

TEA (SUN-DRIED TEA) REGULATIONS, 1999

[Section 25, L.N. 43/1999.]

1. These Regulations may be cited as the Tea (Sun-Dried Tea) Regulations, 1999.

2. In these Regulations, unless the context otherwise requires—

“**green tea leaf**” means a leaf detached from a tea plant but not dried or processed;

“**an authorized officer**” means a person authorized in writing by the Director or by the Board or a Tea Factory Company, and any Police Officer, Administrative Police Officer, Chief or Assistant Chief;

“**sun-dry**” means to prepare made tea by drying green tea leaf by direct or indirect heat of the sun;

“**tea committee member**” means a person elected or appointed as a member of a leaf base or tea base committee or zonal tea committee of a given Tea Factory Company;

3. No person shall in any tea-growing area—

- (a) sun-dry or otherwise manufacture or prepare made tea except in accordance with the terms of a manufacturing licence issued under section 13 of the Act; or
- (b) sell, give away or otherwise dispose of any made tea manufactured or prepared in contravention of sub-paragraph (a) or this paragraph; or
- (c) convey, buy or otherwise acquire, or be in possession of, any made tea manufactured in contravention of paragraph (a) of this paragraph.

4. Any person who—

- (a) contravenes regulation 3; or
- (b) obstructs or hinders any person acting in pursuance of these Regulations; or
- (c) wilfully withholds any information, or gives any information knowing or having reason to believe that it is false or misleading, to any person acting in pursuance of these Regulations,

commits an offence and shall be liable to a fine not exceeding one thousand shillings or to a term of imprisonment not exceeding one month, or to both such fine and imprisonment.

5. Any made tea belonging to or found in the possession of any person convicted of an offence under regulation 4 shall be confiscated and destroyed in such manner as the court may direct:

Provided that the power of the Court to destroy such tea shall relate only to made tea which is the subject of the charge before the court.

6. Any authorized officer or any tea committee member may—

- (a) enter and search any land or premises upon which he has reason to believe that there is made tea in respect of which an offence is being or has been committed.
- (b) stop, search and detain any vehicle which he has reason to believe is being or has been used to convey any made tea in respect of which an offence is being or has been committed;

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- (c) on issuing a signed receipt on behalf of the Board, seize or remove any made tea in respect of which he has reason to believe an offence is being or has been committed; and
- (d) require the occupant of any such land or premises, or the owner, driver or user of any such vehicle, to render explanation and give information relating to made tea found thereon or therein as he may reasonably requires in the performance of his duties.

7. Any vehicle detained under regulation 6 (b) may be taken with the contents thereof to the nearest police station, and any made tea seized under paragraph 6(c) shall be retained by the Board and returned to the owner thereof in the event of no charges being preferred against him or on being acquitted by the court.
