

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Wednesday 16th February, 2022

Assembly Building

The House met at 10.10am

[The Temporary Speaker (Hon. Philip Wanjohi) in the Chair]

PRAYERS

The Temporary Speaker (Hon. Philip Wanjohi): Honorable Members welcome to the morning session, clerk next order?

PAPER

AGRICULTURE COMMITTEE REPORT ON THE NAKURU COUNTY LIVESTOCK

SALES YARD BILL NO. 10 OF 2019

The Temporary Speaker (Hon. Philip Wanjohi): Honorable members we have a Paper; Report of the Committee on Agriculture on the Nakuru County Livestock Sale Yard Bill No. 10 of 2019 to be presented by the vice chairperson Committee on Agriculture Honorable Wilson Wachira.

Hon. Wilson Wachira: Thank you Mr. Speaker Sir, on behalf of the Chairperson Committee on Agriculture, Hon. Daniel Kiriethe table the report on Nakuru County Livestock Yard Bill 2019, I beg to table.

The Temporary Speaker (Hon. Philip Wanjohi): Thank you honorable Wilson Mwangi for laying the paper. Clerk next order?

MOTION

THE NAKURU COUNTY LIVESTOCK SALES YARD BILL NO. 10 OF 2019

(Second Reading)

The Temporary Speaker (Hon. Philip Wanjohi): Honorable Members we have a Motion that Nakuru Livestock Yard Bill No 10 of 2019 be now read a Second Time, Honorable Wilson.

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Hon. Wilson Wachira: Mr. Temporary Speaker Sir, we have a Motion of the Nakuru County Livestock Sales Yard Bill No 10 of 2019, whereby the committee has brought this Bill in a matter of promoting the livestock farmers in Nakuru County. We are going to create the livestock yards in most areas which is arid or semi- arid whereby most farmers do livestock farming.

As we had tabled this Bill , we have many goodies that will come with the Bill in most cases as we know most of the livestock farmers in those areas have been selling their animals at a very low price or at a throw away price because there is no control of the business.

This Bill will enable the surrounding farmers and the people surrounding those areas, mostly to create business and employment. When we make those yards, we are going to have our youths who are going to be employed in those stalls, in terms of cleaning the stalls and also maintaining them in the yard. Creating these yards will enable the County Government of Nakuru to create a lot of revenue. Having in mind that most of the arid areas which are neighboring Baringo County who have a lot of animals that would be brought in those yards from those counties. Meanwhile the County Government will be able to collect a lot of revenue in terms of licensing.

Also, in terms of control of diseases in those yards, we are going to make sure that those animals that have diseases will be able to be eliminated and we sell animals of good health. We have been having a very big problem of animal theft and in this Bill, we have officers who will be manning those yards who have been given the authority to remove any animal that has been stolen from either in the locality or animals that have been stolen outside our county.

So, we have many goodies that have been brought by this Bill which should be able to promote livestock farmers who have been suffering for quite a long time. These farmers have been yearning to have yards to make their business easier.

Some of the farmers have been traveling far areas like Narok where they have yards.

This Bill will enable our farmers to be traveling to the nearby yards. It will also help in terms of the animals that die when they are being transported.

This Bill will be a milestone in terms of promoting the livestock farmers who are within our county and promotion of business entrepreneurs in our county.

We also have the amendments that will be read later, maybe in the Committee of the Whole.

I now give this opportunity to Hon. Karanja Wamariam to second. Thank you.

The Temporary Speaker (Hon. Phillip Wanjohi): Thank you Hon. Member. Hon. Karanja from Naivasha East!

Hon. Stanley Karanja: Thank you, Mr. Temporary Speaker. Let me first of all start by thanking the Agriculture Committee that through deliberation, consultation and public participation did come up with this Bill.

I know the members may be have gone through this Bill. And it is good that the members do this Bill and what it purports to do for the sake of the people of this great county of Nakuru.

If you read the Bill well, the way it is structured, from the Short Title and powers of the County Service Board, establishment of livestock sales yards. In my ward. I have already established sales yard. This Bill has come at a time that this county really needs this Bill. let me take members through this Bill in terms of seconding it.

During the sales yard nobody can go to the sales yard and purport to be either selling or auctioning without keeping records and documentation, reason being that each operator of livestock sales yard shall keep those records so that now the consignment you will be able to tell the animals I'm selling the car from the animals did come from Kitui or Elgeyo Marakwet.

Therefore, as Hon. Wajeff has alluded we will now be curbing what we have been having, cattle rustlers nobody can purport to be a cattle rustler and be allowed to come to a yard. We will have eliminated this vice systematically because normally what happened is one steals the animals takes them to the market and sells, right now in Nakuru, you will not be able to do that with this Bill.

if you go to part three where there is Administration you have details of the inspector. the inspector who is supposed to make sure that the rules and regulations are followed in the yard, that is page 7

The powers and details of an inspector;-

1. The inspector shall ensure that the livestock sales yard conforms with the requirements under the Act. You will not have a market that is littered because now we have now set the standards, that you cannot take now your animals anywhere.
You cannot take them to the basement, you cannot sell them at the side of the road because now there are set rules.
2. To ensure only licensed traders operate in the yard and that is where the catch is. And here members ought to know that you cannot now wake up because your cow has invaded somebody's cabbages you now rush it to a yard, now there are rules that you have to be licensed. And this where I want to take Members so that if they want amendments they know where the catch is, you cannot wake up and go and say well...

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3. Ensure the animals transported to the livestock yard meet the required standards, you cannot sell a sick cow that you have been unable to treat or it is to die, now you will need the required letter and documentation. If anybody decides to sell a sick cow it will be confiscated and destroyed. I do not know where Chebichi is because she was fond of selling sick cows

(Laughter)

The Temporary Speaker (Hon. Phillip Wanjohi): Hon. Karanja we do not have Chebichii in the House we only have Hon. Chebichi.

Hon. Stanley Karanja: yes Hon. Chebichii Mr. Temporary Speaker I know you will say something here because it will not be allowed and that is why I want Hon. Chebichi to take note of that. For you to be able to sell, you must have that license. That license will last for only 2 years. Therefore, if you are a notorious auctioneer or somebody who is operating a yard and you have been given a license and you have not conformed, your license will expire in those 2 years. In page 9, there is that handling and tying of animals. Subject to paragraph 3 below, the person shall handle an animal in a livestock yard by;

1. Lifting it off the ground.

The way we lift the animals, for example a chicken. You are not supposed to lift a chicken by one wing. *Sasa ni unaichukua vizuri kama mtoto unaiwekelea kwa kikapu.* I know now from Marioshoni, you will be able to know that. You cannot now pick the animal by dragging the way we are used to do. *Hio sasa haitakuwa.* The other thing is that no person shall;

1. Tie up or muzzle any animal or calf.

Kwa hivyo, ikiwa njau ndogo, huwezifunga. Hakuna kamba. Ni uipeleke polepole.

2. Tie any poultry by the neck.
3. Tie any poultry by the neck, leg or wing.

You know vile *huwa tunafunga kuku miguu halafu unainamisha kichwa, unafungilia kwa baiskeli eti unaipeleka* Kisumu. You will not be able to do that.

In control of livestock, no person shall use excessive force to control any livestock in any sales yard. This is whereby some people who are taking the animals have an instrument that can inflict shock. *Hautakuwa unafanya hivyo. Kama ni ngombe, utakuwa unaipeleka vizuri kwa sababu hata hio ng'ombe ina animal rights.* Any stick or other instrument that can hit calves. *Tunapeleka calves polepole. Hakuna kugonga.* The last one is the penning and caging of livestock where I wanted the Members to take note. It shall be the duty of the livestock sales yard operator to ensure that no animal is kept in a pen, cage or hatch which is unsuitable for the

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size or species. *Huweziweka ng'ombe na mbuzi kwa yard moja. Kama ni ng'ombe, upande yake. Kama ni mbuzi, upande yake.*

In page 11, any pen in which any cows or pigs are kept is of sufficient size. Any cage or hatch in which the poultry or rabbit is kept is of such a design as to enable the poultry to stand in their natural position. *Hii yenye tunaletewa kuku eti unamlalisha ndio watoshee wengi; ni lazima kuku aweze kusimama na kutembea.* When a livestock is penned, those of one species are kept in separate pens. That is why we are saying that this Bill uplifts those rights that we have been denying our animals. *Unajuawengine tunasema ya kwamba eti kwa sababu wengine tunapeleka kuuza, unapiga na kusumbua mnyama.* In page 14, we came up with how you can sell your animals in livestock yard. You can sell by regular sale where the price of livestock shall be determined by the prevailing livestock sales yard price. *Kama pale mumeandika kwa yard ng'ombe size hii ni pesa hizi.* Also, you can sell by auction and that auction must be advertised. Where any livestock is put up for sale by an auction, *wameweka hio eti lazima* you advertise. It is also stated that the sale without reserve or to that effect, then it shall not be unlawful for the seller or any person employed by him so you cannot go and say that you were selling your animal. This Bill has come such a time when our county or some people have been siphoning money from our members. Therefore, as I second this Motion, this is a Bill that members ought to pass so that it will cushion our farmers from extortionists and those people who are exploiting our farmers. I beg to second.

The Temporary Speaker (Hon. Philip Wanjohi): Thank you Hon. Member from Naivasha East and the vice chair.

(Question proposed that the Nakuru County Livestock Sales Yard Bill No. 10 of 2019 be now read a Second Time.)

The Temporary Speaker (Hon. Philip Wanjohi): Motion is now open for discussion. Hon. Chebichii

Hon. Irene Chebichii: Thank you very much Mr. Temporary Speaker sir. First of all I want to thank my colleagues at the Agriculture Committee. Being the sponsor of the Bill, first of all I want to thank the Honorable Members of the Agriculture Committee and the entire House, also the office of the Speaker for according us all the support that we actually needed to get to this point. Also, I want to thank the seconder of the Motion of today, Hon. Karanja, he has given us the true picture of the Bill, and I think the Honorable Members present here can now understand what we are talking about. Nakuru County Sale Yard Bill is simply a Bill that actually targets more the farmers. We have several markets within our county, the market that have been selling livestock but they have been operating without any law to operationalize the markets. We

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decided to come up with this Bill so that we can assist our farmers and also those operating the market to have a legal framework or a guideline on how they are going to do their work. We happen to have to consult several markets and being a member of the County Assembly representing Soin, I believe Soin is the ward that has the big livestock market within our county. I knew the challenges that my people were going through while doing livestock auctions. We have been conducting auctions on a weekly basis where we have been selling several livestock but there has been a lot of gaps in terms of the issue of licensing, handling livestock, the issue of diseases that the Hon. Karanja has talked about. You understand that since the issue of livestock is a devolved function, there has no good structures on how we are going to handle it as a county but now we have a good framework that starts from the ground such as the farmers, the committees in charge of markets, the director in charge, the sub county officer and we have the CECM in charge and also the Governor, it will be easy for us to work together as a County to make sure that we actually assist our farmers. Also some of this markets are always operated by people who do not have enough knowledge and others do not have licenses, that is the private ones and this law will assist them on how they are going to be registered before they operate the market in terms of private and public ones that are constructed by county government. We also have the duties of the committees' outlines in each market. Now their duties are well elaborated by the Bill that they will be able to follow the guideline to ensure everything moves smoothly. I want to request the Honorable members that we team up so that we pass this Bill so that we are able to give a go-ahead to our markets to have the best sales yards and also in terms of marketing of our livestock. Thank you so much Mr. Temporary Speaker sir.

The Temporary Speaker (Hon. Philip Wanjohi): Thank you Hon. Chebichii Member for Soin. The Mover, Hon. Wilson

Hon. Wilson Wachira: Thank you Mr. Temporary Speaker, I think Honorable Members have really elaborated on the issue concerning this Bill and we are hopeful that we will be able to pass this Bill so that we can give our livestock farmers the leeway to do a good business in this great County of Nakuru. Thank you.

The Temporary Speaker (Hon. Philip Wanjohi): Thank you very much Hon. Wilson Wajeff and the members for your contributions

(Question proposed)

(Question put and agreed to)

(The Nakuru County Livestock Sales Yard Bill No. 10 Of 2019 was accordingly read a

Second Time.)

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ADJOURNMENT

Hon Members the assembly remains adjourned until 2.30 in the afternoon

(The House rose at 10.40 am)