

LEGAL NOTICE No. 7

THE TEA ACT
(Cap 343)

IN EXERCISE of the powers conferred by section 25 of the Tea Act, the Minister for Agriculture, in consultation with the Board, makes the following Regulations:-

THE TEA (LICENSING, REGISTRATION AND TRADE) (AMENDMENT) REGULATIONS, 2008

1. These Regulations may be cited as the Tea (Licensing, Registration and Trade) (Amendment) Regulations, 2008.

L.N. 122/2008

The Tea (Licensing, Registration and Trading) Regulations, 2008, in these Regulations referred to as the principal Regulations, are amended in regulation 2 –

(a) by inserting the following new definition in proper alphabetical sequence –

“person dealing in tea” includes a person carrying out the function of an auction organiser and warehouseman.

(b) by deleting the definitions of “blending”, “broker”, “buyer”, “management agent” and “manufacturing licence”.

3. The principal Regulations are amended in regulation 41 by inserting the following new paragraph immediately after paragraph (2);

(3) The Board may consider late applications upon an applicant giving reasonable cause for the delay, and upon approval of such application the applicant shall pay a penalty of fifty per cent of the fees payable.

4. The principal Regulations are amended in regulation 44 by deleting the expression “31st December, 2008” and substituting therefore the expression “31st March, 2009”.

5. The principal Regulations are amended in Form S appearing in the First Schedule –

(a) by deleting paragraph 9 and substituting therefor the following new paragraph –

9. Professional services to be performed or offered by a management agent shall be in the following functions –

- (a) production;
- (b) procession;

(c) marketing of tea.

(b) in the Terms and Conditions –

(i) by deleting paragraph 1 (b);

(ii) in paragraph 1 (c), by deleting the words “educational, professional qualifications and” appearing after the word “necessary”.

(iii) by renumbering subparagraphs (c) and (d) as subparagraphs (b) and (c) respectively;

(iv) by deleting paragraph 2 and substituting therefor the following new paragraph –

2. A management agent offering professional services including marketing services shall pay a tea company within fourteen days of receipt of proceeds.

(v) by deleting paragraph 3;

(iv) by renumbering paragraphs 4, 5 and 6 as paragraphs 3, 4, and 5 respectively.

Dated the 30th December, 2008

WILLIAM ARAP RUTO
Minister for Agriculture.