

## WHEAT DEVELOPMENT AUTHORITY ORDER, 1968

[L.N. 168/1968, L.N. 9/1969.]

1. This Order may be cited as the Wheat Development Authority Order, 1968.

(1) There is hereby established an authority, to be known as the Wheat Development Authority (hereinafter referred to as the Authority) for promoting and fostering the development of wheat for the areas specified in the Schedule.

(2) The Authority shall consist of not more than nine members appointed by the Minister by notice in the *Gazette* one of whom shall be appointed chairman.

(3) In the absence of the chairman, the members present at any meeting may appoint any one of their number to act as chairman at such meeting.

(4) A quorum of the Authority shall be a majority of the members of the Authority.

(5) Every decision of the Authority shall be by a simple majority of the members present and voting but the chairman, or in his absence the person appointed to act as chairman under section 2(3), shall have a casting as well as a deliberative vote.

(6) Subject to this Order, the Authority shall regulate its own proceedings.

(1) The Authority shall set up Wheat Committees for the areas specified in the Schedule to advise the Authority in carrying out its functions.

(2) The Authority may delegate any of its powers to the Wheat Committees set up under section 3(1) and may co-opt into the committees any person or persons, for such period as the Authority may decide, who in the opinion of the Authority will assist in furthering the purpose of this Order.

4. The Authority shall set up an advisory committee for the areas specified in the Schedule, and shall co-opt into the committee two persons nominated by the Minister to represent growers of wheat for the areas concerned.

5. The financial year of the Authority shall be from the 1st May in each year to the 30th April in the year following; subject, however, that the accounts for the 30th April 1969 shall include any expenditure or revenue which is relevant to the 1968 year planting season although such expenditure or revenue may have been or received prior to the 30th April 1968.

(1) The Authority shall cause to be kept such books of account and other books in relation thereto pertaining to all its undertakings, funds, activities and property as the Minister may from time to time require or approve.

(2) The accounts of the Authority shall be examined, audited and reported upon annually by such person or persons as the Minister may appoint for that purpose.

7. Any levy imposed by the Authority under this Order shall be payable to the Authority or its agents by the person on whom it is imposed in such manner and within such time as the Authority may direct and shall be a civil debt due from that person to the Authority.

8. The purpose of the Authority shall be to develop wheat growing in the most efficient and economical manner and shall utilize wheat growing as the prime mover in the development of agricultural practices which impinge on the efficiency of wheat growing, for which purpose the Authority shall be empowered to do the following things—

- (a) control, supervise and regulate the type and quality of cultivations by growers or undertake cultivations itself;
- (b) control, supervise and regulate the purchase, transportation and planting of seed and fertilizers and regulate the quality, varieties and quantities of seeds planted on any piece of land or carry out any such purchase and planting itself;

- (c) control, supervise and regulate any necessary pesticidal measures or carry out such measures itself;
- (d) control, supervise and regulate harvesting procedures or carry out harvesting procedures itself;
- (e) control, supervise and regulate any necessary purchase, transportation or sale of the crop or carry out such activities itself;
- (f) control, supervise and regulate the storage of the crops (within the areas scheduled in this Order), seeds, fertilizers, packing materials and pesticides or carry out such work itself;
- (g) regulate, control and decide on which pieces of land wheat will or will not be grown;
- (h) build or cause to be built any fences, storage facilities, roads, bridges or any other structures which in the opinion of the Authority will assist in the protection, transportation and control of the crop;
- (i) appoint officers (other than the Chief Executive Officer who shall be designated by the Minister by order published in the *Gazette*) and agents for the implementation or performance of any function of the Authority under this Order;
- (j) with the approval of the Minister, after consultation with the Treasury, borrow such moneys as may be necessary for the implementation or performance of any function of the Authority under this Order;
- (k) engage in any trading, training or operational activities which in the opinion of the Authority shall further the implementation or performance of any function of the Authority under this Order;
- (l) purchase, hire or by gift acquire such machinery and other assets as in the opinion of the Authority is most expedient for the implementation or performance of any function of the Authority under this Order;
- (m) make loans for the purpose of developing wheat or make any investment or make any grant which in the opinion of the Authority is conducive to the performance of any function of the Authority under this Order;
- (n) control, supervise and regulate any soil conservation measures and agricultural practices which impinge on and are related to the efficiency of wheat growing on land within which wheat has been grown or is being grown under this Order and which in the opinion of the Authority, with the approval of the Minister, it is necessary to control, supervise and regulate in furtherance of the implementation or performance of any function of the Authority under this Order;
- (o) with the approval of the Minister, by order published in the *Gazette*—
  - (i) impose such levy or levies on growers including levies at different rates in respect of any growers or sections of growers for the purpose of recovering the costs of the implementation or performance of any function of the Authority under this Order;
  - (ii) establish a fund out of the moneys accruing to it by way of levy, trading profits or otherwise for the purpose of extending development of wheat or in the implementation or performance of any function of the Authority under this Order;
  - (iii) provide for any other matter which is approved by the Minister as being in furtherance of the development of wheat or incidental or conducive to the exercise of any of the powers of the Authority;

Provided that the Authority shall carry out its functions subject to the general or specific directions of the Minister.

9. Any person who contravenes any order of the Authority made under paragraph 8 shall be guilty of an offence and liable to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding one month.

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SCHEDULE

[Para. 2.]

AREAS OF OPERATION OF THE AUTHORITY

Narok District.

Kajiado District.

Kiambu District.

Nyeri District.

Meru District.

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