

CHAPTER 321 - Crop Production and Livestock Act

Commencement Date: 3/29/1926

An Act of Parliament to make provision for the control and improvement of crop production and livestock, and the marketing and processing thereof

Short title

1.This Act may be cited as the Crop Production and Livestock Act.

Application of the Act

L.N.649/1963

2.The Minister may by order apply the whole or any part of this Act to the whole or part or parts of Kenya.

Definition

L.N.1720/1955, L.N.172/1960.

3.In this Act, except where the context otherwise requires—

"agricultural produce" means any article produced or derived from farming operations and includes meat and all other products derived from livestock;

"crop" includes all trees grown for timber, fuel or food production, or any other purpose;

"livestock" includes cattle, sheep, goats, donkeys, poultry and any other animal which the Minister may by order declare to be livestock for the purpose of this Act.

Rules

47 of 1949,s.2, L.N.1720/1955 6 of 1959,Sch. L.N.173/1960, 21 of 1966 1st Sch., 8 of 1968,Sch.

4.(1) The Minister may make rules, applicable to such area or areas as may be named therein, for the following purposes—

(a) declaring the kind of crop or agricultural produce which shall come under the operation of this Act;

(b) improving the cultural conditions of any crop, or the methods of its production, and the prevention of its destruction or waste;

(c) improving the quality of any agricultural produce;

(d) specifying any particular Kind of crop, tree or plant, or variety thereof, as the kind which may or may not be grown, or which may or may not be destroyed;

(e) the destruction of any diseased crop or agricultural produce with or without compensation to owner thereof;

(i) assisting and, if necessary, controlling transportation, grading, preparation for market and marketing of any crop or agricultural produce;

- (g) the inspection of any crop or agricultural produce;
- (h) the regulation, licensing and control of trading in any agricultural produce or crop;
- (ha) the regulation, licensing and control, in the interests of any industry concerned with any agricultural produce or crop, of factories and plant for processing that agricultural produce or crops;
- (hb) limiting the area of land on which persons may plant crops or particular crops or particular types of a crop, whether by reference to their past production or otherwise;
- (i) defining or limiting the number, kind ages and sexes of the livestock to be carried on any area;
- (j) promoting the improvement of the quality of the livestock in any area and preventing losses from disease or other cause;
- (k) the disposal of surplus and undesirable livestock;
- (l) fixing and collecting fees and charges in connexion with the operations of this Act;
- (m) generally for carrying out the provisions of this Act.

(2) Rules made under subsection (1) of this section providing for a system of licensing may empower the licensing authority—

- (a) to attach conditions to a licence; or
- (b) to refuse to grant or renew a licence on any ground which appears to the licensing authority to be reasonable and in the interests of the production, improvement, marketing or processing of the agricultural produce or crop concerned.

Power of certain local authorities to make by-laws
L.N.256/1963

4A.(1) Subject to the approval of the Minister for the time being responsible for animal husbandry, a municipal council, an urban council and an area council may each make by-laws applicable to its area, or any part thereof, for all or any of the following purposes for which no rules made under section 4 of this Act are in force in that area—

- (a) for prohibiting the keeping or grazing of any livestock on any agricultural land in such area;
- (b) for regulating or controlling the numbers and kinds of livestock which may be kept on any such agricultural land;
- (c) for requiring male livestock to be castrated;
- (d) for licensing male breeding livestock;
- (e) for providing for the compulsory reduction of the numbers of livestock in any such area; and
- {f} for imposing and collecting grazing fees.

(2) Subject to the approval of the Minister for the time being responsible for animal husbandry, a county council may, where no scheme for the artificial insemination of cattle exists in the county, make by-laws providing for schemes for the artificial insemination of cattle.

(3) The procedure for the making, approval and publication of by-laws made under this section shall be that prescribed in the Local Government Regulations, 1963, and for the purposes of the enforcement thereof and the disposal of fines imposed for contravention thereof such by-laws shall be deemed to be by-laws made by the same local authority under those Regulations.

Penalty

7 of 1960.s. 2, L.N. 256/1963

5. Any person who contravenes the provisions of any rule or by-law made under this Act shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred shillings or to both such imprisonment and such fine.

Forfeiture

7 of 1960, s. 3, 9 of 1967, Sch.

6.(1) The court convicting any person under section 5 of this Act may, in addition to or in lieu of imposing any other punishment authorized by law, order that the crop, agricultural produce or livestock in respect of which the breach was committed, or any part of such crop, agricultural produce or livestock, shall be forfeited.

(2) Where any crop or livestock is forfeited under subsection (1) of this section, it shall be sold or otherwise dealt with as the court shall direct.

(3) Where any crop or livestock is ordered to be sold, the court may direct that the proceeds of sale or any portion thereof shall be paid to any person appearing to be the owner of the crop or livestock; and subject to any such direction as aforesaid the proceeds of sale shall be paid into the consolidated fund.