



REPUBLIC OF KENYA  
**TWELFTH PARLIAMENT – (FIFTH SESSION)**  
**THE SENATE**  
**ORDER PAPER**

**THURSDAY, JULY 29, 2021 AT 2.30 P.M.**

**PRAYER**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions (as listed in the Appendix)
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Statements (as listed in the Appendix)
8. **\*\*THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL (SENATE BILLS NO. 6 OF 2021)**  
(Chairperson, Standing Committee on Education)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 15<sup>th</sup> July, 2021)***  
***(Division)***

9. **\*THE BASIC EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2021)**  
(Sen. Beatrice Kwamboka, MP)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 22<sup>nd</sup> July, 2021)***  
***(Division)***

10. **\*\*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 7 OF 2021)**  
(Chairperson, Standing Committee on Tourism, Trade and Industrialization)

*(Second Reading)*

***(Resumption of debate interrupted on Thursday, 22<sup>nd</sup> July, 2021)***  
***(Division)***

- 11. **\*THE START-UP BILL (SENATE BILLS NO. 1 OF 2021)**  
(Sen. Sakaja Johnson, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Tuesday, 27<sup>th</sup> July, 2021)***  
***(Division)***

- 12. **\*THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 13 OF 2021)**  
(Sen. Petronila Were Lokorio, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Wednesday, 28<sup>th</sup> July, 2021)***  
***(Division)***

- 13. **\*\*THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT) BILL (SENATE BILLS NO. 31 OF 2020)**  
(Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)*  
***(Resumption of debate interrupted on Wednesday, 28<sup>th</sup> July, 2021)***  
***(Division)***

- 14. **\*THE COUNTY LICENSING (UNIFORM PROCEDURES) BILL (SENATE BILLS NO. 32 OF 2020)**  
(Sen. Mercy Chebeni, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Wednesday, 28<sup>th</sup> July, 2021)***  
***(Division)***

- 15. **\*THE PROMPT PAYMENT BILL (SENATE BILLS NO. 16 OF 2021)**  
(Sen. (CPA) Farhiya Haji and Sen. Johnson Sakaja, MP)

*(Second Reading)*  
***(Resumption of debate interrupted on Wednesday, 28<sup>th</sup> July, 2021)***

- 16. **\*THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 9 OF 2021)**  
(Sen. Kipchumba Murkomen, MP)

*(Second Reading)*

- 17. **\*THE LAW OF SUCCESSION (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2021)**  
(Sen. Halake Abshiro, MP)

*(Second Reading)*

- 18. **\*THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 14 OF 2021)**  
(Sen. Mutula Kilonzo Jr, MP and Sen. Johnson Sakaja, MP)

*(Second Reading)*

19. **\*THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 25 OF 2020)**  
(Sen. (Dr.) Agnes Zani, MP)  
*(Second Reading)*
20. **\*THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 5 OF 2021)**  
(Sen. (Dr.) Getrude Musuruve, MP and Sen. (Prof.) Margaret Kamar, MP)  
*(Second Reading)*
21. **COMMITTEE OF THE WHOLE**  
**\*THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF 2020)**  
(Sen. (Arch.) Sylvia Kasanga, MP)
22. **COMMITTEE OF THE WHOLE**  
**\*THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 30 OF 2020)**  
(Sen. Johnes Mwaruma, MP)
23. **COMMITTEE OF THE WHOLE**  
**\*THE COMMUNITY HEALTH SERVICES BILL (SENATE BILLS NO. 34 OF 2020)**  
(Sen. (Dr.) Agnes Zani, MP)
24. **COMMITTEE OF THE WHOLE**  
**\*THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2020)**  
(Sen. (Dr.) Agnes Zani, MP)
25. **COMMITTEE OF THE WHOLE**  
**\*THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILLS NO. 36 OF 2020)**  
(Sen.(Dr.) Agnes Zani, MP)
26. **COMMITTEE OF THE WHOLE**  
**THE COFFEE BILL (SENATE BILLS NO. 22 OF 2020)**  
(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)
27. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS, CONCERNING THE IMPASSE ON THE BUDGETARY ESTIMATES FOR FINANCIAL YEAR 2020/2021 FOR KIRINYAGA COUNTY BETWEEN THE COUNTY EXECUTIVE AND THE COUNTY ASSEMBLY**  
(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

**THAT**, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations, on the impasse on the budgetary estimates for financial year 2020/2021 for Kirinyaga County, between the

...../*Motions*

County Executive and the County Assembly, laid on the Table of the Senate on Tuesday, 25<sup>th</sup> May, 2021.

28. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON ROADS AND TRANSPORTATION ON INQUIRY INTO THE OPERATIONALIZATION OF THE NATIONAL CONSTRUCTION AUTHORITY (DEFECTS LIABILITY) REGULATIONS**

(Chairperson, Standing Committee on Roads and Transportation)

**THAT**, the Senate adopts the report of the Standing Committee on Roads and Transportation on its inquiry into the operationalization of the National Construction Authority (Defects Liability) Regulations, laid on the Table of the Senate on Thursday, 24<sup>th</sup> September, 2020.

29. **MOTION - FAST TRACKING CULTURAL DEVELOPMENTS IN COUNTIES**

(Sen. (Arch.) Sylvia Kasanga, MP)

**THAT, WHEREAS** Kenya is a multi-ethnic and multi-racial country with rich and diverse cultural resources such as traditional medicine and foods, arts, craft, music, dances, dress among others;

**AWARE THAT**, the Constitution, in its preamble acknowledges the cultural diversity of the Kenyan people who are determined to live in peace and unity as one indivisible sovereign nation whilst, Article 11 of the Kenyan Constitution recognizes culture as the foundation of the nation;

**NOTING** that, while the Department of Culture under the Ministry of Sports, Culture and Heritage has been playing some of the key roles in promotion of cultural integration, formulation of policies and standards that will guide the development of culture, little information has been available to the Kenyan public;

**ACKNOWLEDGING**, that culture performs a significant role in the life of a child, the cultural background in which a child is brought up affects the totality of his or her life’s activities;

**CONCERNED**, that our children are losing their sense of identity due to the negative influences due to inadequate cultural identity catalyzed by globalization which has led to catastrophic consequences to the next generation as experienced in our country where a majority of young people are showing symptoms of feeling suicidal, anxious, feeling of hopelessness, anger, violence, feeling isolated, and paranoia;

**NOW THEREFORE**, the Senate urges the Cabinet Secretary, Ministry of Sports, Culture and Heritage to –

- a) Formulate cultural development policies and initiatives to inculcate stronger community values, safeguard Kenya’s heritage, recognize local heroes and promote socio-cultural opportunities in the counties; and

- b) Formulate strategies to create an enabling environment for protection and promotion of diversity of cultural expressions in all counties.

30. **MOTION – PARKING CHARGES IN PUBLIC INSTITUTIONS OFFERING ESSENTIAL SERVICES**

(Sen. (Dr.) Abdullahi Ali, MP)

**AWARE THAT**, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

**NOTING** that, most essential services offered in hospitals, educational institutions and other public utilities are offered in urban centers, shopping malls and other designated areas that charge parking fees to access;

**ACKNOWLEDGING**, that whether they are delivered by public or private providers, essential services such as health, banking, education and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

**CONCERNED**, that access to hospitals, educational institutions and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

**FURTHER CONCERNED**, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

**NOW THEREFORE**, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant fees for parking.

31. **MOTION – REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE 141<sup>ST</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS, HELD IN BELGRADE, SERBIA FROM 13<sup>TH</sup> TO 17<sup>TH</sup> OCTOBER, 2019**

(Sen. Susan Kihika, MP)

**THAT**, the Senate notes the report of the Parliament of Kenya Delegation to the 141<sup>st</sup> Assembly of the Inter-Parliamentary Union (IPU) and related meetings, held in Belgrade, Serbia, from 13<sup>th</sup> to 17<sup>th</sup> October, 2019 laid on the Table of the House on Wednesday, 4<sup>th</sup> March, 2020.

32. **MOTION – REPORT OF THE THIRD ORDINARY SESSION OF THE 5<sup>TH</sup> PARLIAMENT OF THE PAN – AFRICAN PARLIAMENT HELD FROM 7<sup>TH</sup> TO 18<sup>TH</sup> OCTOBER, 2019, IN MIDRAND, SOUTH AFRICA.**

(Sen. (Dr.) Abdullahi Ali, MP)

**THAT**, the Senate notes the Report of the Third Ordinary Session of the 5<sup>th</sup> Parliament of the Pan-African Parliament held from 7<sup>th</sup> to 18<sup>th</sup> October, 2019 in Midrand, South Africa.

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**NOTICE**

1. **THAT**, pursuant to Standing Order 251A and 251B, the sitting will be a hybrid sitting consisting of Senators who are physically present in the Senate Chamber and Senators participating virtually from a remote location through **Zoom** online meeting platform, as per guidelines issued by the Speaker pursuant to Standing Order 251A(4).
2. The Senate resolved on 10th February, 2021, as follows:-

THAT, pursuant to Standing Order 106 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply. –

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**KEY**

**\*\*\*\*- Denotes a Majority /Minority Party Bill**

**\*\*\*- Denotes a National Assembly Bill**

**\*\*- Denotes a Committee Bill**

**\*- Denotes any other Bill**

**NOTICE OF AMENDMENTS**

**A. THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 28 OF 2020)**

(Sen. (Arch.) Sylvia Kasanga, MP)

**NOTICE** is given that the Chairperson, Standing Committee on Health, intends to move the following amendments to the Mental Health (Amendment) Bill (Senate Bills No. 28 of 2020) at the Committee Stage –

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended in the proposed new section 2E (5) by—

(a) deleting paragraph (e) and substituting therefore the following new paragraph—

(e) is removed by the county executive committee member for being unable to perform the functions of the office by reason of mental or physical infirmity.

(b) inserting the following new subclause immediately after subclause (5) (5A) Before the removal of a member under subsection (5)(e), the county executive committee member shall request the Council to—

(a) investigate the circumstances giving rise to the proposed removal; and

(b) make recommendations on whether or not the member should be removed from office.

**CLAUSE 8**

**THAT** clause 8 of the Bill be amended by deleting the proposed new section 4B and substituting therefor the following new section—

Removal of member of Board from office. **4B.** (1) A member of the Board may be removed from office for —

(a) inability to perform the functions of the office arising out of physical or mental incapacity;

(b) gross misconduct;

(c) incompetence or negligence of duty; or

(d) any other ground that would justify removal from office under any written law.

(2) Before the removal of a member of the Board under subsection (1)(a), the Cabinet Secretary shall request the Board to—



- (a) investigate the circumstances giving rise to the proposed removal; and
- (b) make recommendations on whether or not the member should be removed from office.

**CLAUSE 15**

**THAT** clause 15 of the Bill be amended -

- (a) in the proposed new section 9D by inserting the following new paragraph immediately after paragraph (e)—
  - (ea) the number of mental health patients admitted on an emergency basis that the mental health facility or unit has discharged, are still under its care or have died in the course of treatment;
- (b) in the proposed new section 9F(2) by inserting the words “side effects” immediately after the words “likely duration” in paragraph (b).

**CLAUSE 32**

**THAT** clause 32 of the Bill be amended in the proposed new section 20A(2) by inserting the following new paragraph immediately after paragraph (b) —

- (ba) a supporter of the person with mental illness;

**CLAUSE 33**

**THAT** clause 33 of the Bill be amended in the proposed new section 21 by inserting the words “A person” immediately before the word “with mental illness” in subsection (2).

**CLAUSE 38**

**THAT** clause 38 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a) subsection (1) and substituting therefor the following new subsection—
  - (1) The person in charge or a mental health practitioner in charge of any patient shall enable communication by the patient through letters, telephone calls and emails to the recipients where practicable.

**CLAUSE 50**

**THAT** the Bill be amended by deleting clause 50 and substituting therefor the following new clause—

- Amendment of section 54 of Cap. 248.
- 50.** The Principal Act is amended by deleting section 54 and substituting therefor the following section—
- Regulations. **54.** The Cabinet Secretary shall, in consultation with the Board and the Council of County Governors, make regulations—
- (a) prescribing the form of the supportive decision making agreement;
  - (b) generally regulating the equipping, administration, control and management of mental health units;
  - (c) for the care, treatment and rehabilitation of person with mental illness;
  - (d) prescribing the procedure of admission of out-patient patients; and
  - (e) for the better carrying out of the provisions of this Act.

**B. THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL**  
**(SENATE BILLS NO. 30 OF 2020)**

(Sen. Johnes Mwaruma, MP)

**NOTICE** is given that the Chairperson, Standing Committee on Land, Environment and Natural Resources, intends to move the following amendment to the Wildlife Conservation and Management (Amendment) Bill (Senate Bills No. 30 of 2020) at the Committee Stage—

**CLAUSE 3**

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

Amendment  
of section  
23 of No. 47  
of 2013.

3. Section 23 of the principal Act is amended —

(a) in subsection (2) by inserting the words “and one of whom shall be nominated by the council of county governors” immediately after the words “wildlife conservancy body” appearing in paragraph (e); and

(b) in subsection (4) by inserting the following new paragraph immediately after paragraph (f)—

(fa) provide support to local communities negatively affected by activities undertaken with respect to wildlife conservation and management;

**C. THE COMMUNITY HEALTH SERVICES BILL (SENATE BILLS NO. 34 OF 2020)**

(Sen. (Dr.) Agnes Zani, MP)

**NOTICE** is given that the Chairperson, Standing Committee on Health, intends to move the following amendments to the Community Health Services Bill (Senate Bills No. 34 of 2020), at the Committee Stage —

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended in paragraph (e) by inserting the words “in a format and using technology that enables access by persons with disabilities” immediately after the words “to information”.

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended in a paragraph (a) by inserting the following sub-paragraph immediately after paragraph (iii) —

- (iiia) implementation of community and family-based care and support systems for persons with mental health illness;

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “including community and family-based care and support for persons with mental illness” immediately after the words “community health services” appearing in paragraph (e); and
- (b) in sub-clause (2) by inserting the words “including community and family-based care and support for persons with mental illness” immediately after the words “community health services” appearing in paragraph (b).

**CLAUSE 8**

**THAT** clause 8 of the Bill be amended in sub-clause (1) by deleting paragraph (c) and substituting therefor the following new paragraph —

- (c) develop strategies for the effective and efficient delivery of community health services, including community and family-based care and support for persons with mental illness at the community level;

**CLAUSE 11**

**THAT** clause 11 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (d) —

- (da) monitor the rehabilitation and integration of persons with a mental illness into the community.

**D. THE PARLIAMENTARY POWERS AND PRIVILEGES (AMENDMENT) BILL,  
SENATE BILLS NO. 33 OF 2020)**

(Sen. (Dr.) Agnes Zani, MP)

**NOTICE** is given that the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights, intends to move the following amendments to the Parliamentary Powers and Privileges (Amendment) Bill, (Senate Bills No. 33 of 2020), at the Committee Stage —

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended in the proposed new section 23B by deleting subsection (2) and substituting therefor the following new subsection —

- (2) The responsible officer shall submit a status report to the relevant Committee within sixty days from the date the resolution is conveyed or within such period as shall be specified by a resolution of the House.

**E. THE COFFEE BILL, SENATE BILLS NO. 22 OF 2020**

(Chairperson, Committee on Agriculture, Livestock and Fisheries)

**NOTICE** is given by the Chairperson, Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Coffee Bill, (Senate Bills No. 22 of 2020), at the Committee Stage—

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended by—

- (a) deleting the words “two persons” appearing at the beginning of paragraph (g) and substituting therefor the words “one person”.
- (b) inserting the following new paragraph immediately after paragraph (g) —
- (ga) one person nominated by the cooperative society representing the largest number of small-scale coffee associations in Kenya.

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended in subclause (1) by —

- (a) inserting the words “funding models” immediately after the words “implementation of strategies” in paragraph (d);
- (b) deleting paragraph (f) and substituting therefor the following new paragraph —

- (f) conduct national and international coffee market intelligence and surveys to inform promotional and branding strategies including the application of the Kenya Coffee Mark of Origin;
- (c) deleting paragraph (h) and substituting therefor the following new paragraph —
  - (h) develop and implement a framework for the capacity building of players in the coffee industry;
- (d) deleting paragraph (l);
- (e) inserting the following new paragraphs immediately after paragraph (l)—
  - (m) undertake technology transfer and provide technical assistance to county governments on matters relating to coffee;
  - (n) conduct surveillance and enforce compliance with relevant policies, standards and legislation on the coffee sector;
  - (o) co-ordinate inter-agency representation in international coffee fora to promote increased market share of Kenyan coffee.
  - (p) arbitrate over disputes arising between parties registered or licensed by the Board under this Act; and
  - (q) carry out such other functions as may be assigned by the Cabinet Secretary or conferred under any other law.

**CLAUSE 17**

**THAT** the Bill be amended by deleting Clause 17.

**CLAUSE 23**

**THAT** clause 23 of Bill be amended in subclause (1) by—

- (a) deleting the word “Each” appearing at the beginning of the introductory clause and substituting therefor the word “A”;
- (b) deleting paragraph (e) and substituting therefor the following new paragraph—
  - (e) offer and co-ordinate the delivery of extension services on sustainable production primary processing of coffee and climate smart agriculture;
- (c) inserting the following new paragraph immediately after paragraph (f) —
  - (fa) regulate the movement of coffee through the issuance of movement permits for *buni*, parchment and clean coffee within the county and from the county to warehouses situated outside the county.

**CLAUSE 25**

**THAT** clause 25 of the Bill be amended in subclause (2) by deleting the word “from” appearing immediately after the words “in the prescribed” and substituting therefor the word “form”.

**CLAUSE 26**

**THAT** clause 26 of the Bill be amended in—

- (a) subclause (1) by inserting the words “miller, coffee roaster,” immediately after the words “nursery operator”;
- (b) subclause (4) by inserting the words “miller, coffee roaster,” immediately after the words “nursery operator” in paragraph (a).

**CLAUSE 27**

**THAT** clause 27 of the Bill be amended by inserting the following new subclause immediately after subclause (8) —

(8A) The holder of a coffee buyer’s licence or an entity associated with a holder of the licence shall not carry on the business of a commercial miller, broker, roaster, agent or warehouse operator.

(8B) A buyer’s licence shall not be construed as authorizing a person to engage in direct sale of coffee or coffee products.

(8C) A holder of a commercial miller’s licence or any other entity associated with such holder shall not carry on the business of a buyer, broker, roaster, or agent .

(8D) A licensing authority shall not issue a licence to a person whose effect would result in in the contravention of subsection (8A), (8B) or (8C).

**CLAUSE 32**

**THAT** clause 32 of the Bill be amended by inserting the following new paragraph immediately after paragraph (a) –

- (aa) monies received from the levy imposed on coffee sales pursuant to section 32A.

**CLAUSE 40**

**THAT** clause 40 of the Bill be amended in—

- (a) subclause (1) by—
  - (i) inserting the word “estate” immediately after the word “one person representing” in paragraph (f);
  - (ii) inserting the following new paragraph immediately after paragraph (f)—
    - (fa) one person representing small scale coffee growers nominated by the Council of County Governors;

- (b) subclause (2) by inserting expression “(fa)” immediately after the words “under subsection (1)(f)”.

**CLAUSE 41**

**THAT** clause 41 of the Bill be amended by inserting the expression “(fa)” immediately after the words “under section (1)(f)”.

**CLAUSE 43**

**THAT** clause 43 of the Bill be amended in—

- (a) subclause (1) by inserting the words “and new coffee varieties” immediately after the words “in coffee diseases” in paragraph (b);
- (b) subclause (2) by —
  - (a) inserting the words “demand driven participatory” immediately after the words “and long-term” in paragraph (b)”;
  - (b) inserting the following new paragraph immediately after paragraph (d) —
    - (da) undertake the propagation of quality coffee planting materials and supervision of registered nursery operators;
  - (c) deleting paragraph (e) and substituting therefor the following new paragraph—
    - (e) provide competitive grants to research institutes and persons desirous of carrying our research and training programs which address value chain priorities and are consistent with the national research priorities and plans of the institute;
  - (d) inserting the following new paragraphs immediately after paragraph (k)—
    - (ka) be the lead scientific agency in coffee breeding for the development of a climate resilient coffee crop and coffee that is resistant to diseases and pests;
    - (kb) develop technologies and practices for adoption along the production, processing and value chain that contribute towards climate change adaption, resilience and mitigation;
    - (kc) be the custodian of the Kenyan Coffee Genome and the primary instrument for making modern genomics resources available to researchers working across the coffee production chain;
    - (kd) provide and facilitate access to timely scientific information in a useable format and advisory services to actors in the coffee production chain;
    - (ke) conduct market research and analysis and disseminate information on its findings to relevant stakeholders; and
  - (e) deleting the word “Board” appearing after the words “ functions as the” and substituting therefor the words “board of the Institute” in paragraph (l).

**CLAUSE 53**

**THAT** clause 53 of the Bill be amended by deleting paragraph (b) and substituting therefor the following new paragraph—

- (b) one percent of monies collected from the sale of coffee pursuant to section 32A of this Act.



**CLAUSE 60**

**THAT** clause 60 of the Bill be amended by deleting the words “a court of competent jurisdiction” appearing immediately after the words “appeal to a” in subclause (2) and substituting therefor the words “the High Court”.

**CLAUSE 66**

**THAT** clause 66 the Bill be amended in subclause (2) by—

- (a) inserting the words “permits, the notification to the direct settlement system provider,” immediately after the words “for registration, licencing” in paragraph (b);
- (b) inserting the words “or levy” immediately after the words “any fee” in paragraph (d);
- (c) inserting the words “and enforcement” immediately after the words “the regulation” in paragraph (e) ;
- (d) inserting the following new paragraphs immediately after paragraph (e) —
  - (f) the process of nomination of members to the Board;
  - (g) the conditions for the issuance of certificates, licenses and permits under this Act;
  - (h) the trade, storage, bulking, packing and roasting of coffee;
  - (i) the regulation of nursery operations, pulping, milling, warehousing and transportation of coffee;
  - (j) the grading and classification of coffee; and
  - (k) the imposition of costs charged by service providers along the value chain and payment of coffee sales proceeds to growers and their service providers.

**NEW CLAUSE 2A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 2—

**CLAUSE 2A**

**2A.** The objects of this Act are to —

Objects.

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

**NEW CLAUSES**

**THAT** the Bill be amended by inserting the following new clauses immediately after clause 27—

**CLAUSE 27A**

**27A.** The following licences shall be issued by the Authority under the Capital Markets Act—

Licences issued by the Authority. Cap 485A.

- (a) coffee exchange licence authorising a person to conduct the business of a coffee exchange;
- (b) a broker’s licence authorising a person to offer clean coffee for sale at an exchange on behalf of the grower.

**CLAUSE 27B**

**27B.** (1) A person shall not operate as a cupping laboratory, liquorer, coffee buyer, coffee importer, agent or warehouse operator unless the person is licensed or issued a registration certificate or a permit by the Board upon satisfaction of the prescribed conditions.

Requirements for certificates, licenses and permits.

(2) A person shall not conduct the business of a coffee exchange or offer brokerage services at the exchange unless that person is licensed by the Authority in accordance with the provisions of the Capital Markets Act.

(3) A person who contravenes the provision of this section commits an offence and be liable, on conviction, to a fine not exceeding five million shillings or to imprisonment for a term not exceeding three years or both.

Cap 485A

**CLAUSE 27C**

**27C.** A licence holder shall act in the best interest of coffee growers and adhere to prescribed conditions for the issuance of a licence and contractual obligations.

Obligations of license holders .

**CLAUSE 27D**

**27D.** A licence holder provider shall submit monthly returns to the relevant licensing authority in the prescribed form.

Returns.

**CLAUSE 27E**

**27E.** (1) A person shall not transport clean coffee unless such person –

Movement permits.

- (a) holds a licence issued pursuant to section 27 of this Act; and

- (b) has applied for, and obtained a movement permit issued, in the case of—
  - (i) buni and parchment, by the respective county of origin;
  - (ii) movement of clean coffee from the coffee mills to the warehouses, by the respective county government; and
  - (iii) movement of clean coffee by buyers upon purchase, movement of purchased clean coffee to warehouses by millers, or movement of clean coffee for export or import, by the Board.

(2) A coffee movement permit issued under subsection (1) shall be in the prescribed form.

(3) Subsection (1)(b)(i) shall not apply to a smallholder moving cherry coffee produced by the smallholder between the farm and the pulping station where he or she is registered.

(4) A person transporting coffee under subsection (1) shall –

- (a) have, in his or her possession at the time of transporting the coffee, the original movement permit issued by the respective licensing authority; and
- (b) ensure that the vessel used to transport the coffee conforms to the prescribed coffee standards.

(5) The respective county executive committee member shall monitor the movement of cherry and parchment coffee between farms and stores and the movement of clean coffee and hulled *buni* to the market and shall, for this purpose –

- (a) prescribe, in county legislation, guidelines for the safe movement of cherry and parchment coffee; and
- (b) put in place measures to curb illegal dealings in coffee or coffee products.

(6) A person who moves coffee contrary to this Act commits an offence.

**NEW CLAUSE 30A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 30—

**30A.** (1) Each county executive committee member shall submit to the Board, at the end of each month or within such timelines as may be agreed upon with the Board, a report on the registered and licensed coffee growers and dealers within the respective county. Submission of reports.

(2) The Board shall submit to the respective county executive committee member a report on the registered and licensed dealers and other service providers within the respective county at the end of each month or within such timelines as may be agreed upon with the respective county executive committee member.

**NEW HEADING**

**THAT** the Bill be amended by inserting the following new heading immediately after clause 31—

**PART IVA— PRODUCTION AND PROCESSING.**

**NEW CLAUSES**

**THAT** the Bill be amended by inserting the following new clauses immediately after clause 31—

**CLAUSE 31A**

- 31A** (1) The Institute shall— Coffee production.
- (a) disseminate, in collaboration with the county governments, coffee production and processing technologies;
  - (b) undertake the propagation of coffee planting materials;
  - (c) supervise, in collaboration with the county governments, nursery operators undertaking the business of propagating planting materials;
  - (d) issue certified coffee seeds or seedlings for multiplication in coffee nurseries to coffee growers or for export;
  - (e) map out areas suitable for coffee production in Kenya; and
  - (f) undertake capacity building for the county governments and other players on coffee production and processing.

(2) The respective county executive committee members shall undertake soil mapping and analysis to determine nutritional requirements for coffee production.

**CLAUSE 31B**

**31B.** (1) A person shall not import coffee planting materials unless such a person been registered by the Board.

Importation of coffee planting materials.

(2) The Board may, upon application and in collaboration with the Kenya Plant Health inspectorate Service and any other relevant agency, register a person to import coffee planting material for nursery establishment subject to the prescribed conditions.

**CLAUSE 31C**

**31C.** (1) The Institute shall, in collaboration with the respective county executive committee member, undertake analysis of the farm inputs to ascertain compliance with the prescribed standards.

Farm inputs.

(2) The respective county executive committee member shall establish such farm inputs schemes as may be necessary to enhance coffee production.

(3) The National Government, in collaboration council of county governors, may put in place the infrastructure necessary for the production and availability of quality farm inputs for coffee production;

(4) The county executive committee members shall monitor and oversee the implementation and compliance with standards by farm input stockists.

**CLAUSE 31D**

**31D.** (1) A co-operative society comprising coffee growers shall keep and maintain a register of coffee growers and the number of coffee trees planted or uprooted by each of its members in the prescribed form.

Notification after planting, uprooting coffee or change of details of farm or estate.

(2) A co-operative society shall submit to the respective county executive committee member, annually, a record of the information maintained by the society under subsection (1).

(3) Each county executive committee member shall keep and maintain a record, in the prescribed form, of the area under coffee cultivation and information regarding uprooted coffee in the county.

(4) The county executive committee member shall submit to the Board, annually, the record kept under subsection (3).

**CLAUSE 31E**

**31E.** (1) The Board shall register certification schemes to monitor compliance with the coffee standards.

Certification of Kenya Coffee.

(2) A coffee grower, miller or any other player in the coffee value chain may seek certification by the respective licencing authority to ensure the quality of coffee, the quality of service and secure market confidence.

(3) The Board shall keep and maintain a register of certification scheme operators in each county.

(4) The Board shall, for the purpose of subsection (2), -

(a) keep and maintain a register of certified scheme operators; and

(b) submit, a copy of the register to the respective county executive committee member.

(5) Each county executive committee member shall monitor the operations of certification schemes and periodically advise the coffee growers within the respective county and the Board on best practice and performance of a scheme.

(6) A certification scheme under subsection (1) shall provide the particulars of certification services, competencies of their scheme operators and the benefits of the certification schemes to coffee growers.

(7) Certified coffee shall be identified and labelled according to the respective certification scheme for traceability and marketing.

(8) A miller shall, in the case of certified coffee, specify information relating to the certified coffee in the sales catalogue maintained by the miller.

(9) A coffee miller shall, before offering the coffee for sale in the exchange, provide proof of certification.

**CLAUSE 31F**

**31F.** The processing of coffee shall be carried out at designated, standard approved facilities and in accordance with the National Standards and Industry Code of Practice.

Requirements relating to coffee processing.

**CLAUSE 31G**

**31G.** (1) The Board shall establish a coffee traceability system in the prescribed form.

Requirements relating to coffee traceability and disclosures.

(2) A person who operates a pulping station or coffee mill shall comply with prescribed traceability system established by the Board under subsection (1).

(3) A cooperative society shall, in imposing a fee to its growers, adhere to the society's budget and not exceed ten percent of the gross earnings from the coffee sales.

(4) Every contract for milling of coffee shall be in writing and shall contain such information as may be prescribed.

(5) A commercial miller shall –

- (a) ensure that the grower or grower’s representative is given reasonable notice to be present during the milling process;
- (b) take out comprehensive insurance cover against fire, theft, and other risks for all coffee in its possession and custody;
- (c) account for mill spillage or sweepings and all other coffee by-products to the growers and the Board;
- (d) digitize its operations to ensure weight precision, timely dissemination of information and protection of growers’ data;
- (e) submit returns on coffee received and milled to the Board and the respective county government; and
- (f) comply with the prescribed standard coffee grades.

**CLAUSE 31H**

**31H.** (1) A coffee miller may bulk parchment or *buni* coffee of the same quality and characteristics in order to attain millable quantities.

(2) A coffee miller who bulks coffee shall avail information, in the prescribed form, to an exchange and the direct settlement system provider on the proportions of the bulked coffees for purposes of processing payments.

(3) The Board and the respective county executive committee member shall, separately or jointly undertake regular inspections to ensure compliance with this Act by the coffee millers.

(4) A coffee grower may deliver coffee samples not exceeding five hundred grams of parchment or *buni* for independent quality analysis by a laboratory before delivery to a commercial coffee miller.

Bulking of coffee

(5) A laboratory to which a sample is submitted under subsection (4) shall issue to the coffee grower a report on quality compliance in the prescribed form.

(6) A coffee miller shall remit two hundred grams samples for each grade of an out-turn to the Board for quality analysis and assessment of conformity with coffee standards.

(7) A co-operative society or association comprising smallholder growers that intends to obtain milling services shall competitively procure the services of a miller or other service providers to whom the coffee is intended to be delivered for milling.

(8) Any charges imposed for the delivery of services to a coffee grower shall be communicated in the prescribed form to the direct settlement system provider before the sale of coffee for the purpose of settlement after the sale has been conducted.

**NEW HEADING**

**THAT** the Bill be amended by inserting the following new heading immediately after the proposed new clause 31H.—

**PART IVB—COFFEE TRADING AND MARKETING**

**NEW CLAUSES**

**THAT** the Bill be amended by inserting the following new clauses immediately after the proposed new clause 31H—

**CLAUSE 31I**

**31I.** (1) Kenya Coffee may be offered for sale through— Coffee trading.

- (a) auction in the Exchange;
- (b) direct sales; or
- (c) such other method as the Cabinet Secretary may prescribe.

(2) A buyer, a roaster, or a grower miller licensed by the relevant licensing authority, or a broker appointed by the grower, may trade at an exchange in accordance with this Act and any other law governing trade in an exchange.

**CLAUSE 31J**

**31J.** (1) A licensed coffee grower may undertake, in the prescribed manner, a direct sale in coffee and may, for this purpose, sell own clean coffee to a licensed roaster for local value addition and sale. International and local direct coffee sales.

(2) The price at which a licensed coffee grower offers coffee for sale under subsection (1) shall bear a favorable comparison to the price at an exchange.

(3) A licensed coffee grower and a licensed roaster shall submit monthly returns to the Board, in the prescribed form, on sales undertaken under subsection (1) including

- (a) a copy of the contract;
- (b) the coffee grade;
- (c) the coffee quantity;
- (d) the coffee price;
- (e) details of a certification scheme, where applicable;



- (f) quality report;
- (g) mode of payment; and
- (h) a dispute resolution clause.

**CLAUSE 31K**

**31K.**(1) There is established a body to be known as Nairobi Coffee Exchange for purposes of coffee trading.

Establishment and functions of Nairobi coffee Exchange.

(2) The Nairobi Coffee Exchange shall be a body corporate, registered under the Companies Act.

(3) The functions of the Exchange shall be to –

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- (a) manage the auction floor, the central sample room, the information registry and the direct settlement system;
- (b) maintain records relating to coffee sales, coffee samples and sweepings;
- (c) avail sales catalogues to interested parties in accordance with the Capital Markets Act; and
- (d) carry out such other function as the Cabinet Secretary may prescribe.

(4) The proceeds of the sale of coffee at the Exchange shall be deposited in a direct settlement system established in accordance with the Capital Markets Act.

Cap 485A

**CLAUSE 31L**

**31L.** (1) A broker or agent appointed by growers and other service providers shall not receive coffee sale proceeds on behalf of the growers.

(2) A coffee warrant or a warehouse receipt issued by a warehouse operator to a depositor of coffee shall be transferable to a new holder who has purchased the coffee and is entitled to take its delivery upon presentation of the coffee warrant or the warehouse receipt endorsed by the exchange to the warehouse operator.

Management of the exchange and settlement of coffee sales proceeds.

(3) The Exchange shall disseminate market information for every auction and an analysis of performance on, weekly and monthly basis.

(4) A person who contravenes the provisions of this section commits an offence.

**CLAUSE 31M**

**31M.** (1) A commercial miller or a broker appointed in consultation with the commercial miller, shall prepare a sales catalogue in consultation with the Exchange and growers, for all the coffee in a licensed warehouse in accordance to this Act.

Sales catalogue.

(2) A sales catalogue shall contain information on the prompt date and such other particulars as may be prescribed under this Act.

**CLAUSE 31N**

**31N.** (1) All coffee shall be stored in warehouses licensed by the respective county governments.

Coffee warehousing in designated warehouses.

(2) A county executive committee member shall not designate premises as a coffee warehouse unless the premises have been inspected, approved and licensed in accordance with this Act and the respective county legislation.

(3) A licensed warehouse shall conform to the standards prescribed by the Kenya Bureau of Standards.

(4) The Board and county governments shall inspect warehouses and monitor warehousing activities on a regular basis.

- (5) A warehouse operator shall -
  - (a) insure all coffee in his or her warehouse or under his or her custody against fire, theft and other insurable risk;
  - (b) not remove or cause to be removed from a warehouse, coffee unless the operator has applied for, and obtained an endorsed coffee warrant or warehouse receipt as the case may be; and
  - (c) account for any weight or quality loss to the respective grower, agent, buyer or roaster.

(6) A person who operates a warehouse contrary to this Act commits an offence.

**CLAUSE 31O**

**31O.** (1) A person shall not export coffee or cause any coffee to be exported unless such person has —

Export and import of coffee.

- (a) applied for, and obtained, a phytosanitary certificate from the Kenya Plant Health Inspectorate Service; and
- (b) been issued with a coffee buyer’s licence, notification and registration of direct sales contracts, certificate of origin and certificate of quality by the Board.

(2) The Board shall authorize the importation of coffee through the issuance of import permits or a buyer’s licence.

(3) Clean coffee imports shall be accompanied by the certificate of origin and a phytosanitary certificate issued by the country of origin and adhere to the coffee standards.

(4) Clean coffee which consists only of a sample or a parcel not exceeding twenty kilograms in weight and which meets the relevant licensing and certification requirements shall not require a buyer’s license from the Board.

**CLAUSE 31P**

**31P.** (1) A person who blends any or various grades of coffee produced in Kenya with any other coffees produced outside Kenya shall declare the percentage of Kenyan coffee in the blend.

Prohibition against blending.

(2) A person who contravenes subsection (1) commits an offence.

**CLAUSE 31Q**

**31Q.** The trading activities at an exchange shall be compliant with relevant laws that deter unfair trading and anti-competitive practices.

Anti-competitive practices.

**NEW HEADING**

**THAT** the Bill be amended by inserting the following new heading immediately after the proposed new clause 31Q—

**PART 1VC—QUALITY ASSURANCE**

**NEW CLAUSES**

**THAT** the Bill be amended by inserting the following new clauses immediately after the proposed new clause 31Q—

**CLAUSE 31R**

**31R.** (1) The Board and the respective county executive committee members shall collaborate in the enforcement of coffee industry standards along the value chain for purposes of quality assurance.

Quality Assurance for Coffee Industry.

(2) The Board, in consultation with an accredited university of higher learning and industry stakeholders may develop a training curriculum, conduct examinations and jointly issue certificates for coffee liquorers.

(3) The Board may enter into a memorandum of understanding with an accredited university for the training and administration of liquorers’ examinations.

(4) A person shall not offer liquoring services unless such person is certified as a liquorer has applied for, and obtained a practicing licence from the Board.

(5) The Board shall, in collaboration with the respective county executive committee members establish cupping centers in the counties for the purpose of conducting coffee quality analysis and capacity building.

(6) The Board shall carry out assessments on coffee quality maintenance at any premises in which the processing of coffee is carried out along the value chain.

(7) The Board may sample coffee at any stage of the value chain to ascertain permissible pesticides residue levels for compliance with set national and international standards.

(8) The Board, in collaboration with the respective county executive committee member shall –

- (a) monitor maintenance of pesticide spraying records by coffee growers to enforce compliance with the permissible pesticides residue levels in coffee beans; and
- (b) inspect coffee storage bags to check against potential contamination and monitor wholesalers, suppliers, manufacturers and importers to ensure compliance with safety standards.

(9) The Institute shall conduct periodic surveillance on the application of pesticides to ensure compliance with set standards and best practices.

**CLAUSE 31S**

**31S.** (1) The Board and the respective county executive committee members shall, by notice in the *Gazette*, appoint inspectors for the enforcement of the provisions of this Act.

Inspections  
.

(2) The Board and the respective county executive committee members may, separately or jointly, conduct inspection of coffee farms, coffee nurseries, pulping stations, coffee mills, warehouses, cupping laboratories, roasters or coffee buyers’ vessels transporting coffee to monitor compliance with the requirements of this Act.

(3) A smallholder, a grower, a pulping station operator, a transporter, a miller, a warehouse operator or a buyer shall accord an inspector access and necessary assistance for effective inspection.

(4) A person who fails to accord an inspector access to premises and information commits an offence.

**CLAUSE 31T**

**31T.** (1) A person importing coffee into the country shall –

Coffee imports to conform to standards.

- (a) ensure that the coffee complies with the coffee standards and such other quality standards as may be prescribed under this Act or any other law; and
- (b) adhere to the safety and health standards prescribed under this Act or any other law.

(2) The Board shall destroy coffee which does not conform to the coffee standards.

(3) The Board shall not destroy coffee under subsection (2) unless –

- (a) it has issued to the importer of the coffee, notice, in the prescribed form, of intention to destroy the coffee;
- (b) given the importer an opportunity to be heard; and
- (c) obtained an order of a Court of competent jurisdiction for the destruction of that coffee.

(4) The Board may, in addition to the action taken under subsection (3), suspend or cancel any licence issued to the importer under this Act.

**NEW CLAUSE 32A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 32—

**NEW CLAUSE 32A**

**32A.** (1) The Cabinet Secretary shall, in consultation with the Board and the Institute and by notice in the *Gazette*, impose a levy of two percent on the export import value remitted by coffee buyers to the Board for the development of the coffee industry.

(2) The levy imposed under subsection (1) shall be apportioned as follows—

Coffee  
development  
Levy

- (a) one percent to the Institute;
- (b) zero-point five percent to the Board for regulatory and coffee promotion purposes; and
- (c) zero-point five percent to the coffee growing County Governments for coffee development as a conditional grant.

**60A.** (1) The Board and each county executive committee member shall automate their operations for the efficient delivery of services and dissemination of information within the coffee sector.

Digitization

(2) In automating its processes, the Board and the county executive committee member shall ensure that—

- (a) multiple parties can access a common system;
- (b) flow of data takes place seamlessly across the value-chain without interruption;
- (c) the system is safe and secured and protected against unauthorized access;
- (d) there is in place, a mechanism that ensures access to the system is properly regulated and monitored with adequate mechanisms for continued integrity; and
- (e) the records are not lost, destroyed or tampered with, and in the event of any loss or destruction, sufficient back-up is available in a secure place.

**SECOND SCHEDULE**

**THAT** the Second schedule be amended -

- (a) in item 8 by deleting the words “county government” appearing in the second column and substituting therefor the word “Board”;
- (b) by inserting the following the new items immediately after item 15—

16. Coffee exchange licence	Capital Authority	Markets
17. Brokers licence	Capital Authority.	Markets

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended by inserting the following definitions in their proper alphabetical sequence—

“auction” means the auction system under which clean coffee is offered for sale at a coffee exchange and includes the place at which, or a facility by means of which, whether electronic or otherwise, offers or invitations to sell, buy or exchange coffee contracts are regularly made on a centralized basis, but does not include—

- (a) the office or facilities of a coffee buyer or service provider; or
- (b) the office or facilities of a clearing house;

“agent” means a person registered by the Board who may be appointed by a grower for purposes of facilitation of overseas direct sales with regard to logistics;

“association” means a registered group comprised of smallholder growers, co-operative societies, societies, estates, unions, millers, buyers, roasters or brokers, licensed by a relevant licensing authority;

“broker” means a person cleared by the exchange and licensed by the Capital Markets Authority, who may be appointed by a grower or an association of growers in accordance with the Capital Markets Act, to sell their coffee on their behalf through the Exchange;

“buyer” means an incorporated company licensed by the Board to buy clean coffee at an exchange for export, local sale or value addition or to import clean coffee for secondary processing in Kenya;

“clean coffee” means coffee bean or dried seed of the coffee plant separated from non-food tissues of the coffee fruit where the silver skin is reduced to the maximum possible extent;

“clearing house” means an entity approved by the Authority, and recognized as a clearing institution on behalf of a coffee exchange, providing the services of clearing and settlement of transactions and guaranteeing settlement on behalf of the exchange;

“clearing and settlement” means the procedure by which a clearing house acts as an intermediary between a buyer and seller for exchange traded transactions in order to reconcile orders between transacting parties and ensure the physical or financial settlement of the transaction; “coffee dealer” means a person registered by the Board, a county government or the Authority to deal in coffee as provided under this Act;

“coffee milling” means mechanical hulling or de-husking of coffee and includes grading of clean coffee;

“coffee sales proceeds” means monetary consideration received at the direct settlement system in exchange for clean coffee sold at an exchange or, where applicable, through direct sales;

“coffee standards” means the Kenya Coffee Standards issued by the Kenya Bureau of Standards;

“coffee warrant” means an instrument prepared by the warehouseman of which the person named therein, or the last endorsee thereof, shall for all purposes be deemed to be the owner of the coffee to which it relates; “county executive committee member” means the county executive committee member for the time being responsible for matters relating to agriculture;

“direct sale” means a contractual arrangement between a grower, a co-operative society, society, union, grower-miller, estate or an association of coffee growers and an overseas buyer or local roaster for the sale of own clean coffee based on mutually accepted terms and conditions enforceable in law and includes settlement coffee sales proceeds through the direct settlement system on boarded by a coffee exchange;

“direct settlement system” means a banking facility provided by commercial banks regulated by the Central Bank of Kenya for clearing and settlement of coffee sales proceeds;

“estate” means an area of land or group of parcels of land under coffee not being less than five acres in size in aggregate or land under coffee which has been issued with a pulping station licence;

“licensing authority” means the Board, the Authority the county government or the Capital Market Authority as the case may be;

“liquoring” means analysis of clean coffee to determine the attributes and quality of coffee for purposes of trade;

“out-turn number” means an identifying number issued by a miller in respect of coffee delivered to a mill for purposes of traceability;

“primary processing” means the process of removal of coffee pulp from cherry, fermentation, washing and drying to the coffee standard moisture content to obtain parchment;

“prompt date” means a date specified in the sales catalogue, not being more than five working days from the date of the sale, for the payment of coffee sales proceeds by a buyer or a roaster;

“pulping station” means a specified place where primary coffee processing is undertaken;

“sales catalogue” means a standard document prepared by a coffee miller, or an appointed broker in consultation with an exchange and growers, for sale of clean coffee at the exchange;

“secondary processing” means parchment de-husking, polishing, grading and may include roasting, grinding and packaging of clean coffee beans;

“small holder” means a grower cultivating coffee in a small parcel of land or in small parcels of land who does not possess his own pulping station;

“sweepings” means the balance of coffee samples in an exchange sample room and spillages collected from millers’ milling activities for sale at the exchange, the proceeds of which are paid to the respective growers on pro-rata basis;

“warehouse” means a facility registered by the Board and licensed by a county government for the storage of coffee, and which is specifically designed to guarantee the quality and safety of the coffee;

“warehouse operator” means any person registered and licensed by the Board who owns, leases or is in charge of a warehouse where coffee is handled and stored for reward or profit; and

**LONG TITLE**

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

**AN ACT** of parliament to provide for establishment of the Coffee Board of Kenya, and the Coffee Research Institute; to provide for the role of the National and the county governments; to provide for the regulation, development and promotion of the coffee industry; and for connected purposes.

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**APPENDIX****1. PETITION**

Report of the Standing Committee on Tourism, Trade and Industrialization on a Petition by residents of Uasin Gishu County concerning the liquidation of Moi University Savings and Credit Society Limited (MUSCO).

*(Chairperson, Standing Committee on Tourism, Trade and Industrialization)*

**2. PAPERS**

- i.) Report of the Standing Committee on Finance and Budget on the Prompt Payment Bill (Senate Bills No. 16 of 2021).

*(Chairperson, Standing Committee on Finance and Budget)*

- ii.) Report of the Standing Committee on Education on the Kenyan Sign Language Bill, Senate Bills No. 5 of 2021.

*(Chairperson, Standing Committee on Education)*

- iii.) Report of the Standing Committee on Labour and Social Welfare on the County Hall of Fame Bill, (Senate Bills No. 9 of 2021).

- iv.) Report of the Standing Committee on Labour and Social Welfare on an enquiry concerning a Statement raised by the Senator for Isiolo County ( Sen. Fatuma Dullo, MP) on dismissal of workers by the Ewaso Ng'iro North Development Authority.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

- v.) Report of the Standing Committee on Health on the Special Audit Report on utilization of COVID-19 funds by county governments.

*(Chairperson, Standing Committee on Health)*

**3. STATEMENTS****a) Pursuant to Standing Order 48 (1)**

- i) The Senator for Nandi County (Sen. Samson Cherarkey, MP) to seek a statement from the Standing Committee on Health concerning the approval process and importation procedure for Covid-19 vaccines into Kenya.
- ii) The Senator for Trans-Nzoia County (Sen. (Dr.) Michael Mbito, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the state of mental health amongst officers in the disciplined forces.

...../Appendix

- iii) The Senator for Bomet County (Sen. (Dr.) Christopher Langat, MP) to seek a statement from the Standing Committee on Education concerning Ministry of Education policy on merging registration of centres for national examinations.
- iv) Nominated Senator (Sen. Rose Nyamunga, MP) to seek a statement from the Standing Committee on Roads and Transportation concerning risks posed by floods along the Ayweyo and Kolunga sections of the Isebania-Kisii-Ahero (A1) road.
- v) The Senator for Turkana County (Sen. (Prof.) Imana Malachy Charles Ekal, MP) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the illegal construction, by residents of West Pokot county, at Kaakore in Turkana County.
- vi) Nominated Senator (Sen. Halake Abshiro, MP) to seek a statement from the Standing Committee on Education concerning the high drop-out rates of school-going girls.

**b) Pursuant to Standing Order 52 (1)**

The Senate Majority Leader to issue a statement on the Business of the Senate for the week commencing Tuesday, 3<sup>rd</sup> August, 2021.

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