



**REPUBLIC OF KENYA**

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**PARLIAMENT**

**SENATE BILLS**

*(Bill No. 12 of 2022)*

**THE AGRICULTURAL AND LIVESTOCK  
EXTENSION SERVICES BILL, 2022**

(A Bill published in the Kenya *Gazette* Supplement No. 205 of 30<sup>th</sup> December, 2022 and passed by the Senate, with amendments, on Wednesday, 21<sup>st</sup> February, 2024.)



**THE AGRICULTURAL AND LIVESTOCK  
EXTENSION SERVICES BILL, 2022  
ARRANGEMENT OF CLAUSES**

*Clause*

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**THE AGRICULTURAL AND LIVESTOCK  
EXTENSION SERVICES BILL, 2022**

**A Bill for**

**AN ACT of Parliament to; provide for agricultural and livestock extension services; establish the Agricultural and Extension Service; and for connected purposes.**

**ENACTED** by the Parliament of Kenya, as follows —

**PART I—PRELIMINARY**

1. This Act may be cited as the Agricultural and livestock Extension Services Act, 2022.

Short title.

2. In this Act, —

Interpretation.

“Board” means the Board established under section 9;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to agriculture;

“chief executive officer” means the person appointed in accordance with section 18;

“extension services”; means agricultural and livestock extension services; and

“county executive committee member” means the county executive committee member responsible for matters relating to agriculture.

3. The objects of this Act is to provide for a framework —

Objects.

(a) to foster coordination and collaboration in extension services research by National Government, County Governments, non-governmental organizations, learning institutions, research bodies and other non-state actors;

(b) to promote the generation of high income for farmers and traders through increased production and sourcing of competitive markets;

(c) for the continuous and sustained research on extension services for the development of the Agricultural and livestock industry;

(d) for adoption of a sector-wide approach to the provision extension services which enables access

to appropriate quality services from the best service providers and attains higher productivity, increased incomes and standard of living to Kenyans; and

- (e) for the provision of financial support to the various players in the extension service.

**PART II— NATIONAL AND COUNTY  
AGRICULTURAL AND LIVESTOCK EXTENSION  
SERVICES POLICY AND STRATEGY.**

4.(1) The Cabinet Secretary shall, formulate and publish in the Gazette an agricultural and livestock extension services policy at least once every five years, for the implementation and standard delivery of extension services by the county governments.

National extension services policy.

(2) In developing the National Extension Services Policy, the Cabinet Secretary shall have regard to—

- (a) the need for an effective management and implementation structure at the national and county levels of government in order to ensure the effective development of the extension services;
- (b) adequate capacity development by imparting skills, knowledge and practices in support of players in the extension services sector;
- (c) the effective participation of stakeholders and communities at the national and county levels of government;
- (d) the development of appropriate strategies and mechanisms at the national and county levels of government necessary to support the development of extension services;
- (e) the need to have a mechanism to monitor and evaluate the implementation of the policy in the development and regulation of the extension services;
- (f) the resources required at the national and county levels of government for the

effective implementation of the policy; and

- (g) the capacity building programmes and strategies needed to be carried out to ensure that extension services providers are able to respond to the needs identified for the implementation of the policy.

(3) The Cabinet Secretary shall periodically review the National Agricultural and Livestock Extension Services policy and may, by notice in the *Gazette*, publish a revised national agricultural and livestock extension services policy.

(4) The Cabinet Secretary, each county executive committee member and all relevant public bodies shall, when exercising or performing any statutory function, take into account and give effect to the national agricultural and livestock extension services policy.

5. (1) Each county executive committee member shall formulate and publish, in the *Gazette*, a county specific extension services strategy.

County extension services strategy.

(2) In formulating the strategy take into account the national agricultural and livestock policy formulated by the Cabinet Secretary under section 4.

(3) The county executive committee member shall periodically review the county agricultural and livestock extension services strategy and may, by notice in the *Gazette*, publish a revised county agricultural and livestock extension services strategy.

### **PART III – THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICE**

6. (1) There is established the Agricultural and Livestock Extension Service.

Establishment of the Service.

(2) The Service shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable or

immovable property;

- (c) entering into contracts;
- (d) borrowing and lending money; and
- (e) doing or performing all such other things or acts as may be necessary for the proper discharge of its functions under this Act, which may be lawfully done or performed by a body corporate.

Headquarters of the Service.

7. (1) The headquarters of the Service shall be in Nairobi.

(2) The Service may establish such other offices anywhere in Kenya as it may consider necessary for the effective performance of its functions under this Act.

8. (1) The functions of the Service shall be to—

Functions of the Service.

- (a) enhance the competitiveness of the agriculture and livestock industry in Kenya in an increasingly competitive environment;
- (b) increase the long-term productivity of agriculture and livestock industry in Kenya while maintaining and enhancing the natural resource base on which the national and county government's agricultural economy depend on;
- (c) develop new uses and products for agricultural commodities and develop alternative production methods for the production of new crops; and
- (d) improve risk management in the agriculture and livestock industry in Kenya.

(2) In the performance of its functions under subsection (1), the Service shall—

- (a) support the provision of agricultural research on extension services to promote economic opportunities in rural communities and meet the demand for information and technology transfer throughout the agriculture industry in Kenya;
- (b) collaborate with county governments in —

- (i) improving the coordination and planning of agricultural research, extension and training programs;
  - (ii) identifying needs and establishing priorities for programs under subparagraph (i);
  - (iii) realising the implementation of national agricultural research, extension and training objectives in the respective counties; and
  - (iv) ensuring that the results of agricultural research are effectively communicated and demonstrated to users including farmers, processors, handlers, consumers who can benefit from them.
- (c) maintain and disseminate information on standards for the supply of nutritious and safe food by the county governments;
  - (d) facilitate the transfer of technology;
  - (e) encourage the use of information communication and technology by developing and packaging information in simple, easily accessible digital systems;
  - (f) collaborate with international entities in order to leverage on resources, priority food and agricultural interests including addressing emerging plant and animal diseases, improving crop varieties and animal breeds and developing safe, efficient and nutritious food systems;
  - (g) mobilise resources at the national level of government for investment in development and implementation of extension service programs in the counties;
  - (h) develop and coordinate intergovernmental relation mechanisms in the delivery of services



related to extension services;

- (i) provide technical assistance and capacity building to the county governments on matters relating to extension services;
- (j) approve institutions for the training of extension services; and
- (k) establish, approve and accredit programs for continuing professional development programs

9. The management of the service shall vest in the Board of Directors.

Board of  
Directors.

10. (1) The Board shall consist of —

- (a) a chairperson who shall be appointed by the Cabinet Secretary;
- (b) the principal secretary responsible for matters relating to agriculture;
- (c) the principle secretary responsible for matters relating to livestock;
- (d) two persons with knowledge and experience in the field extension services nominated by the Council of County Governors;
- (e) one person representing national farm or producer organizations nominated by the Council of County Governors;
- (f) one person representing the Kenya Agricultural and Livestock Research Organization nominated by the Organization;
- (g) one person representing the National Association of Agriculture and Livestock Extension Service Providers nominated by the Association;
- (h) one person representing extension services training institutions nominated by the Cabinet Secretary; and
- (i) the chief executive officer.

Composition of the  
Board.

(2) The Cabinet Secretary shall appoint the members under subsection (1) (a), (d), (e), (f), (g) and (h) by notice

in the *Gazette*.

(3) The chief executive officer shall be an *ex officio* member and secretary to the Board and shall have no right to vote at any meeting of the Board.

11. (1) A person is qualified for appointment as a member of the Board under section 10(1) (a), (e), (f), (g) and (h) if that person—

Qualifications for appointment as a member.

- (a) is a citizen of Kenya;
- (b) holds a degree in agriculture or a related field from a university recognized in Kenya;
- (c) has at least three years' experience in management; and
- (d) meets the requirements of leadership and integrity set out in Chapter Six of the Constitution.

(2) A person is not qualified for appointment if that person—

- (a) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months;
- (b) is a member of Parliament or county assembly; or
- (c) is adjudged bankrupt.

12. A person who is appointed under section 10 shall serve for a term of three years renewable for one further term.

Tenure of appointment.

13. A person ceases to be a member of the Board if that person—

Vacation of office.

- (a) is absent, without reasonable cause, for three consecutive meetings of the Board;
- (b) becomes an officer, agent or member of staff of the Board;
- (c) resigns by giving a notice in writing addressed to the Cabinet Secretary;
- (d) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months;
- (e) is declared bankrupt;
- (g) is unable to perform the functions of office by

reason of mental or physical infirmity; or

(h) dies.

**14.** (1) The functions of the Board shall be to —

Functions of the Board.

- (a) make recommendations to the Cabinet Secretary and the county governments on the implementation of strategies, plans and policies relating to the extension services;
- (b) advise the Cabinet Secretary and the County governments on Priority areas of Extension Service programs and the role of Non-state actors and other Extension Service Providers in line with the Policy;
- (c) evaluate the results and effectiveness of agricultural research on extension, education, and economics with respect to the policies and priorities and make recommendations to the Cabinet Secretary based on such evaluation;
- (d) review and make recommendations to the Cabinet Secretary on the mechanisms needed for agricultural extension technology assessment and development for the purposes of—
  - (i) performance measurement and evaluation of the implementation of the Extension services program in Kenya; and
  - (ii) the development of mechanisms for the assessment of emerging public and private agricultural research and technology transfer initiatives.
- (e) consult with industry groups on agricultural research, extension, education, and economics, and make recommendations to the Cabinet Secretary and the county governments based on the consultation;
- (f) consult with any appropriate agencies and solicit opinions and recommendations on persons who will benefit from and use nationally funded agricultural research, extension, education services;

- (g) establish linkages with local and international training and research institutions to conduct scientific research and investigations in all areas pertaining to extension services;
- (h) coordination of agricultural research by maintaining a continuing inventory of ongoing and completed extension and research projects being conducted and funded by the government;
- (i) put in place a framework for capacity building and training of various players in the industry; and
- (j) carry out such other functions as may be assigned by the Cabinet Secretary or conferred under any other law.

(2) The Board shall consult and collaborate with the county executive committee member in the development, promotion and regulation of the extension services in the respective counties.

15. (1) The Board may establish such committees as it may consider necessary for the efficient performance of its functions and the exercise of its powers under this Act.

Committees of the Board

(2) The Board may co-opt any person to sit in a committee established under subsection (1) such persons whose knowledge and skills are found necessary for the performance of the functions of the Board.

16. The Board may, by resolution either generally or in any particular case, delegate to any committee, member, officer, employee or agent of the Board, the exercise of any of the powers or the performance of any of the functions of the Board under this Act or under any other written law.

Delegation by the Board.

17. The members of the Board shall be paid such remuneration, fees or allowances as the Cabinet Secretary shall, in consultation with the Salaries and Remuneration Commission, determine.

Remuneration of members of the Board.

18. (1) There shall be a chief executive officer of the Board who shall be competitively recruited and appointed by the Board on such terms and conditions as the Board shall determine.

Chief executive officer.

(2) A person is qualified for appointment as the chief

executive officer if that person—

- (a) is a citizen of Kenya;
- (b) holds a degree from a university recognized in Kenya;
- (c) has at least ten years' experience in senior management; and
- (d) meets the requirements of leadership and integrity set out in chapter six of the Constitution.

(3) The chief executive officer shall hold office for a term of five years and is eligible for re-appointment for one further term.

**19.** The chief executive officer shall be the secretary to the Board and shall, subject to the direction of the Board—

Functions of the chief executive officer.

- (a) be responsible for the day to day management of the affairs of the Board;
- (b) manage the funds, property and affairs of the Board;
- (c) be responsible for the management of the staff of the Board;
- (d) oversee and coordinate the implementation of the policies, programmes and objectives of the Board;
- (e) cause to be prepared for the approval of the Board—
  - (i) the strategic plan and annual plan of the Board; and
  - (ii) the annual budget and audited accounts of the Board; and
- (f) perform such other duties as may be assigned by the Board.

**20.** The chief executive officer shall cease to hold office if that person—

Removal of the chief executive officer.

- (a) resigns in writing, addressed to the Board;
- (b) is convicted of a criminal offence and sentenced to a term of imprisonment of not less than six months;

- (c) is found liable for gross misconduct or abuse of office in contravention of any written law;
- (d) is declared bankrupt;
- (e) is unable to perform the functions of office by reason of mental or physical infirmity; or
- (f) dies.

**21.** (1) The Board may employ such officers, agents and staff as are necessary for the proper and efficient discharge of the functions of the Board under this Act and upon such terms and conditions of service as the Board may determine.

Staff of the Board.

(2) The persons appointed under subsection (1) shall be competitively recruited and appointed by the Board and shall serve on such terms and conditions as the Board may, in consultation with the Salaries and Remuneration Commission determine.

(3) The staff appointed under subsection (1) shall possess such knowledge and experience as shall be determined by the Board.

**22.** Liability shall not attach to the Board or to any of its members, officers, agents or staff for loss or damage incurred by a person as a result of an act or omission done or made in good faith and without negligence in the performance or exercise or the intended performance or exercise of any duty or power imposed by or conferred under this Act.

Protection from personal liability.

**23.** (1) The common seal of the Board shall be kept in the custody of the chief executive officer or such other person as the Board may direct, and shall not be used except upon the order of the Board.

Common seal of the Board.

(2) The seal of the Board shall be authenticated by the signature of the chief executive officer and the chairperson or a person designated by the Board for that purpose on behalf of the chairperson.

**24.** All letters and instruments written or made by or on behalf of the Board, other than those required by law to be under seal, and all decisions of the Board, shall be signed under the hand of the chief executive officer or in the absence of the chief executive officer, a person

Signing authority.

authorized by the Board.

25. (1) The business and affairs of the Board shall be conducted in accordance with the provisions set out in the Schedule.

Meetings  
Board. of

(2) Except as otherwise provided in the Schedule, the Board may regulate its own procedure.

(3) The Board may invite any person to attend any of its meetings and to participate in its deliberations, but such person shall not be entitled to vote on any of the Board's decisions.

#### **PART IV – ROLE OF COUNTY GOVERNMENTS**

26. (1) Each county government shall—

Role of county  
governments.

- (a) implement the National Government policy and standards relating to the extension services;
- (b) regulate and promote extension services within the respective county;
- (c) collect, collate and disseminate information on extension services including the appropriate technology and practices to ensure maximisation of yields and sales by stakeholders;
- (d) coordinate the activities of persons, organisations and any other associations within the field of extension services;
- (e) facilitate access by players in the extension services to such resources and financial support as may be necessary to promote the use and development of extension services in the respective county; and
- (f) improve on the safe production and processing of, and adding of value to, Kenyan food and fibre resources using methods that maintain the balance between yield and environmental soundness.

(2) Each county executive committee member shall, in ensuring that the county government fulfils its obligations under subsection (1) –

- (a) maintain an up to date register of extension

services providers as it considers appropriate in that county;

- (b) consider applications for registration and licences;
- (c) carry out surveillance and inspections to ensure compliance with the standards and legislation on the extension services;
- (d) promote the organisation of all players in the field of extension services;
- (e) provide training on extension service programs and disseminate information to stakeholders on entrepreneurial and other technical skills and values, attitude formation and socio-economic development strategies;
- (f) collaborate with relevant institutions so as to promote access to credit and other financial services; and
- (g) carry out such other functions as may be conferred upon by any law.

27. (1) A county public service board shall competitively recruit and appoint such extension services officers as it may consider necessary for the proper and efficient implementation of this Act.

Recruitment of extension services officers.

- (2) In recruiting the extension services officers under subsection(1), the county service board shall ensure that sufficient officers are recruited and deployed at the grassroot level.
- (3) Each county government shall provide the necessary infrastructure and funds necessary for the implementation of extension services within the county.

28. (1) A person is qualified for employment as an extension services officer if the person holds a certificate in an extension services related course from a tertiary institution recognized in Kenya.

Qualification for extension services officers.

(2) A County government may through legislation, prescribe additional qualifications as it may deem necessary.

29. (1) An extension services officer or a private

Registration of



entity that intends to provide extension services, shall register with the respective county government in which they intend to provide the services.

extension services officers.

(2) An extension service officer or private entity shall furnish the officer appointed under section 30(3) with change of details within seven days of the occurrence of the change.

**30.** (1) Each county executive committee member shall keep and maintain a register of —

Register of extension services providers.

- (a) extension service officers registered in the respective county; and
- (b) private entities providing extension services in the respective county.

(2) The register under subsection (1) shall include the following—

- (a) in the case of an extension service officer-
  - (i) name
  - (ii) identification details as per the identification document;
  - (iii) contact details;
  - (iv) qualifications;
  - (v) information on current status of employment; and
  - (vi) such other information as the county executive committee member shall prescribe in county legislation.
- (b) in the case of a private entity-
  - (i) name of the entity;
  - (ii) number and details of extension officers employed by the entity;
  - (iii) area of specialty; and

(iv) location of the office headquarters and branches if any.

(3) The County executive committee member shall designate a public officer within the county public service as a registrar to keep and maintain the register under subsection (1).

**31.** (1) Each county executive committee member shall publish on a website maintained by the county government and on such other platform as the committee member may consider appropriate, information on the —

Publicizing  
extension services

- (a) extension services available in the county; and
- (b) extension services officers delivering the services within the county.

(2) The information published under subsection (1) shall include-

- (a) emerging pest and diseases that may affect crops and livestock in the county;
- (b) the major challenges faced by farmers and the action required to prevent or mitigate such challenges;
- (c) the preventive and curative measures available to the farmers;
- (d) information about resources available to support farmers within the County; and
- (e) such other information relating to extension services that the county executive committee member may consider necessary.

(3) The information under subsection (1) shall be accessible to the residents of the county and shall be published in a format that is easy to understand.

## **PART V – FINANCIAL PROVISIONS**

32. The funds of the Service shall consist of—

Funds of the Service.

- (a) monies appropriated by Parliament for the purposes of the service;
- (b) such monies or assets as may accrue to or vest in the service in the course of the exercise of its powers or the performance of its functions under this Act or any other written law; and
- (c) donations, grants, loans or gifts made to the service and approved by the Cabinet Secretary for finance.

33. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Board for that year.

Annual estimates.

(2) The annual estimates shall make provision for all estimated expenditure of the Board for the financial year concerned.

(3) The annual estimates prepared by the Board under subsection (2) shall be submitted to the Cabinet Secretary for tabling in the National Assembly and the Senate.

34. (1) The Board shall cause to be kept such books of accounts and other books in relation thereto of all its undertakings, funds, activities and property as the Cabinet Secretary may from time to time approve and shall, within a period of three months after the end of the financial year, cause to be prepared, signed and forwarded to the Auditor-General—

Accounts and audit.

- (a) a balance sheet showing in detail the assets and liabilities of the Board; and
- (b) such other statements of accounts as the Cabinet Secretary may approve.

(2) The accounts of the Board shall be examined, audited and reported upon annually by the Auditor-General in accordance with the Public Audit Act. <sup>Cap 412B.</sup>

(3) The Board shall submit to the Auditor-General all books and accounts of the Board, together with all vouchers in support thereof, and all books, papers and writings in its possession or control relating thereto, and

the Auditor-General shall be entitled to require from any member, officer, employee or agent of the Board such information and explanation as he may consider necessary for the performance of his duties.

35. (1) The Board shall, within a period of three months after the end of each financial year or within such longer period as the Cabinet Secretary may approve, submit to the Cabinet Secretary a report of the operations of the Board during such year, and the annual balance sheet and such other statements of account as the Cabinet Secretary shall require, together with the Auditor-General's report.

Annual report and publication.

(2) The Board shall, if the Cabinet Secretary so requires, publish the report, balance sheet and statements submitted under subsection (1) in such manner as the Cabinet Secretary may specify.

(3) The Cabinet Secretary shall submit to the National Assembly and the Senate the reports, balance sheet and statements submitted under subsection (1), within a period of fourteen days of the receipt of the reports and statements.

36. The financial year of the service shall be the period of twelve months ending on the thirtieth of June in each year.

Financial year of the Board.

#### **PART VI - MISCELLANEOUS PROVISIONS**

37. Each county government may enact county specific legislation setting out –

County specific legislation.

- (a) the criteria for the registration of extension services providers within the respective county;
- (b) criteria for the issuance of a licence to an applicant within the respective county;
- (c) information required to be submitted by an applicant for registration or issuance of a licence;
- (d) process of determination of an application for registration or issuance of a licence;

- (e) the conditions for the issuance or renewal of a licence under this Act;
- (f) the grounds for the rejection of an application or cancellation of a licence issued under this Act; and
- (g) process of application for the renewal of registration and de-registration.

**38.** A person offering extension services shall adhere to such procedures, standards, code of ethics and guidelines as may be prescribed under this Act or any other written law.

Adherence to set rules.

**39. (1)** The Cabinet Secretary may, on recommendation of the Service and the county governments, make regulations for or with respect to any matter which is necessary or expedient to be prescribed for carrying out or giving effect to this Act.

Regulations.

- (2) Without prejudice to the generality of subsection (1), the Cabinet Secretary may prescribe the minimum standards with regard to the —
  - (a) training of extension services officers;
  - (b) professional qualifications of extension services officers;
  - (c) certification and registration with respect to extension services; and
  - (d) remuneration of extension services officers.

**SCHEDULE**

**(s. 25(1))**

**PROVISIONS RELATING TO THE CONDUCT OF  
BUSINESS AND AFFAIRS OF THE BOARD**

1. (1) The Board shall have at least six meetings in every financial year and not more than two months shall elapse between the date of one meeting and the date of the next meeting. Meetings.

(2) Meetings shall be convened by the chief executive officer in consultation with the chairperson and shall be held at such times and such places as the chairperson shall determine.

(3) The respective chairpersons shall preside over all meetings and in the absence of the chairperson, by a person elected by the Board as the case may be at the meeting for that purpose.

(4) The chairperson may at any time convene a special meeting of the Board as the case may be, and shall do so within one month of the receipt by the chairperson of a written request signed by at least five other members.

(5) Unless half of the members of the Board otherwise agree, at least seven days' notice of a meeting shall be given to every member of the Board as the case may be.

2. The quorum of a meeting of the Board is half of the total number of members. Quorum.

3. A decision of the Board shall be by a majority of the members present and voting and, in the case of an equality of votes; the person presiding at the meeting shall have a second or casting vote. Voting.

4. Minutes of all meetings shall be kept and entered in records kept for that purpose. Minutes.

5. (1) If a person is present at a meeting of the Board or respective committee at which any matter is the subject of consideration and in which matter that person is directly or indirectly interested in a private capacity, that person shall as soon as is practicable after the commencement of the meeting, declare such interest. Disclosure of interest.

(2) The person making the disclosure of interest under subsection (1) shall not, unless the Board or committee

otherwise directs, take part in any consideration or discussion of, or vote on any question touching on the matter.

(3) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.

(4) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

(5) A member or employee of the Board shall not transact any business or trade with the Board.

*The Agricultural and Livestock Extension Services Bill, 2022*

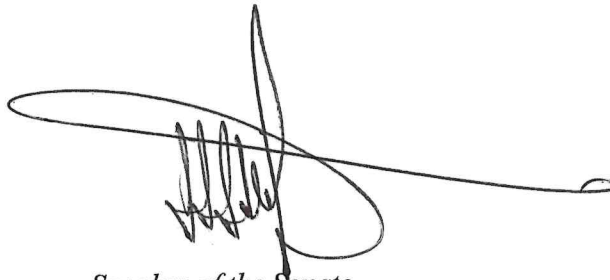
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I certify that this printed impression is a true copy of the Bill as passed by the Senate on Wednesday, 21<sup>st</sup> February, 2024.



*Clerk of the Senate*

Endorsed for presentation to the National Assembly in accordance with the provisions of standing order 161 of the Senate Standing Orders.



*Speaker of the Senate*