

LEGAL NOTICE NO.....

THE CANCER PREVENTION AND CONTROL ACT, 2012
(No. 15 of 2012)

IN EXERCISE of the powers conferred by section 36 of the Cancer Prevention and Control Act, 2012, the Cabinet Secretary for Health, on the recommendation of the National Cancer Institute, makes the following Rules—

THE CANCER PREVENTION AND CONTROL (PUBLIC AWARENESS AND EDUCATION) RULES, 2023

PART I—PRELIMINARIES	
Citation.	1. This Rules maybe cited as the Cancer Prevention and Control (Public Awareness and Education) Rules, 2023.
Interpretation.	2. In these Rules, unless the context otherwise requires—
No. 15 of 2012.	“Act” means the Cancer Prevention and Control Act, 2012; “Board” means the Board of Management established by section 6 of the Act; and “Chief Executive Officer” means the Chief Executive Officer of the Institute appointed under section 10 of the Act; “Committee” means the Cancer Public Awareness and Education Committee constituted in accordance with Rule 4; “Information, Educational and Communication materials” - means tools used to transfer the knowledge to the target audience to assist in promoting positive behavior; “Basic Public Education’ means one day cancer communication event “Cancer Awareness Campaign/ Program” – programs or campaigns that run for one week to a month to communicate cancer messages; “Cancer Information, Education and Communication programs” – programs that run throughout the year that utilize tools to transfer knowledge on cancer to target audience(s) to assist promoting positive behaviour;

Purpose of these Rules.	3. The purpose of these rules shall be to provide for the regulation of— (a) cancer messaging, information, education and communication; (b) designing information, educational and communication materials that relates to cancer prevention, screening and early detection; and (c) Managing cancer advocacy, communication, education and social marketing.
PART II — THE CANCER PUBLIC AWARENESS AND EDUCATION COMMITTEE	
Establishment of the committee	4. (1) There is established a Committee to be known as the Cancer Public Awareness Committee to be appointed by the Board from the members of staff of the Institute, with the relevant expertise. (2) Notwithstanding sub-rule (1), where technical expertise is required from outside the Institute, such expertise may be obtained from other entities as may be deemed necessary. (3) The Committee shall consist of nine members comprising of - a) a representative from Corporate communication be the chair; b) a representative from Information, Education and Communication Division who shall be the secretary; c) a representative from the Research and Clinical Trials Division; d) a representative from the standards and quality Division; e) a representative from the Diagnostic and Treatment Division; f) a representative from the Information and Communications Technology Division; g) a representative from Ethical Review Division; h) atleast two other persons with expertise in cancer related field from outside the Institute. (4) Subject to these Rules, the Committee may regulate its own procedure.
Functions of the committee	The functions of the committee shall be (a) to recommend the cancer training curriculum to be adopted across all levels of education; (b) to promote public awareness about the causes, consequences means of prevention, treatment and control of cancer through nationwide educational campaign; (c) to provide access to available information to all institutions, associations, and organizations concerned with the welfare and treatment of persons with cancer including those controlled and managed by the government;

	(d) to carry out measures for public information on the rights of persons with cancer and the provisions of the Act; (e) to encourage and participate in the provision of training on cancer prevention and control; (f) to review and recommend on the applications for development, publication and distribution of cancer information, education and communication materials to the CEO.
PART II—INFORMATION, COMMUNICATION AND EDUCATIONAL MATERIALS	
Information, Communication or Educational Material.	5. (1) A person shall not publish or cause to be published or distributed any informational or educational material that relates to cancer: advocacy; prevention; diagnosis; treatment; palliative care; survivorship; rehabilitation; oncology training; and research services as provided under Schedule 3 unless approved by the Board.
Application for a licence.	6. (1) A person shall apply for a licence to the Institute in Form 1 set out in Schedule 1 if they wish to develop, publish or distribute any informational, educational and communication material that relates to cancer prevention, screening, diagnosis and treatment. (2) The application made under sub-rule (1) shall be accompanied by a sample of the proposed information, education and communication material to be developed, published or distributed.
Contents of Information, Education and Communication Materials.	7. The contents of the proposed information, education and communication material shall— (a) be legibly written in either English, Kiswahili or any other assistive communication language as stipulated by the relevant laws; (b) specify the target audience and communicate with ease; (c) Shall be factual, authentic and truthful on the information provided; (d) use images that comply with the Copyright Act, Data Protection Act or any other written law; (e) adhere to ethical and common creative licence principles; (f) be written or narrated at an appropriate reading and comprehension level; and (g) be aligned with the National Policy Guidelines for cancer prevention and control.
Public Information Campaigns and Programs.	8. (1) A person who wishes to undertake a public information campaign or program about cancer prevention, screening and early detection, shall before commencing apply to the Institute as set out in the first schedule, using Form 2. (2) An application made under sub-rule (1), shall expressly provide for the following information—

	(a) proposed communication strategy (b) a written statement on the intended information and goals of the campaign; (c) a written statement on the proposed target audience; (d) proposed dates and venue for the campaign; (e) proposed informational, educational and communication materials to be used; (f) the proposed team lead; (g) the team undertaking the campaign, whose membership shall include a healthcare practitioner; (h) proposed communication channel; and (i) proposed monitoring and evaluation framework for the public information campaign. (3) Upon receipt of the application under sub-rule (1), and upon payment of the prescribed fees set out in Schedule 2, the institute shall review the submitted material within fourteen (14) days to determine compliance and suitability and recommend for approval to the Chief Executive Officer to issue a license. (4) Where an application made under sub-rule 1 is rejected, a detailed report of reasons will be provided. (5) Upon issuance of the licence, the team conducting the campaign shall be required to give feedback to the Institute indicating scope of reach within 14 days of concluding the campaign.
Developing or adapting Information, Education and Communication materials.	9. A person who wishes to develop or adapt information, education and communication material that relates to cancer prevention, screening and early detection shall – (a) use words and phrases familiar to the target audience; (b) be simple, direct and generate trust; (c) use short sentences and words. (d) use active language; (e) use visuals that reinforce text or narrative; (f) make messages truthful, factual and practical; (g) promote behaviors that are appropriate in the cultural, social and economic setting; (h) choose photographs or drawings that are clear and easy to understand; (i) limit the number of visuals in order to emphasize the most important points;

	(j) Illustrations and symbols should reflect the ethnic and cultural back ground of the intended target audience; (k) leave space between text so as not to overcrowd the text; (l) visuals to allow the eye to move easily from one to the other; (m) place related messages and illustrations together; and (n) use colors consistent with the ones globally approved for the respective cancer*
Approval	10. The Institute shall consider all applications submitted under rule 6 within fourteen (14) days.
Pre-Test	11. (1) A person who undertake a public information campaign or program about cancer prevention, screening, early detection and treatment, shall first conduct a pre-test of the information, education and communication material proposed to be used. (2) The evidence of the pre-test undertaken in sub-Regulation one (1) shall- (a) be peer reviewed by content specialists; (b) record participation of at least a minimum of twenty (20) persons;
PART III—INFORMATION, EDUCATION AND COMMUNICATION EVALUATION	
Evaluation of Cancer Information, Education and Communication.	12. (1) The Institute shall continuously undertake evaluation on information, education and communication material that relates to cancer prevention, screening and early detection. (2) The cancer evaluations on information, education and communication material under sub-rule (1), shall consider the following- (a) relevance; (b) appeal; (c) uniformity; (d) simplicity of the content and language; (e) accuracy of information; (f) length of the material; (g) cultural appropriateness; and (h) availability and modes of dissemination.
Offense	13. A person who contravenes any provisions of these Rules commits an offence and shall be liable on conviction to a penalty under section 35 of the Act

FIRST SCHEDULE

FORM 1

Part 1: State Organizational profile

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Part 2: Objectives and Scope

1. Indicate overall objectives of the cancer communication program

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2. Communication scope and goal/campaign strategy

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3. List the platforms to be used for communication /channels/approach

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4. Indicate scope of content of messages to be communicated (attach etc sample of posters/ fliers/brochure)

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5. List of the targeted audience and the approximate number of target audience

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6. Indicate Date /Duration of the campaign

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7. Indicate the physical location of the campaign/session event

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8. Indicate the equipment/accessories and IEC materials to be used e.g drones, public address systems, roadshows, banners, posters, Flyers, humanistic model or sharing of life experiences e.g testimonials of patients and family life journey, experts, media personnel

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9. List the roles of personnel and (Attach current CVs and testimonials) of human resources to be involved in the communication

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FORM 2

SECOND SCHEDULE

FEES

ACTIVITY	FEES(KSH)'
(1) Basic Public Education	<i>Not exceeding Ksh 2,500</i>

THIRD SCHEDULE

INFORMATION, EDUCATION AND COMMUNICATION MATERIAL

Material in Print:

- i) Billboards
- ii) Brochures
- iii) Posters
- iv) Flyers
- v) Infographics
- vi) Leaflets
- vii) Newspapers
- viii) magazines

Electronic Materials

- i) Social media posts
- ii) Television adverts
- iii) Audio spots for radio
- iv) Radio
- v) TV
- vi) Movies,

Made this.....2022.

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SUSAN NAKHUMICHA,
Cabinet Secretary for Health