

PARLIAMENT OF KENYA
THE SENATE
SENATE BILL'S DIGEST
THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL, 2024
(SENATE BILLS NO. 32 OF 2024)

Sponsor: Senator (Dr.) Lelegwe Ltumbesi
Date of Publication: 31st May, 2024
Date of First Reading: 6th August, 2024
Committee referred to: Standing Committee on Agriculture, Livestock and Fisheries
Type of Bill: Ordinary Bill

1. PURPOSE OF THE BILL

The principal object of the Bill to establish sustainable practices to alleviate the effects of adverse conditions, particularly drought on livestock farmers. The Bill emphasizes the importance of both national and county governments in the protection and sustainability of the livestock sector. The proposal stresses building resilience through sustainable farming, data management, and cooperative efforts.

2. BACKGROUND OF THE BILL

Kenya's arid and semi-arid lands comprise a significant portion of the country's geography and are inhabited by pastoral communities. For these communities, livestock is more than an economic asset; it is an integral part of their socio-cultural identity. Frequent droughts, which are becoming increasingly common due to climate change, jeopardize the livelihoods of these communities.

Current Law

The prime law governing agriculture, *the Agriculture and Food Authority Act, Cap 317* which seeks to promote best practices in, and regulate, the production, processing, marketing, grading, storage, collection, transportation and warehousing of agricultural products excludes livestock and livestock products.

Further, *the Agricultural Finance Corporation, Cap 323* which was established to provide affordable credit to farmers has been inadequate in its capacity to meet the financial needs of the sector. In addition, its coverage in the arid and semi-arid areas is limited.

The rationale for the Bill

The Bill therefore, seeks to support and to mitigate on the loss that is incurred by livestock farmers by—

- a) establishing a National Feeds Reserve which shall constitute of physical stock of livestock feed. The purpose of the reserve is to store livestock feed for use by livestock farmers during drought and other harsh climate conditions;
- b) obligating counties to establish County Livestock Enterprise Development Fund which will be applied towards establishing strategic animal feed reserves in the counties and offering, grants, loans and credit facilities to livestock farmers.

3. OVERVIEW OF THE BILL

What is the role of County Governments in ensuring that livestock production and sustainability is achieved?

Under Clause 4 the county government shall —

- (i) develop and implement strategies for protection of livestock from diseases, disasters, and other potential threats;
- (ii) promote sustainable livestock farming methods;
- (iii) establish a strategic livestock feed reserve;
- (iv) develop and maintain a data system on livestock health, feed risks and related concerns;
- (v) facilitate mechanism for water harvesting and storage and promote programmes for livestock insurance;
- (vi) link small scale farmers to storage and marketing facilities; and

- (vii) establish fodder banks and provide incentives for preservation of fodder banks

What are some of the sustainability measures proposed in the Bill?

In order to achieve the objectives of the Bill. The Bill proposes —

- a) to establish a **Feeds Risk Data Management System** overseen by the Cabinet Secretary to monitor and assess feed availability and risks, particularly during disasters; and
- b) that each county shall prepare a **comprehensive county drought resilience plan** that —
 - (i) details the County’s vulnerability to drought and strategies to counteract its effects;
 - (ii) shall allocate a portion of its annual budget to the implementation of the county drought resilient plan;
 - (iii) Obligates the county executive member to submit a report on the progress of implementation of the drought resilient plan to the county assembly.

How will livestock farmers benefit from the enactment of the Bill?

- a) The Bill will promote livestock farming by establishing a **National Livestock Feeds Reserve** for storage and preservation of livestock feeds. In addition, the reserve will —
 - (i) provide emergency food supply during the drought period;
 - (ii) mitigate the effects of food shortages and price volatility caused by drought; and
 - (iii) promote efficient and sustainable use of feeds.

- b) The establishment of the Livestock **Enterprise Development Fund** in the counties where livestock farming significantly contributes to the economy in that County, grants, loans and credit facilities will be offered to support livestock owners and related businesses.

How will the Livestock Enterprise Development Fund be financed?

Through appropriation by each county assembly, income generated from the proceeds of the allocated funds and grants, donations or other gifts to the fund.

Miscellaneous Provisions.

Clause 11 grants the Cabinet Secretary for agriculture in consultation with the Council of County Governors, the power to develop regulations on the declaration of animals as livestock, the management and operation of the National Livestock feeds reserve and the storage, maintenance and distribution of feed.

What Does Livestock Mean?

The word livestock means cattle, camel, donkey, pig, sheep, goat, or poultry.

4. CONSEQUENCES OF THE BILL

The Bill will provide a framework for establishment of a National Feeds Reserve and Livestock Enterprise Development Fund which will be used to mitigate loss of livestock due to harsh climate conditions.

5. WAY FORWARD

What next?

The Bill was Read a First Time in the Senate on 6th August, 2024. Pursuant to standing order 145 of the Senate Standing Orders, the Standing Committee on Agriculture, Livestock and Fisheries shall facilitate public participation and shall take into account the views and recommendations of the public when the committee submits its report to the Senate.

What is expected of the members of the public?

The members of the public are expected to present their views to the Standing Committee on Agriculture Livestock and Fisheries for its consideration.

Next Step?

Pursuant to standing order 148 of the Senate Standing Orders, the Committee is required to submit its report to the Senate within thirty (30) calendar days of the committal of the Bill to the Committee, therefore, by 5th September, 2024.

Note:

1. This Digest reflects the Bill as published and does not cover any subsequent amendments to the Bill made after its publication.
2. The Digest does not have any official legal status.