

**THIRD COUNTY ASSEMBLY  
(NO. 314)**



**FOURTH SESSION  
Afternoon Sitting (220)**

**COUNTY GOVERNMENT OF BUNGOMA  
THIRD COUNTY ASSEMBLY – FOURTH SESSION  
THE COUNTY ASSEMBLY OF BUNGOMA  
ORDERS OF THE DAY  
WEDNESDAY 5<sup>TH</sup> NOVEMBER, 2025 AT 2.30 P.M.  
ORDER OF BUSINESS**

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8. **MOTION - REPORT OF THE LIAISON COMMITTEE ON CONSIDERATION AND ADOPTION OF THE REPORT OF THE AUDITOR GENERAL ON THE COUNTY GOVERNMENT OF BUNGOMA FY 2023/2024**

*(Chairperson, Liaison Committee)*

**THAT**, this House adopts the report of the Liaison Committee on consideration and adoption of the report of the Auditor General on the County Government of Bungoma FY 2023/2024; *laid on the Table of the House on Tuesday 9<sup>th</sup> September, 2025.*

9. **MOTION - REPORT OF THE SECTORAL COMMITTEE ON YOUTH AFFAIRS AND SPORTS ON IMPLEMENTATION OF HOUSE RESOLUTIONS FOR THE YEAR 2022 AND 2023**

*(Chairperson, Sectoral Committee on Youth Affairs and Sports)*

**THAT**, this House adopts the report of the Sectoral Committee on Youth Affairs and Sports on implementation of House Resolutions for the year 2022 and 2023; *laid on the Table of the House on Tuesday 16<sup>th</sup> September, 2025*

10. **COMMITTEE OF THE WHOLE HOUSE ON THE BUNGOMA COUNTY LIVESTOCK SALE YARD BILL, 2025 (*Resumption of the Business*)**

*(Chairperson, Committee of the Whole House)*

**THE BUNGOMA COUNTY LIVESTOCK SALE YARD BILL 2025**

Notice is given that the Chairperson of the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development intends to move the following amendments to the Bungoma County Livestock Sale Yard Bill, 2025 at the Committee Stage

**CLAUSES****CLAUSE 5**

That Clause 5(d) of the Bill be amended by deleting the word “to” appearing immediately after the word “returns” and replacing it with the word “on”

So as to read

*“Returns on investment to livestock producers and commercial focus for livestock enterprise”*

**Justification:** To correct a grammatical error.

**CLAUSE 6**

That Sub-Clause 6(3) of the Bill be amended by inserting the words “and after carrying out public participation” immediately after the word “Committee”

So as to read

*“A public livestock sale yard shall be designated by the County Executive Committee Member on the recommendation of the Committee and after carrying out public participation”*

**Justification:** To comply with the legal requirement for public participation.

That Sub-Clause 6(6) of the Bill be amended by deleting the Word “operationalize” appearing immediately after the word “effective” and replacing it with the word “operationalization” and further deleting the phrase “Part II” appearing immediately after the words “operationalize of” and substituting it with the phrase “section 6(5)”

So as to read

*“The County Executive Committee Member shall make regulations for effective operationalization of section 6(5)”*

**Justification:** To cite the specific sub-clause affected and grammatical error

**CLAUSE 7**

That Sub-Clause 7(1) of the Bill be amended by deleting the phrase “section 5” appearing immediately after the words “pursuant to” and replacing it with the phrase “section 6”

So as to read

*“A public livestock sale yard established pursuant to section 6 of this Act, shall be managed by a committee to be known as the Bungoma County Livestock Sale Yard Management Committee”*

**Justification:** To correct a wrong citation.

That Sub-Clause 7(2) of the Bill be amended as follows:

In sub-clause (a), delete the words “County Director” appearing immediately before the word “responsible” and replace them with “Chief Officer”

So as to read

*“the Chief Officer responsible for Livestock Production who shall be the chairperson”*

**Justification:** The Committee should be chaired by an officer directly accountable to the County Assembly.

In sub-clause (b), delete the words “*Veterinary Services*” appearing immediately after the words “*responsible for*” and replace them with “*Livestock Production*”

So as to read

*“the County Director responsible for Livestock Production who shall be the secretary”*

**Justification:** The secretary should be the officer directly responsible for livestock production.

Insert a new sub-clause (c) to read

*“The County Director of Veterinary Services”* and renumber the existing sub-clause (c) as (d) onwards.

**Justification:** To incorporate the officer into the membership of the Committee after deletion.

In sub-clause (j), delete the entire sub-clause and substitute it with the words “*three livestock farmers representing youth, women and persons living with disabilities*”.

**Justification:** To include representation of marginalized groups.

Insert a new sub-clause (l) to read

*“The County Commissioner or his/her representative”.*

**Justification:** To address security issues in the management of livestock sale yards.

Delete sub-clause (3) entirely.

**Justification:** Marginalized groups have already been included under sub-clause 7(2) (j).

In sub-clause (8), delete the phrase “*6(2)(i) and (j)*” appearing immediately after the word “*under*” and replace it with “*section 7(2)(i) and (j)*”

So as to read

*“The members appointed under section 7(2)(i) and (j) shall hold office for a term of three years renewable for one further term only”*

**Justification:** To correct a wrong citation.

## **CLAUSE 8**

That Clause 8 of the Bill be amended by deleting the phrase “*6(2)(i) and (j)*” appearing immediately after the word “*under*” and replacing it with “*section 7(2)(i) and (j)*”

So as to read

*“The office of a member of County Livestock Sale Yard Management Committee appointed under section 7(2)(i) and (j) shall become vacant if the member”*

**Justification:** To correct a wrong citation.

## **CLAUSE 14**

That Clause 14 of the Bill be amended by inserting a new clause to be sub-clause 14(2) and renumbering sub-Clause 14(2) as sub-Clause 14(3).

To read as follows

*“A person shall be admitted into designated livestock sale yard upon payment of fees and charges as prescribed under schedule Eight”*

That Clause 14(2) be amended by deleting the following words.

“not exceeding twenty thousand shillings or an imprisonment term of one month or to both” and substituting with “5% of the total value cost of the livestock

**so that it reads**

*(2) A person who sells livestock outside the precincts of a designated livestock sale yard commits an offense and shall on conviction be liable to a fine of 5% of the total value cost of the livestock.*

**CLAUSE 15**

That sub-clause 15(a) be amended by deleting the words “prevailing market price or” “and substitute with the following words “owner of the livestock or agreement between the owner and the prospective buyer”

**To read as:**

*(a) Regular sale, where the price of livestock shall be determine by the owner of the livestock or agreement between the owner and the prospective buyer.*

**CLAUSE 17**

That sub-Clause 17(2) of the Bill be amended by deleting the phrase “15(1)” appearing immediately after the word “operationalize” and replacing it with “15(a)”

So as to read

*“The County Executive Committee member shall make regulations to operationalize 15(a)”*

**Justification:** To correct typographical errors.

**CLAUSE 18**

That Clause 18(1) of the Bill be amended by deleting the word “prescribed” appearing immediately before the word “fee” and inserting the following words after the word fee “prescribed under schedule Eight” further insert the words “*valid for three days*” immediately after the word “*department*”

So as to read

*“A person who intends to transport livestock within or outside the county shall on payment of the fee prescribed under schedule Eight, obtain a movement permit from the department valid for three days”*

**Justification:** To indicate the validity period for the movement permit after issuance.

**CLAUSE 19**

That Clause 19(1) of the Bill be amended by deleting the word “*Association*” appearing immediately after the word “*marketing*”

So as to read

*“The County Executive Committee Member upon recommendation from the Committee and the Livestock marketing group may for purposes of this Act and in such special circumstances for a specified period of time, designate a place within the county, to be a temporary livestock sale yard”*

**Justification:** To correct sentence syntax.

**CLAUSE 20**

That sub-clause 20 (2)(a), delete the word “*farmers*” appearing immediately after the word “*livestock*” and substitute it with the word “*traders*”

So as to read

*“Eight livestock traders drawn from the catchment area of the public livestock sale yard”*

**Justification:** To reflect that marketing groups primarily deal with traders.

That in sub-clause 20 (2)(b), delete the word “*traders*” appearing before the word “*livestock*” and substitute it with “*farmers*”

So as to read

*“three persons representing livestock farmers, transporters and input suppliers within the livestock sale yard and”*

**Justification:** To ensure farmers are represented.

**CLAUSE 24**

That Clause 24(1)(c) be deleted in its entirety.

Justification: Already covered under sub-clause 24(1)(b).

**CLAUSE 25**

That sub-clause 25(3)(c) of the Bill be amended by deleting the following words “by the County Finance Act” appearing immediately after the word “prescribed” and replace with the following words “under schedule Eight”

So as to read

*“Proof of payment of application fee prescribed under schedule Eight”*

**Justification:** The amendment removes reference to the County Finance Act to prevent overlap and ensure all fees are clearly provided within the Bill under the Eighth Schedule for clarity and consistency.

**CLAUSE 27**

That sub-clause 27(1)(b) be amended by inserting the word “*/her*” immediately after the word “*his*”

So as to read

*“Knowingly admits any stolen livestock in his/her sale yard”*

**Justification:** To ensure gender inclusivity.

**CLAUSE 29**

That sub-clause 29(1) of the Bill be amended by deleting the phrase “*section 22(1)(b) or (24)*” appearing immediately after the word “*under*” and substituting it with the phrase “*section 28*”

So as to read

*“A person who is dissatisfied with the decision of the County Executive Committee Member under section 28, may apply for a review of the decision before the County Secretary and Head of Public Service”*

**Justification:** To correct a wrong citation.

**CLAUSE 30**

That Clause 30 of the Bill be deleted in its entirety.

**Justification:** Sale yards management can be budgeted through line department.

### **CLAUSE 31**

That Clause 31 of the Bill be deleted in its entirety.

**Justification:** the clause applies where there is a Fund

### **CLAUSE 32**

That Clause 32 of the Bill be amended as follows:

Delete the side notes entirely and replace them with “*Sources of Financing*”.

Justification: the site notes applied when there is a Fund

In sub-clause 32 (1), delete the word “*Fund*” appearing immediately after the word “*shall*” and replace it with “*sources of financing*”

So as to read

“Sources of financing shall consist of”

**Justification:** a Fund established under clause 30 has been deleted

In sub-clause 32 (1) (a), delete the word “*Fund*” appearing immediately after the words “*for the purposes of the*” and replace it with “*management of the livestock sale yards*”

So as to read

“such monies as may be appropriated by the County Assembly for the purposes of the management of the livestock sale yards”

**Justification:** The Fund has been deleted from the Bill.

In sub-clause 32 (1)(b), insert the phrase “*40% of the*” immediately before the word “*monies*”

So as to read

“40% of the monies received as fees or any other charges in accordance with the provision of this Act”

**Justification:** to establish a mechanism of financing Sale yard management including sale yard infrastructural development

Delete sub-clauses 32 (2) and 32 (3) entirely.

Justification: the subclasses applies where there is a fund

### **CLAUSE 33**

That Clause 33 of the Bill be deleted in its entirety.

**Justification:** The Fund has been removed from the Bill.

### **CLAUSE 34**

That Clause 34 of the Bill be deleted in its entirety.

**Justification:** Fund established under clauses 30 of the Bill has been deleted

### **CLAUSE 36**

That Clause 36 of the Bill be deleted entirely and be replaced with the following new clause;

“Annual Report of the Committee

- (i) *The Committee shall, within three months after the end of each financial year, submit to the County Executive Committee Member an annual report containing:*
- (ii) A statement of the expenditure of the Committee during that year;
- (iii) Committee performance indicators and any other related information;
- (iv) A report on the operations of the Committee during that year; and

- (v) Any other information that the County Executive Committee Member may request.”

**CLAUSE 37**

That Clause 37 of the Bill be deleted in its entirety.

**Justification:** Audit of the Fund applies where there is Fund

**CLAUSE 38**

That sub-clause 38(1) be amended by adding the following words in between the word “person” and the word “who” with words “operating a private sale yard”.

**So as to read**

38(1) A person operating a private sale yard who has been issued with a license under this Act, shall display or cause to be displayed in a conspicuous place, within the livestock sale yard in respect of this it is issued.

That sub-clause 38(2) of the Bill be amended by deleting its entirety and substituting with the following;

So as to read

*“A person who fails to display a license pursuant to sub-section (1), commits an offence and shall on conviction be liable to a fine of five percent of the total cost of the license issued as per the 8<sup>th</sup> schedule of this Act.*

**CLAUSE 39**

That clause 39 of the Bill be deleted in its entirety.

**Justification:** It is too punitive.

**CLAUSE 41**

That sub-clause 41(4) of the Bill be deleted in its entirety.

**Justification:** Delegation of powers is already provided for under the Statutory Instruments Act.

**CLAUSE 42**

That Clause 42 of the Bill be amended by inserting a new sub-clause (2) to read; *“The livestock sale yards in operation before this Act comes into force shall continue to operate until such time as the County Government complies with the standard sale yard requirements set out in this Act.”*

**Justification:** to allow seamless transition

**NEW CLAUSE**

**CLAUSE 43**

That a new Clause 43 be introduced in the Bill to state as follows

All fees and charges prescribed under this Act shall be as set out in the Eighth Schedule.

**Justification:** The new clause provides a clear legal basis for all fees and charges under the Bill by linking them to the Eighth Schedule.

## NEW SCHEDULE

### EIGHTH SCHEDULE FEES AND CHARGES (Clause 43)

Description of fee or Charge on Service	Unit of Measure	Charges
<b>Stock Livestock Yard</b>		
Cattle in (No sale)	per head	50
Cattle Out (Sold)	per head	100
Pigs/Sheep/Goat in	per head	50
Pigs/Sheep/Goat out (sold)	per head	70
Donkey/horse in	Per head	50
Donkey/horse out(sold)	Per head	100
Poultry	Per head	10
<b>Stock Movement</b>		
Cattle/ Donkey movement permit	1-20 animals	50
	21-50 animals	75
	Above 50 animals	100
Sheep/Goat/ pig movement permit	1-50 Animals	50
	51-75 animals	75
	Above 75	100
Private sale yard license		50,000 (Annually)

## CLAUSE 2: INTERPRETATION

That Clause 2 of the Bill be amended as follows:

In the definition of “Committee”, delete the phrase “*section 6(1)*” appearing immediately after the words “*pursuant to*” and replace it with the phrase “*section 7(1)*”

So as to read

*“Committee means the Bungoma County Livestock Sale Yard Management Committee established pursuant to section 7(1) of this Act”*

**Justification:** To correct a wrong citation.

In the definition of “Inspector”, delete the phrase “section 9” appearing immediately after the words “pursuant to” and substitute it with the phrase “section 11”

So as to read

*“Inspector means a person designated as a livestock health inspector pursuant to section 11 of this Act”*

**Justification:** To correct a wrong citation.

In the definition of “Livestock Sale Yard”, delete the phrase “section 5” appearing immediately after the word “pursuant to” and replace it with the phrase “section 6”

So as to read

*“Livestock Sale Yard means a place designated as a livestock sale yard pursuant to section 6 of this Act”*

**Justification:** To correct a wrong citation.