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KAJIADO COUNTY BILLS, 2023

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SCHEDULE

THE KAJIADO COUNTY CROP AGRICULTURE BILL, 2023

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 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 County Crop Agriculture Act, 2023 and shall come into operation twenty-one days after Assent by the Governor.

Interpretation

2. 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.

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 sub-section (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.

PART II—ESTABLISHMENT OF THE KAJIADO COUNTY CROP AGRICULTURE AUTHORITY

Kajiado County Crop Agriculture Authority

4 (1) There shall be established the Kajiado County Crop Agriculture Authority.

(2) The Authority shall comprise—

- (a) the County Executive Committee Member for Agriculture;
- (b) the Chief Officer;
- (c) Director of crop agriculture ;
- (d) Sub-county crop agricultural officers; and
- (e) Five (5) other members, not being public officers, appointed by the County Executive Committee Member for Agriculture.

Functions of the Authority

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

- (a) to develop and establish an efficient institutional framework for development and regulation of crop agriculture;
- (b) to propose to the CECM efficient, effective, harmonized and market-friendly policies and, regulations for crop agriculture;
- (c) to develop crop-specific regulatory frameworks in respect of such crops as the CECM may from time to time declare to be strategic to the County's economy;
- (d) to propose for 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) to 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 CECM may, by notice in the *Kenya Gazette* and a daily newspaper of wide circulation, declare any crop to be a scheduled crop for purposes of this Act.

(3) The notice under sub-section (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

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 sub-section (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 sub-section (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 sub-section (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 sub-section (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 sub-section (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 co-operative 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 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.

Issuance of licenses

20. (1) The Authority 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 Authority may prescribe.

(5) The CECM 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* and a newspaper of daily circulation.

(6) The notice referred to in sub-section (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 Authority within fourteen days next following the date of notice.

(7) The Authority 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 Authority 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 County Executive Committee Member.

Conditions of a license

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

(2) The Authority 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 Authority 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 Authority 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 Authority.

(2) A license holder may at any time surrender the license to the CECM 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 Authority 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 CECM.

(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 Kajiado County Public Service Board shall appoint and or designate officers to be stationed county crop officers in respect of each county, appoint an officer to be stationed in the county for purposes of this Act.

(2) Any officer appointed under sub-section (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 Authority may appoint qualified persons, to be inspectors for each scheduled crop for the purposes of this Act in consultation with the Kajiado County Public Service Board.

(2) For purposes of subsection (1), the CECM 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 Authority 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 license 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 sub-section (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 sub-section (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 sub-section (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 sub-section (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 CECM 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 CECM may by regulations make further provisions for the control of infected areas.

General power to impose levies

32. (1) The County Executive Committee Member may propose alteration of the rate of such levy.

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

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

(4) 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 deposited to County Revenue Fund.

Power to promote crop development

34. The County Executive Committee Member 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 sub-section (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.

Supersession

38. 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

39. (1) The County Executive Committee Member 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 I

Crops with breeding program under compulsory certification

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

Part II

Crops with breeding program under voluntary certification

Bananas.....	Musa spp.
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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	Panicum coloratum
Pyrethrum	
.....	Chrysanthemu
m spp.	
Cassava	Manihot esculenta
Sweetpotato	Ipomea batatas
Kenaf	Hibiscus
cannabinus L	
Sesame	Sesamun
indicum L.	
Safflower	Carthamus
tinctorius L.	
Ground nut	Arachis
hypogaea L.	
Pigeon pea	Cajanus cajan.
Dolichos bean	Dolichos lablab L.
Cowpea	Vigna unguiculata
(L.) Walp.	
Chick peas	Cicer arietinum
L.	

Part 3**Crops with no breeding program**

Oats.....	<i>Avena sativa</i> L.
Rye	<i>Secale cereale</i> L.
Triticale..... Wittm.	<i>Tricosecale</i>
Broad beans	<i>Vicia faba</i> L.
Cluster bean	<i>Cyamopsis</i> <i>tetragonoloba</i> .
Pea.....	<i>Pisum sativum</i> L.
Common Vetch.....	<i>Vicia sativa</i> L.
Castor bean	<i>Ricinus</i> <i>communis</i> L.
Jajoba..... chinesis.	<i>Simmondsia</i>
Linseed..... unitatissimum L.	<i>Linum</i>
Oil seed rape	<i>Brassica napus</i> L.
Flax	<i>Linum</i> <i>usitatissimu</i> L.
Sisal.....	<i>Agave spp.</i>
Beet..... <i>vulgaris</i> L.	<i>Beta</i>
Turnip	<i>Brassica</i> <i>rapa</i> L.
Other flower species	<i>Liliaceae</i> ,
Umbelliferae, Roses, etc	
Blue stem grass	<i>Andropogon</i> spp.
Buffel grass..... <i>ciliaris</i> L.	<i>Cenchrus</i>
Cock's foot..... <i>glomerata</i> .	<i>Dactylic</i>

Columbus grass almum	.....	Sorghum
Paspalum grass gayanus	.....	Paspalum
Rye grass	.....	Lolium spp.
Sudan sudanense.	.....	Sorghum
Love grass spp.	.....	Eragrostis
Bermuda grass dactylon.	.....	Cynodon
Butterfly pen ternatea.	.....	Clitoria
Centrosema	.....	Centrosema pubescens Benth.
Clover	.....	Trifolium spp.
Leucaena	.....	Leucaena leucocephala.
Siratro	.....	Macroptilium atropurpureum
Stylosanthes	.....	Stylosanthes guianensis.
Amaranth	.....	Amaranthus spp.
Artichoke	.....	Cynara scolymus.
Asparagus	.....	Asparagus officinalis.
Sugar beet	.....	Beta vulgaris L.
Broccoli/cauliflower	.....	Brassica oleracea var. botrytis L.
Brussels sprouts gemnifera.	.....	Brassica oleracea var.
Cabbage	.....	Brassica oleracea var. capitata L.
Canteloupe/ Muskmelon	.....	Cucumis melo L.
Carrot	.....	Daucus carota L.
Celery / Celeriac	.....	Apium graveolens L.
Chicory	.....	Cichorium intybus L.
Chinese cabbage	.....	Brassica chinensis L.
Chirvil	.....	Anthriscus cerefolium

Collards / Kale.....	Brassica oleracea var ancephala DC.
Corriander	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 L.

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. Mill.
Turnip	Brassica rap L.
Water cress.....	Nasturtium
officinale Ribr.	
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 relating 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 Authority 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. This Part also empowers the County Executive Committee Member power to make crop specific regulations. Additionally, it gives powers to impose charges to be levied for crop development. This Part also empowers the Authority 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 County Executive Committee Member to declare an area infected as well as general powers to the Authority to impose levies with the approval of the County Assembly. It further empowers the Authority 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.

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.*