

SPECIAL ISSUE

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REPUBLIC OF KENYA

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HOMA BAY COUNTY BILLS, 2020

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**THE HOMABAY COUNTY SAND HARVESTING AND SALE
BILL, 2020**

A Bill for

AN ACT of the County Assembly of Homabay to regulate sand harvesting, quarrying and related activities in the county and to ensure sustainable exploitation and utilization of land and to provide for equitable sharing of the accruing benefits and for connected purposes

ENACTED by the Homabay County Assembly as follows—

PART I—PRELIMINARY

Short title and commencement

1 This Act may be cited as the Homabay County Sand Harvesting and Sale Bill, 2020 and shall come into operation 14 days after publication in the Kenya Gazette

Interpretation

2 In this Bill, unless the context otherwise requires—

“authorized officer” includes any person acting under the authority of the licensing officer,

“Committee” means the Sand Harvesting Management Committee established under Section 4 of this Act

“dealer” means the person who buys and sells common minerals,

“designated area” means any area designated and endorsed by the sand harvesting management committee for removal, extraction or scooping of sand,

“County Executive Committee Member” means the County Executive Committee member in charge of environment and natural resources,

“County Government” means the County Government of Homa bay,

“Harvester” means a person or a person's agent who gathers or collects sand from any designated area for the purpose of sale or one's own use,

“license” means a permit issued by the County Government to engage in sand dealing,

“license holder” means a person to whom a permit has been granted under this Act

“person” includes a company, association or otherbody of persons whether incorporated or unincorporated,

“sand” means sedimentary material finer than gravel and coarser than silt with grains between 0.06mm and 2mm in diameter and includes stones, coral, earth and turf but does not include silica sand,

“sand harvesting” means the removal, extraction, harvesting or scooping of sand from a designated areas,

“quarry” means a place from which building demission stone, rock, construction aggregate, murrum, riprap, gravel, lime, sand, slate, shingle, brine, diatomite kaolin, ornamental stone, sodium and potassium compounds and surface stone is excavated from the ground

Objects and purpose

3 The object and purpose of this Act is to provide for a legislative framework for regulating sand harvesting and in particular—

- (a) require the registration of sand dealers and sand harvesting Associations,
- (b) designate sand harvesting areas, sand harvesting hours and sand - transportation methods,
- (c) provide for the institutional framework for management and regulation of sand harvesting,
- (d) provide for the rehabilitation and protection of the environment from harmful effects of sand harvesting and related activities,
- (e) provide for benefit-sharing and investing back to the community part of the revenue collected from sand harvesting, and
- (f) enable communities to participate in the management of sand harvesting

PART II—ADMINISTRATION

County Sand Harvesting and Management Committee

4 (1) There is established a County Sand Harvesting and Management Committee consisting of—

- (a) the Executive Committee member responsible for matters relating to natural resources who shall be the chairperson,
- (b) the chief officer responsible for matters relating to finance,
- (c) the chief officer responsible for matters relating to natural resources,

- (d) a representative of sand dealers appointed by the Executive Committee Member,
 - (e) a representative of special interest groups appointed by the Executive committee member,
 - (f) two representatives of the Sand Harvesting Associations being one man and one woman, appointed by the Executive Committee Member,
- (2) The Committee shall be under the supervision and direction of the County Executive Committee member responsible for matters relating to natural resources
- (3) In the absence of the county executive committee member responsible for matters relating to natural resources, the committee shall elect a chairperson from its quorum
- (4) The quorum of the Committee for purposes of the meeting shall be four members
- (5) The members of the Committee shall elect the secretary from among themselves

Functions of the Committee

- 5 (1) The Committee shall—
- (a) Maintain and update a register of all sand dealers,
 - (b) advise County Executive Committee member on the structure and operations of sand harvesting and related activities,
 - (c) ensure that sand harvesting activities are compliant with this Act and any national norms and standards,
 - (d) ensure sustainable exploitation and utilization of sand resource and other excavated material,
 - (e) collaborate with other environmental agencies in the management of the environment,
 - (f) formulate environmental conservancy programmes in relation to sand harvesting
 - (g) recommend to the County Executive Committee member designated sand harvesting areas for *Gazettement*
 - (h) recommend designated roads for transportation of sand and other excavated material in accordance with this Act and
 - (i) perform any other functions assigned by the County Executive Committee member

(2) In the performance of its functions under this Act, the Committee shall, allow the participation of the people who may be affected by its decisions in making decisions

Sand harvesting associations

6 (1) The Committee shall approve the establishment of such Number of Sand Harvesting Associations as it may deem fit and in accordance with the law relating to the registration of associations, self-help groups and community-based organizations

(2) Upon approval of Sand Harvesting Associations by the Committee under Subsection (1) the County Executive Committee member shall, within seven days of such approval, submit the list of approved Sand Harvesting Associations to the County Assembly for vetting

(3) The Assembly shall vet and approve the list of Sand Harvesting Associations forwarded under subsection (2), within fourteen days of receipt of the list and forward it to the Executive Committee Member for Gazettement

(4) Before approving the formation of an association under subsection (1), the Committee shall have regard to the following factors—

- (a) drainage network of the river and the designated sand harvesting sites,
- (b) the need to ensure full participation of the community including all interest groups, and
- (c) viability and sustainability of the association

(5) An^a association shall be composed of the following members elected by interested community—

- (a) three representatives of the riparian landowners,
- (b) two women representatives who are not riparian land owners,
- (c) two youth representatives who are not riparian land owners, and
- (d) two elders who are not riparian land owners
- (e) two persons representing special interest groups

(6) An association shall be responsible for sustainable management of sand harvesting activities in its area and in particular to—

- (a) ensure that before sand harvesting activities are commenced, an Environmental Impact Assessment is undertaken in accordance

with the provisions of Environment Management Coordination Act No 8 of 1999,

- (b) ensure that annual Environmental Audits are conducted for all sand harvesting sites including closed sites,
- (c) ensure sustainable management of sand harvesting along riverbeds,
- (d) undertake the rehabilitation of the closed sites, and
- (e) perform any other function assigned to it under this Act

Considerations by the Committee and Associations

7 The Committee and the associations shall be guided by the following considerations in discharging their mandate—

- (a) sand dams and gabions shall be constructed in designated sand harvesting sites and that there shall be at least one hundred metres between one gabion and another,
- (b) all vehicles transporting sand shall use designated access roads only to sand harvesting sites,
- (c) upon closure of a designated sand harvesting site, the site shall be rehabilitated appropriately by the Association, county government and approved dealer under the supervision of the Committee,
- (d) sand shall be restricted to the riverbeds and no such harvesting shall be allowed on riverbanks,
- (e) only persons who have attained the age of eighteen years and residing within the local community shall be employed as sand loaders
- (f) licensed sand dealers shall pay a negotiated and agreed wage to sand loaders subject to the prescribed minimum wage fixed by the executive committee member, and
- (g) sand loaders shall organize themselves into organized groups with a chairperson and shall be under the direction and control of the Association

PART III—SAND HARVESTING REQUIREMENTS

Sand harvesting sites

8 (1) The Committee shall from time to time and on the advice of the Associations designate and document sand harvesting sites

(2) In considering an application for the designation of a sand harvesting site under paragraph (1) the Committee shall give notice of that application to the community around the proposed sand harvesting site

(3) Every sand harvesting area shall be clearly demarcated and documented by the committee in consultation with the relevant association

(4) A person shall not harvest sand from any area not designated as a sand harvesting site by the committee

(5) Each designated sand harvesting site shall have an environmental management plan to guide in the rehabilitation of the sites

On-farm and Lakeshore sand harvesting

9 On-farm and lakeshore sand harvesting shall be carried out subject to fulfilling the following conditions—

- (a) sand harvesting shall not exceed fifteen feet in depth,
- (b) a sand harvesting sites shall be at least fifty metres from the nearest riverbanks or dykes for on-farm sand harvesting,
- (c) sand harvesting shall not be undertaken concurrently with rehabilitation of the sites,
- (d) on-farm sand harvesting shall be undertaken by open-cast harvesting method and/or underground tunneling or extraction of sand shall be undertaken

Riverbed sand harvesting

10 (1) Sand harvesting from any riverbed shall be undertaken in a manner that allows adequate reserve of the sand is retained to ensure water retention

(2) Sand harvesting shall be undertaken on any river bank

(3) Loading of sand shall be done in the designated harvesting sites through controlled access points

(4) No sand harvesting shall take place within fifty metres of either side of any physical infrastructure including bridges, roads, railway lines, dykes, among others

Hours of sand harvesting and transportation

11 (1) A person shall not—

- (a) Harvest sand between the hours 7 pm and 5 am, or
- (b) transport sand between the hours 7 pm and 5 am

(2) The transport of sand within the county shall only be done through designated roads for such transportation

(3) A person who contravenes this section commits an offence is liable upon conviction to a fine not exceeding fifty thousand shillings or to an imprisonment term not exceeding one year or to both

Sale of sand

12 (1) The Committee shall provide minimum pricing guidelines for sale of sand within the county, but such prices shall take into consideration the requirements of the Restrictive Trade Practices Monopolies and Price Control Act (Cap 504, Laws of Kenya) and the market forces of the day

(2) Any person who sells sand shall be required to issue a receipt to the purchaser and keep records of such for periodic inspection by the relevant authorities

PART IV—LICENSING PROVISIONS

Licensing of sand harvesters

13 (1) No person shall use, cause or permit to remove sand from any river, farm, ranch or other land for the purposes of sale unless valid license issued under this Act for such trade or business

(2) The license in Subsection (1) shall be deemed to be 'monthly' unless otherwise authorized by the executive committee member

(3) A person who contravenes this section commits an offence

Licensing of sand dealers

14 (1) No person or agent shall transport sand from any part of the county, unless a valid license for such business has been issued by the government

(2) No person shall carry on or engage in any trade occupation or business of sand harvesting unless the person is licensed to carry on such trade, occupation or business by the government

(3) A person who contravenes this section commits an offence

Licensing Officer

15 (1) The Executive Committee Member shall be the licensing officer responsible for the issuing of licenses under this Act

(2) The Executive Committee Member may, in writing, delegate any one or all the powers under this Act to any one or more authorized officers

(3) Every license shall contain conditions for ensuring sustainable sand harvesting including—

- (a) the requirement for sand harvesters to furnish the licensing officer with an environmental impact assessment relating to the site for which a license is sought,
- (b) the requirement for rehabilitation of sites upon closure,
- (c) any other condition as may be prescribed by the executive committee member under this Act

Application for license

16 An application for license under this Act shall be in the prescribed form provided that the Executive Committee Member may, in any particular case require an applicant to submit or supply such further information as the Executive Committee Member may deem fit

Discretion of a licensing officer

17 (1) The licensing officer shall consider each application made under section 16 and determine whether to issue a license to the applicant within Fourteen days

(2) If a licensing officer refuses to issue a license, they shall at the time of giving notification of the refusal, inform the applicant in writing of the reasons of the refusal and refer to the relevant provision in this Act on which the refusal is based

(3) Where the licensing officer rejects an application in accordance with Section 17(2) above, the rejections shall not bar the applicant from resubmitting the application

License conditions

18 A license shall be issued —

- (a) subject to an obligation to rehabilitate the site and surrounding areas upon closure,
- (b) for the category or categories of business activity specified in the license, and
- (c) subject to the regulations and any other conditions provided in the license

License fees

19 (1) An applicant for a license shall pay such application fee as may be prescribed by the Executive Committee Member under this Act

Form of license

20 (1) A license shall be in such form as the Executive Committee Member may from time to time determine and shall be signed by the Executive Committee Member or a person authorized in that behalf

(2) The Executive Committee Member may issue different classes of licenses for different purposes

Transfer of license

21 (1) A license issued under this Act shall not be transferred from the holder thereof to another person without the consent of the Executive Committee Member or a person authorized in that behalf

(2) An application for the transfer of any license shall be in such form as may be prescribed by the Executive Committee Member and shall be accompanied by the license to which it relates. Provided that the Executive Committee Member may in any case require an applicant for the transfer of a license to submit or supply such further information as the Executive Committee

Member shall deem necessary

(3) For every transfer there shall be payable to the government such fee as may be prescribed by the Executive Committee Member

(4) A memorandum of the transfer of any license shall be endorsed on the license by the Executive Committee Member

(5) A person who contravenes this section commits an offence

Alteration of license

22 (1) Subject to this Act, a licensing officer may alter a license from one form of dealership to another on written application by the licensee

(2) A licensee shall only engage in the type of sand dealing as authorized under the license

(3) A person who contravenes this section commits an offence

Cancellation of license

23 A licensing officer may cancel a license if—

- (a) the application form contains any material misrepresentation or false statement,
- (b) any information given in the application for the business was materially incorrect so as to create a false impression of the ownership of the business or the nature of its business activity,
- (c) the licensee carries on a prohibited activity,

- (d) a condition imposed is breached, or
- (e) the licensee is convicted of an offence under this Act

Reviews

24 (1) Any person aggrieved by the decision of a licensing officer may apply for review of the decision before a court of competent jurisdiction

(2) All applications for review shall be filed within Twenty one days of the decision

(3) Before applying for a review under this section, an aggrieved person has the right to petition the County Executive Committee Member

Production of license

25 (1) The licensing officer, any police officer or an authorized officer who has reason to believe that a person is required to hold a business license may demand that the person produce a license

(2) A person who contravenes subsection (1) commits an offence

Quarrying

26 The provisions of this Act applicable to sand harvesting shall apply with necessary modifications to any form of quarrying

PART V—GENERAL PROVISIONS

Collection of revenue by government

27 (1) The Committee shall—

- (a) facilitate the collection of revenue from sand dealers in designated sand harvesting sites or along access roads,
- (b) ensure that at least ten per cent of the revenue collected is allocated to the Committee and the associations to facilitate their operations,
- (c) ensure that part of the revenue collected is allocated for community projects, and
- (d) ensure rehabilitation of closed sand harvesting sites and access roads within sand harvesting area

(2) Nothing under this Act shall preclude the progressive automation of revenue collection

Road barriers

28 (1) For purposes of section 27 , the government may mount barriers on access roads leading to sand harvesting sites in accordance with the Traffic Act, Cap 403 Laws of Kenya

(2) The barriers shall be supervised by authorized officers and revenue collectors

(3) A trader transporting sand shall stop at such barriers and pay the prescribed fees and charges to the authorized officer

(4) A person who contravenes this section commits an offence and the vehicle used to commit the offence shall be impounded at a police station

Power to order closure of site

29 (1) The licensing officer, authorized officer or police officer may order a license holder to stop any sand harvesting activities and close the site if it appears that the site is in a condition dangerous to human life or detrimental to public health or safety

(2) The order provided in subsection (1) shall remain in force until the licensing officer is satisfied that the conditions have been satisfactorily improved

(3) Any person who contravenes an order issued under this section commits an offence

Powers of entry

30 (1) The licensing officer, authorized officer or a police officer may at any reasonable time—

- (a) enter upon premise, farm, ranch or vehicle and carryout any inspection for the purpose of enforcement of this Act or
- (b) undertake any work that may be necessary to remedy any breach or failure to comply with the provisions of this Act or any of the conditions under which a license is issued, and
- (c) recover the expenses incurred in carrying out the work referred to in paragraph (b)

(2) A person obstructing an officer referred to in subsection (1) from undertaking their functions commits an offence and is liable upon conviction, to a fine not exceeding fifty thousand shillings or to an imprisonment term not exceeding one year or to both

(3) A police officer or authorized officer may detain any vehicle and confiscate any goods where it is shown that those goods have been obtained in contravention of this Act

(4) The detained or impounded vehicles referred to in subsections (3) shall not be released to the owner until authorized by a court of competent jurisdiction or until the owner has paid prescribed penalty charges

(5) Any authorized officer or a police officer shall, before undertaking any inspection activities in this Act, produce to the relevant person proper identification documents

Protection from personal liability

31 No matter or thing done by a licensing officer or officer, employee or agent shall, if the matter or thing is done in good faith while executing the functions, powers or duties of the office, render the officer, employee or agent personally liable for any action, claim or demand whatsoever

Dispute Resolution

32 (1) If any dispute is referred to the Committee, the Chairperson of the Committee shall convene a meeting between the complainant and the person complained against to deliberate on the grievances and make appropriate resolution

(2) Any person, who is aggrieved by the resolution of Committee under subsection (1), may within fourteen days from the date of the resolution apply the Judicial Review in the High Court

Rehabilitation of closed areas

33 (1) The Committee shall monitor the rehabilitation of all designated sand harvesting sites and their adjacent environment including access roads, riverbanks, catchment areas among others to ensure environmental sustainability

(2) The Committee shall require every licensee to prepare and submit to it a rehabilitation plan for every designated sand harvesting area

Offences

34 A person who—

- (a) carries out sand harvesting or otherwise deals with sand without a valid license,
- (b) carries out sand harvesting outside designated sites,
- (c) overloads sand to a vehicle for transportation contrary to prescribed requirements,

- (d) collects fees or charges and is not authorized to do so under any law,
 - (e) transports sand outside the designated roads for such transportation,
 - (f) does not stop on a barrier erected by the county government, authorized officer or police officer,
 - (g) obstructs any authorized person from conducting their functions under this Act or
 - (h) establishes a separate entity in a designated site without lawful authority under this Act
- commits an offence and shall, upon conviction is liable to a fine not exceeding two hundred thousand shillings or to an imprisonment term not exceeding two years or to both

General penalty

35 A person who contravenes any provisions of this Act, for which no penalty is provided shall, upon conviction, be liable to a fine not exceeding ten thousand shillings or to an imprisonment term not exceeding six months or to both

Regulations

36 (1) The Executive Committee Member shall make regulations generally for the better carrying out the provisions of this Act

(2) Without prejudice to the generality of subsection (1), such regulations may provide for the—

- (a) guidelines for sand harvesting and related activities,
- (b) criteria for determining the number of Associations approved under this Act,
- (c) the terms and conditions of all classes of licenses issued under this Act,
- (d) conditions applicable to different types of sand harvesting,
- (e) loading requirements depending on tonnage,
- (f) forms required under this Act
- (g) rehabilitation of closed sites,
- (h) designation of sand sale yards,
- (i) pricing per lorry load based on tonnage,
- (j) grading, packaging and value addition of sand,

- (k) disputes resolution mechanisms, and
- (l) such other matters as the as may be necessary for full implementation of this Act
- (3) Without prejudice to subsection (1), the nature and scope of the regulations shall—
 - (a) be for the objects and purpose and set out under Section 3 of this Act
 - (b) be limited to the matters set out in this Act and comply with the drafting standards set out under this Act

SCHEDULE 1

FORM 1

APPLICATION TO HARVEST SAND

**(TO BE FILLED BY INDIVIDUAL(S), REGISTERED GROUP(S),
GOVERNMENT AGENCIES, ETC)**

APPLICATION NO NEMA/

PART 1

PERSONAL INFORMATION

Name (Individual/ Group)

ID /Registration No

No of members

Address

Physical Address

Contact Tel No

DETAILS OF THE PROPOSED SAND HARVESTING SITE

Division

Location

Sub-Location

Village(s)

Name of designated site (river/lakeshore/seashore)

On farm harvesting

Name of land owner

Title Deed/ Allotment

Land size

Type of ownership

Environmental conditions

1 Accessibility

i) Is there a public road to the site (yes/ No)

ii) If yes, what is the condition of the road?

iii) If no, how will the site be accessed?

3 Condition of the site (river banks/lakeshore/seashore/farm)

4 Have you conducted EIA/EA? Yes/No

PART 2 FOR OFFICIAL USE AS DESIGNATED

(COMMENTS FROM THE FOLLOWING OFFICES SHOULD BE SOUGHT BEFORE APPLICATION IS CONSIDERED BY THE RELEVANT DISTRICT ENVIRONMENT COMMITTEE)

COMMENTS FROM TECHNICAL SAND HARVESTING COMMITTEE

SIGNED

TSHC CHAIR

SECRETARY

PART 3 FOR OFFICIAL USE BY DISTRICT ENVIRONMENT COMMITTEE (DEC)

APPROVED/NOT APPROVED VIDE MINUTE NO OF

(DATE)

REMARKS

SIGNED

CHAIRMAN

DATE

SECRETARY

DATE

ATTACHMENTS

i) Photocopy of group registration certificate/ID

ii) Photocopy of title deed/allotment letter for own-farm

FORM 2

APPROVAL TO HARVEST SAND

**(TO BE ISSUED TO INDIVIDUAL(S), GROUP(S) OF
INDIVIDUAL(S) (REGISTERED GROUP(S), GOVERNMENT
AGENCY ETC)**

APPROVAL NO NEMA/

THIS IS TO CERTIFY THAT

of P O Box

Tel No

ID/ REG No

has this

day of

(Month), 20

(Year)

been granted an approval to harvest sand in the area as described below

As further set out in Application No NEMA/

And whose area of jurisdiction falls under
(Local Jurisdiction) For a period of
(Not exceeding one (1)
year)

Subject to the following conditions -

1

□

2

3

4

SIGNED AND STAMPED

DISTRICT ENVIRONMENT OFFICER

DISTRICT

DATE

FORM 3

APPLICATION TO TRANSPORT SAND

**(TO BE FILLED BY INDIVIDUAL, REGISTERED GROUP,
COMPANY)**

APPLICATION NO NEMA/

PART 1

PERSONAL DETAILS

Name

ID

PIN

GROUP/COMPANY REGISTRATION NO

Address

Tel

Physical address

DETAILS ON TRANSPORTATION OF SAND

Destination (Place where sand is being taken)

Detail of the vehicle

i) Registration

ii) Make and model

iii) Tonnage

SIGNED

DISTRICT ENVIRONMENT OFFICER

DATE

Attachments

i) Copy of valid logbook

ii) Copy of company/group registration certificate

iii) Copy of ID

FORM 4

**APPROVAL TO TRANSPORT SAND
(TO BE ISSUED TO SAND TRANSPORTERS)**

APPROVAL NO NEMA/

THIS IS TO CERTIFY THAT

M/S

ID/PIN/REG NO

of P O Box

Tel

Has this

day of

(MONTH)

20

(YEAR)

been granted this permit to transport sand in the area as described below

As further set out in Application No NEMA/

And whose area of jurisdiction falls under
(Name of local authority) for a period

of

(NOT EXCEEDING THREE (3) MONTHS)

Subject to following conditions

1

2

3

4

SIGNED & STAMPED

DATE

DISTRICT ENVIRONMENT OFFICER

FORM 5

**SUSPENSION/CANCELLATION OF APPROVAL TO
TRANSPORT SAND (TO BE ISSUED TO SAND TRANSPORTERS)**

NOTICE IS HEREBY GIVEN TO

M/S _____ ID/PIN/REG NO _____
of P O Box _____ Tel _____
whose Approval No _____ issued
on _____ (Day) _____ (Month)
_____ (Year) _____
to _____ transport _____ sand _____ from
_____ (designated sites) _____
in _____ (District) _____

Is hereby suspended for 1 Month

OR

Cancelled for 3 months with IMMEDIATE EFFECT

for the following reasons

- 1
- 2
- 3
- 4

SIGN

DISTRICT ENVIRONMENT OFFICER

DATE

OFFICIAL

STAMP

FORM 6

SUSPENSION/CANCELLATION OF APPROVAL TO HARVEST SAND

NOTICE IS HEREBY GIVEN TO

M/S

ID/REG NO

of P O Box

Tel

whose Permit No

issued on

(Day)
(Year)

(Month)

to

harvest

sand
(designated site)

from

in

(Division and District)

Is hereby suspended for 1 Months)

OR

Cancelled with IMMEDIATE EFFECT

for the following reasons

1

2

3

SIGN

DISTRICT ENVIRONMENT OFFICER

DATE

OFFICIAL

STAMP

MEMORANDUM OF OBJECTS AND REASONS

Objects and reasons of the Act

Sand harvesting appears to fall under Section 10 of the Fourth Schedule of the Constitution on implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation. The Bill seeks to regulate sand harvesting, quarrying and related activities in the county and to ensure sustainable exploitation and utilization of land and to provide for equitable sharing of the accruing benefits.

Creation of Sand Harvesting Management Committee

The Bill establishes a sand harvesting management committee which shall be under the supervision and direction of the County Executive Committee Member responsible for matters relating to natural resources.

Financial implication

This Bill is not a money Bill under the provisions of Article 114 of the Constitution of Kenya.

Part I of the Bill provides for the preliminaries which includes the interpretation of terms used in the Act.

Part II deals with the establishment and administration of a management committee known as the Sand Harvesting Management Committee.

Part III deals with the sites earmarked for sand harvesting and the sale of the sand arising there from.

Part IV provides for the licensing of the sand harvesters and sand dealers. It also designates a licensing officer and the general requirements for the application of a license.

Part V deals with miscellaneous provisions which include collection of revenue by the government, road barriers on access roads leading to sand harvesting sites, power to order closure of site, powers of entry, offences, penalties among others. It also provides a window for the enactment of Regulations for the better carrying out of the provisions of the Act.

MAURICE OGWANG',
Member of County Assembly