

SPECIAL ISSUE

NATIONAL COUNCIL FOR
LAW REPORTING
LIBRARY

Kenya Gazette Supplement No. 42 (National Assembly Bills No. 25)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2019

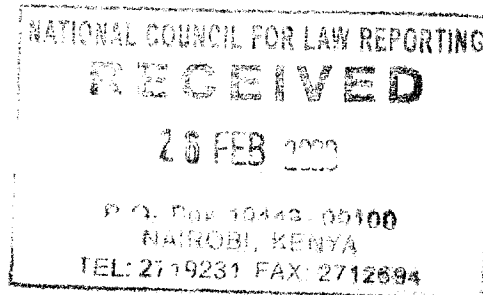
NAIROBI, 5th April, 2019

CONTENT

Bill for Introduction into the National Assembly—

PAGE

The Crops (Amendment) Bill, 2019261



PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI

THE CROPS (AMENDMENT) BILL, 2019

A Bill for

AN ACT of Parliament to amend the Crops Act

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Crops (Amendment) Act, 2019.

Short title.

2. The Crops Act is amended in the First Schedule by inserting the following new item in Part 3—

Amendment of the First Schedule of No. 16 of 2013.

“Achiote (Mrangi).....*Bixa Orellana*”

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to include Achiote to the First Schedule of the Crops Act, 2013.

Achiote, known at the Coast as 'mrangi' because of its bright red fruits, is a crop grown largely at the coast but whose potential has been underutilized.

The fruit is harvested for its seeds, which contain bixin, used for colouring cheese, fish, salad oil, margarine and cosmetics like lipsticks. The Achiote tree was introduced in the coast region in 1970s. The crop is disease- and pest-free and is drought resistant. The crop is also believed to ward off destructive wildlife like elephants thus farmers plant it in their farms and homesteads to act as a buffer crop.

Agricultural experts say the crop matures fully within four to five years and has economic life of 20 years but can be harvested even after one year in the farm. Achiote crop is the world's second most important natural colourant. It makes about 70 per cent of all world natural dyes.

In Kenya, Bixa Orellana has been one of the four major cash crops in Kwale and one of the seven major cash crops in Lamu. However, farmers are finding it hard to get financial support because it is an industrial crop that cannot be consumed directly. Also, there have difficulties in getting a steady market and incentives.

Section 7 of the Crops Act provides for scheduled crops specified in the First Schedule of the Act. Also, it provides that the Cabinet Secretary for Agriculture may, by notice in the *Gazette*, declare any other crop to be a scheduled crop for purposes of the Act.

A scheduled crop benefits in a number of ways under section 8 of the Act. These include marketing and distribution of scheduled crops, provision of an efficient and regular transportation of scheduled crops, promotion and advise on strategies for value addition prior to the export of crops from Kenya, promotion and advise on strategies for value addition prior to the export of crops from Kenya, recommend general industry agreements between farmers and processors of scheduled crops and prescription of the minimum period within which farmers are to be paid for crops delivered and penalties for delayed payments.

The Bill seeks to amend the First Schedule to the Crops Act to include Achiote as one of the scheduled crops.

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

The Bill does not delegate legislative powers to the Cabinet Secretary. It does not limit fundamental rights and freedoms.

Statement that the Bill concerns county governments

The Bill does not affect the functions of the county governments and is therefore not a Bill concerning counties for purposes of the Standing Orders.

Statement that the Bill is a money Bill within the meaning of Article 114 of the Constitution

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

Dated the 5th March, 2019.

TANDAZA KASSIM SAWA,
Member of Parliament.