

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Tuesday, 5th June 2018

The House met at 9:43 a.m.

[The Speaker (Hon. Nduati Kariuki) in the Chair]

PRAYERS

PETITIONS

**PUBLIC PETITION BY CITIZENS OF KENYA ST. MARY VILLAGE IN TOWNSHIP
WARD ON FAILURE TO PUT UP A PROPER DRAINAGE SYSTEM ON THE ROAD
NEIGHBOURING MUKAMI'S PLAZA OFF KANGEMA ROAD IN TOWNSHIP WARD
KIHARU CONSTITUENCY.**

Pursuant to Standing Order 214 (2) (b), I wish to report that on May 15, 2018, the County Assembly received a public petition submitted by residents of St. Mary village, Township Ward in Kiharu Constituency.

The petitioners draw the attention of the Assembly to the matter of failure to put a proper drainage system on the road neighbouring Mukami's plaza off Kangema road in Township Ward, Kiharu Constituency.

I further wish to state that the Petition is signed by 12 petitioners.

The petitioners confirm that the issues in respect of the petition are not pending before any court of law or constitutional or legal institution.

The petitioner's prayer is that; the County Assembly passes a resolution that the culvert be constructed immediately and the affected families who have been affected negatively to be compensated by the County Government.

Pursuant to the provisions of Standing Order 216 (1), the petition is hereby committed to the Sectoral Committee on Public Works, Roads and Transport Committee.

Further, pursuant to Standing Order 216 (2) the Committee shall in not more than 60 calendar days from today, respond to the petitioners by way of a report addressed to the petitioners and laid on the table of the Assembly.

**PUBLIC PETITION BY A CITIZEN OF KENYA ON THE ENACTMENT OF MURANG'A
COUNTY DISASTER AND EMERGENCY MANAGEMENT BILL, 2018.**

Pursuant to Standing Order 214 (2) (b), I wish to report that on May 22, 2018, the County Assembly received a public petition submitted by Mr. Benjamin Gachagua Mwangi of ID No. 2039568 a resident of Township Ward and Kiharu Constituency of Murang'a County.

The petitioner draws the attention of the Assembly to the matter of enactment of the Murang'a County Disaster and Emergency Management bill, 2018

I further wish to state that the Petition is signed by one petitioner. The petitioner's prayer is that;

1. The Assembly enacts a Bill to cater for Disasters and Emergencies management.
2. That Assembly enacts a Bill with necessary offices and timelines for prompt handling of such disasters.
3. The Assembly enacts a Bill for the provision of humanitarian assistance to affected victims of these calamities
4. The Assembly in haste and passion of urgency do pass the legislation within the period as the calamities persist and outlook not predictable.
5. The Assembly do commit the annexed draft Bill with view of passing the same as Murang'a Disaster and Emergency Act 2018.

Pursuant to the provisions of Standing Order 216 (1), the petition is hereby committed to the Sectoral Committee on Finance and Economic Planning Committee.

Further, pursuant to Standing Order 216 (2) the Committee shall in not more than 60 calendar days from today, respond to the petitioners by way of a report addressed to the petitioners and laid on the table of the Assembly.

PUBLIC PETITION BY THE GATANGA COMMUNITY FOR THE STALLED/INCOMPLETE BUILDING IN KIRWARA LEVEL FOUR HOSPITAL.

Pursuant to Standing Order 214 (2) (b), I wish to report that on May 25, 2018, the County Assembly received a public petition submitted by residents of Gatanga.

The petitioners draw the attention of the Assembly to the matter of the stalled/incomplete building in Kirwara level four hospital which is meant to improve the facility by creating more space for better services after its completion.

I further wish to state that the Petition is signed by 20 petitioners. The petitioners' prayer is that;

1. The Assembly investigates why the building stalled
2. Informs the community on the progress
3. Informs the community when the building will be ready for use.

Pursuant to the provisions of Standing Order 216 (1), the petition is hereby committed to the Sectoral Committee on Health Services Committee.

Further, pursuant to Standing Order 216 (2) the Committee shall in not more than 60 calendar days from today, respond to the petitioners by way of a report addressed to the petitioners and laid on the table of the Assembly.

PAPERS

REPORT OF DELEGATED COUNTY LEGISLATION COMMITTEE ON A VISIT TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY IN DODOMA, TANZANIA.

Hon. Duncan Muturi: I thank you Mr. Speaker Sir. I beg to lay the following paper on the table of the Assembly on behalf of the Chair Delegated.

That, the report of the Delegated County Legislation Committee on a Visit to The East African Legislative Assembly Dodoma, Tanzania be laid on the table of the Assembly.

(Hon. Duncan Muturi laid the Paper on the Table)

I thank you Mr. Speaker.

REPORT OF WATER, ENERGY, FORESTRY, ENVIRONMENT AND NATURAL
RESOURCES COMMITTEE ON ENVIRONMENTAL CONSERVATION STRATEGIES
IN THE COUNTY

Hon. Peter Mweri: I thank you Mr. Speaker Sir. I would like to lay the following paper;
That, the report of the Water, Energy, Forestry, Environment and Natural Resources
Committee on Environmental Conservation Strategies in the County be laid on the table of the
Assembly.

(Hon. Peter Mweri laid the Paper on the Table)

I thank you Hon. Speaker.

NOTICES OF MOTION

ADOPTION OF REPORT OF DELEGATED COUNTY LEGISLATION COMMITTEE ON
VISIT TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY IN DODOMA, TANZANIA

Hon. Duncan Muturi: I thank you Mr. Speaker Sir. I beg to give notice of the following
motion;

That this House adopts the report of the Delegated County Legislation Committee on a visit to
the East African Legislative Assembly Dodoma, Tanzania be laid on the Table of the Assembly
on Tuesday June 5th 2018.

I thank you Mr. Speaker.

ADOPTION OF REPORT WATER, ENERGY, FORESTRY, ENVIRONMENT AND
NATURAL RESOURCES COMMITTEE ON ENVIRONMENTAL CONSERVATION
STRATEGIES IN THE COUNTY

Hon. Peter Mweri: I thank you Mr. Speaker Sir. I would like to give notice of motion;
That this House adopts the report of the Water, Energy, Forestry, Environment and Natural
Resources Committee on Environmental Conservation Strategies in the County be laid on the
table of the Assembly on 5th June 2018.

I thank you Hon. Speaker.

MOTION

ADOPTION OF REPORT OF AGRICULTURE, LIVESTOCK AND FISHERIES COMMITTEE ON AN EXPEDITION TO MOMBASA TO LEARN ABOUT TEA VALUE ADDITION, WAREHOUSING TEA TRADE AT THE AUCTION AND TEA EXPORTS

Hon. Charles Kahoro: I thank you Mr. Speaker Sir. I beg to move the following motion; That this Assembly adopts the report of the Agriculture, Livestock and Fisheries Committee on an Expedition to Mombasa to Learn about Tea Value Addition, Warehousing, Tea Trade at The Auction and Tea Exports from 6th -11th April, 2018 laid on the table of the Assembly on Wednesday May 30, 2018.

Mr. Speaker in seeking to understand the Tea sector in terms of warehousing, handling, value addition, marketing, trading and exportation and benefits of the small holder tea producers, the Committee undertook a learning expedition to Mombasa and met with various agencies that deal in tea. The committee also undertook site visits during this expedition.

The terms of reference to the committee is to report on the findings of the learning expedition and tours of various agencies that deal in tea and to make recommendations on based on the findings of the learning expedition.

The committee has 14 members and mandate of the committee are under Standing Order 195 (5) and it is mandated to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.

Mr. Speaker this report was considered at length by the committee in a sitting held at the County Assembly on 3rd of May 2018 and resolution to adopt this report was reached anonymously by members of the committee.

The committee wish to sincerely thank the offices of the Honourable Speaker and the Clerk of the County Assembly for the support and services extended to the Members to enable the Committee complete this report.

I am grateful for the Members of the Committee as well, for their diligence, commitment and competence in the completion of this task.

On behalf of the sectoral Committee on Agriculture, Livestock and Fisheries it is my pleasure and duty to present to the House, the Committee's Report for adoption.

Mr. Speaker a summary, the Agriculture Livestock and Fisheries committee in the interest of keenly comprehending the structure, systems and players in the Tea Industry sector resolved to undertake a learning expedition on the sector. The Committee sought to establish the stages involved from growing of tea, to plucking, production, transportation, warehousing, value addition, marketing, trade at the auction and exportation.

In this regard, the committee engaged the management of Chai Trading Company Limited, a subsidiary company of Kenya Tea Development Agency (KTDA) one of the key industry players. The Managing director of the Company Mr. Charles Mbui was pleased to accept the request of the committee to visit the Company and prepared a comprehensive five days itinerary of all the tours and meeting that the committee would undertake.

The program prepared covered the following;

1. A meeting with the management of Chai Trading Limited
2. Tour of the Chai Trading Company Limited Tea Warehouses

3. Meeting with buyers and brokers (Board members) of the East African Tea Trade Association (EATTA)
4. Tour of the fertilizer warehouse of Chai Trading Company Limited
5. Tour of the Port of Mombasa (KPA)
6. Attendance of the live Tea Auction at the East African Tea Trade Association.
7. Tour of the blending warehouse of Chai Trading Company Limited.

An overview of the Tea Industry in Kenya: the World Trade Organization (WTO) 2016, ranked Kenya as the 3rd leading producer of black tea in the world and the largest exporter of tea in the world accounting for 22% of all world tea exports. Being a prominent crop in Kenya, more than 10% of the Kenyan population depends on tea for livelihood.

Tea is grown in the highlands where there is adequate rainfall, low temperatures and good soil. Tea grows best in Central Kenya's alluvial soil from the volcanic action of Mt. Kenya. In western Kenya it is concentrated around the highlands in the West of the Rift Valley and Lake Victoria region.

The tea industry is regulated under the Tea Directorate arm of the Agriculture, Fisheries and Food Authority and also within the legal framework of the Crops Act, 2013 and the subsidiary legislation (regulations) of the Tea Act Cap 343.

Tea production is divided between small holder tea growers and large scale tea producers like Unilever. Most of the small holder tea growers in Kenya are consolidated under one umbrella management agent of the Kenya Tea Development Agency (KTDA) which controls 68 factories in the Kenya. The main export markets for Kenyan Tea are Pakistan, Egypt, UK, United Arab Emirates (UAE) and Russia.

Mr. Speaker, when the committee was meeting with the Management of Chai Trading Company Limited on 6th April, 2018 with the management team of Chai Trading Company Limited. Members were informed that Chai Trading Company Limited is a subsidiary company of Kenya Tea Development Agency (KTDA) which is owned by farmers' factories through shareholdings. Chai Trading Company Limited was established as part of the KTDA's expansion plans of increasing their revenue base.

KTDA Ltd is the leading private management agency for the small scale tea farmers in Kenya. Currently, there are 63 factories in Kenya in the small-scale tea sub-sector under the management of the agency. KTDA is contracted by the tea factory Companies to perform the following functions;

1. Manage tea cultivation
2. Develop and maintain tea husbandry

(The Speaker interjected)

The Speaker (Hon. Nduati Kariuki): Order! I think Hon. Member I know you are aware that you are not supposed to be reading your report, you should have studied your report, and the members have the report in their files so you do not need to read for them. All you are supposed to do is give a summary of the motion and give the highlights and also the recommendations. The Standing Orders do not allow you to read the report.

Hon. Charles Kahoro: Thank you Mr. Speaker sir. The model adopted by KTDA spanning years has managed to bring together about 600,000 tea farmers as shareholders and have

managed to build their own factories. In Murang'a County, the Tea Factory Companies under KTDA management are ten Tea Factories.

We also visited the Tea warehouse in Miritini; members learned that the new technology has enhanced efficiency in handling of tea from the point of arrival at the warehouses to dispatch.

Members also visited the fertilizer warehouse where the company prides itself in being ISO certified in maintaining international standards of storage and safety. This warehouse, members were informed that the only competitor for KTDA in fertilizer importation in Africa is Ethiopia. Members noted that the economies of scale have also allowed the company to facilitate construction of new factories.

Mr. Speaker we also had an opportunity to visit East African Tea Trade Association Auction centre. The 10 footprint countries in Africa that sell their teas at the auction are; Kenya, Uganda, Tanzania, Rwanda, Burundi, Malawi, DR Congo, Mozambique, Madagascar and Ethiopia. We were also fortunate to learn the role of the tea brokers at the auction where most of the members do not understand the roles of a tea broker, considering the name broker. We were made to understand that these work hand in hand with the producers and also the exporters. We also had an opportunity to know the advantages of the tea auction platform.

We were made to understand that Pakistan remains the top importer of Kenyan tea for the past five years. Having gone through many areas, the committee had the findings; that the local tea consumption has remained low at 5% of the production, since Kenya exports most of its tea contributing to about 20% of the world's tea exports.

That Kenya is the world's leading exporter of black tea hence presenting a risk of over reliance on black teas.

That KTDA managed factories have continued to offer very competitive prices at the tea auction, selling at an average price of 3 US dollars per kilogram.

That Rwanda tea is fast taking over Kenya with production of better quality tea and better prices at the auction selling at almost 4 US dollars per kilogram. This is as a result of Kenya compromising its tea quality arising from poor crop husbandry, political interferences, tea hawking activities among other challenges.

That tea brokers at the auction are legal professionals recognized under the subsidiary legislation/regulations of the Tea Act Cap 343 as the link between producers and buyers. Further to that, they do not determine the prices at the auction since the prices are mainly driven by buyers' preferences, quality and characteristics of tea and are paid at a fixed commission.

That the burden of numerous taxes still imposed in the tea sector by the National Government and even some County Governments continues to have a downward impact on the net returns to the farmers.

With the Taskforce report of 2016 on the tea sector recommending the establishment of cottage industries to promote value addition and product diversification and encourage competition, some new entrants are not operating within the existing regulations of the sector and are propagating tea hawking by setting up industries without having adequate supply of source of leaves. This is jeopardizing the quality of leaves collected, encouraging insecurity, theft and poverty in the areas affected.

In responding to the effects of climate change, the Kenya Tea Development Agency (KTDA) in partnership with Rainforest Alliance (RA) have continued to plant indigenous trees in their own forests in tea growing areas and are adopting the best practices to reduce the amount of wood fuel for production energy.

The committee recommends as follows; that, to increase domestic tea consumption, the County Government can partner with sector agencies to invest more in marketing and innovation to shape tea consumption habits especially in the young generation.

That, to avoid over reliance on black tea, the County Government in partnership with KTDA, the Tea Research Institute of Kenya, the Tea Directorate and other stakeholders should sensitize and support tea producers to diversify into other products like specialty teas so as to compete with the global demand of diverse teas.

That, for Kenya to reclaim and improve production of better quality and competitive tea than Rwanda, the sector players and the County Government should empower farmers through comprehensive crop husbandry which entails organized trainings of farmers on farm inputs application, plucking standards, handling of tea at production, among others.

That, the farmers should be sensitized about the brokers in the tea sector and the role they play at the auction, so as to demystify the misconception of producers and the public that brokers collude with buyers to fix prices at the auction at the expense of farmers.

That, while appreciating the reduction in some tea sector levies like the ad-valorem levy and brokerage fees, the County Government should continue to engage in negotiations with the tea sector players and the National Government to further reduce the numerous levies still in effect so as to maximize the returns of farmers.

That, the County Government in consultation with the Tea Directorate should curb tea hawking by ensuring that new entrants in manufacturing are complying with the law that requires them to have adequate supply of tea leaves and have registered and signed agreements with all the growers supplying tea to their factories.

That, in as much as KTDA are pushing to be allowed to use wood fuel from trees planted in their own forests in the tea catchment areas, it is prudent for them to adopt alternative sources of energy including green energy and also establish the viability of developing mini hydro- power plants that would run the tea factories and sell any excess power generated to the national power grid.

That, the County Government to engage with the Senate to an amendment of the AFFA Act 2013 whose consideration for agriculture hinders crops specific intervention in the agriculture sector.

Mr. Speaker I now ask Hon. Kiiru to support the Motion.

(Laughter)

Hon. Charles Kahoro: Mr. Speaker I was referring to Hon. Kiiru from Murarandia who was seated there. I now ask any other member to second the Motion.

The Speaker (Hon. Nduati Kariuki): Can you pin point a Member you want to second the Motion?

Hon. Charles Kahoro: The Majority Leader, Erick Kamande.

The Speaker: Is he in your committee?

(Laughter)

The Speaker: Okay

Hon. Morris Thuku Gathoni: Thank you Mr. Speaker Sir, I am not here to second the Motion but may be to request the Chairman for Agriculture, it seems the committee was not ready to Table the Motion since if none of the members are available in this Honorable House to second the Motion, I wonder how other members who were not in the trip can support your Motion may be the committee have not agreed upon themselves? Thank you Mr. Speaker.

Hon. Charles Kahoro: Mr. Speaker Sir I have seen one of my member Hon. Stanley Mburu and I ask him to come and second the Motion.

The Speaker: Does he know what the seconder is seconding?

Hon. Charles Kahoro: Yes we had agreed.

Hon. Stanley Muhia: I stand to second the Motion and I want to believe that, though I am late and I want to apologize, you are all talking about the trip for Mombasa which was very educative, it was very important to this Assembly to have sent some of its members to Mombasa and especially to go and see what happens in the tea sector.

Murang'a County is a County believed to be one of the co-partners of this country as far as agriculture is concerned. Tea being one of the main products that grow in our farms and this County being very rich and very famous for the very good tea that comes from this place.

We were able to witness what goes on during the auctioning of the tea and we realized that it is actually the quality of the tea that will at the far end determine even if our tea is actually going to be bought and at what price. So it is not just any tea but it's the quality of tea that we produce.

Therefore, we are able to talk to the people that we represent to improve on the quality of their tea and I think it is also important to note that, now we have a petition that was actually brought to us but it is subjudice to discuss. It is very important for tea to be processed, actually if it is possible to be moved by KTDA in a very structured manner. But that's for another day.

I stand to second the motion. Thank you very much.

(Question proposed)

Hon. Murigi Amos: One thing is to thank the committee for the report though it seems they were not ready for it, to place it today but the content of the report is so good. One thing they have come up with is very crucial issues touching on this sector, considering tea is one of the major cash crops in this County because I know coffee has been facing some issues and if you look at the economy of the upper part of this County more so it relies on tea and I believe the recommendations which are here should at least where possible be implemented.

One of the concerns about the issue on recommendations like number six, that the County Government in consultation with the Tea Directorate and I think we have established some directorates like the Coffee Directorate and Tea Directorate and when I visited especially the Coffee Directorate I wanted to pick some issues even with the Tea Directorate they do not operate within any law.

Because I think first as an Assembly this is a weakness we should not have allowed them to have an office which is not based on any law. I think it is important even when we have the issues of Tea Directorate we should have a policy, we have law so that they have some work to do because I was asking them some questions and sometimes they are earning salaries for nothing because they do not have any law when it comes to the issues like coffee.

What are you doing about the coffee hawking? They never had any answers, but they were saying they require to have some sort of regulations which does not come from the

Executive, more so it is from this House So the failure is from this House and I think it is important that those from the agriculture that this Tea Directorates, I think it is important that they have a policy on how they are supposed to be regulated.

The other issue is when you talk to those farmers from up there, when you talk about some of this levies, I think we need also to be considerate. When you look at the roads around some of those tea producing areas, they are mainly maintained by those factories and the County sometimes does very little. The County still collects money in terms of cess fee. They do not maintain those roads they are solely maintained by those coffee factories.

I think as we challenge other authorities at least not to levy so many taxes, I think it's also prudent upon the County Government to also look at the issue of cess because I know most of the roads there, they are not maintained by the County but they are maintained by the coffee factories because I know they have some tipper. I know they have bought some tipper and lorries to maintain their roads and I think it is also important for the County Government to consider that because sometimes there is no need of collecting money and that money is not being channelled back to those areas.

The other issue of concern is about recommendation number seven, about the issue of using wood fuel. I am sure if you visit some parts like I have visited Kandara and Kigumo, these tea factories they have done a lot of damage in terms of deforestation.

Our government is very particular about the issue of afforestation in our counties but I believe these tea factories they are doing a lot of damage. Yes, they are saying that they are using wood fuel from their own forest but this is not the case. If you go some part of Kandara –Kigumo there on the road there is heap of firewood and sometimes even cutting the avocado trees because of the poverty level that is there and especially when there was drought and you want to feed your family. What they were going for is even cutting down the avocado trees so that they can address the immediate need, may be they do not have anything for supper they had to release.

We are being made to understand that the energy sector is even producing excessively the recommended national grid has excess. I think they should shift from using the wood fuel so that they can more so use electricity because I know the government uses a lot of money, like this season the government has used a lot of money. We were receiving about 2000-3000 trees per ward and the government is out of money and there is no need after sometime all these trees are cut and sold to Kenya Tea Development Authority (KTDA).

I think as a County we should also come up with a policy so that we compel them that they should not use wood fuel.

Lastly, it seems like this sector is facing some crucial issues which are crossing-cutting and we also call upon the tea producing counties because I know Kiambu, Kirinyaga and Nyeri they are tea producing counties, they should at least form a block to try and resolve some of these issues which are cutting-across. I think this one would be so good, the small scale farmers in those counties, they should at least come together so that they can be able to negotiate with the KTDA and the government when it comes some of this small issues affecting the small scale farmers.

With all this I know we have a lot of potential in our County and our farmers I know like this time, they won over a billion which is a lot of money which I think if they can be assisted by the County Government and this Assembly/ I think we have potential of even earning more than what we get now. Otherwise I stand to support.

Hon. Stephen Chege: Thank you Mr. Speaker, I want to start by first congratulating the Chair, Honorable Kahoro. I have been attracted by the part on value addition because I represent the young people of this County.

If we can follow those recommendations, it will create employment among the young people so I think what you have to do, Chair and your committee is to follow up with the County Executive Committee (CEC) member for Agriculture so that they can implement of what you benchmarked there. Thank you Mr. Speaker, I support.

Hon. Peter Mweri: Thank you Mr. Speaker, I would also like to congratulate the team, the Agriculture committee for a good report over their visit to Mombasa. I think they are now informed and us as well.

I would like to touch on recommendation number two where they have cited or noted that we have other teas not only the black tea and I would request the various stakeholders including the County and the factories to sensitize the farmers so that can know about other teas. I know in our area, Rwathia we even have purple tea which is more valuable than black tea. If the farmers are well informed they can grow other teas.

There was this issue on recommendation number three on improvement of production and quality. The sector players and the County Government should empower farmers through comprehensive crop husbandry.

I was in the last Assembly and tea being a major cash crop in Kenya as my colleague Hon. Murigi has said and so is coffee, we have been putting a lot of effort on coffee, giving the subsidies, giving the crop itself and I think the committee on Agriculture should follow up subsidy if the County can be able to provide so that the farmers can make even more.

On recommendation number five on the levies, if they are minimized or reduced, I think it will give motivation to farmers thus earning the County more income.

On point number six on the tea hawking I think it is good as they have said in number six; we try to regulate the buyers because at the moment, there are very many hawkers in this tea industry. What will happen in future? I understand they are hawking after picking the finest tea leaves and I heard from an expert that after long term, the crop itself will not be able to yield quickly because the bottom leaves have been plucked. Therefore, the Committee should look into that.

There is also that risk of theft at night. Your tea may be picked at night without your knowledge and that is not good at all.

I would also like to comment on the use of firewood. As my colleague from Kimorori has said, the cutting down of trees is an old custom. I have heard from the Directors of the Kenya Tea Development Agency that some of the machines were accustomed to the use firewood or charcoal. This is the good time to look for modern technology.

I would like to appreciate Gatunguru Tea Factory from Mathioya because they have gone ahead to have their own hydropower which will serve its factory and other neighbouring factories as well as the residents at a very low cost; thus reducing the use of firewood. Otherwise, I once again thank the Committee and support the Report.

Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): Hon. Jecinta.

Hon. Jecinta Ng'ang'a: Thank you Mr. Speaker, I am the Member of County Assembly (MCA) for Township. First and foremost, I take this opportunity to congratulate the Chair and

the Committee at large for Agriculture, Livestock and Fisheries for an elaborative Report of their tour.

When I looked at the title of the tour- an Expedition to Mombasa to Learn about Tea Value Addition, Warehousing, Tea Trade at the Auction and Tea Exportation- I went through the Report and cited that it has mentioned more of trade.

However, when I looked at the combination of the people who went for the tour, there was no Member from the Trade, Industrialization, Cooperative Management, Tourism and Wildlife Committee. I wish that they are accompanied by one or two Members next time. I stand to support the Motion. Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): Thank you. Hon. Kiiru?

Hon. Kiiru Mwangi: Thank you Mr. Speaker, I am the MCA for Gaturi Ward. I also stand to support the Motion and congratulate the Agriculture, Livestock and Fisheries Committee for the work well done, despite the hiccup that we have seen and I would like the Members of this Assembly to take it as a responsibility, especially the Vice- Chairs. It is very shameful when a Chair stands here and there is nobody from the Committee to--- It is our responsibility to legislate in this Assembly. Let us take this work seriously.

I draw your attention to one recommendation on the quality of tea that we produce in Kenya. From the Report, we have seen Rwanda is doing better than Kenya. Instead of competing with fellow African countries, I request that we strive to hit the target. I have seen that Sri Lanka is the best in the world and we should strive to be better than Sri Lanka. We should compete with the global market instead of fighting or competing inter-Africa;

Two, I have heard several Members from the upper side complaining of the current trend of tea hawking. We should, because agriculture is devolved, come up with legislations to outlaw or ban tea hawking completely so that these members are not misused by brokers and look for ways of implementing such Bills.

Number three, I have seen recommendation number eight that the County Government should liaise with the Senate to change the Agriculture Fisheries and Food Authority (AFFA) Act, 2013 so that it can open up opportunity for specific crop interventions. In the same spirit, when petitioning the Senate, they should also take into consideration that agriculture is devolved; hence we should have regulations open for specific counties if we want to do specific interventions as a County.

This will go long ways in giving inter- counties' competition to improve quality and, thereafter, we are going to attract good markets and improve the quality of our products or tea. The Tea Industries Regulations, 2013, should also be looked into to cater for research interventions when dealing with tea brokers nationally. I wish to support the Motion. Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): Morris.

Hon. Morris Thuku: Thank you Mr. Speaker. First is to congratulate the Committee for Agriculture, Livestock and Fisheries despite the hiccup of other Members not attending. I want to echo the words of Hon. Kiiru that it is our mandate and responsibility to take the matters of this Assembly with ultimate seriousness they deserve. I stand to support the Motion and my comment is on recommendation number six, the issue to do with hawking.

Mr. Speaker, our tea, especially in Murang'a and Kiambu is one of the most endangered crops, if I may say. Hawking has become a menace because farmers are enticed with quick money which again is derailing the income on maximizing the maximum amount a farmer may

earn when we do consolidated marketing. It is, maybe, very important to look at the Tea Act, 2010, which liberalized the market and is making hawking to be quite hard to curb legally because when the Act is open to liberal markets, it becomes very hard on how you can regulate such people.

Maybe, in line with number eight, the Committee can take it as their mandate to lobby the Senate to pass the amendment to those Acts that hinder the growth and better prices to the tea sector. It is my recommendation that they should merge with the tea directors and maybe visit the Senate Committee on Agriculture to see how such lobbying can be done and how the AFFA Act, 2013 can be amended to favour the tea farmers. Of consideration, also, is that one other threat that the Committee should maybe look into is why farmers are currently intercropping.

Farmers in my ward have started looking into other crops that can give them higher value or return for their money. For instance, farmers are really planting Hass avocados in the tea zones that are fetching higher prices over tea. It should concern this Committee to see what can be done since tea has been one of the highest exports or foreign exchange earners to this Country. I stand to support the Motion and again, the recommendations ought to be implemented. Thank you, Mr. Speaker.

Hon. Ruth Wambui: Thank you Mr. Speaker, I am a nominated MCA to represent the youth and I stand to support the Motion to adopt the Report on Expedition to Mombasa to learn about tea value addition, warehousing, trade at the auction and tea exportation by the Agriculture, Livestock and Fisheries Committee. I also thank the Committee because this was a very good step that they took. I recall there were issues about tea in the last Assembly and I thank the Committee for going to the warehouse. I also felt it could have been very much in order if they had started from the producer so that they could understand the challenges.

I have seen that most of their recommendations for us to adopt are the same things that have been done at the ground. I have been in the tea industry for the last 12 years and I stand to correct Hon. Murigi because maybe the Chair does not understand about it. The Tea Directorate is governed or act according to the Tea Act, 2012, and the Crop Act, 2013. They are therefore totally in law and whatever they are doing is something that has been established legally.

I want to highlight some of the recommendations that have been given about the increase on the domestic consumption of tea in Murang'a County. This is a very big challenge that has been there and the KTDA has tried to fight with it. When it comes to local consumption of tea, we have seen that our youth are going for other beverages and I understand they have talked about it in their Report.

Mr. Speaker, the local consumption of our tea is only 20 percent, we therefore export 80 percent. If you go to the tea factory, you will find that one kilogram (kg) of tea is Kshs400 but with the Report that they have, it is three dollars. That means that it is Kshs300. If we encourage more local consumption, you will find that what returns to the farmer by the end of the day will be higher than what we export. When you come to exportation, you have all those costs that are involved. It is therefore a good recommendation that the Agriculture, Livestock and Fisheries Committee gave us and I hope that they will continue doing it.

They also need to work together with the Tea Directorate because their role is to promote local tea consumption; the Committee needs to work hand in hand with the Tea Directorate so that they can help them.

Recommendation number two is to avoid overreliance of the black tea, which is another challenge that has been there. For the last three years, the tea sector, that is KTDA, has

encouraged farmers to do the purple tea but it is a very great challenge because we do not have markets. Out of the 68 factories that we have, only Kangeta Tea Factory is processing the purple tea. It is something that we can do.

The Agriculture, Livestock and Fisheries Committee also needs to visit Kiru Tea Factory that has gone the way of orthodox line. If they go there, they will understand the challenges. One of the challenges why the tea factories are going to other ways of tea is because of lack of funds. If you go to Kiru you will understand that that orthodox line has cost them Kshs70 million. Most of the factories are limited to the pieces of land. They can also join with the County Government and we see whether we can come up with a piece of land whereby we can do value addition. Value addition is another way that will make farmers have a lot of returns.

Recommendation number three is about farm inputs. If the agriculture could have visited the tea factory before going to Mombasa they could have understood that KTDA work hand in hand with tea extension officers that is the support staff who are in the factory with farmers day in day out. That way you will be able to establish that every tea factory has six tea extension officers who they would work with day in day out. We also have Farmers Field School (FFS) which was established in 2006 whereby farmers are being trained on how to do the farm input sustainable agriculture, good agriculture practices; they will understand that is done by them.

The only challenge we have at the factory level is lack of crop inspector and according to Tea Act section 26 to 30, it indicate the need for a crop inspector; that is Act 2013. If the agriculture committee goes this way you will see whether we have a crop inspector. When you come to the Act, there is provision of a crop inspector who will not only inspect tea only but among others, coffee, wheat, sorghum and if you have sugarcane. The agriculture committee should work to assist us have at least one in the County. Agriculture is the most reliable thing that we have and it will also be in line with the fourth agenda about agriculture. If we have the crop inspector it will be okay for us.

The other thing is on Rain Forest Alliance, who have taught farmers to go the *Kilimo Biashara* way, that is sustainable agriculture so that farmers will not rely so much on tea and if they do, even after being given around Kshs400,000 in a year because of the burden they have laid on tea you will find that by the end of the day they will be saying that tea crop is not good to them. But if they demystify farming and venture in farming other plants, they will be able to enjoy the fruits of the tea plant.

The other one is about buyers and brokers who collude and affect the market. KTDA established that brokers will be having regular visit to the factories so as to ensure that the farmers will understand what happens to the tea. KTDA have also established every year by July farmers go for an educational tour to Mombasa so that they can understand the role of the brokers, buyers and meet those who buy their own tea which is in order.

The other thing is on the roads, I support Hon. Murigi Amos on the issue of the roads; the roads to the tea factories are the most impassable roads. You will realize that tea cannot be exported to Mombasa, or be bought from the tea collecting centers.

The national government abolished the tea cess, we no longer have funds thus farmers keep taking their tea from one collection centre to the other. They are going for more than four kilometers taking their tea. One of the things you will understand, for better quality of tea, farmers need not more than two hours from the plucking time to taking to the buying centres and to the factory. You find that, farmers may have quality tea from the farm but when it reaches the factory, fermentation is already done because of that travelling.

We should come up with a Tea Cess Bill, since farmers had agreed. The national government was deducting 100%, 80% was being taken to the factories and 20% the national government. If we come up with Tea Cess Bill, then bring it in the Floor of the House, 80% will be going to the tea factories so that they can make their roads and 20% to the non-tea growing areas. This we will have helped our farmers and our roads would be passable.

The other recommendation is on Ad valorem fund, I wish to request the agriculture Livestock and Fisheries Committee to understand the Ad valorem fund which was stopped by the national government. To my surprise the 10 factories in Murang'a had Kshs42million which has not been taken to those factories. The directors and the management have been fighting to see whether this money will be refunded.

The result that I got is that the factories should write the equipment that they want, they bring a Local Purchase Order (LPO) and invoice so that the County Government can pay. I would request the Chairman Agriculture Livestock and Fisheries Committee to follow up on that so that this money can get back to the factories and help the farmers, since it was deducted from them.

On the recommendation number six, this is a serious challenge and I request this honorable House, when we are making some of these decisions---- I do not know whether it will be in order if you, Mr. Speaker, you will invite tea management experts to come and explain to us more about tea. The last Assembly had tried to do a Tea Bill which did cost a lot of money from the County Government and the tea factories, the Bill did not go through though, because of the illegalities that it had.

I wish this honorable House can be so much educated on tea since it is the only cash crop in our County. If you understand, we have 10 factories in this County, where the reliance of the registered farmers is more than 35,000. It means that every family that has five members, they are relying on this crop. This is the only cash crop that we have and if we mess up with this crop, we might go the coffee way.

Tea hawking has started so badly; if we understand the repercussions of tea hawking--- - for example these people while doing their tea hawking they are taking their tea to Meru, one of the things that we are losing as a County is loss of revenue. When staff are being employed at the factory level they are paid according to the production; if the production is low they are retrenched so many people end up losing their jobs while we give jobs to other counties.

The youth are pushing us to help them secure jobs; going this way will be worst thing. Tea hawking has as well increased poverty because these farmers are being paid cash money during the day but when it comes to paying of the school fees they will come begging to your house honorable members, telling you to give them money so that they can pay school fees. If they take their tea to the factories or anywhere else where they will be getting their money at the end of the month, they can even go to the bank with their pay slip and apply for a loan. Tea hawking will also increase a lot of theft, just as Hon. Peter Mweri said and I am victim.

When were at Kasarani, I was called and told that my tea is being plucked at around 4:00p.m. Those people pluck tea in the evening then sell it at around 2:00a.m or at around 8:00 p.m. to 10:00 pm. I request honorable members and the agriculture Livestock and Fisheries committee while dealing with this issue of tea hawking, to come up with a way of fighting tea hawking because it is increasing theft.

We are bringing a lot of security threats because farmers may be injured while stealing tea at night. I request the agriculture committee to come up with this because it is in the Crops Act 2013 which has explained on how people should handle tea business.

The other one, they are talking about change from wood to green energy and hydro, I want to inform this honorable House that 10 factories have established a hydro power that is Metumi hydro power. It will be in force by November this year supplying energy to all 10 factories. I would also like to request the Agriculture committee to liaise with the County Government because there was a promise that every factory will be given a briquette machine whereby they will be using sawdust and macadamia nuts and the coffee, it will be very helpful. That machine was promised to all factories.

The only factory that was able to buy their own is Makomboki Tea factory. Makomboki is one factory that is giving good returns to the farmers: last bonus they paid Kshs62 to every farmer. I thus request the committee to work hand in hand with the County Government. This way you will find that KTDA will give better returns to the farmers.

On the issue of deforestation, in the factory by laws, every factory should have 610 acres whereby they plant their own trees. Although it is also a challenge, because even if they plant they will eventually cut down the trees. Deforestation is increasing in our County; I request the Agriculture, Livestock and Fisheries committee to work hand in hand to see whether we shall help them. If we say we do not work with forests, whereby the KTDA moved from the furnace oil whereby it was very expensive. That is why you used to hear in early 90s, tea was being paid Kshs10 per Kilogram in a bonus, but due to changing from to furnace to firewood the benefit increases and if we get the green energy it will help the famers. I stand to support the Motion. Thank you.

Hon. Milkah Ngare: Thank you Mr. Speaker, I can see you kept a smile throughout her speech, I know you were impressed; I was impressed as well. Hon. Ruth Wambui is very resourceful as far as tea farming is concerned. I would also urge agriculture committee to make good use of her; I would also request her to be of help to the committee and the entire House as regard to tea farming. Hon. Ruth Wambui make sure you do not mislead the Agriculture, Livestock Fisheries committee.

She mentioned everything else; I had in mind as I also bear the same sentiments. By virtue of being a member of Water, Energy Forestry, Environment and Natural Resources, I would request the Agriculture committee to further press on wood fuel production as the source of energy in tea factories. Factories should make good use of other sources of energy. With regard to tea hawking, she has covered that very well. The Committee on Agriculture, Livestock and Fisheries should consider the recommendations and the remarks she has given. I support this Motion.

Thank you, Mr. Speaker.

Hon. Charles Kahoro: Thank you, Mr. Speaker, let me thank those members who have appreciated the work of the committee. I also understand that previously other committees were giving two pages report unlike us who have given a 22 page report. That means my committee did the excellent of all.

I want to respond to Hon. Murigi Amos on levies, from what you have heard from Hon. Ruth Wambui who has been very resourceful in this areas and Mr. Speaker, at times we invite Hon. Ruth to our committee as a friend of the committee especially when we are dealing with tea and she can attest to that, it is only that she was unable to accompany us to Mombasa.

On other areas, Hon. Amos Murigi on the issue of fuel and I think we have heard that the 10 KTDA factories have started an alternative source of generating fuel. As you have heard, we started with Mombasa, and as many of these Hon. Members were suggesting that we were supposed to have started with the producer, we decided to start in Mombasa so that we can come

with more information and then we go to the producer. When we go to the producer, there are many other things that we were enlightened on by the visit we were in. So we would also involve the farmers on what they should do to improve production and quality. So next we will be moving to the farmers as the producer.

Hon. Chege talked of value addition, and from the Governor's speech during the inauguration, he talked of setting up a value addition unit in Murang'a and I believe we will be pursuing to see that this has been done.

On. Mweri talked of overreliance on black tea, as a committee when we will be visiting the producer, we will also encourage them to start up the purple tea which we saw it is fetching a lot of money at the auction. When the committee will be visiting the farmers, we will sensitize them on that.

On quality, we found that Ngere tea factory which is in Gatanga was one of the best factories selling in the auction followed by Makomboki and we came to understand that some of the things that make tea quality to be higher, one is the soil, and also the climate. Like Ngere, we understand that they tried to regulate, to zone the tea farming area so that the soil they are using to plant their produce does not affect their quality, so we feel that these other factories will see how best they can use the extension experts to sensitize them on the soil quality.

On tea hawking Mr. Speaker, we had a petition in our committee where we were addressing tea hawking but it reached a point where we could not go further because there is a case filed by one of the people in the industry, one of the factories, we could not go ahead with the petition and thus we still hope that after they finalize with the case we will still pursue the matter because we have seen in some areas it has really affected the farmers and the locals.

Mr. Speaker to answer Jecinta she lamented that we did not include the Trade committee and I believe that in any other expedition that touches on trade we will try and enjoin the committee. On the competitiveness of the product as Hon Kiiru was suggesting, we believe that after we improve on quality, we will be able to compete globally.

Hon. Morris talked of hawking and I think we have addressed that so I think one of the things that is coming we will talk of. I want to tell this House that the tea product has a limitation of distance to be transported from plucking to the factory, so some of these regulations have been violated and we know that when we will be tackling this issue we will address that.

On Hon. Ruth I do not have much to say because much of her speech supported these recommendations and the report of this committee, so I congratulate her for the support and the way you have informed this House about tea hawking.

Hon. Milkah we have heard the case of fuel has been addressed and I think that is through. Mr. Speaker, I appreciate the way the members have contributed to this motion. Thank you.

(Question put and agreed to)

The Speaker (Hon. Nduati Kariuki) *(microphone failure)(no recording)*.....

ADJOURNMENT

The House rose at 11:03 a.m.