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LAWS OF KENYA

THE NATIONAL CEREALS AND PRODUCE BOARD REGULATIONS

NO. 131 OF 1989

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Kenya

National Cereals and Produce Board Act

The National Cereals and Produce Board Regulations

Legal Notice 131 of 1989

Legislation as at 31 December 2022

By [Kenya Law](#) and [Laws.Africa](#). Share widely and freely.

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The National Cereals and Produce Board Regulations (Legal Notice 131 of 1989)

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NATIONAL CEREALS AND PRODUCE BOARD ACT

THE NATIONAL CEREALS AND PRODUCE BOARD REGULATIONS LEGAL NOTICE 131 OF 1989

Published in Kenya Gazette Vol. XCI—No. 15 on 14 April 1989

Commenced on 26 March 1989

[Amended by [National Cereals and Produce Board \(Amendment\) Regulations, 1989 \(Legal Notice 220 of 1989\)](#) on 14 July 1989]

[Amended by [National Cereals and Produce Board \(Amendment\) \(No. 2\) Regulations, 1989 \(Legal Notice 274 of 1989\)](#) on 15 September 1989]

[Amended by [National Cereals and Produce Board \(Amendment\) Regulations, 1990 \(Legal Notice 277 of 1990\)](#) on 13 July 1990]

[Revised by [24th Annual Supplement \(Legal Notice 221 of 2023\)](#) on 31 December 2022]

Part I – PRELIMINARY

1. Citation

These Regulations may be cited as the National Cereals and Produce Board Regulations, and shall be deemed to have come into operation on the 26th March, 1989.

Part II – APPOINTMENT OF AGENTS

2. Certificate of appointment

- (1) Every agent appointed by the Board under section 12 of the Act shall be issued with a certificate of appointment which shall be in Form A set out in the Schedule.
- (2) The Board may from time to time attach conditions or additional conditions to the appointment of any person as an agent under section 12 of the Act or delete conditions therefrom and may enter the same in the certificate of appointment issued under paragraph (1).
- (3) For the purpose of making an entry under paragraph (2) or for the purpose of cancelling the certificate when the appointment has been revoked, the Board may, by notice in writing, require the holder of a certificate of appointment within a specified reasonable time to surrender the certificate to the Board for the entry to be made thereon, or for cancellation, as the case may be.
- (4) Any person who without reasonable excuse fails to surrender a certificate of appointment when required to do so under paragraph (3) within the time allowed shall be guilty of an offence and liable to a fine not exceeding five thousand shillings.

Part III – CONDITIONS FOR REGISTRATION OF MILLERS

3. Conditions for registration

The limitations and conditions subject to which a person may be registered as a miller under section 19(3) of the Act shall be—

- (a) that he shall purchase all his maize, wheat or agricultural produce from the Board or from persons authorized by the Board;
- (aa) that he shall collect any maize, wheat or scheduled agricultural produce purchased from the Board from the nearest depot of the Board or such collection centres as may be specified by the Board;
- (b) that he will, if so required by the Board—
 - (i) store on behalf of the Board or its agents any quantity of maize, wheat or scheduled agricultural produce up to the capacity of his storage accommodation, at such remuneration as the Board may determine;
 - (ii) on behalf of the Board or its agents store any maize, wheat or scheduled agricultural produce in such mixtures and quantities, and at such times, as the Board may direct, and at such remuneration as the Board may determine;
 - (iii) deal with and dispose of the maize, wheat and scheduled agricultural produce which are the property of the Board in such manner as the Board may direct;
- (c) that he shall pay cash for the maize, wheat or scheduled total produce purchased by him from the Board:

Provided that a miller to whom a licence has been issued prior to the commencement of these Regulations shall be to pay to the Board any outstanding amount for the maize, wheat or scheduled agricultural produce previously by him within seven days of such commencement.

[L.N. 220/1989.]

4. Registered millers to keep records

- (1) Every miller registered under section 19(3) of the Act, shall maintain adequate records of all purchases, acquisitions, millings, sales and disposals by him of maize, wheat or scheduled agricultural produce and shall retain for a period of five years, so as to be available for inspection or production at all reasonable times, all accounts, books, documents, registers, invoices and cash sales relating to such transactions.
- (2) All records required to be kept under paragraph (1) shall be made in such a way as to distinguish between dealings with maize, wheat and scheduled agricultural produce and dealings with other goods.

Part IV – IMPORT AND EXPORT

5. Authority for import or export

- (1) The written authority without which, by virtue of subsection (1) of section 18 of the Act, no person may import or export any maize, wheat or scheduled agricultural produce shall be in the permit in Form B set out in the schedule or of a permit in form C set out in the Schedule, as the case may be.
- (2) Every person requiring the authority to export or import maize, wheat or scheduled agricultural produce shall make application therefore in Form D or E set out in the Schedule, as the case may require.

- (3) The fees payable on the issue or renewal of an import or export permit shall be 10 per cent of the declared C & F value or 10 per cent of the FOB value respectively.

[L.N. 220/1989, L.N. 274/1989, L.N. 277/1990.]

6. Imported maize, wheat or scheduled agricultural produce subject to regulations

Where any maize, wheat or scheduled agricultural produce have been imported into Kenya the same shall be subject to these Regulations to the same extent as if they have been produced in Kenya.

7. Maize, etc. in transit through Kenya

- (1) Every person requiring authority to import maize, wheat or scheduled agricultural produce for the purpose only of immediately exporting the same shall make application to the Board in Form F set out in the Schedule.
- (2) Every authority issued pursuant to paragraph (1) shall be in Form G set out in the Schedule and shall be issued subject to the directions issued by the Board that the maize, wheat or scheduled agricultural produce shall be exported within the stipulated time.

Part V – RETURNS, REPORTS AND ESTIMATES

8. Returns by producers, etc.

Every producer, distributor and retailer shall, when required by the Board render to the Board such returns, reports and estimates and shall thereafter supply such further particulars as may be required either by specific direction or by a subsequent request by the Board.

9. Returns by licensed millers

- (1) A licensed miller to whom an allocation of maize or wheat has been made under section 22 of the Act shall, within seven days of each month, submit to the Board a return containing the following particulars—
- (a) the number of bags of imported maize or wheat in stock as at the date of the return;
 - (b) the number of bags of local maize or wheat in stock as at the date of the return;
 - (c) the number of bags of wheat flour from imported and locally grown wheat in stock as at the date of the return;
 - (d) the number of bags of maize flour from imported and locally grown maize in stock as at the date of the return; and
 - (e) the number of bags or bales of imported maize or wheat flour in stock as at the date of the return.
- (2) The number of bags or bales of maize flour (locally processed or imported) sold during the month shall be recorded in Form H set out in the Schedule; and
- (3) The number of bags or bales of wheat flour (locally processed or imported) sold during the month shall be recorded in Form I set out in the Schedule.

10. Manner of dealing with maize, wheat or scheduled agricultural produce

Every agent to whom maize, wheat or scheduled agricultural produce is delivered under the Act shall deal with the same in accordance with the conditions of his appointment.

11. Offence and general penalty

Any person who contravenes the provisions of these Regulations shall be guilty of an offence and liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding two years or to both.

12. Revocation

The Maize Marketing Regulations made under the Maize Marketing Act (now repealed) and the Wheat Industry (Imports and Exports) Rules made under the Wheat Industry Act (now repealed) are revoked.

SCHEDULE

Form A

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

CERTIFICATE OF APPOINTMENT OF AGENT

I CERTIFY that when on the 20, appointed under section 12 of the National Cereals and Produce Board Act ([Cap. 388](#)) to be an agent of the Board for the buying, storing and disposal of maize, wheat or scheduled agricultural produce on the following terms and conditions—

- 1. The agent shall act only within the following area—

.....

and shall, unless the Board otherwise directs, deliver all the maize, wheat or scheduled agricultural produce handled by him to—

..... Depot

..... Depot

..... Depot

- 2. The agent shall be remunerated in such manner as may be agreed between the Board and the agent.
- 3. The agent shall comply at the times with the orders and directions of the Board.

Date Signed

Designation

for National Cereals and Produce Board

Note—1. This appointment does not entitle the agent to export from Kenya any maize, wheat or scheduled agricultural produce.

Form B

[r. 5(1)]

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

NO OBJECTION PERMIT FOR IMPORT

Ref. Permit No.

Name

Address

is authorized to import

for movement by only.

This permit expires on and is granted subject to the following conditions:

- (1) that the commodity in respect of which this permit issued shall be used for consumption in Kenya only.
- (2) that the commodity shall not be imported until the authorities have granted any export licence which is required by the laws of that country.

(insert any special conditions)

Date Signed

Designation

for National Cereals and Produce Board

Form C

[r. 5(1)]

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

NO OBJECTION PERMIT FOR EXPORT

No.

Name

Address

is authorized to import

from (port or booking point)

This permit expires on and is subject to the condition that the commodity in respect of which it is issued is accompanied by Export Licence No.

issued by the Department of Internal Trade.

Date Signed

Designation

for National Cereals and Produce Board

Form D

[r. 5(2)]

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

APPLICATION FOR NO OBJECTION PERMIT TO IMPORT

(to be completed and submitted in quadruplicate)

I/We

of

hereby apply for permission to import maize/wheat/scheduled agricultural produce* as follows—

Commodity to be imported

Number of bags/balers of kg. net each.
 To be landed at cost per bag/baler
 Imported from (country or territory)
 Exporter's name and address
 Approximate date of dispatch by exporter
 Date Signed

* Delete as necessary.

Form E

[r. 5(2)]

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

APPLICATION FOR NO OBJECTION PERMIT TO EXPORT

(to be completed and submitted in quadruplicate)

I/We

of

hereby apply for permission to export maize/wheat/scheduled agricultural produce* as follows—

Commodity to be exported

Number of bags/balers of kg. net each.

From (port or booking point)

To (country or territory)

Importer's name and address

Prospective date of export

• Delete as necessary.

Form F

[r. 7(1)]

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

APPLICATION FOR MAIZE, WHEAT OR SCHEDULED AGRICULTURAL PRODUCE TRANSIT PERMIT

I/We

of

hereby apply for permission—

(a) to import at on or about the, 20, and

(b) to move through Kenya by road/rail to

....., (place of export), and

(c) to export at

on or about the, 20, the following—

Commodity

Quantity

Date Signed

Name of Applicant

Form G

[r. 7(2)]

NATIONAL CEREALS AND PRODUCE BOARD ACT

[Cap. 338]

NATIONAL CEREALS AND PRODUCE BOARD

P.O. BOX 30586 NAIROBI

TRANSIT PERMIT

No.

Name

Address

is hereby authorized—

- (a) to import at on or about the, 20 and
- (b) to move through Kenya by road/rail to by the most direct route, and
- (c) to export at on or about the, 20

Commodity

Quantity

The said

is hereby directed on importation of the commodity stated, forthwith to move and export the same in the manner and at the place and time herein before specified.

Date

Signed

.....

Designation

for National Cereals and Produce Board

Form H

NATIONAL CEREALS AND PRODUCE BOARD

WEEKLY CONSOLIDATED RETURN OF TRANSACTIONS IN MAIZE

MILLER NUMBER DISTRICT WEEK ENDING

A. RAW PRODUCT	Local	Imported
Opening Balance for the week		
+ Receipts from N.C.P.B.		
+ Receipts from other Sources (identify)		

Transfers to work in progress		
Closing Balance Unmilled Maize		
B. WORK IN PROCESS		
Opening Inventory for the week		
+ Receipts from Raw Maize		
Transfers to Milled Maize		
Gristing Losses (Milling Losses)		
Closing Stock partly Milled Maize		
Closing Balance Unmilled and partly Milled Maize		
C. FINISHED GOODS (MAIZE FLOUR)		
Opening Balance for the week		
Receipts from Processing		
Sales		
Other Disposals (Identify)		
Closing Balance (Maize Flour)		
I/WE (Block letters		

here by certify that this consolidated returns reflect true information of all transaction in the commodity enumerated above carried on by me/us during the week ending, 20

Signature Designation

Date Official Stamp

Form I

NATIONAL CEREALS AND PRODUCE BOARD

WEEKLY CONSOLIDATED RETURN OF TRANSACTION IN LOCAL WHEAT IN 90 KGS BAGS

Miller Number District

WEEEEK

A. RAW PRODUCT Opening Inventory	Total	Group 1	Group 2	Group 3	Group 4	Non Graded	Imported	
							Soft	Hard
+ Receipts from NCPB								
+ Receipts from KGGCU								
+ Other Receipts (Specify)								
- Sales								
- Transfers to Processing								
= Closing Inventory								
B. WORK IN PROCESS								

Opening Inventory								
+ Receipts from Raw Products								
+ Receipts from other Sources								
- Transfers to Finished Goods								
- Gristing Losses								
= Closing Inventory								

C. FINISHED GOODS	Total	Wheat Flour	Wheat Bran	Wheat Pollard	Stock Feed	Others. (Specify)
Opening Inventory						
+ Receipts from Processing						
+ Receipts from other sources						
- Sales (per attached form)						
- Other Disposals						

= Closing Inventory						
<p>I/WE (Block letters) hereby certify this consolidated return reflect true information of all transactions in the commodity enumerated above carried on by me/us during the month of 20</p> <p>Designation Signature Date.....</p>						

Form I(a)

NATIONAL CEREALS AND PRODUCE BOARD

WEEKLY CONSOLIDATED RETURN OF TRANSACTION IN LOCAL WHEAT IN 90 KGS BAGS

Miller Number District WEEK ENDING

A. RAW PRODUCT	Group 1	Group 2	Group 3	Group 4	Group 5	Total
Opening Balance						
+ Receipts from NCPB						
+Receipts from KGGCU						
- Transfers to Processing						
Closing Balance—Unmilled Wheat						

II. WORK IN PROCESS						
Opening Balance for the week						
+ Receipts from Raw Wheat						
- Transfers to Milled Wheat						
- Gristing Losses (Milling Losses)						
Closing Stock—Partly Milled Wheat						
Closing Balance—Unmilled and partly milled Wheat						
B. FINISHED GOODS (WHEAT FLOUR) Opening Balance for the week						
+ Receipts from Processing						
- Sales						

- Other Disposals (Identify)						
Closing Balance; Wheat flour						

I/WE (Block letters) hereby certify that this consolidated return reflect true information of all transactions in the commodity enumerated above carried on by me/us during the week ending20

Designation Signature

Date

Official Stamp

Form I(b)

A. RAW PRODUCT	PL 480	Commercial	Total
Opening Inventory			
+ Receipts from NCPB			
+ Receipts from other Sources (Identify)			
- Transfers to Processing			
Closing Balance—Unmilled Wheat			
B. WORK IN POCESS			
Opening Inventory			
+ Receipts from Raw Product			
- Transfers to Finished Product			

- Gristing Losses			
Closing Stock			
Closing Balance— Unmilled and Partly Milled Wheat			
C. FINISHED GOODS Opening Inventory			
+ Receipts from other Sources			
- Sales			
	PL 480	Commercial	Total
- Other Disposals (Identify)			
Closing Balance—Milled Wheat Four			

I/WE (Block letters) hereby certify that this consolidated return reflect true information of all transactions in the commodity enumerated above carried on by me/us during the week ending , , 20.....

Designation Signature

Date

Official Stamp

Form I(c)

NATIONAL CEREALS AND PRODUCE BOARD

WEEKLY CONSOLIDATED RETURN OF TRANSACTION IN IMPORTED WHEAT IN BAGS

Miller Number District Week Ending

WEEEEK

Opening Stock	Bales	Bags
Wheat Flour—(Local and Imported)		
+ Receipts from Mills		
- Disposals to:		
(1)		
(2)		
(3)		
Opening Stock	Bales	Bags
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		

(15)		
Closing Stock Wheat Flour—Local and Imported		

I/WE

here by certify that this consolidated returns reflect true information of all transaction in the commodity enumerated above carried on by me/us during the week ending, 20

Signature Designation

Date Official Stamp

Form I(d)

NATIONAL CEREALS AND PRODUCE BOARD

WEEKLY CONSOLIDATED RETURN OF TRANSACTIONS IN MAIZE FLOUR

MILLER NUMBER

..... DISTRICT WEEK ENDING

WEEEEK

A. Opening Balance	Bales	Bags
Maize Flour (Bales/Bags)—(Local and Imported)		
+ Receipts from Mills		
- Disposals to:		
(1)		
(2)		
(3)		

(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
A. Opening Balance	Bales	Bags
(14)		
(15)		
Closing balance—Local and imported		
I/WE		

I/WE

here by certify that this consolidated returns reflect true information of all transaction in the commodity enumerated above carried on by me/us during the week ending, 20

Signature Designation

Date Official Stamp