



REPUBLIC OF KENYA

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THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025

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DIRECTORATE OF DEPARTMENTAL COMMITTEES  
DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK

REPORT ON:

THE PYRETHRUM (REPEAL) BILL, 2024 (NATIONAL ASSEMBLY BILL NO. 40 OF 2025)

 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
DATE: 19 AUG 2025	DAY: TUESDAY
TABLED BY: CLERK AT THE TABLE:	<i>WILLIS OBIERO, DEPT COMMITTEE ON AGRICULTURE &amp; LIVESTOCK</i> WILLIS OBIERO

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AUGUST 2025

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

AFA	-	Agriculture and Food Authority
PPCK	-	The Pyrethrum Processing Company of Kenya
Cap.	-	Chapter
CBS	-	Chief of the Burning Spear
CECM	-	County Executive Committee Member
CPA	-	Certified Public Accountant
COG	-	Council of Governors
DDC	-	Directorate of Departmental Committees
Dr.	-	Doctor
Hon.	-	Honourable
ID	-	Identification
MP	-	Member of Parliament
NA	-	National Assembly
No.	-	Number
NOPEU	-	National Ordinary People Empowerment Union
ODM	-	Orange Democratic Movement
PhD	-	Doctor of Philosophy
REF	-	Reference
UDA	-	United Democratic Alliance
CEO	-	Chief Executive Officer

## **LIST OF ANNEXURES**

1. Adoption Schedule
2. Minutes
3. Copy of the News Paper Advert
4. Copy of the Letter Inviting Stakeholders for a Meeting
5. Matrix of the Bill
6. Witness Attendance Register for the Stakeholder Engagement Meeting

## CHAIRPERSON'S FOREWORD

This Report contains the proceedings of the Departmental Committee on Agriculture and Livestock on its consideration of the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025), which was published on 9<sup>th</sup> July, 2024. The Bill was read a First Time on 8<sup>th</sup> April, 2025 and, pursuant to Standing Order 127(1), was thereafter committed to the Departmental Committee on Agriculture and Livestock for consideration on 9<sup>th</sup> April, 2025.

The Bill comprises two (2) clauses and seeks to repeal the Pyrethrum Act, Cap. 340, which is inconsistent with the harmonized regulation of scheduled crops under the Crops Act, Cap. 318. The repeal will resolve conflicts between the provisions of the Pyrethrum Act and those of the Crops Act, thereby streamlining regulation of the sub-sector under a single legislative framework.

In compliance with Article 118(1) (b) of the Constitution and Standing Order 127(3), the Committee invited public and stakeholder views on the Bill through advertisements placed in the print media on Friday, 18<sup>th</sup> April 2025. Although no memoranda were received, the Committee invited the State Department for Agriculture, the Agriculture and Food Authority (AFA), and Pyrethrum Processing Company of Kenya (PPCK) to a meeting held at the Hilton Garden Inn on Friday, 15<sup>th</sup> August 2025 to deliberate on the provisions of the Bill and receive their comments.

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support extended during its sittings. Appreciation is also extended to the Honourable Members of the Committee and the Committee Secretariat for their valuable contributions to the consideration of the Bill and the preparation of this Report.

On behalf of the Departmental Committee on Agriculture and Livestock, and pursuant to Standing Order 199(6), it is my honour and privilege to present to the House the Report of the Committee on its consideration of the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025).

The Committee has considered the Bill and recommends that the National Assembly **adopts the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025) without amendments.**

**Hon. (Dr.) John K. Mutunga, M.P.**  
**Chairperson, Departmental Committee on Agriculture and Livestock**

## CHAPTER ONE

### I.0 PREFACE

#### I.1 Establishment of the Committee

- I. The Departmental Committee on Agriculture and Livestock is one of the twenty Departmental Committees of the National Assembly established under **Standing Order 216** whose mandate pursuant to the **Standing Order 216 (5)** is as follows:
  - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
  - ii. *To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;*
  - iii. *On a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
  - iv. **To study and review all the legislation referred to it;**
  - v. *To study, assess and analyse the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
  - vi. *To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
  - vii. *To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on appointments);*
  - viii. *To examine treaties, agreements and conventions;*
  - ix. *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
  - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
  - xi. *To examine any questions raised by Members on a matter within its mandate.*

#### I.2 Mandate of the Committee

2. In accordance with the Second Schedule to the Standing Orders, the Committee is mandated to consider, agriculture, livestock, food production and marketing.
3. In executing its mandate, the Committee oversees the Ministry of Agriculture and Livestock Development.

### 1.3 Committee Membership

4. The Departmental Committee on Agriculture and Livestock was reconstituted by the House on 5<sup>th</sup> March, 2025 and comprises the following Members:

#### **Chairperson**

Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP  
Tigania West Constituency

#### **UDA Party**

#### **Vice-Chairperson**

Hon. Brighton Leonard Yegon, MP  
Konoin Constituency

#### **UDA Party**

Hon. Sabina Wanjiru Chege, CBS, MP  
Nominated Member

#### **Jubilee Party**

Hon. Monicah Muthoni Marubu, MP  
Lamu County

#### **Independent Member**

Hon. Ferdinand Kevin Wanyonyi, MP  
Kwanza Constituency

#### **Ford Kenya Party**

Hon. Patrick Kibagendi Osero, MP  
Borabu Constituency

#### **ODM Party**

Hon. Geoffrey Makokha Odanga, MP  
Matayos Constituency

#### **ODM Party**

Hon. Yussuf Mohamed Farah, MP  
Wajir West Constituency

#### **ODM Party**

Hon. Justice Kipsang Kemei, MP  
Sigowet/Soin Constituency

#### **UDA Party**

Hon. John Okwisia Makali, MP  
Kanduyi Constituency

#### **Ford Kenya Party**

Hon. Jared Odoyo Okelo, MP  
Nyando Constituency

#### **ODM Party**

Hon. Ruth Adhiambo Busia Odinga, MP  
Kisumu County

#### **ODM Party**

Hon. Lawrence Mpuru Aburi, MP  
Tigania East Constituency

#### **NOPEU Party**

Hon. David Kiplagat, MP  
Soi Constituency

#### **UDA Party**

Hon. Gabriel Gathuka Kagombe, MP  
Gatundu South Constituency

#### **UDA Party**

#### **I.4 Committee Secretariat**

5. The Committee is facilitated by the following Secretariat:

Ms. Laureen Omtisa Wesonga  
**Clerk Assistant I/Head of Secretariat**

Mr. Victor Kanda Kilimo  
**Clerk Assistant III**

Mr. David Ng'eno  
**Principal Research Officer II**

Mr. Shadrack Musyoki  
**Senior Research Officer**

Mr. Gerald Kadede  
**Legal Counsel II**

Ms. Teresia Macharia  
**Intern**

Ms. Brigitta Mati  
**Senior Legal Counsel**

CPA Robert Ngetich  
**Fiscal Analyst I**

Ms. Edith Chepngeno  
**Media Relations Officer III**

## CHAPTER TWO

### 2.0 BACKGROUND ON THE PYRETHRUM (REPEAL) BILL, 2024

#### 2.1 Introduction

6. The Pyrethrum (Repeal) Bill, 2024 is a focused legislative measure intended solely to repeal the Pyrethrum Act (Cap. 340). Its effect is to eliminate the stand-alone legal and institutional framework governing pyrethrum and transfer oversight to the general crops regime. According to Government statements and media reports, the repeal seeks to resolve the problem of “dual regulation” of pyrethrum arising from overlaps between the Pyrethrum Act and the Crops Act (Cap 318) and to consolidate regulation under the Agriculture and Food Authority (AFA) and the Crops Act, 2013.
7. The Bill contains a short title and one operative clause repealing the Pyrethrum Act. It introduces no new powers, funding, or policy reforms, relying instead on the existing Crops Act (Cap 318) to manage any transition. The Government has already begun aligning regulations with this change, including the drafting of new Crops (Pyrethrum) Regulations, in anticipation of the Act’s repeal.

#### 2.2 Rationale

8. The existing Pyrethrum Act (Cap 340) established a dedicated Pyrethrum Regulatory Authority with its own Board, chief executive, staff, and a development fund financed by a crop levy. Its key features included institutional governance, financial provisions, licensing and registration, and enforcement mechanisms.
9. The Repeal Bill abolishes these sector-specific structures in their entirety. All provisions relating to the Authority, levy, Board, and licensing are removed, leaving regulation of pyrethrum entirely under the Crops Act (Cap 318) framework and regulations made thereunder.

#### 2.3 Contents of the Bill

10. The Bill has one provision:

Provision	Content	Rationale in the Bill
Repeal (Clause 2)	Revokes the entire Pyrethrum Act (Cap. 340).	Eliminates conflict/overlap with the Crops Act (Cap. 318).

#### 2.4 Existing Legal and Policy Framework

11. Repealing the Pyrethrum Act has the legal effect of removing a statute that has operated in parallel with the Crops Act since 2013. The main implication is consolidation: henceforth, all rights, obligations, or liabilities relating to pyrethrum will derive solely from the Crops Act and its subsidiary legislation. The Repeal Bill makes this consolidation explicit. By analogy to section 42(2) of the Crops

Act (which preserved acts done under other repealed laws), measures previously undertaken under Cap. 340 would be deemed to continue under the Crops Act. In practice, the Government has already treated the Pyrethrum Board as defunct since 2016, when amendments to the AFA Act declared it a “former institution” under AFA.

12. A potential gap, however, arises because the Repeal Bill does not expressly provide for savings or transitional arrangements. Strictly read, repeal would extinguish permits, contracts, or rights granted under the Pyrethrum Act (Cap 340) without preserving them. This could create legal uncertainty for licences, funding arrangements, or contractual obligations issued by the defunct Pyrethrum Authority.
13. To avoid such disruptions, it will be essential that the forthcoming Crops (Pyrethrum) Regulations provide transitional safeguards, ensuring that growers, processors, and traders are not left without valid legal authority to operate.

## 2.5 Stakeholder Impact Assessment

14. The stakeholders in the industry are likely to be impacted as bellow.

Stakeholder	Risks	Opportunities
Farmers	Uncertainty over pending payments/debts	Opportunity for private-sector-led revival without PBK bureaucracy
PBK employees	No severance provisions in the Bill	-
Counties	Increased burden without asset/data transfer.	Empowerment to regulate Pyrethrum under the Crops Act and county laws
Private sector	Lower barriers to investment in processing/export	
National Treasury	Unbudgeted liabilities (debts/litigation).	Reduced recurrent costs from PBK’s dissolution.

15. Critical transitional safeguards missing from the Bill include:
  - i. A sunset clause on the absorption or redeployment of Pyrethrum Board staff; and
  - ii. A mandatory audit of the Board’s assets and liabilities before dissolution.

## 2.6 Conclusions

16. The Pyrethrum (Repeal) Bill, 2024 seeks only to fold pyrethrum governance into the Crops Act (Cap 318) regime. Legally, this consolidates oversight and eliminates duplication, as stated by the Cabinet

Secretary. However, the success of the reform depends on careful transitional planning to avoid regulatory gaps, particularly concerning licences, contracts, and pricing mechanisms.

- 17.
18. If complemented by sound regulations and supportive policies, the reform offers opportunities for sector revitalization. Farmers, processors, and investors could benefit from streamlined regulation, while government avoids duplicative administrative costs. Nevertheless, vigilance is needed to safeguard the interests of all stakeholders during the transition.

## CHAPTER THREE

### 3.0 OVERVIEW OF THE PYRETHRUM (REPEAL) BILL, 2024 (NATIONAL ASSEMBLY BILL NO. 40 OF 2025)

#### 3.1 Introduction

19. The Bill seeks to repeal the Pyrethrum Act, 2013, on the grounds that it is inconsistent with the Crops Act, 2013, which already provides a harmonized framework for the regulation of scheduled crops. The repeal will therefore eliminate the conflict and duplication between the two statutes. The Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025) is sponsored by Hon. Kimani Ichung'wa, M.P., the Leader of the Majority Party.

#### 3.2 The principal objective

20. The principal objective of the Bill is to repeal the Pyrethrum Act (Cap. 340) on account of its inconsistency with the Crops Act (Cap. 318), which already provides a harmonized framework for the regulation of scheduled crops. The repeal is intended to resolve the conflicts and overlaps that currently exist between the two laws.

**Clause 1** of the Bill sets out the short title.

**Clause 2** of the Bill provides for the repeal of the Pyrethrum Act (Cap. 340).

21. Section 5 of the Crops Act (Cap. 318) provides that the Act applies to all scheduled crops listed in the First Schedule. Pyrethrum is expressly included under Part II of the First Schedule, which covers crops with breeding programmes under voluntary certification. Accordingly, pyrethrum falls squarely within the scope of the Crops Act. In addition, Section 4 of the Agriculture and Food Authority Act (Cap. 317) mandates the Agriculture and Food Authority to administer the Crops Act in consultation with county governments, thereby reinforcing the inclusion of pyrethrum under its regulatory mandate.
22. Section 3 of the Pyrethrum Act (Cap. 340) establishes the Pyrethrum Regulatory Authority as a body corporate with perpetual succession and a common seal, administered by a Board of Management under Section 6. Further, Section 7 provides for the appointment of a Chief Executive Officer. In light of these provisions, the Committee made the following observations.
23. The Bill does not contain any transitional clause addressing the status of the Pyrethrum Regulatory Authority or the position of the Chief Executive Officer, thereby creating uncertainty regarding their dissolution and the handling of related obligations.



## CHAPTER FOUR

### 4.0 PUBLIC PARTICIPATION/STAKEHOLDER CONSULTATION

Following the call for memoranda from the public through advertisements placed in the print media on 18th April, 2025, and pursuant to a letter Ref: NA/DDC/A&L/2025/022 dated 8th August, 2025 inviting stakeholders to a meeting, the Committee received submissions from the following stakeholders:

#### 4.1 Agriculture and Food Authority

Dr. Bruno Linyiru, the Director-General of the Agriculture and Food Authority (AFA), appearing on behalf of Dr. Kipronoh Ronoh, PhD, the Principal Secretary, State Department for Agriculture, appeared before the Committee on Friday, 15th August 2024 and submitted as follows:

25. Section 3 of the Pyrethrum Act, No. 22 of 2013 established the Pyrethrum Regulatory Authority, while Section 4 set out its functions. However, these functions substantially overlap with those of the Agriculture and Food Authority (AFA), established under the Agriculture and Food Authority Act, 2013. This dual regulatory framework has subjected the pyrethrum industry to oversight by two separate institutions and legal regimes, creating confusion, duplication, and inefficiencies.
26. To address this challenge, the Ministry of Agriculture and Livestock Development supports the Pyrethrum (Repeal) Bill, 2024, which proposes to streamline regulation by placing the industry exclusively under the AFA and the Crops Act, 2013. The intended outcome is to eliminate legal and institutional duplication, resolve regulatory conflicts, and tackle broader market, governance, and structural constraints that have historically hindered the growth and performance of the pyrethrum industry.

##### a. Historical and Legal Evolution of Pyrethrum in Kenya

27. The pyrethrum crop has been commercially exploited since the 1850s, when it was popularly traded as the *Dalmatian flower*. Before the discovery of DDT in the late 1940s, virtually all insecticides in use were natural products, primarily pyrethrum and nicotine.
28. Pyrethrum was introduced in Kenya in 1928. By 1935, production had reached 170 metric tonnes (MT), surpassing local demand and necessitating the search for export markets. In 1933, settler growers formed the Pyrethrum Growers' Association (PGA) to organize pyrethrum production for the international market.
29. The PGA was dissolved in 1936 following the establishment of the Pyrethrum Advisory Board (PAB) under the *Sale of Pyrethrum Ordinance of 1935*. The PAB was granted regulatory powers, including the sole authority to sell and distribute pyrethrum.
30. The *Pyrethrum Amendment Ordinance of 1938* created the Pyrethrum Board of Kenya (PBK), replacing the PAB. In 1964, the *Pyrethrum Act (Cap. 340)* amended the law, establishing two statutory bodies:

- **Pyrethrum Board of Kenya (PBK):** a growers' organization responsible for regulating pyrethrum cultivation and licensing dealers.
  - **Pyrethrum Marketing Board (PMB):** tasked with processing and marketing pyrethrum products.
31. However, running two boards proved financially burdensome to growers. Additionally, the Act placed excessive government control on the industry, making it unpopular. In 1977, the Act was amended again, merging the PBK and PMB into a single body, the Pyrethrum Board of Kenya.
32. In 2013, a private member's bill was passed as the *Pyrethrum Act No. 22 of 2013*. At the same time, the government consolidated agricultural laws, enacting both the *Agriculture and Food Authority Act (No. 13 of 2013)* and the *Crops Act (No. 16 of 2013)*. All three Acts were assented to on **14<sup>th</sup> January 2014**. While the *Agriculture and Food Authority Act* and the *Crops Act* were intended to regulate all scheduled crops (including pyrethrum), the *Pyrethrum Act, 2013* specifically focused on pyrethrum—resulting in duplication.
33. To address this conflict, the *Statute Law (Miscellaneous Amendments) Act (No. 7 of 2016)* amended the First Schedule to the *Agriculture and Food Authority Act, 2013*, inserting the Pyrethrum Regulatory Authority as a "former institution" for which the Agriculture and Food Authority (AFA) became the successor.

#### **b. Justification for the Repeal of the Pyrethrum Act, No. 22 of 2013**

34. Section 3 of the *Pyrethrum Act, 2013* established the Pyrethrum Regulatory Authority, while Section 4 outlined its functions. These functions overlapped with those of the AFA under the *Agriculture and Food Authority Act, 2013*. As a result, the pyrethrum industry has been subjected to regulation by two separate laws and institutions, creating confusion and inefficiencies.
35. To resolve this, the Ministry of Agriculture and Livestock Development supports the *Pyrethrum (Repeal) Bill, 2024*. The Bill seeks to:
- Streamline regulation by placing the pyrethrum industry solely under the AFA and the *Crops Act, 2013*.
  - Eliminate legal and regulatory duplication and conflict.
  - Address longstanding governance, market, and structural challenges that have hindered industry growth and performance.

#### **c. Legal and Regulatory Duplications and Conflicts**

36. The *Pyrethrum Act, No. 22 of 2013* creates a parallel and conflicting regulatory regime for pyrethrum, which is also regulated as a scheduled crop under the *Crops Act, 2013*. Several licensing, quality control, and regulatory provisions are mirrored in both Acts, resulting in confusion, duplication, and inefficiency. Regulatory oversight is fragmented between the Agriculture and Food

Authority (AFA) and the Pyrethrum Regulatory Authority (PRA), complicating compliance for stakeholders and enforcement by authorities.

Key areas of overlap include:

**i. Institutional Conflicts**

37. The existence of parallel institutions: the Pyrethrum Regulatory Authority (PRA), established under Section 3 of the Pyrethrum Act, and the Agriculture and Food Authority (AFA), established under Section 3 of the AFA Act.
38. Functional directorates within AFA are created under Section 11 of the AFA Act, resulting in duplication of roles between PRA and AFA.

**ii. Regulatory Mandate on Registration and Licensing**

39. Section 19 of the Pyrethrum Act provides for licensing and registration of pyrethrum dealers, processors, and commercial nursery operators by the PRA.
40. Sections 14, 15, and 16 of the Crops Act provide for registration of dealers in scheduled crops (including pyrethrum) by the AFA.
41. Sections 18 and 20 of the Crops Act empower AFA or county governments to issue licenses.

**iii. Validity of Licenses**

42. Section 20(3) of the Pyrethrum Act provides that a license is valid for five years.
43. Section 20(3) of the Crops Act states that a license remains valid until 30th June of the year of issue unless earlier canceled.

**iv. Dispute Resolution and Compliance**

44. The two Acts prescribe different mechanisms for dispute resolution between growers, dealers, and other stakeholders, creating uncertainty and inconsistency in enforcement.

**v. General Penalty**

45. Section 25 of the Pyrethrum Act prescribes a fine not exceeding KSh. 100,000 or imprisonment not exceeding one year (or both).
46. Section 37 of the Crops Act prescribes a higher penalty: a fine not exceeding KSh. 500,000 or imprisonment not exceeding one year (or both).

## vi. Administrative Efficiency and Service Delivery

47. Parallel institutions established under multiple Acts create administrative burdens, duplication of functions, and confusion in stakeholder engagement. Repealing the Pyrethrum Act will simplify institutional arrangements by consolidating regulatory, promotional, and developmental functions within the AFA and the Crops Act framework. This will enhance efficiency, coordination, and service delivery in the pyrethrum sub-sector.

## vii. Economic and Developmental Significance

48. Pyrethrum remains one of Kenya's key cash crops with strong potential to contribute significantly to:
- Export earnings** – Kenya has historically dominated global pyrethrum markets.
  - Job creation** – both directly in farming and processing, and indirectly through related value chains.
  - Industrial growth and national income** – aligned with Vision 2030 development objectives.
  - Environmental sustainability** – pyrethrum-derived insecticides provide natural and safer alternatives to synthetic chemical pesticides.
49. Enacting the Pyrethrum (Repeal) Bill, 2024 is essential to eliminate the legal conflicts and regulatory duplication caused by the coexistence of the Pyrethrum Act and the Crops Act. The provisions of the Crops Act (Cap. 318) and the Agriculture and Food Authority Act (Cap. 317) are sufficient to regulate the pyrethrum sub-sector.
50. The repeal will also pave the way for the enactment of Crops (Pyrethrum) Regulations under the Crops Act to govern the industry. This approach aligns with:
- The Government policy directive of 2013 to merge agricultural regulatory bodies into AFA.
  - The recommendations of the Presidential Task Force on Parastatal Reforms (2013).
  - The Cabinet directive of 21st January 2025 on merger of state agencies to streamline government operations, reduce waste, and curb inefficiencies.
51. Ultimately, repeal of the Pyrethrum Act will enable revitalization of the pyrethrum industry, restore its economic significance, improve farmer livelihoods, and support Kenya's broader agricultural development and Vision 2030 goals.

## Committee Observation/Recommendation

**The proposal to repeal the Pyrethrum Act was adopted by the Committee after presentation from Agriculture and Food Authority and the Pyrethrum Processing Company. It was clarified that the Pyrethrum Act is currently not being implemented because Agriculture and Food Authority is undertaking the regulatory function while Pyrethrum Processing Company on the other hand is a private entity that deals in**

commercial operation. It was further clarified that all the staff of pyrethrum are paid salaries by AFA and so none of the employees risk losing their jobs.

#### 4.2 The Pyrethrum Processing Company of Kenya

52. Ms. Carolyn Imbuaga, the Acting Chief Executive Officer, Pyrethrum Processing Company of Kenya (PPCK), supported the State Department's submission to repeal the Pyrethrum Bill. She highlighted that PPCK is a state-owned company responsible for the commercial aspects of Kenya's pyrethrum industry. This structure, separating commercial from regulatory functions, was established during agricultural sector reforms. The mandate of the Pyrethrum Processing Company of Kenya includes:

- **Producing and supplying high-quality pyrethrum planting materials:** This includes seeds and plantlets to help farmers grow the crop.
- **Purchasing dry flowers from growers:** PPCK provides a market for farmers' pyrethrum flowers.
- **Processing and marketing value-added products:** The company processes the flowers into products like pyrethrum extract, which is used to produce natural pesticides. It then markets these products.
- **Providing technical and scientific services:** This involves research and extension services to support farmers and the overall industry

## CHAPTER FIVE

### 5.0 COMMITTEE OBSERVATIONS

Having considered the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 Of 2025) the Committee observed as follows:

1. Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 Of 2025) aims to repeal the Pyrethrum Act of 2013, to address conflicts with the Crops Act and removing duplication of legislation.
2. All staff of the former Pyrethrum Board were absorbed by the Agriculture and Food Authority (AFA) as part of the transition in the agricultural sector's governance. The Bill does not directly impact their employment status, as they are already integrated into the AFA. The repeal of the Pyrethrum Act of 2013 and the Pyrethrum (Repeal) Bill, 2024, is aimed at administrative efficiency and streamlining regulation, not at changing the employment status of these individuals. This is because the employees were already moved to a different governing body.
3. The Pyrethrum Company of Kenya (PPCK) has faced significant and long-standing challenges that have hindered its operations and led to a dramatic decline in the country's pyrethrum industry. Once a dominant global producer, Kenya's pyrethrum sector has struggled due to a combination of institutional, financial, and production-related issues.

**CHAPTER SIX**

**6.0 COMMITTEE RECOMMENDATION**

Having reviewed the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025, the Committee recommends that the House **approves the Bill without amendments.**

SIGNED.......... DATE..........  
**HON. (DR.) JOHN KANYUTHIA MUTUNGA, PhD, CBS, MP**  
**CHAIRPERSON,**  
**DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK**



## REFERENCES

1. <https://www.afa.go.ke/>
2. <https://kenyalaw.org/kl/>
3. Crops Act and Pyrethrum Act (Kenya Laws).
4. Ministry of Agriculture and AFA communications and reports.

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 153 (National Assembly Bills No. 40)*



REPUBLIC OF KENYA

**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2024**

**NAIROBI, 5th August, 2024**

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18 SEP 2011  
DIRECTOR LEGAL SERVICES  
P. O. Box 41842-00100 NAIROBI

**THE PYRETHRUM (REPEAL) BILL, 2024**

**A Bill for**

**AN ACT of Parliament to repeal the Pyrethrum Act;  
and for connected purposes**

**ENACTED** by the Parliament of Kenya, as follows—

1. This Act may be cited as Pyrethrum (Repeal) Act, 2024. Short title.
2. The Pyrethrum Act is repealed. Repeal of No.  
Cap. 250.

**MEMORANDUM OF OBJECTS AND REASONS**

The Bill proposes to repeal the Pyrethrum Act (Cap. 340) because it is inconsistent with the provisions of the Crops Act (Cap. 318) which provides for similar matters within the context of the harmonized regulation of scheduled crops under one legislative framework. The repeal of the Pyrethrum Act will, therefore, address the conflict between the Act and the provisions of the Crops Act.

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

The Bill does not delegate legislative powers and does not limit fundamental rights and freedoms.

**Statement on whether the Bill concerns county governments**

The Bill does not affect the functions and powers of county governments, and is therefore not a Bill concerning counties within the meaning of Article 110 of the Constitution and the Standing Orders.

**Statement on the financial implications of the Bill**

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 9th July, 2024.

KIMANI ICHUNG'WAH,  
*Leader of the Majority Party.*



**THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025**

**DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK**

**ADOPTION SCHEDULE**

We, the undersigned Honorable Members of the Departmental Committee on Agriculture and Livestock today, Saturday, 16<sup>th</sup> August 2025 do hereby affix our signatures to this **Report on the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 Of 2025)** to affirm our approval and confirm its accuracy, validity and authenticity:

S/NO.	NAME	SIGNATURE
1.	HON. (DR.) JOHN KANYUITHIA MUTUNGA, PhD, CBS, MP - <b>CHAIRPERSON</b>	
2.	HON. BRIGHTON LEONARD YEGON, MP - <b>VICE-CHAIRPERSON</b>	
3.	HON. SABINA WANJIRU CHEGE, CBS, MP	
4.	HON. FERDINAND KEVIN WANYONYI, MP	
5.	HON. GEOFFREY MAKOKHA ODANGA, MP	
6.	HON. JUSTICE KIPSANG KEMEI, MP	
7.	HON. JARED ODOYO OKELO, MP	
8.	HON. LAWRENCE MPURU ABURI, MP	
9.	HON. DAVID KIPLAGAT, MP	
10.	HON. GABRIEL GATHUKA KAGOMBE, MP	
11.	HON. MONICAH MUTHONI MARUBU, MP	
12.	HON. PATRICK KIBAGENDI OSERO, MP	
13.	HON. YUSSUF MOHAMED FARAH, MP	
14.	HON. JOHN OKWISIA MAKALI, MP	
15.	HON. RUTH ADHIAMBO BUSIA ODINGA, MP	

# National News

Bad bet Lawmakers expressed concern over the numerous cases of students gambling with their school fees

## MPs move to tame gambling frenzy

House team to present report on the operations of betting and gaming firms next Thursday

BY SAMWEL OWINO

The National Assembly has launched investigations into the operations of betting and gaming companies in the country in a bid to curb the vice that has taken a toll on the nation's youth.

The National Assembly Committee on Finance and National Planning is expected to present a report on the operations of the betting and gaming companies next Thursday, with lawmakers demanding critical details of their activities.

Speaker of the National Assembly, Moses Wetang'ula, directed the committee, chaired by Molo MP Kimani Kuria, to submit its report next week on the betting craze, which he regretted had adversely affected many people



Gilgil MP Martha Wangari. FILE NATION

across the country.

"I know people who have been affected by this betting. The committee should endeavour to table a report in this House on Thursday next week," Mr Wetang'ula said.

The issue was raised by Gilgil MP Martha Wangari, who specifically mentioned a betting game known as Aviator, which she said was being heavily advertised on

one of the popular local radio stations.

Ms Wangari stated that Aviator gambling has been widely promoted in the local media and is now strangling the livelihoods of families in both rural and urban areas.

The lawmaker noted that while the practice is particularly popular among young people, both men and women are also deep-

### THE NUMBERS Gun on bookmakers

Data from KRA indicates that in the eight months to March this year, the authority collected Sh12 billion in taxes from betting companies. Statistics show that Kenyans spent Sh766 billion on betting last year - an average of Sh2.1 billion a day, or over Sh24,000 every second.

the youth and has left many of them destitute," she said.

MPs expressed concern that gaming activities hyped on local TV stations promise instant winnings with minimal effort, and that one does not need any knowledge of football or any team to participate in the game.

As part of the Finance Committee's investigations, lawmakers now want the government to clarify the legal status of Aviator gambling in Kenya, the taxes and revenues collected from all betting and gambling activities, and to provide statistics through the Ministry of Planning on how much Kenyans spend annually on such activities.

Additionally, the committee will inform the House of the measures being taken by the Betting Control and Licensing Board to regulate the proliferation of advertisements - across audio, visual, and print media - related to Aviator and other betting games.

The Betting Control and Licensing Board is also expected to provide the Finance Committee with information on all ongoing and completed disciplinary cas-

es involving errant betting and gaming companies and media outlets over the past year.

This move to rein in the country's betting craze comes at a time when data shows a growing number of Kenyans are deeply engaged in gambling.

According to a GeoPoll report titled Betting in Africa 2024, 83 per cent of Kenyans surveyed admitted to having placed a bet.

Currently, the betting industry is subject to an excise tax of 15 per cent on stakes, a withholding tax of 20 per cent on net winnings, and a betting and gaming tax of 50 per cent.

Betting companies are taxed on gross gaming revenue (i.e. turnover less winnings paid out), in addition to paying corporation tax on profits.

Data from the Kenya Revenue Authority (KRA) indicates that in the eight months to March this year, the authority collected Sh12 billion in taxes from betting companies.

Statistics show that Kenyans spent Sh766 billion on betting last year - an average of Sh2.1 billion a day, or over Sh24,000 every second.

ly involved.

Lawmakers expressed concern over the numerous cases of students gambling with their school fees and parents depleting their savings to participate. Ms Wangari added that there has been a surge in the registration of gambling companies in the country recently, with advertisements frequently aired on mainstream media during prime time.

"This game of chance called Aviator, in which a virtual plane flies and carries odds for the players, has become addictive among



### THIRTEENTH PARLIAMENT- FOURTH SESSION (2025) THE NATIONAL ASSEMBLY

IN THE MATTER OF ARTICLE 118 (1)(b) OF THE CONSTITUTION

AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF THE PYRETHRUM (REPEAL) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2024)

#### INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1) (b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees, and National Assembly Standing Order 127(3) requires House Committees considering Bills to facilitate public participation;

AND WHEREAS, the Pyrethrum (Repeal) Bill (National Assembly Bill No. 40 of 2024) was read a First Time on Tuesday, 8<sup>th</sup> April, 2025 and thereafter referred to the Departmental Committee on Agriculture and Livestock for consideration and reporting to the House.

IT IS NOTIFIED that the Pyrethrum (Repeal) Bill (National Assembly Bills No. 40 of 2024) is sponsored by the Leader of the Majority Party and seeks to repeal the Pyrethrum Act, Cap. 340 that is inconsistent with the harmonization of the regulation of scheduled crops under one legislative framework in the Crops Act, Cap. 318. The repeal of the Pyrethrum Act (Cap. 340) shall address the conflict between the Act and the provisions of the Crops Act, Cap. 318.

NOW THEREFORE, in compliance with Article 118(1) (b) of the Constitution and National Assembly Standing Order 127(3), the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bill to the Departmental Committee on Agriculture and Livestock.

A copy of the Bill is available at the National Assembly Table Office, Main Parliament Building, and on [www.parliament.go.ke/the-national-assembly/house-business/bills](http://www.parliament.go.ke/the-national-assembly/house-business/bills).

The memoranda may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Building, Nairobi; or emailed to [cna@parliament.go.ke](mailto:cna@parliament.go.ke) to be received on or before Friday, 9<sup>th</sup> May, 2025 at 5.00p.m.

S. NJOROGE, CBS  
CLERK OF THE NATIONAL ASSEMBLY  
18<sup>th</sup> April, 2025

"For the Welfare of Society and the just Government of the People"



### THIRTEENTH PARLIAMENT- FOURTH SESSION (2025) THE NATIONAL ASSEMBLY

IN THE MATTER OF ARTICLE 118 (1)(b) OF THE CONSTITUTION

AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF:

1. THE TEACHERS SERVICE COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2024); AND
2. THE KENYA ROADS (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2025).

#### INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1)(b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and Standing Order 127(3) of the National Assembly Standing Orders requires House Committees considering Bills to facilitate public participation;

AND WHEREAS, the Teachers Service Commission (Amendment) Bill (National Assembly Bill No. 27 of 2024) and the Kenya Roads (Amendment) (No. 2) Bill (National Assembly Bill No. 16 of 2025) have been read a First Time and referred to the relevant Departmental Committees for consideration and reporting back to the House.

IT IS NOTIFIED that—

- (1) The Teachers Service Commission (Amendment) Bill (National Assembly Bill No. 27 of 2024) is a Bill sponsored by Hon. Abdul Haro, MP that seeks to amend the Teachers Service Commission Act, Cap. 212 to provide for predictability and certainty in the management of allowances in the teaching profession and to entrench fairness in career progression for teachers.
- (2) The Kenya Roads (Amendment) (No. 2) Bill (National Assembly Bill No. 16 of 2025) is a Bill sponsored by the Leader of Majority Party that seeks to amend section 13 of the Kenya Roads Act, Cap. 408, to align the Act with the Mwongozo Code of governance for State Corporations by limiting the term of office of the Director General of each roads agency to a period of three years, renewable once.

NOW THEREFORE, in compliance with Article 118(1) (b) of the Constitution and National Assembly Standing Order 127(3), the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bills to the respective Departmental Committees as listed below—

NO.	BILL	COMMITTEE
1.	The Teachers Service Commission (Amendment) Bill (National Assembly Bill No. 27 of 2024)	Education
2.	The Kenya Roads (Amendment) (No. 2) Bill (National Assembly Bill No. 16 of 2025)	Transport and Infrastructure

Copies of the Bills are available at the National Assembly Table Office, Main Parliament Building, and on [www.parliament.go.ke/the-national-assembly/house-business/bills](http://www.parliament.go.ke/the-national-assembly/house-business/bills).

The memoranda may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Building, Nairobi; or emailed to [cna@parliament.go.ke](mailto:cna@parliament.go.ke) to be received on or before Friday, 9<sup>th</sup> May, 2025 at 5.00 p.m.

S. NJOROGE, CBS  
CLERK OF THE NATIONAL ASSEMBLY  
18<sup>th</sup> April, 2025

"For the Welfare of Society and the just Government of the People"



**REPUBLIC OF KENYA**

**THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025**

**DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**MINUTES OF THE 22<sup>ND</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON  
AGRICULTURE AND LIVESTOCK HELD ON TUESDAY, 10<sup>TH</sup> JUNE 2025 IN  
BUNGE TOWER, 3<sup>RD</sup> FLOOR, COMMITTEE ROOM 18/19, PARLIAMENT AT  
10.00 AM**

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**PRESENT**

- |   |   |                         |
|---|---|-------------------------|
| 1. Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP | - | <b>Chairperson</b>      |
| 2. Hon. Brighton Leonard Yegon, MP                  | - | <b>Vice-Chairperson</b> |
| 3. Hon. Sabina Wanjiru Chege, CBS, MP               |   |                         |
| 4. Hon. Justice Kipsang Kemei, MP                   |   |                         |
| 5. Hon. Geoffrey Makokha Odanga, MP                 |   |                         |
| 6. Hon. Jared Odoyo Okelo, MP                       |   |                         |
| 7. Hon. David Kiplagat, MP                          |   |                         |
| 8. Hon. Gabriel Gathuka Kagombe, MP                 |   |                         |
| 9. Hon. Yussuf Mohamed Farah, MP                    |   |                         |
| 10. Hon. Monicah Muthoni Marubu, MP                 |   |                         |

**ABSENT WITH APOLOGY**

1. Hon. Ferdinand Kevin Wanyonyi, MP
2. Hon. Patrick Kibagendi Osero, MP
3. Hon. John Okwisia Makali, MP
4. Hon. Ruth Adhiambo Busia Odinga, MP
5. Hon. Lawrence Mpuru Aburi, MP

**IN ATTENDANCE**

**COMMITTEE SECRETARIAT**

- |                         |   |                             |
|-------------------------|---|-----------------------------|
| 1. Mr. Nicodemus Maluki | - | Clerk Assistant I           |
| 2. Mr. Ahmednoor Hassan | - | Clerk Assistant III         |
| 3. Mr. Shadrack Musyoki | - | Senior Research Officer     |
| 4. CPA Robert Ng'etich  | - | Fiscal Analyst I            |
| 5. Mr. Brigitta Mati    | - | Legal Counsel I             |
| 6. Ms. Edith Chepngeno  | - | Media Relations Officer III |

- |                         |   |                  |
|-------------------------|---|------------------|
| 7. Ms. Jacinta Maru     | - | Serjeant-at-Arms |
| 8. Ms. Rehema Jepkoech  | - | Audio Assistant  |
| 9. Ms. Teresia Macharia | - | Intern           |

## **STAKEHOLDERS**

### **Kenya Tea Development Association (KTDA)**

- |                          |   |                         |
|--------------------------|---|-------------------------|
| 1. Mr. Chege Kirundi     | - | Chairperson             |
| 2. Mr. Simeon Rugutt     | - | Finance Director        |
| 3. Mr. John Wasusana     | - | Board Member            |
| 4. Ms. Catherine Mankura | - | Board Member            |
| 5. Mr. Omweno Ombasa     | - | Board Member (Zone 2)   |
| 6. Mr. James Githinji    | - | Board Member (Zone 2)   |
| 7. Mr. Enos Njeru        | - | Board Member (Zone 6)   |
| 8. Mr. Arioi Vincent     | - | Board Member (Zone 10)  |
| 9. Mr. Francis Wanjau    | - | Board Member (Zone 12)  |
| 10. Mr. Collins Bett     | - | Managing Director       |
| 11. Mr. Mathew Odero     | - | Group Company Secretary |

### **Tea Board of Kenya (TBK)**

- |                     |   |                         |
|---------------------|---|-------------------------|
| 1. Ms. Peris Mudida | - | Director Legal Services |
| 2. Mr. John Kariuki | - | Head of Finance         |

### **Kenya Tea Growers Association (KTGA)**

- |                  |   |                         |
|------------------|---|-------------------------|
| Ms. Linda Oluoch | - | Chief Executive Officer |
|------------------|---|-------------------------|

### **East Africa Tea Traders Association (EATTA)**

- |                      |   |                   |
|----------------------|---|-------------------|
| 1. Mr. Abdi Hussein  | - | Chairman          |
| 2. Mr. George Omunga | - | Managing Director |

### **Kenya Agriculture and Livestock Research Organization (KALRO)**

- |                  |   |                    |
|------------------|---|--------------------|
| Ms. Lilian Kerfo | - | Institute Director |
|------------------|---|--------------------|

## **AGENDA**

1. Prayers
2. Preliminaries/Adoption of the Agenda
3. Confirmation of Minutes
4. Matters Arising
5. Confirmation of Minutes
6. **Submission of Memoranda by Stakeholders on the Tea (Amendment) Bill (Senate Bill No. 1 of 2023)**
7. Any other Business
8. Adjournment/Date of the Next Sitting

### **MIN. NO. NA/A&L/2025/096:**

### **PRELIMINARIES/ADOPTION OF THE AGENDA**

The Chairperson called the meeting to order at 10:22 am with a word of prayer. He thereafter requested all present to make a self- introduction.

The Agenda was adopted having being proposed and seconded by the Hon. Geoffrey Odanga, MP and the Hon. Justice Kemei, MP respectively.

### **MIN. NO. NA/A&L/2025/097:**

### **CONFIRMATION OF MINUTES**

The Agenda was deferred.

### **MIN. NO. NA/A&L/2025/098:**

### **SUBMISSION OF MEMORANDA BY STAKEHOLDERS ON THE TEA (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2023)**

The Chairperson invited the stakeholders to make their submissions on the Bill in the following order;

1. Kenya Tea Development Association (KTDA)
2. Tea Board of Kenya (TBK)
3. Kenya Tea Growers' Association (KTGA)
4. East Africa Tea Traders Association (EATTA)
5. Kenya Agriculture and Livestock Research Organization (KALRO)

#### **1. Kenya Tea Development Association (KTDA)**

Mr. Chege Kirundi, the Chairperson Kenya Tea Development Association (KTDA) in the company of other Board Members appeared before the Committee and submitted that proposals of all the Zones were incorporated in the Association's memorandum as follows;

- a. Amend Section 2 of the Tea Act, 2020 to read "tea factory limited company means a tea factory company collectively owned through shares by small scale tea growers, medium scale tea growers and large-scale growers." The justification for this, was that the large-scale tea growers were not included in the definition in the Act and this led to ambiguity, regulatory loopholes and inequitable treatment among the classes of growers.
- b. Section 7 (f) be amended by deleting the words "four persons, two..." and replacing thereof with "six persons, three..." The Association stated that the representation of the small holder was inadequate compared to their areas of coverage.
- c. The Association proposed that Section 22 be deleted in its entirety. This Section provides for the maximum number of memberships of the Board to be five (5).

The justification for this is that the membership of the Board should not be limited by the Act in order to cater for considerations such as the geographical location, turn-over, flexibility in the management and shareholding in the tea factory companies.

- d. Amend the Bill by deleting Clause 34 A (2) which seeks to register tea for export markets. KTDA was of the view that this would cause delay in export of tea due to bottlenecks and that there would be duplication of roles since the registration of tea for export is currently carried out by other government institutions such as the Kenya Plant Health Inspectorate service (KEPHIS).
- e. Amend Clause 13 (2) of the Bill to read; "the prices offered for direct sales shall be sold at a price above the average price recorded at the auction within the three months preceding the sale." KTDA gave the reason that the provision, as contained in the Bill, runs the risk of limiting flexibility by tying direct sales to the highest auction prices and that direct sales offer buyers and exporters flexibility to negotiate prices based on market conditions.
- f. Delete Section 34 (9) in its entirety. The election and number of directors of a company are governed by the Companies Act of 2015.
- g. Amend Section 36 (3) to read; "The Cabinet Secretary shall, in consultation with Council of Governors, prescribe regulations for the procedure of the direct sale of tea." KTDA was of the view that the Council of Governors is the representative of all County Governments and the input provided by the Council with regard to the direct sale of tea shall suffice for purposes of uniformity.
- h. KTDA proposed the deletion of Section 36 (6) on the grounds that there would be lack of uniformity in the Sector with regards to the payment to tea growers as there will be a variation the amounts payable per factory.
- i. Amend Clause 36 (8) to have Mombasa Tea Auction as the sole auction centre. The rationale behind this is to avoid multiple auction centres that may lead to tea market segmenting and different prices.
- j. Delete Section 53 with the reason that the amount payable to the farmer is negligible compared to the amount payable as levy.

## **2. Tea Board of Kenya (TBK)**

The Tea Board of Kenya (TBK) was in concurrence with all the amendments that were proposed by the Kenya Tea Development Association (KTDA).

## **3. Kenya Tea Growers Association (KTGA)**

### **4. Ms. Lindah Ogutu, the CEO of the Association, made the submissions on the proposed Tea (Amendment) Bill (Senate Bill No. 1 of 2023) as follows:**

- a. Proposal to maintain the definition of "value addition" as contained in the Principal Act in order to incentivize value addition.
- b. Amend by Inserting Clause 23 (2); 'Procedure of transfer of large-scale tea holding.' This is because additional requirements for transfer of tea enterprise without appropriate justification presents additional restrictions to the attractiveness of the industry to investors.
- c. KTGA was in support of Clause 11 that seeks to introduce Section 34 A. The justification for this is that the re-opening of direct sales will open up avenues for tea trade and sales. It will further enable establishment of long-term market linkages for sustainable supply of Kenya teas to strategic markets.

- d. Delete sub-clause (8) and maintain the clause in the Tea Act at section 36(7) which allows for competitiveness and disclosure of auction rules by the organizer to the Board. The justification provided was that the disruption of the existing auction will destabilize the sector trade and occasion loss of competitive advantages of a centralized, conveniently located auction attracting multiple buyers globally and suitably located to the regional logistics hub at the port of Mombasa.
- e. Delete Clause 14 with the reason that sufficient provisions exist in County Licensing laws and the Public Finance Management Act.
- f. Delete the prescriptiveness as provided for by Clause
- g. Delete the proposed Clause 36A (2). There already exist procedures for direct sales and disclosures.
- h. Delete 36 A (3) to avoid anti-competitive prescriptiveness as the Competition Act already provides for adequate mechanisms for monitoring of price competitiveness and consumer protection.
- i. Section 53 of the Principal Act; Delete the phrase “packed into packets or containers holding not more than ten kilograms” in the proposed sub-clause (2A) as per justifications above so that the exemption is applicable to all value-added teas. This will overall, incentivize value addition ventures.

## 5. East Africa Tea Traders Association (EATTA)

- a. Proposal to amend Clause 6 to exclude “Export Processing Zones” (EPZ) as it is adequately provided for under EPZ Act and its inclusion would lead to contradiction between the two pieces of legislations.
- b. EATTA supported the amendment of Section 32 of the Tea Act, 2020 by deleting the words “limited company” appearing immediately after the words “a tea factory.” The justification for this is that one of this was one contentious issues that were before court and a consent upon with Tea Board of Kenya in the consent document signed in Court, the same should be deleted from the Tea (Amendment) Bill, 2023 and limited to Tea Regulations in Section 74 (b) where the issue of the registration of the tea Brokers and their remunerations should be discussed and agreed by the various parties.
- c. Section 34(3)(a) and 34(4) of the Principal Act should be deleted and addressed under the regulations in sections 74 (b) and (c) on page 15 of the Tea (Amendment) Act 2023.
- d. EATTA was in concurrence with Clause 10 (b) with the reason that a tea factory can be allowed to register with the auction organizer or participate in the auction through the management agent.
- e. EATTA also proposed that the current centralized Regional Auction system based in Mombasa be maintained so as to reap the full benefits and economies of scale and regional integration for the Tea Industry.
- f. Clause 36 A; The stipulation of a price for the direct sale of tea was anti-competition and could be unduly prejudicial to tea producers for the following reasons;
  - i. It failed to take into consideration the global market dynamics which may enable realization of better prices at any subsequent auction; and could effectively, restrict price discovery by producers through stipulating an “acceptable/ceiling price” for the teas.
  - ii. The requirement disregarded that; Some teas are produced for special orders of direct buyers overseas and therefore attract much higher, premium prices due to the customer specifications. This stipulation of

prices would restrict price discovery for forward contracts, a critical avenue for marketing of Kenyan teas. It was unclear whether all teas could be required to be presented at the Auction floor for the assessment of the price. If so, this will increase logistical and administrative costs and occasion marketing and trade inefficiencies.

- iii. The proposal was unduly prejudicial to processors of tea as businesses that should have freedom to sell their tea at an appropriate price/set price to ensure the business remains sustainable.
- iv. This price stipulation would restrict free trade and reduce competitiveness of Kenyan teas against other regional producers.

#### 6. Kenya Agriculture and Livestock Research Organization (KALRO)

The Organization, through its representatives, informed the Committee of its concurrence with the memoranda submitted by other stakeholders. However, the representatives emphasized the need for the legislative process to prioritize and enhance research within the tea sector. They highlighted the role of the Kenya Agricultural and Livestock Research Organization (KALRO) in the development of various tea varieties, including the commercially viable purple tea, as a testament to the importance of sustained investment in agricultural research.

#### Committee Deliberations

Upon analysis of the memoranda submitted by stakeholders, the Committee identified the following key issues for consideration:

1. **Regulation of Board Membership:** Whether the number of members of the Board of Directors in tea companies should be regulated, particularly in light of the fact that these companies are registered under the Companies Act, 2015.
2. **Direct Sales Procedures:** Whether the Bill should explicitly provide for the pricing and procedures related to direct sales, or whether such details should be addressed through subsidiary legislation (regulations).
3. **Auction Centers:** Whether multiple auction centers should be established to decentralize tea marketing or if the existing auction centers in Mombasa should remain the sole auction facility to ensure price uniformity and stability.
4. **Conflict of Interest:** Whether a conflict of interest arises when a director of a tea factory concurrently serves as a director of another company that has a direct or indirect commercial relationship with the tea factory.

MIN. NO. NA/A&L/2025/095:

ADJOURNMENT/DATE OF THE NEXT MEETING

There being no other business, the Chairperson adjourned the meeting at quarter to one O'clock. The next meeting will be held on notice.

SIGNED: .....

DATE: .....

22/07/2025

HON. (DR.) JOHN KANYUITHIA MUTUNGA, PhD, CBS, MP  
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON AGRICULTURE &  
LIVESTOCK



## THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025

### DIRECTORATE OF DEPARTMENTAL COMMITTEES

#### MINUTES OF THE 12<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK HELD ON TUESDAY, 8<sup>TH</sup> APRIL 2025 IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDING AT 9.30 AM

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#### PRESENT

- |   |   |                         |
|---|---|-------------------------|
| 1. Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP | - | <b>Chairperson</b>      |
| 2. Hon. Brighton Leonard Yegon, MP                  | - | <b>Vice-Chairperson</b> |
| 3. Hon. Sabina Wanjiru Chege, CBS, MP               |   |                         |
| 4. Hon. Ferdinand Kevin Wanyonyi, MP                |   |                         |
| 5. Hon. Justice Kipsang Kemei, MP                   |   |                         |
| 6. Hon. Lawrence Mpuru Aburi, MP                    |   |                         |
| 7. Hon. Gabriel Gathuka Kagombe, MP                 |   |                         |
| 8. Hon. Monicah Muthoni Marubu, MP                  |   |                         |
| 9. Hon. Patrick Kibagendi Osero, MP                 |   |                         |
| 10. Hon. Ruth Adhiambo Busia Odinga, MP             |   |                         |

#### ABSENT WITH APOLOGY

1. Hon. Geoffrey Makokha Odanga, MP
2. Hon. Jared Odoyo Okelo, MP
3. Hon. David Kiplagat, MP
4. Hon. Yussuf Mohamed Farah, MP
5. Hon. John Okwisa Makali, MP

#### IN ATTENDANCE

#### COMMITTEE SECRETARIAT

- |                         |   |                         |
|-------------------------|---|-------------------------|
| 1. Mr. Victor K. Kilimo | - | Clerk Assistant III     |
| 2. Mr. Shadrack Musyoki | - | Senior Research Officer |
| 3. Mr. Gerald Kadede    | - | Legal Counsel II        |
| 4. Ms. Jacinta Maru     | - | Serjeant-at-Arms        |
| 5. Dickson O. Oloo      | - | Audio Assistant         |

#### AGENDA

1. Prayers
2. Preliminaries/Adoption of the Agenda

3. Confirmation of Minutes
4. Matters Arising
5. Confirmation of Minutes
6. **Briefing on the Tea (Amendment) Bill, 2023**
7. Any other Business
8. Adjournment/Date of the Next Sitting

**MIN. NO. NA/A&L/2025/053: PRELIMINARIES/ADOPTION OF THE AGENDA**

The meeting was called to order at ten O'clock with prayer said by the Chairperson.

The Agenda was adopted having been proposed by Hon. Justice Kipsang Kemei, MP and seconded by Hon. Monicah Muthoni Marubu, MP.

**MIN. NO. NA/A&L/2025/054: CONFIRMATION OF MINUTES**

This Agenda was differed.

**MIN. NO. NA/A&L/2025/055: BRIEFING ON THE TEA (AMENDMENT) BILL, 2023**

The Chairperson invited the Secretariat to brief the Committee on the Tea (Amendment) Bill, 2023.

The meeting was briefed as follows, THAT:

**Legal Brief**

The principal objective of the Bill is to amend certain provisions of the Tea Act, Cap. 343, to protect the tea growers' proceeds from mismanagement by factories. The Bill also seeks to incentivise value addition of tea by exempting value added tea from paying the tea levy. It further seeks to liberalize the tea industry through direct sale of tea overseas.

**Merits of the Tea Amendment Bill, 2023**

The Bill seeks to address several concerns raised by stakeholders in the tea industry as follows:

1. **Accumulation of unsold tea stockpiles and the need for direct tea sales by factories:** The Bill introduces provisions for direct sales of tea, allowing licensed factories or entities representing growers to engage in direct sales. Further, it allows all processed and manufactured tea for export to be offered for sale at the tea auction floor (Clauses 34A, 36(1), and 36A (1)). The CS responsible for matters relating to agriculture will be required, in consultation with county governments to prescribe regulations for the procedure of direct sales of tea.
2. **Participation of factories in direct tea sales:** The Bill hands the licensed factories the opportunity to undertake direct sales in Kenya or overseas, and also to participate in the tea auction.

3. **Minimum Reserve Price:** Section 36A (2) provides that the prices offered at the direct sales shall be competitive and shall be sold at a price above the highest price recorded at the auction within the three months preceding the sale.
4. **Tea delivery logistics that have led tea farmers to pluck their tea in the evening:** Section 37(1) is amended to ensure that commercial green leaf transporters register with county governments and not the Board. Under clause 37(3), County Assemblies will enact legislation on the procedure for registration of commercial green leaf transporters and the appeal process in case of denial of registration.
5. **Tea proceeds management to ensure a Direct Settlement system so that tea farmers are paid once the brokers have received proceeds from tea sales:** the Bill amends section 36(5) to ensure that farmers are paid within 14 days from the date of the tea auction. Direct Settlement is defined as one that supports a banking facility provided by a commercial bank regulated by the Central Bank of Kenya for the clearing and settlement of tea sales proceeds.
6. **The request for another tea auction to be opened in the West Rift or the region to be allocated equitable representation at Mombasa tea auction:** Under clause 36(8) the CS responsible for agriculture in consultation with county governments are required to prescribe regulations for the procedure for auction of sales of tea and for the establishment of auction centres in the tea growing counties.
7. **Need for scientific tea testing and Research:** 40% of the tea levy collected to be remitted directly to the Tea Research Foundation for the execution of the functions of the foundation
8. **Exemption from Tea Levy to incentivise value-addition and diversification:** the Bill amends section 53 of the Tea Act by inserting subsection (2A) so as to exempt specialty and value-added teas packed in not more than 10 kg packs from payment of the Tea Levy. It further amends section 53(5) to apportion the Tea Levy such that 60 per cent is allocated to the Tea Board of Kenya (TBK) and 40 per cent to the Tea Research Foundation, leaving out price stabilization and infrastructure.

#### **Gaps not addressed by the Bill (Raised by the Farmers)**

1. Concerns regarding high taxation by both levels of government as the Kenya Tea Development Authority (KTDA) and county governments overcharge farmers by imposing numerous charges as levies, management fees, transport fees, and consultancy fees.
2. Concerns were raised against KTDA's marketing structures and unfair trade practices that allow manual bids instead of electronic bids.
3. Issues concerning conflict of interest by management of TBK and factories, including the outsourcing of services.
4. Mechanisms for access to cheap sources of power following the reported stalling of the majority of hydroelectric power projects.
5. Continuous improvement on the energy efficiency of factory machinery and equipment through adoption of better gadgets and processes.

6. High labour rates driven by Collective Bargaining Agreements negotiated with KPAWU on behalf of the tea factories.
7. High operational costs for factories in the West Rift and reasons for the stalling of power projects have not been addressed by the Bill.
8. The need to reduce the 1.5 per cent per kilogram charge imposed by East Africa Tea Trade Association brokers, as it is much higher than the global average charged per kilogram of made tea.
9. The need to reduce the number of electoral zones and the number of directors per factory.
10. Modernization of aging machinery (processing plants becoming obsolete, causing higher operational and maintenance costs.
11. Forensic audit of factory assets and loans.
12. Tea farmers' concerns regarding payment of fertilizer suspense at (Kshs. 1.5) while the fertilizer subsidy does not benefit them.

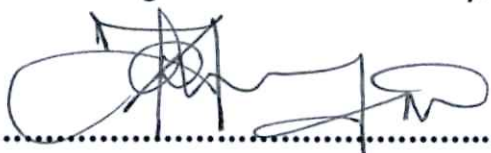
#### **Committee Deliberations**

1. The Legal Counsel was tasked to develop a table of all fees and levies levied by the Tea Board of Kenya.
2. Stakeholder engagement on the Bill should be conducted soon to enable the Committee make an informed decision.
3. Further amendments to the Bill may be made from the report collected during field visits and the complains raised by farmers to cure challenges in the sector.
4. KTDA to be invited to shed light on the use of money raised by farmers for provision of hydro power and explain why hydro power stations in the east were well constructed and maintained while those in the west were neglected.

**MIN. NO. NA/A&L/2025/056:**

**ADJOURNMENT/DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned at sixteen minutes past eleven O'clock. The next meeting will be held on Thursday, 10<sup>th</sup> April 2025 at half past nine O'clock.

**SIGNED:** .....  ..... **DATE:** ..... 03/06/2025 .....

**HON. (DR.) JOHN KANYUITHIA MUTUNGA, PhD, CBS, MP  
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON AGRICULTURE &  
LIVESTOCK**



REPUBLIC OF KENYA

**MINISTRY OF AGRICULTURE AND LIVESTOCK DEVELOPMENT**

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**MEMORANDUM ON THE PYRETHRUM (REPEAL) BILL, 2024  
(NATIONAL ASSEMBLY BILL NO. 40 OF 2025)**

**BY**

**DR. KIPRONOH RONO P., CBS  
PRINCIPAL SECRETARY**

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**AUGUST, 2025**

## **Background information**

- The Pyrethrum crop has been commercially exploited since the 1850's when it was popularly traded as the Dalmatian flower. Before the discovery of DDT in the late 1940's, virtually all insecticides in use were of natural products mainly pyrethrum and nicotine.
- Pyrethrum was introduced in Kenya in 1928 and by 1935 a total of 170 metric tonnes (MT) were produced, which was above the local demand, necessitating a search for an export market. Prior to independence settler growers formed Pyrethrum Growers' Association (PGA) in 1933 to organize pyrethrum growing for the world market.
- PGA was dissolved in 1936 after the establishment of Pyrethrum Advisory Board (PAB) in 1935 under the "Sale of Pyrethrum Ordinance of 1935" with added regulatory functions and authority to solely sell and distribute pyrethrum.
- The Pyrethrum Amendment Ordinance of 1938 created the Pyrethrum Board of Kenya (PBK) to replace the PAB.
- In 1964, the pyrethrum legislation was amended with the enactment of the Pyrethrum Act (Cap 340) which established two statutory bodies namely, the Pyrethrum Board of Kenya (PBK) as a growers' organization to regulate the growing and licensing of pyrethrum dealers and the Pyrethrum Marketing Board (PMB) to oversee the processing and marketing of pyrethrum products.
- Running the two Boards proved to be a financial burden to the growers. The Pyrethrum Act had too much Government control and, therefore, became unpopular to growers. The Act was amended in 1977, merging the two Boards to create the Pyrethrum Board of Kenya.

- In 2013 a private members bill was passed under Pyrethrum Act No. 22 of 2013. This happened when the Government was consolidating laws in agriculture which saw the enactment of the Agriculture and Food Authority Act (No.13 of 2013) and Crops Act (No.16 of 2013).
- The Pyrethrum Act, 2013, Agriculture and Food Authority Act (No.13 of 2013) and Crops Act (No.16 of 2013) were all assented same day on the 14<sup>th</sup> January 2014.
- The Agriculture and Food Authority Act, 2013, and Crops Act, 2013, were intended to regulate all scheduled crops including pyrethrum. The Pyrethrum Act, 2013 was intended to regulate Pyrethrum hence duplication.
- In an effort to address the conflict between the provision of the Pyrethrum Act, 2013 and Agriculture and Food Authority Act, 2013, the First Schedule to the Agriculture and Food Authority Act, 2013 was amended vide the Statute Law (Miscellaneous Amendments) Act (No.7 of 2016) by inserting the Pyrethrum Regulatory Authority as a "former institution" of which the Agriculture and Food Authority was a successor.

### **Justification for repealing the pyrethrum act, no. 22 of 2013**

Section 3 of the Pyrethrum Act, 2013 established the Pyrethrum Regulatory Authority, with Section 4 outlining its functions. These functions overlap with those of the Agriculture and Food Authority (AFA), created under the Agriculture and Food Authority Act, 2013. This overlap has resulted in the pyrethrum industry being regulated by two separate laws and institutions, leading to confusion and inefficiencies. To resolve this, the Ministry of Agriculture and Livestock Development supports the Pyrethrum (Repeal) Bill, 2024, which seeks to streamline regulation by placing the industry solely under the AFA

and the Crops Act, 2013. This move aims at eliminating legal and regulatory duplication and conflict, and to address broader market, governance, and structural challenges that have hindered the industry's growth and performance over time. Specifically, the enactment of the Bill will address the following;

**i) Legal and regulatory duplications and conflicts**

The Pyrethrum Act creates a parallel and conflicting regulatory regime for pyrethrum, which the Crops Act also regulates as a scheduled crop. Several licensing, quality control, and regulatory procedures are mirrored in both the Pyrethrum Act and the Crops Act leading to confusion, duplication, and inefficiency. Additionally, regulatory oversight is fragmented between AFA's Directorates and statutory provisions in the Pyrethrum Act, complicating compliance for industry players and enforcement by authorities.

The specific clauses in the Pyrethrum Act, No. 22 of 2013, that cause overlap and conflict with the Crops Act, 2013, relate primarily to the regulatory and institutional framework governing the pyrethrum industry.

**Key areas of overlap include**

- Institutional Conflicts

The existence of parallel institutions: Pyrethrum Regulatory Authority (PRA) and AFA are established under Sections 3 of the Pyrethrum Act, Cap 340 and AFA Act, Cap 317 respectively. The functional directorates within AFA are established under Section 11 of the AFA Act, Cap 317.

- Regulatory Mandate on Registration and Licensing

Section 19 of Pyrethrum Act, Cap 340 provides for licensing and registration of pyrethrum dealers, pyrethrum processors and

commercial nursery operators by the Pyrethrum Regulatory Authority.

Similarly, Section 14, 15 and 16 of the Crops Act, Cap 318 provides for registration of different categories of pyrethrum dealers by the Agriculture and Food Authority. Additionally, Section 18 and 20 of the Crops Act, Cap 318 allows for issuance of licenses by the licensing authority (Agriculture and Food Authority or County Governments).

- Validity of licenses

Section 20(3) of the Pyrethrum Act, Cap 340 provides that a license issued shall have a validity of five years from the date of issuance whereas, Section 20(3) of Crops Act, Cap 318 stipulates that licenses issued shall remain in force until thirtieth of June next following the date of issue, unless earlier cancelled.

- Legal Provisions on Dispute Resolution and Compliance

Both Acts have different provisions regarding dispute resolution among interested parties and between growers and dealers thus causing uncertainty and inconsistency in legal enforcement.

- General Penalty

Section 25 of Pyrethrum Act, Cap 340 prescribes the general penalty for a person who commits an offence whose penalty is not specifically provided for is liable, on a conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year of both. On the contrary, Section 37 of the Crops Act, Cap 318 provides for a fine not exceeding five hundred thousand shillings, or to imprisonment for a period not exceeding one year, or to both.

## **ii) Administrative Efficiency and Service Delivery**

Parallel institutions under multiple Acts create administrative burdens and confuse stakeholder engagement. Repeal simplifies institutional arrangements, consolidating regulatory, promotional, and developmental functions within the existing structures provided by the AFA and Crops Act framework, thereby improving efficiency and service delivery.

## **iii) Economic and Developmental Significance**

Pyrethrum remains one of Kenya's top cash crops with strong potential to contribute significantly to,

- Export earnings (Kenya historically dominated global pyrethrum markets).
- Job creation directly in farming and processing and indirectly along related value chains.
- Industrial growth and national income aligned with Vision 2030 development objectives.
- Environmental sustainability, since pyrethrum-derived insecticides are natural and safe alternatives to chemical pesticides.


## **Conclusion and recommendation to the committee**

- Enacting the Pyrethrum (Repeal) Bill, 2024 is essential to eliminate the legal conflicts and regulatory duplication caused by the coexistence of the Pyrethrum Act, Cap 340 and the Crops Act, Cap 318. The provisions under the Crops Act Cap. 318 and Agriculture and Food Authority Act Cap. 317 in their current form are adequate to regulate the pyrethrum sub-sector.
- This will also allow for the enactment of Crops (Pyrethrum) Regulations under the Crops Act, Cap 318 to regulate the sub-sector.

- The repeal is in line with the Government policy directive on merger of various agricultural sector regulatory bodies into AFA in 2013; the Presidential Task Force on Parastatal Reforms of 2013; and the Cabinet directive of 21<sup>st</sup> January, 2025 on the merger of State agencies as part of its commitment to streamlining government operations, reducing waste, and curbing excesses in order to address operational and financial inefficiencies, enhance service delivery and reduce reliance on the Exchequer.
- The repeal will enable the revitalization of the pyrethrum industry, restoring its economic significance, improving livelihoods for farmers, and supporting the Country's broader agricultural development and Vision 2030 goals.

Signed..... Date.....

  
Dr. Wipronoh Ronoh P., CBS  
**PRINCIPAL SECRETARY**





THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025  
DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK

WITNESS ATTENDANCE REGISTER

AGENDA: Stakeholder Engagement on the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 Of 2025)

DATE:

VENUE:

NO.	NAME	INSTITUTION	DESIGNATION IN FULL	CELLPHONE	SIGNATURE
1.	Brendo Luyom	AFA	DIRECTOR GENERAL	0713476443	[Signature]
2.	Grace Kyallo	AFA	Director - MPFIC	0722648431	[Signature]
3.	Adhola John	AFA	MPFIC Deputy Director	0722674238	[Signature]
4.	Dickson Kallusi	AFA	MPFIC Regulation Compliance	0728301776	[Signature]
5.	ELIJAH NICKERICK	AFA	A. D. A.	0718809894	[Signature]
6.	Kenneth Chemut	PPCK	ICT Manager	0722444022	[Signature]
7.	Florence Jajagat	AFA	MPFIC Market Research	0722696172	[Signature]
8.	David Kithaka	SDA	Deputy Director of Agriculture	0726201436	[Signature]
9.	WINFRED WAWERU	PPCK	BUSINESS DEV OFFICER	0722407874	[Signature]
10.	Vincent Ouma	PPCK	AG. FACTORY Manager	0720170106	[Signature]
11.	Diana Okemwa	PPCK	Legal Officer	0725971366	[Signature]

NO.	NAME	INSTITUTION	DESIGNATION IN FULL	CELLPHONE	SIGNATURE
12.	Edward Odley	MCD	Ag. Officer.	0721161667	<i>[Signature]</i>
13.	CAROLYNNE IMBUATA	PPC/K	Ag. CEO	0722791037	<i>[Signature]</i>
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**THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025**

**DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**MINUTES OF THE 35<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK HELD ON SATURDAY, 16<sup>TH</sup> AUGUST 2025 AT HILTON GARDEN INN HOTEL, SUITE 6, 6<sup>TH</sup> FLOOR, MACHAKOS COUNTY AT 2:30PM**

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**PRESENT**

- |   |   |                         |
|---|---|-------------------------|
| 1. Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP | - | <b>Chairperson</b>      |
| 2. Hon. Brighton Leonard Yegon, MP                  | - | <b>Vice-Chairperson</b> |
| 3. Hon. Sabina Wanjiru Chege, MP                    |   |                         |
| 4. Hon. Geoffrey Makokha Odanga, MP                 |   |                         |
| 5. Hon. Justice Kipsang Kemei, MP                   |   |                         |
| 6. Hon. Jared Oduyo Okelo, MP                       |   |                         |
| 7. Hon. Lawrence Mpuru Aburi, MP                    |   |                         |
| 8. Hon. David Kiplagat, MP                          |   |                         |
| 9. Hon. Gabriel Gathuka Kagombe, MP                 |   |                         |
| 10. Hon. Monicah Muthoni Marubu, MP                 |   |                         |
| 11. Hon. Patrick Kibagendi Osero, MP                |   |                         |

**ABSENT WITH APOLOGY**

1. Hon. Ferdinand Kevin Wanyonyi, MP
2. Hon. Yussuf Mohamed Farah, MP
3. Hon. John Okwisa Makali, MP
4. Hon. Ruth Adhiambo Busia Odinga, MP

**IN ATTENDANCE**

**COMMITTEE SECRETARIAT**

- |                         |   |                     |
|-------------------------|---|---------------------|
| 1. Mr. Nicodemu Maluki  | - | Clerk Assistant I   |
| 2. Mr. Victor K. Kilimo | - | Clerk Assistant III |
| 3. Mr. Gerald Kadede    | - | Legal Counsel II    |
| 4. Ms. Lydia Nyagol     | - | Secretary           |
| 5. Ms. Jacinta Maru     | - | Serjeant-At-Arms    |

**AGENDA**

1. Prayers
2. Preliminaries/Adoption of the Agenda
3. Confirmation of Minutes

4. **Consideration and adoption of the Tea (Amendment) Bill (Senate Bill No. 1 of 2023); the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025); and the Prevention of Livestock and Produce Theft Bill, 2023 (Senate Bill, No. 12 of 2023)**
5. Any other Business
6. Adjournment/Date of the Next Sitting

**MIN. NO. NA/A&L/2025/130:                      PRELIMINARIES/ADOPTION OF THE AGENDA**

The Chairperson called the meeting to order at thirty minutes past two o'clock by prayed.

The agenda was adopted having been proposed and seconded by the Hon. David Kiplagat, MP, and the Hon. Monicah Muthoni Marubu, MP respectively.

**MIN. NO. NA/A&L/2025/131:                      CONFIRMATION OF MINUTES**

The agenda item was deferred to the next meeting.

**MIN. NO. NA/A&L/2025/132:                      CONSIDERATION AND ADOPTION OF THE TEA (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2023)**

The Committee adopted its report with the following proposed amendments to be considered by the House in the Committee Stage:

**Clause 2**

THAT, Clause 2 of the Bill be amended—

- (a) by deleting the definition of “*value addition*” and substituting therefor the following new definition—

*“Value addition” means improvement on made tea through blending or flavouring or branding and packaging into a retail packet or a container holding not more than ten kilograms, or tea extracts, tea aroma and decaffeinated tea.”*

- (b) by deleting the definition of “*tea limited factory.*”

- (c) by inserting the following new definitions in their proper alphabetical sequence—

*“e-trader” means a person providing a platform for buying and selling of tea through an e-commerce platform;*

*“Small-scale tea grower” means a person cultivating tea in a parcel of land of less than ten acres supplying green leaf to a tea factory limited company;*

*“Medium-scale tea grower” means a person cultivating tea in a parcel of land supplying green leaf to a tea factory limited company;*

**Clause 3**

THAT, the Bill be amended by deleting clause 3 and substituting therefor the following new clause—

*“Section 5 of the principal Act be amended—*

- (a) by deleting the words “commercial green leaf transporters” appearing immediately after the words “commercial tea nurseries”;*
- (b) by deleting the words “commercial tea nurseries” appearing immediately the words “tea auction organizers”.*

### **Justification**

Registration of commercial tea nurseries is a function of county governments under section 38(1) of the Act.

### **Clause 6**

THAT, Clause 6 of the Bill be amended—

- (a) by numbering the existing provision as (a);
- (b) by inserting the following new paragraph immediately after paragraph (a)—

*“(b) Section 22 of the principal Act be amended by deleting subsection (1)”*

### **Justification**

To allow the constitution of company boards to be governed by their Memorandum and Articles of Association and the Companies Act

### **Clause 7**

THAT, Clause 7 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

*“(a) by inserting the following new subsection immediately after subsection (1)—*

*(1A) A large scale tea grower shall notify the Board of any intended sale or transfer of any intended sale or transfer of ownership of its holding three months before the commencement of the intended transaction.”*

### **Justification**

The notification to the Board of any intended sale is important to ensure that interest of the grower is taken care of. However, since such a transfer of sale is governed by other laws, it might not be possible to know with certainty when the transfer of sale will take effect hence a notification of three months before commencement is more reasonable.

### **Clause 11**

THAT, Clause 11 of the Bill be amended in section 34A—

- (a) by inserting the following new paragraph immediately after paragraph (b) in subsection (1)—

“(c) e-commerce.”

(b) by inserting the following new subclause immediately after subclause (2)—

“(3) *The Cabinet Secretary may prescribe regulations providing for the sale of teas through the auction, direct sales and e-commerce.*”

(c) by inserting the following new section immediately after section 34A—

“34B (1) *A person who intends to establish an e-commerce platform for sale of tea shall register with the Board.*

(2) *A person shall not establish an e-commerce platform for tea unless the person is registered in accordance with this Act.*

(3) *The Cabinet Secretary shall prescribe regulations providing for the procedure for registration of e-traders and the appeal process in case of refusal or denial of registration.*

(4) *A person who contravenes subsection (2) commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding three years or to a fine not exceeding five million shillings or to both.*”

(d) by deleting subclause (2).

### **Justifications**

**(a) To incorporate e-commerce in the trade of tea and to operationalise the provision on e-commerce in the trade of tea.**

**(b) Requiring tea to be registered by the Board before export can lead to delays and loss of clients given the manner in which tea is sold. This is a process that can be done administratively without expressly stating in the Act.**

### **Clause 12**

THAT, Clause 12 of the Bill be amended by deleting paragraph (c).

#### **Justification**

The current system of paying the growers works well and the proposed mode might be impractical to implement.

### **Clause 13**

THAT, Clause 13 of the Bill be amended in the proposed new Clause 36A—

(a) By deleting subclause (2) and substituting therefor the new subclause—

"(2) The prices offered at the direct sales shall be sold at a price above the average price recorded at the auction within the three months preceding the sale."

### **Justification**

**Tying direct sales to the highest auction prices will limit this flexibility. Requiring prices to exceed auction highs could make Kenyan tea less competitive in the international market, as buyers may shift to other tea-producing countries offering better pricing flexibility. Direct buyers may avoid Kenyan tea due to the artificial price floor, reducing demand and potentially leading to an oversupply in the market which could depress overall prices.**

(b) By deleting subclause (3) and substituting therefor the following new subclause—

"(3) The Cabinet Secretary shall, in consultation with the Council of Governor prescribe regulations for the procedure of direct sale of tea."

### **Justification**

Engaging with the county governments individually may lead to delays and inconsistencies in the formulation of regulations. Different counties may prioritize their unique interests, complicating the development of cohesive national-level policies for the tea sector. The Council of Governors serves as a collective representative body for all counties, providing a single platform for engagement with the national government. Consulting the Council of Governors will ensure that county-level interests are uniformly represented while maintaining a national perspective.

### **Clause 15**

THAT, Clause 15 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) inserting the following new subsection immediately after subsection (2)—

"2A. Specialty tea, value added tea packed into packets or containers containing not more than ten kilograms, tea aroma, tea extracts and decaffeinated teas shall be exempted from tea levy."

### **Justification**

To provide incentives for value addition of Kenya tea prior to export, branding and origin recognition of Kenya tea and include tea aroma, extracts tea and decaffeinated teas which are

high value in the teas to be exempted from tea levy.

## **Clause 16**

THAT, Clause 16 of the Bill be amended—

(a) by numbering the existing provision as paragraph (a);

(b) by inserting the following new paragraph immediately after paragraph (a)

*“(b) The principal Act be amended in section 74 by inserting the following new subclause immediately after subclause (2)—*

*(2A) The Cabinet Secretary may, in consultation with the Board, make Guidelines to provide for –*

*(a) Corporate Governance Guidelines for the tea industry;*

*(b) Code of Ethics and Conduct for tea Director(s);”*

## **Justification**

To ensure uniform practice by directors in the governance of the tea sector.

New Proposed Clauses

THAT, Section 25 of the principal Act is amended—

(a) in subsection (3) by deleting the words “*after consultation with the Cabinet Secretary*” in the opening statement.

(b) By inserting the following new subsections immediately after subsection (5)—

*“(6) A holder of a tea manufacturing license shall notify the Board of any intended sale or transfer of ownership of its holdings before the transaction is affected.*

*(7) The Cabinet Secretary shall make regulations to provide for transfer of holdings of a tea manufacturer.”*

## **Justifications**

(a) Issuance of licence by the Board does not require consultation of the CS.

(b) To allow only a notification of change of ownership to the Board.

(c) To retain definition of “tea factory” as it is in the Act. A Factory is not necessarily a limited company.

THAT, Section 34 of the principal Act be amended by deleting—

(a) by deleting subsection (5) and substituting therefor the following new subsection—

*“(5) The staff costs for personnel seconded to the tea factory limited company by a management agent shall be borne by the tea limited factory;”*

(b) by deleting subsection (9).

## **Justifications**

(a) To enable each factory to pay for the cost of their staff.

- (b) The directors of tea companies are elected to sit in the holding companies because of the interests they protect. Any potential conflict of interest is governed by the Companies Act.

THAT, Section 48 of the principal Act be amended by deleting subsection (1) and substituting therefor the following new subsection—

*“(1) All tea buyers or exporters shall value add at least forty per centum of their annual Kenya tea exports within ten years of the commencement of their business.”*

#### **Justification**

To increase the duration for value addition to ten years and peg to the date of commencement of business and not the commencement date of the Act.

### **THIRD SCHEDULE**

THAT, the Third Schedule to the Bill be amend by—

(a) deleting “Narok” from the East Block and inserting it under the West Block;

(b) adding “West Pokot” under the West Block

#### **Justification**

To correct mis-classification of Narok under the tea blocks and to incorporate all tea growing counties

**MIN. NO. NA/A&L/2025/133:**

**CONSIDERATION AND ADOPTION OF THE PYRETHRUM (REPEAL) BILL, 2024 (NATIONAL ASSEMBLY BILL NO. 40 OF 2025)**

Having reviewed the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025, the Committee recommended that the House **approves the Bill without amendments.**

**MIN. NO. NA/A&L/2025/134:**

**CONSIDERATION AND ADOPTION OF THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL, 2023 (SENATE BILL, NO. 12 OF 2023)**

The Committee adopted the report with the following proposed amendments for consideration by the House in the Committee Stage:

#### **Long Title**

**THAT**, the Bill be amended by deleting the long title and substituting therefor the following new long title—

*“AN ACT of Parliament to provide for: a legal framework for the identification of livestock; the prevention of livestock theft; the regulation of trade in livestock, the return of illegally acquired livestock; and for connected purposes.”*

## Justification

**Return of illegally acquired firearms is a security function which falls under the Ministry of Interior.**

## Clause 2

**THAT**, Clause 2 of the Bill be amended—

- (a) by deleting the definition of the term “ammunition”;
- (b) by deleting the definition of the term “county executive committee member”;
- (c) by deleting the definition of the term “firearm”;
- (d) by deleting the definition of “Ministry” and substituting therefor the following new definition—  
“Ministry” means the Ministry of Agriculture and Livestock Development”; and
- (e) by deleting the words “county executive committee member in the respective county” in the definition of the word “register” and substituting therefor the words “county government”.

## Justifications

- a) **The Committee has proposed amendments to delete the terms from the Bill and thus no need to define them as they haven’t been used in the Bill.**
- b) **To specify that the Ministry that is being referred to is the Ministry of Agriculture and Livestock Development.**

## Clause 3

1. **THAT**, Clause 3 of the Bill be amended in paragraph (a)—

- (a) by deleting subparagraph (i) and substituting therefor the following new subparagraph—

“(i) *the prevention, combating and eradication of livestock theft through reliable and verifiable identification mechanism*”.

- (b) by deleting subparagraph (iii) and substituting therefor the following new subparagraph—

“(iii) *the regulation of livestock movement from one place to another.*” and

- (c) by deleting subparagraph (iv).

## Justification

**To align the object of the Bill to the intention of the Bill and to delete functions that fall within the Ministry of Interior.**

## Clause 4

**THAT**, Clause 4 of the Bill be amended by deleting paragraph (d).

## Justification

**This is a security function which falls under the Ministry of Interior.**

### Clause 5

**THAT**, Clause 5 of the Bill be amended—

- (a) by deleting the marginal note and substituting therefor the following new marginal note—

*“Functions of the county government”*

- (b) by deleting the opening statement and substituting therefor the following new opening statement—

*“(5) Every county government shall—*

- (c) by deleting paragraph (a) and substituting therefor the following new paragraph—

*“(a) establish and maintain a county specific register of livestock brands in collaboration with the Ministry;”*

- (d) by deleting paragraph (c) and substituting therefor the following new paragraph—

*“(c) design, formulate and implement strategies and mechanisms for the prevention, combating and eradicating livestock theft;”*

- (e) by deleting paragraph (e) and substituting therefor the following new paragraph—

*“(c) promote the abandonment of livestock theft by collaborating with relevant agencies in sensitizing livestock owners on alternative sustainable forms of livelihood;”* and

- (f) By deleting paragraph (f).

## Justifications

**(a) The Bill being a national legislation, emphasis is on county governments and not CECMs;**

**(b) To ensure that county governments develop livestock brands in consultation with the Ministry so that the brands are well differentiated;**

**(c) To introduce implementation by county governments after designing and formulating strategies; and**

**(d) Paragraph (f) is covered under paragraph (c).**

### Clause 6

**THAT**, Clause 6 of the Bill be amended—

- (a) by deleting subclause (1) and substituting therefor the following new subclause —

*“(1) Every livestock owner shall apply to the county government for registration of their livestock.”*

- (b) by deleting subclause (2) and substituting therefor the following new subclause—

*“(2) An application for registration under this section shall be in accordance to county specific legislation.”*

(c) by deleting subclause (3) and substituting therefor the following new subclause—  
“(3) A county government shall ensure registration of livestock within thirty days from the date of an application for registration by a livestock owner upon compliance with the registration requirements.”

(d) by deleting subclause (4); and

(e) by deleting subclause (5).

#### **Justifications**

**(a) The Bill being a national legislation, emphasis is county governments and not CECMs;**

**(b) To ensure that details on the application for the registration can be left for the county specific legislations since counties have different and unique challenges;**

**(c) To ensure that brands are developed by the county in consultation with the Ministry and not the livestock owner;**

**(d) To ensure that application to the county government is for registration of livestock and not brands, the counties to develop the brands.**

#### **Clause 7**

**THAT**, the Bill be amended in Clause 7—

(a) by deleting subclause (1) and substituting therefor the following new subclause—  
“(1) Upon registration of a brand, a county government shall issue to the applicant a certificate of registration in the form prescribed in the county specific legislation.”

(b) in subclause (2)—

(i) by deleting the phrase “under subsection (2)” appearing immediately before the word “made” and substituting therefor the words “under this section”; and

(ii) by deleting the phrase “county executive committee member” and substituting therefor the phrase “county government”.

(c) in subclause (4) by deleting the phrase “subsection (2)” in the opening statement and substituting therefor the words “under this section.”

(d) in subclause (5) by deleting the words “under subclause (3)” appearing immediately before the word “certificate”.

#### **Justifications**

**(a) The Bill being a national legislation, emphasis is on county governments and not CECMs; and**

**(b) To avoid a lot of cross referencing of sections in the Bill.**

#### **Clause 8**

**THAT**, Clause 8 of the Bill be amended—

- (a) in subclause (1) by deleting the words “*county executive committee*” and substituting therefor the words “*county government*”;
- (b) in subclause (3)—
  - (i) by deleting the words “*county executive committee*” and substituting therefor the words “*county government*”; and
  - (ii) by deleting the phrase “*subsection (1)*” and substituting therefor the word “*this section*”.
- (c) in subclause (5) by deleting the words “*county executive committee member*” and substituting therefor the words “*county government*”.

#### **Justifications**

**(a) The Bill being a national legislation, emphasis is on county governments and not CECMs; and**

**(b) To avoid a lot of cross referencing of sections in the Bill.**

#### **Clause 9**

**THAT**, Clause 9 of the Bill be amended—

- (a) in subclause (1)
  - (i) by deleting the words “*county executive committee*” appearing in the opening statement and substituting therefor the words “*county government*”;
  - (ii) in paragraph (a) by deleting the words “*county executive committee*” and substituting therefor the words “*county government*”; and
  - (iii) in paragraph (c) by deleting the words “*county executive committee*” and substituting therefor the words “*county government*”.

#### **Justification**

**The Bill being a national legislation, emphasis is on county governments and not CECMs.**

#### **Clause 10**

**THAT**, Clause 10 of the Bill be amended in subclause (1) by deleting the words “*county executive committee member*” and substituting therefor the words “*county government*”.

#### **Justification**

**The Bill being a national legislation, emphasis is on county governments and not CECMs.**

#### **Clause 11**

**THAT**, Clause 11 of the Bill be amended—

- (a) in subclause (1) by deleting the word “*six*” appearing immediately after the phrase “*of*” and substituting therefor the word “*three*”;
- (b) in subclause (2) by deleting the word “*three*” appearing immediately after the word “*within*” and substituting therefor the word “*six*”;

(c) in subclause 3—

- (i) by deleting the word “conspicuous” in paragraph (a) and substituting therefor the word “traceable”;
- (ii) by deleting the words “county executive committee member” appearing immediately after the phrase “the” in paragraph (c) and substituting therefor the words “county government”;

(d) by deleting subclause (4) and substituting therefor the following new subclause—  
“(4) A county government may prescribe further requirements on branding taking into consideration the unique circumstance within the respective county.”

## Clause 12

**THAT**, the Bill be amended by deleting Clause 12.

### Justification

**Branding ought to be permanent and identifiable whether it is visible or invisible.**

## Clause 13

**THAT**, Clause 13 of the Bill be amended—

(a) in subclause (1) deleting the words “the purpose of sale and slaughter or any other purpose” appearing immediately after word “for” and substituting therefor the words “any purpose”;

(b) in subclause (2) by deleting paragraph (h) and substituting therefor the following new paragraph—  
“(h) in the case of sale, transactional market;”

### Justifications

- (a) **To ensure that removal permit is obtain in all circumstance of livestock movement.**
- (b) **To indicate the market where the sale is intended to take place since the seller may not know details of the purchase at the time of removal of livestock.**

## Clause 16

**THAT**, Clause 16 of the Bill be amended—

(a) in subclause (1) by deleting the words “county executive committee member” and substituting therefor the words “county government” and

(b) in subclause (2)—

- (i) by deleting the words “county executive committee member” in the opening statement and substituting therefor the words “county government”; and
- (ii) by deleting the words “county executive committee member” in paragraph (e) and substituting therefor the words “county government”.

## **Justification**

**The Bill being a national legislation, emphasis is on county governments and not CECMs.**

### **Clause 17**

**THAT**, Clause 17 of the Bill be amended by deleting the words “one year” appearing immediately after the word “exceeding” in the closing statement and substituting therefor the words “six months”.

## **Justification**

**To ensure that the penalty is commensurate to the offence.**

### **Clause 18**

**THAT**, Clause 18 of the Bill be amended in the closing statement—

(a) by deleting the words “of theft” appearing immediately after the word “offence”; and

(b) by deleting the word “fourteen” appearing immediately after the word “exceeding” and substituting therefor the words “one”; and

## **Justification**

**To ensure that the penalty is commensurate to the offence.**

### **Clause 19**

**THAT**, Clause 19 of the Bill be amended—

(a) by deleting subclause (1) and substituting therefor the following new subclause—

*“(1) A person who steals livestock or livestock produce, or receives any livestock or livestock produce knowing or having reason to believe it to be stolen commits an offence and shall be liable, on conviction for, to a term of one year or a fine of twice the value of the livestock or livestock produce.*

(b) in subclause (2) by deleting the word “is liable on conviction to a life term of imprisonment” appearing immediately after the word “person” and substituting therefor the words “shall be charged with the offence of robbery with violence”;

(c) by deleting subclause (3); and

(d) in subclause (4) by deleting the words “a term of imprisonment of not less than fifteen years” and substituting therefor the words “term not exceeding five years, or a fine amounting to twice the value of the livestock”.

## **Justification**

**To ensure that the penalty is commensurate to the offence.**

### **Clause 20**

**THAT**, Clause 20 of the Bill be amended in subclause (1)—

- (a) by deleting the words “seven years” appearing immediately after the “exceeding” and substituting therefor the word “six months”; and
- (b) by deleting the words “five” appearing immediately after the “exceeding” and substituting therefor the word “one”.

**Justifications**

**To ensure that the penalty is commensurate to the offence.**

**Clause 21**

**THAT**, Clause 21 of the Bill be amended—

- (a) in subclause (3) by deleting the words “registrar or any officer” and substituting therefor the words “county government”; and
- (b) by deleting subclause (5).

**Justification**

**To replace the registrar with the county government because there is no registrar in the Bill.**

**Clause 22**

**THAT**, Clause 22 of the Bill be amended--

- (a) by deleting the words “of three years” appearing immediately after the words “term” and substituting therefor the word “not exceeding six months”; and
- (b) by deleting the words “of one million” appearing immediately after the “exceeding” and substituting therefor the word “not exceeding one hundred thousand”.

**Justification**

**To ensure that the penalty is commensurate to the offence.**

**Clause 23**

**THAT**, the Bill be amended by deleting Clause 23.

**Justification**

**Interfering with the movement of livestock will disrupt the markets which currently operate for 24 hours.**

**Clause 24**

**THAT**, Clause 24 of the Bill be amended—

- (a) by deleting the words “may be reasonably be suspected of being stolen” and substituting therefor the words “is confirmed to be stolen”; and
- (b) by deleting the words “not less than fifteen years” and substituting therefor the words “not exceeding five years, or to a fine amounting to twice the value of the livestock”.

## **Justification**

**To ensure that the penalty is commensurate to the offence.**

## **Clause 25**

**THAT**, Clause 25 of the Bill be amended—

(a) in subclause (1)—

- (i) by deleting the words “*may be reasonably be suspected of being stolen*” and substituting therefor the words “*is confirmed to be stolen*”; and
- (ii) by deleting the words “*not less than ten years*” and substituting therefor the words “*not exceeding five years, or to a fine amounting to twice the value of the livestock*”.

(b) by deleting subclause (2).

## **Justifications**

**(a) To provide clarity of the offences;**

**(b) To ensure that the penalty is commensurate to the offence; and**

**(c) To delete an ambiguous clause.**

## **Clause 26**

**THAT**, Clause 26 of the Bill be amended by deleting the words “*of not less than ten years*” and substituting therefor the words “*not exceeding five years, or to a fine amounting to twice the value of the livestock*”.

## **Justification**

**To ensure that the penalty is commensurate to the offence.**

## **Clause 27**

**THAT**, Clause 27 of the Bill be amended by inserting the words “*commits and offence and shall be liable, on conviction, for a term not exceeding two years, or to a fine amounting to the value of the livestock*”.

## **Justification**

**To ensure that the penalty is commensurate to the offence.**

## **Clause 28**

**THAT**, Clause 28 of the Bill be amended is subclause (3) by deleting the words “*nearest livestock centre*” and substituting therefor the words “*nearest law enforcement agency*”.

## **Justification**

**To term livestock centre has not been defined hence not clear and it is more practical to hold the animals in a law enforcement agency in this context.**

### **Clause 31**

**THAT**, Clause 31 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “*develop*” and substituting therefor the word “*promote*”; and
- (b) in paragraph (d) by deleting the word “*develop*” and substituting therefor the word “*promote*”.

### **Justifications**

- a) To align the functions of county governments.**
- b) To assign the function to county governments and not CECMs.**

### **Clause 32**

**THAT**, Clause 32 of the Bill be amended by deleting the words “*county executive committee member*” and substituting therefor the words “*county government*”.

### **Justifications**

**To place emphasis on county governments and not CECMs.**

### **Clause 34**

**THAT**, Clause 34 of the Bill be amended—

- (a) by deleting the words “*not less than five hundred*” and substitute therefor the words “*not exceeding one hundred*”; and
- (b) by deleting the words “*two years*” and substituting therefor the words “*six months*”.

### **Justification**

**To ensure that the penalty is commensurate to the offence.**

### **Clause 36**

**THAT**, Clause 36 of the Bill be amended in subclause (2) by deleting paragraph (e) and substituting therefor the following new paragraph—

- (e) “*for charges and fees to be paid to the two levels of government*”.


### **Justification**

**To ensure uniformity in the process of coming up with the fees charged by counties by enabling the CS to make regulations.**

**MIN. NO. NA/A&L/2025/135:**

**ADJOURNMENT/DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned at thirty minutes past one O'clock.  
The next meeting will be communicated on notice.

SIGNED:  DATE: 19/08/2021

**HON. (DR.) JOHN KANYUITHIA MUTUNGA, PhD, CBS, MP**  
**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON AGRICULTURE & LIVESTOCK**



## THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025

### DIRECTORATE OF DEPARTMENTAL COMMITTEES

#### MINUTES OF THE 32<sup>ND</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK HELD ON FRIDAY, 15<sup>TH</sup> AUGUST 2025 AT HILTON GARDEN INN HOTEL, SUITE 6, 6<sup>TH</sup> FLOOR, MACHAKOS COUNTY AT 2:30PM

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#### PRESENT

- |   |   |                         |
|---|---|-------------------------|
| 1. Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP | - | <b>Chairperson</b>      |
| 2. Hon. Brighton Leonard Yegon, MP                  | - | <b>Vice-Chairperson</b> |
| 3. Hon. Sabina Wanjiru Chege, MP                    |   |                         |
| 4. Hon. Geoffrey Makokha Odanga, MP                 |   |                         |
| 5. Hon. Justice Kipsang Kemei, MP                   |   |                         |
| 6. Hon. Jared Oduyo Okelo, MP                       |   |                         |
| 7. Hon. Lawrence Mpuru Aburi, MP                    |   |                         |
| 8. Hon. David Kiplagat, MP                          |   |                         |
| 9. Hon. Gabriel Gathuka Kagombe, MP                 |   |                         |
| 10. Hon. Monicah Muthoni Marubu, MP                 |   |                         |
| 11. Hon. Patrick Kibagendi Osero, MP                |   |                         |

#### ABSENT WITH APOLOGY

1. Hon. Ferdinand Kevin Wanyonyi, MP
2. Hon. Yussuf Mohamed Farah, MP
3. Hon. John Okwisa Makali, MP
4. Hon. Ruth Adhiambo Busia Odinga, MP

#### IN ATTENDANCE

#### COMMITTEE SECRETARIAT

- |                         |   |                     |
|-------------------------|---|---------------------|
| 1. Mr. Nicodemu Maluki  | - | Clerk Assistant I   |
| 2. Mr. Victor K. Kilimo | - | Clerk Assistant III |
| 3. Mr. Gerald Kadede    | - | Legal Counsel II    |
| 4. Ms. Lydia Nyagol     | - | Secretary           |
| 5. Ms. Jacinta Maru     | - | Serjeant-At-Arms    |

#### STATE DEPARTMENT FOR AGRICULTURE

1. Mr. David Kithale - Deputy Director of Agriculture, State Department of Agriculture

### **Agriculture and Food Authority**

1. Dr. Bruno Linyiru - Director General
2. Ms. Grace Kyallo - Director MPFK
3. Mr. Adhola John - Deputy Director MPFICD
4. Mr. Dickson Kathuri - ADA
5. Ms. Florence Chelagat - MPFICD
6. Mr. Elijah Muriuki - ADA

### **Pyrethrum Processing Company of Kenya**

1. Ms. Carolyne Imbwaga - Ag. Chief Executive Officer
2. Mr. Edward Ochieng - Ag. Finance Manager
3. Mr. Keneth Cheruiyot - ICT Manager
4. Ms. Winfred Waweru - Business Development Officer
5. Mr. Vincent Ouma - Ag. Factory Manager
6. Ms. Diana Okemwa - Legal Officer

### **AGENDA**

1. Prayers
2. Preliminaries/Adoption of the Agenda
3. Confirmation of Minutes
4. **Stakeholder Engagement on the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill, No. 40 of 2025)**
5. Any other Business
6. Adjournment/Date of the Next Sitting

#### **MIN. NO. NA/A&L/2025/132: PRELIMINARIES/ADOPTION OF THE AGENDA**

The Chairperson called the meeting to order at three o'clock and prayed. He then invited all Members and officials from the Agriculture and Food Authority (AFA) and the Pyrethrum Processing Company of Kenya to introduce themselves.

The agenda was adopted having been proposed and seconded by the Hon. Geoffrey Makokha Odanga, MP, and the Hon. Monicah Muthoni Marubu, MP respectively.

#### **MIN. NO. NA/A&L/2025/133: CONFIRMATION OF MINUTES**

The agenda item was deferred to the next meeting.

#### **MIN. NO. NA/A&L/2025/134: STAKEHOLDER ENGAGEMENT ON THE PYRETHRUM (REPEAL) BILL, 2024 (NATIONAL ASSEMBLY BILL, NO. 40 OF 2025)**

Dr. Bruno Linyiru, Director General of the Agriculture and Food Authority (AFA), appearing on behalf of Dr. Kipronoh Ronoh, PhD, the Principal Secretary State Department for Agriculture together with officials from the Pyrethrum Processing Company of Kenya, appeared before the Committee and urged the Committee to:

Repeal the Pyrethrum Act, 2013 (No. 22 of 2013), noting that Section 3 of the Act established the Pyrethrum Regulatory Authority, while Section 4 outlined its functions. These functions overlap with those of the Agriculture and Food Authority (AFA), created under the

Agriculture and Food Authority Act, 2013. This duplication has resulted in the pyrethrum industry being regulated under two separate laws and institutions, causing confusion and operational inefficiencies.

To address this, the Ministry of Agriculture and Livestock Development supports the Pyrethrum (Repeal) Bill, 2024, which seeks to streamline regulation by placing the industry solely under the AFA and the Crops Act, 2013. The repeal is intended to eliminate legal and regulatory duplication, resolve conflicts, and address broader market, governance, and structural challenges that have historically hindered the growth and performance of the pyrethrum industry

### Committee Observations

The Committee observe that;

- i. The Bill seeks to resolve the existing conflict between the Pyrethrum Act and the Agriculture and Food Authority Act, thereby ensuring streamlined governance and regulation of the pyrethrum industry.
- ii. By repealing the Pyrethrum Act, the Bill aims to eliminate confusion and overlapping roles between the Pyrethrum Regulatory Authority and the Agriculture and Food Authority.

The Committee agreed that the Pyrethrum Act, 2013, be repealed to pave the way for improved governance of the pyrethrum industry.

**MIN. NO. NA/A&L/2025/135:**

**ADJOURNMENT/DATE OF THE NEXT MEETING**

The meeting was adjourned at thirty minutes past four o'clock. The next meeting will be held on Saturday 16<sup>th</sup> August 2025 at 9.00am.

**SIGNED:** .....  ..... **DATE:** ..... 18/08/25 .....

**HON. (DR.) JOHN KANYUITHIA MUTUNGA, PhD, CBS, MP**  
**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON AGRICULTURE & LIVESTOCK**



## THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025

### DIRECTORATE OF DEPARTMENTAL COMMITTEES

#### MINUTES OF THE 29<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK HELD ON THURSDAY, 7<sup>TH</sup> AUGUST 2025 IN COMMITTEE ROOM 14, 2<sup>ND</sup> FLOOR, BUNGE TOWER, PARLIAMENT BUILDINGS AT 11:30AM

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#### PRESENT

- |   |   |                         |
|---|---|-------------------------|
| 1. Hon. (Dr.) John Kanyuithia Mutunga, PhD, CBS, MP | - | <b>Chairperson</b>      |
| 2. Hon. Brighton Leonard Yegon, MP                  | - | <b>Vice-Chairperson</b> |
| 3. Hon. Ferdinand Kevin Wanyonyi, MP                |   |                         |
| 4. Hon. David Kiplagat, MP                          |   |                         |
| 5. Hon. Monicah Muthoni Marubu, MP                  |   |                         |
| 6. Hon. John Okwisa Makali, MP                      |   |                         |

#### ABSENT WITH APOLOGY

1. Hon. Sabina Wanjiru Chege, MP
2. Hon. Geoffrey Makokha Odanga, MP
3. Hon. Justice Kipsang Kemei, MP
4. Hon. Jared Odoyo Okelo, MP
5. Hon. Lawrence Mpuru Aburi, MP
6. Hon. Gabriel Gathuka Kagombe, MP
7. Hon. Patrick Kibagendi Osero, MP
8. Hon. Yussuf Mohamed Farah, MP
9. Hon. Ruth Adhiambo Busia Odinga, MP

#### IN ATTENDANCE

#### COMMITTEE SECRETARIAT

- |                          |   |                             |
|--------------------------|---|-----------------------------|
| 1. Mr. Victor K. Kilimo  | - | Clerk Assistant III         |
| 2. Mr. Gerald Kadede     | - | Legal Counsel II            |
| 3. CPA Robert Ng'etich   | - | Fiscal Analyst I            |
| 4. Ms. Edith Chepgeno    | - | Media Relations Officer III |
| 5. Ms. Jacinta Maru      | - | Serjeant-at-Arms            |
| 6. Ms. Bernadette Nabayi | - | Audio Intern                |
| 7. Ms. Teresia Macharia  | - | Intern                      |

## **AGENDA**

1. Prayers
2. Preliminaries/Adoption of the Agenda
3. Confirmation of Minutes
4. **Matters for Discussion:**
  - i. Meeting with the Principal Secretary, State Department for Cooperatives to deliberate on the Implementation and distribution of milk coolers in the country
  - ii. Briefing on the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025)
5. Any other Business
6. Adjournment/Date of the Next Sitting

**MIN. NO. NA/A&L/2025/118:                      PRELIMINARIES/ADOPTION OF THE AGENDA**

The Chairperson called the meeting to order at noon and prayed. He then invited all present to introduce themselves.

The agenda was adopted having been proposed and seconded by the Hon. Brighton Leonard Yegon, MP, and the Hon. Ferdinand Kevin Wanyonyi, MP respectively.

**MIN. NO. NA/A&L/2025/119:                      CONFIRMATION OF MINUTES**

The agenda item was deferred to the next meeting.

**MIN. NO. NA/A&L/2025/120:                      MEETING WITH THE PS STATE DEPARTMENT FOR COOPERATIVES TO DISCUSS THE IMPLEMENTATION AND DISTRIBUTION STATUS OF THE MILK COOLERS IN THE COUNTRY**

The Chairperson informed the Committee that he had received a letter from the Principal Secretary, State Department for Cooperatives, seeking to be excused from attending the meeting owing to pressing official commitments, and indicating his willingness to attend upon invitation at a later date.

**MIN. NO. NA/A&L/2025/121:                      LEGAL BRIEFING ON THE PYRETHRUM (REPEAL) BILL, 2024 (NATIONAL ASSEMBLY BILLS NO. 40 OF 2025)**

The Legal Counsel briefed the Committee on the provisions of the Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025) as follows:

1. The Pyrethrum (Repeal) Bill, 2024 (National Assembly Bill No. 40 of 2025) is sponsored by the Hon. Kimani Ichung'wa, M.P., Leader of the Majority Party.
2. The principal objective of the Bill is to repeal the Pyrethrum Act (Cap. 340) as it is inconsistent with the provisions of the Crops Act (Cap. 318), which addresses similar matters within a harmonized framework for the regulation of scheduled crops. The repeal seeks to resolve the existing conflicts between the two laws.
3. Clause 1 of the Bill provides for the short title.
4. Clause 2 of the Bill provides for the repeal of the Pyrethrum Act (Cap. 340).

## Observations

5. Section 5 of the Crops Act (Cap. 318) stipulates that the Act applies to all scheduled crops listed in the First Schedule. Pyrethrum is listed under Part 2 of the First Schedule, which covers crops with breeding programmes under voluntary certification. Accordingly, the Crops Act applies to pyrethrum. Further, Section 4 of the Agriculture and Food Authority Act (Cap. 317) mandates the Authority to administer the Crops Act in consultation with county governments, thereby encompassing pyrethrum.
6. Section 3 of the Pyrethrum Act (Cap. 340) establishes the Pyrethrum Regulatory Authority as a body corporate with perpetual succession and a common seal, administered by a Board of Management established under Section 6. Section 7 provides for the appointment of a Chief Executive Officer. In light of the foregoing, the Committee made the following observations—
  - a) The Bill does not provide for a transitional clause regarding the Pyrethrum Regulatory Authority and the position of the Chief Executive Officer.
  - b) Section 3(c) of the Pyrethrum Act (Cap. 340) empowers the Authority to borrow and lend money; however, the Bill lacks a transitional clause addressing the assets and liabilities of the Authority.

***The Committee deliberated on the provisions of the Bill and resolved to invite the State Department for Agriculture specifically the Agriculture and Food Authority and the Pyrethrum Processing Company of Kenya to present their views during a retreat scheduled for 14<sup>th</sup>–17<sup>th</sup> August 2025, with the session set for 15<sup>th</sup> August at 2.00 p.m., at a venue to be confirmed in either Machakos or Kiambu County.***

## **MIN. NO. NA/A&L/2025/122: ANY OTHER BUSINESS**

Under this Agenda item, the Committee discussed the following matters:

### **1. Retreat**

The Chairperson reiterated the importance of attending the retreat scheduled to take place in either Kiambu or Machakos County from **14<sup>th</sup> to 17<sup>th</sup> August 2025**. The retreat will focus on deliberations regarding the following pending Bills before the Committee:-

- a) The Tea (Amendment) Bill (Senate Bill No. 1 of 2023),
- b) The Pyrethrum (Repeal) Bill, 2024 (National Assembly Bills No. 40 of 2025), and
- c) The Prevention of Livestock and Produce Theft Bill (Senate Bill No. 12 of 2023).

### **2. Budget Implementation and Oversight**

The Committee deliberated and resolved to undertake budget implementation and oversight visits within its mandate. The Secretariat, in collaboration with Hon. Brighton Leonard Yegon, MP, and Hon. David Kiplangat, MP, was tasked with developing an implementation strategy and a program.

**MIN. NO. NA/A&L/2025/123:**

**ADJOURNMENT/DATE OF THE NEXT MEETING**

There being no other business, the meeting was adjourned at six minutes to one O'clock. The next meeting will be held on Tuesday 12<sup>th</sup> August 2025 at 10.00am.

**SIGNED:** .....  ..... **DATE:** ..... 19/08/2025 .....

**HON. (DR.) JOHN KANYUITHIA MUTUNGA, PhD, CBS, MP  
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON AGRICULTURE &  
LIVESTOCK**