present himself whenever called upon by the police officer in charge of the area in which he is to reside after his release from prison, the police officer of that area shall, before the date of release from prison of the police supervisee, inform him through the officer in charge of the prison of the place at which and date on which he is to present himself, and the officer in charge of the prison shall endorse the identity card of the police supervisee accordingly.  
(2) Whenever a police supervisee, after the date of his release, presents himself in accordance with a direction under section 344(1)(e) of the Code, the police officer in charge of the area shall record the fact in the identity card of the police supervisee.  
(3) If from illness or other reasonable cause (the proof of which shall lie upon him) a police supervisee is prevented from presenting himself in person, he may do so in any one of the following ways—
  - (a) in person, to the chief or assistant chief exercising jurisdiction in the area in which he resides; or
  - (b) by oral communication sent by a messenger, and by production of his identity card to the person to whom he has been called upon to present himself.

[Subsidiary]

- (4) Where a police supervisee has presented himself in accordance with paragraph (3) (a) to any person, that person shall inform the person to whom the police supervisee should have presented himself, as soon as may be convenient, that the police supervisee has presented himself, and shall forward the identity card of the police supervisee for endorsement accordingly.
9. (1) A police supervisee shall produce his identity card to the police officer in charge of the area whenever he requires consent to transfer his residence or to leave the area in which he resides, or whenever he makes any notification, or whenever he presents himself in accordance with the Code or any rules made thereunder.
- (2) If a police supervisee loses his identity card, he shall forthwith report the loss to the police officer in charge of the area in which he resides and apply to that police officer for a new identity card, which shall be issued to him with the necessary particulars entered therein by that police officer.
10. At the end of the term of police supervision ordered by the court, the police supervisee shall surrender his identity card to the police officer in charge of the area for transmission to the officer in charge of the Criminal Records Office, Nairobi.
11. (1) For the purpose of giving directions or of varying directions under section 344 of the Code, the court may issue a summons to a police supervisee requiring his attendance before the court at such time and place as may be specified.
- (2) Sections 145, 146, 147, 148 and 149 of the Code shall apply, *mutatis mutandis*, to a police supervisee as they apply to a witness.
12. The Criminal Procedure (Police Supervision) Rules are revoked.

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**SCHEDULE**

[r. 4, ss. 343 to 345]

**POLICE SUPERVISION—CRIMINAL PROCEDURE CODE**

**IDENTITY CARD**

Supervisee No. ....

Prison No. ....

Name .....

Registration No. ....

Aliases .....

Court in which order made .....

Criminal Court Case File No. ....

Police Case File No. ....

Offence convicted of, with section of law .....

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Sentence last served .....

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**GENERAL DESCRIPTION**

Tribe or nationality .....

District of origin .....

Chief .....

Sub-chief .....

Village .....

Sex ..... Age .....

Height ..... Marks or scars .....

\*Place of intended residence as supplied by police supervisee/place

of residence as directed by court .....

.....

.....  
*Signature of Prison  
 Officer  
 Issuing Identity  
 Card.*

**\*DIRECTIONS OF THE COURT UNDER SECTION  
 OF THE CRIMINAL PROCEDURE CODE**

- (a) To reside within the limits of the ..... (specify area)
- (b) Not to transfer his residence to any other area without the written consent of the police officer in charge of the area in which he resides.
- (c) Not to leave the limits of the area within which he has been ordered to reside by the court without the written consent of the police officer in charge of the area in which he resides.
- (d) At all times to keep the police officer in charge of the area in which he resides notified of the house or place in which he resides.
- (e) To present himself whenever called upon to do so by the police officer in charge of the area in which he resides.

**\* Strike out whichever is not applicable.**

I certify that I have explained the above requirements to the police supervisee .....

and have informed him that if he does not comply with them he is guilty of an offence.

.....  
*Officer in Charge*

.....  
*Prison.*

**TRANSFER OF RESIDENCE**

**(Section 344 (1) (b) of the Criminal Procedure Code)**

Police supervisee ..... is hereby authorized to transfer his residence:—

**PERMIT TO LEAVE THE LIMITS OF THE AREA  
 IN WHICH HE HAS BEEN ORDERED TO RESIDE**

**(Section 344 (1) (c) of the Criminal Procedure Code)**

Police supervisee ..... is hereby authorized to transfer his residence:—

*Criminal Procedure Code*

[Subsidiary]

From	To	Signature of the police officer in charge of the area consenting to transfer
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**PERMIT TO LEAVE THE LIMITS OF THE AREA  
IN WHICH HE HAS BEEN ORDERED TO RESIDE**

**(Section 344 (1) (c) of the Criminal Procedure Code)**

Police supervisee ..... is hereby authorized to leave the limits of the ..... area in which he has been ordered to reside.

Destination	Date of leaving	Period	Instructions	Signature of the police officer in charge of the area consenting
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**NOTIFICATION OF PLACE OF RESIDENCE**

**(Section 344 (1) (d) of the Criminal Procedure Code)**

Police supervisee .....	has notified me that he resides at:—
Place	Dale
	Signature of the police officer in charge of the area

**REPORTS**

**(Section 344 (1) (e) of the Criminal Procedure Code)**

I hereby certify that I have informed police supervisee .....

C.I.D. Docket No. .... that he is called upon to report on the ..... of each month to ..... police station.

**(Signed)**

.....  
O.C.S.  
(Name, rank,  
printed)

**REPORTS**

**(Section 344 (1) (e) of the Criminal Procedure Code)**

Police supervisee .....	has presented himself at:—
Place	To
	Date
	Signature of police officer to whom supervisee has presented himself

Prison from which released .....

Date released from prison .....

Date of expiry of order .....

Space for photograph when available

Right thumb impression

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