

SPECIAL ISSUE

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KAJIADO COUNTY BILLS, 2020

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SCHEDULE

THE KAJIADO COUNTY CROP AGRICULTURE BILL, 2020

A Bill for

AN ACT of the County Assembly of Kajiado to establish an efficient legal and institutional framework for development and regulation of crop agriculture and for connected and incidental purposes

ENACTED by the County Assembly of Kajiado as follows—

PART I— PRELIMINARY

Short title and commencement

1 This Act may be cited as the Crop Agriculture Act, 2020 and shall come into operation twenty one days after signing into law by the Governor

Objectives of the Act

2 (1) The overriding objective object of this Act is to provide a comprehensive, harmonized, efficient and effective legal and regulatory framework for development and regulation of crop agriculture in Kajiado County

(2) All County Government agencies public servants and bodies charged with development and regulation of crop agriculture shall at all times have due regard to, and observe, the overriding objective of this Act as set out in subsection (1)

(3) Whenever there is a conflict between this Act and any other written law, having a bearing on achievement of the overriding objective of this Act, the provisions of this Act shall prevail

Interpretation

3 In this Act unless the context otherwise requires—

‘Agriculture’ includes—

- (a) Sugar, maize potato fruit vegetable, flower and seed farming,
- (b) dairy farming, bee keeping, breeding and keeping of livestock,
- (c) Conservation and keeping of game animals game birds, and aquatic animals,
- (d) Game ranching and game cropping,
- (e) The use of the land for grazing, market gardening, or for nursery grounds,
- (f) Agro-forestry, and

(g) Use of land for the production, transformation and trade of crop and livestock products,

“Agricultural land” means land that is used for agricultural purposes, and includes any land which by any written law is zoned registered or otherwise designated as agricultural land,

“Member of the Executive Committee” means the Member of the Executive Committee for the time being responsible matters relating to crops agriculture,

“Crop Agriculture” includes all activities relating to or connected with crop farming, husbandry, trade or marketing,

“Crops” means any plant that is grown in significant quantities to be harvested as food, as livestock fodder, fuel or for any other economic purpose,

“department” means the county department responsible for crop agriculture,

“Effective date” means the date upon the expiry of twenty one days after signing of this statute into law by the President,

“Financial year” means the period of twelve months ending on the thirtieth June in every calendar year or such other period as may be prescribed,

“Licensee” means any person who is issued by a license under the provisions of this Act or regulations,

“Person” includes a company, corporate body (whether incorporated by or under statute or statutory authority) association, fund, natural person, partnership and a registered scheme,

“Prescribed” means prescribed under this Act,

“Regulations” means regulations made under this Act

PART II—ADMINISTRATIVE PROVISIONS

Kajiado County Department responsible for agriculture

4 (1) There is established for the County Government of Kajiado a department responsible for crop agriculture

(2) The department shall comprise—

- (a) the Member of the Executive Committee,
- (b) the Chief Officer,
- (c) director of crop agriculture,

- (d) sub-county crop agricultural officers, and
- (e) such other officers that may be appointed by County Public Service Board

Functions of the Department

5 Subject to this Act, the functions of the department shall be to—

- (a) develop and establish an efficient institutional framework for development and regulation of crop agriculture,
- (b) develop an efficient, effective, harmonized and market-friendly policies and, regulations for crop agriculture,
- (c) develop crop-specific regulatory frameworks in respect of such crops as the Member of the Executive may from time to time declare to be strategic to the County's economy,
- (d) review regulations permits, licenses and other administrative or bureaucratic requirements governing crop agriculture with a view to ensuring achievement of the overriding objective of this Act,
- (e) advise county government agencies and public officers on any matter having a bearing on regulation of crop agriculture or achievement of the overriding objective of this Act, and
- (f) organize, facilitate or undertake such activities or projects as may be necessary and or incidental to the foregoing

PART III—DEVELOPMENT OF SCHEDULED CROPS

Declaration of scheduled crops

6 (1) The crops specified in the Schedule are scheduled crops for purposes of this Act

(2) The Member of the Executive Committee may by notice in the County Gazette or National Gazette, declare any crop to be a scheduled crop for purposes of this Act

(3) The notice under subsection (1) shall prescribe development and regulation measures with respect to each scheduled crop

Promotion of scheduled crops

7 The department shall—

- (a) formulate general and specific policies for the development of scheduled crops,
- (b) facilitate marketing and distribution of scheduled crops through monitoring and dissemination of market information, including

identification of the local supply- demand situation domestic market matching and overseas market intelligence and promotion activities on scheduled crops,

- (c) promote the establishment of wholesale markets in identified major centres of the county,
- (d) promote the establishment of agricultural produce collection centres in viable areas to serve as buying stations of farm products, packaging houses, pick-up, points and meeting places of farmers' and growers' cooperatives
- (e) establish linkages with various governments and private research institutions for the conduct of studies and researches designed to promote the production, marketing and processing of scheduled crops,
- (f) advise on the introduction and the use of genetically modified species of plants insects and organisms (biodiversity) in the country,
- (g) conduct farmers training programs aimed at increasing their knowledge on production technologies and on market potentials and prospects for various types of crops, through farmer training institutions,
- (h) establish experimental stations and seed farms for the development of varieties suitable to the agro-climatic conditions of the area and markets that will provide greatest value added to scheduled crops, and
- (i) devise and maintain a system for regularly obtaining information on current and future production, prices and movement in trade, to determine and effect a balanced distribution of scheduled crops by means of inter-trading or intra-trading among the established wholesale markets

Identification of agricultural land

8 (1) The Member of the Executive Committee may from time to time identify agricultural land suitable for the production of each of the scheduled crops

(2) The process of identifying agricultural land under subsection (1) shall be based on valid representations in accordance with constitutional principles of participation of the people, good governance, transparency and accountability

(3) The Member of the Executive Committee shall publicize any report on identified agricultural land and may prescribe regulations with

respect to each scheduled crop

(4) The classification of land referred to under subsection (1) shall be reviewed at appropriate intervals to ensure consistency with the agrarian reform program and the national land use policy

Incentives to growers

9 (1) The department shall establish institutional linkages to coordinate the provision of credit farm inputs and marketing

(2) The department may, in accordance with rules and regulations made under this Act and subject to any other law put in place programmes for ensuring the provision of the following incentives and facilities to growers and dealers of scheduled crops—

- (a) credit assistance including provision of equipment for land preparation and other non-monetary assistance,
- (b) credit guarantee
- (c) affordable farm-inputs including quality seeds, planting materials and market linkage
- (d) technical support including research and extension services
- (e) infrastructural support including physical infrastructure development, financial and market information
- (f) fertilizer cost-reduction investment projects,
- (g) pest and disease control, and
- (h) post-harvest facilities and technologies including storage, processing distribution and transport facilities

Regulation of scheduled crops

10 (1) The department shall regulate all aspects of scheduled crops with a view to—

- (a) promoting productivity
- (b) facilitating the provision of farm inputs
- (c) promoting trade and access to markets
- (d) facilitating provision of infrastructure,
- (e) providing post-harvest services and technology,
- (f) facilitating the collection of farm products and storage,
- (g) training of farmers and provision of extension services,

(h) providing of incentives to farmers, and

(i) availing credit facilities

(2) For purposes of subsection (1) the department shall have the power to issue guidelines requiring registration of any particulars in respect of different categories of scheduled crops

(3) The department shall maintain the necessary statistical information with respect to the scheduled crops to enable proper planning

Freedom to register

11 (1) Every smallholder grower, for purposes of accessing economies of scale, shall have the freedom—

- (a) in the case of coffee growers, register with the co-operative society to which the person delivers coffee,
- (b) in the case of tea grower, register with the tea factory to which the person delivers green leaf, by supplying such particulars as the Authority may, by regulations, prescribe,
- (c) in the case of sugar cane grower, register with an out-grower institution
- (d) in the case of pyrethrum grower, register with a licensed pyrethrum processor, who shall keep or cause to be kept for statistical purposes a register of all pyrethrum growers so registered, and
- (e) in the case of any other grower register with such association as the Member of the Executive Committee may from time to time determine,
- (f) plantation grower may register with the department , by supplying such particulars as the Member of The Executive Committee may be prescribe

Power to make regulations on strategic crops

12 The Member of the Executive Committee shall make crop-specific regulations in respect of crops that are strategic to County's economy

Power to impose charges for crop development

13 The Member of the Executive Committee may impose charges to be levied on crops for purposes of development and maintenance of infrastructure in crop growing areas

Development of scheduled crops

14 (1) The department shall develop all aspects of scheduled crops with a view to—

- (a) promoting productivity,
- (b) facilitating the provision of farm inputs
- (c) promoting trade and access to markets,
- (d) facilitating provision of infrastructure,
- (e) providing post harvest services and technology
- (f) facilitating the collection of farm products and storage,
- (g) training of farmers and provision of extension services,
- (h) providing of incentives to farmers and
- (i) availing credit facilities

(2) For purposes of subsection (1) the Member of the Executive Committee shall have the power to issues guidelines requiring registration of any particulars in respect of different categories of scheduled crops

(3) The department shall maintain the necessary statistical information with respect to the scheduled crops to enable proper planning

Registration of growers' associations

15 The department shall maintain a register of all entities registering smallholder growers, in such form as it may determine, and shall enter in the register—

- (a) The full names of the scheduled crop factory,
- (b) The date of submission of annual returns of registered growers by the scheduled crop factory
- (c) The particulars of numbers of registered growers area planted with scheduled crop or variations of these particulars, and
- (d) Any other particulars the Member of the Executive Committee may deem necessary

PART IV—LICENSING AND TAXATION PROVISIONS

Registration of dealers

16 (1) Every dealer in a scheduled crop shall register with and be licensed by the department

(2) A person shall not deal in a scheduled crop unless the person is registered and licensed in accordance with this Act

(3) A person who contravenes subsection (2) commits an offence and shall on conviction be liable to imprisonment for term not exceeding three years or to a fine not exceeding five million shillings or to both

Taxation of scheduled crops

17 The department may pursuant to the Fourth Schedule of the Constitution impose fees for—

- (a) issuance of trade licenses to any person trading in scheduled crops within the county, and
- (b) issuance of licenses for cooperative societies dealing with scheduled crops within the county

Manufacturing license

18 (1) A person shall not manufacture or process a scheduled crop product for sale except under and in accordance with a license issued under this Act

(2) An application for a license under this section shall be in writing and in the prescribed form and shall be accompanied by the prescribed fee

Illegal manufacture, possession, etc

19 (1) A person who—

- (a) manufactures a scheduled crop for sale in contravention of this Act
- (b) buys, sells offers for sale, transports or has possession of a scheduled crop which to the person's knowledge or belief—
 - (i) has been grown, manufactured or processed otherwise than in accordance with this Act,
 - (ii) is from a non-registered grower or dealer in such crop,

commits an offence and shall be liable, on conviction, to a fine not exceeding ten million shillings, or to imprisonment for a term not exceeding five years, or both

(2) If a person is in possession or has control of scheduled crop for which the person is unable to account to the satisfaction of a person authorized under this Act, such scheduled crop shall be deemed to have been grown, manufactured or dried otherwise than in accordance with this Act until the contrary is proved

(3) if a person is convicted of an offence under this section, the court shall order that any scheduled crop and any vehicle, vessel or other

conveyance in relation to which an offence has been committed shall be fortified to the County Government unless, in the case of a vehicle vessel or other conveyance the court sees good reason to be recorded by it in writing, not to do so

Issuance of licenses

20 (1) The department shall issue licenses to applicants subject to such lawful conditions may be prescribed

(2) Every license shall specify the premises upon which the business specified in the license may be carried on

(3) Licenses issued under this Act shall remain in force until the thirtieth of June next following the date of issue, unless earlier cancelled

(4) There shall be payable for the issue of licenses under this Act such fees as the Member of the Executive Committee may prescribe

(5) The department shall, at least thirty days before granting a license under this Act, give notice of the proposed grant in the County Gazette or the Kenya Gazette

(6) The notice referred to in subsection (5) shall—

(a) specify the name or other particulars of the person or class of persons to whom the license is to be granted

(b) state the purpose for the proposed license and indicate the date such license is proposed to be issued to the successful applicant, and

(c) invite objections to the proposed grant of license and direct that such objections be lodged with the department within fourteen days next following the date of notice

(7) The department may after considering the objections, if any, made under this section, grant the license applied for subject to such terms and conditions as may be specified therein

(8) The issuance of a license to an applicant under this Act shall not be withheld without reasonable cause,

(9) A license issued under this Act shall not be transferable

Application for renewal of a license

21 An application for the renewal of a license under this Act shall be made to the department not later than the first day of the month of June in which the current license is due to expire but notwithstanding the foregoing a late application may be made upon payment of a late application fee as may be prescribed by the Member of the Executive

Committee

Conditions of a license

22 (1) A license issued under this Act shall be subject to such conditions as the department may determine and as are specified in the license and to any conditions which may be prescribed

(2) The department may require that any class of licenses issued to a dealer will be subject to the condition that the dealer engages in actual growing of any given crop

(3) The department may at any time during the validity of a license—

- (a) vary the conditions of the license, or
- (b) impose conditions or further conditions on the license

Revocation or alteration of a license

23 The department may revoke, alter or suspend a license issued under this Act if in its opinion—

- (a) an offence under this Act, or in respect of the licensed activity under any other written law, has been committed by the license holder or any employee of the license holder, or
- (b) a condition of the license has been contravened or not complied with

Surrender of license

24 (1) The holder of a license which is revoked shall immediately surrender it to the department

(2) A license holder may at any time surrender the license to the department and the license shall cease to have effect forthwith

Appeals

25 (1) An applicant for or holder of a license who is aggrieved by a decision of the department on or in respect of—

- (a) the grant, refusal, renewal, variation or revocation, or
- (b) the conditions imposed on the grant, renewal or variation of a license, may appeal to the Governor

(2) An appeal under this section shall be lodged within thirty days from the date on which the appellant first received notice of the decision

PART V—APPOINTMENT OF COUNTY OFFICERS AND CROP INSPECTORS

Appointment of county officers

26 (1) The Member of the Executive Committee shall, in respect of each county, appoint an officer to be stationed in the county for purposes of this Act

(2) An officer appointed under subsection(1) shall be deemed to be an inspector for purposes of this Act and shall exercise such powers and perform such functions as an inspector may exercise or perform under this Act

Appointment of crop inspectors

27 (1) The Member of the Executive Committee may appoint qualified persons, to be inspectors for each scheduled crop for the purposes of this Act

(2) For purposes of subsection (1) the Member of the Executive Committee may, by regulations prescribe the qualifications for different categories of inspectors

Entry and inspection

28 (1) A person duly authorized in writing in that behalf by the Member of the Executive Committee may, at all reasonable times and upon production of such authority to any person so requesting—

- (a) enter any land or buildings occupied by the holder of a manufacturing license issued under this Act, or a person registered under this Act,
- (b) make such inspection and enquiries as the person may deem necessary for ascertaining whether the provisions of this Act or the terms and conditions of the respective licence or registration are being complied with and
- (c) may require any person found thereon to give such information as the person may require

(2) A person who hinders or obstructs any person duly exercising or attempting to exercise any of the powers conferred by subsection (1), or who fails to give any information reasonably required commits an offence and shall be liable, on conviction to a fine not exceeding one million shillings, or to imprisonment for a term not exceeding two years or both

Power of entry

29 (1) For the purposes of this Act an inspector who has reasonable

grounds may at any reasonable time enter upon any land premises or vehicle and may take such persons and things as the inspector considers necessary and may—

- (a) perform the functions or exercise the powers conferred by this Act or any other written law,
- (b) make enquiries or carry out a search to ascertain if this Act is being complied with,
- (c) demand the production by a license holder of the license for examination,
- (d) seize and remove any article or thing in respect of which the inspector has reasonable grounds for believing that an offence under this Act is being or has been committed or
- (e) do any other thing authorized under this Act

(2) The owner or occupier of or any person on land or in premises or a vehicle which is entered under subsection (1) shall render such reasonable assistance as may be required by the inspector

(3) A person who refuses unreasonably delays or fails to comply with a requirement under subsection (2) commits an offence

Obstruction of Inspectors

30 (1) A person shall not prevent, hinder or obstruct an inspector in performance of the functions and duties or exercise of powers conferred by this Act

(2) A person who contravenes subsection (1) commits an offence and shall be liable on conviction, to a fine not exceeding two million shillings, or to imprisonment for a term not exceeding three years, or both

PART VI—MISCELLANEOUS PROVISIONS

Infected areas

31 (1) The Member of the Executive Committee may, after consultation with the relevant national government agency, by order published in the County Gazette or the Kenya Gazette -

- (a) declare an area which is infected with a crop disease or pests to be an infected area,
- (b) prohibit the use of an infected area for planting growing, collecting storing or other dealing or for any purpose connected with those activities,
- (c) for the purpose of preventing crop disease or pest or the spread of

the disease or pest either in the crop or otherwise prohibit the movement of planting seed or other crop material from to through or within an infected area or other specified areas,

- (d) extend, diminish, or otherwise alter an infected area, and
- (e) where it is no longer infected with crop disease or pest, revoke the declaration of an infected area

(2) The Member of the Executive Committee may by regulations make further provisions for the control of infected areas

General power to impose levies

32 (1) The Member of the Executive Committee may, with the approval of the County Assembly, by a notice in the County Gazette impose a levy to be levied on a scheduled crop or crop product

(2) The Member of the Executive Committee may at any time by notice, alter the rate of such levy and such altered rate shall come into force on such date not being less than two months from the date of the notice as may be specified in the notice

(3) Different rates of levy may be imposed for different types or grades of crop products

(4) Any levy imposed under this section shall be levied and collected in the manner prescribed

(5) A person who fails to pay the amount due in respect of any levy imposed under this Act commits an offence

Use of levies

33 The proceeds of any levy imposed under this Act shall be used solely for crop agriculture development and shall not be used for any other purpose

Power to promote crop development

34 The Member of the Executive Committee shall have power to promote aspects of crop agricultural development in particular—

- (a) food security,
- (b) value addition, marketing and export,
- (c) irrigation farming,
- (d) pest and disease control
- (e) crop insurance,
- (f) warehousing receipting

- (g) marketing, and
- (h) any other aspect relating to crop development

General prohibition and offence

35 (1) A person shall not—

- (a) breach or fail to comply with the provisions of this Act
- (b) breach or fail to comply with any of the terms or conditions of a license certificate issued to him under this Act
- (c) fail to comply with a lawful requirement or demand made or given by the Authority or an inspector
- (d) obstruct a person in the execution of the powers or duties under this Act,
- (e) knowingly or recklessly make a statement or representation which is false
- (f) knowingly or recklessly furnish a document or information required under this Act which false, or
- (g) knowingly or recklessly use or furnish a fake or forged or invalid certificate or a certificate that has been altered without authorization

(2) A person who contravenes any of the provisions of subsection (1) commits an offence

Offences relating to body corporate

36 If an offence under this Act is committed by a body corporate or any other association of individuals a director partner or any other person involved in ,or acting or purporting to act in the management of its affairs commits an offence unless that person proves that—

- (a) the act or omission constituting the offence took place without the person's knowledge, or
- (b) the person took reasonable steps to prevent the commission of the offence

General penalty

37 A person who contravenes any provision of this Act, or commits an offence for which no penalty is prescribed , shall be liable, on conviction , to a fine not exceeding five hundred thousand shillings, or to imprisonment for a period not exceeding one year, or to both

Restraint of breaches of this Act

38 Any person who has reason to believe that the provisions of this Act have been, are being, or are about to be violated, may petition the High Court for—

- (a) a declaration that the provisions of this Act are being, have been, are about to be contravened,
- (b) an injunction restraining any specified person from carrying out the contravention
- (c) a writ of mandamus against an officer or a person who has failed to perform a duty imposed by or under this Act or
- (d) any other lawful remedy

Super session

39 If any conflict arises between the provisions of this Act and any other Act with respect to the development management, marketing or regulation of a scheduled crop, the provisions of this Act shall prevail

Regulations

40 (1) The Member of the Executive Committee may make regulations for the better carrying into effect of the provisions of this Act, for prescribing anything which is to be prescribed under this Act

(2) Without prejudice to the generality of the foregoing, regulations made under this section may provide for—

- (a) Declaration and regulation of a scheduled crop including production distribution and marketing,
- (b) Prescribing the areas outside which a scheduled crop may not be cultivated, and regulating and controlling the variety, the cultural conditions the method of production and grading of a specified crop,
- (c) Providing for the control of crop pests and diseases,
- (d) Regulating and controlling the method of blending packaging and labelling of specified crops for purposes of traceability,
- (e) Prescribing the periods for which licenses and registration certificates shall be issued,
- (f) Prescribing the forms and fees to be paid for anything to be done under this Act,
- (g) Prescribing rules for ensuring food safety including handling, transportation, processing and market standards of food crops and

crop products,

- (h) Requiring the rules and regulations of any organization dealing with crops and crops products, made by any such organization to be in conformity with the provisions of this Act,
- (i) Requiring the submission of returns and reports by the holders of licences and permits under this Act,
- (j) Providing for standards, the manner of grading and classification of various crops products under this Act,
- (k) Providing for measures of maintaining soil fertility including soil testing and regulation of soil salination, chemical degradation and toxic levels in plants
- (l) Developing guidelines for public education on safe use of agro-chemicals

SCHEDULE

SCHEDULED CROPS CROP SCHEDULES

Part 1

Crops with breeding program under compulsory certification

Sugarcane	Sacharum spp
Tea	Camellia
spp	
Coffee	Coffea spp
Rhodes grass	Chloris gayana
Irish potatoes	Solanum tuberosum L
Cotton	Gossypium spp
Sunflower	Helianthus annus L
Soya beans	Glycine max (L) Merr
Beans	Phaseolus Vulgaris L
Barley	Hordeum vulgare L
Finger millet	Eleusine coracana (L) Gaertn
Maize	Zae mays S
Pearl millet	Pennisetum (L)
R.Br	
Rice	Oryza sativa L (1)
Sorghum	Sorghum bicolor (L) Moench
Wheat Triticum spp	

Part 2Crops with breeding program under voluntary certification

Bananas	Musa spp
French beans	Phaseolus ulgaris L
Silver leaf desmodium	Desmodium uncinatum
Lupin	Lupinus spp
Lucerne	Medicago sativa L
Green leaf desmodium	Desmodium intorium (miller)
Setaria	Setaria anceps
Congo signal	Brachiaris ruziziensis

Coloured guinea grass	<i>Panicum coloratum</i>
Pyrethrum	<i>Chrysanthemum spp</i>
Cassava	<i>Manihot esculenta</i>
Sweetpotato	<i>Ipomea batatas</i>
Kenaf	<i>Hibiscus cannabinus L</i>
Sesame	<i>Sesamum indicum L</i>
Safflower	<i>Carthamus tinctorius L</i>
Ground nut	<i>Arachis hypogaea L</i>
Pigeon pea	<i>Cajanus cajan</i>
Dolichos bean	<i>Dolichos lablab L</i>
Cowpea	<i>Vigna unguiculata (L) Walp</i>
Chick peas	<i>Cicer arietinum L</i>
Part 3 Crops with no breeding program	
Oats	<i>Avena sativa L</i>
Rye	<i>Secale cereale L</i>
Triticale	<i>Tricosecale</i>
Wittm	
Broad beans	<i>Vicia faba L</i>
Cluster bean	<i>Cyamopsis tetragonoloba</i>
Pea	<i>Pisum sativum L</i>
Common Vetch	<i>Vicia sativa L</i>
Castor bean	<i>Ricinus communis L</i>
Jajoba	<i>Simmondsia chinensis</i>
Linseed	<i>Linum unitatissimum L</i>
Oil seed rape	<i>Brassica napus L</i>
Flax	<i>Linum usitatissimu L</i>
Sisal	<i>Agave spp</i>
Beet	<i>Beta vulgaris L</i>
Turnip	<i>Brassica rapa L</i>
Other flower species	<i>Liliaceae, Umbelliferae Roses, etc</i>

	Blue stem grass	<i>Andropogon</i> spp
	Buffel grass	<i>Cenchrus ciliaris</i>
L	Cock's foot	<i>Dactyloctenium aegyptium</i>
	Columbus grass	<i>Sorghum almum</i>
	Paspalum grass	<i>Paspalum gayanus</i>
	Rye grass	<i>Lolium</i>
spp	Sudan	<i>Sorghum sudanense</i>
	Love grass	<i>Eragrostis</i> spp
	Bermuda grass	<i>Cynodon dactylon</i>
	Butterfly pen	<i>Clitoria ternatea</i>
	Centrosema	<i>Centrosema pubescens</i> Benth
	Clover	<i>Trifolium</i>
spp	Leucaena	<i>Leucaena leucocephala</i>
	Siratro	<i>Macroptilium atropurpureum</i>
	Stylosanthes	<i>Stylosanthes guianensis</i>
	Amaranth	<i>Amaranthus</i> spp
	Artichoke	<i>Cynara scolymus</i>
	Asparagus	<i>Asparagus</i>
officinalis	Sugar beet	<i>Beta vulgaris</i> L
	Broccoli/cauliflower	<i>Brassica oleracea</i> var <i>botrytis</i> L
	Brussels sprouts	<i>Brassica oleracea</i> var <i>gemmifera</i>
	Cabbage	<i>Brassica oleracea</i> var <i>capitata</i> L
	Cantaloupe/ Muskmelon	<i>Cucumis melo</i> L
	Carrot	<i>Daucus carota</i> L
	Celery / Celeriac	<i>Apium graveolens</i> L
	Chicory	<i>Cichorium intybus</i> L
	Chinese cabbage	<i>Brassica chinensis</i> L

Chirvil	Anthriscus cerefolium
Collards / Kale	Brassica oleracea var ancephala DC
Coriander	Coriandrum sativum
Cucumber	Cucumis sativus L
Dill	Arethum graveolens L
Eggplants	Solanum melongena L
Endive	Cichorium endivia L
Garden cress	Lespidium sativa L
Karella	Cucumis spp
Kohlrabi	Brassica oleracea var gongylodes
Leek	Allium porrum L
Lettuce	Lactuca sativa
Okra	Hibiscus esculentus L
Onion	Allium cepa L
Parsley	Petroselinum crispum (Mill) Nym
Parsnip	Pastinaca sativa L
Pea	Pisum sativum L Sensulato
Pepper	Capsicum spp
Pumpkin/Squash/Courgette	Cucurbita pepo
Radish	Raphanus sativus L
Rhubarb	Rheum rhaponticum L
Rutabaga	Brassica napus var napobrassica L
Spinach	Spinacea oleracea L
Swiss chard	Beta vulgaris
Tomato	Lycopersicon esculentum P
Turnip	Brassica rap
Water cress	Nasturtium officinale

R1br

Water melon

Citrullus spp

Coconut

Cashewnut

Indigenous Vegetables (Blacknightshade Spider plant, etc)

Fruit trees (Mangoes, Avocado, Citrus, Guava Pawpaw etc)

MEMORANDUM OF OBJECTS AND REASONS

The Bill aims at providing a framework implementing Part 2 of the Fourth Schedule to the Constitution on matters related to crop agriculture. The specific county functions related to crop agriculture include providing a comprehensive, harmonized, efficient and effective legal and regulatory framework for development and regulation of crop agriculture in Kajiado County.

PART I of the Bill provides for preliminary provisions. The Part outlines the short title and the purpose of the Bill, which includes establishing an efficient legal and institutional framework for development and regulation of crop agriculture.

PART II of the Bill provides for Administration matters. It establishes the Department that is concerned with matters dealing in crops agriculture, its membership and functions.

PART III of the Bill provides for the development of scheduled crops. It further provides for the declaration and promotion of scheduled crops, identification of agricultural land, and incentives to growers and regulation of scheduled crops. It also provides for freedom of smallholder growers to register with their respective authorities. The Part also empowers the Member of the Executive Committee power to make crop specific regulations as well also power to impose charges to be levied for crop development. This Part also empowers the Department to develop and enhance scheduled crops as well as maintaining a register of growers' associations.

PART IV of the Bill provides for the registration of dealers involved in scheduled crops. It also deals with issuance, renewal, conditions revocation or alteration, appeals of licensing matters.

PART V of the Bill provides for appointment of qualified persons to be crop inspectors and to be stationed throughout the county and their powers of entry and inspection. It also makes it an offence for any person to obstruct an inspector in the performance of his duties conferred to him under the Bill.

PART VI of the Bill provides for miscellaneous provisions empowering the Member of Executive Committee to declare an area infected as well as general power to impose levies with the approval of the County Assembly which proceeds shall be used solely for crop agriculture development. It further empowers the Executive Committee Member to promote crop agriculture development by placing several mechanisms to achieve that purpose. The Part further provides for offences under the Bill and their penalties. This Part also provides for Crop-Specific Regulations.

JACKSON MPAADA

*Chairperson, Committee on Agriculture, Livestock
Production, Veterinary Services and Fisheries*