

Approved
12/4/23



Hon. Speaker
You may approve for
tabling. J. O. O.
11/4/23

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - SECOND SESSION

THE SENATE

STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES

REPORT ON THE AGRICULTURAL AND LIVESTOCK EXTENSION
SERVICES BILL (SENATE BILLS NO. 12 OF 2022)

PAPERS LAID	
DATE	12/4/2023
TABLED BY	Sen. Klamatinga Wakhome.
COMMITTEE	Agriculture, Livestock & Fisheries
CLERK AT THE TABLE	D. Chuma

Clerk's Chambers,
Parliament Buildings,
NAIROBI.

April, 2023

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- a. Kenya Private Sector Alliance (KEPSA);
- b. Agricultural Council of Kenya (AgCK)
- c. Food and Agriculture Organization (FAO);
- d. Kenya National Farmers' Federation (KENAFF);
- e. Centre for Agriculture and Bioscience International (CABI); and
- f. Agricultural Industry Forum (AIF).

MEMBERSHIP OF THE COMMITTEE

The Committee is comprised of –

1. Sen. James Kamau Murango, MP - **Chairperson**
2. Sen. Alexander Munyi Mundigi, MP - **Vice-Chairperson**
3. Sen. Moses Otieno Kajwang', MP
4. Sen. Enoch Kii Wambua, CBS, MP
5. Sen. Daniel Kitonga Maanzo, MP
6. Sen. Beth Kalunda Syengo, MP
7. Sen. Wahome Wamatinga, MP
8. Sen. Allan Kiprotich Chesang, MP
9. Sen. David Wafula Wakoli, MP

CHAIRPERSONS FOREWORD

Mr. Speaker Sir,

The Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills N0. 12 of 2022) seeks to provide for the agricultural and livestock extension services and establish the Agricultural and Extension Service.

Mr. Speaker Sir,

The Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022) was published on 30th December, 2022 and read a First Time in the Senate on Wednesday, 15th February, 2023 and thereafter the Bill stood committed to the Standing Committee on Agriculture, Livestock and Fisheries for consideration.

In compliance with the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Senate Standing Orders, the Committee proceeded to undertake public participation on the Bill. In this regard, the Committee published an advertisement in the Daily Nation and Standard newspapers on Tuesday, 21st February, 2023 inviting members of the public to submit written memoranda to the Committee on the Bill. Additionally, the Committee sent invitations to key stakeholders inviting them to submit their comments on the Bill.

The Committee received written submissions from two (2) stakeholders, namely the Ministry of Agriculture and Livestock Development and the Kenya Plant Health Inspectorate Service (KEPHIS).

Mr. Speaker Sir,

The Committee thereafter proceeded to consider extensively the provisions of the Bill and the submissions received thereon. Based on its deliberations, the Committee has made various observations which are set out in Chapter Three of this Report. Notably, the final recommendation by the Committee is that the Senate proceeds to consider the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 12 of 2022) with amendments.

Mr. Speaker Sir,

May I take this opportunity to thank the Ministry of Agriculture and Livestock Development and the Kenya Plant Health Inspectorate Service for responding to our call and made their well-researched submissions which have been reviewed and taken into account into preparing this report.


Mr. Speaker Sir,

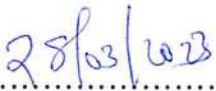
As I conclude, I commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the Bill successful.

I also wish to thank the Offices of the Speaker and the Clerk of the Senate for the support extended to the Committee in undertaking this important assignment.

Mr. Speaker Sir,

It is now my pleasant duty, pursuant to standing order 148 (1), to present the Report of the Standing Committee on Agriculture, Livestock and Fisheries on the The Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022).







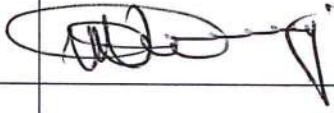

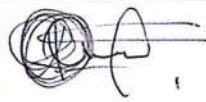
Signed.....

Date.....

SEN. JAMES KAMAU MURANGO, MP,
CHAIRPERSON,
STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND
FISHERIES

ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES

We, the undersigned Members of the Senate Standing Committee on Agriculture, Livestock, and Fisheries, do hereby append our signatures to adopt this Report –

	Name	Designation	Signature
1.	Sen. James Kamau Murango, MP	Chairperson	
2.	Sen. Alexander Munyi Mundigi, MP	Vice-Chairperson	
3.	Sen. Moses Otieno Kajwang', MP	Member	
4.	Sen. Enoch Kiiro Wambua, CBS, MP	Member	
5.	Sen. Daniel Kitonga Maanzo, MP	Member	
6.	Sen. Beth Kalunda Syengo, MP	Member	
7.	Sen. Wahome Wamatinga, MP	Member	
8.	Sen. Allan Kiprotich Chesang', MP	Member	
9.	Sen. David Wafula Wakoli, MP	Member	

CHAPTER ONE

1.1. Background

The Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 12 of 2022) seeks to provide for the agricultural and livestock extension services and establish the Agricultural and Extension Service. The Bill was published on 30th December, 2022 and read a First Time in the Senate on Wednesday, 15th February, 2023 and thereafter the Bill stood committed to the Standing Committee on Agriculture, Livestock and Fisheries for consideration and facilitation of public participation. The Bill published is attached to this Report as *Appendix 2*.

The Bill proposes to set up an agricultural and livestock service which is managed by the Board of Directors. The Bill provides for the establishment, powers, composition and functions of governing bodies to oversee Agricultural and Livestock Extension Services in the country.

The Bill further provides for assistance to farmers to gain in new information and develop new abilities, as well as to apply directly on the farm the latest scientific knowledge through the transfer of technology.

The importance of agricultural extension in relation to the fight against poverty has been underscored in the Strategy to Revitalize Agriculture (SRA) (Republic of Kenya, 2004). All agricultural Extension Services Agencies need to have a standard approach and objectives in order to feed into an overall national goal. Uniform standards must be set, uniform scope of operation maintained, delivery model adopted by all agencies and extension officers trained.

Currently, there is no legal regulatory framework for Agricultural and livestock extension services in Kenya. The Bill, therefore seeks to provide a legislative framework for extension services in Kenya. The objectives of the Bill are to:

1. foster coordination in extension services research by National Government, County Governments, non-governmental organizations, learning institutions, research bodies, and other non-state actors;
2. promote the generation of high income for farmers and traders through increased production and sourcing of competitive markets;
3. for the continuous and sustained research on extension services for the development of the Agricultural and livestock industry;
4. for the adoption of sector-wide approach to the provided extension services which enables access to appropriate quality services which enables access to appropriate quality services from the best service providers and attains higher productivity, increased incomes, and standard of living to Kenyans; and for the

provision of financial support to the various players in the extension services industry.

1.2. Overview of the Bill

Clause 4 of the Bill provides for the Cabinet Secretary shall formulate and publish in the *Gazette* an agricultural and livestock extension services policy at least once every five years, for the implementation and standard delivery of extension services by the county governments.

Clause 5 of the Bill provides that the County executive committee member shall formulate and publish, in the *Gazette*, a county-specific extension services strategy. The county executive committee member shall in formulating the strategy take into account the national livestock policy formulated by the Cabinet Secretary.

Clause 8 of the Bill establishes the Agricultural and Livestock Extension Service. Whose functions include—

- (a) enhance the competitiveness of the agriculture and food industry in Kenya in an increasingly competitive world environment;
- (b) increase the long-term productivity of agriculture and food industry in Kenya while maintaining and enhancing the natural resource base on which the Counties and the National Government agricultural economy depend on;
- (c) develop new uses and new products for agricultural commodities and come up with alternative production methods to develop new crops;
- (d) improve risk management in the agriculture industry in Kenya.

In the performance of its functions, the service shall—

- (a) support agricultural research on extension services to promote economic opportunity in rural communities and to meet the increasing demand for information and technology transfer throughout the agriculture industry in Kenya;
- (b) collaborate with the county governments in —
 - i. improving the coordination and planning of agricultural research, extension, and teaching programs;
 - ii. identifying needs and establishing priorities for these programs;
 - iii. ensuring that national agricultural research, extension, and teaching objectives are fully achieved; and
 - iv. ensuring that the results of agricultural research are effectively communicated and demonstrated to farmers, processors, handlers, consumers, and all other users who can benefit from them.

- (c) maintain and disseminate information on standards for the supply of nutritious and safe food by the county governments;
- (d) facilitate the transfer of technology;
- (e) encourage the use of information communication technology by developing and packaging information in simple, easily accessible digital systems;
- (f) collaborate with international entities in order to leverage resources, priority food and agricultural interests including addressing emerging plant and animal diseases, improving crop varieties and animal breeds, and developing safe, efficient, and nutritious food systems;
- (g) mobilizing resources at the national level for investment in the development and implementation of extension services programs in the counties;
- (h) developing and coordinating intergovernmental relations mechanisms in the delivery of services related to extension services; and
- (i) providing technical assistance and capacity building to the county governments on matters relating to extension services.

Clauses 9-17 of the Bill deals with the management of the Service which is vested on the Board of Directors consisting of -

- (a) a chairperson who shall be appointed by the Cabinet Secretary;
- (b) the principal secretary responsible for matters relating to agriculture;
- (c) the principal secretary responsible for matters relating to livestock;
- (d) two persons with knowledge and experience in the field extension services nominated by the Council of County Governors;
- (e) one person representing national farm or producer organizations nominated by the Council of County Governors;
- (f) one person representing the Kenya Agricultural and Livestock Research Organization nominated by the Organization;
- (g) one member representing the National Association of Agriculture and Livestock Extension Service Providers nominated by the association;
- (h) one person representing extension services training institutions nominated the Cabinet Secretary; and
- (i) the chief executive officers.

Clause 26 of the Bill sets out the role of the county government as—

- (a) implement the National Government policy and standards relating to the extension services sector;
- (b) regulate and promote extension services within the respective county;

- (c) collect, collate and disseminate information on the extension services industry including the appropriate technology and practices to ensure maximization of yields and sales by stakeholders;
- (d) coordinate the activities of persons, organizations, and any other associations within the field of extension services;
- (e) facilitate the access by players in the extension services sector to such resources and financial support as may be necessary to promote the use and development of extension services in the respective county; and improve on the safe production and processing of, and add value to, Kenyan food and fiber resources using methods that maintain the balance between yield and environmental soundness.

Clauses 18-20 of the Bill establishes the Office of the Chief Executive Officer who shall be the secretary to the Board and shall, subject to the direction of the Board—

- (a) be responsible for the day-to-day management of the affairs of the Board;
- (b) manage the funds, property, and affairs of the Board;
- (c) be responsible for the management of the staff of the Board;
- (d) oversee and coordinate the implementation of the policies, programmes, and objectives of the Board;
- (e) cause to be prepared for the approval of the Board—
 - i. the strategic plan and annual plan of the Board; and
 - ii. the annual budget and audited accounts of the Board; and
- (f) perform such other duties as may be assigned by the Board.

FINANCIAL PROVISION

Part V (clauses 27-31) of the Bill provides for the financial provision of the Bill. The Bill proposes that the funds of the service shall include

- (a) monies appropriated by Parliament for the purposes of the service;
- (b) such monies or assets as may accrue to or vest in the service in the course of the exercise of its powers or the performance of its functions under this Act or any other written law; and
- (c) donations, grants, loans, or gifts made to the service and approved by the Cabinet Secretary for finance.

Part VI (clauses 32-33) provides for miscellaneous provisions. It provides areas in which county governments can legislate on, it also delegates powers to the Cabinet Secretary to make regulations on any matter which is necessary or expedient to be prescribed for carrying out or giving effect to the Act.

CHAPTER TWO

2.0. OVERVIEW OF PUBLIC PARTICIPATION ON THE BILL

Pursuant to the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Senate Standing Orders, the Senate Standing Committee on Agriculture, Livestock and Fisheries proceeded to undertake public participation on the Bill. The presentations were made through written memoranda.

In this regard, the Committee published an advertisement in the *Daily Nation* and *Standard* newspapers on Tuesday, 21st February, 2023 (*Appendix 3*) inviting members of the public to submit written memoranda on the Bill.

In response to the advertisement and invitations, the Committee received written submissions from two (2) stakeholders, the Ministry of Agriculture and Livestock Development (MOALD) and the Kenya Plant Health Inspectorate Service (KEPHIS).

Detailed submissions by stakeholders, organized clause-by-clause, are set out in a matrix attached as *Appendix 4*. Additionally, copies of the stakeholder submissions on the Bill are attached collectively as *Appendix 5* and numbered 1 – 2.

2.1. Submissions from the Ministry of Agriculture and Livestock Development

The Ministry outlined the following in their submission:

The object of the Bill is not clearly bringing out what the Bill intends to address, i.e., to; provide for agricultural and livestock extension services; Establish the Agricultural and Extension Service; and for connected purposes. The objects should be reviewed to provide for the establishment of the agricultural extension professional body and for regulation of extension service provision.

The National and County Agricultural and Livestock Extension Services policies and strategies are administrative functions and may not have any relation to extension service provision. This makes legislation of this responsibility unnecessary.

The Bill should be reviewed to provide for the functions that entrench professionalism in Extension Service Delivery.

The Bill be reviewed to provide strengthening of County services through the Board. Extension Services are devolved functions. By advising the CS, the service will only influence policy and not the actual extension being undertaken by the counties.

Being a devolved function, Extension services should be allocated by the County Assemblies. In the case where the service is regulating a professional body then it should generate its own fund.

There is need to have uniform regulations in the Bill to avoid heterogenous frame by having county specific regulations for registration, license issuance and renewal.

2.2. Submissions from the Kenya Plant Health Inspectorate Service (KESPHIS)

Kenya Plant Health Inspectorate Service outlined the following in their submission:

The proposal for correction on some typographical errors and omissions that may otherwise distort the objective of the bill.

2.2.3. Amendments and Justifications on the Bill

A summary of the proposed amendments to the Bill and their justifications were provided as follows:

No.	Clause	Stakeholder	Proposed amendment and rationale	Observations/Comments	Resolution
1.	2	Ministry of Agriculture (MOA)	<p>To amend the interpretation of extension services-</p> <p>The Bill does not clearly bring out what extension services are;</p> <p>The Bill under clause 2 provides that - Extension services</p>	<p>The Extension Service established under clause 6 is a body cooperate mandated in regulating the extension services industry.</p> <p>While under clause 2 the definition of extension services is for the purposes of limiting the application of the Act to only the extension services that are offered in</p>	Retain

			<p>means-the agriculture and extension service.</p> <p>Clause 6 further establishes the Agricultural and Extension Service.</p> <p>Proposal</p> <p>Delete the definition</p>	<p>the agriculture and livestock industry</p>	
2.	<p>3- Objects (Long title)</p>	<p>Ministry of Agriculture (MOA)</p>	<p>It is not clearly bringing out what the Bill intents to address.</p> <p>The provides for agricultural and livestock extension services; establish the Agricultural and extension Service</p> <p>Proposal</p> <p>Review the objects of the Bill to provide</p>	<p>The committee may consider amending to;</p> <p>To provide for the agricultural and extension services sector;</p>	<p>Retain</p>

			for establishment of a professional body and for regulation of extension services.		
3.	Part I, Clause 3 (a)- Objects.	KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)	Proposal Amend section 3(a) to correct the typographical error to pluralise learning institution.	The committee may approve the proposal to correct the typing error.	Accept
4.	Part II- National and County Agricultural and Livestock Policy and strategy.	MOALD	Development of Policies and strategies are administrative functions and may not have any relation to extension service provision. Legislating this responsibility is unnecessary Proposal Delete this part	1. Extension services have a direct effect on food security of the Country and therefore the national Government has a role in setting policies and standards for the provision of extension services.	Retain
5.	Part II,	KEPHIS	Amend to correct the	The committee may approve the proposal to	Accept

	<p>Clause 4 (2) (a), (b), (d), (e), (g)</p> <p>National Extension services Policy.</p>		<p>typographical error.</p>	<p>correct the typographical error.</p>	
6.	<p>Clause 5(1)</p>		<p>The section refers to Livestock policy. This is a typographical error which may be corrected.</p> <p>Proposal</p> <p>Amend to read; The agricultural and livestock policy. to the policy referred to.</p>	<p>The Committee may approve the amendment bring clarity.</p>	<p>Accept</p>
7.	<p>Clause 8</p> <p>Functions of the Service.</p>	<p>MOALD</p>	<p>Commodity value chain development, marketing and de risking of actors are functions provided for in crops and Tea Act.</p>	<p>Extension Services are offered to all crops and therefore certain aspects may be also captured in other Acts.</p> <p>However, purpose of the Bill is to come up with a standalone legislation providing for agricultural</p>	<p>Agree</p>

			Review to provide for functions that entrench professionalism in extension service providers.	and livestock extension services.	
8.	Part III, Clause 8 (a), (b)		The Clause refers to agriculture and food industry. It therefore leaves out the livestock industry. Proposal Consider, amending covers both the agriculture and livestock sectors.	The committee may approve this proposal to covers both the agriculture and livestock sectors.	Agree
9.	Part III Section 8 (c)		The Clause refers to agriculture and food industry. It therefore leaves out the livestock industry.	The committee may approve this proposal to covers both the agriculture and livestock sectors.	Agree

			<p>Proposal</p> <p>Consider, amending covers both the agriculture and livestock sectors.</p>		
10.	<p>Part III, Clause 10 (c)</p>		<p>Amend to correct the typing error on the word principal.</p>	<p>The committee may approve the proposal to correct the typographical error.</p>	<p>Agreed</p>
11.	<p>Clause 14 Functions of the Board.</p>	<p>MOALD</p>	<p>Extension Services are devolved functions. By advising the Cabinet Secretary the Service will only influence policy and not the actual extension being undertaken in the counties.</p> <p>Proposal</p> <p>Review to provide for strengthening</p>	<p>Extension Services are devolved functions and therefore there is a need to amend the Bill to capture this aspect.</p>	<p>Accept</p>

			of County services		
12.	Part v- Financial Provisions	MOALD	Extension is a devolved function and as such the funds should be allocated by the County Assemblies and the Service is regulating a professional body then it should generate its own fund	Extension Service is a national government agency comprising of representatives of both the National Government and the county governments. Further, the service is tasked with performing functions of both arms of government.	Retain
13.	Part VI- Miscellaneous Provisions.	MOALD	Having county specific regulations for registration, licensing issuance and renewal will result in very heterogeneous frame against the intention of the Bill.	The Bill provides for Enactment of county specific legislations and further gives the Cabinet secretary powers to make regulations.	Reject

			Proposal Require Making of uniform regulations		
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CHAPTER THREE

3.0. COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1. COMMITTEE OBSERVATIONS

The Committee made the following observations:

1. Agricultural extension has a significant role in improving agricultural productivity, boosting food security, enhancing rural livelihoods. They provide significant support to rural farmers in meeting the new challenges confronting agriculture;
2. Kenya and the world at large are faced by effects of climate change, which has significantly distorted the weather patterns. In the recent years the amount of rainfall received has been dwindling and therefore there is a need to come up with new farming methods and techniques which will bolster the harsh climatic conditions.
3. In addition, there has been a sharp rise of resistant pests and diseases which affect both crops and livestock and therefore provision of extension services to farmers will be essential in compacting these emerging challenges in the agriculture sector;
4. The passage of the Bill is essential because it addresses the issues highlighted above and therefore the committee seeks the support of the house to pass the Bill;
5. The committee concurs with the views of MOALD that Extension Services are devolved functions and therefore there is a need to amend the Bill to capture this aspect;
6. Extension services have a direct effect on food security of the Country and therefore the national Government has a role in setting policies and standards for the provision of extension services;
7. The MOALD Submitted that since extension services are devolved, the County assemblies should be tasked with the allocation of funds to the Agricultural and

Livestock Extension Service. The Committee however disagrees with the views because the Extension Service is a national government agency comprising of representatives of both the National Government and the county governments. Further, the service is tasked with performing functions of both arms of government; and

8. There were a few typographical errors in the Bill.

3.2. COMMITTEE RECOMMENDATIONS

The committee recommends as follows:

1. That, various typographical errors appearing in the Bill be corrected;
2. That, clause 5(1) be amended to replace “Livestock policy “to read “Agricultural and livestock policy”;
3. That, clause 8 and clause 14 on the functions of the Service and the Board, be amended to assign functions to both the national and the county Governments in line with the fourth Schedule of the constitution; and
4. That, clause 8(a), (b), (c) be amended to provide for both the Agriculture and Livestock sectors.

LIST OF APPENDICES

Appendix 1	Minutes of the Standing Committee on Agriculture, Livestock and Fisheries
Appendix 2	The Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 12 of 2022)
Appendix 3	Advertisement published in the <i>Daily Nation</i> and <i>Standard</i> newspapers on Tuesday, 21 st February, 2023
Appendix 4	Matrix of the submissions received by the Committee on each clause of the Bill and on general matters relating to the Bill
Appendix 5	Copies of stakeholder submissions on the Bill
Appendix 6	Committee Stage Amendments



MINUTES OF THE THIRTEENTH MEETING OF THE SENATE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES, HELD ON THURSDAY, 28TH MARCH, 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 11:00 A.M.

PRESENT

- | | | |
|-----------------------------------|---|-------------|
| 1. Sen. James Kamau Murango, MP | - | Chairperson |
| 2. Sen. Beth Kalunda Syengo, MP | - | Member |
| 3. Sen. Wahome Wamatinga, MP | - | Member |
| 4. Sen. Daniel Kitonga Maanzo, MP | - | Member |
| 5. Sen. David Wafula Wakoli, MP | - | Member |

ABSENT WITH APOLOGIES

- | | | |
|--------------------------------------|---|------------------|
| 1. Sen. Alexander Munyi Mundigi, MP | - | Vice-Chairperson |
| 2. Sen. Enoch Kiiro Wambua, CBS, MP, | - | Member |
| 3. Sen. Moses Otieno Kajwang', MP | - | Member |
| 4. Sen. Allan Kiprotich Chesang, MP | - | Member |

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Stephen Gikonyo | - | Principal Clerk Assistant II |
| 2. Ms. Caroline Njue | - | Clerk Assistant |
| 3. Mr. Reinhardt Choge | - | Clerk Assistant |
| 4. Ms. Regina Munyao | - | Legal Counsel II |
| 5. Ms. Happy Furaha | - | Fiscal Analyst |
| 6. Ms. Belinda Ogolla | - | Research Officer III |
| 7. Mr. Hillary Cheruiyot | - | Research Officer III |
| 8. Ms. Violet Nalinya | - | Media Relations Officer |
| 9. Ms. Rose Omutere | - | Audio Officer |
| 10. Ms. Pamela Kimwattan | - | Protocol Officer |
| 11. Ms. Happy Furaha | - | Fiscal Analyst |

MIN.SEN/SCA/094/2023: - PRELIMINARIES

The Chairperson called the meeting to order at 11.13 a.m. followed by a word of prayer.

MIN/SEN/SCA/095/2023: - ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after being proposed by Sen. Wahome Wamatinga, MP and seconded by Sen. David Wafula Wakoli, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Sitting;
4. Matters Arising;
5. **Adoption of the Report on the Mung Beans Bill, 2022 (Senate Bills No. 13 of 2022);**
6. **Adoption of the Report on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 12 of 2022);**
7. **Consideration of the Legislative Proposal on the Agriculture and Food Authority (Amendment) Bill (Committee Paper No. 24);**
8. Any Other Business; and
9. Date of the Next Meeting and Adjournment

MIN/SEN/SCA/096/2023: - CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The minutes were confirmed as follows-

- i. The Minutes of the first sitting held during a public participation in Tseikuru Kitui County on Friday, 10th March, 2023 at 10.00 a.m. were confirmed as a true reflection of proceedings during the meeting after being proposed by Sen. Beth Kalunda Syengo, MP and seconded by Sen. David Wafula Wakoli, MP;
- ii. The Minutes of the second sitting held during a public participation in Ngomeni Kitui County on Friday, 10th March, 2023 at 2.00 p.m. were confirmed as a true reflection of proceedings during the meeting after being proposed by Sen. David Wafula Wakoli, MP and seconded by Sen. Beth Kalunda Syengo, MP;
- iii. The Minutes of third sitting held during a public participation in Mutomo Kitui County on Saturday, 11th March, 2023 at 10.00 a.m. were confirmed as a true reflection of proceedings during the meeting after being proposed by Sen. David Wafula Wakoli, MP and seconded by Sen. Beth Kalunda Syengo, MP;
- iv. The Minutes of fourth sitting held during a public participation in Kiusyani Kitui County on Saturday, 11th March, 2023 at 2.00 p.m. were confirmed as a true reflection of proceedings during the meeting after being proposed by Sen. Beth Kalunda Syengo, MP and seconded by Sen. David Wafula Wakoli, MP; and
- v. The minutes of the twelfth meeting held on Thursday, 23rd March, 2023 were confirmed as a true reflection of proceedings during the meeting after being proposed by Sen. Beth Kalunda Syengo MP and seconded by Sen. Wamatinga Wahome, MP;

MIN/SEN/SCA/097/2023: - MATTERS ARISING

There were no matters arising.

MIN/SEN/SCA/098/2023: - ADOPTION OF THE REPORT ON THE MUNG BEANS BILL, 2022 (SENATE BILLS NO. 13 OF 2022)

The Committee considered the Report on the Mung Beans Bill, 2022 (Senate Bills No. 13 of 2022) and adopted it after being proposed by Sen. Wahome Wamatinga, MP and Seconded by Sen. Beth Syengo, MP.

MIN/SEN/SCA/099/2023 - ADOPTION OF THE REPORT ON THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, 2022 (SENATE BILLS NO. 12 OF 2022)

The Committee considered the Report on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 12 of 2022) and adopted it after being proposed by Sen. Wafula Wakoli, MP and Seconded by Sen. Daniel Maanzo, MP.

MIN/SEN/SCA/100/2023 - CONSIDERATION OF THE LEGISLATIVE PROPOSAL ON THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (COMMITTEE PAPER NO. 24)

The Committee was taken through Committee Paper No. 24 on the Legislative Proposal on the Agriculture and Food Authority (Amendment) Bill which is sponsored by Sen. James Kamau Murango, MP.

During the meeting, the Committee noted that the Bill aims to-

1. Amend Section 43 of the Agriculture and Food Authority Act, 2013 to exempt Cashew Nuts, Macadamia Nuts and Bixa Nuts from the ban on export of raw produce.
2. Provide for the establishment of export markets to farmers planting Macadamia, Cashew Nuts and Bixa Nuts because similar crops like Coffee beans are exported as raw beans therefore there should be no exceptions;
3. Provide for better prices as it will open up the market for competitive pricing because there would be no requirement to seek approval from the Cabinet Secretary on export of raw nuts;
4. Enable farmers to add value to by-products such as macadamia kernels which are currently being disposed off. It will also stop smuggling of Macadamia Nuts to neighbouring countries which has been denying Kenya foreign exchange earnings.

Committee Resolution

The Committee considered the Legislative Proposal and unanimously resolved that the Bill should be published.

MIN/SEN/SCA/101/2023: - ANY OTHER BUSINESS

The Committee was informed of the meeting with the Cabinet Secretary, Ministry of Water, Sanitation and Irrigation on the Petition on the EACC Graft investigation on the West Kano Irrigation Scheme scheduled for Wednesday, 29th March, 2023 at 11.00 a.m.

MIN/SEN/SCA/102/2023:- ADJOURNMENT

There being no other business, the meeting was adjourned at 11.40 a.m.



SIGNED: DATE:30/03/2023.....

**SEN. JAMES KAMAU MURANGO, MP
(CHAIRPERSON)**



MINUTES OF THE TENTH MEETING OF THE SENATE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES, HELD ON THURSDAY, 16TH MARCH, 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 11:00 A.M.

PRESENT

- | | | |
|-------------------------------------|---|---|
| 1. Sen. James Kamau Murango, MP | - | Chairperson |
| 2. Sen. Alexander Munyi Mundigi, MP | - | Vice-Chairperson |
| 3. Sen. Daniel Kitonga Maanzo, MP | - | Member |
| 4. Sen. David Wafula Wakoli, MP | - | Member |
| 5. Sen. Allan Kiprotich Chesang, MP | - | Member |
| 6. Sen. David Wafula Wakoli, MP | - | Member |
| 7. Sen. Maureen Tabithe Mutinda, MP | - | Sponsor of Bill/Friend to the Committee |

ABSENT WITH APOLOGIES

- | | | |
|-------------------------------------|---|--------|
| 1. Sen. Beth Kalunda Syengo, MP | - | Member |
| 2. Sen. Enoch Kiio Wambua, CBS, MP, | - | Member |
| 3. Sen. Moses Otieno Kajwang', MP | - | Member |

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Stephen Gikonyo | - | Principal Clerk Assistant II |
| 2. Ms. Caroline Njue | - | Clerk Assistant |
| 3. Ms. Regina Munyao | - | Legal Counsel II |
| 4. Ms. Happy Furaha | - | Fiscal Analyst |
| 5. Ms. Bellinda Ogolla | - | Research Officer III |
| 6. Mr. Hillary Cheruiyot | - | Research Officer III |
| 7. Ms. Violet Nalianya | - | Media Relations Officer |
| 8. Ms. Pamela Kimwattan | - | Protocol Officer |
| 9. Ms. Rose Ometere | - | Audio Officer |
| 10. Mr. Abdihabib Dekow | - | Sargent at Arms |

IN ATTENDANCE – ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

- | | | |
|---------------------------|---|-----------|
| 1. Mr. Twalib Mbarak, CBS | - | CEO, EACC |
|---------------------------|---|-----------|

- | | | |
|------------------------|---|--|
| 2. Mr. Phillip Kagiria | - | Deputy Director Civil Litigation & Asset Recovery |
| 3. Mr. Abraham Kemboi | - | Regional Manager Western Office |
| 4. Mr. Francis Makori | - | Coordination Officer, Directorate of field services & Coordination |

MIN.SEN/SCA/069/2023: - PRELIMINARIES

The Chairperson called the meeting to order at 11.15 a.m. followed by a word of prayer and introductions.

MIN/SEN/SCA/070/2023: - ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Alexander Munyi Mundigi, MP and seconded by Sen. Allan Kiprotich Chesang, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Sitting;
4. Matters Arising;
5. *Meeting with Ethics and Anti-Corruption Commission (EACC) on the EACC graft investigation on the West Kano Irrigation Scheme;*
6. *Consideration of the Progress Report on the Pending Legislative Business before the Committee;*
7. *Consideration of the Matrix of submissions on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 13 of 2022).*
8. Any Other Business; and
9. Date of the Next Meeting and Adjournment

MIN/SEN/SCA/071/2023: - CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The confirmation of the minutes of the previous meeting were deferred.

MIN/SEN/SCA/072/2023: - MATTERS ARISING

There were no matters arising.

MIN/SEN/SCA/073/2023: - MEETING WITH THE ETHICS AND ANTI-CORRUPTION COMMISSION ON THE EACC GRAFT INVESTIGATION ON WEST KANO IRRIGATION SCHEME

The Committee was taken through the presentation on the background of EACC as follows:

1. That, the EACC received a report on 19th August, 2015 that three officials of West Kano Irrigation Scheme had embezzled funds which had been released to the Scheme by the Government through the Ministries of Agriculture and Water & Irrigation under the Economic Stimulus program in 2009/2012 FY.

The following are the findings of the investigation by Ethics and Anti- Corruption Commission:

1. That, the West Kano Irrigation Scheme was established in the year 1974 and started operating in 1976. The Scheme is owned by 837 rice farmers organized into 59 groups. The total acreage of the Scheme is 2,230 acres;
2. That, the Scheme received a grant of **Kshs. 54,331,938.00** under the Economic Stimulus Program in the FY 2009/2010 to be advanced to farmers to improve rice production;
3. That, the grant was provided in form of cash disbursements and farm inputs, which were channeled through the Ministries of Agriculture and Water & Irrigation;
4. That, the Scheme members received cash advances totaling to **Kshs. 25,573,847.00** for tiling, seed-bed preparation and transplanting; spraying, harvesting; Post-Harvest Activities-drying rice, packaging & storage, based on farm acreage;
5. That, the Scheme received **Kshs. 11,691,690.00** for operation and maintenance meant for piping, pumping of water, dykes, water pans, electricity, canals and access roads. A further **Kshs. 27,966.00** was provided for loading and off-loading of farm inputs;
6. That, the Scheme farmers received farm inputs worth **Kshs. 17,038,445.00** based on farm acreage. The inputs included chemicals, rice seeds and fertilizer;
7. That, on **30th December, 2010**, the Scheme members formed a Revolving Fund to ensure sustainability. The fund was composed of four officials, who included a Chairperson, Secretary, Treasurer and an official from the National Irrigation Board. The officials opened a bank account at Kenya Commercial Bank for the revolving fund;
8. That, on **31st December, 2012**, the Revolving Fund received a grant of **Kshs. 18,468,752.20** into its Kenya Commercial Bank account from the Ministry of Cooperative Development and Marketing; and
9. That, on **20th March, 2013**, the Scheme Farmers met and resolved to share the grant of **Kshs. 18,468,752.20** amongst themselves based on farm acreage at the rate of Kshs. 8,140 per acre.

The Committee was informed that the field investigation was complete and the file was undergoing review to inform appropriate recommendations.

MIN/SEN/SCA/074/2023: -

**CONSIDERATION OF THE PROGRESS
REPORT ON THE PENDING
LEGISLATIVE BUSINESS BEFORE THE
COMMITTEE**

The Committee deferred this agenda to a later date.

- | | | |
|------------------------|---|--|
| 2. Mr. Phillip Kagiria | - | Deputy Director Civil Litigation & Asset Recovery |
| 3. Mr. Abraham Kemboi | - | Regional Manager Western Office |
| 4. Mr. Francis Makori | - | Coordination Officer, Directorate of field services & Coordination |

MIN.SEN/SCA/069/2023: - PRELIMINARIES

The Chairperson called the meeting to order at 11.15 a.m. followed by a word of prayer and introductions.

MIN/SEN/SCA/070/2023: - ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Alexander Munyi Mundigi, MP and seconded by Sen. Allan Kiprotich Chesang, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Sitting;
4. Matters Arising;
5. *Meeting with Ethics and Anti-Corruption Commission (EACC) on the EACC graft investigation on the West Kano Irrigation Scheme;*
6. *Consideration of the Progress Report on the Pending Legislative Business before the Committee;*
7. *Consideration of the Matrix of submissions on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 13 of 2022).*
8. Any Other Business; and
9. Date of the Next Meeting and Adjournment

MIN/SEN/SCA/071/2023: - CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The confirmation of the minutes of the previous meeting were deferred.

MIN/SEN/SCA/072/2023: - MATTERS ARISING

There were no matters arising.

MIN/SEN/SCA/073/2023: - MEETING WITH THE ETHICS AND ANTI-CORRUPTION COMMISSION ON THE EACC GRAFT INVESTIGATION ON WEST KANO IRRIGATION SCHEME

The Committee was taken through the presentation on the background of EACC as follows:

1. That, the EACC received a report on 19th August, 2015 that three officials of West Kano Irrigation Scheme had embezzled funds which had been released to the Scheme by the Government through the Ministries of Agriculture and Water & Irrigation under the Economic Stimulus program in 2009/2012 FY.

The following are the findings of the investigation by Ethics and Anti- Corruption Commission:

1. That, the West Kano Irrigation Scheme was established in the year 1974 and started operating in 1976. The Scheme is owned by 837 rice farmers organized into 59 groups. The total acreage of the Scheme is 2,230 acres;
2. That, the Scheme received a grant of **Kshs. 54,331,938.00** under the Economic Stimulus Program in the FY 2009/2010 to be advanced to farmers to improve rice production;
3. That, the grant was provided in form of cash disbursements and farm inputs, which were channeled through the Ministries of Agriculture and Water & Irrigation;
4. That, the Scheme members received cash advances totaling to **Kshs. 25,573,847.00** for tiling, seed-bed preparation and transplanting; spraying, harvesting; Post-Harvest Activities-drying rice, packaging & storage, based on farm acreage;
5. That, the Scheme received **Kshs. 11,691,690.00** for operation and maintenance meant for piping, pumping of water, dykes, water pans, electricity, canals and access roads. A further **Kshs. 27,966.00** was provided for loading and off-loading of farm inputs;
6. That, the Scheme farmers received farm inputs worth **Kshs. 17,038,445.00** based on farm acreage. The inputs included chemicals, rice seeds and fertilizer;
7. That, on **30th December, 2010**, the Scheme members formed a Revolving Fund to ensure sustainability. The fund was composed of four officials, who included a Chairperson, Secretary, Treasurer and an official from the National Irrigation Board. The officials opened a bank account at Kenya Commercial Bank for the revolving fund;
8. That, on **31st December, 2012**, the Revolving Fund received a grant of **Kshs. 18,468,752.20** into its Kenya Commercial Bank account from the Ministry of Cooperative Development and Marketing; and
9. That, on **20th March, 2013**, the Scheme Farmers met and resolved to share the grant of **Kshs. 18,468,752.20** amongst themselves based on farm acreage at the rate of Kshs. 8,140 per acre.

The Committee was informed that the field investigation was complete and the file was undergoing review to inform appropriate recommendations.

MIN/SEN/SCA/074/2023: -

**CONSIDERATION OF THE PROGRESS
REPORT ON THE PENDING
LEGISLATIVE BUSINESS BEFORE THE
COMMITTEE**

The Committee deferred this agenda to a later date.

**CONSIDERATION OF THE MATRIX OF
THE SUBMISSIONS ON THE
AGRICULTURAL AND LIVESTOCK
EXTENSION SERVICES BILL, 2022
(SENATE BILLS NO. 13 OF 2022)**

The legal counsel took the members through the matrix of submissions on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 13 of 2022 as follows:

No.	Clause	Stakeholder	Proposed amendment and rationale	Observations/Comments
1.	2	Ministry of Agriculture (MOA)	<p>To amend the interpretation of extension services-</p> <p>The Bill does not clearly bring out what extension services are;</p> <p>The Bill under clause 2 provides that - Extension services means-the agriculture and extension service.</p> <p>Clause 6 further establishes the Agricultural and Extension Service.</p> <p>Proposal</p> <p>Delete the definition</p>	<p>The Extension Service established under clause 6 is a body cooperate mandated in regulating the extension services industry.</p> <p>While under clause 2 the definition of extension services is for the purposes of limiting the application of the Act to only the extension services that are offered in the agriculture and livestock industry</p>
2.	3- Objects (Long title)	Ministry of Agriculture (MOA)	<p>It is not clearly bringing out what the Bill intends to address.</p> <p>The provides for agricultural and livestock extension services; establish the Agricultural and extension Service</p>	<p>The committee may consider amending to;</p> <p>To provide for the agricultural and extension services sector;</p>

			<p>Proposal</p> <p>Review the objects of the Bill to provide for establishment of a professional body and for regulation of extension services.</p>	
3.	<p>Part I,</p> <p>Clause 3 (a)-</p> <p>Objects.</p>	<p>KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)</p>	<p>Proposal</p> <p>Amend section 3(a) to correct the typographical error to pluralise learning institution.</p>	<p>The committee may approve the proposal to correct the typing error.</p>
4.	<p>Part II-</p> <p>National and County Agricultural and Livestock Policy and strategy.</p>	<p>MOALD</p>	<p>Development of Policies and strategies are administrative functions and may not have any relation to extension service provision. Legislating this responsibility is unnecessary</p> <p>Proposal</p> <p>Delete this part</p>	<p>1. Extension services have a direct effect on food security of the Country and therefore the national Government has a role in setting policies and standards for the provision of extension services.</p>
5.	<p>Part II,</p> <p>Clause 4 (2)</p> <p>(a), (b), (d), (e), (g)</p> <p>National Extension services Policy.</p>	<p>KEPHIS</p>	<p>Amend to correct the typographical error.</p>	<p>The committee may approve the proposal to correct the typographical error.</p>
6.	<p>Clause 5(1)</p>		<p>The section refers to Livestock policy. This is a typographical error which may be corrected.</p> <p>Proposal</p>	<p>The Committee may approve the amendment bring clarity.</p>

			Amend to read; The agricultural and livestock policy. to the policy referred to.	
7.	Clause 8 Functions of the Service.	MOALD	Commodity value chain development, marketing and de-risking of actors are functions provided for in crops and Tea Act. Review to provide for functions that entrench professionalism in extension service providers.	Extension Services are offered to all crops and therefore certain aspects may be also captured in other Acts. However, purpose of the Bill is to come up with a standalone legislation providing for agricultural and livestock extension services.
8.	Part III, Clause 8 (a), (b)		The Clause refers to agriculture and food industry. It therefore leaves out the livestock industry. Proposal Consider, amending covers both the agriculture and livestock sectors.	The committee may approve this proposal to covers both the agriculture and livestock sectors.
9.	Part III Section 8 (c)		The Clause refers to agriculture and food industry. It therefore leaves out the livestock industry. Proposal Consider, amending covers both the agriculture and livestock sectors.	The committee may approve this proposal to covers both the agriculture and livestock sectors.

10.	Part III, Clause 10 (c)		Amend to correct the typing error on the word principal.	The committee may approve the proposal to correct the typographical error.
11.	Clause 14 Functions of the Board.	MOALD	Extension Services are devolved functions. By advising the Cabinet Secretary the Service will only influence policy and not the actual extension being undertaken in the counties. Proposal Review to provide for strengthening of County services	Extension Services are devolved functions and therefore there is a need to amend the Bill to capture this aspect.
12.	Part v- Financial Provisions	MOALD	Extension is a devolved function and as such the funds should be allocated by the County Assemblies and the Service is regulating a professional body then it should generate its own fund	Extension Service is a national government agency comprising of representatives of both the National Government and the county governments. Further, the service is tasked with performing functions of both arms of government.
13.	Part VI- Miscellaneous Provisions.	MOALD	Having county specific regulations for registration, licensing issuance and renewal will result in very heterogeneous frame against the intention of the Bill. Proposal	The Bill provides for Enactment of county specific legislations and further gives the Cabinet secretary powers to make regulations.

			Require Making of uniform regulations	
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Committee Observations

The Committee observed that:

1. The Ethics and Anti-Corruption Commission do not share/submit progress reports on cases to complainants they however do quarterly/annual reports to Parliament.
2. The Ethics and Anti-Corruption Commission is short staffed hence not being able to handle the many cases that come about. This has made it necessary for EACC to handle cases according to the value of subject matter.

Committee Resolutions

The committee resolved that:

1. The Ethics and Anti-Corruption Commission provides detailed information on the Mismanagement of tractors and also discuss the same matter on tractors with the petitioner.
2. The report on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 13 of 2022) be adopted on Tuesday March, 2023.
3. The Cabinet Secretary Ministry of Water, Sanitation and Irrigation be invited for a meeting on the petition regarding the EACC graft investigation on the West Kano Irrigation Scheme on Wednesday, 29th March, 2023.

MIN/SEN/SCA/076/2023: - ANY OTHER BUSINESS

There was no other business

MIN/SEN/SCA/077/2023: - ADJOURNMENT

There being no other business, the meeting was adjourned at 1:22 p.m.

SIGNED:  DATE:21/03/2023.....

**SEN. JAMES KAMAU MURANGO, MP
(CHAIRPERSON)**



MINUTES OF THE EIGHTH MEETING OF THE SENATE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES, HELD ON TUESDAY, 7TH MARCH, 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 11:00 A.M.

PRESENT

- | | | |
|--------------------------------------|---|------------------|
| 1. Sen. Alexander Munyi Mundigi, MP | - | Vice-Chairperson |
| 2. Sen. Beth Kalunda Syengo, MP | - | Member |
| 3. Sen. Daniel Kitonga Maanzo, MP | - | Member |
| 4. Sen. Wahome Wamatinga, MP | - | Member |
| 5. Sen. David Wafula Wakoli, MP | - | Member |
| 6. Sen. Enoch Kiiro Wambua, CBS, MP, | - | Member |
| 7. Sen. Allan Kiprotich Chesang, MP | - | Member |

ABSENT WITH APOLOGIES

- | | | |
|-----------------------------------|---|-------------|
| 1. Sen. James Kamau Murango, MP | - | Chairperson |
| 2. Sen. Moses Otieno Kajwang', MP | - | Member |

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Stephen Gikonyo | - | Principal Clerk Assistant II |
| 2. Ms. Caroline Njue | - | Clerk Assistant |
| 3. Ms. Regina Munyao | - | Legal Counsel II |
| 4. Ms. Happy Furaha | - | Fiscal Analyst |
| 5. Ms. Bellinda Ogolla | - | Research Officer III |
| 6. Mr. Hillary Cheruiyot | - | Research Officer III |
| 7. Ms. Violet Nalianya | - | Media Relations Officer |
| 8. Ms. Pamela Kimwattan | - | Protocol Officer |
| 9. Mr. Joseph Otieno | - | Audio Officer |

IN ATTENDANCE

ETHICS AND ANTI-CORRUPTION COMMISSION

- | | | |
|--------------------------------|---|--------------------------------|
| 1. CPA John John Lolkoloi, OGW | - | Director Ethics and Leadership |
| 2. Mr. Abraham Kemboi | - | Manager Western Region |
| 3. Ms. Catherine Ngari | - | Deputy Manager Western Region |

MIN/SEN/SCA/055/2023:- **PRELIMINARIES**

The Chairperson called the meeting to order at 11.18 a.m. This was followed by a word of prayer and introductions.

MIN/SEN/SCA/056/2023:- **ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted after it was proposed by Sen. Wahome Wamatinga, MP and seconded by Sen. Beth Kalunda Syengo, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Sitting;
4. Matters Arising;
5. *Meeting with the Anti-Corruption Commission (EACC) and the National Irrigation Authority (NIA) on the Petition regarding the EACC Graft Investigation on West Kano Irrigation Scheme;*
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment

MIN/SEN/SCA/057/2023:- **CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING**

The confirmation of the previous meeting minutes of the seventh sitting were deferred to a later date.

MIN/SEN/SCA/058/2023:- **MATTERS ARISING**

There were no matters arising.

MIN/SEN/SCA/059/2023:- **MEETING WITH THE ANTI-CORRUPTION COMMISSION (EACC) AND THE NATIONAL IRRIGATION AUTHORITY (NIA) ON THE PETITION REGARDING THE EACC GRAFT INVESTIGATION ON WEST KANO IRRIGATION SCHEME**

The Committee expressed its concern that-

- a) The Chief Executive Officer, Ethics and Anti-Corruption Commission (EACC) failed to appear in person for the meeting despite having been invited for through a letter Ref. No. SEN/DSEC/SCA/CORR/SCH/024/02/2023 (22) dated 28th February, 2023; and
- b) The Chairperson of the National Irrigation Authority had sent his apologies when the meeting was in progress.

Deliberations ensued.

Committee Resolution

1. That the Cabinet Secretaries in Ministries should be invited to respond to issues that relate to Semi-Autonomous Government Agencies (SAGAs) rather than inviting the (SAGAs) directly;
2. That the meeting with the Ethics and Anti-Corruption Commission and the Cabinet Secretary for Ministry of Agriculture and Livestock accompanied by the National Irrigation Authority (NIA) be re-scheduled to Thursday, 16th March, 2023; and
3. That sub-committees may be established on a need basis to deal with issues that are before the Committee.

MIN/SEN/SCA/060/2023:-

ANY OTHER BUSINESS

1. Public Participation - Mung Beans Bill (Senate Bills No. 13 of 2022)

The Committee was informed of the visit to Kitui County to conduct public participation on the Mung Beans Bill (Senate Bills No. 13 of 2022) from Thursday, 9th March to Sunday, 12th March, 2023.

2. Bills Before the Committee

The committee was informed that there were three bills before the committee that are undergoing public participation namely-

- a. The Mung Beans Bill (Senate Bills No. 13 of 2022),
- b. The Agricultural Extension Services Bill (Senate bills No. 12 of 2022); and
- c. The Tea (Amendment) Bill (Senate Bills No. 1 of 2023) all of which has elicited immense submission of memoranda from the public.

MIN/SEN/SCA/061/2023:-

ADJOURNMENT

There being no other business, the meeting was adjourned at 12:50 p.m.

SIGNED: DATE: 29/03/2023

SEN. JAMES KAMAU MURANGO, MP
(CHAIRPERSON)



MINUTES OF THE SEVENTH MEETING OF THE SENATE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES, HELD ON TUESDAY, 28TH FEBRUARY 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 11:00 A.M.

PRESENT

- | | | |
|--------------------------------------|---|------------------|
| 1. Sen. Alexander Munyi Mundigi, MP | - | Vice-Chairperson |
| 2. Sen. Beth Kalunda Syengo, MP | - | Member |
| 3. Sen. Daniel Kitonga Maanzo, MP | - | Member |
| 4. Sen. Wahome Wamatinga, MP | - | Member |
| 5. Sen. David Wafula Wakoli, MP | - | Member |
| 6. Sen. Enoch Kiiro Wambua, CBS, MP, | - | Member |

ABSENT WITH APOLOGIES

- | | | |
|-------------------------------------|---|-------------|
| 1. Sen. James Kamau Murango, MP | - | Chairperson |
| 2. Sen. Moses Otieno Kajwang', MP | - | Member |
| 3. Sen. Allan Kiprotich Chesang, MP | - | Member |

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Stephen Gikonyo | - | Principal Clerk Assistant II |
| 2. Ms. Caroline Njue | - | Clerk Assistant |
| 3. Ms. Regina Munyao | - | Legal Counsel II |
| 4. Ms. Happy Furaha | - | Fiscal Analyst |
| 5. Ms. Bellinda Ogolla | - | Research Officer III |
| 6. Mr. Hillary Cheruiyot | - | Research Officer III |
| 7. Ms. Hawa Abdi | - | Serjeant-at-Arms |
| 8. Ms. Violet Nalinya | - | Media Relations Officer |

MIN.SEN/SCA/048/2023: - PRELIMINARIES

The Chairperson called the meeting to order at 11.09 a.m. This was followed by a word of prayer.

MIN/SEN/SCA/49/2023: - ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Daniel Kitonga Maanzo, MP and seconded by Sen. Beth Kalunda Syengo, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Sitting;
4. Matters Arising;
5. **Consideration of an analysis of the sustainability of the Galana Kulalu Project (Committee Paper No. 14);**
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment

MIN/SEN/SCA/050/2023:- CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The Committee confirmed the minutes as listed hereunder-

- a) The Minutes of the Fourth Sitting of the Committee held on Tuesday, 6th December, 2022, were confirmed as the true record of proceedings for the meeting having been proposed by Sen. Wahome Wamatinga, MP and seconded by Sen. Beth Kalunda Syengo, MP;
- b) The Minutes of the Fifth meeting held on Tuesday, 14th February, 2023, were confirmed as the true record of proceedings for the meeting having been proposed by Sen. Enoch Kiio Wambua, CBS, MP and seconded by Sen. Daniel Kitonga Maanzo, MP; and
- c) The Minutes of the Sixth meeting held on Tuesday, 28th February, 2023, were confirmed as the true record of proceedings for the meeting having been proposed by Sen. Wahome Wamatinga, MP and seconded by Sen. Beth Syengo, MP.

MIN/SEN/SCA/051/2023:- MATTERS ARISING

The following issues were discussed under matters arising-

(i) Under MIN/SEN/SCA/043/2023 – Petition on EACC Graft in West Kano Irrigation Scheme

The Committee was informed that letters had been sent to the Chief Executive Officers of the Ethics and Anti-Corruption Commission and the National Irrigation Authority inviting them for a meeting with the Committee on Tuesday, 7th March, 2023 for deliberations regarding the petition on the EACC graft investigation in West Kano Irrigation Scheme.

(ii) Under MIN/SEN/SCA/045/2023 – Consideration of the 2023 Budget Policy Statement

The Committee was informed that a report on the brief by Parliamentary Budget Office concerning the Budget Policy statement was formulated, signed by the Chairperson as the Committee had approved and submitted to the Standing Committee on Finance for consideration.

MIN/SEN/SCA/052/2023:-

CONSIDERATION OF AN ANALYSIS
CONCERNING THE SUSTAINABILITY OF
THE GALANA KULALU IRRIGATION
PROJECT

The Committee was taken through the analysis on the sustainability of Galana Kulalu project by the research officer. The Committee was briefed on the background, scope, project financing, anticipated project impact, current project status, the role of the National Irrigation Authority, challenges facing the project, mitigation measures taken by the government, comparative analysis and the conclusion.

Committee Observations

1. The Committee noted that the government had already identified a contractor for the project through Private Public Partnership;
2. The Committee was concerned on the legal framework under which the project anchored on; and
3. The Committee was concerned whether the National Irrigation Authority would be able to succeed in the second attempt to revive the project after it had failed on the first attempt.

Committee Resolution

The Committee resolved to invite the Cabinet Secretary, Ministry of Water, Sanitation and Irrigation and the National Irrigation Authority to appraise the Committee on the project and thereafter undertake a visit to the Galana Kulalu project.

MIN/SEN/SCA/053/2023:-

ANY OTHER BUSINESS

The following issues were discussed under any other business-

1. **Public Participation - Mung Beans Bill (Senate Bills No. 13 of 2022)**
The Committee was informed of the visit to Kitui County to conduct public participation on the Mung Beans Bill (Senate Bills No. 13 of 2022) from Thursday, 9th March to Sunday,, 12th March, 2023.
2. **Retreat with Semi-Autonomous Government Agencies (SAGAs)**
The Committee agreed of the need for a retreat with all the SAGAs under the Committee during the short recess which is from 31st March to 10th April, 2023 which they agreed on.

MIN/SEN/SCA/054/2023:-

ADJOURNMENT

There being no other business, the meeting was adjourned at 12:16 p.m. The next meeting will be by notice.

SIGNED:

DATE: 21/03/2023

SEN. JAMES KAMAU MURANGO, MP
(CHAIRPERSON)



**MINUTES OF THE SIXTH MEETING OF THE SENATE STANDING COMMITTEE
ON AGRICULTURE, LIVESTOCK AND FISHERIES, HELD ON TUESDAY, 21ST
FEBRUARY 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT
11:00 A.M.**

PRESENT

1. Sen. James Kamau Murango, MP	-	Chairperson
2. Sen. Alexander Munyi Mundigi, MP	-	Vice-Chairperson
3. Sen. Beth Kalunda Syengo, MP	-	Member
4. Sen. Daniel Kitonga Maanzo, MP	-	Member
5. Sen. Wahome Wamatinga, MP	-	Member
6. Sen. David Wafula Wakoli, MP	-	Member

ABSENT WITH APOLOGIES

1. Sen. Enoch Kiio Wambua, MP,	-	Member
2. Sen. Moses Otieno Kajwang', MP	-	Member
3. Sen. Allan Kiprotich Chesang, MP	-	Member

SECRETARIAT

1. Mr. Stephen Gikonyo	-	Principal Clerk Assistant II
2. Ms. Caroline Njue	-	Clerk Assistant
3. Ms. Regina Munyao	-	Legal Counsel II
4. Ms. Happy Furaha	-	Fiscal Analyst
5. Ms. Bellinda Ogolla	-	Research Officer III
6. Mr. Hillary Cheruiyot	-	Research Officer III
7. Ms. Hawa Abdi	-	Serjeant-At-Arms
8. Mr. Joseph Otieno	-	Audio Officer
9. Ms. Violet Nalianya	-	Media Relations Officer
10. Ms. Pamela Kimwattan	-	Public Relations Officer

MIN.SEN/SCA/039/2023: - PRELIMINARIES

The Chairperson called the meeting to order at 11.20 a.m. This was followed by a word of prayer.

MIN/SEN/SCA/04/02023: - ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Wahome Wamatinga, MP and seconded by Sen. Beth Kalunda Syengo, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of the Minutes of the Previous Sitting;
4. Matters Arising;
5. Meeting with the petitioners on the Ethics and Anti-Corruption Commission (EACC) on the Graft investigation on the West Kano Irrigation Scheme (Committee Paper No. 11);
6. Consideration of the Legislative Proposal on the Coffee Bill (Committee Paper No. 12);
7. Presentation of the Budget Policy Statement by the Parliamentary Budget Office (Committee Paper No. 13).
8. Any Other Business; and
9. Date of the Next Meeting and Adjournment

MIN/SEN/SCA/041/2023:-

CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The confirmation of the Minutes of the Fifth meeting held on Tuesday 14th February, 2023 was deferred to a later date.

MIN/SEN/SCA/042/2023:-

MATTERS ARISING

There were no matters arising.

MIN/SEN/SCA/043/2023:-

BRIEF BY THE PETITIONERS ON THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC) ON THE GRAFT INVESTIGATION ON THE WEST KANO IRRIGATION SCHEME

The Committee was taken through Committee Paper No.11 on the Petition. The Committee thereafter invited the petitioner to make his presentation.

In his presentation, the petitioner drew the attention of the Committee to the West Kano Irrigation Scheme (The SCHEME) graft. He explained that the grafts had generated tensions, economic melt-down and acrimony in the society. The scheme is situated in Kisumu County, Kadibo Sub County, Kawino North Location and has a land acreage of 2230Ha.

He informed the Committee that between 2009 and 2021, the scheme had received the following funds:

- a) Rehabilitation Fund (the Government of the republic of Kenya);
- b) Economic Stimulus Package Fund (the Government of the Republic of Kenya);
- c) Farmers Saving Fund (Farmers);
- d) Farm Machineries/Accessories (13 Tractors) Fund (the Government of the Republic of Kenya, the Government of the Republic of Japan); and
- e) Rice Sales Fund (the Government of the Republic of Kenya).

Issues raised by the petitioner on the funds are:

1. The scheme has never been audited since inception and EACC is not willing to audit the scheme;

2. On August 19th 2015, the petitioner reported the first deeply entrenched West Kano Irrigation Scheme Farmers Revolving Fund and the National Irrigation Board Graft. (EACC Report No. 52966 Sub file covering Report (EACC/KSM/FL/NO/89/2015). The graft involved the Government Rehabilitation Fund, Economic Stimulus Package Fund and the Farmers Own Savings Fund. EACC Western Regional Office Kisumu received the report and launched an investigation and that the EACC Western Regional Office, Kisumu has forever continued to investigate the Graft. No conclusion has been made to date on the EACC investigations of the scheme grafts;
3. The Second West Kano Irrigation Scheme Cooperative Society Limited Graft to EACC Western Region Office, Kisumu (EACC Report No. 542851) was reported by the petitioner. The graft involved misappropriation of tractors and accessories granted by the Government of the Republic of Japan. West Kano Irrigation Scheme was granted 13 tractors and a number of accessories which again were embezzled and the program stalled; and
4. The Office of the Ombudsman Western Regional Office, Kisumu noted with great concern as indicated on their Letter to the Scheme Manager on 28th September, 2017 which states that "Upon careful analysis of the response(s), it emerged that the same was shrouded with some inconsistencies which in their view presented that it might amount to allegations of corruption". The Commission on Administrative justice terminated the cases citing that the EACC Western Regional Office confirmed having rendered to them the requisite legal advice towards resolution of the matter.

The petitioners prayed that the Committee:

1. Carry out a thorough financial inspection of the Scheme between 2007-2021;
2. Carry out institutional Audit of the schemes since inception;
3. Carry out Forensic (In depth) audit of all officials involved in the management of the scheme between 2007-2021;
4. Introduce an Act in Parliament to regulate Autonomy of EACC Branches/Regional offices and create one centralized management system as EACCs current management system has failed to reduce corruption;
5. Notify EACC, Kisumu Regional Office and Ombudsman's Regional Office, Kisumu to carry out their responsibilities according to the Constitution;
6. Table an Act in Parliament to establish Kenya National Farmer's Commission to champion for the rights of Farmers in Kenya; and
7. Set up a team of experts to identify, establish gaps in the current scheme management system and recommend the best management system and practices to curb excessive mismanagement.

Committee Observations

- (i) The Committee observed that the petitioner appeared in the National Assembly on the same issue and noted that he was on the right track since the issue of EACC is not devolved; and
- (ii) There was need for the Committee to address the legislative gaps affecting the farmers so as to protect their rights.

Committee Resolutions

The Committee resolved to invite the other stakeholders of the petition including the EACC, Irrigation Authority of Kenya and the Department of Irrigation to shed more light on the Petition and thereon formulate a report with its recommendations on the Petition.

MIN/SEN/SCA/044/2023:-

**CONSIDERATION OF THE LEGISLATIVE
PROPOSAL ON THE COFFEE BILL
(COMMITTEE PAPER NO. 12)**

The Committee was taken through Committee Paper No. 12 on the Legislative Proposal, the Coffee Bill, 2023 a committee sponsored Bill.

During the deliberations the committee noted that the Bill aims to-

1. promote a globally competitive coffee industry;
2. provide a framework for the registration and licensing of various players within the coffee sector;
3. delineate the roles of the National and County Governments in the regulation, development and promotion of the coffee sector;
4. promote the vertical integration of the coffee value chain for the purpose of achieving economies of scale and managing risk;
5. promote evidence-based coffee research and the delivery of extension services for the development of the coffee sector;
6. provide a framework for -
 - (i) establishment of a coffee development levy; and
 - (ii) sustainable funding of the coffee sector; and
7. provide a mechanism for dispute resolution within the coffee sector.

Committee Resolution-

The committee considered the legislative proposal and unanimously resolved that the Bill should be published.

MIN/SEN/SCA/045/2023:-

**PRESENTATION OF THE BUDGET POLICY
STATEMENT BY THE PARLIAMENTARY
BUDGET OFFICE (COMMITTEE PAPER NO. 13)**

The Committee was taken through the brief on the BPS.

After presentation members made the following observations -

OBSERVATIONS

- (i) that the 2023 BPS have been prepared against a backdrop of global economic slowdown occasioned by a number of factors including; the ongoing Russia-Ukraine conflict, high global inflation, lingering effects of the COVID-19 pandemic, and persistent supply chain disruptions;
- (ii) that the 2023 BPS has been submitted at a time when the Country's economy is facing a number of challenges such as the prolonged drought which has affected agricultural output and the prevailing high cost of living and amid government's plans to introduce austerity measures intended at curtailing accumulation of debt;
- (iii) that the Kenyan economy remains highly dependent on the agriculture sector, contributing on average 21.4 percent of the GDP directly, forming approximately 65 percent of Kenya's total exports and has the highest employment multiplier in the economy;

- (iv) the agricultural productivity in the country has been declining largely occasioned by the prolonged drought as a result of failed rain and high global fertilizer prices resulting in severe food shortage;
- (v) that the spread of the COVID- 19 pandemic worsened the situation with world fertilizer prices having more than doubled in the past two years, affecting productivity of Kenyan farmers;
- (vi) that agriculture sector majorly depends on efficient market supply systems to enable farmers' access to local and international markets. The market disruption has impacted negatively on the Agricultural sector;
- (vii) that Agriculture Sector is a Devolved function as per Schedule 4 of the Constitution and Counties are not allocating adequate resources to the Agriculture, Livestock and Fisheries Sector yet it is the highest contributor to GCP;
- (viii) that inadequate financial resources for the agricultural sector limits increasing production and investment in value addition activities in agriculture;
- (ix) that the Agricultural sector being one of the five core thematic areas that are expected to have the highest impact at the bottom of the economy, five policies of the government have been given priority, however the resources towards the same are still inadequate and still below the requirement of 10% resource allocation;
- (x) the Agriculture Sector has a total allocation of Kshs. 75.6 billion, Kshs. 85.6 billion and Kshs. 91.6 billion for FY 2023/24, FY 2024/25 and FY 2025/26 respectively. This comprises of Kshs.32.2 billion, Kshs.34.5 billion and Kshs.36.5 billion for recurrent expenditure and Kshs.43.4 billion, Kshs.51.1 billion and Ksh.55.0 billion for development expenditure for the same period;
- (xi) counties benefit from Additional allocations from the development partners in form of loans and grants to support agriculture, Livestock and fisheries sector as conditional allocations;
- (xii) Agriculture, Livestock and Fisheries sector will receive an additional allocation of Kshs.2,965.7 million towards the Sweden- Agricultural Sector Development Support Programme (Kshs.72.7 million), World Bank - Emergency Locust Response Project (Kshs. 2,302.6 million), Kenya Livestock Commercialization Project (Kshs. 344.3 million) and Aquaculture Business Development Project (Kshs. 245.9 million); and
- (xiii) the resources provided in Agriculture sector under the BPS may not be adequate to realize the Bottom-Up Economic Transformation Agenda.

RECOMMENDATIONS

In view of the above observations, the Committee made the following Policy Recommendations; –

- (i) The National Treasury should provide additional funding to reduce the funding gap on the budget to the state departments and base it on the Maputo declaration of 10% of the whole budget and this should be replicated at the County levels, owing to that the policies under the sector are direct drivers in the achievement of the Bottom- Up transformation Agenda.
- (ii) The County Governments should allocate resources in support of the National Government Policy of reducing post-harvest losses in the Agriculture Sector;
- (iii) The County Governments need to have a data bank of farmers to ensure the intended beneficiaries receive the support to avoid mismanagement of the subsidy.
- (iv) The National government should have plans and strategies in place and well espoused in the budget policy statement with the objective of making the country food and nutrition secure.
- (v) The Ministry of Agriculture, Livestock, Fisheries and Cooperatives to strengthen the

support services including agricultural extension services for improved and sustainable productivity of agriculture. Though the function is devolved, the committee resolved for a push for a conditional funding as a grant to the Counties.

- (vi) Arising from the worsening drought conditions, the National government should facilitate more food supply in northern Kenya and other regions and enhanced coordination between National and County Governments, private sector and development partners through the National Steering Committee on Drought Response to cushion communities affected by drought, especially in the worst-hit arid and semi-arid (ASAL).
- (vii) Climate change and lack of extension services- In order to promote agricultural extension services, the National Government should provide a conditional grant to county governments towards the extension services programme to ensure farmers get appropriate production techniques. This will maximize yield in agricultural production, The National government is to come up with a policy on provision of agricultural services and may provide funding support where necessary.
- (viii) Water harvesting for irrigation- The provision of water for irrigation in addition to the provision of subsidized inputs and extension services can be a wholesome solution to the current challenge of agricultural productivity.
- (ix) Agricultural extension service is a critical tool for improving productivity and therefore, Counties must take up its role and facilitate agricultural extension officers to carry out their activities.
- (x) High post-harvest losses- The National Government should arrest the huge post-harvest losses and effectively addressed as a strategy to achieve food Security

Committee Resolutions

The secretariat was directed to formulate a report on the budget brief to include the Committee recommendations as afore-mentioned to be submitted to the Committee of Finance and Budget, which should be signed by the Chairperson.

MIN/SEN/SCA/046/2023:- ANY OTHER BUSINESS

Bills for Public participation

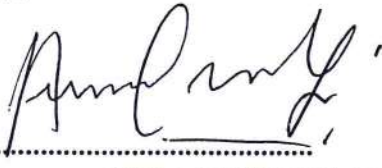
The Committee was informed that an advert was on dailies of 21st February, 2023 inviting submission of memoranda for the following bills by Friday, 3rd February, 2023-

- (i) The Agricultural and Livestock Extension Services Bill (Senate Bills No.12 of 2022) (Read First Time in the Senate on Wednesday, 15th February, 2023);
- (ii) The Mung Beans Bill (Senate Bills No. 13 of 2022) (Read First Time in the Senate on Wednesday, 15th February, 2023); and
- (iii) The Tea (Amendment) Bill (Senate Bill No. 1 of 2023) (Read First Time in Senate on Thursday 16th February, 2023).

The Committee resolved to undertake a visit as a further public participation in regard to the Mung Beans Bill, 2022 from Monday 13th -17th March, 2023 in Tseikuru, Mutomo, Kiusyani and Ngomeni, Kitui County.

MIN/SEN/SCA/047/2023: - ADJOURNMENT

There being no other business, the meeting was adjourned at 12:15 p.m. The next meeting will be by notice.

SIGNED: 

DATE: 28/2/2023

SEN. JAMES KAMAU MURANGO, MP
(CHAIRPERSON)



MINUTES OF THE THIRD MEETING OF THE SENATE STANDING COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES, HELD ON TUESDAY, 15TH NOVEMBER, 2022 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 11:00 A.M.

PRESENT

- | | | |
|-------------------------------------|---|--------------------|
| 1. Sen. James Kamau Murango, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Member |
| 3. Sen. Wahome Wamatinga, MP | - | Member |
| 4. Sen. Beth Kalunda Syengo, MP | - | Member |

ABSENT WITH APOLOGIES

- | | | |
|-------------------------------------|---|-------------------------|
| 1. Sen. Alexander Munyi Mundigi, MP | - | Vice-Chairperson |
| 2. Sen. Moses Otieno Kajwang', MP | - | Member |
| 3. Sen. Enoch Kiiro Wambua, MP, | - | Member |
| 4. Sen. Daniel Kitonga Maanzo, MP | - | Member |
| 5. Sen. Allan Kiprotich Chesang, MP | - | Member |

SECRETARIAT

- | | | |
|--------------------------|---|------------------------------|
| 1. Mr. Stephen Gikonyo | - | Principal Clerk Assistant II |
| 2. Ms. Caroline Njue | - | Clerk Assistant II |
| 3. Ms. Regina Munyao | - | Legal Counsel II |
| 4. Ms. Happy Furaha | - | Fiscal Analyst |
| 5. Ms. Bellinda Ogolla | - | Research Officer III |
| 6. Mr. Hillary Cheruiyot | - | Research Officer III |
| 7. Ms. Hawa Abdi | - | Serjeant-At-Arms |
| 8. Ms. Rose Ometere | - | Audio Officer |
| 9. Ms. Violet Nalienya | - | Media Relations Officer |

MIN.SEN/SCA/016/2022:-

PRELIMINARIES

The Chairperson called the meeting to order at 11.34 a.m. This was followed by a word of prayer.

MIN/SEN/SCA/017/2022:-

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after it was proposed by Sen. Wahome Wamatinga, MP and seconded by Sen. Beth Kalunda Syengo, MP as follows-

1. Prayer;
2. Adoption of the agenda;
3. Confirmation of the minutes of the previous sitting;
4. Matters arising;
5. *Consideration of the legislative Proposal on the Agricultural and Livestock Extension Services, Bill 2022 (Committee Paper No. 4);*
6. *Consideration of the Exit Report of the Committee of the 12th Parliament (Committee Paper No.5);*
7. *Consideration of the Committee Work Plan-November, 2022 (Committee Paper No.6);*
8. Any other Business; and
9. Date of the Next Meeting and Adjournment.

MIN/SEN/SCA/018/2022:-

CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTING

The Minutes of the second meeting held on Wednesday, 9th November, 2022 were confirmed as a true record of the proceedings after being proposed by Sen. Beth Syengo, MP and seconded by Sen. James Kamau Murango, MP.

MIN/SEN/SCA/019/2022:-

MATTERS ARISING

There were no matters arising.

MIN/SEN/SCA/020/2022:-

CONSIDERATION OF THE LEGISLATIVE PROPOSAL ON THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, 2022 (COMMITTEE PAPER NO.4)

The Secretariat presented Committee Paper No. 4 on the on the legislative proposal on the Agricultural and Livestock Extension Services Bill, 2022.

The Committee was advised that once the legislative proposal has been published, it will be read a first time on the floor of the House, and thereafter committed to the Committee for further processing including, public participation and proposing any amendments as the Committee may recommend.

Committee Observation

The Committee observed that the bill would create a mechanism where counties with agricultural activities and livestock extension services would be able to share the resource through regional cooperation especially at the boundaries.

Committee Resolution

The committee noted the contents of the paper; and recommended the legislative proposal for publication.

MIN/SEN/SCA/021/2022:- **CONSIDERATION OF THE EXIT REPORT OF THE COMMITTEE OF THE 12TH PARLIAMENT (COMMITTEE PAPER NO.5)**

The Committee was taken through Committee Paper No. 5 on the Exit Report of the Committee of the 12th Parliament.

Achievements

The paper summarized some of the key legislative business transacted during the session and a notable key achievement was the consideration and publication of Bills to amend the Crops Act, 2013 so as to unbundle the regulation and management of major crops that fall within the ambit of the Agriculture and Food Authority (AFA) and establish stand-alone agencies for their regulation.

Challenges

Some of the challenges faced were quorum hitches, delays in receipt of information from the Ministry, budgetary constraints and delays in processing of legislative business by the National Assembly.

Priority area (s) for the 13th Parliament

Publication of Bills to amend the Crops Act, 2013 so as to unbundle the regulation and management of major crops that fall under the ambit of the Agriculture and Food Authority (AFA) and establish stand-alone agencies for their regulation.

The committee noted the contents of the paper and resolved to consider it into details during Committee induction retreat.

MIN/SEN/SCA/022/2022:- **CONSIDERATION OF THE OF THE COMMITTEE WORKPLAN (COMMITTEE PAPER NO. 6)**

The Committee was taken through Committee paper No.6 - The draft work plan for November, 2022. The Committee raised concerns that some of the scheduled meetings would coincide with the East Africa Legislative (EALA) games.

The Committee noted the contents of the paper. The secretariat was advised to check with the calendar of EALA games and reschedule some meetings in consultation with the chairperson.

MIN/SEN/SCA/023/2022:- ANY OTHER BUSINESS

The following issues were discussed under any other business-

1. Referral of a Statement

The Committee was informed that by a letter dated 7th November, 2022, the Speaker referred a Statement on the state of rice farming in Kisumu County to the Committee by Sen. (Prof.) Tom Ojienda, SC, MP.

2. Posting of Senators Photos on Social Media

The media relations officer was urged to ensure that when posting photos on the Parliament facebook page, the Senators are referred by their rightful names and counties.

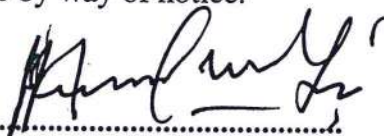
3. Challenges from New KPCU on Fertilizer Subsidy

The Committee noted that by a letter dated 27th November, 2022 the stake holders of the new KPCU indicated that they are charged more on subsidized fertilizer than the recommended price.

MIN/SEN/SCA/024/2022:- ADJOURNMENT

There being no other business, the meeting was adjourned at 13:15 p.m. The next meeting will be by way of notice.

SIGNED:



DATE:

6/12/2022

**SEN. JAMES KAMAU MURANGO, MP
(CHAIRPERSON)**

THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, 2022**ARRANGEMENT OF CLAUSES***Clause***PART I – PRELIMINARY**

- 1 —Short title.
- 2 —Interpretation.
- 3 —Objects.

PART II-NATIONAL AND COUNTY AGRICULTURAL EXTENSION SERVICES STRATEGY

- 4 — National Extension Services Strategy
- 5 — County Extension Services Strategy

PART III –AGRICULTURAL AND LIVESTOCK EXTENSION SERVICE.

- 6 — Establishment of the Service.
- 7 — Headquarters of the Service.
- 8 — Functions of the Service.
- 9 — Board of Directors.
- 10 — Composition of the Board.
- 11 —Qualification of appointment as a member.
- 12 —Tenure of appointment.
- 13 —Vacation of office.
- 14 —Functions of the Board.
- 15 —Committees of the Board.
- 16 —Delegation by the Board
- 17 —Remuneration of members of the Board.
- 18 —Chief Executive officer.
- 19 —Functions of the Chief executive officer
- 20 —Removal of the chief executive officer.
- 21 —Staff of the Board
- 22 —Protection from personal liability

23 —Common seal of the Board.

24 —Signing authority.

25 —Meeting of the Board

PART IV — ROLE OF COUNTY GOVERNMENTS

26 —Role of county governments.

PART V – FINANCIAL PROVISIONS

27 —Funds of the service.

28 —Annual estimates.

29 —Accounts and Audit.

30 —Annual Report and Publication.

31 —Financial year of the Board.

PART VI – MISCELLANEOUS PROVISIONS

32 —Enactment of county specific legislation.

33 —Regulations.

**FIRST SCHEDULE — PROVISIONS RELATING TO THE CONDUCT OF
BUSINESS AND AFFAIRS OF THE BOARD.**

THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, 2022

A Bill for

AN ACT of Parliament to; provide for agricultural and livestock extension services; establish the Agricultural and Extension Service; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows —

PART I—PRELIMINARY

Short title.

1. This Act may be cited as the Agricultural and livestock Extension Services Act, 2022.

Interpretation.

2. In this Act, —

“Board” means the Board established under section 8;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to agriculture;

“chief executive officer” means the person appointed in accordance with section 18;

“extension services”; means agricultural and livestock extension services; and

“county executive committee member” means the county executive committee member responsible for matters relating to agriculture.

Objects.

3. The objects of this Act is to provide for a framework —

- (a) to foster coordination and collaboration in extension services research by National Government, County Governments, non-governmental organization, learning institution, research bodies and other non-state actors;
- (b) to promote the generation of high income for farmers and traders through increased production and sourcing of competitive markets;
- (c) for the continuous and sustained research on extension services for the development of the Agricultural and livestock industry;

- (d) for adoption of a sector- wide approach to the provision extension services which enables access to appropriate quality services from the best service providers and attains higher productivity, increased incomes and standard of living to Kenyans.; and
- (e) for the provision of financial support to the various players in the extension services industry.

**PART II— NATIONAL AND COUNTY
AGRICULTURAL AND LIVESTOCK EXTENSION
SERVICES POLICY AND STARTEGY.**

National
extension services
policy.

4. (1) The Cabinet Secretary shall, formulate and publish in the Gazette an agricultural and livestock extension services policy at least once every five years, for the implementation and standard delivery of extension services by the county governments.

(2) In developing the National extension services Policy, the Cabinet Secretary shall have regard to—

- (a) the need for an effective management and implementation structure at the national and county levels of government in order to ensure the effective development of the mung bean industry;
- (b) adequate capacity development and support for growers and other stakeholders in the mung bean industry;
- (c) the participation of stakeholders and communities at the national and county levels of government;
- (d) the development of appropriate strategies and mechanisms at the national and county levels of government necessary to support the development of the mung bean industry;
- (e) the need to have in place a framework to monitor and evaluate the implementation of the policy in the development and regulation of the mung bean sector;
- (f) the resources required at the national and county levels of government for the effective implementation of the policy; and
- (g) the capacity building programmes and strategies needed to be carried out to ensure that growers are

able to respond to the needs identified for the implementation of the policy.

(3) The Cabinet Secretary shall periodically review the national agricultural and livestock extension services policy and may, by notice in the *Gazette*, publish a revised national agricultural and livestock extension services policy.

(4) The Cabinet Secretary, each county executive committee member and all relevant public bodies shall, when exercising or performing any statutory function, take into account and give effect to the national agricultural and livestock extension services policy.

County extension services strategy

5. (1) Each county executive committee member shall formulate and publish, in the *Gazette*, a county specific extension services strategy. The county executive committee member shall in formulating the strategy take into account the national livestock policy formulated by the Cabinet Secretary under section 4.

(2) The county executive committee member shall periodically review the county agricultural and livestock extension services strategy and may, by notice in the *Gazette*, publish a revised county agricultural and livestock extension services strategy.

PART III – THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICE

Establishment of the Service.

6. (1) There is established the Agricultural and Livestock Extension Service.

(2) The Service 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 or immovable property;
- (c) entering into contracts;
- (d) borrowing and lending money; and

Headquarters of the Service.

- (e) doing or performing all such other things or acts as may be necessary for the proper discharge of its functions under this Act, which may be lawfully done or performed by a body corporate.

7. (1) The headquarters of the service shall be in Nairobi.

(2) The service may establish such other offices anywhere in Kenya as it may consider necessary for the effective performance of its functions under this Act.

Functions of the Service.

8. (1) The functions of the Service shall be to—

- (a) enhance the competitiveness of agriculture and food industry in Kenya in an increasingly competitive world environment;
- (b) increase the long-term productivity of agriculture and food industry in Kenya while maintaining and enhancing the natural resource base on which the Counties and the National Government agricultural economy depend on;
- (c) develop new uses and new products for agricultural commodities and come up with alternative production methods to develop new crops;
- (d) improve risk management in the agriculture industry in Kenya;

(2) in performance of its functions under subsection (1), the service shall—

- (a) support agricultural research on extension services to promote economic opportunity in rural communities and to meet the increasing demand for information and technology transfer throughout the agriculture industry in Kenya;
- (b) collaborate with the county governments in —
 - (i) improving the coordination and planning of agricultural research, extension, and teaching programs;
 - (ii) identifying needs and establishing priorities for these programs;
 - (iii) ensuring that national agricultural research, extension, and teaching objectives are fully achieved; and
 - (iv) ensuring that the results of agricultural research are effectively communicated and demonstrated

to farmers, processors, handlers, consumers, and all other users who can benefit from them.

- (c) maintain and disseminate information on standards for supply of nutritious and safe food by the county governments;
- (d) facilitate transfer of technology;
- (a) encourage the use of information communication technology by developing and packaging information in simple, easily accessible digital systems;
- (b) collaborate with international entities in order to leverage on resources, priority food and agricultural interests including addressing emerging plant and animal diseases, improving crop varieties and animal breeds and developing safe, efficient, and nutritious food systems;
- (c) mobilising resources at the national level for investment in development and implementation of extension services programs in the counties;
- (d) developing and coordinating intergovernmental relations mechanism in the delivery of services related to extension services; and
- (e) providing technical assistance and capacity building to the county governments on matters relating to extension services.

Board of Directors **9.** The management of the service shall vest on the Board of Directors.

10. (1) The Board shall consist —

Composition of the Board.

- (a) a chairperson who shall be appointed by the Cabinet Secretary;
- (b) the principal secretary responsible for matters relating to agriculture;
- (c) the principle secretary responsible for matters relating to livestock;
- (d) two persons with knowledge and experience in the field extension services nominated by the Council of County Governors;

- (e) one person representing national farm or producer organizations nominated by the Council of County Governors;
- (f) one person representing the Kenya Agricultural and Livestock Research Organization nominated by the Organization;
- (g) one member representing the National Association of Agriculture and Livestock Extension Service Providers nominated by the association;
- (h) one person representing extension services training institutions nominated the Cabinet Secretary; and
- (i) the chief executive officer.

(2) The Cabinet Secretary shall appoint the members under subsection (1) (d), (e), (f), (g) and (h) by notice in the *Gazette*.

(4) The chief executive officer shall be an ex officio member and secretary to the Board and shall have no right to vote at any meeting of the Board.

Qualifications for appointment as a member.

11. (1) A person is qualified for appointment as a member of the Board under section 10(1) (e), (f), (g) and (h) if that person—

- (a) is a citizen of Kenya;
- (b) holds a degree from a university recognized in Kenya;
- (c) has at least three years' experience in management; and
- (d) meets the requirements of leadership and integrity set out in Chapter Six of the Constitution.

(2) A person is not qualified for appointment if that person—

- (a) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months;
- (b) is a member of Parliament or county assembly; or
- (c) is adjudged bankrupt.

Tenure of appointment.

12. A person who is appointed under section 10 shall serve for a term of three years renewable for one further term.

Vacation of office.

13. A person shall cease to be a member of the Board if that person—

- (a) is absent, without reasonable cause, for three consecutive meetings of the Board;
- (b) becomes an officer, agent or member of staff of the Board;
- (c) resigns by giving a notice in writing addressed to the Cabinet Secretary;
- (d) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months;
- (e) is declared bankrupt;
- (g) is unable to perform the functions of office by reason of mental or physical infirmity; or
- (h) dies.

Functions of the Board.

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

- (a) make recommendations to the Cabinet Secretary and the county governments on the implementation of strategies, plans and policies relating to the extension services;
- (b) advise the Cabinet Secretary and the County governments on Priority areas of Extension Service programs and the role of Non-state actors and other Extension Service Providers in line with the Policy;
- (c) evaluate the results and effectiveness of agricultural research on extension, education, and economics with respect to the policies and priorities and make recommendations to the Cabinet Secretary based on such evaluation;
- (d) review and make recommendations to the Cabinet Secretary on the mechanisms needed for agricultural extension technology assessment and development for the purposes of—
 - (i) performance measurement and evaluation of the implementation of the Extension services program in Kenya; and
 - (ii) the development of mechanisms for the assessment of emerging public and private agricultural research and technology transfer initiatives.
- (e) consult with industry groups on agricultural research, extension, education, and economics, and

make recommendations to the Cabinet Secretary and the county governments based on the consultation;

- (f) consult with any appropriate agencies and solicit opinions and recommendations on persons who will benefit from and use nationally funded agricultural research, extension, education services;
- (g) establish linkages with local and international training and research institutions to conduct scientific research and investigations in all areas pertaining to extension services;
- (h) coordination of agricultural research by maintaining a continuing inventory of ongoing and completed extension and research projects being conducted and funded by the government;
- (i) put in place a framework for capacity building and training of various players in the sector; and
- (j) carry out such other functions as may be assigned by the Cabinet Secretary or conferred under any other law.

(2) The Board shall consult and collaborate with the county executive committee member in the development, promotion and regulation of the extension services in the respective counties.

Committees of the Board

15. (1) The Board may establish such committees as it may consider necessary for the efficient performance of its functions and the exercise of its powers under this Act.

(2) The Board may co-opt any person to sit in a committee established under subsection (1) such persons whose knowledge and skills are found necessary for the performance of the functions of the Board.

Delegation by the Board.

16. The Board may, by resolution either generally or in any particular case, delegate to any committee, member, officer, employee or agent of the Board, the exercise of any of the powers or the performance of any of the functions of the Board under this Act or under any other written law.

Remuneration of members of the Board.

17. The members of the Board shall be paid such remuneration, fees or allowances as the Cabinet Secretary shall, in consultation with the Salaries and Remuneration Commission, determine.

Chief executive officer.

18. (1) There shall be a chief executive officer of the Board who shall be competitively recruited and appointed by the Board on such terms and conditions as the Board shall determine.

(2) A person is qualified for appointment as the chief executive officer if that person—

- (a) is a citizen of Kenya;
- (b) holds a degree from a university recognized in Kenya;
- (c) has at least ten years' experience in senior management; and
- (d) meets the requirements of leadership and integrity set out in chapter six of the Constitution.

(3) The chief executive officer shall hold office for a term of five years and is eligible for re-appointment for one further term.

Functions of the chief executive officer.

19. The chief executive officer shall be the secretary to the Board and shall, subject to the direction of the Board—

- (a) be responsible for the day to day management of the affairs of the Board;
- (b) manage the funds, property and affairs of the Board;
- (c) be responsible for the management of the staff of the Board;
- (d) oversee and coordinate the implementation of the policies, programmes and objectives of the Board;
- (e) cause to be prepared for the approval of the Board—
 - (i) the strategic plan and annual plan of the Board; and
 - (ii) the annual budget and audited accounts of the Board; and
- (f) perform such other duties as may be assigned by the Board.

Removal of the chief executive officer.

20. The chief executive officer shall cease to hold office if that person—

- (a) resigns in writing, addressed to the Board;
- (b) is convicted of a criminal offence and sentenced to a

term of imprisonment of not less than six months;

- (c) is found liable for gross misconduct or abuse of office in contravention any written law;
- (d) is declared bankrupt;
- (e) is unable to perform the functions of office by reason of mental or physical infirmity; or
- (f) dies.

Staff of the Board. **21.** (1) The Board may employ such officers, agents and staff as are necessary for the proper and efficient discharge of the functions of the Board under this Act and upon such terms and conditions of service as the Board may determine.

(2) The persons appointed under subsection (1) shall be competitively recruited and appointed by the Board and shall serve on such terms and conditions as the Board may, in consultation with the Salaries and Remuneration Commission determine.

(3) The staff appointed under subsection (1) shall possess such knowledge and experience as shall be determined by the Board.

Protection from personal liability. **22.** Liability shall not attach to the Board or to any of its members, officers, agents or staff for loss or damage incurred by a person as a result of an act or omission done or made in good faith and without negligence in the performance or exercise or the intended performance or exercise of any duty or power imposed by or conferred under this Act.

Common seal of the Board. **23.** (1) The common seal of the Board shall be kept in the custody of the chief executive officer or such other person as the Board may direct, and shall not be used except upon the order of the Board.

(2) The seal of the Board shall be authenticated by the signature of the chief executive officer and the chairperson or a person designated by the Board for that purpose on behalf of the chairperson.

Signing authority. **24.** All letters and instruments written or made by or on behalf of the Board, other than those required by law to be under seal, and all decisions of the Board, shall be signed under the hand of the chief executive officer or in the absence of the chief executive officer, a person authorized by the Board.

Meetings of Board.

25. (1) The business and affairs of the Board shall be conducted in accordance with the provisions set out in the First Schedule.

(2) Except as otherwise provided in the First Schedule, the Board may regulate its own procedure.

(3) The Board may invite any person to attend any of its meetings and to participate in its deliberations, but such person shall not be entitled to vote on any of the Board's decisions.

PART IV – ROLE OF COUNTY GOVERNMENTS

Role of county governments.

26. (1) Each county government shall—

- (a) implement the National Government policy and standards relating to the extension services sector;
- (b) regulate and promote extension services within the respective county;
- (c) collect, collate and disseminate information on extension services industry including the appropriate technology and practices to ensure maximisation of yields and sales by stakeholders;
- (d) coordinate the activities of persons, organisations and any other associations within the field of extension services;
- (e) facilitate access by players in the extension services sector to such resources and financial support as may be necessary to promote the use and development of extension services in the respective county; and
- (f) improve on the safe production and processing of, and adding of value to, Kenyan food and fibre resources using methods that maintain the balance between yield and environmental soundness.

(2) Each county executive committee member shall, in ensuring that the county government fulfils its obligations under subsection (1) –

- (a) maintain an up to date register of extension services providers as it considers appropriate in that county;

- (b) consider applications for the permits and licences;
- (c) carry out surveillance and inspections to ensure compliance with the standards and legislation on the extension services;
- (d) promote the organisation all players in the field of extension services;
- (e) provide training on extension service programs and disseminate information to stakeholders on entrepreneurial and other technical skills and values, attitude formation and socio-economic development strategies;
- (f) collaborate with relevant institutions so as to promote access to credit and other financial services; and
- (g) carry out such other functions as may be conferred upon by any law.

PART V – FINANCIAL PROVISIONS

Funds of the Service.

27. (1) The funds of the Service shall consist of—

- (a) monies appropriated by Parliament for the purposes of the service;
- (b) such monies or assets as may accrue to or vest in the service in the course of the exercise of its powers or the performance of its functions under this Act or any other written law; and
- (c) donations, grants, loans or gifts made to the service and approved by the Cabinet Secretary for finance.

Annual estimates.

28. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Board for that year.

(2) The annual estimates shall make provision for all estimated expenditure of the Board for the financial year concerned.

(3) The annual estimates prepared by the Board under subsection (2) shall be submitted to the Cabinet Secretary for tabling in the National Assembly and the Senate.

Accounts and
audit.

29. (1) The Board shall cause to be kept such books of accounts and other books in relation thereto of all its undertakings, funds, activities and property as the Cabinet Secretary may from time to time approve and shall, within a period of three months after the end of the financial year, cause to be prepared, signed and forwarded to the Auditor-General—

(a) a balance sheet showing in detail the assets and liabilities of the Board; and

(b) such other statements of accounts as the Cabinet Secretary may approve.

No. 34 of 2015.

(2) The accounts of the Board shall be examined, audited and reported upon annually by the Auditor-General in accordance with the Public Audit Act.

(3) The Board shall submit to the Auditor-General all books and accounts of the Board, together with all vouchers in support thereof, and all books, papers and writings in its possession or control relating thereto, and the Auditor-General shall be entitled to require from any member, officer, employee or agent of the Board such information and explanation as he may consider necessary for the performance of his duties.

Annual report and
publication.

30. (1) The Board shall, within a period of three months after the end of each financial year or within such longer period as the Cabinet Secretary may approve, submit to the Cabinet Secretary a report of the operations of the Board during such year, and the yearly balance sheet and such other statements of account as the Cabinet Secretary shall require, together with the Auditor-General's report.

(2) The Board shall, if the Cabinet Secretary so requires, publish the report, balance sheet and statements submitted to him under subsection (1) in such manner as the Cabinet Secretary may specify.

(3) The Cabinet Secretary shall submit to the National Assembly and the Senate the reports, balance sheet and statements submitted under subsection (1), within a period of fourteen days of the receipt of the reports and statements.

Financial year of
the Board.

31. The financial year of the service shall be the period of twelve months ending on the thirtieth of June in each year.

PART VI - MISCELLANEOUS PROVISIONS

County specific
legislation.

- 32.** Each county government may enact county specific legislation setting out –
- (a) the criteria for the registration of extension services providers within the respective county;
 - (b) criteria for the issuance of a licence to an applicant within the respective county;
 - (c) information required to be submitted by an applicant for registration or issuance of a licence;
 - (d) process of determination of an application for registration or issuance of a licence;
 - (e) the conditions for the issuance or renewal of a licence under this Act;
 - (f) the grounds for the rejection of an application or cancellation of a licence issued under this Act; and
 - (g) process of application for the renewal of registration and de-registration.

Regulations.

- 33.** The Cabinet Secretary may, on recommendation of the Service and the county governments, make regulations for or with respect to any matter which is necessary or expedient to be prescribed for carrying out or giving effect to this Act

FIRST SCHEDULE

(s. 25(1))

**PROVISIONS RELATING TO THE CONDUCT OF
BUSINESS AND AFFAIRS OF THE BOARD**

Meetings.

1. (1) The Board shall have at least six meetings in every financial year and not more than two months shall elapse between the date of one meeting and the date of the next meeting.

(2) Meetings shall be convened by the chief executive officer in consultation with the chairperson and shall be held at such times and such places as the chairperson shall determine.

(3) The respective chairpersons shall preside over all meetings and in the absence of the chairperson, by a person elected by the Board as the case may be at the meeting for that purpose.

(4) The chairperson may at any time convene a special meeting of the Board as the case may be, and shall do so within one month of the receipt by the chairperson of a written request signed by at least five other members.

(5) Unless half of the members of the Board otherwise agree, at least seven days' notice of a meeting shall be given to every member of the Board as the case may be.

Quorum.

2. The quorum of a meeting of the Board is half of the total number of members.

Voting.

3. A decision of the Board shall be by a majority of the members present and voting and, in the case of an equality of votes; the person presiding at the meeting shall have a second or casting vote.

Minutes.

4. Minutes of all meetings shall be kept and entered in records kept for that purpose.

Disclosure of
interest.

5. (1) If a person is present at a meeting of the Board or respective committee at which any matter is the subject of consideration and in which matter that person is directly or indirectly interested in a private capacity, that person shall as soon as is practicable after the commencement of the meeting, declare such interest.

(2) The person making the disclosure of interest under subsection (1) shall not, unless the Board or committee otherwise directs, take part in any consideration or discussion of, or vote on any question touching on the matter.

(3) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.

(4) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding five

hundred thousand shillings or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

(5) A member or employee of the Board shall not transact any business or trade with the Board.

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to provide for the policy and institutional framework within which the agricultural and livestock industry operates by among others establishing the Agricultural and Livestock Extension Service, which will be managed by a Board of Directors. Agriculture is the backbone of our economy. Majority of Kenyans depend on agriculture either directly by feeding their families or through trading of agricultural and livestock commodities to generate an income. Unfortunately, over the years the returns have been dwindling due to mainly poor performance of both crops and livestock which can be attributed to climate change, poor production methods, pest and diseases among others.

There is therefore a genuine need to set up a policy and institutional framework to support and guide the activities, operations, and interactions within the industry with the aim that the growth of the industry will result to a strengthened agricultural economy for the various counties across the country.

The highlight of this Bill is the setting up of a body which will be dedicated towards coming up with policies and strategies on extension services. The Bill proposes to invest in research so as come up with crops and livestock breeds that will mature fast and also be able to withstand the current harsh climate. It sets up the roles of the county governments which will be to implement the national government policy in the counties and also to coordinate various extension services at the county level.

Part I (clauses 1-3) contains preliminary matters. It contains the short title, interpretation of terms and the object of the Act.

Part II (clauses 4-5) provides for the National Agricultural and livestock policy and strategy which will guide both the national and the county governments in executing their mandates in relation to extension services.

PART III (clauses 6-25) provides for the establishment, functions and powers of the Agricultural and Livestock Service. It further provides for the composition and qualifications for appointment of the members of the Service. In addition, it provides for the office of the chief executive officer of the Board and the secretariat.

Part IV (Clause 26) contains provisions related to the role of county governments in regulating extension services.

Part V (clauses 27-31) sets out the financial provisions of Service. It sets out the sources of funds for the service. It also provides for the preparation of annual estimates of income and expenditure of the Board. It further provides for the period of the financial year of the Board and the preparation and auditing of its accounts.

Part VI (clauses 32-33) Sets out the miscellaneous provisions. It sets out areas in which counties can legislate on in regards to extension services and also delegates powers to the Cabinet Secretary to make regulations.

The Second Schedule contains provisions relating to meetings of the Board and the conduct of such meetings.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

Clauses 33 of the Bill does delegates powers to the Cabinet Secretary for the purpose of giving effect to the provisions of the Act. The Bill does not limit fundamental rights and freedoms.

Statement on how the Bill concerns county governments

Agriculture is a devolved function set out in paragraph 1 of Part 2 of the Fourth Schedule to the Constitution. The Bill provides for extension Services which is a key aspect in the production of crops and livestock. The Bill seeks to ensure that extension services are developed and offered to the farmers in an accessible and effective manner.

The Bill therefore concerns county governments in terms of Articles 110(1) (a) of the Constitution.

Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the, 2022.

Dated the, 2022.


Maureen Tabitha Mutinda,
Senator



BRIEFLY

MP accuses Ntutu of rushing Maasai Mara management Plan

NAROK • The implementation of a new Maasai Mara National Reserve management plan is in jeopardy after an MP accused Governor Patrick Ntutu of rushing it. Narok West MP Gabriel Tonjoro, whose constituency hosts the reserve, said Mr Ntutu had not given tourism stakeholders space to deliberate on the plan before tabling it at the assembly. Robert Kiplagat

Orthodox head: Keep politics out of church

NYERI • The head of the Orthodox Church has warned against entrenchment of political activity in places of worship. Pope Theodosius II said politicians should focus on preaching peace and joining other Kenyans in praying for divine intervention in the problems facing the country. James Murimi

Project to clean river, clean up Isiolo town

ISILOLO • A local youth group has partnered with the Isiolo municipality and civil societies to roll out a program to clean Manire river and manage solid waste in Isiolo town. The Rapid Resource Empowerment Programme also seeks to preserve the river's catchment areas by planting trees. Waweru Wairimu

Buxton houses project interferes with bridge

MOMBASA • The use of the pedestrian bridge on Abdallah Farsy road in Buxton is at risk of disruption after it came into contact with a section of the Buxton Point housing project. Pedestrians are currently forced to access part of the construction site as they use the footbridge. Valentino Obara

Attack Kololo was believed to have been involved in Al-Shabaab attack in which Tebbut was killed and his wife kidnapped

DPP: Kololo was wrongfully jailed for murder of Briton

Prosecution says the suspect's conviction was based on hearsay evidence



Mr Ali Kololo, who was accused of being involved in the killing of Mr David Tebbutt and the abduction of his wife Judith. FILE IN MATION

BY BRIAN OCHARO
Director of Public Prosecutions Noordin Haji has conceded that Ali Kololo may have been wrongly convicted over the murder of British national David Tebbutt and the kidnapping of his wife Judith Tebbutt in 2011. Kololo was arrested in 2012 after a group of Somali men believed to have been Al-Shabaab militants invaded a luxury resort in Lamu and shot dead Mr Tebbutt and abducted his wife, who was released six months later, after her son paid ransom. Tebbutt's kidnapping was one of the cases believed to have spurred the Kenya Defence Force Operation Linda Nchi in October 2011, in which they went into Somalia to fight the Al-Shabaab. A magistrate's court sentenced Kololo to death for kidnapping and robbery with violence. He spent a further seven years in prison for the kidnapping.

Mr Kololo was believed to have been involved in the killing of Mr David Tebbutt and the abduction of his wife Judith. Kololo was arrested in 2012 after a group of Somali men believed to have been Al-Shabaab militants invaded a luxury resort in Lamu and shot dead Mr Tebbutt and abducted his wife, who was released six months later, after her son paid ransom. Tebbutt's kidnapping was one of the cases believed to have spurred the Kenya Defence Force Operation Linda Nchi in October 2011, in which they went into Somalia to fight the Al-Shabaab. A magistrate's court sentenced Kololo to death for kidnapping and robbery with violence. He spent a further seven years in prison for the kidnapping.

This case was purely based on circumstantial evidence, and the DPP, having looked at this appeal, conceded to it.

Mr Jami Yamina



Kololo has since appealed the sentence and wanted it quashed. His appeal followed discovery of new evidence ob-

not based on the evidence on record or are purely based on hearsay testimony thereby rendering the conviction unsafe," said Mr Yamina.

He added: "Evidence adduced, when compared to the findings of the magistrate court, it is clear they are not based on records or submission of the counsel."

Further, Mr Yamina stated that senior Metropolitan Police Detective Neil Hibberd's testimony on the arrest and the crucial "tanga" (plastic) shoes evidence that linked Kololo to the scene of crime was purely hearsay.

In the trial, in which Kololo was sentenced to death, Mr Hibberd had been described as a key witness, but the DPP has affirmed that his evidence was based on hearsay and that he did not disclose the source of his information regarding the arrest and shoes.

"This case was purely based on circumstantial evidence, and the DPP, having looked at this appeal, conceded to it," said Mr Yamina.

According to the DPP, no further evidence or witness was called on the circumstances surrounding the recovery of the items alleg-

edly stolen from Ms Tebbutt and their connection to Kololo and the offence of robbery with violence that he faced.

Owing to these reasons, the DPP has urged Malindi High Court Judge Stephen Githinji to find it unnecessary to use the additional evidence in the case, noting that Kololo's appeal can fairly be re-

solved without considering it.

"The DPP denies knowledge or possession of any additional and exculpatory material throughout the trial and is entitled to the opportunity to adduce evidence in rebuttal, but which process is unnecessary, given that the appeal has been conceded without reaching the new evidence. Reasons whereof the appeal is allowed, the conviction is quashed, the sentence set aside and the appellant set free," the prosecution said.

Yesterday, Mr Olaba told the court that the new evidence indicates that his client did not put on the tanga shoes that allegedly connected him to the crime.

"The complainant did not identify Kololo as the perpetrator. The

offence of robbery with violence had not been proved at the end of the trial because Ms Judith told the magistrate during her testimony that the items stolen from her were returned. The items were not recovered from Kololo," said Olaba.

Kololo's jailing was based on this evidence as the trial magistrate ruled that the tanga shoes were his and the impressions found at the scene were made by them. However, evidence produced in court by an expert witness from the UK indicated there was no evidence the shoes belonged to Kololo.

The judge allowed Kololo's application for bond pending appeal, setting it at Sh100,000 with one surety of a similar amount.

REPUBLIC OF KENYA



**THIRTEENTH PARLIAMENT | SECOND SESSION
THE SENATE**

INVITATION FOR SUBMISSION OF MEMORANDA

At a sitting of the Senate held on Tuesday 15th February and Thursday, 16th February, 2023, the Bills listed at the second column below were introduced in the Senate by way of First Reading and thereafter stood committed to the respective Standing Committees indicated at the third column.

Pursuant to the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Senate Standing Orders, the Senate Standing Committees now invite interested members of the public to submit any representations that they may have on the Bills.

The representations may be made by way of written memoranda on email to the Clerk of the Senate on the address clerk.senate@parliament.go.ke and copied to the email addresses of the respective Committee indicated at the fourth column below, to be received on or before **Friday, 3rd March, 2023 at 5.00 p.m.**

Bill	Committee Referred To	Email Address
a) The Kenya Technopolis Bill (Senate Bills No. 2 of 2023)	Standing Committee on Information, Communication and Technology	ictcommittee.senate@parliament.go.ke
b) The Office of the County Printer Bill (Senate Bills No. 10 of 2022)	Standing Committee on Information, Communication and Technology	ictcommittee.senate@parliament.go.ke
c) The Tea (Amendment) Bill (Senate Bills No. 1 of 2023)	Standing Committee on Agriculture, Livestock and Fisheries	agriculturecommittee.senate@parliament.go.ke
d) The Agricultural Livestock Extension Services Bill (Senate Bills No. 12 of 2022)	Standing Committee on Agriculture, Livestock and Fisheries	agriculturecommittee.senate@parliament.go.ke
e) The Mung Beans Bill (Senate Bills No. 13 of 2022)	Standing Committee on Agriculture, Livestock and Fisheries	agriculturecommittee.senate@parliament.go.ke
f) The Start-Up Bill (Senate Bills No. 14 of 2022)	Standing Committee on Trade, Industrialization and Tourism	tradeindtourismcomm.senate@parliament.go.ke

The Bills may be accessed on the Parliament website at <http://www.parliament.go.ke/the-senate/house-business/bills>.

**J.M. NYEGENYE, CBS,
CLERK OF THE SENATE.**

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**MATRIX ON SUBMISSIONS ON THE AGRICULTURE AND LIVESTOCK
EXTENSION SERVICES BILL, 2022 (SENATE BILLS NO. 12 OF 2022)**

No	Clause	Stakeholder	Proposed amendment and rationale	Observations/Comments	Resolution
1.	2	Ministry of Agriculture (MOA)	<p>To amend the interpretation of extension services-</p> <p>The Bill does not clearly bring out what extension services are;</p> <p>The Bill under clause 2 provides that - Extension services means-the agriculture and extension service.</p> <p>Clause 6 further establishes the Agricultural and Extension Service.</p> <p>Proposal</p> <p>Delete the definition</p>	<p>The Extension Service established under clause 6 is a body cooperate mandated in regulating the extension services industry.</p> <p>While under clause 2 the definition of extension services is for the purposes of limiting the application of the Act to only the extension services that are offered in the agriculture and livestock industry</p>	Retain

2.	3- Objects (Long title)	Ministry of Agriculture (MOA)	<p>It is not clearly bringing out what the Bill intents to address.</p> <p>The provides for agricultural and livestock extension services; establish the Agricultural and extension Service</p> <p>Proposal</p> <p>Review the objects of the Bill to provide for establishment of a professional body and for regulation of extension services.</p>	<p>The committee may consider amending to;</p> <p>To provide for the agricultural and extension services sector;</p>	Retain
3.	Part I, Clause 3 (a)- Objects.	KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)	<p>Proposal</p> <p>Amend section 3(a) to correct the typographical error to pluralise learning institution.</p>	<p>The committee may approve the proposal to correct the typing error.</p>	Accept

4.	Part II- National and County Agricultural and Livestock Policy and strategy.	MOALD	Development of Policies and strategies are administrative functions and may not have any relation to extension service provision. Legislating this responsibility is unnecessary Proposal Delete this part	1. Extension services have a direct effect on food security of the Country and therefore the national Government has a role in setting policies and standards for the provision of extension services.	Retain
5.	Part II, Clause 4 (2) (a), (b), (d), (e), (g) National Extension services Policy.	KEPHIS	Amend to correct the typographical error.	The committee may approve the proposal to correct the typographical error.	Accept
6.	Clause 5(1)		The section refers to Livestock policy. This is a typographical error which may be corrected. Proposal Amend to read; The	The Committee may approve the amendment bring clarity.	Accept

			<p>only influence policy and not the actual extension being undertaken in the counties.</p> <p>Proposal</p> <p>Review to provide for strengthening of County services</p>		
12.	Part v- Financial Provisions	MOALD	<p>Extension is a devolved function and as such the funds should be allocated by the County Assemblies and the Service is regulating a professional body then it should generate its own fund</p>	<p>Extension Service is a national government agency comprising of representatives of both the National Government and the county governments. Further, the service is tasked with performing functions of both arms of government.</p>	Retain
13.	Part VI- Miscellaneous Provisions.	MOALD	<p>Having county specific regulations for registration, licensing issuance and</p>	<p>The Bill provides for Enactment of county specific legislations and further gives the Cabinet secretary powers to make regulations.</p>	Reject

			renewal will result in very heterogeneous frame against the intention of the Bill. Proposal Require Making of uniform regulations	
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REPUBLIC OF KENYA

MINISTRY OF AGRICULTURE AND LIVESTOCK DEVELOPMENT

State Department for Crop Development

Telephone: 2718870/9

Fax: 2711149

Website: www.kilimo.go.ke

When replying please quote;

KILIMO HOUSE
CATHEDRAL ROAD
P.O. Box 30028
NAIROBI

Ref. MOA/OFTA/13/1/21

10th March 2023

The Clerk Senate

Parliament

Office of the Clerk of the Senate

NAIROBI

Attn: Mr. Stephen Gikonyo

Stakeholder Submission on the Agricultural and Livestock Extension Services Bill, 2022 (Senate Bills No. 12 of 2022)

Your letter Ref: SEN/DSEC/SCA/CORR/SCH/020/02/2023 (13) dated 23rd February 2023 and on the above subject matter refers.

We have reviewed the draft Bill and I would like to state that it is not well aligned to the fourth schedule of the Constitution of Kenya.

Attached find detailed comments.

Peter Owoko

For: Principal Secretary

The Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022) By Sen. Maureen Tabitha Mutinda, MP

COMMENT FORM

No.	Clause	Provisions of the Clause	Issues with the clause/ suggested Amendment	Proposed Clause
1	2	"Extension services"; Means agricultural and livestock extension service	Does not clearly bring out what Extension Services are if that was the intention and when read with 6. (1) There is established the Agricultural and Livestock Extension Service.	Delete the interpretation
2	3	The objects	It is not clearly bringing out what the Bill intends to address ie to; provide for agricultural and livestock extension services; establish the Agricultural and Extension Service; and for connected purposes.	Review the Objects to provide for establishment of the agricultural extension professional body and for regulation of extension service provision
3	PART II	NATIONAL AND COUNTY AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES POLICY AND STARTEGY	Development of Policies and strategies are administrative functions and may not have any relation to extension service provision. Legislating this responsibility is unnecessary.	Delete this part
4	8	The functions of the Service	Commodity value chain development, marketing and de-risking of actors are functions provided for in the Crops and Tea Act.	Review to provide for functions that entrench professionalism in Extension Service delivery
5	14	(1) The functions of the Board	Extension Services are devolved function. By advising the Cabinet Secretary the Service will only influence policy and not the actual extension being undertaken by Counties.	Review to provide for strengthening of County services
6	PART V	FINANCIAL PROVISIONS	Extension is devolved function and as such the funds should be allocated by the County Assemblies and the Service is regulating a professional body then it should generate own fund	Provide clarity
7	PART VI	MISCELLANEOUS PROVISIONS	Having county specific regulations for registration, license issuance and renewal will result in very heterogeneous frame against the intension of the Bill	Require making of uniform regulations

REPUBLIC OF KENYA

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The Senate

Clerk's Chambers

Parliament Buildings

P. O. Box 41842 -00100

NAIROBI, Kenya

PARLIAMENT
OFFICE OF THE CLERK OF THE SENATE

Ref. SENDSEC/SCA/CORR/SCH/020/02/2023 (13)

23rd February, 2023

Hon. Mithika Linturi,
Cabinet Secretary,
Ministry of Agriculture and
Livestock Development,
P. O. Box 30040-00100,
NAIROBI.

Dear Sir,

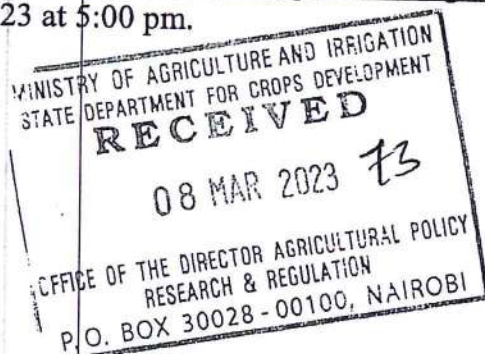
RE: STAKEHOLDER SUBMISSIONS ON THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, 2022 (SENATE BILLS NO. 12 OF 2022)

The Senate Standing Committee on Agriculture, Livestock and Fisheries is established under standing order 228(3) of the Senate Standing Orders and is mandated to consider all matters relating to agriculture, livestock, fisheries development and veterinary services.

The Agricultural and Livestock Extension Service Bill (Senate Bills No. 12 of 2022) was read a First Time in the Senate on Wednesday 15th February, 2023 and thereafter stood committed to the Standing Committee on Agriculture, Livestock and Fisheries.

Pursuant to the provisions of Article 118 and Standing Order 145 (5) of the Senate Standing Orders and being a key stakeholder, the Committee hereby invites you to submit any representations that you may have on the Bill.

The representations may be made by way of written memoranda to the Clerk of the Senate on the address clerk.senate@parliament.go.ke and copied to the Standing Committee on Agriculture, Livestock and Fisheries on the address agriculturecommittee.senate@parliament.go.ke to be received on or before Friday, 3rd March, 2023 at 5:00 pm.



08 MAR 2023



*Director
Policy
FNA
of SCA
07/03/23*

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**KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)
HEADQUARTERS**

Oloolua Ridge, Karen • P.O. Box 49592 Nairobi, Kenya • Tel: 0206618000/0709891000 • Fax: 0203536175
E-mail:director@kephis.org • Website: www.kephis.org

Our Ref: PH/1/159 (C)/ Vol. 2

Date: 1st March, 2023

The Senate
Clerk's Chambers
Parliament Buildings
P.O. Box 41842 - 00100
NAIROBI

Email: clerk.senate@parliament.go.ke,
agriculturelfcommittee.senate@parliament.go.ke

Dear Sir

**RE: KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS)
SUBMISSIONS ON THE AGRICULTURAL AND LIVESTOCK EXTENSION
SERVICES BILL, 2022 (SENATE BILLS NO. 12 OF 2022)**

KEPHIS acknowledges receipt of the request to make submission to the above-mentioned Bill vide Circular, Ref. SEN/DSCEC/SCA/CORR/SCH/020/02/2023, dated 23rd February 2023.

The corporation has considered the details of the Bill and proposes the following;

Section of the Bill	Statement in Draft Bill	Recommended changes / Comments
Part I, Section 3 (a)	to foster coordination and collaboration in extension services research by National Government, County Governments, non-governmental organization, learning institution, research bodies and other non-state actors;	Pluralise learning institution to foster coordination and collaboration in extension services research by National Government, County Governments, non-governmental organization, learning institutions , research bodies and other non-state actors;
Part II, Section 4 (2) (a), (b), (d), (e), (g)	...ensure effective development of the mung bean industry ...support for growers and other stakeholders in theming bean industry	Review the section to refer to the Agricultural and Livestock extension policy rather than the development of the Mung bean industry.

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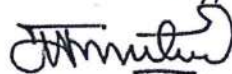
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Section of the Bill	Statement in Draft Bill	Recommended changes / Comments
	<p>...support the development of mung industry</p> <p>...the development of regulation of the mung bean sector</p> <p>...strategies needed to be carried out to ensure that growers are able to respond...</p>	
Part II, Section 5	<p>...The county executive committee member shall in formulating the strategy take into account the national livestock policy formulated by the Cabinet Secretary under section 4</p>	<p>Add terms Agriculture and extension to the policy referred to read,</p> <p>The county executive committee member shall in formulating the strategy take into account the national agricultural and livestock extension policy formulated by the Cabinet Secretary under section 4</p>
Part III, Section 8 (a), (b)	<p>...enhance competitiveness in the agriculture and food industry...</p> <p>...increase the long-term productivity of agriculture and food industry in Kenya...</p>	<p>Consider, replacing agriculture and food industry to an all-encompassing statement that covers both the agriculture and livestock sectors. The food industry may connote a different sector.</p>
Part III Section 8 (c)	<p>...develop new uses and new products for agricultural commodities and come up with alternative production methods to develop new crops;</p>	<p>Consider other production methods covering the livestock sector as well. Agricultural extension may not be limited to crops only.</p>
Part III, Section 10 (c)	<p>the principle secretary responsible for matters relating to livestock;</p>	<p>Correct spelling for principle to principal</p>

Yours Faithfully,



PROF. THEOPHILUS M. MUTUI, PHD
MANAGING DIRECTOR

30th March, 2023

The Clerk of the Senate,
Parliament Buildings,

NAIROBI.

RE: COMMITTEE STAGE AMENDMENTS TO THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL, SENATE BILLS NO. 12 OF 2022

NOTICE is given that Sen. James Kamau Murango, Chairperson, Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Agricultural and Livestock Extension Services Bill, Senate Bills No. 12 of 2022, at the Committee Stage—

CLAUSE 4

THAT clause 4 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new subclause—

(2) In developing the National Extension Services Policy, the Cabinet Secretary shall have regard to—

- (a) the need for an effective management and implementation structure at the national and county levels of government in order to ensure the effective development of the extension services industry;
- (b) adequate capacity development and support for stakeholders in the extension services industry;
- (c) the participation of stakeholders and communities at the national and county levels of government;
- (d) the development of appropriate strategies and mechanisms at the national and county levels of government necessary to support the development of the extension services industry;

- (e) the need to have in place a framework to monitor and evaluate the implementation of the policy in the development and regulation of the extension services industry;
- (f) the resources required at the national and county levels of government for the effective implementation of the policy; and
- (g) the capacity building programmes and strategies needed to be carried out to ensure that extension services providers are able to respond to the needs identified for the implementation of the policy.

CLAUSE 5

THAT clause 5 of the Bill be amended by deleting sub-clause (1) and substituting therefore the following new clause (1) —

(1) Each county executive committee member shall formulate and publish, in the Gazette, a county specific extension services strategy and shall, in formulating the strategy take into account the national agricultural and livestock policy formulated by the Cabinet Secretary under section 4.

CLAUSE 8

THAT clause 8 of the Bill be amended —

Functions of 8. (1) The functions of the Service shall be to—
the service.

- (a) enhance the competitiveness of the agriculture and livestock industry in Kenya in an increasingly competitive world environment;
- (b) increase the long-term productivity of agriculture and livestock industry in Kenya while maintaining and enhancing the natural resource base on which the Counties and the National Government agricultural economy depend on;
- (c) develop new uses and new products for agricultural commodities and come up with alternative production methods to develop new crops; and

- (i) providing technical assistance and capacity building to the county governments on matters relating to extension services;
- (j) approve institutions for the training of extension services; and
- (k) establish, approve and accredit programs for continuing professional development programs.

CLAUSE 11

THAT clause 11 of the Bill be amended in subclause (1) by inserting the expression “(h)” immediately after the words “under section 11(1)”.

CLAUSE 14

THAT clause 14 of the Bill be amended in sub-clause (1) (i) by deleting the word “sector” appearing immediately after the words “players in the” and substituting therefore the word “industry”.

CLAUSE 26

THAT clause 26 of the Bill be amended in –

(a) subclause (1) –

- i. paragraph(a) by deleting the word “sector” appearing immediately after the words “the extension services” and substituting therefore the word “industry”;
- ii. paragraph(c) by deleting the word “sector” appearing immediately after the words “the extension services” and substituting therefore the word “industry”;

(b) sub-clause (2) (a) by deleting the word “permit” appearing immediately after the words “application for the” and substituting therefore the word “registration”.

CLAUSE 31

THAT Clause 31 of the Bill be amended in—

- (a) subclause (1) by deleting the word “yearly” appearing immediately after the words “year, and the” and substituting therefore the word “annual”; and

(d) improve risk management in the agriculture and livestock industry in Kenya.

(2) in performance of its functions under subsection (1), the service shall—

(a) support agricultural research on extension services to promote economic opportunity in rural communities and to meet the increasing demand for information and technology transfer throughout the agriculture industry in Kenya;

(b) collaborate with the county governments in —

i. improving the coordination and planning of agricultural research, extension, and teaching programs;

ii. identifying needs and establishing priorities for these programs;

iii. ensuring that national agricultural research, extension, and teaching objectives are fully achieved; and

iv. ensuring that the results of agricultural research are effectively communicated and demonstrated to farmers, processors, handlers, consumers, and all other users who can benefit from them.

(c) maintain and disseminate information on standards for supply of nutritious and safe food by the county governments;

(d) facilitate transfer of technology;

(e) encourage the use of information communication technology by developing and packaging information in simple, easily accessible digital systems;

(f) collaborate with international entities in order to leverage on resources, priority food and agricultural interests including addressing emerging plant and animal diseases, improving crop varieties and animal breeds and developing safe, efficient, and nutritious food systems;

(g) mobilising resources at the national level for investment in development and implementation of extension services programs in the counties;

(h) developing and coordinating intergovernmental relations mechanism in the delivery of services related to extension services;

(b) subclause (2) by deleting the words “to him” appearing immediately after the words “and statements submitted”.

Dated.....2023.



Sen. James Murango,
Chairperson,

Committee on Agriculture, Livestock and Fisheries.

