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TRANS NZOIA COUNTY BILLS, 2019

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TRANS NZOIA COUNTY CROP AGRICULTURE BILL
2019

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**THE TRANS NZOIA COUNTY CROP
AGRICULTURE BILL, 2019**

A Bill for

**AN ACT of the County Assembly of Trans Nzoia 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 Trans Nzoia
follows—

PART I—PRELIMINARY

1. This Act, may be cited as the Trans Nzoia Crop
Agriculture Act, 2019 and shall come into operation
twenty one days after signing into law by the Governor.

Short title and
commencement

2. In this Act,, unless the context otherwise
requires—

Interpretation

‘Agriculture’ includes—

- (a) Sugar cane, 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;

“Chief Officer” means the chief officer for the time
being responsible for matters of crops agriculture;

“County” means Trans Nzoia county;

“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 Governor;

“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;

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

“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.

3. (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 Trans Nzoia County.

Object of the Bill

(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).

Whenever there is a conflict between this Act. and

any other written law, having a bearing on achievement of the overriding objective of this Bill, the provisions of this Bill shall prevail.

PART II—ADMINISTRATIVE PROVISIONS

4. (1) There is established in the County Government of Trans Nzoia Department responsible for Crop Agriculture.

County Department
responsible for
agriculture

(2) The Department shall comprise—

- (a) The Member of the Executive Committee for matters relating to crop agriculture;
- (b) The Chief Officer for matters relating to crop agriculture;
- (c) County Director of Agriculture;
- (d) Sub-County Agricultural Officers; and
- (e) such other officers that may be appointed by County Public Service Board

5. Subject to this Bill, the functions of the Department shall be to—

Functions of the
Department

- (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 Bill;
- (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 Bill; 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

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

Declaration of
scheduled crops

(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..

by consultation with the agric stakeholders

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

7. The Department shall—

Promotion of
scheduled crops

- (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 county;
- (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;

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.

Identification of
agricultural land

(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.

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

Incentives to growers

(2) The Department may, in accordance with rules and regulations made under this Bill 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.

10. (1) The Department shall develop and regulate all aspects of scheduled crops with a view to—

Regulation of
scheduled crops

- (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.

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

Freedom to register

- (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.

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 make regulations on strategic crops

Define Strategic crops
→ Appendix on Strategic crops

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.

Power to impose charges for crop development

Pending deliberation

14. The Department shall maintain and vet a register of all entities registering smallholder growers, in such form

Registration of growers' associations

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

15.(1) Every dealer in a scheduled crop shall register with and be licensed by the Department.

Registration of
dealers

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

(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.

16. The Department may, pursuant to the Fourth Schedule of the Constitution, impose fees for—

Taxation of scheduled
crops

- (a) Issuance of trade licences to any person trading in scheduled crops within the county; and
- (b) Issuance of licences for cooperative societies dealing with scheduled crops within the county.

17. (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..

Manufacturing license

(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.

18. (1) A person who—

Illegal manufacture,
possession, etc.

- (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 (10,000,000) 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 forfeited 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.

19. (1).The Department shall issue licences to applicant's subject to such lawful conditions may be prescribed.

Issuance of licenses.

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

(3). Licences 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 licences under this Bill such fees as the Member of the Executive Committee may prescribe.

(5). The Department shall, at least thirty days before granting a licence 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 licence is to be granted;
- (b) State the purpose for the proposed license and indicate the date such licence is proposed to be issued to the successful applicant; and
- (c) Invite objections to the proposed grant of licence 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 licence applied for, subject to such terms and conditions as may be specified therein.

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

(9). A licence issued under this Bill shall not be transferable.

20. An application for the renewal of a licence under this Bill 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.

Application for
renewal of a license.

21. (1) A licence issued under this Act shall be subject to such conditions as the Department may determine and as are specified in the licence and to any conditions which may be prescribed.

Conditions of a
license

(2) The Department may require that any class of licences 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 licence—

- (a) Vary the conditions of the licence; or
- (b) Impose conditions or further conditions on the licence.

22. The Department may revoke, alter or suspend a licence issued under this Act if in its opinion—

Revocation or
alteration of a licence.

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

23. (1) The holder of a licence which is revoked shall immediately surrender it to the Department.

Surrender of licence.

(2) A licence holder may at any time surrender the licence to the Department and the licence shall cease to have effect forthwith.

24. (1) An applicant for or holder of a licence who is aggrieved by a decision of the Department on or in respect of—

Appeals

- (a) The grant, refusal, renewal, variation or revocation; or
- (b) The conditions imposed on the grant, renewal, or variation of a licence,

May appeal to the Member of the Executive Committee.

(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

25. (1) The Member of the Executive Committee shall in consultation with the County Public Service Board, appoint an officer to be stationed in the county for purposes of this Act.

Appointment of
county officers.

(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.

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

Appointment of crop inspectors.

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

27. (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—

Entry and inspection

- (a) Enter any land or buildings occupied by the holder of a manufacturing license issued under this Bill, 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.

28. (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—

Power of entry

- (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 Bill 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.

29. (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.

Obstruction of
Inspectors

(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

30. (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—

Infected areas.

- (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.

31. (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.

General power to impose levies.

(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.

32. 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.

Use of levies

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

Power to promote crop development

- (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.

34. (1) A person shall not—

General prohibition
and offence.

- (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 is 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.

35. 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—

Offences relating to
body corporate

- (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.

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

General penalty

both.

37. 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—

Restraint of breaches
of this Bill

- (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.

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

Supersession

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

Regulations

(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 overproduction 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 Bill;
- (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	Chlorisgayana
Irish potatoes	Solanumtuberosum L.
Cotton	Gossypium spp.
Sunflower	Helianthus annus L.
Soya beans	Glycine max (L.) Merr.
Beans.....	Phaseolus Vulgaris L.
Barley	Hordeumvulgare L.
Finger millet	Eleusinecoracana (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 2—CROPS WITH BREEDING PROGRAM UNDER
VOLUNTARY CERTIFICATION**

Bananas.....	Musa spp.
French beans	Phaseolusulgaris L.
Silver leaf desmodium.....	Desmodiumuncinatum
Lupin	Lupinus spp.
Lucerne	Medicago sativa L.
Green leaf desmodium.....	Desmodiumintorium (miller).
Setaria	Setariaanceps.
Congo signal	Brachiarisruziziensis
Coloured guinea grass	Panicumcoloratum
Pyrethrum	Chrysanthemum spp.
Cassava.....	Manihotesculenta
Sweetpotato.....	Ipomeabatatas
Kenaf	Hibiscus cannabinus L

Sesame	Sesamunindicum L.
Safflower	Carthamustinctorius L.
Ground nut	Arachishypogaea L.
Pigeon pea	Cajanuscajan.
Dolichos bean	Dolichos lablab L.
Cowpea	Vignaunguiculata (L.)Walp.
Chick peas.....	Cicerarietienum L.

PART 3—CROPS WITH NO BREEDING PROGRAM

Oats.....	Avena sativa L.
Rye	Secalecereale L.
Triticale	TricosecaleWittm.
Broad beans	Viciafaba L.
Cluster bean	Cyamopsistetragonoloba.
Pea	Pisumsativum L.
Common Vetch	Vicia sativa L
Castor bean	Ricinuscommunis L.
Jojoba	Simmondsiachinesis.
Linseed	Linumunitatissimum L.
Oil seed rape	Brassica napus L.
Flax	Linumusitatissimu L.
Sisal.....	Agave spp.
Beet	Beta vulgaris L.
Turnip	Brassica rapa L.
Other flower species	Liliaceae, Umbilliferae, Roses, etc
Blue stem grass	Andropogonspp.
Buffel grass	CenchrusciliarisL.
Cock's foot	Dactylic glomerata.
Columbus grass	Sorghum alnum
Paspalum grass	Paspalumgayanus
Rye grass.....	Lolium spp.
Sudan	Sorghum sudanense.
Love grass	Eragrostis spp.
Bermuda grass.....	Cynodondactylon.
Butterfly pen	Clitoriaternatea.
Centrosema.....	CentrosemapubescensBenth.
Clover	Trifolium spp.

Leucaena	Leucaenalencocephala.
Siratro	Macroptiliumatropurpureum
Stylosanthes.....	Stulosanthesguianensis.
Amaranth	Amaranthus spp.
Artichoke	Cynarascolymus.
Asparagus	Asparagus officinalis.
Sugar beet	Beta vulgaris L.
Broccoli/cauliflower	Brassica oleracea var. botrytis L.
Brussels sprouts	Brassica oleracea var. gemnifera.
Cabbage	Brassica oleracea var. capitata L.
Canteloupe/ Muskmelon	Cucumismelo L.
Carrot	.Daucuscarota L.
Celery / Celeriac	Apiumgraveolens L.
Chicory	Cichoriumintybus L.
Chinese cabbage	Brassica chinensis L.
Chirvil	Anthricuscerefolium
Collards / Kale	Brassica oleraceavarancephala DC.
Corriander	Coriandrumsativum
Cucumber	...Cucumissativus L.
Dill	Arethumgraveolens L.
Eggplants	Solanummelongena L
Endive	Cichoriumendivia L
Garden cress	Lepidium 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	Petroselinumcrispum (Mill)
Nym.	
Parsnip	Pastinaca sativa L.
Pea	Pisumsativum L. Sensulato
Pepper	Capsicum spp.
Pumpkin/Squash/Courgette.....	Cucurbitapepo L.
Radish	Raphanussativus L.

Rhubarb Rheum rhaponticum L.
Rutabaga Brassica napus var. napobrassica L.
Spinach Spinaceaoleracea L.
Swiss chard Beta vulgaris
Tomato Lycopersiconesculentum P. Mill.
Turnip Brassica rap L.
Water cress Nasturtium officinaleRibr.
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

Firstly, this 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 Trans Nzoia 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 provide for offences under the Bill and their penalties. This Part also provides for Crop-Specific Regulations.

It provides for power to make regulations which is to make crop-specific legal or regulatory frameworks in respect of such other crops as the Member of the Executive Committee may from time to time declare to be strategic to County's economy

ELKANA KAGUNDA,
Chairperson Agriculture Committee.

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