

PARLIAMENT  
OF INDIA  
LIBRARY

**THE CROPS (NUTS AND OIL  
CROPS) REGULATIONS, 2020**

# **THE CROPS (NUTS & OIL CROPS) REGULATIONS, 2020**

## **TABLE OF CONTENTS**

**FOLIO. 1. THE CROPS (NUTS & OIL CROPS) REGULATIONS, 2020**

**FOLIO. 2. EXPLANATORY MEMORANDUM**

**FOLIO. 3. REGULATORY IMPACT STATEMENT**

**FOLIO. 4. REGULATORY IMPACT ANALYSIS REPORT**

**FOLIO. 5. THE KENYA GAZETTE AND NEWSPAPER ADVERT**

**FOLIO. 6. STAKEHOLDER COMMENTS AND SUBMISSIONS**

**FOLIO. 7. THE CERTIFICATE INDICATING COMPLIANCE**

**EXPLANATORY  
MEMORANDUM**



**SCHEDULE**  
**[Section 8]**  
**EXPLANATORY MEMORANDUM**  
**EXPLANATORY MEMORANDUM TO**  
**THE CROPS (NUTS AND OIL CROPS) REGULATIONS**  
**[2020] No [ ]**

**PART I**

|  |  |
|--|--|
| <b>Name of the Statutory Instrument:</b> | The Crops (Nuts and Oil Crops) Regulations, 2020   |
| <b>Name of the Parent Act:</b>           | The Crops Act, 2013 (No. 16 of 2013)   |
| <b>Enacted Pursuant to:</b>              | Section 40 of the Crops Act, (No. 16 of 2013)  |
| <b>Name of the Ministry/Department:</b>  | Ministry of Agriculture, Livestock, Fisheries and Irrigation<br><br>State Department for Crops Development |
| <b>Gazetted on:</b>                      |  |
| <b>Tabled on:</b>                        |  |

**PART II**

**1. Purpose of the Statutory Instrument**

- 1.1 The purpose of the Crops (Nuts and Oil Crops) Regulations is to provide guidelines in the development and promotion of the nuts and oil crops industry and in particular to provide for:
- (a) The procedure and forms for application, registration and licensing of nursery operators, growers, dealers and manufacturers.

- (b) The conditions for registration or licensing.
- (c) The recommendation of general industry agreements or contracts.
- (d) The production, harvesting, processing and marketing of nuts and oil crops.
- (e) The filing of statistical data for nuts and oil crops.
- (f) The imposition and administration of levies.

## **2. Legislative Context**

- 2.1 The nuts and oil crops sub-sector has over the years been characterized by multiple coordinating authorities that often left out some crops and outdated legislations that frustrated its growth and development. Attempts to develop rules and regulations for this industry were never realized due to an inadequate legislative framework to realize its objectives thus necessitating the development of the Crops (Nuts and Oil Crops) Regulations, 2020 to foster its growth and development.
- 2.2 Thus the enactment of the Crops Act, 2013 and the Agriculture and Food Authority (AFA) Act, 2013 have provided an opportunity for the development of such rules and regulations in full cognizance of the fact that agriculture is a concurrent function. In so doing, it is expected that the challenges that have bedeviled the nuts and oil crops subsector will be addressed.

## **3. Policy Background**

- 3.1 The objective of the AFA Act in part is to provide for the consolidation of laws for the regulation and promotion of agriculture in addition to providing for the concurrent roles of the national and county governments.
- 3.2 Cognizant of the wide array of the crops covered by the Crops Act, 2013 specific legislations that address specific issues of the different crops are being derived from this parent act to ensure growth and development. The development of the Crops (Nuts and Oil Crops) Regulations began with the development of the Nuts and Oil Crops Industry Policy that was based on the premise that the nuts and oil crops subsector faces various constraints in input supply; production; storage and distribution; processing; marketing and trade consumption; and support services. The legal and institutional framework guiding the subsector was also unfavorable. The policy therefore targeted to address the constraints in all these areas with the aim of proposing the necessary interventions needed to make the subsector vibrant.

- 3.3 From stakeholder consultations, it was apparent that the development of the Crops (Nuts and Oil Crops) Regulations was required as a matter of priority. This was to provide for the growth and development of the subsector and in particular to help in the implementation of the Crops Act, 2013 through attaining the objectives mentioned above.
- 3.4 Consequently, the formulation of the Crops (Nuts and Oil Crops) Regulations are necessary to effectively implement the provisions of the Crops and AFA Acts such as prescribing the licensing and registration procedures for the nuts and oil crops industry players and applicable fees, approval of exports and imports, promotion of nut and oil crops trade internationally, ensuring conformity to international and national standards. The Regulations also provide for the roles of the National and County Governments.
- 3.5 Basically, the regulations are aimed at the Nuts and Oil Crops industry players, with the aim of the development; processing; marketing and market research; trade promotion; compliance to quality and food safety standards for the Nuts and Oil Crops Industry.

### **Challenges being addressed**

The nuts and oil crops subsector in Kenya is underdeveloped resulting in huge importation of vegetable oils. Local production accounts for less than 5% of the demand. Importation of vegetable oils has been increasing steadily with importation in 2015 reaching over 591, 338.5 metric tons valued at Kshs. 54.7 billion up from 502, 505 metric tons valued at Kshs. 12.5 billion in 2011. However, Kenya is a net exporter of nuts and exports have also been on the increase with exports of nuts increasing from 11, 170 metric tons valued at Kshs. 0.34 billions in 2001 to over 13, 057 metric tons valued at Kshs. 3.1 billion in 2015(KNBS, 2017).

Thus the industry has a potential to contribute immensely to the country's economy but this endeavor is constrained by:

- (a) Inadequate high yielding and early maturing varieties of nuts and oil crops trees.
- (b) Aged and unproductive nuts and oil crops trees and seasonal alternate bearing due to poor management.
- (c) Unexploited potential of other less produced nuts and oil crops e.g. macadamia, ground nuts, simsim, etc.
- (d) Inadequate community based warehousing facilities for bulking of produce to benefit from economies of scale operations.

- (e) Low volumes and quality of domestic production to support the installed processing capacity.
- (f) There is an underdeveloped marketing system as a result of low and scattered volumes of produce resulting to high cost of aggregation.
- (g) Relatively high oil and nut product prices that limit their consumption.
- (h) There is inadequate collaboration between actors in research at the various stages of the commodity value chains.
- (i) Large volumes of postharvest handling losses.

#### 4. Consultation outcome

- 4.1 There is an interest in the developing of these regulations arising out of the fact that unscrupulous businessmen have taken advantage of the amorphous legislation in the subsector that have led to exploitation of industry players, particularly the farmers.
- 4.2 There were vast consultations that took place. Various stakeholders' views' were taken into consideration in the formulation of the Crops (Nuts and Oil Crops) Regulations. Some of the stakeholders were: KALRO, KRA, NGOs, SAGAs, and private companies like Portcross limited, and County Government through CECs.

The consultations outcomes are captured below:

| NO. | PROPOSALS  | OPINION BY (STAKEHOLDERS)   | RESPONSE BY MINISTRY  |
|-----|--|---|---|
| 1.  | The composition of the NOCD-Technical Advisory Committee | Stakeholders to have representatives on the Directorate Technical Advisory Committee  |   |
| 2.  | Penalty for illegal manufacture.                         | Penalty imposed on a processor manufacturing without license is too high, thus be reduced to be commensurate with what is imposed on other sectors. | The penalty is commensurate with the parent Act, section 19 (1) of the Crops Act, 2013. |
| 3.  | Levies on exportation of raw produce                     | Make levies of exporting raw produce punitive to discourage   | The Regulation requires an import and export permit that spells out requirements.       |

|    |                  |  |  |
|----|------------------|--|--|
|    |                  | the exportation of raw produce.  |  |
| 4. | Falling of trees | Be specific on the tree. Charges on tree felling; propose permits of specified amount regardless of the number of tree you want to harvest. Different crops to be put specific prices. | There is provided a blanket fee of KE 500 per tree to be felled pursuant to FORM D4 A. as read with FORM E5 of the schedules to the regulations. |
| 5. | Quality control  | The regulations have no parameters and what is supposed to be complied with.   | Every commodity will have its own guidelines for the parameters and what is supposed to be complied with.  |

## **5. Guidance**

Once these regulations come into operation, the Ministry shall undertake the following activities:

- (a) Stakeholders sensitization for the different players along the nuts and oil crops value chains
- (b) Training and capacity building for the staff in the County Governments.
- (c) Consultations with the County Governments during the implementation of the regulations.

## **6. Impact**

### **6.1 Impact on the Public Sector**

- (i) Full implementation of these regulations will aid to advance the food security, health and manufacturing pillars of the National Government's Big Four Agenda through increased productivity of nuts and oil crops, value addition through nuts and oil crops manufacturing and improved health through enhanced nutrition security.
- (ii) The regulations will result in increased farm incomes, increased export revenues and foreign exchange earnings.
- (iii) The Government will, for the first time, establish a coherent nuts and oil crops sub-sector for streamlined oversight and better management.
- (iv) County Governments will have a reference point for direct interventions at the local level for mobilization of resources for implementation and provision of agricultural advisory services to the farmers, thus promoting the sub sector development in the counties.
- (v) The AFA (Nuts and Oil Crops Directorate) will have well developed structures in the sector for effective sector regulation and informed planning.

### **6.2 Impact on the Private Sector**

- (i) Farmers and farmer organizations will access quality planting materials and market information more readily, access enhanced advisory services and support, improved and diverse market access, benefit from improved prices.

- (ii) Processors – consistent and reliable supply of quality raw materials for better business planning and operation and legal recognition of the many businesses now viewed as informal or illegal.
- (iii) Commodities dealers - legal recognition of the informal businesses, regular supply of produce for sustainable businesses, consistent product quality, and reliable and stable markets.
- (iv) Marketers and exporters - regular supply of products for sustainable businesses, consistent product quality, and development of reliable and stable markets.
- (v) Nursery operators - Legal recognition of nurseries, advisory services and support, reliable market for planting materials

### **6.3 Impact on Fundamental Rights and Freedoms**

- (a) The proposed regulations were benchmarked against the Bill of Rights in the Constitution and they do not impact negatively on the fundamental rights and freedoms contained therein.
- (b) The proposed regulations are expected to have positive impact on the rights and freedoms of individuals and communities. They will provide better returns on their produce and investment to existing and new farmers. The regulations will also create wealth and employment for more Kenyans in the rural areas. This would contribute to improved household incomes and enhance capacities to afford an adequate standard of living envisaged in article 43 of the Constitution.
- (c) Further, the proposed regulations seek to advance the government policy of implementing reforms in the nuts and oil crops sub-sector aimed at achieving the national goals of agricultural sector being a key driver of economic growth and value addition as set out in the Kenya Vision 2030. The regulations will not only enhance public participation of the players in the sub-sector but also ensure consumers of the nuts and oil crops products are of high quality and safe to consume as required in article 46 of the Constitution.

## 7.0 Monitoring and Review

- (i) It is expected that review, monitoring and evaluation will be a subject of great interest to all stakeholders in the sub-sector particularly because of its potential to offer improvement in incomes, increase foreign exchange earnings, create employment, reduce poverty and enhance living standards of Kenyans. The Ministry of Agriculture, Livestock, Fisheries and Irrigation working together with AFA and County Governments will thus work hand in hand to promote research with an aim of reviewing the adequacy and effectiveness of the Regulations towards promoting the growth and development of this vibrant sub-sector that will increase the market for nuts and oil crops locally, regionally and internationally
- (ii) The RIA deduced that the establishment of a nuts and oil crops databases will be maintained that includes growers and other players' registers, nursery returns, production and market trends.
- (iii) RIA further noted that as part of the monitoring and evaluation (M&E) framework, County technical departments and other complimenting regulatory agencies are also being mandated to monitor specific issues within the counties and maintain resultant data and information to inform future regulations reviews.
- (iv) Enhance compliance with national and international standards will result in higher quality, improved prices and reduced complains from nuts and oil buyers.
- (v) Due to stakeholders' consultations on the regulations, stakeholders' compliance levels will increase.
- (vi) Improved relations between national and county governments will lead to increased consultations, harmonized nuts and oil policies and joint forums.

The outcomes will be subject to internal reviews by the Nuts and Oil Crops Directorate after every 12 months and the regulations may be amended accordingly. The regulatory impact assessment will also be conducted on an annual basis to inform the need for additional changes within the regulations.

## **8. Contact**

The Principal Secretary  
State Department for Crops Development  
Ministry of Agriculture, Livestock, Fisheries and Irrigation  
Kilimo House, Cathedral Road  
P.O. Box 30028  
Nairobi.  
Or by Email: [psagriculture@kilimo.go.ke](mailto:psagriculture@kilimo.go.ke)

The Director General  
Agriculture and Food Authority  
Tea House, Naivasha Road off Ngong Road,  
P.O Box 37962-00100  
Nairobi.

Or by Email: [info@agricultureauthority.go.ke](mailto:info@agricultureauthority.go.ke)

**REGULATORY IMPACT  
STATEMENT**

# **REGULATORY IMPACT STATEMENT**





**MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND  
IRRIGATION**

---

**REGULATORY IMPACT STATEMENT (RIS)  
THE CROPS (NUTS AND OIL CROPS) REGULATIONS, 2020**

**FEBRUARY, 2019**

---

## Introduction

The Regulatory Impact Statement for the proposed Crops (Nuts and Oil Crops) Regulations, 2020 was prepared in accordance with the provisions of sections 6 and 7 (1) and (2) of the Statutory Instrument Act, 2013 (No. 23 of 2013). Section 6 of the Act requires the regulation making authority to prepare a regulatory impact statement for the proposed regulations indicating the costs and benefits of the proposed regulations on the public and stakeholders. Section 7(1) and (2) of the Act set out the contents of a regulatory impact statement for the proposed regulations as follows:

### 1.0 A Statement of the Objectives and Reasons for the Proposed Regulations

The regulatory objective and justification is to provide guidelines in the development and promotion of the Nuts and Oil Crops industry and in particular provide for:

- (a) Conditions and registration/licensing of nursery operators, growers, dealers and manufacturers.
- (b) Application, processing procedures and various forms.
- (c) Recommendation of general industry agreements or contracts.
- (d) Production, harvesting, processing and marketing.
- (e) Filing of statistical returns.
- (f) Imposition and administration of levies.
- (g) The regulations will significantly support the realization of the National Government's *Big Four Agenda* through improved food security, nutrition security and thus by extension will also contribute to improved health in the country.
- (h) In addition, the regulations will promote value addition of various nuts and oil crop commodities through agro-processing and thus also contribute to the realization of the manufacturing pillar while also creating more jobs in the nuts and oil crops sub-sector.
- (i) Such any other matters as may be deemed necessary for the better carrying into effect of the provisions of these regulations.

## **2.0 Statement on the Effect of the Proposed Regulations**

### **2.1 Effects on the Public Sector**

- (i) Full implementation of these regulations will advance the food security, health and manufacturing pillars of the National Government's *Big Four Agenda* through increased productivity of nuts and oil crops, value addition through nuts and oil crops manufacturing and improved health through enhanced nutrition security.
- (ii) The regulations will result in increased farm incomes, increased export revenues and foreign exchange earnings.
- (iii) The Government will, for the first time, establish a coherent nuts and oil crops sub-sector for streamlined oversight and better management.
- (iv) County Governments will have both the policy and its implementation strategy as a reference point for direct interventions at the local level, especially the mobilizations and providing agricultural advisory services to the farmers, and promoting sector development in the counties, and regulation of the industry at the county level.
- (v) Nuts and Oil Crops Directorate will have well developed structures in the sector for effective sector regulation and informed planning.

### **2.2 Effects on the Private Sector**

- (i) Farmers and farmer organizations will access quality planting materials and market information more readily, access enhanced advisory services and support, improved and diverse market access, benefit from improved prices.
- (ii) Processors – consistent and reliable supply of quality raw materials for better business planning and operation and legal recognition of the many businesses now viewed as informal or illegal.
- (iii) Commodities dealers - legal recognition of the informal businesses, regular supply of produce for sustainable businesses, consistent product quality, and reliable and stable markets.
- (iv) Marketers and exporters - regular supply of products for sustainable businesses, consistent product quality, and development of reliable and stable markets.
- (v) Nursery operators - legal recognition of nurseries, advisory services and support, reliable market for planting materials.

### **2.3 Effects on Fundamental Rights and Freedoms**

- (i) The proposed regulations were benchmarked against the Bill of Rights in the Constitution of Kenya, 2010 and they do not impact negatively on the fundamental rights and freedoms contained therein.
- (ii) The proposed regulations will engender fundamental rights and freedoms of players in the nuts and oil crops value chain. They will provide better returns on their produce and investment to existing and new farmers. The regulations will also create wealth and employment for more Kenyans in the rural areas. This would contribute to improved household incomes and enhances capacities to afford an adequate standard of living envisaged in Article 43 of the Constitution.
- (iii) Further, the proposed regulations seek to advance the government policy of implementing reforms in the nuts and oil crops sub-sector aimed at achieving the national goals set out in the Kenya Vision 2030 whereby the agricultural sector shall be a key driver of economic growth and value addition. The regulations will not only enhance public participation of the players in the nuts and oil crops sub-sector but also ensure consumers of Nuts and Oil Crops have quality and safe products to consume as required in article 46 of the Constitution.

### **3.0 Statement on Regulatory and Non-Regulatory Option**

#### **3.1 Option 1: Maintaining the *Status Quo***

Retaining the current regulatory status will have undesirable outcomes. In the longer term, this option means that the sector will continue to operate under outdated and uncoordinated legislation.

#### **3.2 Option 2: Passing the Regulations**

Government can achieve its policy objectives by using taxpayer's money, or through a range of non-spending interventions, including regulation. Regulation aims to set rules to protect and benefit people, businesses and the environment, stabilizing markets and addressing market failures to support economic growth. Regulation can also create costs for businesses, the third and the public sectors.

It can, if overused, poorly designed or implemented, stifle competitiveness and growth.

The passing and operationalization of the proposed regulations will strengthen the institutional, legal and regulatory framework in the nuts and oil crops value chain as follows:

- (i) Support increased participation of the more efficient private sector in the nuts and oil crops sub-sector as opposed to middlemen controlling the sector, allowing for new investments in processing, produce aggregation, product formulation and product export.
- (ii) Enhance access to quality planting materials to meet demand for new crop establishment and renewal of existing fields.
- (iii) Streamline coordination of players within the sub-sector and remove underhand dealings that negatively impact on the sub-sector and especially exploitation of farmers by middlemen.
- (iv) Maintain a realistic data base on the sub-sector for better planning.
- (v) Facilitate increased crop research and improved extension advisory services to farmers for increased production and improved produce quality.
- (vi) The passing and operationalization of the proposed regulations will therefore facilitate the revitalization and development of the Nuts and Oil Crops sub-sector for the sector to effectively contribute to the realization of the objectives of the Vision 2030, the National Agriculture Sector Development Strategy and the "Big 4" Agenda.

### **3.3 Option 3: Other Practical Options**

Alternatives to regulation include information and education, market-based structures, self-regulation and co-regulation. In addition, existing policies can be improved, without further regulation, using techniques such as behavioral insight or changing enforcement practices to improve compliance. Such approaches may be better or worse for business and the economy than an equivalent regulatory measure.

## 1. Alternatives to regulation

The alternatives to regulation include:

- (i) **Information and education:** Information and education can be used to empower stakeholders to make their own decisions, improving choice for mutual benefit of all. There are potential risks associated with this. Information and education can take time to make an impact. Access to information and the ability to use it can vary within a community and so may not reach all equally. It may also not be straightforward to assess how people will react or change their behaviour in response to the information provided and it will increase costs for government and businesses that will be providing the information and education required.
- (ii) **Incentive/market-based structures:** The government can use economic instruments, such as taxes, subsidies, quotas and permits, vouchers etc. as initiatives to realize the desired objectives. These initiatives however are only practically possible in well-developed and efficiently functioning sectors which have well defined structures unlike the Nuts and Oil Crops sub-sector. Further, often these sorts of systems need their own regulations to establish the framework and may have additional costs to the government.
- (iii) **Self-regulation:** An industry or a profession can self-regulate, for example through the use of codes of conduct, customer charters, standards or accreditation. In many cases rules and codes of conduct will be formulated by other industry representative or organization under their own initiative.
- (iv) **Co-regulation:** Co-regulation is an intermediate step between state-imposed and self-regulation that involves some degree of explicit government involvement where industry may work with government to develop a code of practice and enforcement would be by the industry or a professional organization and accredited by government.

#### **4.0 Costs-Benefit Analysis (CBA)**

The implementation of policies and regulatory frameworks comes with gains and losses as well as benefits and penalties. Whereas the losses and penalties can be summed up as costs or inputs, the gains and benefits are summed up as outputs or products. All these occur over a span of time calling the capture of this stream of costs and products over time.

#### **4.1 Economic, Environmental and Social Impacts**

The economic impacts of the regulations will include:

- (i) Increased agricultural production of nuts and oil crops.
- (ii) Increased exports of nuts and oil crops produce and products.
- (iii) Increased savings and investment by nuts and oil crops farmers.
- (iv) Foreign direct investment through new investments in production, warehousing/processing and marketing of nut and oil Crops - the returns will outweigh the initial costs.
- (v) Improved terms of trade - substitution of imported nuts and oil crops from increased local production.
- (vi) Increased job creation in the nuts and oil crops subsector.

The social impacts of the regulations will include:

- (i) Decreased poverty level among the nuts and oil crops farmers and the community in general.
- (ii) Improved income distribution among the nuts and oil crops farmers and the community in general.
- (iii) Improved access to social amenities among small growers as spin-off from investment along the nuts and oil crops value chain.
- (iv) Improved health status of the farmers and the community resulting to reduced child and maternal mortality and reduced disease incidences
- (v) Improved education levels and reduced illiteracy.

The environmental impacts of the regulations will include:

- (i) Improved land conservation, utilization and management will be a cost for the regulations that can easily balance out with improved access to clean affordable water by the households.
- (ii) Improved access to quality affordable energy by households.
- (iii) Reduced carbon emission.
- (iv) Reduced deforestation.
- (v) Soil degradation due to improved plant cover and reduced soil operations is a neutral cost impact.

#### **4.2 Administration and Compliance Cost**

- (i) Administration and ensuring compliance to the regulations is not costly bearing in mind the inherent structure already in place under the Ministry of Agriculture, Livestock, Fisheries and Irrigation that cascades to the county level and these regulations describe the roles at each level. Besides, implementation and compliance with the regulations will generate income from registration fees of farmers, importers and exporters. As such the regulatory framework is self-sustaining.
- (ii) On the part of farmers, increased production of Nuts and Oil Crops as well as increased quality of produce by far outweighs the initial cost that may be incurred by farmers in complying with the regulations.
- (iii) There will be additional cost in training staff in related institutions including County Governments for harmony of implementation. The benefit would be reduced costs due to joint training budgets.

#### **4.3 Assessment of Return on Investment (Benefit)**

The RIA has noted that operationalization of the regulations will be critical in assisting the nuts and oil crops farmers attain a level of productivity that will guarantee improved incomes for the farmer and thus improved livelihoods and social welfare for communities, while also guaranteeing other businesses within the value chains good returns and higher export volumes for the country. In broad terms, the RIA noted the following benefits:

- (i) Regulation will streamline and organize the sector for better functioning while allowing for fair competition and this will result to enhanced efficiency and development of the sector.
- (ii) The regulations will spur investment in the nuts and oil Crops value chain due to increased farmer confidence, thereby raking in venture capital.
- (iii) Increased access to quality planting materials by smallholders will result to increased acreage under nuts and oil Crops and increased yields and improved quality.
- (iv) New processors, dealers and other value chain actors will invest in the sector providing farmers with alternative market options for their produce.
- (v) Processors, dealers, and other value chain actors will be assured of sufficient quantities of produce and of acceptable quality for sustained operations of their businesses.
- (vi) A comprehensive sector data base will be maintained to inform sector planning and future investments.
- (vii) All businesses which have been operating illegally within the value chain will be legitimized and thus contribute more to the development of the sector and the economic sustainability.
- (viii) Increased national production and value addition will translate to increased exports of the different commodity products.
- (ix) Increased production will translate to increased job creation through farm labour and processing.
- (x) Increased production will also translate to increased exports and thus increased foreign exchange earnings.
- (xi) Research in the sector will be focused to address identified issues and support further development of all spheres of the sector.

#### **4.4 Quantification of the Benefit**

The nuts and oil crops have immense potential to contribute to the Kenya's agricultural development and contribute to the realizations of national development objectives. The coconut crop is reported to have a potential of contributing over Kshs. 13 billion but its current contribution is about Kshs. 3.2 billion (AFA, 2015).

The current production of cashew nut averages 24,000 Metric tons, valued at about Kshs.891m, whereas the potential is estimated to be about 63,000 MT earning of over Kshs. 2 billion (NOCD/AFA, 2016). Currently coconut industry

supports over 350,000 people directly and another 500,000 indirectly, while cashew nut supports 70,000 people directly another 100,000 indirectly (AFA, 2015).

Macadamia is quickly evolving from a shade tree for coffee and macadamia nuts production is expanding fast and is rapidly replacing coffee in traditional coffee growing areas. In 2017, some 41,416 MT of macadamia nuts were produced earning some Kshs. 7.49 billion. The potential from the macadamia industry is enormous and is projected to exceed 100,000MT earning a possible over Kshs.18 billion in the next few years. Many farmers that are dependent on this sub-sector will earn their livelihoods from this crop (AFA, 2017).

There are other nuts and oil crops which though currently are considered less important than these three have huge potential and can contribute significantly to the national food security. These emerging export crops include: sunflower, ground nuts and sesame (simsim) among others. The development of these commodity industries will also contribute to improving livelihoods for millions of farmers while also creating job opportunities along different levels of the value chains.

#### **4.5 Distribution of Impacts**

The operationalization of the Regulations will generate more positive than negative impact/risks if the regulations are implemented with sufficient financial, logistical, technical and human resources with the impacts and more heavily on the government but positively on the private sector. The regulations are expected to translate to quickly turn around of each of the commodity industries and translate to improved productivity, both in quantity and quality.

The streamlined commodity industries will be a motivation to farmers to increase the area under these crops as well to improve crop husbandry practices. The increased production will directly result in increased incomes for the farmers and thus improved livelihoods through reduced Poverty Levels, improved income Distribution, better access to Water and sanitation, access to better health care and thus reduced child and maternal mortality, and access to better education and thus reduced illiteracy. The increases of the growing of these crops which are all perennial crops improve the land use management, reduce soil degradation and deforestation. In addition the increased production and development of

these industries will create many new job opportunities both at the farm level and within the different processes along these value chains.

The public sector, the regulation and coordination of a streamlined nuts and oil crops sector will be significantly improved. The improved production and value addition will contribute to increased exports and earning in foreign exchange for the country. In addition development of the nuts and oil crops sector in processing and value addition and especially will increase the availability of raw materials for local cooking oil and soap manufacturers who currently depend on imports and thus saving the foreign exchange used to finance these imports.

## **5.0 Reasons why other Regulatory Options are not Appropriate**

### **5.1 Option 1: Maintaining the *Status Quo***

Maintaining the *status-quo* will only sustain the challenges facing the nuts and oil crops sub-sector and allow further decline in this sub-sector, including the following:

- (i) Continued traditional farming and neglecting of Nuts and Oil Crops due to poor confidence in the key sector players and in the commodities themselves.
- (ii) Limited access to high quality seeds and seedlings for crop establishment and renewal.
- (iii) Limited private sector participation, leaving the sub-sector to cartels who heavily exploit the farmers, demotivating them to improve production.
- (iv) Declining and unreliable production and further diminishing of Kenya's importance in the respective global commodities market.
- (v) County Governments will not play any role in the regulation of the sub-sector thus contravening the Fourth Schedule of the Constitution, Section 6 of the Crops Act, Section 29 of the AFA Act and relevant provisions of the County Governments.

The situation is not sustainable and thus maintaining the status quo is not a viable option for revitalization and development of the nuts and oil crops sub-sector.

### **5.2. Other Practical Options**

The other practical options set out in **section 3.3** above were weighed against the need to pass the proposed regulations. Therefore, considering the cost benefit analysis; the economic, environmental and social costs; administration and compliance costs; assessment of the return on investment; and quantification of the benefit of the proposed regulations, it is concluded that the Nuts and Oil Crops Regulations should be passed and operationalized whereas the other practical options identified herein are not viable option. However, they can complement the regulations where no operational conflicts are apparent.

## **6.0 Conclusion**

The sum assessment of the impacts of the proposed regulations makes a compelling case for passing and implementation of the Nuts and Oil Crops Regulations. The proposed regulations bear much promise in streamlining production, trade and problematic interactions among key players in the nuts and oil crops sub-sector.

## **7.0 Recommendations**

The Regulatory Impact Assessment recommends the passing and operationalization of the proposed Crops (Nuts and Oil Crops) Regulations, 2020.

# **REGULATORY IMPACT** **ANALYSIS REPORT**



**MUNYAO, MUTHAMA & KASHINDI**

---

**FINAL REGULATORY IMPACT ANALYSIS REPORT**  
**THE CROPS (NUTS AND OIL CROPS) REGULATIONS, 2020**  
**FOR**  
**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**FEBRUARY, 2019**

---

**Prepared and Submitted By:**

Munyao Muthama & Kashindi

Advocates

Chaka Place, 3<sup>rd</sup> Floor

Argwings Kodhek Road

P.O. Box 24482- 00100

**Mobile:** +254 722 554 407

**Nairobi**

**Email:** [kashindi@mmkadv.com](mailto:kashindi@mmkadv.com)/[gkashindi@gmail.com](mailto:gkashindi@gmail.com)

**Contact Person:** George Kashindi

## TABLE OF CONTENTS

|   |    |
|---|----|
| 1.0 INTRODUCTION AND BACKGROUND.....  | 5  |
| 1.1 Background.....   | 5  |
| 1.1.2 Rationale and justification for Regulatory Impact Assessment.....           | 6  |
| 1.1.3 Objective of the Assignment.....  | 9  |
| 1.1.4 Methodology and Approach.....   | 10 |
| 1.1.5 Policy Background for the draft Crops (Nuts and Oil Crops) Regulations..... | 11 |
| 1.1.6 Objectives of the draft Crops (Nuts and Oil Crops) Regulations.....         | 12 |
| 1.2 Assessment of the Nature and Extent of the problem.....                       | 13 |
| 1.2.1 The Nature of the Problem.....  | 13 |
| 1.2.2 The Extent of the Problem.....  | 13 |
| 1.3 Regulatory Contextualization.....   | 15 |
| 2.0 EFFECTS OF THE PROPOSED REGULATIONS.....                                      | 15 |
| 2.1 Affected Groups.....  | 16 |
| 2.2 Effects on the Public Sector.....   | 16 |
| 2.3 Effects on the Private Sector.....  | 16 |
| 2.4 Effects on Fundamental Rights and Freedoms.....                               | 17 |
| 3.0 REGULATORY AND NON-REGULATORY OPTIONS.....                                    | 19 |
| 3.1 Option 1: Maintaining the <i>Status Quo</i> .....                             | 19 |
| 3.2 Option 2: Passing the Regulations.....  | 19 |
| 3.3 Option 3: Other Practical Options.....  | 20 |
| 4.0 COST-BENEFIT ANALYSIS (CBA).....  | 22 |
| 4.1 Economic, Environmental and Social Impacts.....                               | 22 |
| 4.2 Administration and Compliance Cost.....                                       | 23 |
| 4.3 Assessment of Return on Investment (Benefit).....                             | 23 |
| 4.4 Quantification of the Benefit.....  | 24 |
| 4.5 Distribution of Impacts.....  | 25 |
| 5.0 REASONS WHY OTHER REGULATORY OPTIONS ARE NOT APPROPRIATE.....                 | 26 |
| 6.0 OUTCOME OF STAKEHOLDER PARTICIPATION.....                                     | 29 |
| 6.1 Legal Basis for Public Participation.....                                     | 29 |
| 6.2 Stakeholder Engagement.....   | 30 |

|   |    |
|---|----|
| 6.2.1 National Level Consultations (Government).....  | 31 |
| 6.2.2 Private Sector Consultations .....              | 31 |
| 6.3.3 County Governments/Level.....                   | 31 |
| 6.3.4 Experts and Academia.....                       | 32 |
| 6.4 Stakeholder Views .....                           | 32 |
| 6.5 Assessment of Adequacy .....                      | 32 |
| 7.0 ENFORCEMENT AND COMPLIANCE.....                   | 34 |
| 8.0 REVIEW, MONITORING AND EVALUATION .....           | 36 |
| 9.0 CONCLUSION AND RECOMMENDATIONS .....              | 37 |
| 9.1 Linking the Regulation to other Regulations ..... | 37 |
| 9.2 Conclusion.....                                   | 37 |
| 9.3 Recommendations .....                             | 38 |
| 10.0 PERTINENT ISSUES .....                           | 39 |
| 11.0 REFERENCES .....                                 | 40 |

## **LIST OF ABBREVIATIONS**

|       |   |
|-------|---|
| AFA   | Agriculture Food Authority                                    |
| ASDS  | Agriculture Sector Development Strategy                       |
| CAP   | Chapter of the Laws of Kenya                                  |
| CBA   | Cost Benefit Analysis   |
| GDP   | Gross Domestic Product  |
| IEBC  | Independent Electoral and Boundaries Commission               |
| KALRO | Kenya Agricultural and Livestock Research Organization        |
| KG    | Kilogram  |
| KRA   | Kenya Revenue Authority                                       |
| Ksh   | Kenya Shillings   |
| LTD   | Limited   |
| MOALF | Ministry of Agriculture, Livestock and Fisheries & Irrigation |
| MT    | Metric Tons   |
| NASA  | National Super Alliance                                       |
| NGO   | Non-Governmental Organizations                                |
| NOCD  | Nuts and Oil Crops Directorate                                |
| OECD  | Organization for Economic Cooperation Development             |
| RIA   | Regulatory Impact Assessment                                  |
| RIS   | Regulatory Impact Statement                                   |
| SAGA  | Semi-Autonomous Government Agencies                           |
| UK    | United Kingdom  |
| USA   | United States of America                                      |

## 1.0 INTRODUCTION AND BACKGROUND

### 1.1 Background

Agriculture remains the backbone of the Kenyan economy. It provides for the livelihoods of a vast majority of the Kenyan population, earns the country foreign exchange, reduces poverty levels and enhances the living standards of Kenyans. According to the Kenya National Bureau of Statistics Economic Survey 2017, agriculture is the single largest sector of Kenya's economy accounting for about 31% of the gross domestic product (GDP); and it is an important source of economic growth. For the sector to thrive as well as it does, there has to be adequate and proper regulations.

Before the enactment of Agriculture and Food Authority Act, 2013 (No. 13 of 2013) (AFA Act) and the Crops Act, 2013 (No. 16 of 2013), the role of developing, promoting and regulating the nuts and oil crops sub-sector was largely amorphous. The Kenya Coconut Development Authority was tasked with the responsibility of developing, promoting and regulating the coconut industry while Horticultural Crops Development Authority, among other functions, focused on other horticultural crops including macadamia. The Ministry of Agriculture, Livestock, Fisheries and Irrigation handled the rest of the nuts and oil crops.

In 2013, the AFA Act was enacted. Section 3 of the Act established Agriculture and Food Authority (AFA) as the regulatory authority for the food and agriculture sector in Kenya. The Act also consolidates the laws on the regulation and promotion of agriculture and makes provision for the respective roles of the national and county governments in agriculture and related matters, in line with the provisions of the Fourth Schedule of the Constitution of Kenya, 2010.

Article 93 of the Constitution of Kenya, 2010 establishes Parliament that has a tripartite mandate i.e. representative, legislative and watchdog of other arms of government through checks and balances. Article 94(5) of the Constitution vests the power to make provisions that have a legal force to the Parliament. However, Article 94(6) confers a State organ, State officer or person with authority to make provisions that have a legal force. The delegated legislative mandate must be within express specification, purpose and objectives.

The Crops Act, 2013 was enacted in 2013. Its objectives are to accelerate the growth and development of agriculture in general; enhance productivity and

incomes of farmers and the rural population; improve investment climate and efficiency of agribusiness and develop agricultural crops as export crops that will augment the foreign exchange earnings of the country; through promotion of the production, processing, marketing, and distribution of crops in suitable areas of the country.

Section 40 of the Crops Act, 2013 as read together with section 46 of the AFA Act gives power to the Cabinet Secretary in consultation with the AFA and county governments to make regulations for the better carrying into effect of the provisions of the Act. The Act provide for the formulation of various regulations, rules and guidelines to operationalize both the AFA Act and the Crops Act, 2013.

The Statutory Instruments Act, 2013 (No. 23 of 2013) came into operation on the 25th of January 2013. It compels administrative authorities and officials to observe the provisions of the Act in coming up with regulations and policies with an aim of promoting legal effectiveness, clarity and intelligibility of proposed regulations to anticipated users through an '*explanatory memorandum*' that gives a brief description of its purpose, legislative context, policy background, impact, among other considerations. The key requirements of this Act are: consultations with stakeholders in line with section 5 and preparation of a regulatory impact statement in line with section 6, 7 and 8 of the Act.

The Nuts and Oil Crops Directorate assumed the mandate of the hitherto Kenya Coconut Development Authority. Other than coconut, this Directorate was added additional nuts and oil crops such as macadamia, cashew nuts, sunflower, simsim and ground nuts among others.

The nuts and oils crops are predominantly grown by small scale farmers in Kenya with the main crops being coconuts and cashew nuts which are mainly grown in the coastal counties of the country and more recently introduced to other inland of the country, macadamia mainly grown in central and eastern parts of the country and ground nuts mainly grown in western part of the country.

### **1.1.2 Rationale and justification for Regulatory Impact Assessment**

Over the last few decades, Regulatory Impact Assessment (RIA) has emerged as a key instrument to support evidence-based and coordinated policy-making. The systematic use of RIA is recognized as a key means to improve the efficiency, transparency and accountability of decision making. RIA typically also encourages several “good governance” features and contributes to a better business-enabling environment. Starting in the US and the UK in the 1980s, RIA gained popularity and traction in the second half of the 1990s. By 2015, all 34 members of the OECD at the time reported to have “some form of RIA” in place.

RIA is a flexible tool that helps governments make better regulatory and other policy decisions based on information and empirical analysis about the potential consequences of government action. The aim of RIA is to ensure that better policy options are chosen by establishing a systematic and consistent framework, including stakeholder consultation, for assessing the potential impacts of government action.

A systematic application of RIA, when embedded in the policy process, trains decision-makers to ask and answer targeted questions, at the beginning of the policy cycle, about the need for and goals of regulation, and the possible consequences of government action. The many methods used in RIA – including benefit-cost, cost-effectiveness, and least-cost tests, and partial tests such as administrative burden and small-business tests – are means of giving order to complex qualitative and quantitative information about the potential effects of regulatory measures.

The final products of this systematic process of analysis are self-contained documents called RIAs or Regulatory Impact Statements (RISs). The RIAs deal with substantive policy issues, are read and utilized by decision makers, and normally available for public scrutiny and subject to the evaluation, but increasingly so in parallel with the drafting phase of an independent oversight authority. Although methodologies vary across countries, a number of key elements are common. An RIA normally includes:

- (a) Problem definition and justification for regulatory action;
- (b) Data, on which the analysis is based;
- (c) Results of the consultation with affected parties and stakeholders;
- (d) Identification of a number of feasible policy options;

- (e) Estimation and comparison of the different (qualitative and quantitative) impacts of each policy option;
- (f) Selection of a preferred option accompanied by a prospective analysis of its implementation and, more recently, providing basis for ex-post review.

There is no single RIA model. The institutional set-up for RIA depends on legal, political, economic and social conditions. However, good practices have been identified internationally, and there are converging patterns of how RIA is institutionalized. The institutional framework for RIA often includes legal provisions which embed RIA in the policy formulation process, and stipulates criteria about its scope of applicability. A governmental body is often tasked with the oversight of the quality of RIA documents and the RIA process.

RIA is a broad tool now used in most developed countries and an increasing number of developing and transition countries to improve the understanding of economic and social welfare impacts of regulation. It is widely recognized as an important mechanism, which can contribute to improving the business environment, and to promote regulatory efficiency and effectiveness. RIA allows policy makers to assess trade-offs, consider new ways to regulate and identify the most suitable alternatives to regulation. In essence, RIA is a method of:

- (i) systematically and consistently examining the positive and negative impacts arising from proposed government actions; and
- (ii) Communicating the information to decision makers and other stakeholders.

RIA is an important factor in designing a good-quality law as it helps to provide valid arguments supporting a planned regulation. The process is designed to improve the quality of regulation by ensuring that the decision maker is fully informed when making regulatory instruments. The RIA process is designed to encourage careful consideration, at an early stage, of the fundamental question of whether regulatory action is required or whether policy objectives can be achieved by alternate or non-regulatory measures, with lower costs for business and the community. RIA may sometimes indicate that non-legislative measures are the best solution to a particular social and economic problem. Thus, RIA helps to avoid the production of redundant laws and reduce the bureaucratic burden on enterprises.

Kenyan courts have made decisions to underscore the importance of RIA in coming up with regulations. In *Kenya Association of Manufacturers & 2 others v Cabinet Secretary, Ministry of Environment and Natural Resources & 3 others* [2017] eKLR the court demonstrated that it is strictly incumbent on a regulation-making body to make assessment of the regulations on the stakeholders and that failure to conduct it has the potential of rendering a statutory Instrument null and void if challenged on that basis.

Accordingly, Kenyan courts have underscored the need to strictly comply with the Statutory Instruments Act. First, the courts have found that a regulatory impact assessment must begin with consulting stakeholders as that is the only sure way of determining the regulatory impact on the stakeholders, whether individual or juridical persons. Secondly, as was addressed in *British American Tobacco Ltd v Cabinet Secretary for the Ministry of Health & 4 others* [2015] eKLR the mode of consultations key but this depends on the circumstances of each case as was held in the case of *Republic v MOALF & others Ex parte Council of Governors and Harrison Munyi (as the Chairman of the New National Farmers Association)* [2016] eKLR.

Regarding the process that the assessment ought to take, the court in *Okiya Omtatah Okoiti v Commissioner General, Kenya Revenue Authority & 2 others* [2017] eKLR posited the chronology of the procedure as follows; consultation of stakeholders; regulatory impact assessment; preparation of an explanatory memorandum and tabling of the statutory instrument in the relevant house and consideration of the same by Committee of Delegated Legislation. This is in line with the requirements of the Statutory Instruments Act, 2013.

### **1.1.3 Objective of the Assignment**

Section 40 of the Crops Act, 2013 gives the Cabinet Secretary in charge of Agriculture the powers to make regulations for the better carrying out of the provisions of the Act. In light of this, AFA in consultation with the county governments and relevant stakeholders came up with draft Crops (Nuts and Oil Crops) Regulations, 2020. AFA engaged the firm of Munyao, Muthama and Kashindi Advocates to undertake the Regulatory Impact Assessment of the draft Crops (Nuts and Oil Crops) Regulations, 2020.

The main objective of the assignment was to conduct a Regulatory Impact Assessment (RIA) of the draft Crops (Nuts and Oil Crops) Regulations. The RIA seeks to evaluate the impact and effects of the draft regulations both on the public and private sectors to inform the choice of the most appropriate way to achieve objectives of the proposed regulations by evaluating the major feasible alternatives of intended legislative action and other practical non-regulatory options.

The specific objectives of the following assignment were to:

- (i) Undertake an assessment of the draft regulations in terms of its economic, environmental and social impact and the likely administration and compliance costs.
- (ii) Assess the impact of the draft Regulations on the private and public sectors.
- (iii) Assess the effect of the draft Regulations on fundamental rights and freedoms;
- (iv) Assess the effects of the draft Regulations.
- (v) Indicate other practicable means of achieving the objectives of the draft regulations including other regulatory or non-regulatory options and reasons for or against these means.
- (vi) Prepare regulatory impact statements for the draft Regulations.
- (vii) Prepare an explanatory memorandum for the draft Regulations.
- (viii) Prepare notices on the Regulatory Impact Statements for publication in the *Kenya Gazette* and other 2 other daily newspapers of wide circulation;
- (ix) Prepare for the Cabinet Secretary a compliance certificate for the draft regulation as per section 7 (3) & (4) of the Statutory Instruments Act, 2013.
- (x) Assess any other pertinent issue with respect to the draft Regulations.
- (xi) Prepare and submit a final legislative and policy review report on the draft regulations to the Board for their consideration.

#### **1.1.4 Methodology and Approach**

The approach to the assignment entailed detailed desk review and synthesis of the Draft regulations, Crops Act, 2013, AFA Act, Agriculture policy and strategies, Vision 2030, Constitution of Kenya, 2010 and other key policy documents, qualitative analysis, quantitative analysis, comparative analysis, trend analysis of data from these documents, trend analysis of judicial decisions on regulatory impact assessment and public participation and key informant interviews and

focused group discussions to validate secondary data obtained from the documents.

### **1.1.5 Policy Background for the draft Crops (Nuts and Oil Crops) Regulations**

The performance of most nuts and oil crops such as coconut, cashew nuts, groundnuts, sesame (*simsim*) and sunflower have been on a decline over the decades with production, quality and value declining fast. Many farmers are therefore unwilling to invest in in this sub- sector as a source of income and livelihoods and raw materials for the many agro and cottage industries. The only exception has been the macadamia nuts which have realized steady growth over the same period.

This sub-sector remains poorly organized and developed for the following reasons: inefficient marketing systems; limited policy and institutional support; limited farm support and access to quality planting materials and limited value addition resulting to most of the produce being marketed raw and heavy exploitation of farmers by middlemen due to absence of or inefficient commodity marketing structures hence the need for an effective regulatory framework to guide the transformation of the sub-sector.

The objective of the AFA Act in part is to provide for the consolidation of laws for the regulation and promotion of agriculture in addition to providing for the concurrent roles of the national and county governments.

Cognizant of the wide array of the crops covered by the Crops Act, 2013 specific regulations that address specific issues of the different crops are being derived from this parent Act to ensure growth and development. The development of the Crops (Nuts and Oil Crops) Regulations began with the development of the nuts and oil crops industry policy that was based on the premise that the nuts and oil crops subsector faces various constraints in input supply; production; storage and distribution; processing; marketing and trade consumption; and support services. The legal and institutional framework guiding the subsector was also unfavorable. The policy therefore targeted to address the constraints in all these areas with the aim of proposing the necessary interventions needed to make the subsector vibrant.

From stakeholder consultations, it was apparent that the development of the Nuts and Oil Crops Regulations was required as a matter of priority. This was to provide

for the growth and development of the sub-sector and in particular to help in the implementation of the Crops Act, 2013 through attaining the objectives mentioned above.

Consequently, the formulation of the Crops (Nuts and Oil Crops) Regulations are necessary to for the better carrying out into effect the provisions of the Crops and AFA Acts such as prescribing the licensing and registration procedures for the nuts and oil crops industry players and applicable fees, approval of exports and imports, promotion of nut and oil crops trade internationally, ensuring conformity to international and national standards. The Regulations also provide for the roles of the national and county governments.

Basically, the regulations are aimed at the nuts and oil crops industry players, with the aim of the development; processing; marketing and market research; trade promotion; compliance; standards and food safety.

#### **1.1.6 Objectives of the draft Crops (Nuts and Oil Crops) Regulations**

The regulatory objective is to provide guidelines in the development and promotion of the nuts and oil crops industry and in particular provide for: -

- (a) Procedure and forms for application for registration and licensing of nursery operators, growers, dealers and manufacturers.
- (b) Conditions for registration or licensing.
- (c) Recommendation of general industry agreements or contracts.
- (d) Production, harvesting, processing and marketing.
- (e) Filing of statistical returns.
- (f) Imposition and administration of levies.
- (g) Support the realization of the national government's *Big Four Agenda* through improved food security, nutrition security and by extension will also contribute to improved health in the country.
- (h) Promote value addition of various food items through agro-processing and thus also contribute to the realization of the manufacturing pillar while also creating more jobs in the nuts and oil crops sub-sector.
- (i) Such any other matters as may be deemed necessary for the better carrying into effect of the provisions of these regulations.

## **1.2 Assessment of the Nature and Extent of the problem**

This section describes the nature and extent of the problem in the nuts and oil crops sub-sector which calls for a better regulatory framework.

### **1.2.1 The Nature of the Problem**

The nuts and oil crops sub-sector has the potential to drive economic development in the traditional growing areas of Kenya and in the other emerging potential growing areas. The industry however faces a number of serious challenges that cut across the entire value chains and constrain its capacity to thrive. The performance of the main nuts and oil crops which are coconut, macadamia nuts and cashew nuts have fluctuated over the years but have generally been way below the potential production, and often have been on a decline.

Marketing is one of the key challenges facing the nuts and oil crops sub-sector. Distribution and marketing channels are generally dominated by traders and middlemen/brokers who though play an important role in getting the farmers' produce to the markets, heavily exploit them, denying them the full value of their products. Generally the sub-sector has no formal marketing channels in existence; the cooperative societies on which farmers would have relied have collapsed or are inefficient and there is no direct connection between farmers and the processors. Other challenges of the sub-sector include low production brought about by ageing crop trees and poor crop husbandry, poor quality produce, limited supply and access and high cost of quality planting material, heavy losses due to pests and diseases, lack of affordable credit, high cost of production, inadequate extension, dependence on a few external markets, poor governance of farmer cooperatives inadequate agricultural market information, and climate change and unpredictable weather.

### **1.2.2 The Extent of the Problem**

Kenya currently produces on average of about 24,000 metric tons of cashew nuts annually valued at about Kshs. 891 million though there is potential to produce more than 63,000 metric tons per year (NOCD/AFA, 2016).

An intervention by the Government to ban raw cashew nuts exports in 2009 after lobbying by local processors has led to oversupply and even more depressed prices resulting in exploitation of farmers by processors and middlemen who manipulate prices, with producer prices said to have plummeted to less than Kshs. 30 from the KSh. 80/Kg exporters offered before the ban. Despite the ban, export of raw nuts has continued informally across the border with Tanzania with middle men taking advantage of the poor cashew nut market structure in Kenya to source nuts cheaply from farmers and which is ferried across the border. The negative effect of this high demand for exported nuts for this market is that the quality of nuts is compromised due to the harvesting and selling of premature nuts. This was the main reason that made China pull out of the Kenyan cashew nut market and impose a ban on importation of Kenyan nuts due to low quality (ITC, 2014).

Coconut has a potential of generating over Kshs. 13 billion up from the current Kshs. 3.2 billion annually but the production has remained low with no significant growth. The Department of Trade estimates that the country would cut its oil import and save over Sh8 billion annually if it increases oil production from the coconut. Figures from Ministry of Trade indicate that the country imports approximately 400,000 metric tons of oil annually at a value of Kshs. 14 billion of which, 120,000 metric tons or 30 per cent is used in soap manufacture. Further, due the absence of a formal marketing system, local farmers complain of continued exploitation by traders who buy nuts from them cheaply and transport them to Tanzania (KNBS, 2017).

Kenya is emerging as one of the most important producer of macadamia nuts in the world and was ranked 3rd highest producer behind South Africa and Australia. Kenya's macadamia industry has large potential to even expand further as many coffee farmers are substituting coffee with macadamia in their farms. The challenges affecting the industry include, limited access to quality planting materials, weak marketing systems, lack of research on development technologies and innovations on value addition, among others, that must be addressed to sustain the growth of the industry. Macadamia production in 2017 for example, increased by 5% to 41416 Tons with an estimated value of Kshs. 7.49 billion and the potential is immense especially with the dwindling fortunes of the once lucrative coffee sector (AFA, 2017).

### 1.3 Regulatory Contextualization

After independence, the Government *gazetted* coffee, tea, cashew nuts and coconut as scheduled crops. However, coconut and cashew nuts were dropped from the list in 1997. In 2007 the coconut crop was re-scheduled through the Kenya Coconut Development Authority Order, leaving cashew nuts and the other crops to operate under unclear legal and policy framework in terms of development in the areas of production, processing, marketing, and processing and crop research. Some restrictive laws such as the Liquor Licensing Act (Cap. 121)(now repealed) have confined further use, development and exploitation of other coconut related products while the Government ban on raw cashew nuts exports in 2009 distorted the marketing of the crop. Macadamia sub-sector on the other hand has remained regulated under the Horticultural Crops Development Order, 2011 attracting many players including foreigners who really exploit the farmers and concentrate in aggregating raw nuts for primary processing before exports. Export of raw macadamia nuts was also banned in 2009 (ID & MS, 2007).

Before the enactment of AFA Act, 2013 and Crops Act, 2013, the role of developing, promoting and regulating the nuts and oil crops sub-sector was largely amorphous with overlapping roles of different agencies including the Kenya Coconut Development Authority, Horticultural Crops Development Authority and The Ministry of Agriculture, Livestock and Fisheries and Irrigation and now more recently the County Governments.

There is therefore need to review the current policy and regulations on nuts and oil crops for the development of this sector and particularly to support the development of effective and efficient formal marketing structures with clearly defined roles of key players and regulations to govern their conduct and operations in the sub-sector which is important to incentivize growers to increase production and quality of output.

## 2.0 EFFECTS OF THE PROPOSED REGULATIONS

This chapter outlines the groups of persons likely to be affected by the proposed regulations and the impacts of the proposed regulation on both public and private sectors. It also examines the likely impacts of the proposed regulations on the realization of fundamental rights and freedoms of the affected groups.

## 2.1 Affected Groups

The regulations will affect all actors within the value chains and these include:

- (i) National Government.
- (ii) County Governments.
- (iii) Farmers.
- (iv) Farmer organizations.
- (v) Processors.
- (vi) Value chain commodities dealers.
- (vii) Marketers and exporters.
- (viii) Commodities dealers.
- (ix) Nursery operators.

## 2.2 Effects on the Public Sector

- (i) Full implementation of these regulations will aid to advance the food security, health and manufacturing pillars of the National Government's *Big Four Agenda* through increased productivity of food crops, value addition through nuts and oil crops manufacturing and improved health through enhanced nutrition security.
- (ii) The regulations will result in increased farm incomes, increased export revenues and foreign exchange earnings.
- (iii) The Government will, for the first time, establish a coherent nuts and oil crops sub-sector for streamlined oversight and better management.
- (iv) County Governments will have a reference point for direct interventions at the local level for mobilization of resources for implementation and provision of agricultural advisory services to the farmers, thus promoting the sub sector development in the counties.
- (v) The AFA (Nuts and Oil Crops Directorate) will have well developed structures in the sector for effective sector regulation and informed planning and decision making.

## 2.3 Effects on the Private Sector

- (i) Farmers and farmer organizations will access quality planting materials and market information more readily, access enhanced advisory services and

support, improved and diverse market access, benefit from improved prices.

- (ii) Processors – consistent and reliable supply of quality raw materials for better business planning and operation and Legal recognition of the many businesses now viewed as informal or illegal.
- (iii) Commodities dealers - Legal recognition of the informal businesses, regular supply of produce for sustainable businesses, consistent product quality, and reliable and stable markets.
- (iv) Marketers and exporters - regular supply of products for sustainable businesses, consistent product quality, and development of reliable and stable markets.
- (v) Nursery operators - Legal recognition of nurseries, advisory services and support, reliable market for planting materials.

## **2.4 Effects on Fundamental Rights and Freedoms**

Article 43 of the Constitution provides for the economic and social rights. It affirms the rights of individuals and communities to an adequate standard of life including right to accessible and adequate housing, right to adequate food of acceptable quality and right to clean and safe water in adequate quantities. The State has an obligation to allocate and provide resources for the progressive realization of these rights. Article 55 of the Constitution requires the State to take measures to ensure the youth can access employment and other opportunities for social and economic advancement. Thus the State has a constitutional obligation to promote investment, income and wealth creation in the agricultural sectors and other sectors of the economy. In addition, the Government has an international obligation to promote the right to work in the country.

The proposed regulations shall have a positive impact. They will provide better returns to farmers and nurture a favorable investment environment to existing and new value chains players. The regulations will also create wealth and employment for more Kenyans in the rural areas. This would contribute to improved household incomes and enhanced capacities to afford an adequate standard of living envisaged in Article 43 of the Constitution.

Further, the proposed regulations seek to advance the government policy of implementing reforms in the nuts and oil sub-sector aimed at achieving the national goals of the agricultural sector being a key driver of economic growth

and value addition as set out in the Kenya Vision 2030. The regulations will not only enhance public participation of the players in the sub-sector but also ensure consumers of the nuts and oil crops products have good quality and safe products to consume as required in Article 46 of the Constitution.

### 3.0 REGULATORY AND NON-REGULATORY OPTIONS

This chapter highlights other regulatory and non-regulatory options that could be adopted by AFA in regulating the nuts and oil crops sub-sector in Kenya.

Alternatives to rule-based regulation are more flexible than a rule-based approach, since they do not require setting the rules out in legislation which then takes more time and effort to develop and change.

#### 3.1 Option 1: Maintaining the *Status Quo*

Before considering new interventions, it is important to consider whether the problem could be resolved by making changes to practices within the existing legislative and regulatory framework, thus maintaining the *status quo*. Examples of this are:

- (i) making use of existing regulations;
- (ii) simplifying or clarifying existing regulations;
- (iii) improving enforcement of existing regulations; or
- (iv) making legal remedies more accessible or cheaper.

#### 3.2 Option 2: Passing the Regulations

Government can achieve its policy objectives by using taxpayer's money, or through a range of non-spending interventions, including regulation. Regulation aims to set rules to protect and benefit people, businesses and the environment, stabilizing markets and addressing market failures to support economic growth. Regulation can also create costs for private businesses and to the public sector. It can, if overused, poorly designed or implemented, stifle competition and growth.

The passing and operationalization of the proposed regulations will:

- (a) Support increased participation of the more efficient private sector in the nuts and oil crops sub-sector thus allowing for new investments in processing, produce aggregation, product formulation and products export.
- (b) Enhance access to quality planting materials to meet demand for new crop establishments and renewal of existing fields.

- (c) Streamline coordination of players within the sub-sector and remove underhand dealings and exploitation that negatively impact on the sub-sector.
- (d) Facilitate increased crop research and improved extension advisory services to farmers for increased production and improved produce quality.
- (e) The passing and operationalization of the proposed regulations will therefore facilitate the revitalization and development of the nuts and oil crops sub-sector for the sector to effectively contribute to the realization of the objectives of the Vision 2030, the national Agriculture Sector Development Strategy and the *Big 4 Agenda*.

### **3.3 Option 3: Other Practical Options**

Alternatives to regulation include information and education, market-based structures, self-regulation and co-regulation. In addition, existing policies can be improved, without further regulation, using techniques such as behavioral insight or changing enforcement practices to improve compliance. Such approaches may be better or worse for business and the economy than an equivalent regulatory measure.

#### **1. Alternatives to Regulation**

The alternatives to regulation include:

##### **(a) No new intervention/do nothing:-**

This may include making use of existing regulation; simplifying or clarifying existing regulation; improving enforcement of existing regulation; or making legal remedies more accessible or cheaper and as discussed in 3.1 above, *status quo* in the sub-sector are likely to remain, stifling revitalization and growth of the nuts and oil sub-sector.

##### **(b) Information and education:**

Information and education can be used to empower stakeholders to make their own decisions, improving choice for mutual benefit of all. There are potential risks associated with this. Information and education can take time to make an impact. Access to information and the ability to use it can vary within a community and so may not reach all equally. It may also not be straightforward to assess how people will react or change their behaviour in

response to the information provided and it will increase costs for government and businesses that will be providing the information and education required.

**(c) Incentive/market-based structures:**

The Government can use economic instruments, such as taxes, subsidies, quotas and permits, vouchers etc. as incentives to realize the desired objectives. These initiatives however are only practically possible in well-developed and efficiently functioning sectors which have well defined structures unlike the nuts and oil crops sub sector. Further, often these sorts of systems need their own regulations to establish the framework and may have additional costs to the Government.

**2. Alternatives models of regulation**

The alternative modes of regulations include:

**(a) Self-regulation**

An industry or a profession can self-regulate, for example through the use of codes of conduct, customer charters, standards or accreditation. In many cases rules and codes of conduct will be formulated by other industry representative or organization under their own initiative.

**(b) Co-regulation**

Co-regulation is an intermediate step between state-imposed and self-regulation that involves some degree of explicit government involvement where industry may work with government to develop a code of practice and enforcement would be by the industry or a professional organization and accredited by government.

## **4.0 COST-BENEFIT ANALYSIS (CBA)**

This chapter provides an analysis of the potential costs and benefits of using the proposed regulations in regulating the nuts and oil sub-sector. It analyses the economic, environmental and social impacts as well as the administrative and compliance costs of adopting the proposed regulations. It also assesses and quantifies the return on investments of the proposed regulations; and how the impact of the proposed regulations is likely to be distributed between the public and private sectors.

### **4.1 Economic, Environmental and Social Impacts**

Economic impacts of the regulations will include:

- (i) Increased agricultural production of nuts and oil crops farmers.
- (ii) Increased exports of nuts and oil crops produce and products.
- (iii) Increased Savings and Investment by nuts and oil crops farmers.
- (iv) Foreign Direct Investment through new investments in production, processing and marketing of nuts and oil crops.
- (v) Improved terms of trade - Substitution of imported nuts and oil crops from increased local production.
- (vi) Increased job creation in the nuts and oil crops sub-sector.

Social impacts of the regulations will include:

- (i) Decreased poverty level among the nuts and oil crops farmers and the community in general.
- (ii) Improved income distribution among the nuts and oil crops farmers and the community in general.
- (iii) Improved access to water and sanitation among the nuts and oil crops farmers due to increased incomes.
- (iv) Improved health status of the nuts and oil crops farmers and the community resulting to reduced child and maternal mortality and reduced disease incidences.
- (v) Improved education levels and reduced illiteracy.

Environmental impacts of the regulations will include:

- (i) Improved Land conservation, utilization and management.

- (ii) Improved access to quality affordable energy by households.
- (iii) Improved access to clean affordable water by the households.
- (iv) Reduced carbon emission.
- (v) Reduced deforestation.
- (vi) Reduced soil degradation due to improved plant cover and reduced soil operations.

## **4.2 Administration and Compliance Cost**

The RIA has noted that resources would be required for operationalization of the regulations which will include human resource and operation costs for enforcement as well as awareness creation of the regulations to the different stakeholders in the nuts and oil crops sub-sector. More resources will go to the implementation of the wider National Agriculture Policy which supports extension services for strengthening knowledge transfer and technology distribution among the farmers.

## **4.3 Assessment of Return on Investment (Benefit)**

The RIA has noted that operationalization of the regulations will be critical in assisting the attain a level of productivity and product price that will guarantee improved incomes for the farmer and thus improved livelihoods and social welfare for communities, while also guaranteeing other businesses within the value chains good returns and higher export volumes for the country. In broad terms, the RIA noted the following broad benefits:

- (a) Regulation will streamline and organize the sub-sector for better functioning while allowing for fair competition thus resulting in efficient development of the sub-sector.
- (b) Improved farmers' confidence in the nuts and oil crops sub-sector will motivate them to increase production.
- (c) Increased access to quality planting materials by smallholders will result to increased acreage under nuts and oil crops, increase yields and improved quality.
- (d) New processors, dealers and other value chain actors will invest in the sector providing farmers with alternative market options for their produce.

- (e) Processors, dealers, and other value chain actors will be assured of sufficient quantities of produce and of acceptable quality for sustained operations of their businesses.
- (f) A comprehensive sector data base will be maintained to inform sector planning and future investments.
- (g) All businesses which have been operating illegally within the value chain will be legitimized and thus contribute more to the development of the sub sector and the economy sustainably.
- (h) Increased national production and value addition will translate to increased exports of the different commodity products.
- (i) Increased production will translate to increased job creation at the farm and manufacturing levels.
- (j) Increased production will also translate to increased exports and thus increased foreign exchange earnings.
- (k) Research in the sector will be focused to address identified issues and support further development of all spheres of the sector.

#### **4.4 Quantification of the Benefit**

The nuts and oil crops have immense potential to contribute to the Kenya's agricultural development and contribute to the realization of national development objectives. The coconut crop has a potential of contributing over Kshs. 13 billion but its current contribution is about Kshs. 3.2 billion. The current production of cashew nut averages 24,000m ton, valued at about Kshs. 891million, whereas the potential is estimated to be about 63,000 MT earning of over Kshs. 2 billion.

Macadamia nuts production is expanding fast and is rapidly replacing coffee in traditional coffee growing areas. In 2017, some 41,416 MT of macadamia nuts were produced earning some Kshs. 7.49 billion. The potential for the macadamia industry is enormous and is projected to exceed 100,000MT earning a possible over Kshs.18 billion in the next few years. There are other nuts and oil crops which though currently are considered less important than these three have huge potential and can contribute significantly to the national food security and as emerging export crops. The development of these commodity industries will also contribute to improving livelihoods for millions of nuts and oil crops farmers while also creating job opportunities along different levels of the value chains. Currently coconut industry supports over 350,000 people directly and another 500,000

indirectly, while cashew nut supports 70,000 people directly another 100,000 indirectly. Macadamia is quickly evolving from a shade tree for coffee and in the few years many farm families that were dependent on coffee will earn their livelihoods from this crop.

#### **4.5 Distribution of Impacts**

The operationalization of the regulations will generate more positive than negative impacts/risks if the regulations are implemented with sufficient financial, logistical, technical and human resources. The operationalization will initially impact heavily on the government but positively on the private sector. The regulations are expected to translate to quickly turn around of each of the commodity industries and translate to improved productivity, both in quantity and quality.

The streamlined commodity industries will be a motivation to farmers to increase the area under these crops as well to improve crop husbandry practices. The increased production will directly result in increased incomes, improved livelihoods, and reduced poverty levels for the farm households. This will result to improved income distribution, better access to water and sanitation, and access to better health care thus reducing child and maternal mortality and access to better education (reduced illiteracy) for the rural populations. The increased growing of these crops, some of which are perennial, will improve the land use management, reduce soil degradation and deforestation. In addition, the increased production and development of these industries will create many new job opportunities both at the farm level and within the different processes along these value chains.

To the public sector, these regulations will enhance coordination and streamlining of the nuts and oil crops sector. The improved production and value addition will contribute to increased exports and earning in foreign exchange for the country. In addition development of the nuts and oil crops sector in processing and value addition will increase the availability of raw materials for local cooking oil and soap manufacturers who currently depend on imports and thus saving the Country foreign exchange used to finance these imports.

## 5.0 REASONS WHY OTHER REGULATORY OPTIONS ARE NOT APPROPRIATE

This chapter provides justifications why other regulatory and non-regulatory options highlighted in chapter three are not appropriate in regulating the nuts and oil subsector in Kenya.

### A). Maintaining the *Status Quo*

Maintaining the status-quo will only sustain the challenges facing the nuts and oil crops sub-sector and allow further decline in this sub-sector, including the following:

- i. Continued traditional farming and neglecting of nuts and oil crops due to poor confidence in the key sector players and in the commodities themselves.
- ii. Limited access to high quality seeds and seedlings for crop establishment and renewal.
- iii. Limited private sector participation, leaving the sub-sector to players who heavily exploit the farmers, demotivating them thus leading to declining production.
- iv. Declining and unreliable production and further diminishing of Kenya's importance in the respective global commodities market.
- v. County Governments will not play any role in the regulation of the sub-sector thus contravening the Fourth Schedule of the Constitution of Kenya, 2010, section 6 of the Crops Act, 2013, section 29 of the AFA Act and relevant provisions of the County Governments Act, 2012 (No. 17 of 2012).

The situation is not sustainable and thus maintaining the *status quo* is not a viable option for revitalization and development of the nuts and oil crops commodities industries.

## **B. Other Practical Options**

Possible practical options include:

### **1. Alternatives to regulation**

#### **(a) No new intervention/do nothing**

This may include making use of existing regulation; simplifying or clarifying existing regulation; improving enforcement of existing regulation; or making legal remedies more accessible or cheaper but with this approach, status quo in the sub-sector is likely to remain and thus this is not a viable option.

#### **(b) Information and education of stakeholders for adoption collective actions**

Information and education can be used to empower stakeholders to make their own decisions, improving choice for mutual benefit of all. However, information and education can take time to make an impact and still may not be acceptable to and this approach may increase costs for government and businesses that will be providing the information and education required. The desired objectives are unlikely to be realized within reasonable time for the common good of all and thus this is not a viable option.

#### **(c) Incentive/market-based structures**

The government can use economic instruments, such as taxes, subsidies, initiatives to realize the desired objectives. These incentives however are only practically possible in well-developed and efficiently functioning sectors which have well defined structures and often these sorts of systems need their own regulations to establish the framework and may have additional costs to the government and are unlikely to be effective in the nuts and oil crops industries. This therefore is not a viable option.

### **2. Alternatives models of regulation**

#### **(a) Self-regulation**

The nuts and oil crops industry does not have a well-developed industry representative to formulate and implement codes of conduct, customer charters, standards or accreditation system for self-regulation is not possible in the sector. This therefore is not a viable option for now.

## **(b) Co-regulation**

Co-regulation is an intermediate step between state-imposed and self-regulation that involves some degree of explicit government involvement where industry may work with government to develop a code of practice and enforcement would be by the industry or a professional organization and accredited by government. The nuts and oil crops industry has no such organization at the moment and thus co-regulation is practically not possible. This therefore is not a viable option.

## 6.0 OUTCOME OF STAKEHOLDER PARTICIPATION

This chapter examines the legal requirements for public participation. It also analyses the outcomes of the public consultations conducted in coming up with the proposed regulations with an aim of assessing whether those consultations meet the threshold set for public participation in Kenya.

### 6.1 Legal Basis for Public Participation

Government authorities such as AFA have a duty to consult those likely to be affected by their decisions to enable them give their views and influence the substance of the decisions.

Article 10 of the Constitution provides for national values and principles of good governance and participation of the people of Kenya and also provides for the involvement of the people in the enactment of any law, regulation and policy. On the other hand, section 5 of the Statutory Instruments Act, 2013 requires AFA to invite participation in public hearings on the proposed Regulations.

The courts of law have in several instances provided for the modes of ensuring public participation is effective and adequate. For instance, in *IEBC v NASA-Kenya & 6 others* [Para 164-5]; the Court of Appeal stated,

*"...the mode, degree, scope and extent of public participation is to be determined on a case by case basis. What is critical is a reasonable notice and reasonable opportunity for public participation. In determining what is reasonable notice a realistic time frame for public participation should be given. In addition, the purposes and level of public participation should be indicated. Reasonableness is also to be determined from the nature and importance of legislation or decision to be made, and the intensity of the impact of the legislation or decision on the public. The length of consultation during public participation should be given and the issues for consultation. Mechanisms to enable the widest reach to members of public should be put in place; and if the matter is urgent the urgency should be explained."*

Further, in *Poverty Alleviation Network & others v President of the Republic of South Africa & 19 others*, CCT 86/08 [2010] ZACC 5; public participation was emphasized in the following terms;

*"...engagement with the public is essential. Public participation informs the public of what is to be expected. It allows for the community to express concerns, fears and even to make demands. In any democratic state, participation is integral to its legitimacy. When a decision is made without consulting the public the result can never be an informed decision."*

The totality of all those judicial decisions above sets out the following cardinal points that:

- (a) Public participation was never intended to be a suggestion, superfluous or ornamental, rather to have a substantive bite, enforced and implemented. It must be put into practice.
- (b) Public participation must never be of mere cosmetic venture, formality and public relations exercise, rather to be conducted in a manner that informs the public of what is at stake, how it will impact on the society and the end document should mirror and reflect the spirit of the public in concern.
- (c) Public participation should never be equated to mere consultations. The product of legislation ought to be a true reflection of the public participation so that the end product bears the seal of approval by the public.

## **6.2 Stakeholder Engagement**

The Constitution of Kenya, 2010 and Statutory Instruments Act, 2013 require AFA to conduct a stakeholders mapping and engagement with the players in the nuts and oil crops sub-sector in Kenya when coming up with regulations. The Nuts and Oils Crops Regulations shall have a direct impact on the dealers, transporters, distributors, producers, owners of produce handling and processing facilities, importers and exporters of the produce and county governments. Consumers of nuts and oil products are also affected indirectly.

Various stakeholders are affected with regards to the requirements for registration and licensing, restriction on tree felling and approval of planting materials or seed source, traceability requirements, safety and quality standards, compliance with national, regional and international standards, payment of levies among other requirements.

The draft Regulations were subjected to public participation. Public consultation sessions were held with stakeholders between November 2014 and September 2016. The comments of the stakeholders were considered and incorporated in the draft Regulations. However, comments which were rejected were properly justified.

### **6.2.1 National Level Consultations (Government)**

Consultations were made with representatives of various national government agencies including Kenya Agricultural, Livestock and Research Organization (KALRO), Kenya Revenue Authority (KRA), Export Promotion Council and the Nuts and Oils Crops Directorate, Kenya, Forest Service and Semi-Autonomous Government Agencies.

### **6.2.2 Private Sector Consultations**

Consultations were made with the private sector representatives such as AFRIMAC, Portcross Limited, Diamond Industries Limited, Navida Foods Ltd, Cocovita Ltd and farmers.

### **6.3.3 County Governments/Level**

Consultations were made with representatives of county governments including County Executive Committee members from various counties such as Tharaka Nithi, Taita Taveta, Mombasa, Kilifi, Kwale, and Tana River.

### **6.3.4 Experts and Academia**

Consultations were made with representatives from the academia and research institutions such as Pwani University, Technical University of Mombasa and KALRO.

### **6.4 Stakeholder Views**

Most public hearings were held in Embu and Mombasa counties. For instance on 15<sup>th</sup> September, 2015 at Mombasa Beach Hotel 98 stakeholders including representation from national government, county governments, civil society, farmers and members of the public. Various proposals were made on the establishment of collection centres that will help stabilize the nuts and oil crops produce prices which was their major concern to the farmers. Other issues raised by stakeholders included: a proposal to include a stakeholder representative in the NOCD Technical Advisory Committee; penalty imposed for illegal manufacture is too harsh; review penalties for exportation of raw produce to discourage exporters from engaging in exportation; and there is need to differentiate charges for felling trees from different crops.

The draft regulations were reviewed to capture the useful comments received stakeholders and justifications provided for non-inclusion of certain comments received from stakeholders.

### **6.5 Assessment of Adequacy**

There was a multi-level stakeholder consultation before coming up with the draft regulations. Consultations were conducted at national and county levels. Letters of invitation were sent out to various stakeholders including national and county governments' officials, civil societies, private companies, experts, researchers, farmers and members of the public inviting them to attend various public consultation forums and submit their comments relating to the draft regulations. There were programs of the training sessions, pictorial evidence of presentations and participations, signing sheets of attendance and minutes of the meeting held and summary reports of the outcome of the consultations. The presentations were made by AFA officials to stakeholders to help them understand the contents of the draft regulations and give their input. The questions and answer session gave stakeholders an opportunity to ask questions regarding the provisions of the

regulations and seek clarifications on provisions that were not clear to them in the draft regulations.

There was a consultative meeting on 15<sup>th</sup> October 2015 at Izaak Walton Hotel in Embu. The consultative sessions began at 9:00 a.m. and closed at 4:00 p.m. Mombasa County was the epicenter for all the other consultative meetings involving various stakeholders from different sectors including national and county governments' representatives, representatives of civil societies, academia, research institutions, farmers, and members of the public.

Overall, there was adequate, meaningful and effective public participation as required by section 5 of the Statutory Instruments Act, 2013 (No. 23 of 2013) and in line with judicial decisions on the question of adequacy and meaningful public participation in coming up with a policy or regulation. Stakeholders including experts and county government officials were properly mapped out and invited to participate. The plenary discussions also show that stakeholders were afforded reasonable opportunity to make submissions and their concerns were all addressed during public hearings and plenary sessions and where their concerns were excluded, such exclusions were properly justified.

## 7.0 ENFORCEMENT AND COMPLIANCE

This chapter looks at the effectiveness of the enforcement measures and compliance requirements provided in the proposed regulations.

The Fourth Schedule to the Constitution of Kenya, 2010 provides that agriculture is both a national government and a county government function. The national government has the task of developing agricultural policy while the county governments retain the vast majority of the agricultural functions including crop and animal husbandry. In line with this provision, the Regulations provide for Agriculture and Food Authority (AFA), a national agency, and the structures within the county governments as administrative bodies that shall ensure compliance with its provisions.

Assuming the draft Nuts and Oil Crops Regulations are adopted, the following regulatory tools have been proposed to aid in ensuring their compliance: licenses, registration certificates and criminal sanctions (fines and imprisonment). Section 13 of the regulations provides for registration of traders, retailers, transporters and distributors while section 15 provides for registration of growers and associations. These requirements shall ensure strict adherence to the standards set in the regulations. Non-compliance shall attract criminal sanctions.

Section 15 of the regulations requires manufacturers (processors) of nuts and oil crops produce or products to obtain a licence from AFA. AFA has the power to revoke, suspend or cancel licence as a tool of ensuring compliance with the provisions of the Crops Act, 2013 and the Regulations as well as conditions in the licence.

If the regulations are adopted, the AFA through Nuts and Oil Crops Directorate and relevant county government would be responsible for enforcing the regulations which would be undertaken within the Authority's and county government's budgetary allocations respectively. This would include monitoring and inspection by appointed inspectors in line with the section 27 of the Crops Act, 2013 as read with section 36 of the Regulations who will conduct crop inspection regularly and ensure full compliance with provisions of the Crops Act, 2013 and the Regulations. The Directorate and relevant county government shall also be responsible for regulating and coordinating activities of stakeholders and organizations within the nuts and oil crops sub-sector.

The draft regulations also detail out the roles of the Directorate, national government agencies, county governments, as well as by the private sector, development partners and farmers. All players will be required to regularly report on their responsibilities.

The Crops Act, 2013 and section 39 of draft regulations provides for specific and general penalties to be imposed for non-compliance with the Act and various clauses in the proposed Regulations.

In relation to imports and exports of nuts and oil crops, the Authority or its authorized agencies shall have the power to verify the custom documentation on exports and imports and issue an import/export release order or deny the same if it is in contravention of the Crops Act, 2013 or section 27 of the draft regulations. The Authority would also liaise with KRA customs department to ensure imported nuts and oil meet the required quality, safety and health standards set by relevant government agencies

County governments shall be the only authority empowered to grant the felling (logging) of nuts and oils crops tree permit in the circumstances provided for in section 37 of the draft regulations.

To ensure effectiveness and efficiency in implementation, AFA, other regulatory agencies and county governments will be expected to continuously audit the work done by various stakeholders to whom task assignments have been extended in as far as the implementation of these regulations is concerned as per their mandates. Specific actionable sanctions for the contravention and/or non-compliance to the various sections are spelt out in the regulations.

## **8.0 REVIEW, MONITORING AND EVALUATION**

This chapter provides for reviews and monitoring and evaluation techniques that could be adopted by AFA to ensure full implementation of the proposed regulations.

It is expected that review, monitoring and evaluation will be a subject of great interest to all stakeholders in the sub-sector particularly because of its potential to offer improvement in incomes, increase foreign exchange earnings, create employment, reduce poverty and enhance the living standards of Kenyans. The Ministry of Agriculture, Livestock, Fisheries and Irrigation working together with AFA and county governments will thus work hand in hand to promote research with an aim of reviewing the adequacy and effectiveness of the regulations towards promoting the growth and development of this vibrant sub-sector that will increase the market for nuts and oil crops locally, regionally and internationally.

The RIA deduces that the establishment and regular maintenance of a nuts and oil crops databases including registers of growers and other players' nursery returns, production and market trends, will enhance prudent planning and decision making process. It further notes that as part of the monitoring and evaluation (M&E) framework, county technical departments and other complimenting regulatory agencies are also being mandated to monitor specific issues within the counties and maintain resultant data and information to inform future regulations reviews.

## **9.0 CONCLUSION AND RECOMMENDATIONS**

This chapter provides other laws and policies that could complement the proposed regulations. It also provides concluding observations regarding the proposed regulations and makes a specific recommendation on whether the proposed regulations should be adopted and implemented.

### **9.1 Linking the Regulation to other Regulations**

The assessment by the RIA certifies that the Nuts and Oil Crops Regulations will be complimented by other policies with overlapping objectives including:

- (a) Constitution of Kenya, 2010.
- (b) Agriculture Sector Development Strategy (ASDS, 2010-2020).
- (c) Vision 2030.
- (d) Crops Act, 2013 (No. 16 of 2013).
- (e) AFA Act, 2013 (No. 13 of 2013).
- (f) National Trade Policy.
- (g) National Land Policy.
- (h) Seeds and Plant Varieties Act (Cap. 326).
- (i) Pest Control Products Act (Cap. 346).
- (j) National Agricultural Research Systems Policy.
- (k) National Agricultural Sector Extension Policy.
- (l) Environment and Development Policy.
- (m) National Social Protection Policy.
- (n) Biotechnology Policy.
- (o) Micro and Small Enterprises Policy.
- (p) Cooperatives Policy.
- (q) National Productivity Policy.
- (r) Water Policy.
- (s) National Food and Nutritional Security Policy.
- (t) National Livestock Policy.
- (u) Relevant County Policies and Legislations.

### **9.2 Conclusion**

The proposed regulations if effectively implemented will provide a favorable environment to make the nuts and oil crops sub-sector once again attractive to

potential growers and to investors in the industries, revitalizing the once successful industries.

### **9.3 Recommendations**

The RIA recommends the passing and operationalization of the proposed Crops (Nuts and Oil Crops) Regulations, 2020.

## 10.0 PERTINENT ISSUES

All the pertinent issues relating to the draft regulations raised by the consultant were addressed in the revised draft regulations. These issues included:

- (a) Grammatical errors in the draft regulations. The same were rectified in the revised regulations.
- (b) Mismatch between the numbering of clauses in the table of content and exact provisions in the text of the Regulations. Numbering was revised.
- (c) Some levies that were not beneficial to the private sector were also removed.

However, it is important for AFA to review some of the sanctions imposed by the Regulations because they could be contrary to the provisions of section 24(5) of the Statutory Instruments Act, 2013 which require that subsidiary legislation should not impose penalties of more than Kshs. 20,000 and 6 months imprisonment. This applies to all provisions which impose sanctions including Regulation 28. There has been previous litigation on the issue in the case of *British American Tobacco Ltd v Cabinet Secretary for the Ministry of Health & 4 others* [2015] eKLR and regulations which contravened this requirement on penalties were declared invalid.

(A detailed written legal opinion on this was provided to AFA via email and a hard copy of the same is available in the file for future reference.)

## 11.0 REFERENCES

1. NOCD/AFA, 2016, Cashew Nut Annual Market Research Report.
2. Kenya National Bureau of statistics, 2017, *Economic Survey 2017*.
3. Annual market research report – Nuts and Oil Crops Directorate, AFA, 2016
4. International Trade Centre, 2014, Cashew nut (Kenya) sector developments.
5. Institution Development & Management Services 2007, ABD-DANIDA/CDA Coconut tree survey.
6. Constitution of Kenya, 2010
7. County Governments Act, 2012 (No. 17 of 2012)
8. Statutory Instruments Act, 2013 (No. 23 of 2013)
9. Crops Act, 2013 (No. 16 of 2013)
10. Agriculture and Food Authority Act, 2013 (No. 13 of 2013)

**GAZETTE NOTICE AND  
NEWSPAPER ADVERT**



# THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

(Registered as a Newspaper at the G.P.O.)

Vol. CXXI—No. 27

NAIROBI, 1st March, 2019

Price Sh. 60

| GAZETTE NOTICES  |              | CONTENTS  |         | GAZETTE NOTICES—(Contd.)  |         |
|--|--------------|---|---------|---|---------|
|  | PAGE         |   | PAGE    |   | PAGE    |
| The Kenya Information and Communications Act—<br>Extension of Term .....   | 850          | The Kenya Accreditation Service Order—Conformity<br>Assesment Bodies .....                                  | 886–891 | The Co-operative Societies Act—Inquiry Order .....                      | 893     |
| The State Corporations Act—Appointment .....   | 850          | The Insolvency Act—Members' Voluntary Liquidation,<br>etc .....   | 893     | The Physical Planning Act—Completion of Part<br>Development Plans ..... | 893–894 |
| The Crops Act—Request for Comments .....   | 850–851      | The Environmental Management and Co-ordination Act—<br>Environmental Impact Assessment Study Reports, etc.. | 894–903 | Disposal of Uncollected Goods .....                                     | 903–905 |
| Taskforce of Sugar Industry Stakeholders to make<br>Recommendations for the Development of the<br>Sugar Industry in Kenya .....  | 851          | Loss of Policies .....  | 905–908 | Change of Names .....   | 908–909 |
| Taskforce of Maize Industry Stakeholders to make<br>Recommendations for the Development of the<br>Maize Industry in Kenya .....  | 851          |   |         |   |         |
| The Organizing Committee (OC) for The International<br>Association of Athletics Federations (IAAF)<br>World, under 20 Championships, Nairobi, 2020—<br>Appointment ..... | 851–852      | -----   |         |   |         |
| The National Police Service Act—Designation of a Police<br>Station .....   | 852          | <b>SUPPLEMENT No. 9</b>   |         |   |         |
| County Governments Notices .....   | 853, 891–893 | <i>National Assembly Bills, 2019</i>  |         |   |         |
| The Senate—Calendar for Regular Sessions, February to<br>December, 2019 .....  | 853          | -----   |         |   |         |
| The Land Registration Act—Issue of Provisional<br>Certificates, etc .....  | 854–863      | <b>SUPPLEMENT No. 10</b>  |         |   |         |
| The Standards Act—Declaration of Kenya Standards .....   | 863–875      | <i>Legislative Supplements, 2019</i>  |         |   |         |
| The Land Act—Inquiry, etc .....  | 875–886      | -----   |         |   |         |
|  |              | <b>LEGAL NOTICE NO.</b>   |         |   |         |
|  |              | 7—The Public Finance Management (Roads Annuity Fund)<br>(Amendment) Regulations, 2019                       |         |   |         |
|  |              |   |         |   | 23      |

## CORRIGENDA

IN Gazette Notice No. 1215 of 2019, *amend* the expression printed as "Njuki Mwaniki, (Rtd.) Major Gen." to read "Njuki Mwaniki, (Rtd.) Lt. Gen."

IN Gazette Notice No. 12428 of 2018, Cause No. 21 of 2018, *amend* the second petitioner's name printed as "Joseph Kahigia Kamunge" to read "Joseph Kahigia Kamunge", the name of deceased person printed as "Joseph Maina Eliud" to read "Njenga Gituru", the date of death printed as 22nd March, 2017" to read "3rd August, 2017" and the place of death printed as "Kiserian" to read PCEA, Kikuyu Hospital in Kenya" where it appears.

IN Gazette Notice No. 4224 of 2018, Cause No. 2 of 2018, *amend* the expression printed as "for a grant of letters of administration intestate" to read "for a grant of letters of administration with will annexed" and the place of death printed as "Bishop Kioko Hospital" to read "M.P. Shah Hospital" where it appears.

IN Gazette Notice No. 1266 of 2019, *amend* the expression printed as "deceased's son and daughter" to read "the deceased's brother and sister" where it appears.

IN Gazette Notice No. 1457 of 2019, *amend* the proprietor's name printed as "Charles Newton Wanjiku" to read "Charles Newton Wanjuku".

IN Gazette Notice No. 5474 of 2018, *amend* the expression printed as "Cause No. 284 of 2018" to read "Cause No. 284 of 2017".

IN Gazette Notice No. 1602 of 2019, *amend* the expression printed as "(ID/3015607)" to read "(ID/30156107)".

IN Gazette Notice No. 1626 of 2019, *amend* the expression printed as "Mutira/Kangai/1254" to read "Mutira/Kangai/1254 and 1255" where it appears.

## GAZETTE NOTICE NO. 1906

## THE KENYA INFORMATION AND COMMUNICATIONS ACT

(No. 2 of 1998)

## EXTENSION OF TERM

IT IS notified for public information that the Cabinet Secretary for Information, Communications and Technology has extended the period of appointment of the Taskforce for Developing a Policy and Regulatory Framework for Privacy and Data Protection in Kenya contained in Gazette Notice No. 7857 of 2018, for a period of six (6) months, with effect from the 15th September, 2018.

Dated the 18th February, 2019.

JOE MUCHERU,

Cabinet Secretary for Information, Communications and Technology.

## GAZETTE NOTICE NO. 1907

## THE STATE CORPORATIONS ACT

(Cap. 446)

## KENYA YEARBOOK ORDER

(L. N. 187 of 2007)

## APPOINTMENT

IN EXERCISE of the powers conferred by paragraph 3 (2) (j) of the Kenya Yearbook Order, 2007, the Cabinet Secretary for Information, Communications and Technology appoints—

Caroline Mukeli  
Nemaisa Kiereini  
Wilson Kipkazi

to be members of the Kenya Yearbook Board for a period of three (3) years, with effect from the 8th February, 2019.

Dated the 8th February, 2019.

JOE MUCHERU,

Cabinet Secretary for Information, Communication and Technology.

## GAZETTE NOTICE NO. 1908

## THE CROPS ACT

(No. 16 of 2013)

## REQUEST FOR COMMENTS

REQUEST for Comments on the Regulatory Impact Statement and on the Crops (Tea Industry) Regulations, 2019; Crops (Horticulture) Regulations 2019; Crops (Nuts and Oil) Regulations, 2019; Crops (Fibre) Regulations, 2019 and Crops (Pyrethrum) Regulations, 2019.

The Cabinet Secretary, Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of promulgating the following Regulations as provided for under section 40 of the Crops Act, 2013.

- The Crops (Horticulture) Regulations;
- The Crops (Tea Industry) Regulations;
- The Crops (Nuts and Oil) Regulations;
- The Crops (Fibre) Regulations;
- The Crops (Pyrethrum) Regulations.

In compliance with the provisions of the Crops Act, 2013 and the Statutory Instruments Act, 2013, the Ministry announces to the public the availability of the regulations listed herein above as well as the Regulatory Impact Statements for each of the regulations.

The main objective of the above Regulations, is to provide for the regulation, promotion and development of the respective industry value chain in Kenya. The respective Regulatory Impact Statement contains detailed information on each of the regulation.

The Constitution of Kenya, 2010, Crops Act, 2013 and the Statutory Instruments Act, 2013 provides that the public participates in the decision making process through the submission of comments to the Ministry. It is in this spirit that we request the public to participate by submitting their comments to the Ministry through the provided address.

All interested persons should submit written comments on the Regulations listed herein above and on the respective Regulatory Impact Statement using prescribed public comments form, to reach the undersigned not later than fourteen (14) days from the date of publication of this notice.

The draft Regulations and the Regulatory Impact Statement for all the regulations as well as public comments form can be accessed through the following websites: [www.agricultureauthority.go.ke](http://www.agricultureauthority.go.ke); [www.kilimo.go.ke](http://www.kilimo.go.ke). The draft Regulations, and Regulatory Impact Statements are also available on request at the Agriculture and Food Authority offices, Tea House Office, Naivasha Road, off Ngong Road during normal working hours.

Public forums to discuss the draft Regulations, and the respective Regulatory Impact Statement shall be held as per the schedule below:

| Regulation                            | Venue  | Date             | Time       |
|---------------------------------------|--|------------------|------------|
| The Crops (Horticulture) Regulations. | HCD Offices, Nairobi Horticultural Centre, Embakasi North, Mazao Road, Nairobi | 26th March, 2019 | 9.00 a.m.  |
| The Crops (Tea Industry) Regulations. | AFA, Tea Directorate Offices, Tea House, Nairobi                               | 25th March, 2019 | 9.00 a.m.  |
|                                       | Tea Trade Centre, Nyerere Avenue Mombasa                                       | 29th March, 2019 | 10.00 a.m. |

| Regulation                            | Venue  | Date                   | Time      |
|---------------------------------------|--|------------------------|-----------|
| The Crops (Nuts and Oil) Regulations. | National Horticulture Research Institute<br>Kalro, Kandara,<br>Murang'a                | 28th<br>March,<br>2019 | 9.00 a.m. |
|                                       | Kenya School of Government, Matuga Kwale   | 9th April,<br>2019     | 9.00 a.m. |
| The Crops (Fibre) Regulations.        | Machakos University College<br>Machakos  | 2nd April,<br>2019     | 9.00 a.m. |
|                                       | Maseno ATC,<br>Kisumu  | 4th April,<br>2019     | 9.00 a.m. |
| The Crops (Pyrethrum) Regulations.    | Pyrethrum Processing Company (PPCK)<br>Offices, along General Mathenge Road,<br>Nakuru | 3rd April,<br>2019     | 9.00 a.m. |

Send your written comments to either:

The Principal Secretary  
State Department for Crops Development  
Ministry of Agriculture, Livestock, Fisheries and Irrigation  
Kilimo House, Cathedral Road,  
P.O. Box 30028,  
Nairobi.

Or by Email: psagriculture@kilimo.go.ke

The Director-General  
Agriculture and Food Authority  
Tea House, Naivasha Road, off Ngong Road,  
P.O. Box 37962-00100,  
Nairobi.

Or by E-mail: info@agricultureauthority.go.ke

Dated the 22nd February, 2019.

MWANGI KIUNJURI,  
Cabinet Secretary  
for Agriculture, Livestock, Fisheries and Irrigation.

#### GAZETTE NOTICE No. 1909

##### TASKFORCE OF SUGAR INDUSTRY STAKEHOLDERS TO MAKE RECOMMENDATIONS FOR THE DEVELOPMENT OF THE SUGAR INDUSTRY IN KENYA

###### EXTENSION OF TERM

IT IS notified for the general information of the public that the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation has further extended the period of the Taskforce appointed *vide* Gazette Notice No. 11711 and extended *vide* Gazette Notice No. 345 of 2019 to the 31st March, 2019 (both days inclusive), with effect from the 7th January, 2019.

Dated the 19th February, 2019.

MWANGI KIUNJURI,  
Cabinet Secretary  
for Agriculture, Livestock, Fisheries and Irrigation.

#### GAZETTE NOTICE No. 1910

##### TASKFORCE OF MAIZE INDUSTRY STAKEHOLDERS TO MAKE RECOMMENDATIONS FOR THE DEVELOPMENT OF THE MAIZE INDUSTRY IN KENYA

###### EXTENSION OF TERM

IT IS notified for the general information of the public that the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation has further extended the period of the Taskforce appointed *vide* Gazette Notice No. 11710 and extended *vide* Gazette Notice No. 344.

from the 7th January, 2019 to the 31st March, 2019 (both days inclusive), with effect from the 7th January, 2019.

Dated the 19th February, 2019.

MWANGI KIUNJURI,  
Cabinet Secretary  
for Agriculture, Livestock, Fisheries and Irrigation.

#### GAZETTE NOTICE No. 1911

##### MINISTRY OF SPORTS, CULTURE AND HERITAGE

##### THE ORGANIZING COMMITTEE (OC) FOR THE INTERNATIONAL ASSOCIATION OF ATHLETICS FEDERATIONS (IAAF) WORLD UNDER 20 CHAMPIONSHIPS, NAIROBI, 2020

###### APPOINTMENT

IT IS notified for general information that following the successful bid by Kenya to host the 2020 International Association of Athletics Federations (IAAF) World Under 20 Championships and the signing of the Event Organisational Agreement (EOA) for the Championships that will be held in Nairobi, the Cabinet Secretary for Sports, Culture and Heritage has appointed committees to be known as the Steering Committee (SC) and Organizing Committee (OC).

###### (a) Steering Committee Representatives of:

Office of the President  
Governor, Nairobi County  
Cabinet Secretary, Ministry of Sports, Culture and Heritage  
Cabinet Secretary, Ministry of Interior and Co-ordination of National Government  
Cabinet Secretary, The National Treasury  
Cabinet Secretary, Ministry of Transport, Infrastructure, Housing Development and Public Works  
Cabinet Secretary, Ministry of Foreign Affairs  
Principal Secretary/ Sports, Ministry of Sports, Culture and Heritage  
Chairman, IAAF World Under 20 Championships  
Chief Executive Officer, IAAF World Under 20 Championships, 2020  
Director-General, Sports Kenya

to be members of the Steering Committee effective from the 1st January, 2019 for a period of one (1) year and eight (8) months.

###### (b) Organizing Committee (Secretariat):

Chairman—Gen. Jackson Tuwei  
Chief Executive Officer—Michael Agwingi Rabar  
Assistant, Chief Executive Officer—Mary Mwiki  
Chief Operations Officer—Regina Gachora  
Director of Ticket Operations and Knowledge Management—Barnabas Korir  
Assistant Director of Ticket Operations and Knowledge Management—Maxwell Nyanu  
Director, Finance and Administration—Farrah Kasim  
Assistant Director, Finance and Administration—David Miano  
Director, Legal—Emmanuel K. Gichohi  
Assistant Director, Legal—Christine Mangwana  
Director of ICT—Gatwiri Kenya  
Assistant Director, ICT—Hesbon Malwenyi  
Director, Security and Accreditation—Joseph Kiget  
Assistant Director, Security and accreditation—Joseph Chirchir  
Director, Protocol—Colonel Matigo Marwanga  
Assistant Director, Protocol—Susan Kamau  
Director, Technical and Competition—Ibrahim Hussein  
Assistant Director, Technical and Competition—Paul Mutwii  
Director, Marketing and Commercial—Zaheeda Suleiman  
Assistant Director, Marketing and Commercial—Robert Nyanga'aya  
Director, Media, Broadcasting and Communication—Michael Okinyi  
Assistant Director, Media, Broadcasting and Communication—Chris Mbaisi  
Director, Transport—Charles Welangai  
Assistant Director, Transport—Vincent Kaduki  
Director, Logistics—Douglas Wakihuri  
Assistant Director, Logistics—Mohamed Bashir Ibrahim  
Director, Medical and Anti-Doping—Jared Nyakiba (Dr.)

Assistant Director, Medical and Anti-Doping—Dr. Victor Bargarua  
 Director, Volunteers—Mary Chege  
 Assistant Director, Volunteers—Elizabeth Wangare Thiro  
 Director, Accommodation—Mercy Ndung'u  
 Assistant Director, Accommodation—Peter Angwenyi  
 Director, Legacy—Peter Ngentu  
 Assistant Director, Legacy—Jabil Maalim Mohamed  
 Assistant Director, Legacy—Patrick Opembe  
 Director-General, Sports Kenya—Pius Metto

to be members of the secretariat and Organizing Committee effective from the 1st January, 2019 for a period of one year eight months.

2. The Chairman of the organizing committee shall chair the meetings of the committee and in his absence, the Vice - Chairman shall chair and in the absence of both, the members present shall elect a member of the committee to chair the meeting.

3. The function of the steering committee shall be to offer the best high level organizational standards for hosting the world championships in Nairobi. Policy decisions for Government of Kenya, and review health of the championships at each stage of the lifecycle.

4. In the performance of the functions of the Secretariat and the Organizing Committee shall, with approval of the Cabinet Secretary, open and operate a bank account at National Bank of Kenya, Harambee Avenue Branch

5. The term of office – the committees and Secretariat shall be in office as specified in I (a), (b) and (c) above unless a longer period than this is required by the signed Event Organizational Agreement.

6. Winding up of the event – Upon the completion of its work as per the event Organisational Agreement and in accordance with Government Regulations, the committee shall:

- (a) Organize an event to appreciate the Government support, well wishers and show appreciation to local participants;
- (b) Compile a report of the event and audited accounts to be submitted to the Cabinet Secretary responsible for Sports within three months after the conclusion of the event;
- (c) Compile and present a report of the event and audited account to be submitted to the IAAF within three months after the conclusion of the event;
- (d) Surrender/handover all outstanding assets, including credit balances in bank and moveable assets to the Cabinet Secretary for Sports, Culture and Heritage or as agreed by the Steering Committee.

7. The Secretariat:

- (a) The Secretariat of the Organizing Committee shall lease offices from Sports Kenya at Moi International Sports Centre, Kasarani (Championships main venue) as identified.
- (b) The Chief Executive Officer shall be the head of the Secretariat and shall be responsible for carrying out the functions set out in paragraph (6) above, and
  - (i) Such number of staff as shall be deemed appropriate by the committee who shall be recruited and /or provided by the Ministry or Athletics Kenya;
  - (ii) The Secretariat of the Organizing Committee under the general direction of the Chief Executive Officer shall be responsible for;
  - (iii) Providing appropriate background briefing to the committee and sub-committees;
  - (iv) Supervising and controlling the day to day operations of the committee and sub-committees;
  - (v) Preparing the committee's report and disseminating information deemed relevant by the committee;
  - (vi) Recommending hiring of technical staff or any such staff that may be deemed appropriate for the purpose of the committee;

- (vii) Preparing the budget and accounts of the committee and the sub-committees;
- (viii) Ensuring in consultation with the Chairman of the committee and with guidance from the Ministry's Accounting Officer.
- (ix) Overall coordination of all activities of sub-committees;
- (x) Coordinating the activities of the committee and in particular ensuring liaison with the chairman of the committee and directors of various sub-committees;
- (xi) Matters relating to protocol, public relations and procuring consultancy services for the committee and the sub-committees;
- (xii) Organizing and coordinating travel and accommodation for members of the committee and sub-committees;
- (xiii) Setting up the championships administration centre;
- (xiv) Communicating with IAAF and other partners in consultation with Chairman and Athletics Kenya;
- (xv) Executing the various programmes and plans approved by Steering and Organizing Committees like legacy, global promotion, Athletics legends and youth agenda;
- (xvi) Implementation of the Event Organisation Agreement obligations with Ministry of Sports, Culture and Heritage, Athletics Kenya and the County of Nairobi; and
- (xvii) Performing such other assignments as may be assigned from time to time by the committee in the exercise of its mandate.
- (xviii) A detailed Terms of Reference (TOR) shall be provided for each of the directorate.

8. Funding:

- (a) The activities of the Organizing Committee (OC) shall be funded through the regular Government Budget on grant basis.
- (b) The Organizing Committee may also receive grants from well wishers and sponsors to finance any of its planned activities; and
- (c) The Chief Executive Officer shall forward to the Principal Secretary at least once every two months a report on the expenditure of the committee for onward submission to the Cabinet Secretary.

Dated the 21st February, 2019.

RASHID ECHESA MOHAMMED,  
 Cabinet Secretary,  
 Ministry of Sports, Culture and Heritage.

GAZETTE NOTICE NO. 1912

THE NATIONAL POLICE SERVICE ACT, 2011

DESIGNATION OF A POLICE STATION

IN EXERCISE of the powers conferred by section 40 (1) of the National Police Service Act, 2011, the Inspector-General designates Kanjeria Police post in Kiarabu County, map Reference BJ 659970 as Kanjeria Police Station for purposes of the Act.

Dated the 20th February, 2019.

JOSEPH BOINNET,  
 Inspector-General, National Police Service.



**MINISTRY OF AGRICULTURE, LIVESTOCK,  
FISHERIES AND IRRIGATION**

**STATE DEPARTMENT FOR CROPS**

**THE CROPS ACT  
(No. 16 of 2013)**

**REQUEST FOR COMMENTS**

Request for Comments on the Regulatory Impact Statements and on the **Crops (Tea Industry) Regulations, 2019; Crops (Horticulture Crops) Regulations 2019; Crops (Nuts and Oil Crops) Regulations, 2019; Crops (Fibre Crops) Regulations, 2019 and Crops (Pyrethrum) Regulations, 2019.**

The Cabinet Secretary, Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of promulgating the following Regulations as provided for under Section 40 of the Crops Act, 2013 (No. 16 of 2013).

- a) **The Crops (Horticulture Crops) Regulations;**
- b) **The Crops (Tea Industry) Regulations;**
- c) **The Crops (Nuts and Oil Crops) Regulations;**
- d) **The Crops (Fibre Crops) Regulations;**
- e) **The Crops (Pyrethrum) Regulations.**

In compliance with the provisions of the Crops Act, 2013 and the Statutory Instruments Act, 2013 (No. 23 of 2013), the Ministry announces to the public the availability of the regulations listed herein above as well as the Regulatory Impact Statements for each of the regulations.

The main objective of the above Regulations, is to provide for the regulation, promotion and development of the respective industry value chain in Kenya. The respective Regulatory Impact Statement contains detailed information on each of the regulations.

The Constitution of Kenya, 2010, the Crops Act, 2013 and the Statutory Instruments Act, 2013 provides that the public participates in the decision making process through the submission of comments to the Ministry. It is in this spirit that we request the public to participate by submitting their comments to the Ministry through the provided address.

All interested persons should submit written comments on the regulations listed herein above and on the respective Regulatory Impact Statement using prescribed public comments form, to reach the undersigned not later than **fourteen (14) days from the date of publication of this notice.**

The draft Regulations and the Regulatory impact Statement for all the regulations as well as public comments form can be accessed through the following websites: [www.agricultureauthority.go.ke](http://www.agricultureauthority.go.ke); [www.kilimo.go.ke](http://www.kilimo.go.ke). The draft Regulations, and Regulatory Impact Statements are also available on request at the Agriculture and Food Authority offices, Tea House Office, Naivasha Road, off Ngong Road during normal working hours.

**Public forums to discuss the draft Regulations, and the respective Regulatory Impact Statement shall be held as per the schedule below:**

| NO | REGULATION   | VENUE   | DATE                        | TIME   |
|----|--|---|-----------------------------|--|
| 1. | <b>The Crops (Horticulture Crops) Regulations.</b> | Horticultural Crops Directorate Headquarters, North Airport Road, opposite the JKIA cargo terminal on Mazao road.<br><b>NAIROBI</b> | 26 <sup>th</sup> March 2019 | 9.00am   |
| 2. | <b>The Crops (Tea Industry) Regulations.</b>       | AFA-Tea Directorate Offices, Tea House,<br><b>NAIROBI</b><br><br>Tea Trade Centre, Nyerere Avenue<br><b>MOMBASA</b>                 | 25 <sup>th</sup> March 2019 | 9.00am<br><br>29 <sup>th</sup> March 2019<br>10.00am |
| 3. | <b>The Crops (Nuts and Oil Crops) Regulations.</b> | National Horticulture Research Institute<br><b>KALRO, Kandara MURANGA</b><br><br>Kenya School of Government, Matuga<br><b>KWALE</b> | 28 <sup>th</sup> March 2019 | 9.00am<br><br>9 <sup>th</sup> April 2019<br>9.00am   |
| 4. | <b>The Crops (Fibre Crops) Regulations.</b>        | Machakos University College<br><b>MACHAKOS</b><br><br>Maseno ATC<br><b>KISUMU</b>   | 2 <sup>nd</sup> April 2019  | 9.00am<br><br>4 <sup>th</sup> April 2019<br>9.00am   |
| 5. | <b>The Crops (Pyrethrum) Regulations.</b>          | Pyrethrum Processing Company (PPCK)<br>Offices along General Mathenge Road<br><b>NAKURU</b>   | 3 <sup>rd</sup> April 2019  | 9.00am   |

Send your written comments to either:

**The Principal Secretary  
State Department for Crops Development  
Ministry of Agriculture, Livestock, Fisheries and Irrigation  
Kilimo House, Cathedral Road  
P.O. Box 30028  
Nairobi.  
Or by Email: [psagriculture@kilimo.go.ke](mailto:psagriculture@kilimo.go.ke)**

**The Director General  
Agriculture and Food Authority  
Tea House, Naivasha Road off Ngong Road,  
P.O Box 37962-00100  
Nairobi.  
Or by Email: [info@afa.go.ke](mailto:info@afa.go.ke)**

**HON. MWANGI KIUNJURI, EGH, MGH**  
Cabinet Secretary  
Ministry of Agriculture, Livestock, Fisheries and Irrigation



# **REPORT ON STAKEHOLDER COMMENTS AND SUBMISSIONS**



## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

| <b>Regulation</b>   | <b>Comments/ Issues by Stakeholders</b>  | <b>Action taken</b>  | <b>Remarks</b>  | <b>Stakeholder</b>  | <b>Period</b> |
|---------------------|--|--|---|---|---------------|
| Reg 37              | Have dispute resolution committee at county level  | Amend the regulation to include county level committee   | The County Government to decide on the membership composition in consultation with the Authority. | Mlanu Musa/Farmer;<br>Luciana Sansua/CECM<br>ALF Kilifi; Luka Rotich<br>CEC Rep U/Gishu;<br>Joseph Macharia Agric<br>Dept/Nyeri | 2019          |
| Reg 22 (1)          | Time taken to process the processing certificate should be reduced from 90 days to 30 days                       | Amend the regulation to include : 1 - New applications within 60 days 2: renewals - within 15 working days                       | New applicants are required by the Act to be gazetted for 30 days                                 | CECM Agric. Kilifi  | 2019          |
| Reg. 12(2); 32 (2); | Reduce the penalty from millions to three hundred thousand shillings   | No action taken  | The penalties are provided for in the Act.  | Farmer, Tana River<br>County  | 20 19         |
| Reg 41              | levies and fees of a small scale processor and the lare scale processor should be different (segregated)         | No action taken  | The Counties to determine the fees they charge. CEC caucus to ensure uniformity of the fees.      | CECM Agric. Trans<br>Nzoia; CEC Rep, Vhigga;<br>Hannisi<br>Mwakumanya/Processor<br>Mombasa                                      | 2019          |
| Reg 31(3)           | Cashewnuts and Coconut should be included in the harvesting season window since they have two harvesting seasons | To ammend the regulation to include cashew nut in gazettement of the harvesting season in consultation with the county goverment | The maturity of coconut is continous unlike macadamia and cashew nuts which is seasonal           | Mwakufunza/County<br>Director of Agric, Lamu;<br>Phylister Yawa/Processor<br>Kilifi   | 2019          |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|            |  |  |  |   |      |
|------------|--|--|--|---|------|
| Reg. 2     | Definition for small scale growers should consider for different crops eg 10 acres of groundnuts should be considered large scale and less than 5 acres a small scale. Other nuts and oil crops such as macadamia, coconut, cashewnut should be less than 50 acres for the small scale growers (cashewnut, coconut, castor and sesame with more than 50 acres and mechanised with permanent employees should be considered plantation) | To ammend the regulation considering perrenials and annual crops | Defination plantation grower for macadamia, cashew and coconut. The rest to be defined as growers. | Stephen Mbuvi/Agric Dept/Lamu; John Muli/KEPHIS Mombasa; Peter Kimani/Farmer-Trans Nzoia. | 2019 |
| Schedule 1 | Scheduled nuts and oil crops to consider introduced crops such as oil palm produced in Lamu and Kakamega and Bambara Nut produced in Lamu County   | It's a working progress to have them scheduled                   | To be included in the regulations once scheduled   | Steven Mbuvi/Agric. Dept-Lamu; Lukas Mukhamia CEC Rep. Vihiga                             | 2019 |
| Reg 5 & 6  | Registration of growers by AFA and County Government may result to double taxation   | No action taken  | Registration of growers is not charged   | Steve Mbuvi/Agric. Dept Lamu  |      |
|            | What is the penalty for the offence  | No action taken  |  | Steven Mbuvi/Agric. Dept-Lamu;  |      |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|           |   |                              |   |   |
|-----------|---|------------------------------|---|---|
|           | Regular awareness creation and capacity building to stakeholders to be carried out  | No action taken              | just a comment                                      | Mwango Karima Nyiringe Bundacho Youth Group Kilifi; |
| reg 15    | The authority to support the establishment of collection centres  | No action taken              | not the mandate of the Authority                    | Mwango Karima Nyiringe Bundacho Youth Group Kilifi; |
| 10 (2)    | Penalty to be specific  | this is as per regulation 44 |   | Beatrice Gambo/ Pwani Ufanisi Farmers Coop/Mombasa  |
| 6 and 7   | May' should be replaced with 'Shall'  | No action taken              | this is as per the provisions of the Act            |   |
|           | Include by products such as toddy to included in the regulations  | No action taken              | they are included as products of nuts and oil crops |   |
|           | Environmental friendly charcoal briquettes manufacture to be promoted to replace ordinary charcoal to curb climate change | No action taken              | good comment  | Mwango Karima Nyiringe Bundacho Youth Group Kilifi; |
| Reg 31(3) | Clarification on harvesting policy to encourage copra, fibre and cocopeat industries                                      | No action taken              | difficult to implement the proposal                 | Catherine Ngamau/JKUAT                              |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|          |  |                 |   |   |      |
|----------|--|-----------------|---|---|------|
| reg 41   | All or most of the fees and levies have to be the county,  | No action taken | fees will be chared bu the county government while the Authority will be responsible for the levies | Michael Njunie/KALRO Mtwapa                     | 2019 |
| 41 ( 3)  | Is there mechanism by which the funds shall be availed for eg research in the centres from the county government?            | No action taken | Reseach is the mandate of the national government   | Michael Njunie/KALRO Mtwapa                     | 2019 |
|          | Is it possible to provide for the setting of a minimum price for buying and selling of nuts at the beginning of every season | No action taken | liberalised market/industry hence the Authority cant dictate the prices                             | Jairus Sagurani Sheikh/Farmer Kipini Tana River | 2019 |
|          | Avail copies of rules and regulations to the farmers for reference   | No action taken | Available in the Authority and Kilimo website   | Said Hamadi Boga/ farmer Kwale                  |      |
| Reg 8(1) | Non commercial nursery operator should not made to register  | No action taken | provided for in the Act, Plant Protection Act and Seeds and Plant Variety Act                       | Kongo Vunga/Farmer Kwale                        |      |
|          | All nursery operators should network to ensure common price setting for seedlings  | No action taken | difficult to implement the proposal   | Abeid Abdalla/Nursery Operator                  |      |
|          | Rules and regulations ensure safeguard the farmer  | No action taken | all the stakeholders along the value chain should be safeguarded                                    | Tabitha/ Nursery Operator                       |      |

## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|        |   |                 |  |  |  |
|--------|---|-----------------|--|--|--|
|        | AFA to carry out agricultural extension services in coconuts and cashew nuts.                   | No action taken | AFA in collaboration with the county government will carry out capacity building of extension officers | Said Jafari/ Farmer                                |  |
|        | AFA to set minimum farmgate prices for coconut and cashewnuts                                   | No action taken | liberalised market/industry hence the Authority cant dictate the prices                                | Said Jafari/ Farmer                                |  |
| Reg 34 | Empower existing County Agricultural Officers as Crop Inspectors instead of recruiting new ones | No action taken | Provided for in the Act Section 27   | Esther Kirigha/Coast Development Authority/Mombasa |  |
|        | County Govt to set farmgate prices during harvesting season to avoid exploitation of Farmers    | No action taken | Liberalised market/industry hence the Authority cant dictate the prices                                | Esther Kirigha/Coast Development Authority/Mombasa |  |
|        | Translate a summarized version of the regulations into a Kiswahili                              | No action taken | A good recommendation for consideration  | Esther Kirigha/Coast Development Authority/Mombasa |  |
|        | Participants to be given soft copy of the regulations for reference                             | No action taken | Available in the Authority and Kilimo website  | Esther Kirigha/Coast Development Authority/Mombasa |  |
|        | Supports the document and suggests awareness creation after gazettelement                       | No action taken | Noted. Part of the process   | Kombe Mwachiri/Farmer Kwale                        |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|                 |  |                 |   |  |  |
|-----------------|--|-----------------|---|--|--|
| Reg 41 2(a) & © | Levies imposed are too high yet the counties charge other levies like cess   | No action taken | the fees and levies will be applied at different levels of the value chain                                      | Cosmas Mole/Kilifi County                        |  |
| Reg 41          | Proposing establishment of a credit fund to support new processors, youth and women to grow their business   | No action taken | There is already established commodities fund   | Cosmas Mole/Kilifi County                        |  |
|                 | The regulations are silent on the issues of climate change and its effects on both growing of crops and manufacturing  | No action taken | Provided for in the Environmental Management and Coordination Act and Kenya Climate Smart Agriculture Framework | Joel Koech/ Amor Coco-Processor/Mombasa          |  |
| Reg 14          | Enforce regulation 14 to control access to farms by Tanzania buyers  | No action taken | Noted   | Raphael B Keah/ Farmer Kwale                     |  |
|                 | Regulate the export of raw coconuts to Tanzania  | No action taken | no sufficient laws to restrict movement of raw materials outside the country                                    | Raphael B Keah/ Farmer Kwale                     |  |
| Reg 15          | All collection centres should be the mode of marketing under multi commodity collection markets managed by an administrator. The market should be open to registered producers and processors and not necessarily imposing the formation of associations | No action taken | Already catered for in Regulation 15 with necessary amendments done   | Hannah Gitonga/Kenya School of Agric/Songa Mbele |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|            |   |                 |  |  |  |
|------------|---|-----------------|--|--|--|
| Reg 41 (3) | Re-allocate percentages in each activity from the levy proceeds   | No action taken | this will be guided through public finance management act (PFM) which provides for the allocation of resources for different activities as per approved work plan and budget | Jane Koima /KALRO Thika                      |  |
|            | Add regulation on tree felling/cutting in nuts and oil crops. There should be age limit for replacement and cutting down of trees | No action taken | difficult to implement the proposal  | Agnes Kahonzi Thomas-Nursery Operator Kilifi |  |
| reg 41     | Fees and levies are more favourable to exporters, they should pay more than local dealers   | No action taken | levies are only applicable to importers and exporters. Fees are charged by the county governments  | Peter Kamau Ngige/<br>Wakesho CBO            |  |
| Reg 33     | There is duplication with the Kebs roles on testing and sampling  | No action taken | the Authority will collaborate with other government agencies where applicable. Already captured in regulation 33(1)   | Peter Kamau Ngige/<br>Wakesho CBO            |  |
|            | There should be clear role between the county government and AFA in implementation of the regulations                             | No action taken | Provided for in Section 6 of the Act   | Peter Kamau Ngige/<br>Wakesho CBO            |  |
| Reg 18, 19 | We should not licence exporters of raw materials of nuts and oil crops, unless they are for nursery purposes                      | No action taken | no sufficient laws to restrict movement of raw materials outside the country   | Peter Kamau Ngige/<br>Wakesho CBO            |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|            |   |                 |   |                                       |
|------------|---|-----------------|---|---------------------------------------|
| Reg 37 (2) | Nomination of the two members representing the county government should be nominated by the chair CEC agriculture caucus                        | Amended         | To amend that representation by the county government to be recommended by the CEC caucus chair in consultation with the chair of the agricultural committee and appointed by the CS. | Hamis Dzila/Kwale                     |
| Reg 32     | Reduce licensing fee for the cottage industries to Ksh 1000 for those with a turnover of less than Ksh 2,000,000                                | No action taken | the fee will be charged as per the county finance bill  | Lilian Hadullo/Agric.<br>Dept Mombasa |
| Reg 32 (2) | Cottage processors who carryout processing of nuts and oil crops with a turnover of Ksh 500,000 should be exempted from paying registration fee | No action taken | the fee will be charged as per the county finance bill  | Lilian Hadullo/Agric.<br>Dept Mombasa |
|            | Restrict export of raw coconut to Tanzania, because they export raw materials for coconut by products like bricquettes                          | No action taken | no sufficient laws to restrict movement of raw materials outside the country  | Phylister Yawa/Processor<br>Kilifi    |
|            | Introduce harvesting seasons for coconut  | No action taken | coconut flowers throughout the year   | Phylister Yawa/Processor<br>Kilifi    |
|            | Conduct sensitizations on the use of coconut products to increase use of coconut products   | No action taken | Noted.  | Phylister Yawa/Processor<br>Kilifi    |

## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|           |  |                      |   |  |      |
|-----------|--|----------------------|---|--|------|
| Reg 41    | Harmonization of NOCD regulations with the county government legislation to minimise conflicts                               | No action taken      | there is clear seperation of collection of fees and levies by both levels of government               | Mwalimu Menza/<br>KALRO Mtwapa           | 2019 |
| Reg 11    | Treat mother blocks separately from nurseries because motherblocks are permanent and with very unique technical requirements | Ammend Regulation 11 | seperate mother block/mother plant from nursery establishment   | Mwalimu Menza/<br>KALRO Mtwapa           |      |
| Reg 11    | KEPHIS and KALRO to be involved in establishment and maintainance of mother blocks   | Ammend Regulation 11 | the Authority will collaborate with other government agencies where applicable.                       | Mwalimu Menza/<br>KALRO Mtwapa           |      |
|           | Support the formulation and implementation of rules and regulation as it will streamline the industry                        | No action taken      | Noted   | Dzidza Charo/ Farmer<br>Kilifi           |      |
|           | Has faith in the drafters of the regulations and has hope that the regulations will bring sanity to the industry             | No action taken      | Noted   | Hanisi Shee Kulapha/<br>Farmer Kwale     |      |
| Reg 10(2) | It should not appear as if we are criminalizing stakeholder activity   | No action taken      | the Authority is not criminalizing stakeholders but ensuring order and best practices in the industry | Mwangi Hai/NOCD<br>Retired Officer       | 2019 |
|           | Role of county government underated in most of the document hence need for clear role of both levels of government           | No action taken      | Clear roles are stipulated in the regulation  | Luciana Sansua/CECM<br>ALF Kilifi County | 2019 |

## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|            |   |   |  |  |      |
|------------|---|---|--|--|------|
|            | Conflicting roles of certification with agencies e.g nursery registration between AFA and Kephis          | No action taken   | Inspection and certification is done by KEPHIS while registration is done by licencing authority                   | Luciana Sansua/CECM<br>ALF Kilifi County   | 2019 |
| Reg 22     | Proposal to reduce the licensing period from 90 days to 14 days   | Amend the regulation to include : 1- New applications within 60 days 2: renewals - within 15 working days | New applicants are required by the Act to be gazetted for 30 days  | Luciana Sansua/CECM<br>ALF Kilifi; Milanu<br>Musa/Farmer T/River                 | 2019 |
|            | Double taxation   | No action taken   | No taxation is proposed in the Regulations   | Luciana Sansua/CECM<br>ALF Kilifi County; Maria<br>Nzomo/CECM ALF<br>Trans Nzoia | 2019 |
|            | Who should collect the fees given that counties are looking for source of revenue                         | No action taken   | County Government will charge fees for most of the services while the Authority will be responsible for the levies | Luciana Sansua/CECM<br>ALF Kilifi County   |      |
| Reg 19 (8) | The consignment should be returned to the point of origin rather than destroy at the cost of the importer | No action taken   | Will be dealt under KeBS   | Luciana Sansua/CECM<br>ALF Kilifi County   |      |
| Reg 20 (3) | Review the charges to be based on the number of days delayed  | No action taken   | The proposal is difficult to implement   | Luciana Sansua/CECM<br>ALF Kilifi County   |      |
|            | Prescribed penalties for each of the offences   | No action taken   | Penalties are provided for in the Act  | Luciana Sansua/CECM<br>ALF Kilifi County   |      |
|            | Guidelines to be given the county government to appoint crop inspectors at the county level               | No action taken   | Provided for in the Act Section 27   | Luciana Sansua/CECM<br>ALF Kilifi County   |      |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|           |  |   |  |   |
|-----------|--|---|--|---|
| Reg 37    | Dispute resolution committee to be replicated at the country level for ease of arbitration | Amend the regulation to include country level committee |  | Mlanu Musa/Farmer;<br>Luciana Sansua/CECM<br>ALF Kilifi; Luka Rotich<br>CEC Rep U/Gishu;<br>Joseph Macharia Agric<br>Dept/Nyeri |
|           | Produce and product delaters should be categorized than review the levies                  | No action taken   | not clear  | Luciana Sansua/CECM<br>ALF Kilifi County  |
|           | Review import levie to make it prohibitive   | No action taken   | Other laws control this process  | Luciana Sansua/CECM<br>ALF Kilifi County  |
| Reg 6(1)  | Need for definition of small holder grower   | Ammed by deleting small holder                          | Replace all small holder growers with growers  | John Muli/KEPHIS<br>Mombasa   |
| Reg 8     | Need to include a clause for a nursery for non commercial use                              | No action taken   | Stricly follow the regulations in line with the relevant laws                        | Kongo Vunga/Farmer<br>Kwale   |
| Reg 14(2) | Defination of dealers also include processor, exporter and importer                        | amend regulation 14(2)                                  | To read "A dealer and manufacturer shall buy..."                                     | John Muli/KEPHIS<br>Mombasa   |
|           | Transporter to be excluded in the definition of a dealer                                   | No action taken   | the Act provides for registration of all dealers                                     | John Muli/KEPHIS<br>Mombasa   |
| Reg 19(2) | Permit are issued at what stage  | No action taken   | Permits issued per government agencies involved in the import/export of the products | John Muli/KEPHIS<br>Mombasa   |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|            |   |   |  |  |      |
|------------|---|---|--|--|------|
| Reg 19 (3) | change may be physically verified to must making it mandatory   | amend regulation 19(3)  | to read "...port of entry or exit and shall be physically verified..."       | John Muli/KEPHIS<br>Mombasa                            | 2019 |
| Reg 19 (4) | Listing of all documents during import documentation  | amend regulation 19(4) to separate documents required during importation and during exportation |  | John Muli/KEPHIS<br>Mombasa                            | 2019 |
|            | Transportation of nuts and oil crop produce inter county- restrictions and different county regulations | No action taken   | Provided for under joint agriculture secretariat                             | John Muli/KEPHIS<br>Mombasa                            |      |
|            | Harmonization of NOCD regulations with the county government legislation to minimise conflicts          | No action taken   |  | Mwalimu Menza/<br>KALRO Mtwapa                         |      |
|            | Separation between a mother block and a nursery operator  | Amend Reg. 11   | Review Reg. 11 to provide for Establishment and maintenance of mother blocks | Mwalimu Menza/<br>KALRO Mtwapa                         | 2019 |
|            | KEPHIS and KALRO to be involved in establishment and maintenance of mother blocks                       | Amend the regulation 11.  | Review Reg. 11 to provide for Establishment and maintenance of mother blocks | Mwalimu Menza/<br>KALRO Mtwapa                         | 2019 |
|            | Review of multiple licenses and registration kephis and county government                               | No action taken   | the regulation has captured the same   | Jane Koima/KALRO<br>Thika                              | 2019 |
| Reg 41     | Include funding mechanism for research and developments e.g for mother block maintainance               | No action taken   | Captured in section 41(3) (b)  | Hannah Gitonga/Kenya<br>School of Agric/Songa<br>Mbele |      |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|            |   |  |  |  |      |
|------------|---|--|--|--|------|
|            | Strengthening of collection centres to streamline marketing aspect  | No action taken  |  | Hannah Gitonga/Kenya School of Agric/Songya Mbele                          | 2019 |
| Reg 31 (3) | Harvesting season closure should apply to other crops not only to macadamia   | considered   |  | Mwakufunza/County Director of Agric, Lamu; Phylister Yawa/Processor Kilifi | 2019 |
| Reg 32     | Reviews of registration and renewal fee for the different stakeholders ( gross turnover > 2,000,000 kshs 1,000 for both renewal and registration respectively, >2,000,000 to 5,000,000 kshs 5,000 for both registration and renewal respectively) | No action taken  | the fee will be charged as per the county finance bill       |  |      |
|            | Scheduling of oil palm under the crops act  | No action taken  | work in progress   |  |      |
| Reg 8-11   | Canola takes only three months to mature and no nursery is needed during the production. What section regulates the production of oil crops other than macadamia, cashew nut and coconut?   | Amended  | Ammend regulation 10 to provide for crops propagated by seed | David Kimondo - Kieni Canola/Nyeri   |      |
| Reg 8-11   | Nuts and Oil Crops should be divided into biennials and perennials. The biennials that include sesame, canola, groundnuts should not be   | Ammend regulation 10 to provide for crops propagated by seed | some are annuals others are biennials                        | David Kimondo - Kieni Canola/Nyeri   |      |

Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|        |                                    |  |                 |  |  |
|--------|------------------------------------|--|-----------------|--|--|
| Reg 14 | regulated by the above regulations | Macadamia research has proposed a marketing model that is regulated by the government officials. The grower brings the nuts to a designated collection center where the buyers converge to buy. This model will be discussed with the Authority before a presentation to the stakeholders. The aim of this is to reduce the control of the agents that suppress the sector and economic growth of the farmers. | No action taken | The collection centers are already provided for in regulation 15 | Hannah Gitonga/Kenya<br>School of Agric/Songa<br>Mbele |
|--------|------------------------------------|--|-----------------|--|--|

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|        |  |                     |   |  |      |
|--------|--|---------------------|---|--|------|
| Reg 41 | The levies collected should facilitate research and development of macadamia sector. Macadamia research is not directly funded which hampers development of the industry. macadamia research competes for share of the research funds with other crops research. This makes the research not consistent. Levies for research should therefore be well stipulated in the regulations. | No action taken     | Captured in section 41(3)(b)  | Jane Koima/KALRO<br>Thika James<br>Njoroge/KALRO Njoro |      |
| Reg 15 | Who will manage the collection centers? It's not clear.  | Amend regulation 15 | add 15(..) to include management of the collection center by county governmrt, farmer associations or the manufacturers | James Njoroge/KALRO<br>Njoro                           |      |
| Reg 10 | For the provision of clean planting materials, some crops such as castor, jojoba, linseed and safflower have no released varieties. How will the farmers access the planting materials?  | No action taken     | This will go in tandem with research and development which will be supported through proposed fees and levies           | James Njoroge/KALRO<br>Njoro                           | 2019 |

## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|           |   |                 |   |   |      |
|-----------|---|-----------------|---|---|------|
| Reg 41    | Levies will be very important for research, seed bulking and registration of new varieties. It can also be used for joint crop production. (At KALRO Njoro, research on linseed, sunflower, safflower, castor and canola) | No action taken | Captured in section 41(3)(b)  | James Njoroge/KALRO Njoro                   | 2019 |
| Reg 42(3) | Correction, first sentence word than missing. Need to read "Every registered nursery operator shall not later than the fifteenth day..."  | Amended         | Correction done   | James Njoroge/KALRO Njoro                   | 2019 |
|           | Is there national policy on nuts and oil crops? We need one   | No action taken | Work in progress  | Catherine Ngamau/JKUAT                      | 2019 |
| Reg 34-35 | Since agriculture is fully devolved, can the crop inspectors be under the county government?  | No action taken | Provided for in the Act Section 27  | Jane Gitonga/Dept of Agric-Kiambu           |      |
| Reg 10    | How will farmers get appropriate seeds?   | No action taken | This will go in tandem with research and development which will be supported through proposed fees and levies | Elinah Wanyama Wakhiya-Mwale Heal CBO-Busia |      |
|           | Where will farmers get the market?  | No action taken | not part of regulations   | Elinah Wanyama Wakhiya-Mwale Heal CBO-Busia |      |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|        |  |  |  |   |  |
|--------|--|--|--|---|--|
|        | How will AFA assist farmers get subsidized fertilizer?   | No action taken  | The Commodity Fund prescribed in the Act provides for this and therefore not included in these Regulations | Elinah Wanyama<br>Wakhinya-Mwale Heal<br>CBO-Busia  |  |
| Reg 37 | Whether the dispute resolution committee will be handling all the disputes that may arise at the county level? If it's only at the national level, how will the transfer of the mandate be done during transition. Establish a dispute resolution at the county level.<br>Ensure capacity is done during transition. | Amend the regulation to include county level committee |  | Mlanu Musa/Farmer;<br>Luciana Sansua/CECM<br>ALF Kilifi; Luka Rotich<br>CEC Rep U/Gishu;<br>Joseph Macharia Agric<br>Dept/Nyeri |  |
| Reg 39 | That the licence be for one year after issuance  | No action taken  | Validity of the licence is provided for in the Act   | Sasecio Mwaniki Kandie-<br>MFAK Embu  |  |
|        | That the regulatios provide for intercounty government corporation especially those in the same ecological zone  | No action taken  |  | Sasecio Mwaniki Kandie-<br>MFAK Embu  |  |
|        | The new document requires editing before uploading and the old one deleted   | Noted for action                                       | Noted.   | Nashon Mugi/Fruit<br>Tree Nursery Operators<br>Association of<br>Kenya/Muranga  |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|           |  |                 |  |   |  |
|-----------|--|-----------------|--|---|--|
| reg 31(3) | Harvesting should be self regulating just like coffee, tomato, cashewnut and coconut   | No action taken | co-regulation and self-regulation are also acceptable in the regulatory environment  | Peter Muriithi<br>Gichabi/Farmer<br>Kirinyaga |  |
| Reg 37(2) | The composition of the dispute resolution committee favour AFA and there is no issue that can pass without the input of AFA  | Amended         | The domination of AFA has been minimised by recognition of County Dispute Resolution Committee and the Re. 37 (2) e be nominated by the relevant apex bodies | Peter Muriithi<br>Gichabi/Farmer<br>Kirinyaga |  |
| Reg 23&24 | The licenced agents and the non-licenced ones are buying the nuts from the farmers without any special treatment to the licenced ones. Do something about that. Deploy more officials who will be checking whether the agents are registered | No action taken | the Authority will strengthen the enforcement of the regulation  | Maina K.<br>Joseph/Macadamia Agent            |  |
| Reg 32(1) | Before registering any company, ensure they are able to handle the processing using their own products. Let them first have their own macadamia trees  | Amend           | Amend Second Schedule Form E1 to include produce source  | Maina K.<br>Joseph/Macadamia Agent            |  |
| Reg 16    | limit the number of licenced companies   | No action taken | conditions for registration and licencing provided for in regulation 16  | Maina K.<br>Joseph/Macadamia Agent            |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|                           |  |  |  |   |  |
|---------------------------|--|--|--|---|--|
| Reg 27                    | In contractual farming, county government should be the witness            | Amend regulation 27(1) (a) and Fifth Schedule part B to include county government as a witness | to read "...sign a contract with the grower witnessed by respective county government..." Further, | Ezekiel Odeoh/Agro Environmental Farmers Association (AGEFA) Homa Bay |  |
|                           | To cushion farmers they should have a direct access to market              | No action taken  |  | Ezekiel Odeoh/Agro Environmental Farmers Association (AGEFA) Homa Bay |  |
|                           | there should be no monopoly of buying nuts                                 | No action taken  |  | Ezekiel Odeoh/Agro Environmental Farmers Association (AGEFA) Homa Bay |  |
|                           | Counties to subsidize farm inputs in support of nuts and oil crops farming | No action taken  |  | Ezekiel Odeoh/Agro Environmental Farmers Association (AGEFA) Homa Bay |  |
|                           | The regulations should be customized by all implementing counties          | No action taken  | Counties to cascade once the regulations are gazetted  | Ezekiel Odeoh/Agro Environmental Farmers Association (AGEFA) Homa Bay |  |
| Reg 41 and third schedule | Harmonize taxation across board  | No action taken  | there is clear separation of collection of fees and levies by both levels of government            | Ezekiel Odeoh/Agro Environmental Farmers Association (AGEFA) Homa Bay |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|           |  |                        |   |   |  |
|-----------|--|------------------------|---|---|--|
| Reg 31(4) | In the proposed regulations, lets consider and accommodate various market requirements eg organic and fair trade standards which are very particular on some regulations<br>why is AFA coming up with new regulations when the old ones are not being followed | No action taken        | considered in the regulation  | Michael Waweru/Processor Jungle Nuts/Thika    |  |
|           | Why is afa giving the county government to regulate some things when they arent aware of the regulatios  | No action taken        | Sensitization of county governments is part of the process                              | John Nthei/Processor-Eureka Nuts Ltd/Machakos |  |
|           | how is AFA going to assist farmers who don't have the ability to buy seedlings   | No action taken        | This is part of the promotion activities in collaboration with the county government    | John Nthei/Processor-Eureka Nuts Ltd/Machakos |  |
| Reg 29(2) | Why should farmers keep records for years when the exporters are paying the revenue  | Amend regulation 29(2) | Separate annuals and biennials crops records from perenial crops records                | John Nthei/Processor-Eureka Nuts Ltd/Machakos |  |
| Reg 31(3) | Harvesting time to be determined according to the people on the ground   | No action taken        | considered in the regulation  | John Nthei/Processor-Eureka Nuts Ltd/Machakos |  |
| Reg 41    | Counties should be left with cess only   | No action taken        | there is clear seperation of collection of fees and levies by both levels of government | John Nthei/Processor-Eureka Nuts Ltd/Machakos |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|        |   |                 |   |  |  |
|--------|---|-----------------|---|--|--|
|        | Farmers should not allow brokers to harvest macadamia in their farm. If this continues, the farm production will continue to decline                    | No action taken | Sensitization of farmers in collaboration with the county governments | John Nthei/Processor- Eureka Nuts Ltd/Machakos   |  |
|        | Exporting of in-shell nuts should be banned completely  | No action taken | Provided for in the AFA Act only.                                     | John Nthei/Processor- Eureka Nuts Ltd/Machakos   |  |
|        | More nurseries to be developed  | No action taken |   | Zippy Butita/GNEL Bungoma                        |  |
| Reg 27 | Enhance contract farming  | No action taken |   | Zippy Butita/GNEL Bungoma                        |  |
|        | The regulations were read to participants who had not seen it before  | No action taken | The Regulations were available in AFA and Kilimo Websites             | John Njiru Kathangu/NUTAK Embu                   |  |
|        | What is the role of NUTAK in the industry as far as macadamia is concerned - They just politicize the industry  | No action taken | they are stakeholders in the industry                                 | Newton Njeru/Processor- Privam Nuts EPZ Ltd/Embu |  |
|        | How can we eliminate brokers in the industry - by having each company register its own farmers and ensure the supply of the nuts is done by the farmers | No action taken | The Regulations are promoting Contract Farming                        | Newton Njeru/Processor- Privam Nuts EPZ Ltd/Embu |  |
| Reg 39 | AFA licence ends on 30th June but the county has already proposed a calendar year.  | No action taken | The Act provides for the licence lifespan/duration                    | Lukas Mukhamia CECM rep. Vihiga County           |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|                |  |   |  |  |  |
|----------------|--|---|--|--|--|
| Reg41          | Counties already have fees for manufacture/processing licence  | Ammend regulation 17(1), (2) and (3) and the third schedule | Manufacturing licence fees shall be collected by county governments and will be ammended accordingly in regulation | Lukas Mukhamia CECM rep. Vihiga County |  |
| Reg 29 (2)     | Traceability and quality in planting material is tricky for sesame, peanuts and castor beans- (AFA to promote castor bean) | Amend regulation 29(2)                                      | Separate annuals and biennials crops records from perental crops records   | Lukas Mukhamia CECM rep. Vihiga County |  |
| Reg 8 (1)      | KEPHIS already licences nurseries. There is need to harmonise with AFA regulations   | No action taken   | KEPHIS inspects and certifies planting materials but does not register nursery operators                           | Lukas Mukhamia CECM rep. Vihiga County |  |
| Reg 27 (1)     | Contract engaging and MOUs   | No action taken   |  | Lukas Mukhamia CECM rep. Vihiga County |  |
| Reg 34 (1)     | Nuts and Oil Crops inspectors  | No action taken   | not clear  | Lukas Mukhamia CECM rep. Vihiga County |  |
| Reg 31 (3)     | Some macadamia cultivars produce throughout the year hence the CEC in the counties to issue harvesting season              | No action taken   | considered in the regulation   | Lukas Mukhamia CECM rep. Vihiga County |  |
| First Schedule | Why not include oil palm as a schedule oil crop  | It's a working progress to have them scheduled              |  | Lukas Mukhamia CECM rep. Vihiga County |  |

## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|                |  |                        |  |  |  |
|----------------|--|------------------------|--|--|--|
| Reg 13 (1)     | Who is a trader in the nuts marketing process  | No action taken        | the regulation is not confined to one crop but 11 scheduled crops with different marketing systems or channels | Peter Kimani/Farmer-<br>Trans Nzoia        |  |
|                | What is the difference of integrifolia and tetraphylla                                       | No action taken        | Scheduled as the two different cultivars of macadamia in the Act.  | Peter Kimani/Farmer-<br>Trans Nzoia        |  |
| Reg 2          | Definition of retailers  | amended                | included in definition as part of dealers  | Peter Kimani/Farmer-<br>Trans Nzoia        |  |
| Reg 13(1)      | Delete the word "trade, retail" and use the word dealer or define the two words              | Amend regulation 13(1) | to read "A person who intends to deal in nuts and oil crops produce and products shall..."                     | Peter Kimani/Farmer-<br>Trans Nzoia        |  |
| First Schedule | Delete the words tetraphylla and integrifolia and use the word macadamia or define the words | No action taken        | This is as per the Gazette notice scheduling the crops   | Peter Kimani/Farmer-<br>Trans Nzoia        |  |
| Reg 2          | Interpretation (small holder) reduce ten acres to five acres under nuts and oil crops        | Amended                | All small holder growers are referred to as growers  | Peter Kimani/Farmer-<br>Trans Nzoia        |  |
| Reg 2          | Interpretation of dealer and agent mixed up because a dealer include even an agent           | Amended                |  | Luka Rotich CECM Rep<br>Uasin Gishu County |  |
|                | Plantation grower should be registered at the county level                                   | No action taken        | Provided for in the Act  | Luka Rotich CECM Rep<br>Uasin Gishu County |  |

**Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020**

|        |  |                 |   |   |  |
|--------|--|-----------------|---|---|--|
|        | Use the word cooperatives instead of association of growers  | No action taken | Cooperatives and Association of growers are under different legislations. | Luka Rotich CECM Rep<br>Uasin Gishu County                  |  |
| Reg 34 | Instead of AFA appointing Crop Inspectors, why not use the county agricultural officers for the inspection work? | No action taken | Provided for in the Act- Section 27                                       | Luka Rotich CECM Rep<br>Uasin Gishu County                  |  |
| Reg 45 | Transition clause is very important  | No action taken | A good comment  | Luka Rotich CECM Rep<br>Uasin Gishu County                  |  |
| Reg 37 | Dispute resolution committee need also to e at lower level   | Amended         |   | Luka Rotich CECM Rep<br>Uasin Gishu County                  |  |
|        | Need to recognize some standards in the regulation e.g organic standard  | No action taken | The regulations has recognized various standards                          | Luka Rotich CECM Rep<br>Uasin Gishu County                  |  |
|        | They is need to harmonize the licenses and levy issues at the county level                                       | done            |   | Dr. Osia Mwanje CECM<br>Agric. Busia                        |  |
|        | Need to continue working together at both levels of gorverment   | No action taken | The Authority collaborates with the county governments where necessary    | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
|        | Double taxation challenges being raised  | No action taken | there is no taxation in the regulations                                   | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |

## Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|        |  |                 |   |   |  |
|--------|--|-----------------|---|---|--|
|        | Crop Inspectors should be both at AFA and County Level and crop inspectors of AFA should build capacity for county crop inspectors | No action taken | Provided for in the Act   | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
|        | All the contract between dealers should be witnessed by the county government  | Amended         |   | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
|        | Quality issues and food safety standards need to be stressed   | No action taken | Noted   | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
|        | County regional economic block need to harmonize the harvesting season   | No action taken | Noted   | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
|        | Need to customize and domesticate the regulations at the county level  | No action taken | Noted. Part of the process  | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
|        | All the levies should conform to the county finance bill   | No action taken | Noted   | Maria Nzomo/ CECM<br>ALF Trans Nzoia/Chair<br>Agric. Caucus |  |
| Reg 41 | Why levie without reason e.g the levies should be used in reaserch and capacity building   | No action taken | Provided for in regulation 41(3) (b)  | Abraham<br>Barno/MoALF&I/Nairobi                            |  |
|        | Think about Self regulation  | No action taken | co-regulation and self-regulation are also acceptable in the regulatory environment | Abraham<br>Barno/MoALF&I/Nairobi                            |  |

Stakeholders Comments and Submissions on The Crops (Nuts and Oil Crops) Regulations, 2020

|        |   |                 |                                  |                               |  |
|--------|---|-----------------|----------------------------------|-------------------------------|--|
| Reg 31 | Re-think the concept of harvesting window for macadamia | No action taken | Provided for in Regulation 31(3) | Abraham Barno/MoALF&I/Nairobi |  |
|--------|---|-----------------|----------------------------------|-------------------------------|--|



## AGRICULTURE AND FOOD AUTHORITY

---

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/161**

**18<sup>th</sup> March 2019**

The Managing Director,  
Kenya Plant Health Inspectorate (KEPHIS)

P. O. Box 49592-00100

**NAIROBI**

Email: [director@kephis.org](mailto:director@kephis.org)

**Dear**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

---

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organization (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.

  
29 **ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

---

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirector@nca.ac.ke](mailto:nocdirector@nca.ac.ke)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/161**

**18<sup>th</sup> March 2019**

Director  
Crops Resources, Agribusiness & Market Development  
Ministry of Agriculture, Livestock & Fisheries  
Head of Industrial Crops  
Off Cathedral Road, Nairobi  
P. O. Box 34188-00100  
**NAIROBI**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

---

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organization (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.

  
AP **ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



# AGRICULTURE AND FOOD AUTHORITY

---

## NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirector@gmail.com](mailto:nocdirector@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/161**

**18<sup>th</sup> March 2019**

The Principal Secretary  
State Department for Crops Development  
Ministry of Agriculture, Livestock, Fisheries & Irrigation  
Off Cathedral Road, Nairobi  
P. O. Box 34188-00100  
**NAIROBI**

**ATT: Head Legal Unit**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

---

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organization (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

---

Telephone: 3872421/3872497/3874445/6 || Mobile: 0722-200556/0734-600994  
Wireless: 020-2536869/2536886 || Telefax: 3862120/3876337

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.

  
99 **ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

---

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/161**

**18<sup>th</sup> March 2019**

The Director  
Agricultural Policy Research & Regulations  
Ministry of Agriculture, Livestock & Fisheries  
Off Cathedral Road, Nairobi  
P. O. Box 34188-00100  
**NAIROBI**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

---

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organization (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.



**PP ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

---

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/161**

**18<sup>th</sup> March 2019**

The Director  
Kenya Agricultural & Livestock Research Organization  
FCRI-Njoro  
P. O. Box Private Bag  
**NJORO**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

---

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organization (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.



99

**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

---

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/161**

**18<sup>th</sup> March 2019**

The Director  
Kenya Agricultural & Livestock Research Organization  
Non-Ruminant Research Institute  
P. O. Box 169-50100  
**KAKAMEGA**  
Tel: 020-2619792  
Email: [nrri@kalro.org](mailto:nrri@kalro.org)

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

---

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organization (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.



**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/160**

**18<sup>th</sup> March 2019**

**All Stakeholders**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organisation (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.

  
**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

### NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/160**

**18<sup>th</sup> March 2019**

**CEC, Agriculture, Livestock and Irrigation  
Kakamega, Bungoma, Homa Bay, Migori, Busia, Trans Nzoia, Baringo**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organisation (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**

Telephone: 3872421/3872497/3874445/6 || Mobile: 0722-200556/0734-600994  
Wireless: 020-2536869/2536886 || Telefax: 3862120/3876337



# AGRICULTURE AND FOOD AUTHORITY

## NUTS AND OIL CROPS DIRECTORATE

Tea House | Naivasha Road, Off Ngong Road

P.O Box 37962 NAIROBI-00100

Email address: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)

*When replying please quote*

**Ref. AFA/NOCD/RC1/VOL.4/160**

**18<sup>th</sup> March 2019**

**CEC, Agriculture, Livestock and Irrigation  
Embu, Kiambu, Muranga, Nyeri, Kirinyaga, Tharaka Nithi, Meru**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya Agricultural and Livestock Organisation (KALRO) Kandara, Murang'a on 28<sup>th</sup> March 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorator@gmail.com](mailto:nocdirectorator@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Tuesday 26<sup>th</sup> March 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**

Telephone: 3872421/3872497/3874445/6 || Mobile: 0722-200556/0734-600994  
Wireless: 020-2536869/2536886 || Telefax: 3862120/3876337



**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 28<sup>TH</sup> MARCH 2019 AT KALRO KANDARA**

**ATTENDANCE LIST**

| NO | NAME                | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|----|---------------------|----------------------------|----------------|--------|-----|-------------|----------|-----|-------|
|    |                     |                            |                |        |     | <35         | 35 to 59 | >59 |       |
| 1. | BLOOM               | ...                        | ...            | F      |     | ✓           |          |     |       |
| 2. | ISAAC K...          | AGRI VILL/...              | ...            | M      |     |             | ✓        |     |       |
| 3. | Emmanuel            | ...                        | ...            | F      |     | ✓           |          |     |       |
| 4. | Lucas M...          | Vihiga County              | ...            | M      |     |             | ✓        |     |       |
| 5. | Abraham Barno       | Rilimo Hq                  | ...            | M      |     |             | ✓        |     |       |
| 6. | Christopher Muchana | Kilimo Hq                  | ...            | M      |     |             | ✓        |     |       |
| 7. | HENRY OWINO         | Kakua Muranga              | ...            | M      |     |             | ✓        |     |       |
| 8. | MARY NZOME          | TRANS NZOIA COUNTY         | ...            | F      |     |             | ✓        |     |       |



| NO  | NAME              | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS           | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|-----|-------------------|----------------------------|--------------------------|--------|-----|-------------|----------|-----|-------|
|     |                   |                            |                          |        |     | <35         | 35 to 59 | >59 |       |
| 9.  | DAVID KIMUNYIA    | Oil & NUTS<br>Cocoa        | David.kimuniya@gmail.com | M      |     |             |          |     |       |
| 10. | GLADYS NTOKI      | Oil & NUTS<br>Cocoa Div    | ngandachinyeri@gmail.com | F      |     |             |          |     |       |
| 11. | Maxwell Lumbasi   | ICatanga County            | Maxwelllumbasi@gmail.com | F      |     |             |          |     |       |
| 12. | Peter Kuma        | TRANS ZAMBIA               | spudlo86@gmail.com       | F      |     |             |          |     |       |
| 13. | Nehashen Mugfi    | FTNDAK                     | neemufanubs@gmail.com    | M      |     |             |          |     |       |
| 14. | Binyi Olembo      | M.G.A<br>KAWANHA           |                          | M      |     |             |          |     |       |
| 15. | Esther Mumbwa     | M.G.A<br>MAGARANI          |                          | F      |     |             |          |     |       |
| 16. | William Torongo   | M.G.A<br>KAWANHA           |                          | M      |     |             |          |     |       |
| 17. | ISAIRI C KALCHYAN | M.G.A<br>BAKINGO           |                          | M      |     |             |          |     |       |
| 18. | Jordan MURINDA    | M.G.A<br>MAGARANI          |                          | M      |     |             |          |     |       |
| 19. | Samuel Gatundu    | Karungu                    |                          | M      |     |             |          |     |       |
| 20. | James Njoroge     | Kenya Fair                 | jamnjorog@gmail.com      | F      |     |             |          |     |       |
| 21. | Phyllis Njiru     | Makindu                    |                          | F      |     |             |          |     |       |
| 22. | Dr. Seth Wekesa   | MNR Advocates              | wekeseseth@gmail.com     | M      |     |             |          |     |       |



| NO  | NAME                 | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS           | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|-----|----------------------|----------------------------|--------------------------|--------|-----|-------------|----------|-----|-------|
|     |                      |                            |                          |        |     | <35         | 35 to 59 | >59 |       |
| 23. | Wanjiku Nagolano     | NMK Advocates              | wanawithira@gmail.com    | F      |     | ✓           |          |     |       |
| 24. | Miriam Wachira       | Agri-China                 | agri-china@unim.ac.ke    | F      |     |             | ✓        |     |       |
|     | Joseph MACHARIA      | DPT ALE                    | changenegmail.com        | M      |     |             | ✓        |     |       |
| 25. | Richard Ndegwa       | AFALNOCD                   | richardndegwa@gmail.com  | M      |     |             | ✓        |     |       |
| 26. | STACEIO KIPPOTI      | Kenya COUNTY               | staceio66@gmail.com      | M      |     |             | ✓        |     |       |
| 27. | EDWARD MWANGI        | AFAK                       | Edwardmwangi@gmail.com   | M      |     |             |          | ✓   |       |
| 28. | Mutua Joseph         | FAK                        | mutuajoseph@gmail.com    | M      |     |             |          |     |       |
| 29. | John Njorotha        | Amigos NUTS                | Amigosnutsgmail.com      | Male   |     |             | ✓        |     |       |
| 30. | Morris Akumu         | NUTAK                      | morrisakumu@gmail.com    | M      |     | ✓           |          |     |       |
| 31. | John Wanjiku Wachira | NUTAK                      | johnwachira21@gmail.com  | M      |     |             | ✓        |     |       |
| 32. | John Muthangari      | NUTAK                      | johnmuthangari@gmail.com | M      |     |             | ✓        |     |       |
| 33. | Samuel Kiseri        | NUTAK                      | Samuelkiseri@gmail.com   | M      |     |             | ✓        |     |       |
| 34. | Mureithi Ngichabi    | Private/FARMER             | Mureithi@gmail.com       | M      |     |             |          | ✓   |       |
|     | WILLIS AUDI          | AFA/NOCD                   | willisaudi@gmail.com     | M      |     | ✓           |          |     |       |



| NO  | NAME              | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS             | GENDER | PWD | AGE (Years) |          |     | SIGN.             |
|-----|-------------------|----------------------------|----------------------------|--------|-----|-------------|----------|-----|-------------------|
|     |                   |                            |                            |        |     | <35         | 35 to 59 | >59 |                   |
| 36. | Thomas Hoo        | MoA/FX1                    | harotg90@yahoo.com         | M      |     |             | ✓        |     | h.                |
| 37. | Emilia Ejedra     | KILUKO -KAK                | emilia_aga@gmail.com       | F      |     |             | ✓        |     | <del>Emilia</del> |
| 38. | JANE GIORGA       | AGRICULTURE-KIAMBI COUNTY  | jiorga345@gmail.com        | F      |     |             | ✓        |     | Jane              |
| 39. | MATT SPIECKER     | LIMBUA                     | MJELIMBUA@gmail.com        | M      |     |             | ✓        |     | M                 |
| 40. | BEATRICE MATHENGE | AGRIC-TIRIVANITHI          | beatricemathenge@gmail.com | F      |     |             | ✓        |     | B                 |
| 41. | CHARLES K. MUYA   | NA-PPK                     | charlesknya@gmail.com      | M      |     |             | ✓        |     | Charles           |
| 42. | PETER NDUKO       | SATUNDU                    |                            |        |     |             |          |     |                   |
| 43. | FRANK OCHIENG     | AGRIC                      |                            | M      |     |             | ✓        |     | F                 |
| 44. | ELINAH N. WAKITA  | MWALIMU HEALTH CBG         |                            | F      |     |             | ✓        |     | E                 |
| 45. | KARIUKI MUNGURA   | NUTAC                      |                            | M      |     |             | ✓        |     | K                 |
| 46. | KEVIN MACHARIA    | INDUSTRIAL NUTS            | kevinm@nut.ac.ke           | M      |     | ✓           |          |     | K                 |
| 47. | Josiah M. Kibuka  | KIRIKIRI                   | josiahm@kiriki.ac.ke       | M      |     |             | ✓        |     | Josiah            |
| 48. | JANE MANGA        | EXETIC FB2                 | jane@exetic.ac.ke          | F      |     |             | ✓        |     | Jane              |
| 49. | NADIA ANTO        | SEMPUR                     | nadia@sempur.ac.ke         | M      |     |             | ✓        |     | Nadia             |



| NO  | NAME                | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS          | GENDER | PWD | AGE (Years) |             |     | SIGN. |
|-----|---------------------|----------------------------|-------------------------|--------|-----|-------------|-------------|-----|-------|
|     |                     |                            |                         |        |     | <35         | 35 to<br>59 | >59 |       |
| 50. | Zippy Simanyi       | CIHEL                      | gusad2013@gmail         | F      |     |             | ✓           |     |       |
| 51. | Thomas Mwangi       | M.C.A.                     | thomasgichia@gmail.com  | M      |     |             |             | ✓   |       |
|     | Constance Munggi    | M.G.A                      |                         | F      |     |             | ✓           |     |       |
| 53. | Jacqueline Nandjiri | Forfeiture                 |                         | F      |     |             | ✓           |     |       |
| 54. | Rebecca Liaga       | Farmer                     | blimg92017@gmail        | F      |     | ✓           |             |     |       |
| 55. | PERVIL WERESA       | Farmer                     | Perwilesaputra@gmail    | F      |     | ✓           |             |     |       |
| 56. | Susani Kinyani      | Farmer                     | Perwilesaputra@gmail    | F      |     | ✓           |             |     |       |
| 57. | PRISCILLA WANGARI   | M.G.A                      |                         | F      |     |             | ✓           |     |       |
| 58. | Raymond Kaland      | M.G.A                      | raymond.kaland@gmail    | M      |     |             | ✓           |     |       |
| 59. | AINES NJERI         | M.G.A                      |                         | F      |     |             |             |     |       |
| 60. | Rotich Luka         | U/GISHU COUNTY             | cdawasingishu@yahoo.com | M      |     |             | ✓           |     |       |
| 61. | Alex Njigwa         | Process                    | alexnjigwa@gmail.com    | M      |     |             | ✓           |     |       |
| 62. | Juma Sali           | UNIVERSITY OF ERSS         | juma@erri.ac.ke         | M      |     |             | ✓           |     |       |
|     | Joko Njira          | ERSS                       | joko@erri.ac.ke         | M      |     |             | ✓           |     |       |



| NO  | NAME               | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS      | GENDER | PWD | AGE (Years) |             |     | SIGN.       |
|-----|--------------------|----------------------------|---------------------|--------|-----|-------------|-------------|-----|-------------|
|     |                    |                            |                     |        |     | <35         | 35 to<br>59 | >59 |             |
| 64. | JOHN NAWA          | AGRI                       |                     |        |     |             |             |     |             |
| 65. | JOSHUA STEWART     | FARMER                     | 0710598012          |        |     |             |             |     | [Signature] |
| 66. | ELIUD W. MURRAY    | FARMER                     | 0742804184          | MALE   |     |             |             |     | [Signature] |
| 67. | Pete Kinuthia      | FARMER                     | 0728765578          | MALF   |     |             |             |     | [Signature] |
| 68. | Moses Mwangi       | AGRI                       | 0991630552          | M      |     |             |             |     | [Signature] |
| 69. | Michael Njiru      | AGRI                       | 0722111916          | M      |     |             |             |     | [Signature] |
| 70. | John Njiru         | FARMER                     | huffield@jagjag.com | M      |     |             |             |     | [Signature] |
| 71. | Joseph Njiru       | FARMER                     | 0723101261          | M      |     |             |             |     | [Signature] |
| 72. | Joseph Njiru       | FARMER                     | 0724529955          | F      |     |             |             |     | [Signature] |
| 73. | Queen Kariuki      | SAGANA NUB                 | 0723173311          | M      |     |             |             |     | [Signature] |
| 74. | Esther Mwangi      | FARMER MGA                 | 0713742307          | F      |     |             |             |     | [Signature] |
| 75. | Wendy Mwangi Kibui | FARMER MGA                 |                     | F      |     |             |             |     | [Signature] |
| 76. | Eric Omondi        | ENP                        | e.omon@equinor.com  | F      |     |             |             |     | [Signature] |
| 77. | John Mwangi        | FARMER                     |                     | M      |     |             |             |     | [Signature] |



| NO  | NAME                 | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS               | GENDER | PWD | AGE (Years) |             |     | SIGN. |
|-----|----------------------|----------------------------|------------------------------|--------|-----|-------------|-------------|-----|-------|
|     |                      |                            |                              |        |     | <35         | 35 to<br>59 | >59 |       |
| 78. | Xhensha Njere        | PRICELESS<br>28 WINTHUIS   | xhensha_njere@pricedless.com | Male   |     |             | ✓           |     |       |
| 79. | Simon Karinko Kinyua | Agriculture                | simonkarinko@gmail.com       | Male   |     |             | ✓           |     |       |
| 80. | Carli K. S.          | FARMER                     | carli@carli.com              | Female |     | ✓           |             |     |       |
| 81. | Jane Karim           | Researcher                 | jane.karim@research.com      | Female |     |             | ✓           |     |       |
| 82. | Hannel Gato-gato     | LSA                        | hannel.gato-gato@lsa.com     | Female |     |             | ✓           |     |       |
| 83. | Collins Dora         | AFA AFD                    | collins.dora@afa.com         | Male   |     | ✓           |             |     |       |
| 84. | M. KHAN              | WSP KENYA                  | khana@wspkenya.com           | MALE   |     |             | ✓           |     |       |
| 85. | M ARNOLD             | ARUK AFD                   | arnold@aruk.com              | MALE   |     |             | ✓           |     |       |
| 86. | JANE AUGUST          | FARMER                     | jane.august@farmer.com       | Female |     |             |             |     |       |
| 87. | Nikshan Kothari      | AFA-MP/CD                  | nikshan.kothari@afa.com      | M      |     | ✓           |             |     |       |
| 88. | William Nyiro        | Kahuri DC                  | william.nyiro@kahuri.com     | M      |     |             | ✓           |     |       |
| 89. | LEAH CUMBE           | AFA-MP/CD                  | leah.cumbe@afa.com           | F      |     | ✓           |             |     |       |
| 90. | Jessica Mukundi      | AFA-MP/CD                  | jessica.mukundi@afa.com      | F      |     | ✓           |             |     |       |
| 91. | ANITA CHANG          | FARMER                     | anita.chang@farmer.com       | F      |     |             |             |     |       |



| NO   | NAME             | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS          | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|------|------------------|----------------------------|-------------------------|--------|-----|-------------|----------|-----|-------|
|      |                  |                            |                         |        |     | <35         | 35 to 59 | >59 |       |
| 92.  | ROY MUYENDA      | Director                   | mroyesthoy@gmail.com    | M      |     |             | ✓        |     |       |
| 93.  | JAMES MUYENDA    | Director                   | Jamesmuyenda@gmail.com  | M      |     |             | ✓        |     |       |
| 94.  | LAWRENCE KAWA    | Farmer                     | lawrencekawa@gmail.com  | M      |     |             | ✓        |     |       |
| 95.  | MARIA MUYENDA    | Farmer/Member              | maria2008@gmail.com     | M      |     |             | ✓        |     |       |
| 96.  | Daniel MUYENDA   | Farmer                     | danielmuyenda@gmail.com | M      |     |             | ✓        |     |       |
| 97.  | Esther MUYENDA   | Farmer/Member              | Esthermuyenda@gmail.com | M      |     |             | ✓        |     |       |
| 98.  | Samuel MUYENDA   | Farmer                     | Samuelmuyenda@gmail.com | M      |     |             | ✓        |     |       |
| 99.  | Esther MUYENDA   | Farmer                     | Esthermuyenda@gmail.com | M      |     |             | ✓        |     |       |
| 100. | J. MUYENDA       | Farmer                     | jmuyenda@gmail.com      | M      |     |             | ✓        |     |       |
| 101. | PAULINE GUYA     | Farmer (Member)            | paulineguya@gmail.com   | F      |     |             | ✓        |     |       |
| 102. | Vincent Chirchir | DFA-NUCD                   | 0721386052              | M      |     |             | ✓        |     |       |
| 103. | Nella MUYENDA    | Farmer                     | nellamuyenda@gmail.com  | F      |     |             | ✓        |     |       |
| 104. | Stacey MUYENDA   | Farmer                     | staceymuyenda@gmail.com | M      |     |             | ✓        |     |       |
| 105. | Bowdy GUYA       | Farmer                     | sgguyaguy@gmail.com     | M      |     |             | ✓        |     |       |

Wilson Chomo Farmer



| NO   | NAME              | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS                | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|------|-------------------|----------------------------|-------------------------------|--------|-----|-------------|----------|-----|-------|
|      |                   |                            |                               |        |     | <35         | 35 to 59 | >59 |       |
| 106. | BORWAAD M. MUMYAD | INFORMATIKO (KUNY)         | borwaaad@kuny.gov.kw          | M      |     |             |          |     |       |
| 107. | Joseph Wachira    | Inoero                     | Josephwachira@gmail.com       | M      |     |             |          |     |       |
| 108. | Rebecca Wangari   | Repub. Dir                 | wangari@republic.go.ke        | F      |     |             |          |     |       |
| 109. | Peter Njoroge     | Iganga FM                  | pnjoroge@gmail.com            | M      |     |             |          |     |       |
| 110. | Joseph Gethiga    | Mt Kenya TV                | jgethiga@kenya.gov.ke         | M      |     |             |          |     |       |
| 111. | Oscar Mwangi      | M JATA TV                  | oscar.mwangi@jata.co.ke       | M      |     |             |          |     |       |
| 112. | Paul Kariuki      | Mt Kenya                   | pkariuki@kenya.gov.ke         | M      |     |             |          |     |       |
| 113. | Joseph Mwangi     | JATA                       | joseph.mwangi@jata.co.ke      | M      |     |             |          |     |       |
| 114. | Anna Mwangi       | Mt Kenya                   | anna.mwangi@kenya.gov.ke      | F      |     |             |          |     |       |
| 115. | William Njoroge   | Mt Kenya                   | william.njoroge@kenya.gov.ke  | M      |     |             |          |     |       |
| 116. | Dr. Dora Mwangi   | Repub. Dir                 | dora.mwangi@republic.go.ke    | M      |     |             |          |     |       |
| 117. | Christine Mwangi  | Mt Kenya                   | christine.mwangi@kenya.gov.ke | F      |     |             |          |     |       |

UMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:..... FEMALE:..... PWD:..... TOTAL NUMBER:.....



|        |           |                |        |             |
|--------|-----------|----------------|--------|-------------|
| Chair  | K. ARAMJA | MURUNGA        | FARMER | 0718262003  |
| Paul   | Njuki     | Nyeri          | Farmer | 0721674873  |
| Samuel | Mwita     | Kiambu         | farmer | 0708364389  |
| Samuel | Kioka     | Muranga        | Farmer | 0797561653  |
| Zobir  | Njoki     | Muranga        | farmer | 070151755   |
| Zabete | Thuo      | Kiambu         | farmer | 0722757415  |
| Wiley  | Kanyira   | Kiambu         | farmer | 0708853397  |
| PHANIA | CHESET    | T/BUZIA COUNTY | M      | 0726847926  |
| M'AKOH |           | BUZIA COUNTY   | M      | 0719341208  |
| AM     | MAINA     | MURANGA        | Farmer | 0725535128  |
|        | Makori    | Kirinyaga      | farmer | 35070040845 |
| e      | Nkatha    | Nyeri          | farmer | 0789020307  |
| no     | Wafuta    | Busia          | farmer | 0722131429  |
|        | Miti      | Uasin          | farmer | 0773441618  |
| ny     | Kiragu    | AFA/NOCO       | NOCO   | 0711860922  |



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

Ref. AFA/NOCD/RC1/VOL.4/161

28<sup>th</sup> March 2019

**Hon. Hassan Mwamba**

County Executive Committee Member for Agriculture  
**Mombasa County**

Dear

*Hon. Mwamba,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [publiccomments@afa.go.ke](mailto:publiccomments@afa.go.ke) / [info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,

P.O. Box 37962 NAIROBI – 00100

Ref. AFA/NOCD/RC1/VOL.4/161

28<sup>th</sup> March 2019

Hon. Abdulhakim Aboud,  
County Executive Committee Member for Agriculture  
Lamu County

Dear Hon Aboud,

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [regulatory@afa.go.ke](mailto:regulatory@afa.go.ke) / [info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI - 00100

Ref. AFA/NOCD/RC1/VOL.4/161

28<sup>th</sup> March 2019

Hon. Luciana J. Sanzua,  
County Executive Committee Member for Agriculture  
Kilifi County

**KILIFI**

Email: [sanzua@gmail.com](mailto:sanzua@gmail.com)

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [www@afa.go.ke](mailto:www@afa.go.ke) / [info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

Ref. AFA/NOCD/RC1/VOL.4/161

28<sup>th</sup> March 2019

**Hon. Joanne N. Nyamasyo**

County Executive Committee Member for Agriculture

**Kwale County**

Email: [kwalececm.a.i.f@gmail.com](mailto:kwalececm.a.i.f@gmail.com), [nyasyo@yahoo.com](mailto:nyasyo@yahoo.com)

Dear *Hon. Nyamasyo,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [naivasha@afa.go.ke](mailto:naivasha@afa.go.ke) / [naivasha@afa.go.ke](mailto:naivasha@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

Ref. AFA/NOCD/RC1/VOL.4/161

28<sup>th</sup> March 2019

**Hon. Javan Bonaya**  
County Executive Committee Member for Agriculture  
**Tana River County**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [naodirectorate@afa.go.ke](mailto:naodirectorate@afa.go.ke) / [nao@afa.go.ke](mailto:nao@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100

Ref. AFA/NOCD/RC1/VOL.4/161

28<sup>th</sup> March 2019

**Hon. Davis Mwangoma**  
County Executive Committee Member for Agriculture  
Taita Taveta County

Dear *Hon. Mwangoma,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [publiccomments@afa.go.ke](mailto:publiccomments@afa.go.ke) / [rc1@afa.go.ke](mailto:rc1@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

Managing Director

Coast Development Authority

**MOMBASA**

Email: [cda@cda.go.ke](mailto:cda@cda.go.ke).

Dear *MD,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**AFA/ADM/MOA/NOCD/VOL. I**

**29<sup>th</sup> March, 2019**

Director General  
Kenya Agricultural & Livestock Research Organization  
Kaptagat Rd, Loresho Nairobi  
P.O.Box 57811, City Square, NAIROBI, 00200,

Dear **DG,**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

  
**ANTHONY MURIITHI**  
**INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

Dr. Theresia Munga  
Centre Director  
KALRO Mtwapa

Dear *Dr. Munga,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

29<sup>th</sup> March, 2019

**AFA/ADM/MOA/NOCD/VOL. I**

Managing Director  
Kenya Plant Health Inspectorate Services (KEPHIS)  
Ooloolua Ridge, Karen, Off Ngong Road,  
**NAIROBI,**  
Email: [director@kephis.org](mailto:director@kephis.org), [kephisinfo@kephis.org](mailto:kephisinfo@kephis.org).

Dear *MD,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirector@kephis.org](mailto:nocdirector@kephis.org)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

The Vice Chancellor  
Machakos University College  
Email: [info@machakosuniversity.ac.ke](mailto:info@machakosuniversity.ac.ke)

Dear VC,

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**AFA/ADM/MOA/NOCD/VOL. I**

**29<sup>th</sup> March, 2019**

Professor Mohammad Rajab  
The Vice Chancellor  
Pwani University College  
KILIFI

Dear *Prof. Rajab,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

The Vice Chancellor

Jomo Kenyatta University of Agriculture and Technology (JKuat)

College of Engineering and Technology

Manufacturing Research Chair

Email: [manufrc@jkuat.ac.ke](mailto:manufrc@jkuat.ac.ke)

**ATT: Prof. B. W. Ikua (Ph.D, PE, MIEK) Research Chair**

Dear *Prof. Ikua,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorates@gmail.com](mailto:nocdirectorates@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

*Anthony Muriithi*

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

The Vice Chancellor  
Taita Taveta University (TTUC)  
VOI  
Email: [vc@ttu.ac.ke](mailto:vc@ttu.ac.ke)

Dear *VC,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

29<sup>th</sup> March, 2019

**AFA/ADM/MOA/NOCD/VOL. I**

The Chancellor  
Technical University of Mombasa (TUM)  
Tom Mboya Street, Mombasa

Dear *Chancellor,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

Centre Director  
KALRO Matuga

Dear **CD**,

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirector@ncc.gov.ke](mailto:nocdirector@ncc.gov.ke) / [info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

The Chief Executive Officer  
Micro Enterprise Support Programme Trust (MESPT)  
First Assurance Plaza, 2nd & 5th Flr Muthithi Rd,  
P.O.BOX 187-00606 Sarit Centre, Nairobi...

Dear CEO,

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**29<sup>th</sup> March, 2019**

**AFA/ADM/MOA/NOCD/VOL. I**

The Chief Executive Officer (CEO)

Council of Governors (COG)

Delta House, Rhapta Road

NAIROBI

Tel: 0729 777281

Dear **CEO,**

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**AFA/ADM/MOA/NOCD/VOL. I**

**29<sup>th</sup> March, 2019**

The Co-ordinator  
Joint Agriculture Secretariate (JAS)  
Email: [vc@ttu.ac.ke](mailto:vc@ttu.ac.ke)

Dear *Co-ordinator*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

29<sup>th</sup> March, 2019

**AFA/ADM/MOA/NOCD/VOL. I**

Dr. C. Omondi  
Institute Director  
Industrial Crops Research Institute  
KALRO Mtwapa

Dear *Dr. Omondi,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019.**

The purpose of this letter is to invite you to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorates@gmail.com](mailto:nocdirectorates@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



## AGRICULTURE AND FOOD AUTHORITY

Tea House | Naivasha Road, Off Ngong Road,  
P.O. Box 37962 NAIROBI – 00100.

**AFA/ADM/MOA/NOCD/VOL. I**

**29<sup>th</sup> March, 2019**

Mr. Emmanuel Nzai  
The Chief Executive Officer  
Jumuiya za Kaunti za Pwani (JFK)

Dear

*Mr. Nzai,*

**RE: INVITATION TO A STAKEHOLDERS MEETING TO GIVE COMMENTS  
ON THE REGULATORY IMPACT STATEMENT AND THE DRAFT NUTS AND  
OIL CROPS REGULATIONS, 2019**

The above subject matter refers.

The Agriculture and Food Authority (AFA) in conjunction with the Ministry of Agriculture, Livestock, Fisheries and Irrigation is in the process of finalizing the Draft Nuts and Oil Crops Regulations.

In line with the provisions of the Statutory Instruments Act, 2013, the stakeholders and interested members of the public have been invited by the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation to submit their comments on the Draft Crops (Nuts and Oil Crops) Regulations, and Regulatory Impact Statement using the prescribed public comments form as per the attached gazette **Notice No.1908 dated 1<sup>st</sup> March 2019**.

The purpose of this letter is to invite you and two members of your secretariat to the public forum which will be held at **Kenya School of Government (KSG) Matuga on 9<sup>th</sup> April 2019 at 9.00 a.m.**

You are asked to confirm your participation to AFA-Nuts and Oil Crops Directorate through emails: [nocdirectorate@gmail.com](mailto:nocdirectorate@gmail.com)/[info@afa.go.ke](mailto:info@afa.go.ke) by **Thursday 4<sup>th</sup> April 2019** to facilitate arrangements for the meeting.

**ANTHONY MURIITHI  
INTERIM DIRECTOR GENERAL**



**AGRICULTURE AND FOOD AUTHORITY (AFA)**

**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS  
HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**

**ATTENDANCE LIST**

| S. N O. | NAME             | DEPARTMENT/DIRECTORATE | E-MAIL ADDRESS                       | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|---------|------------------|------------------------|--------------------------------------|--------|-----|-------------|----------|-----|-------|
|         |                  |                        |                                      |        |     | <35         | 35 to 59 | >59 |       |
|         | Jacob Toroit     | CWCB                   | 0722849186<br>toroit1966@tel         | M      |     |             | ✓        |     |       |
|         | MAMWAH DHUDAT    | CDIA                   | 0722849186<br>mamwahd@cdia.com       |        |     |             | ✓        |     |       |
|         | Catherine Ngamau | JKuAT                  | 0722849186<br>cngamau@jkua.com       | F      |     |             | ✓        |     |       |
|         | MWALIMU MERA     | KALLO                  | 0722849186<br>mwalimu11@gmail.com    | M      |     |             | ✓        |     |       |
|         | TEBBY YAKU       | AFA-NOCB               | 0722849186<br>tebbiyaku@afanocb.com  | M      |     |             | ✓        |     |       |
|         | MWANGO KINYINGE  | BUNDAHO Y.G            | 0722849186<br>kavimamwango@gmail.com | M      |     | ✓           |          |     |       |
|         | HASSAN TSUNGU    | PUFCC                  | 0722849186<br>hassan2000@gmail.com   | M      |     |             | ✓        |     |       |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N O. | NAME           | DEPARTMENT / DIRECTORATE | E-MAIL ADDRESS / TELEPHONE | GENDER | PWD | AGE (Years) |          |     | SIGN.       |
|---------|----------------|--------------------------|----------------------------|--------|-----|-------------|----------|-----|-------------|
|         |                |                          |                            |        |     | <35         | 35 to 59 | >59 |             |
| 1       | James Mwangi   | LAND                     | James.Mwangi@kca.go.ke     | MALE   |     | ✓           |          |     | [Signature] |
| 2       | James Mwangi   | LAND                     |                            | MALE   |     | ✓           |          |     | [Signature] |
| 3       | BISPOK Mwangi  | NEED                     | mbispop@kca.go.ke          | FEMALE |     | ✓           |          | ✓   | [Signature] |
| 4       | Baldwin Mwangi |                          | bmwangiji@outlook.com      | MALE   |     |             |          |     | [Signature] |
| 5       | OMARI M. JORDI | FARM                     | 0722730150                 | MRC    |     | ✓           |          |     | [Signature] |
| 6       | Michael Njunie | KALRO-MI                 | Michael.njunie@kalro.go.ke | MALE   |     |             | ✓        |     | [Signature] |
| 7       | Burai M. MBEU  | KALRO                    | 0724285351                 | MALE   |     | ✓           |          |     | [Signature] |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**

**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS  
HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**

**ATTENDANCE LIST**

| S. N O. | NAME                | DEPARTMENT/DIRECTORATE | E-MAIL ADDRESS                                   | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|---------|---------------------|------------------------|--|--------|-----|-------------|----------|-----|-------|
|         |                     |                        |  |        |     | <35         | 35 to 59 | >59 |       |
|         | Jacob Toroit        | CWCS                   | 0722849186<br>toroit1966@yahoo.com               | M      |     |             | ✓        |     |       |
|         | M.A. Mwikali DUNDAT | COA                    | 0722849186<br>mawalikali@gmail.com               | M      |     |             | ✓        |     |       |
|         | Catherine Ngomani   | JKWAT                  | cngomani@kenya<br>acifc 0733423760<br>0722823509 | F      |     |             | ✓        |     |       |
|         | MWALIMU MERA        | KALLO                  | mwalimull@gmail.com                              | M      |     |             | ✓        |     |       |
|         | TERRY YAKUT         | AFA-NOCS               | nyakut@afk<br>mail.com                           | M      |     |             | ✓        |     |       |
|         | MWANGO K. NYINGE    | BUNDACHO Y.G           | kawimamwango@gmail.com                           | M      |     | ✓           |          |     |       |
|         | HASSAN TSUNGU       | PUFCC                  | hassan2002@gmail.com                             | M      |     |             | ✓        |     |       |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N. O. | NAME                 | DEPARTMENT/DIRECTORATE | E-MAIL ADDRESS / TELEPHONE               | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|----------|----------------------|------------------------|--|--------|-----|-------------|----------|-----|-------|
|          |                      |                        |  |        |     | <35         | 35 to 59 | >59 |       |
| 1        | SWENNY J. S. S. S.   | LAND                   | swennyj@kafa.com                         | MALE   |     |             | ✓        |     |       |
| 2        | JAMES KAROL CASIMIRO | LAND                   |  | MALE   |     |             | ✓        |     |       |
| 3        | RISPA M. M. M.       | NSCB                   | rispa.m@kafa.com                         | FEMALE |     |             |          | ✓   |       |
| 4        | Baldwin M. M. M.     |                        | bawangeji@kafa.com                       | MALE   |     |             |          |     |       |
| 5        | OMARI M. J. J.       | FARM                   | 0722 730158                              | MALE   |     |             | ✓        |     |       |
| 6        | Michael Njunie       | KALRO. MT              | Michael.njunie@kalro.or.ke<br>0732589416 | MALE   |     |             |          | ✓   |       |
| 7        | BENARI M. M. M.      | KALRO                  | 0724 285351                              | MALE   |     |             | ✓        |     |       |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N. O. | NAME            | DEPARTMENT/<br>DIRECTORATE   | E-MAIL ADDRESS/<br>TELEPHONE         | GENDER | PWD | AGE (Years) |          |     | SIGN. |
|----------|-----------------|------------------------------|--------------------------------------|--------|-----|-------------|----------|-----|-------|
|          |                 |                              |                                      |        |     | <35         | 35 to 59 | >59 |       |
|          | JANE KOINA      | KALRO                        | jane.koina@gmail.com<br>0724 569892  | Female | -   | -           | ✓        | -   |       |
|          | LILY LANLAT     | AFA-NOD                      | lilylangat@jabon.com<br>0901605116   | F      | -   | -           | ✓        | -   |       |
|          | Susan Umukoro   | ASA                          | umukoro.susan@asa.com                | F      | -   | -           | ✓        | -   |       |
|          | Bastine Ciambo  | Plant Development Authority  | bastineciambo@gmail.com              | F      | -   | -           | ✓        | -   |       |
|          | LESTER KIRIGITA | Coord. Dev. Authority KILIFI | estmendingas@gmail.com<br>0721278856 | F      | -   | -           | ✓        | -   |       |
|          | SUSAN M. SONJE  | Nursery Operator             | SusanSonye@yahoo.com                 | F      | -   | -           | -        | -   |       |
|          | ABDEL THOMAS    | NURSERY OPERATOR             | 0718902795                           | F      | -   | -           | ✓        | -   |       |

PRIMARY: AGE (YEARS): <35.....35 to 59.....>59.....  
 FEMALE:.....PWD:.....TOTAL NUMBER:.....





### AGRICULTURE AND FOOD AUTHORITY (AFA)

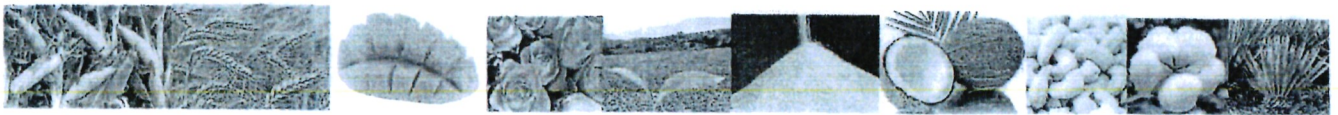
PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS  
HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA

#### ATTENDANCE LIST

| S. N O. | NAME                 | DEPARTMENT / DIRECTORATE | PHONE / E-MAIL ADDRESS                  | GENDER | PWD | AGE (Years) |          |     | SIGN.       |
|---------|----------------------|--------------------------|---|--------|-----|-------------|----------|-----|-------------|
|         |                      |                          |   |        |     | <35         | 35 to 59 | >59 |             |
|         | Theresa Sanyal       | Directorate of           | 011292905<br>th.sanyal@kwa.gov.tz       | F      |     |             | ✓        |     | [Signature] |
|         | Fredrick Nyazi       | Kilifi<br>N. Oparanta    | 07222043<br>Fredrick.nyazi@gmail.com    | M      |     |             |          |     | [Signature] |
|         | MWANAMUKU EAMISI     | FARMER - LIKONI          |   | F      |     |             |          | ✓   | MK          |
|         | MWANALISHA MANENO    | FARMER - MATUGA          |   | F      |     |             | ✓        |     | MM          |
|         | JOSHUA OLUMALY       | MOALELI                  | 011225517955<br>joshuaolumaly@gmail.com | M      |     |             | ✓        |     | [Signature] |
|         | RAPHAEL BARAWA KIZAH | FARMER - KILIFI          | 0795875522                              | M      |     |             |          |     | [Signature] |
|         | Joseph Bwimbo        | K.S.G. MATUGA            | 0224019317                              | M      |     |             |          |     | [Signature] |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





## AGRICULTURE AND FOOD AUTHORITY (AFA)

**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS  
HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA  
ATTENDANCE LIST**

| S. N. O. | NAME            | DEPARTMENT/<br>DIRECTORATE | E-MAIL ADDRESS         | GENDER | PWD | AGE (Years) |          |     | SIGN.                  |
|----------|-----------------|----------------------------|------------------------|--------|-----|-------------|----------|-----|------------------------|
|          |                 |                            |                        |        |     | <35         | 35 to 59 | >59 |                        |
| 1        | Abraham Banno   | TCO ALFBI                  | abrahambanno@3mail.com | M      |     |             | ✓        |     | <i>Abraham Banno</i>   |
| 2        | Richard Ndegwa  | AFA/NOCD                   | richardndegwa@afk.com  | M      |     |             | ✓        |     | <i>Richard Ndegwa</i>  |
| 3        | Raymond Kihindi | AFA-ABCO                   | raymondkihindi@afk.com | M      |     |             | ✓        |     | <i>Raymond Kihindi</i> |
| 4        | Safari Ziro     | Agro-Kwale                 | safaziro@afk.com       | M      |     |             | ✓        |     | <i>Safari Ziro</i>     |
| 5        | Edward Mwangi   | MEAC                       | Edwardmwangi@afk.com   | M      |     |             |          | ✓   | <i>Edward Mwangi</i>   |
| 6        | Abel Abubakar   | KIPK                       | 0701560933             | M      |     |             |          |     | <i>Abel Abubakar</i>   |
| 7        | Binti Charero   | KWALE                      | 0710815984             | F      |     |             | ✓        |     | <i>Binti Charero</i>   |

AGE (YEARS): <35.....35 to 59.....>59.....

FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N. O. | NAME               | DEPARTMENT/ DIRECTORATE | E-MAIL ADDRESS  | GENDER | PWD | AGE (Years) |          |     | SIGN.              |
|----------|--------------------|-------------------------|---|--------|-----|-------------|----------|-----|--------------------|
|          |                    |                         |   |        |     | <35         | 35 to 59 | >59 |                    |
|          | KONGO YUNGA        | KWALE                   | 0717009933  | M      |     |             | ✓        |     | <i>[Signature]</i> |
|          | SAID JAFARI KUFUWA | KWALE                   | 0713171249  | M      |     |             | ✓        |     | <i>[Signature]</i> |
|          | Stephen N. Mburu   | AGRIC. LAMU             | stephenm@agriculture.co.ke<br>(delam@agriculture.co.ke) | M      |     |             | ✓        |     | <i>[Signature]</i> |
|          | Fidelis W. MURISHI | AGRIC. LAMU             | murishifidelis@gmail.com                                | F      |     |             | ✓        |     | <i>[Signature]</i> |
|          | Hamisi Dzila       | Kwale-County            | 0720491778<br>hamisid@yalla.co.ke                       | M      |     |             | ✓        |     | <i>[Signature]</i> |
|          | V. Njor            | AFA                     | 0711 91442  | F      |     |             | ✓        |     | <i>[Signature]</i> |
|          | Habibq Mwasubi     | AFA                     | 0711 819619   | F      |     |             | ✓        |     | <i>[Signature]</i> |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





## AGRICULTURE AND FOOD AUTHORITY (AFA)

**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS  
HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**

### ATTENDANCE LIST

| S. N O. | NAME                | DEPARTMENT/<br>DIRECTORATE | PHONE NUMBER<br>E-MAIL ADDRESS | GENDER | PWD | AGE (Years) |          |     | SIGN.               |
|---------|---------------------|----------------------------|--------------------------------|--------|-----|-------------|----------|-----|---------------------|
|         |                     |                            |                                |        |     | <35         | 35 to 59 | >59 |                     |
|         | WICLIFFE NYAMARI    | NFA NOCO                   | nyamari@yaho.co.ke             | M      |     | ✓           |          |     | W. Nyamari          |
|         | Esther Muthoni      | AFA NDCO                   | esthermuthoni@afa.go.ke        | F      |     |             | ✓        |     | Esther Muthoni      |
|         | Gloria Fero         | AFA NDCO                   | gloriafero@afa.go.ke           | F      |     |             |          |     | Gloria Fero         |
|         | Kennedy Mwachaga    | WAMATTA                    | N/A                            | M      |     | ✓           | ✓        |     | Kennedy Mwachaga    |
|         | HAMISI MWANDARO     | NIGALINDA                  | 0711267945                     | M      |     |             | ✓        |     | H. Mwandaro         |
|         | Samuel Odhiambo     | AFA-NDCO                   | odhiambo@afa.go.ke             | M      |     |             | ✓        |     | Samuel Odhiambo     |
|         | Christopher Macheru | MOALFBI                    | chris.macheru@yaho.co.ke       | M      |     |             | ✓        |     | Christopher Macheru |

**SUMMARY:** AGE (YEARS): <35.....35 to 59.....>59.....

**MALI:**.....**FEMALE:**.....**PWD:**.....**TOTAL NUMBER:**.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N O. | NAME            | DEPARTMENT/DIRECTORATE | E-MAIL ADDRESS             | GENDER | PWD | AGE (Years) |          |     | SIGN.       |
|---------|-----------------|------------------------|----------------------------|--------|-----|-------------|----------|-----|-------------|
|         |                 |                        |                            |        |     | <35         | 35 to 59 | >59 |             |
| 1       | STANLEY OROG'U  | AFA                    | ststanley2008@gmail.com    | M      |     |             | ✓        |     | [Signature] |
| 2       | D. SETH WOKOSI  | NIMK Adarata           | wokosaseth@gmail.com       | M      |     | ✓           |          |     | [Signature] |
| 3       | PERIS W. MUDIKA | AFA-LEWIS              | perisw@gmail.com           | F      |     | ✓           |          |     | [Signature] |
| 4       | WILLIS AIDI     | AFA-NOCB               | willisaidi@gmail.com       | M      |     |             | ✓        |     | [Signature] |
|         | JOHN NYLI       | KEPHIS                 | johnnili@kephis.org        | M      |     |             | ✓        |     | [Signature] |
| 6       | OMAU KIPWALO    | AFA-NOCB               | kipwaloomau@gmail.com      | M      |     | ✓           |          |     | [Signature] |
| 7       | Makokha David   | AFA-NOCB               | makokhadavid1966@gmail.com | M      |     | ✓           |          |     | [Signature] |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N. O. | NAME               | DEPARTMENT/DIRECTORATE | E-MAIL ADDRESS                     | GENDER | PWD | AGE (Years) |          |     | SIGN.       |
|----------|--------------------|------------------------|------------------------------------|--------|-----|-------------|----------|-----|-------------|
|          |                    |                        |                                    |        |     | <35         | 35 to 59 | >59 |             |
| 1        | Daniel G. Ganga    | AFA                    | ganga@afa.gov.ug                   | F      |     |             | ✓        |     | [Signature] |
| 2        | MICHAEL NWAHANSI   | FARMER                 | 0724548082                         | F      |     |             | ✓        |     | [Signature] |
| 3        | DR. TIUS T. KABERE | FARMER                 | 0722285437<br>ttushakove@gmail.com | M      |     |             | ✓        |     | [Signature] |
| 4        | SALPHAR OMENGA     | FARMER                 | 0711842866<br>salphar@ymail.com    | F      |     | ✓           |          |     | [Signature] |
| 5        | Keter Karamu       | FARMER                 | wakashocho@gmail.com               | M      |     |             | ✓        |     | [Signature] |
| 6        | Brian Kibwiga      | AFA                    | briankibwiga@gmail.com             | M      |     |             | ✓        |     | [Signature] |
| 7        | Joel K. Kweh       | Amor cocoa KEN         | joelkweh@jabir.com<br>0722608755   | M      |     |             | ✓        | ✓   | [Signature] |

**SUMMARY: AGE (YEARS):** <35.....35 to 59.....>59.....

**MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....**





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N. O. | NAME                | DEPARTMENT/<br>DIRECTORATE     | PHONE/P.O. BOX NO./<br>E-MAIL ADDRESS | GENDER | PWD | AGE (Years) |          |     | SIGN.              |
|----------|---------------------|--------------------------------|---------------------------------------|--------|-----|-------------|----------|-----|--------------------|
|          |                     |                                |                                       |        |     | <35         | 35 to 59 | >59 |                    |
|          | PHILIP KIBI         | KAMU COUNTY<br>FARMER          | 0712110901                            | M      | -   |             |          | ✓   | <i>[Signature]</i> |
|          | PHILIP YAKA         | WAMPANDA/EKAMU<br>BIZNES       | Box 336 MSA                           | F      | -   |             | ✓        |     | <i>[Signature]</i> |
|          | DZIDZA NGANGI       | CHUMANI<br>FARMER              | 0748164231                            | F      | -   |             | ✓        |     | <i>[Signature]</i> |
|          | HANNIS SHEZ KULAPPA | KWANA SOUTH<br>FARMER          | 0717519662                            | M      | -   |             | ✓        |     | <i>[Signature]</i> |
|          | Tshikwa Mahinda     | KIPINI<br>Machinery Operator   | 0710483655                            | F      | -   |             | ✓        |     | <i>[Signature]</i> |
|          | LILIAN HADULLO      | CECAI - Agriculture<br>Mombasa | hadullolilian@gmail.com               | F      | -   |             | ✓        |     | <i>[Signature]</i> |
|          | Nelie Mbwaga        | NOCB                           | maswa@afaa.go.ke                      | F      | -   |             | ✓        |     | <i>[Signature]</i> |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N O. | NAME           | DEPARTMENT/DIRECTORATE | E-MAIL ADDRESS    | GENDER | PWD | AGE (Years) |          |     | SIGN.              |
|---------|----------------|------------------------|-------------------|--------|-----|-------------|----------|-----|--------------------|
|         |                |                        |                   |        |     | <35         | 35 to 59 | >59 |                    |
| 1       | Edwin H. Polo  | Driver                 | 33781595          | M      |     |             | ✓        |     | <i>[Signature]</i> |
| 1       | Salim Dofu     | Driver                 | 13484605          | M      |     |             | ✓        |     | <i>[Signature]</i> |
|         | Ezekiel Choro  | Driver                 | 3756633           | M      |     |             | ✓        |     | <i>[Signature]</i> |
|         | Daniel Harau   | DRIVER                 | 20314555          | M      |     |             | ✓        |     | <i>[Signature]</i> |
|         | Patrick Kamau  | Driver                 | Patrick@.mail.com | M      |     |             | ✓        |     | <i>[Signature]</i> |
|         | Judith Kechi   | FARMER                 | 4752004           | F      |     |             | ✓        |     | <i>[Signature]</i> |
|         | Matheis Mbaruk | FARMER                 | 6489922           | M      |     |             | ✓        |     | <i>[Signature]</i> |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N O. | NAME              | DEPARTMENT / DIRECTORATE | E-MAIL ADDRESS      | GENDER | PWD | AGE (Years) |          |     | SIGN.              |
|---------|-------------------|--------------------------|---------------------|--------|-----|-------------|----------|-----|--------------------|
|         |                   |                          |                     |        |     | <35         | 35 to 59 | >59 |                    |
|         | MAYUMU M WANJAMU  | DRIVER                   |                     | FEMALE |     | 33          |          |     | <i>[Signature]</i> |
|         | HSMISI A MUKUMANA | MUSIQI CLASSIC           |                     | MS     |     |             | ✓        |     | <i>[Signature]</i> |
|         | KONBE L. MWAMBI   | FARMER                   |                     | M      |     |             | ✓        |     | <i>[Signature]</i> |
|         | SAID HAMADI BOGA  | FARMER                   | saideboga@gmail.com | M      |     |             | ✓        |     | <i>[Signature]</i> |
|         | HABISI DWANDARE   | FA                       |                     | PI     |     |             | ✓        |     | <i>[Signature]</i> |
|         | ABDULLA MWAMBI    | Home Artisans            | amwambi@gmail.com   | M      |     |             |          | ✓   | <i>[Signature]</i> |
|         | NATHAN MUKUKU     | KULIFI                   |                     | M      |     |             | ✓        |     | <i>[Signature]</i> |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N O. | NAME              | DEPARTMENT / DIRECTORATE | E-MAIL ADDRESS         | GENDER | PWD | AGE (Years) |          |     | SIGN.              |
|---------|-------------------|--------------------------|------------------------|--------|-----|-------------|----------|-----|--------------------|
|         |                   |                          |                        |        |     | <35         | 35 to 59 | >59 |                    |
| -       | COSMAS KEOCE      | COCOVITA                 | info@cocovita.co.ke    | Male   | -   |             | -        |     | <i>[Signature]</i> |
| -       | CHRISTOPHER MWASI | AFA NDCD                 | chrismwasi@afa.go.ke   | Male   |     |             | ✓        |     | <i>[Signature]</i> |
| -       | Gilbert Ngari     | AFA-NDCD                 | ngarigilbert@afa.go.ke | M      |     |             | ✓        |     | <i>[Signature]</i> |
| -       | Sammy Jillo       | KCG                      | Samyijllo5@gmail.com   | M      |     |             | ✓        |     | <i>[Signature]</i> |
| -       | Humphrey Bayo     | CDA                      | -                      | M      |     |             | ✓        |     | <i>[Signature]</i> |
| -       | Benson M. Kubo    | FARMER-IT                | kubofaith@gmail.com    | M      |     |             | ✓        |     | <i>[Signature]</i> |
| -       | DAVIDA NYUGA CHAU | FARMER                   | -                      | F      |     |             | ✓        |     | <i>[Signature]</i> |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**AGRICULTURE AND FOOD AUTHORITY (AFA)**  
**PUBLIC FORUM ON DRAFT CROPS (NUTS AND OIL CROPS) REGULATIONS 2019, RIA & PUBLIC COMMENTS**  
**HELD ON 9<sup>TH</sup> APRIL 2019 AT KSG MATUGA**  
**ATTENDANCE LIST**

| S. N O. | NAME             | DEPARTMENT/ DIRECTORATE | E-MAIL ADDRESS             | GENDER | PWD | AGE (Years) |          |     | SIGN.       |
|---------|------------------|-------------------------|----------------------------|--------|-----|-------------|----------|-----|-------------|
|         |                  |                         |                            |        |     | <35         | 35 to 59 | >59 |             |
| 1       | Samuel Muschpoti | Finance - Sub-Office    | Samuelmuschpoti@ksg.gov.gh | M      |     |             | ✓        |     | [Signature] |
| 2       | Charlet Njorui   | S. D. A                 | Charletnjorui@ksg.gov.gh   | M      |     |             | ✓        |     | [Signature] |
| 3       | Benson Muzemba   | JAS/95                  | muzemba@ksg.gov.gh         | M      |     |             | ✓        |     | [Signature] |
| 4       | Judith Kadi      | KIT/4                   |                            | F      |     |             | ✓        |     | [Signature] |
|         |                  |                         |                            |        |     |             |          |     |             |
|         |                  |                         |                            |        |     |             |          |     |             |

SUMMARY: AGE (YEARS): <35.....35 to 59.....>59.....

MALE:.....FEMALE:.....PWD:.....TOTAL NUMBER:.....





**REVIEW OF THE NUTS AND OIL CROPS DRAFT REGULATIONS HELD ON 13<sup>TH</sup> MARCH, 2019 HELD AT DAIRY TRAINING INSTITUTE NAIVASHA**

| S.NO | NAME              | DEPARTMENT/<br>ORGANIZATION | E-MAIL ADDRESS &<br>CONTACTS | GENDER | Person With Disability |    | AGE (Years) |          |      | SIGNATURE |
|------|-------------------|-----------------------------|------------------------------|--------|------------------------|----|-------------|----------|------|-----------|
|      |                   |                             |                              |        | YES                    | NO | < 35        | 35 to 59 | > 59 |           |
| 1.   | Rogerand Kabura   | MFA - NOCD                  | rogerandkabura@gmail.com     | M      |                        | ✓  |             | ✓        |      |           |
| 2.   | Willis Audi       | AFA - NOCD                  | willisaudi@gmail.com         | M      |                        | ✓  |             | ✓        |      |           |
| 3.   | Lily Langat       | AFA - NOCD                  | lilylangat@gmail.com         | F      |                        | ✓  |             | ✓        |      |           |
| 4.   | Anthony Kiugu     | AFA - NOCD                  | anthonykiugu47@gmail.com     | M      |                        | ✓  | ✓           |          |      |           |
| 5.   | Wilfred Mwangi    | AFA - NOCD                  | wilfredmwangi@gmail.com      | M      |                        | ✓  |             | ✓        |      |           |
| 6.   | Allen Rina        | AFA - NOCD                  | allenrina@gmail.com          | M      |                        | ✓  | ✓           |          |      |           |
| 7.   | Vincent Cheruit   | MFA - NOCD                  | vincentcheruit@gmail.com     | M      |                        | ✓  |             | ✓        |      |           |
| 8.   | Christophe Muehan | MFA - NOCD                  | christophe.muehan@gmail.com  | M      |                        | ✓  |             | ✓        |      |           |





**REVIEW OF THE NUTS AND OIL CROPS DRAFT REGULATIONS HELD ON 13<sup>TH</sup> MARCH, 2019 HELD AT DAIRY TRAINING INSTITUTE NAIVASHA**

| S.NO | NAME           | DEPARTMENT/<br>ORGANIZATION | E-MAIL ADDRESS &<br>CONTACTS | GENDER | Person With Disability |    | AGE (Years) |          |      | SIGNATURE |
|------|----------------|-----------------------------|------------------------------|--------|------------------------|----|-------------|----------|------|-----------|
|      |                |                             |                              |        | YES                    | NO | < 35        | 35 to 59 | > 59 |           |
| 1.   | Richard Njiru  | NOCB/AEA                    | richard.njiru@kenya.go.ke    | M      |                        | ✓  |             | ✓        |      |           |
| 2.   | Simon Banyi    | NOCB/AEA                    | simonbanyi@kenya.go.ke       | M      |                        |    |             | ✓        |      |           |
| 3.   | Richard Mwangi | AFA/NOCB                    | richardmwangi@kenya.go.ke    | M      |                        |    |             | ✓        |      |           |
| 4.   | Arthur Njiru   | AFA-NOCB                    | arthur.njiru@kenya.go.ke     | M      |                        |    |             | ✓        |      |           |
| 5.   |                |                             |                              |        |                        |    |             |          |      |           |
| 6.   |                |                             |                              |        |                        |    |             |          |      |           |
| 7.   |                |                             |                              |        |                        |    |             |          |      |           |
| 8.   |                |                             |                              |        |                        |    |             |          |      |           |





**REVIEW OF THE NUTS AND OIL CROPS DRAFT REGULATIONS HELD ON 14<sup>TH</sup> MARCH, 2019 HELD AT DAIRY TRAINING INSTITUTE NAIVASHA**

| S.NO | NAME                | DEPARTMENT/<br>ORGANIZATION | E-MAIL ADDRESS &<br>CONTACTS  | GENDER | Person With Disability |    | AGE (Years) |          |      | SIGNATURE |
|------|---------------------|-----------------------------|-------------------------------|--------|------------------------|----|-------------|----------|------|-----------|
|      |                     |                             |                               |        | YES                    | NO | < 35        | 35 to 59 | > 59 |           |
| 1.   | Anthony Kiigo       | AFA-MUCB                    | anthonykiigo@postoffice.com   | M      |                        | ✓  | ✓           |          |      |           |
| 2.   | Lily Langat         | AFA-MUCD                    | lilylangat@ags.gov.ke         | F      |                        | ✓  |             | ✓        |      |           |
| 3.   | Wilber Aundi        | AFA-NCCD                    | wilber.aundi@postoffice.com   | M      |                        | ✓  |             | ✓        |      |           |
| 4.   | Raymond Kariuki     | AFA-NECA                    | raymondkariuki@postoffice.com | M      |                        | ✓  |             | ✓        |      |           |
| 5.   | Yvonne Okumu        | AFA-NCCD                    | yvonne.okumu@postoffice.com   | F      |                        | ✓  |             | ✓        |      |           |
| 6.   | Christopher Mwacham | M. ALPSI                    | chris_mwacham@postoffice.com  | M      |                        | ✓  |             | ✓        |      |           |
| 7.   | CD Rono             | AFA-NCCD                    | phillip.rono@postoffice.com   | M      |                        |    | ✓           |          |      |           |
| 8.   | Michael Mwangi      | AFA-NCCD                    | michael.mwangi@postoffice.com | M      |                        | ✓  |             | ✓        |      |           |





**REVIEW OF THE NUTS AND OIL CROPS DRAFT REGULATIONS HELD ON 14<sup>TH</sup> MARCH, 2019 HELD AT DAIRY TRAINING INSTITUTE NAIVASHA**

| S.NO | NAME            | DEPARTMENT/<br>ORGANIZATION | E-MAIL ADDRESS &<br>CONTACTS                  | GENDER | Person With Disability |    | AGE (Years) |          |      | SIGNATURE   |
|------|-----------------|-----------------------------|---|--------|------------------------|----|-------------|----------|------|-------------|
|      |                 |                             |   |        | YES                    | NO | < 35        | 35 to 59 | > 59 |             |
| 1.   | Rafiqul Nisrora | AFA NACA                    | rafique.nisrora@naivasha.gov.ke<br>@gmail.com | M      |                        | ✓  |             |          |      | [Signature] |
| 2.   | Simon Bayo      | AFA NACA                    | simonbayo@naivasha.gov.ke                     | M      |                        |    |             | ✓        |      | [Signature] |
| 3.   | Rashid Ndlovu   | AFA NACA                    | rashid.ndlovu@naivasha.gov.ke                 | M      | ✓                      |    |             | ✓        |      | [Signature] |
| 4.   | Geoffrey Ngumi  | AFA NACA                    | ngumigeoffrey@naivasha.gov.ke                 | M      | ✓                      |    |             | ✓        |      | [Signature] |
| 5.   |                 |                             |   |        |                        |    |             |          |      |             |
| 6.   |                 |                             |   |        |                        |    |             |          |      |             |
| 7.   |                 |                             |   |        |                        |    |             |          |      |             |
| 8.   |                 |                             |   |        |                        |    |             |          |      |             |





**REVIEW OF THE NUTS AND OIL CROPS DRAFT REGULATIONS HELD ON 15<sup>TH</sup> MARCH, 2019 HELD AT DAIRY TRAINING INSTITUTE NAIVASHA**

| S.NO | NAME              | DEPARTMENT/<br>ORGANIZATION | E-MAIL ADDRESS &<br>CONTACTS  | GENDER | Person With Disability |    | AGE (Years) |          |      | SIGNATURE          |
|------|-------------------|-----------------------------|-------------------------------|--------|------------------------|----|-------------|----------|------|--------------------|
|      |                   |                             |                               |        | YES                    | NO | < 35        | 35 to 59 | > 59 |                    |
| 1.   | Richard Kideko    | ARE/NER                     | richard.kideko@kenya.go.ke    | M      |                        | ✓  |             | ✓        |      | <i>[Signature]</i> |
| 2.   | Anthony Kiragu    | ARE/HUED                    | anthonykiragu@kenya.go.ke     | M      |                        | ✓  | ✓           |          |      | <i>[Signature]</i> |
| 3.   | Lily Tumbal       | ARE/NOCD                    | lilytumbal@kenya.go.ke        | F      |                        | ✓  |             | ✓        |      | <i>[Signature]</i> |
| 4.   | Willis Audi       | ARE/NOCD                    | willisaudi@gmail.com          | M      |                        | ✓  |             | ✓        |      | <i>[Signature]</i> |
| 5.   | Raymond Kachia    | ARE/ASLD                    | raymond.kachia@kenya.go.ke    | M      |                        | ✓  |             | ✓        |      | <i>[Signature]</i> |
| 6.   | Vincent Chirchik  | ARE/NOCD                    | vincent.chirchik@kenya.go.ke  | M      |                        | ✓  |             | ✓        |      | <i>[Signature]</i> |
| 7.   | Christophe Muchan | ARE/LEST                    | christophe.muchan@kenya.go.ke | M      |                        | ✓  |             | ✓        |      | <i>[Signature]</i> |
| 8.   | Collins Bawa      | ARE/NOCD                    | collins.bawa@kenya.go.ke      | M      |                        | ✓  | ✓           |          |      | <i>[Signature]</i> |





**REVIEW OF THE NUTS AND OIL CROPS DRAFT REGULATIONS HELD ON 15<sup>TH</sup> MARCH, 2019 HELD AT DAIRY TRAINING INSTITUTE NAIVASHA**

| S.NO | NAME                  | DEPARTMENT/<br>ORGANIZATION | E-MAIL ADDRESS &<br>CONTACTS     | GENDER   | Person With Disability |                                     | AGE (Years) |                                     |      | SIGNATURE          |
|------|-----------------------|-----------------------------|----------------------------------|----------|------------------------|-------------------------------------|-------------|-------------------------------------|------|--------------------|
|      |                       |                             |                                  |          | YES                    | NO                                  | < 35        | 35 to 59                            | > 59 |                    |
| 1.   | <i>Nickel Akhavan</i> | <i>ARF - 2019</i>           | <i>nickel.akhavan@arfgov.com</i> | <i>M</i> |                        | <input checked="" type="checkbox"/> |             | <input checked="" type="checkbox"/> |      | <i>[Signature]</i> |
| 2.   | <i>Gilbert Ngari</i>  | <i>ARF - 2019</i>           | <i>ngari.gilbert@arfgov.com</i>  | <i>M</i> |                        | <input checked="" type="checkbox"/> |             | <input checked="" type="checkbox"/> |      | <i>[Signature]</i> |
| 3.   |                       |                             |                                  |          |                        |                                     |             |                                     |      |                    |
| 4.   |                       |                             |                                  |          |                        |                                     |             |                                     |      |                    |
| 5.   |                       |                             |                                  |          |                        |                                     |             |                                     |      |                    |
| 6.   |                       |                             |                                  |          |                        |                                     |             |                                     |      |                    |
| 7.   |                       |                             |                                  |          |                        |                                     |             |                                     |      |                    |
| 8.   |                       |                             |                                  |          |                        |                                     |             |                                     |      |                    |



# **CERTIFICATE OF COMPLIANCE**



**STATUTORY INSTRUMENTS ACT, NO. 23 of 2013**

**CERTIFICATE OF COMPLIANCE**

**(UNDER THE STATUTORY INSTRUMENTS ACT, NO. 23 OF 2013, SECTION 7(4))**

**THE CROPS (NUTS AND OIL CROPS) REGULATIONS, 2020**

Whereas the Cabinet Secretary for Agriculture, Livestock, Fisheries and cooperatives has published the **Crops (Nuts and Oil Crops) Regulations, 2020** pursuant to the powers conferred by section 40 of the Crops Act No. 16 of 2013, IT IS HEREBY CERTIFIED that the aforesaid **Crops (Nuts and Oil Crops) Regulations, 2020**:

- a) Meet the requirements relating to regulatory impact statement in the Statutory Instruments Act No. 23 of 2013 and the guidelines have been complied with; and
- b) In my opinion, the regulatory impact statement adequately assesses the likely impact of the Proposed Crops (Food Crops) Regulations, 2020.

Dated this 27<sup>th</sup> Day of August 2020

Signature of Cabinet Secretary

**HON. PETER MUNYA, MGH**

**CABINET SECRETARY,**

**MINISTRY OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVES**