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**THE KAJIADO PASTORALIST DEVELOPMENT CENTRES
BILL, 2023**

A Bill for

AN ACT of the of County Assembly of Kajiado to make provision for the establishment and administration of Kajiado Pastoralist Development Centres; and for connected 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 Kajiado Pastoralist Development Centres Act, 2023.

Interpretation

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

“Ancillary subject” means a subject that renders support to the core subject;

“pastoralist development centres” means Kajiado Pastoralist Development Centres as established under this Act;

“Board” means the Board of Management of the Kajiado Pastoralist Development Centres as constituted under Part III of the Act;

“centres” means the Kajiado Pastoralist Development Centres as established under Part II of the Act;

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

“Fund” means the Kajiado Pastoralist Development Centres Fund established under this Act;

“officer administering the Fund” means the General Manager of Kajiado Pastoralist Development Centres.

**PART II—ESTABLISHMENT AND FUNCTIONS OF THE
KAJIADO PASTORALIST DEVELOPMENT CENTRES**

Establishment of the Kajiado Pastoralist Development Centres

3. (1) There is established the Kajiado Pastoralist Development Centres.

(2) The Centres shall comprise of County Livestock farms.

(3) The Centres shall be a body corporate with perpetual succession and a common seal and shall in its corporate name be capable of—

- (a) suing and being sued.
- (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property.
- (c) borrowing or lending money.
- (d) doing or performing all such other things or acts in furtherance of the provisions of this Act and which may lawfully be done by a body corporate.

Broad objective of the Centres

4. The broad objectives of the Kajiado Pastoralist Development Centre shall be to offer Livestock Value Chain Development technical services and facilities for enhancing livestock and other relevant development matters.

Specific objectives of the Centres

5. The specific objectives of the Kajiado Pastoralist Development Centres shall include—

- (a) to provide quality training facilities for pastoralists in the county on best practices in the livestock value chain;
- (b) to expose Pastoralist to relevant technologies and innovations in the livestock Value chain;
- (c) to supply appropriate improved livestock genetic stock to the pastoralists in the County;
- (d) to provide informal training facilities in the form of demonstrations, field days and workshops;
- (e) to provide practical training for students from other Livestock Training Institutions;
- (f) to offer any other livestock services which will assist the livestock owners, within the county in collaboration with research institutions and academia.

The functions of the Centres

6. The functions of the Kajiado Pastoralist Development Centres shall include—

- (a) to provide directly or in collaboration with other accredited Livestock institutions relevant livestock technologies and innovations;
- (b) to exhibit solely or in collaboration with other development partners and stakeholders practical demonstrations in the livestock value chain;
- (c) to preserve and improve access to information and knowledge in livestock development matters;
- (d) to provide facilities for and participate in carrying out adaptive on-farm trials of relevant technologies;
- (e) to commercialize farm enterprises through multiplication of livestock breeds.

PART III —ADMINISTRATION OF THE CENTRES

Establishment of a Board of Management

7. There shall be established the Kajiado Pastoralist Development Centres Board to assist in the overall governance and management of the Centres.

Composition of the Board of Management

8. (1) The Board shall comprise of the following members—

- (a) a Chairperson who shall be appointed by the County Executive Committee Member for Livestock;
- (b) the County Director of Livestock Production;
- (c) the County Director of Veterinary Services;
- (d) the head of County Treasury or an appointee thereof;
- (e) five (5) other members, not being public officers, appointed by the County Executive Committee Member for Livestock;
- (f) one (1) member nominated by the Kenya Agriculture and Livestock Research Organization (KALRO) who shall be appointed on a three-year term subject to renewal once.
- (g) the General Manager of the Centres who shall be the Secretary to the Board.

(2) The members of the Board shall be qualified persons of high moral standards and of proven integrity, who have had a long experience, or with special qualifications in Livestock Production, Range Management, veterinary services, Agribusiness, and related fields of study.

(3) The County Executive Committee Member in appointing members of the Board under section 8(1)(e), shall ensure that there is gender balance, diversity and balance of skills and experience among members of the Board.

Qualifications for appointment of chairperson of the Board

9. (1) The CECM responsible for livestock shall appoint the Chairperson of the Board.

(2) The Chairperson specified in section 8 (1) (a) shall—

- (a) hold at least of a Bachelor's degree in agriculture or any other related field;
- (b) has at least five (5) years professional experience in matters relating to livestock; and
- (c) meets the requirements of Chapter Six of the Constitution.

(3) The Board shall elect a vice Chairperson from amongst its members provided that the member so elected shall not be an *ex-officio* member.

Functions of the Board

10. (1) The functions of the Board shall be to—

- (a) promote the public interest for which the Centres is established and ensure its development;
- (b) promote quality development in accordance with laid down regulations;
- (c) enter into association with other stakeholders and development partners as it may deem appropriate and in furtherance of the purpose for which the Centres is established;
- (d) receive any grants, gifts, donations or endowments on behalf of the Centres and make legitimate disbursements there from;
- (e) offer advisory services to the management of the Centres;
- (f) encourage stakeholder participation in the programmes of the Centres and to promote its services and products; and
- (g) Participate in the annual valuation of the assets of the Centres.

Tenure of the Board

11. (1) The term of the Board shall be three (3) years.

(2) The Chairperson of the Board shall hold office for a period of three (3) years and shall be eligible for re-appointment for one further term.

(3) A member of the Board other than an *ex-officio* member shall hold office for a period of three (3) years and shall be eligible for re-appointment once.

(4) In re-appointing members of the Board, the County Executive Committee Member shall take into consideration the performance of the Board and maintain a proportion of new membership if necessary, to ensure continuity in the affairs of the Board.

Vacancy in the office of Chairperson and members of the Board

12. (1) The office of chairperson and members of the Board other than an *ex-officio* member shall fall vacant—

- (a) if the member resigns from office in writing to the Secretary of the Board;
- (b) if the Board is satisfied that the member is, by reason of physical or mental infirmity, unable to execute their functions;
- (c) upon his death;
- (d) if the member has been absent without leave for three consecutive meetings of the Board;
- (e) if the appointment of the member is revoked by the appointing authority in writing; and
- (f) upon the expiry of term in office.

(2) Where the office of chairperson and or member of the Board falls vacant under Section 12 herein above, the Secretary shall notify the County Executive Committee Member within fourteen (14) days of the occurrence and shall request for the appointment of a replacement.

Remuneration of members of the Board

13. The members of the Board of Management shall be paid in respect of services rendered such allowances as may be determined by the Kajiado County Public Service Board in consultation with the Salaries and Remuneration Commission.

Conduct of Business and Affairs of the Board of Management

14. The County Executive Committee Member may provide regulations for the better conduct of the business and affairs of the Board.

General Manager of the Centres

15. (1) The General Manager of the Centres shall be appointed by the Kajiado County Public Service Boars (CPSB).

(2) The General Manager shall—

- (a) be the overall head of the Centres;
- (b) exercise overall responsibility over all staff of the Centres;
- (c) have the overall responsibility for the direction, organization, administration and implementation of all activities of the Centres;
- (d) be the secretary to the Board;
- (e) be responsible to the Board on matters relating to the Centres.

(3) The General Manager shall hold office for such period as may be determined by the County Public Service Board.

Staff of the Centres

16. (1) The Centres shall have technical staff of the Centres and administrative staff of the Centres.

(2) The technical staff of the Centres shall consist of the General Manager, Deputy General Manager, Centre Managers, Livestock Production Officer, Veterinary Officer and any other member of staff engaged in the provision of Livestock Value Chain Development Services as may be appointed by the County Public Service Board.

(3) The administrative support staff of the Centres shall consist of the procurement, stores and record keeping, plant operators, herders, and any other member of staff that is required to ensure smooth running of the centres.

(4) All members of staff of the Centres shall—

- (a) be subject to the general authority of the General Manager; and
- (b) be deemed to be employed on a full-time basis unless otherwise specified by the County Public Service Board.

The Centre Managers

17. The Centre Managers shall—

- (a) manage their respective Centres on all technical and administrative functions.
- (b) be responsible to the General Manager for planning and implementation of development programmes of the Centres.

PART IV — FINANCIAL PROVISIONS

Annual Estimates

18. (1) At least nine months before the commencement of the financial year the General Manager shall cause to be prepared annual estimates of revenue and expenditure for the Centres for the financial year to which they relate.

(2) The annual estimates shall make provision for all estimated expenditure of the Centres for the financial year concerned, and in particular shall provide for—

- (a) payment of salaries, allowances and other charges in respect of the activities of the Centres;
- (b) the payment of pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the Centres;
- (c) the proper maintenance of buildings and grounds of the Centres;
- (d) the maintenance, repair and replacement of the equipment and other movable property of the Centres;
- (e) the funding of the cost of development and demonstration activities of the Centres.

(3) The annual estimates shall be approved by the Board and shall be submitted to the County Executive Committee Member for approval.

(4) At least six months before the commencement of each financial year, the County Executive Committee Member shall present the estimates in section 26 hereinabove to the County Assembly for consideration and approval.

Adherence to approved Budgetary estimates

19. No expenditure shall be incurred for the purpose of the Centres except in accordance with the annual estimates approved by the County Assembly in respect of that financial year.

PART V — ESTABLISHMENT OF THE KAJIADO PASTORALIST DEVELOPMENT CENTRES FUND

Establishment of the Kajiado Pastoralist Development Centres Fund—

20. (1) There shall be established a Fund to be known as the Kajiado Pastoralist Development Centres Fund.

(2) The Fund shall be a revolving Fund.

Objective and purpose of the Fund

21. The objective and purpose of the Fund shall be—
- (a) to provide funds required for running of the commercial activities of the Centres; and
 - (b) for the development of the Centres.

Composition of the Fund

22. The Fund shall consist of—
- (a) all moneys appropriated by the County Assembly for the purpose contemplated in section 21 above —
 - (b) all moneys realized from--
 - (i) the sale of Livestock, livestock produce and products;
 - (ii) surplus or unserviceable stores or assets of the Centres authorized for disposal by the officer administering the Fund or on their behalf by an officer authorized in writing by them for that purpose; and
 - (iii) hiring out of plant and equipment.

Administrator of the Fund

23. The Fund shall be administered by the General Manager of the Centres in consultation with the Chief Officer for Livestock.

Regulations of the Fund

24. The County Executive Committee member for the time being responsible for matters relating to livestock may make regulations for the better carrying out of the provisions of section 24 of this Act.

Initial Capital of the Fund

25. The initial capital of the Fund shall be appropriated by the County Assembly.

Charges for goods and services

26. The County Executive Committee Member for Livestock shall enact regulations to provide for the charges of goods and services, which shall be reviewed from time to time by the Board and forwarded to the County Assembly for approval.

Adherence to Government procurement and disposal procedures

27. The Fund shall strictly adhere to the Government Procurement and Disposal procedures.

Receipts, earnings and accruals of the Fund

28. All receipts, earnings and accruals of the Fund and the balance of the Fund at the close of each financial year shall be paid into the County revenue account but shall be retained for the purpose for which the Fund is established.

PART VI—GENERAL

Protection of Board of Management and staff from personal liability

29. No act or deed by any member of the Board or any member of staff of the Centres shall be subjected to any liability, action, claim or demand whatsoever if the act or deed was made in good faith for the purpose of carrying out the provisions of this Act.

Common seal

30. (1) There shall be a common seal of the Centres.

(2) The common seal shall be kept in a safe within the Centres and shall be used in the manner authorized by this Act.

(3) The common seal of the Centres shall be authenticated by the signature of the General Manager or any other authorized person in the service of the Centres.

(4) The common seal of the Centres affixed on a deed, instrument, contract or any other document and duly authenticated under sub-section (3) shall be binding to the Centres and its successors and can be discharged in the same manner as that in which it was executed.

PART VII — TRANSITIONAL PROVISIONS

Audit

31. (1) The Board shall cause to be kept all proper books and records of accounts to the income, expenditure, assets and liabilities of the Kajiado Pastoral Development Centres.

(2) The Board shall cause its accounts to be prepared and reported to the County Assembly.

Regulations

32. (1) The CECM may make regulations subject to the approval of the County Assembly generally for the better carrying out of the purposes and provisions of this Act.

(2) Without prejudice to the generality of the foregoing, the CECM may make regulations providing for—

- (a) conduct and procedures of the Board; and
- (b) the specific charges for goods and services.

MEMORANDUM OF OBJECTS AND REASONS

The Bill seeks to give effect to the establishment and management of the Kajiado Pastoralist Development Centres. It also provides for the Kajiado Pastoralist Development Centres Fund and the administration of Funds thereunder. This Bill seeks to implement the performance of the function of the county government in relation to agriculture; and specifically, to livestock value chain development.

Statement on Constitutionality and Conflict of Laws

The Bill does not contravene any of the provisions of the Constitution; and is not ultra vires any of the provisions of any national laws relating to agriculture. In case of any conflict between the Bill and any national laws, the provisions of Article 191 of the Constitution shall take effect.

JOSEPH MUTUNKEI,
*Chairperson, Committee on Agriculture,
Livestock, Veterinary Services, Fisheries and Irrigation.*