



LEGAL NOTICE.....

THE TEA ACT, 2020
(No. 23 of 2020)

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

Arrangement of Regulations

Regulation

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SCHEDULES

“County Executive Committee Member” means the County Executive Member for the time being responsible for matters relating to agriculture in the respective tea producing county;

“electronic Trading Platform” means an information technology system established by an auction organizer for purposes of facilitating on line trading of tea;

“good quality green leaf” means the tender shoots of varieties of the species *Camellia sinensis* suitable for making tea which meets the minimum standard requirements that shall constitute of a bud, or 1 leaf and a bud, or 2 leaves and a bud or soft bhanji or soft loose leaf;

“green leaf” means the leaf detached from tea plants but not dried or processed and includes purple leaf;

“green leaf agreement” has the meaning assigned to it under section 2 of the Act;

“green leaf transport agreement” means an agreement between a commercial green leaf transporter and a tea factory relating to the transportation of green leaf;

“Kenya Standard 1927: Tea Packets and Containers Specifications” means the Kenya Standard that specifies the requirements and methods of test for tea packets and containers, applicable to tea packaging for retail in the form of tea bags, tea packets, instant tea and ready to drink containers but does not include tea sacks;

“large scale tea grower” has the meaning assigned to it under section 2 of the Act;

“management agent agreement” means an agreement between the management agent and a tea factory relating to the management agent services to be offered to the tea factory;

“medium scale tea grower” has the meaning assigned to it under section 2 of the Act;

“small scale tea grower” has the meaning assigned to it under section 2 of the Act;

“Soft Bhanji” means a dormant young tender shoot of a tea plant suitable for processing into tea;

“Standard Operating Procedure” means a step by step instructions needed to perform specific operations or tasks consistently and efficiently;

“specialty tea factory” means a tea factory that manufactures specialty teas;

“specialty tea manufacture” means the processing of specialty teas;

“specialty teas” has the meaning assigned to it under section 2 of the Act;

“tea factory” has the meaning assigned to it under section 2 of the Act;

“tea blending” means mixing different types of teas to make a homogenous tea product that meets specified customer or market requirements;

“tea growers association” means a tea grower organization registered under a relevant law;

“value-addition” has the meaning assigned to it under section 2 of the Act.

Object and purpose of these Regulations.

3. (1) The purpose of these Regulations is to provide for the registration and licensing of the tea factories, small scale tea growers, medium scale tea growers, large scale tea growers, commercial tea nurseries, commercial green leaf transporters and tea dealers.

(2) Without prejudice to the generality of sub-regulation (1), the purpose of these Regulations is to provide for—

(a) procedure for registration of small-scale tea growers, medium scale tea growers, large scale tea growers,

commercial tea nurseries, commercial green leaf transporters and tea dealers;

- (b) procedure for licensing of tea manufacturers;
- (c) the terms and conditions for issuance of manufacturing licenses and for registration of tea factories, small scale tea growers, medium scale tea growers, large scale tea growers, commercial tea nurseries, commercial green leaf transporters and tea dealers;
- (d) declaration and submission of returns on tea;
- (e) fees charged under the Act and any regulations made there under;
- (f) requirements for growing, pruning, harvesting, handling, transportation and processing of green leaf;
- (g) requirements for blending and handling of made tea.

PART II REGISTRATION

Application for registration of a commercial tea nursery.

4. (1) Pursuant to section 38 of the Act, a person seeking to establish a commercial tea nursery shall apply for registration to the County Government where they intend to establish the tea nursery.

(2) An application for registration of a commercial tea factory shall be in Form TBK\CG\A as set out in the First Schedule.

(3) Within thirty days of receipt of an application under sub-regulation (2), the respective County Government shall consider the application and where the application is —

- (a) approved, issue a certificate of registration in Form TBK\CG\A1 set out in the First Schedule;
- (b) rejected, notify the applicant indicating the reasons for the decision.

(4) An person registered under this regulation shall submit annual returns—

- (a) to the respective County government and a copy to the Board;
- (b) by the 15th day of January in each year; and
- (c) in Form TBK\CG\A2 as set out in the First Schedule.

Application for registration of small scale and medium scale tea grower.

5. (1) Pursuant to section 21 of the Act, a small scale tea grower or medium scale tea grower shall register with the respective tea factory where they deliver green leaf.

(2) An application for registration under sub-regulation (1) shall be made to the respective tea factory in Form TBK\TB\B set out in the First schedule.

(3) Before issuing a certificate of registration under this regulation, the tea factory shall verify the tea growers' details and prepare a farm verification report on the tea grower eligibility which shall be kept in the tea factory for inspection by the Board.

(4) Where an application under this regulation is approved, the manager of the tea factory shall issue a certificate of registration to a small scale tea grower or medium scale tea grower in Form TBK\TB\B1 set out in the First Schedule.

(5) Where an application under this regulation is rejected, the manager of the tea factory shall notify the applicant of the decision.

(6) A tea factory shall maintain a register of all growers registered under this regulation who supply green leaf to the tea factory which shall contain the following information in addition to the information specified under section 21(3) of the Act—

- (a) the grower's number;
- (b) the national identification or passport number, or the institution registration number, where applicable;
- (c) in the case of an individual, the date of birth and the gender of the grower;
- (d) the telephone number of the grower;

- (e) the size of the land on which the tea is grown;
- (f) the total number of tea bushes;
- (g) the average annual tea production;
- (h) the name and geographical location of the factory;
- (i) the buying centre;
- (j) the date green leaf agreement signed; and

(7) A tea factory shall submit a copy of the register maintained under sub-regulation (6) to the Board and the respective County Government by the 15th day of January in every year in Form TBK/TB/B2 set out in the First Schedule.

(8) The inclusion in the register under sub-regulation (6) shall be *prima facie* proof that a person is a registered tea grower with the factory.

Application for registration of large scale tea grower.

6. (1) A large scale tea grower shall not sell or deliver green leaf to a tea factory to which they are not registered.

(2) An application for registration of a large scale tea grower shall be made to the Board in Form TBK\TB\C set out in the First schedule.

(3) Within sixty days of receipt of an application under sub-regulation (2), the Board shall consider the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\C1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) A large-scale tea holder shall notify the Board of any intended sale or transfer of ownership of its holdings at least six (6) months before the transaction is effected.

(5) A holder of registration certificate issued under this regulation shall not transfer ownership of its holdings without obtaining a no objection from the Board.

Restriction on double registration.

7. (1) A small-scale tea grower and medium scale tea grower shall not register their parcel of land planted with tea with more than one tea factory at a time.

(2) Notwithstanding sub-regulation (1) above, a tea grower may register a parcel of land planted with more than one type of tea with more than one factory at a time for the purpose of processing of the different teas.

(3) Where a parcel of land sub-divided but separate titles deeds have not been issued, the registered owner of the land shall provide proof of such sub-division supported by a letter from the area Chief to the tea factory.

Change of tea factory.

8. (1) A tea grower wishing to change the factory where they deliver green leaf shall inform their respective factory by giving a minimum notice of thirty days.

(2) Where an objection to the notice issued under sub-regulation (2) is raised, the matter shall be referred to the Board for mediation.

(3) Within one month of the receipt of the notice under sub-regulation (1), a tea factory that receives a notice from a tea grower shall release the grower subject to the grower clearing any outstanding dues with the factory.

Change in particulars of growers.

9. (1) Any change in the particulars provided by the grower during their registration under these Regulations shall be notified, in writing, to the respective tea factory in the case of small scale tea grower and medium scale tea grower, or to the Board in the case of large scale tea grower.

(2) Where a registered grower ceases to grow or cultivate tea, the respective tea factory or the Board, as the case may be, may, after giving that person written notification of its intention to do so, remove the name of that grower from the register.

(3) A person who contravenes the provisions of this regulation

commits an offence and shall be liable on conviction to the penalty provided in section 21(11) of the Act.

Registration of a
commercial green leaf
transporter.

10. (1) Pursuant to section 37 of the Act, a person shall not operate as a commercial green leaf transporter unless they are registered by the Board.

(2) An application for registration under sub-regulation (1) shall be made in Form TBK/TB/E set out in the First Schedule and accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application taking into consideration the recommendation by the tea factory company limited where the applicant intends to provide green leaf transport services.

(4) Where the application under sub-regulation (3) is—

- (a) approved, the Board shall issue a certificate of registration in Form TBK/TB/E1 set out in the First Schedule; or
- (b) rejected, the Board shall notify the applicant indicating the reasons for its decision.

(5) A tea factory shall maintain a register of all its registered commercial green leaf transportation vehicles registered under this regulation in Form TBK/TB/E2 set out in the Schedule.

(6) A commercial green leaf transporter shall pay to the Board an annual registration fee as specified in the Second Schedule for each vehicle used for purposes of the Act.

(7) The Board shall issue an identification sticker to every vehicle registered by the Board as a commercial green leaf transporter.

(8) All commercial green leaf transporters shall display the green leaf transport identification sticker on the front windscreen of their vehicles when transporting green leaf.

(9) An application for renewal of a certificate of registration as a commercial green leaf transporter shall be made in Form TBK/TB/E set out in the First Schedule accompanied by the fee

specified in the Second Schedule.

(10) When determining an application for renewal of a certificate of registration under sub-regulation (9), the Board shall satisfy itself that the applicant has complied with the Act, the Tea Industry Code of Practice KS: 2128, the Public Health Act and any other relevant law.

(11) A commercial green leaf transporter who contravenes the registration provisions of this regulation commits an offence and shall, on conviction, be liable to the penalty provided in section 37 (4) of the Act.

Contents of a green leaf agreement.

11. A green leaf agreement shall be in the form TBK\TB\D set out in the First Schedule.

(2) The green leaf agreement shall provide for—

- (a) the commencement date;
- (b) the duration of the agreement which shall not exceed three years;
- (c) obligations and responsibilities of each party;
- (d) services to be offered by the tea factory limited company;
- (e) the performance standards to be adhered to by the tea factory limited company;
- (f) quality standards of green leaf to be delivered by the tea grower;
- (g) a dispute resolution clause;
- (h) applicable laws and effect of changes in the laws; and
- (i) a termination clause;
- (j) such additional terms and conditions as they may deem fit.

Weighing of green leaf.

12. The provision of the Weights and Measures Act shall

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apply to the weighing of green leaf by a tea factory.

Transportation of green leaf.

13. (1) A commercial green leaf transporter shall enter into an annual green leaf transport agreement with the tea factory where they intend to provide green leaf transport services.

(2) A commercial green leaf transporter—

- (a) shall not transport green leaf to any other tea factory other than to the tea factory it has signed a green leaf transportation agreement with;
- (b) shall use designated motor vehicles with a capacity of not less than three tonnes;
- (c) shall comply with the Tea Industry Code of Practice KS: 2128, the Public Health Act and any other relevant law;

(5) A green leaf transporter who contravenes the provisions of this regulation commits an offence and shall be liable, on conviction, to the penalty provided in section 71 of the Act.

Registration of a management agent.

14. (1) Pursuant to section 33 of the Act, a person shall not operate as a management agent unless they are registered by the Board.

(2) An application for registration as a management agent shall be made to the Board in Form TBK\TB\H set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\H1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) Every management agent shall submit annual return to the

Board in Form TBK\TB\H2 set out in the First Schedule.

Management
agent
agreement.

agent

15. (1) Pursuant to section 34 of the Act, a management agent shall enter into a management agent agreement with every tea factory that they intend to provide management agent services to or any person who intends to manufacture or deal in tea.

(2) The management agent shall be engaged on such terms and conditions as shall be specified in the management agreement.

(3) A management agent agreement shall be in the form specified in section 34 of the Act.

Registration of
warehouse operator.

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16. (1) Pursuant to section 28 of the Act, a person shall not operate as a management agent unless they are registered by the Board.

(2) An application for registration as a management agent shall be made to the Board in Form TBK\TB\I set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TD\I1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

Registration of a tea
packer.

17. (1) Pursuant to section 29 of the Act, a person shall not operate as a tea packer unless they are registered by the Board.

(2) An application for registration as a management agent shall be made to the Board in Form TBK\TB\G set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\G1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) An application for renewal of a certificate of registration as tea packer shall be made in Form TBK\TB\G set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(5) An application for renewal of registration shall be determined in the manner specified under sub-regulation (3).

(6) Every tea packer shall, not later than the fourteenth day of each month, submit to the Board and the respective County Government monthly statistical returns in Form TBK\TB\G2 set out in the First Schedule.

(7) A tea packer who contravenes sub-regulation (6) commits an offence and shall be liable, on conviction, to the penalties provided in section 71 of the Act.

Registration of auction organizer.

18. (1) Pursuant to section 35 of the Act, a person shall not organise a tea auction or deal in tea as a tea auction organizer unless they are registered by the Board.

(2) An application for registration as an auction organizer shall be made to the Board in Form TBK\TB\P set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\P1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) An application for renewal of a certificate of registration as tea packer shall be made in Form TBK\TB\G set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(5) An application for renewal of registration shall be determined in the manner specified under sub-regulation (3).

(6) An auction organizer shall not later than the fourteenth day of each month submit to the Board a monthly tea auction report of all teas sold through the auction in the previous month in Form TBK\TB\R as set out in the First Schedule.

Revocation or alteration of registration.

19. (1) A person who applies for registration under these regulations, shall commence operations within one year from the date of issuance of a registration certificate.

(2) A registration certificate issued to a person registered under these regulations shall lapse if the holder of the registration certificate does not commence operations within one year from the date of issuance.

(3) The Board or the County Government, as the case may be, may revoke, alter, suspend or vary a registration certificate if the holder—

- (a) fails to comply with the provisions of the Act and these Regulations;
- (b) commits an offence under the Act or in respect of the registered activity under any other law;

(4) Before any registration is cancelled, revoked, suspended or varied under this regulation, the Board or the County Government, as the case may be, shall give the affected person an opportunity to be heard.

(5) A person who is aggrieved by the decision of the Board under this regulation may appeal to the Cabinet Secretary within thirty days from the date on which the applicant received notice of the decision.

(6) A person who is aggrieved by the decision of the County

Government under this regulation may appeal to the Cabinet Secretary within thirty days from the date on which the applicant received notice of the decision.

Surrender of registration certificate.

20. (1) A holder of a registration certificate which is revoked shall immediately surrender it to the Board or the County Government, as the case may be.

(2) Upon surrender of a registration certificate under sub-regulation (1), the registration certificate shall cease to have effect immediately.

PART III- LICENSING

Tea manufacturing licence.

21. (1) Pursuant to section 25 of the Act, no person shall manufacture tea without a valid manufacturing licence.

(2) An application for a licence under sub-regulation (1) shall be made to the Board—

- (a) in form TBK\TB\F set out in the First Schedule;
- (b) accompanied by the fee specified in the Second Schedule;
- (c) accompanied by the following information or documents—
 - (i) a feasibility study of the proposed tea manufacturing factory;
 - (ii) a marketing plan for manufacture of specialty tea;
 - (iii) a certified copy of the growers' register;
 - (iv) demonstrate adequate financial capacity to construct the tea factory and commence operations;
 - (v) where a tea manufacturing factory intends to use wood as a source of energy, the applicant shall furnish the Board with a wood fuel

sustainability plan equivalent to the ratio of 4:1 tea planted to woodlots planted;

- (vi) where its a new factory, the person has at least two hundred and fifty hectares of planted tea bushes or twenty hectares in the case of specialty tea manufacture:

Provided that where a group of persons make a joint application, they may be issued with a manufacturing license if they have at least two hundred and fifty hectares of planted tea bushes or twenty hectares for specialty manufacture and the parcels of land are within a fifty-kilometre radius of each other.

(3) An application for a licence to manufacture high value specialty teas shall be made to the Board in form TBK\TB\F1 set out in the First Schedule accompanied by the fees specified in the Second Schedule.

(4) Within ninety days of receipt of an application under sub-regulations (2) or (3), the Board shall, in consultation with the Cabinet Secretary, determine the application taking into consideration the current National Processing Capacity Survey the requirements of the Act and any other relevant law.

(5) Where the application under this regulation is approved, the Board shall issue a manufacturing licence—

- (a) issue a tea manufacturing licence in Form TBK\TB\F2 set out in First Schedule; or
- (b) in the case of speciality tea, issue specialty tea manufacturing licence in Form TBK\TB\F3 set out in the First Schedule.

(6) Where an application under this regulation is rejected, the Board shall notify the applicant of the decision.

(7) A manufacturing licence issued under this regulation shall authorise the holder to carry out the business of packing and blending tea.

(8) An application for renewal of a manufacturing licence shall be made in Form TBK/TB/F set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(9) An application for renewal under sub-regulation (8) shall be determined in accordance with regulation (4).

(10) The Board may cancel, vary or suspend any manufacturing where the licensee contravenes the provisions of the Act or these Regulations.

Obligations of a holder of manufacturing licence.

22. (1) Within three years from the date of issuance of licence under regulation 15, a holder of a manufacturing licence or speciality licence issued shall construct and commission the tea factory:

Provided that where the factory is not constructed or commissioned within the specified period, the manufacturing licence or speciality licence shall lapse.

(2) A holder of a manufacturing licence or specialty tea manufacturing licence shall not vary the type of tea manufacture and granted processing capacity of their licence without the prior approval of the Board.

(3) A holder of a manufacturing licence or specialty tea manufacturing licence shall furnish the Board with a certified copy of their register of growers register as may be specified by the Board.

(4) A holder of a manufacturing licence shall facilitate remittance of contributions to a registered tea growers association pursuant to any agreements entered between the tea growers and those Associations.

(5) A holder of a manufacturing licence or a specialty tea manufacturing licence shall notify the Board of any intended sale or transfer of ownership of its holdings at least six months before the transaction is effected.

(6) A person shall not commence construction of a tea factory without a valid manufacturing licence from the Board.

Powers of the Board on manufacturing licences

23. The Board shall seize and remove or order the removal of any manufactured tea or processing capacity where it has reasonable grounds to believe that the processing capacity has been installed contrary to the conditions of the licence issued under these Regulations.

Illegal manufacture.

24. The provisions of section 27 of the Act shall apply to the illegal manufacture, possession or trading of tea.

Statistical returns.

25. (1) A holder of a manufacturing licence and a specialty tea manufacturing licence shall—

- (a) not later than the fourteenth day of each month, submit to the Board and the respective County government a monthly production statistical return in Form TBK\TB\G set out in the First Schedule; and
- (b) not later than the fifteenth day of January in each year, submit to the Board and the respective County Government, an annual statistical return in Form TBK\TB\ G1 set out in the First Schedule.

(2) A person who contravenes the provisions of this regulation commits an offence and shall, on conviction, be liable to the penalty provided under section 71 of the Act.

Revocation or alteration of a licence

26. (1) Without prejudice to section 42 of the Act, the Board may revoke, alter or suspend a licence where a licence holder fails to comply with the provisions of the Act and these Regulations.

(2) Before any licence is cancelled, revoked, suspended or varied under this regulation, the Board or the County Government, as the case may be, shall give the affected person an opportunity to be heard.

(3) Pursuant to section 44 of the Act, A person who is aggrieved by the decision of the Board under this regulation may appeal to the High Court.

PART IV – IMPORT AND EXPORT OF TEA

Registration of a tea buyer or exporter.

27. (1) Pursuant to section 30 of the Act, a person shall not

carry on the business of tea buying or tea exporting unless they are registered by the Board.

(2) An application for registration as a tea buyer or tea exporter shall be made to the Board in Form TBK\TB\J set out in the First Schedule accompanied by—

- (a) the fee specified in the Second Schedule;
- (b) an elaborate business plan demonstrating the viability of the business venture outlining—
 - (i) proposal to undertake value addition;
 - (ii) creation of new market linkages;
 - (iii) sourcing of tea and warehousing arrangement of tea;
 - (iv) creation of employment opportunities; and
 - (v) technology transfer;
 - (vi) evidence of suitable premises for value addition;
 - (vii) availability of equipment for the tea buyer or tea exporter to undertake tea value addition;

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\J1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

Registration of a tea importer.

28. (1) Pursuant to section 30 of the Act, a person shall not carry on the business of tea importing unless they are registered by the Board.

(2) An application for registration as a tea buyer or tea exported shall be made to the Board in Form TBK\TB\K set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\K1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) An application for renewal of a manufacturing licence shall be made in Form TBK/TB/K set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(5) An application for renewal under sub-regulation (4) shall be determined in accordance with regulation (3).

Duty on imported or transit tea packed for the local market.

29. (1) Every tea packer who packs imported or transit teas for the local markets shall pay duty and value added tax levied on such tea in accordance with the Act, and any other relevant laws.

(2) A packer who contravenes the provisions of this regulation commits an offence and shall be liable upon conviction to the penalties provided in section 71 of the Act.

Pre-import approval.

30. (1) Pursuant to section 31 of the Act, a person shall not import tea into Kenya without a pre-import approval issued by the Board.

(2) An application for pre-import approval shall be made to the Board—

- (a) in Form TBK\TB\L set out in the First Schedule;
- (b) accompanied by the fee specified in the Second Schedule;
- (c) meet the preconditions specified in section 31(1)(a)

and (b) of the Act.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue the pre-import approval in Form TBK\TB\L1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) The following tea imports shall be exempt from pre-import approval—

- (a) teas consigned for sale at the tea auction; and
- (b) transit teas.

Conditions for import.

31. (1) An importer shall not import tea into Kenya without a valid certificate of conformity to Kenya Tea Standards from an accredited institution from the country of origin.

(2) The Board may, at the cost of the importer, conduct an analysis of teas intended for importation or imported into the country to ensure conformity to Kenya Tea Standards on quality, food safety and hygiene, sanitary and phytosanitary regulations.

(3) Any tea imported into Kenya shall be—

- (a) in accordance in the specifications contained in the pre-import approval issued by the Board;
- (b) accompanied by—
 - (i) a certificate of origin;
 - (ii) a sanitary and phytosanitary certificate; and
 - (iii) a certificate of analysis on pesticide residues issued by a competent Authority from the country of origin.

(4) Any tea imported into Kenya that does not meet the

conditions specified under this regulation shall be rejected, seized or destroyed by the Board or re-exported to the country of origin at the cost of the importer.

(5) An importer who imports tea into Kenya for blending or export shall re-export the tea within a period of six months of the date of import and proof of such re-export shall be maintained for inspection by the Board.

(6) These provisions of this regulation shall apply to teas imported or intending to be imported into the Kenya customs territory from an export processing zone and special economic zone.

(7) A person who contravenes this regulation commits an offence and shall be liable, on conviction, to the penalty specified in section 71 of the Act.

Declaration of tea export and import consignments.

32. (1) Upon obtaining pre-import approval, a person intending to import tea shall declare information on all the tea import or export to the Board.

(2) An exporter shall declare information on all export consignments to the Board in Form TBK/TB/M as provided in the Tea (Levy) Regulations, 2021.

(3) An importer shall declare information on all import consignments to the Board in TBK/TB/W as set out in the First Schedule.

(4) A tea exporter or tea importer who provides false information under these Regulations commits an offence and shall be liable to the penalty provided in section 71 of the Act.

Release order.

33. (1) The Board shall verify customs documentation on exports or imports of any tea consignment and if it meets the requirements of the Act and these Regulations, issue an import or export release order in Form TBK\TB\M as set out in the First Schedule.

(2) The Board may cancel the export or import release order or pre-import approval if an exporter or importer contravenes the provisions of the Act or any Regulations made thereunder.

Registration of a tea broker.

34. Pursuant to section 32 of the Act, a person shall not operate as a tea broker unless they are registered by the Board.

(2) An application for registration as a tea broker shall be made to the Board in Form TBK\TB\N set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(3) Upon receipt of an application under sub-regulation (2), the Board shall determine the application and where the application is—

- (a) approved, issue a certificate of registration in Form TBK\TB\N1 set out in the First Schedule; or
- (b) rejected, notify the applicant indicating the reasons for its decision.

(4) An application for renewal of a manufacturing licence shall be made in Form TBK/TB/N set out in the First Schedule accompanied by the fee specified in the Second Schedule.

(5) An application for renewal under sub-regulation (4) shall be determined in accordance with regulation (3).

Number of factories serviced by a broker.

35. (1) A tea broker shall offer tea brokerage services to a not more than fifteen tea factories at the auction.

(2) Notwithstanding sub-regulation (1), the Board may from time to time vary the maximum number of tea factories that shall be served by a tea broker.

(3) When varying the maximum number of tea factories that shall be served by a tea broker, the Board shall consider the following—

- (a) the total number of tea factories licensed by the Board;
- (b) total volume of tea produced and sold through the auction;
- (c) the number of tea brokers registered by the Board.

Transit tea.

36. An exporter or importer shall comply with the relevant customs laws and regulations on transit-shipment of goods in handling transit teas and maintain the relevant documents for inspection by the Board.

Monthly return for buyer, exporter, importer, and broker

37. (1) Every tea buyer, tea exporter, tea importer and tea broker shall, not later than the fourteenth day of each month, complete and submit to the Board a return in Form TBK\TB\O set out in the First Schedule.

(2) The return submitted under sub-regulation (1) shall include details of the teas bought in the previous month and the source and destination of such tea.

(3) A person who contravenes this regulation commits an offence and shall be liable, on conviction, to the penalty provided under Section 71 of the Act.

Prohibition of import and export of tea seed or plants.

38. (1) A person shall not import or export any tea seed, or any living tea plants, or tea plants, which are capable of use for the propagation of tea, without the approval of the Board.

(2) A person who contravenes sub-regulation (1) commits an offence and shall be liable, on conviction, to the penalty provided in section 71 of the Act.

PART V — QUALITY ASSURANCE

Crop inspectors.

39. (1) Pursuant to section 49 of the Act, the Board may appoint crop inspectors to enforce compliance with the Act, these Regulations and any other relevant laws.

(2) A person shall be qualified to be appointed as a crop inspector if the person—

- (a) is a Kenyan citizen;
- (b) meets the requirements of Chapter six of the Constitution; and
- (c) holds a bachelor's degree holder in agriculture, food science, commerce, economic, marketing or related fields with professional training on systems audits,

compliance inspections or related fields from a recognized institution and a minimum of three years' relevant experience.

Powers of a crop inspector.

40. A crop inspector shall have the power of entry and inspection specified in section 50 and 51 of the Act.

Tea Standards and guidelines.

41. (1) All persons dealing in tea shall comply with the relevant national, regional and international Standards.

(2) All green leaf transporters and tea dealers shall comply with national tea standards and the Tea Industry Code of Practice KS: 2128.

(3) A tea grower and a tea manufacturer shall comply with green leaf quality guidelines.

(4) A tea factory shall construct suitable and clearly designated green leaf collection centres and shall ensure that the centres comply with Tea Industry Code of Practice KS: 2128, the Public Health Act and any other relevant law.

Collection and buying centres.

42. (4) A tea factory shall construct its green leaf collection or buying centre at least 250 metres away from the green tea leaf collection or buying centre of another tea factory.

(2) Every tea factory shall collect green leaf from its designated green leaf collection or buying centres only.

(3) The respective County Government shall carry out inspections on tea buying or collection centres to monitor compliance with the set national tea standards, the Act, these Regulations and any other relevant laws.

(4) All harvested leaf shall be collected or spread on clean canvas material, wooden tables or concrete tables at the leaf collection or buying centres to maintain the green tea leaf clean and free from any contamination and allow free circulation of air.

(5) Harvested green leaf shall not be poured on bare uncovered ground, grass or open soil.

(6) Every tea factory shall ensure that only licensed commercial green leaf transporters are used to ferry green leaf to the factory.

Quality analysis.

43. The Board may carry out quality analysis on made tea and tea products as it may deem necessary to ensure compliance with the Act.

Surveillance
inspections.

and

44. The Board shall regularly carry out surveillance inspections on production, processing, marketing, grading, storage, collection, transportation and warehousing of tea to ascertain and enforce compliance with these Regulations, the national tea standards, applicable international standards and any other relevant law.

PART VI- GREENLEAF QUALITY REQUIREMENTS

Handling of greenleaf.

45. (1) A tea grower, green leaf transporter, tea factory and management agent shall comply with the green leaf requirements in the growing, pruning, harvesting, transportation and processing of green leaf set out in the Third Schedule.

(2) A tea grower, green leaf transporter, tea factory and management agent shall comply with Production and Processing of Tea - Code of Practice KS EAS 1175 Standard in the production and processing of tea.

(3) A tea factory shall only process good quality green leaf that has met the minimum green leaf quality standards set out in the Third schedule.

(4) A person who contravenes the provisions of Regulation 45 commits an offence and shall on conviction be liable to the penalty prescribed under Section 71 of the Act.

PART VII-TEA BLENDING REQUIREMENTS

Blending of tea

46. (1) A warehouse, warehouse operator, tea packer, tea buyer/exporter, tea importer, tea factory and management agent shall comply with the tea blending requirements set out in the Fourth Schedule.

(2) A warehouse, warehouse operator, tea packer, tea

buyer/exporter, tea importer, tea factory and management agent shall comply with Production and Processing of Tea - Code of Practice KS EAS 1175 Standard, Black Tea Specification Standard KS EAS 28, General Principles of Food Hygiene- Code of Practice KS EAS 39 and any other relevant laws in the processing of tea.

(3) A person who contravenes the provisions of Regulation 46 commits an offence and shall on conviction be liable to the penalty prescribed under Section 71 of the Act.

PART VII – MISCELLANEOUS

Timeline for renewal of registration or licence.

47. (1) An application for a renewal of a licence or registration certificate shall be made at least one month prior to the expiry of such licence or registration certificate:

Provided that, where an application for a renewal of a licence or registration is made, the licence or registration shall be deemed to continue in force until the application for renewal is determined.

(2) The Board may consider late application for renewal of a licence or registration upon an applicant giving reasonable cause for the delay and upon approval for such application, the applicant shall pay a late application fee of 50% of the fees payable, in addition to the renewal fee.

Additional information.

48. The Board or the County Government, as the case may be, may require any additional information that it considers necessary to determine the application for registration or licensing under these Regulations.

Register and publication of names and particulars.

49. The Board or the County Government, as the case may be, shall maintain a register of persons registered or licensed under these Regulations and may publish the register in such manner as it may determine.

Transferability of licence or registration certificate.

50. (1) A licence or registration certificate issued under these Regulations shall not be transferable to third parties.

Notification of fees and charges.

51. (1) A tea broker, shall negotiate with the tea factory, the tea buyer or the tea exporter the fees, commission and other charges

payable for the services they intend to render.

(2) A management agent shall negotiate with the tea factory the fees, commission and other charges payable for the services they intend to render.

(3) A tea broker, tea auction organizer and management agent shall seek prior approval from the Board before charging any fees, commission and other charges for the services rendered.

(4) A tea broker, tea auction organizer and management agent shall annually, notify the Board of fees and commissions charged for services rendered during application of renewal of registration.

(5) The Board shall collate the information on fees and commissions charged notified to them under sub-regulation (3) and share the information with the relevant County Governments annually.

Penalty.

52. A person who commits an offence under these Regulations, for which no penalty is specified shall be liable, on conviction, to the penalty provided in section 71 of the Act.

FIRST SCHEDULE

THE TEA ACT
(Cap. 343)

TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

THE COUNTY GOVERNMENT OF.....

FORM TBK\CG\A

(r. 4 (2))

APPLICATION TO ESTABLISH A COMMERCIAL TEA NURSERY

Application is hereby made to develop a commercial tea nursery in the County of
.....on the land parcel specified in Part B below: -

A. Particulars of Applicant

1. Name of applicant\Certificate of Incorporation\ Registration.....
2. National Identify Card No/Passport No.
3. Address.....
4. Telephone No.....
5. PIN No:.....
6. Tax Compliance Certificate.....

B. Particulars of Land

1. L.R. No. or No's.....
2. Location.....
3. Ward.....
4. Sub-County.....
5. County

C. Type of seedling/ clones and numbers (indicate below)

- i.
- ii.
- iii.
- iv.....

Date..... Signature.....
Applicant or his duly authorized agent

FOR OFFICIAL USE:

Approval by: County Director for Agriculture

Remarks.....

Date & StampSignature.....

Requirements

1. An application for registration shall be made to the County government where the commercial tea nursery will be established.
2. The applicant shall provide evidence that they have been trained in tea nursery establishment and management.

THE TEA ACT
(Cap. 343)

TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\B

(r. 5 (2))

**APPLICATION FOR REGISTRATION AS SMALL OR MEDIUM SCALE TEA
GROWER**

To:Tea Factory

Application is hereby made for registration to deliver green leaf fromhectares of tea grown on the land parcel specified in Part B below: -

A. Particulars of Applicant

1. Name of applicant
2. National Identify Card No/Passport No/Certificate of Incorporation
No.....
3. Date of Birth
4. Gender
5. Address.....
6. Telephone No.....
7. Email address.....

B. Particulars of Land

1. L.R. No. or No's.....
2. Total Size (Hectares).....
3. Sub-Location.....
4. Location.....
3. Ward.....
4. Sub-County.....
5. County

C. Area under Tea

	Area planted with tea (Hectares)	Number of tea bushes	Year Planted
Green leaf			
Purple			
Total			

Date.....Signature.....
Applicant or his duly authorized agent

FOR OFFICIAL USE:

Tea Factory Manager:

Remarks:.....

.....

.....

Date and stampSignature.....

Requirements:

1. Proof of ownership of the land/lease agreement
2. Incase of lease land, provide a valid lease agreement duly executed before an advocate, copies of title deed, Identification card of lessor and letter from the area Chief.
3. Copies of National Identify Card No/Passport No/Certificate of Incorporation No.
4. Sketch of the tea farm

THE TEA ACT

TEA (REGULATIONS AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\ C

(r. 6)

APPLICATION FOR REGISTRATION AS A LARGE SCALE TEA GROWER

To: Tea Board of Kenya (TBK)

Application is hereby made for registration to deliver green leaf fromhectares/
..... acres to..... tea factory of tea grown on the land parcel specified in
Part B below:-

A. Particulars of Applicant

1. Name of applicant
2. National Identify Card No/Passport No/Certificate of Incorporation
No.....
3. Date of Birth
4. Gender
5. Address.....
6. Telephone No.....
7. Email address.....

B. Particulars of Land

1. L.R. No. or No's.....
2. Total Size (Hectares).....
3. Sub-Location.....
4. Location.....
3. Ward.....
4. Sub-County.....
5. County

C. Area under Tea

	Area planted with tea (Hectares)	Number of tea bushes	Year Planted
Green leaf			
Purple			
Total			

Date.....Signature.....
Applicant or his duly authorized agent

is hereby (Tick as appropriate)

	Registered as a Large Scale Tea Grower and is subject to terms and conditions specified herewith.
	Not Registered

FOR OFFICIAL USE:
Tea Board of Kenya:
Remarks:.....
.....
.....
Date and stampSignature.....

Requirements:

1. Evidence of registration with a licensed tea factory issued by the factory
2. Farm verification Report from the tea factory where applicable.
3. Proof of ownership of the land/lease agreement.
4. Incase of lease land, provide a valid lease agreement duly executed before an advocate, copies of title deed, Identification card of lessor and letter from the area Chief.
5. Copies of National Identify Card No/Passport No/Certificate of Incorporation No.

THE TEA ACT
(Cap. 343)

TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\C1

(r. 6(3))

CERTIFICATE OF REGISTRATION OF LARGE SCALE TEA GROWER

To:

.....

Is hereby registered to deliver green leaf fromHectares of tea to
..... tea factory from the land parcel specified herein subject to the terms and
conditions specified below.

Particulars of Land

1. L.R. No. or No's.....
2. Sub-location.....
2. Location.....
3. Ward.....
4. Sub-County.....
5. County
6. GPS location.....

THIS Registration Certificate is issued subject to compliance with the provisions of the Act,
Tea (General) Regulations, 2023 and to such terms and conditions as specified hereunder.

FOR OFFICIAL USE:

Managing Director – Tea Board of Kenya:

Remarks.....

.....
.....

Date and stampSignature.....

Terms and Conditions:

1. For the continued validity of registration, the grower shall not sell, transfer or in any way part with the possession of any tea seedlings, stumps, plants or any planting material, whether produced by vegetative propagation or otherwise, to any person other than a person who is validly registered by a tea factory or the Board.
2. A registered large scale tea grower is required to issue a receipt for all sales of tea planting material and note on the receipt the name of the registered grower, the date, and registration number of the grower.

3. A large scale tea grower shall not sell green leaf to any person other than the tea factory specified in this certificate.
4. A large scale tea grower shall not register their parcel of land planted with tea with more than one tea factory at a time.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\E

(r. 10)

APPLICATION FOR REGISTRATION AS A COMMERCIAL GREEN LEAF TRANSPORTER

Application is hereby made to transport green leaf from
to.....Tea Factory Company Ltd.

1. Vehicle owner's Name.....
2. Vehicle Registration Number.....
3. Vehicle Insurance Policy Number.....
4. Vehicle owner National Identity Card No/Passport No/Certificate of Company
Incorporation No:.....
5. Address:.....
6. E-mail.....
7. Sub-Location:.....
8. Location/Ward:.....
9. Sub-County:.....
9. County.....

THIS Registration Certificate is issued subject to compliance with the provisions of the Tea Act, the Tea (General) Regulations, 2023 and to the terms and conditions specified hereunder.

Requirements

1. A commercial green leaf transporter shall ensure that they comply with Kenya Tea Industry Code of Practice KS 2128 on transportation of green leaf.
2. A commercial green leaf transporter shall avail to the Board a valid copy of green leaf transportation contract signed by the respective tea factory.
3. A commercial green leaf transporter shall not transport green leaf from any other growers other than those registered with the factory where they are contracted.
4. A commercial green leaf transporter shall only collect green leaf from the designated leaf collection centres of the factory where the transporter is contracted.

5. A commercial green leaf transporter shall comply with Public Health Act and other relevant laws.

Tea Factory Manager Recommendation:

.....
.....
.....

Approval by the Managing Director, Tea Board of Kenya

Remarks.....

.....

Signature & Stamp.....Date

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\E1

(r. 10 (4))

COMMERCIAL GREEN LEAF TRANSPORTER REGISTRATION CERTIFICATE

This Registration Certificate is issued toof
P.O. Boxand authorizes the said person to carry on business
as a commercial Greenleaf transporter for a period of one year beginning on the
Day ofand ending onday of

1. Owners Name
2. Vehicle Registration Number.....
3. National Identity Card No/Passport No/Certificate of Company Incorporation
No:.....
4. Address:.....
5. Areas within which the vehicle is authorized to collect/transport green
leaf.....
.....
6. Factory to which the vehicle is authorized to transport green leaf.....
.....
.....

7. The vehicle indicated is hereby licensed for COMMERCIAL GREEN LEAF TRANSPORTATION

THIS Registration Certificate is issued subject to compliance with the provisions of the Tea
Act, the Tea (General) Regulations, 2023 to such terms and conditions as specified hereunder:-

Terms and Conditions

1. The vehicle hereby indicated must be designed appropriately to meet standards for a green
leaf transport carrier.
2. A commercial green leaf transporter shall ensure that they comply with Kenyan Tea
Standards on transportation of green leaf.
3. A commercial green leaf transporter shall not transport green leaf from any other growers
other than those registered with the factory where they are contracted.
4. A commercial green leaf transporter shall only collect green leaf from the designated leaf
collection centres of the factory where the transporter is contracted.
5. All green leaf transportation vehicles shall bear green leaf transportation stickers issued by
the Tea Board of Kenya.

6. A commercial green leaf transportation vehicle shall be clearly labelled with the name of the factory.

Managing Director Tea Board of Kenya	
.....	
Signature & Stamp.....	Date

THE TEA ACT

THE TEA (REGULATIONS AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\E2

(r.10)

REGISTER OF COMMERCIAL GREEN LEAF TRANSPORTERS

1. Name of the factory.....
2. Address.....
3. County.....
4. Telephone.....
5. Email address
6. Licence Number.....
7. Register for the month of Year

1. Details of Green Leaf Transporters:-

	Green Leaf Transporter	Transporter Registration No.	Registration No. of the Vehicles & Make	Vehicle Carrying Capacity	Vehicle Owner	National Identity Card No. /Certificate of Company Incorporation No	Areas within which the vehicle is authorized to collect/transport green leaf from	Green Leaf Delivered in Kilos
1								
2								
3								
4								

Ido hereby declare that the above particulars are true.

Date, 20.....

Signature.....

Licence holder or his duly Authorized Agent.

**THE TEA ACT
(Cap. 343)**

TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\D

(r. 11(1))

GREEN LEAF AGREEMENT

BETWEEN

NAME OF TEA FACTORY COMPANY LTD:

-AND-

NAME OF TEA GROWER:

AGREEMENT

THIS AGREEMENT is made this Day of20.....

BETWEEN:

A.TEA FACTORY COMPANY LTD of P.O. Box (Hereinafter referred to as “The Factory” which expression shall, where the context so admits include its successors and assigns) on the one part; and

B. Mr./Mrs..... of ID. Number..... of P. O. Boxand Telephone Number..... (hereinafter referred to as “The Grower” which expression shall, where the context so admits include his personal representatives and assigns) of the other part:-

WHEREAS:-

(a) The grower has registered, Grower Number of the Factory and intends to supply Green Leaf to the Factory;

(b) Location of Grower/Out-grower tea farm:

- (i) Sub-Location.....
- (ii) Location.....
- (iii) Ward.....
- (iv) Sub-County.....
- (v) County.....
- (vi) GPS Location.....

(c) Title Deed Number of the farm /farms L.R No. or Nos.....

(d) Size of the growers’ farmacres.

- (e) Area of the farm planted with teaacres.
- (f) Number of tea bushes in (e) above
- (g) Estimated annual Production.....Kgs

1. DURATION OF AGREEMENT

- 1.1 This Agreement shall commence on _____ day of the Year _____ and shall continue in force for a period of 3 (**THREE YEARS**), subject to termination by either party giving to the other 1 (**ONE MONTH**) written notice.
- 1.2 The agreement may be renewed upon such terms and conditions as may be agreed between the parties.
- 1.3 Any party wishing to review the terms and conditions of the agreement shall give at least two (2) written months' notice to the other party highlighting the terms they wish to review.
- 1.4 This agreement may be amended or varied as may be required from time to time by mutual written consent of the parties.
- 1.5 The terms and conditions of this agreement shall subsist during any period of review of the contract by the parties

2. THE GROWER RESPONSIBILITIES

- 2.1 The grower shall farm and produce good quality green leaf for processing using the best farming methods to ensure high quality yields;
- 2.2 The grower will arrange for all green leaf grown on his farm to be delivered in suitable leaf containers to the nearest designated Leaf Collection Centre (LCC) as and when such green leaf becomes ready for delivery at such times and on such days as have been agreed with the Factory;
- 2.3 The grower shall supply to the tea factory good quality green leaf in accordance with the prescribed Green Leaf Quality guidelines;
- 2.4 The grower shall apply the type and quantity fertilizer specified to the tea plants to ensure high productivity and production of quality leaf as guided by the factory extension officers from time to time.
- 2.5 The grower shall comply with the provisions of the Tea Act, these regulations, any other relevant laws and standards on tea.

3. THE FACTORY'S RESPONSIBILITIES

- 3.1 The factory shall, offer technical advisory services to the grower on Good Agricultural Practices (GAPS) for optimal production of high-quality tea.
- 3.2. The Factory in consultation with the tea grower or tea grower representatives, shall set a timetable for green leaf collection.
- 3.3. The timetable shall be prominently displayed at the Leaf Collection Centre in a language that is understood by a majority of the growers.
- 3.4 The tea factory shall ensure green leaf is collected as scheduled. In case green leaf is not collected as per schedule, then the factory shall make arrangements to compensate the grower for loss of uncollected leaf.
- 3.5 Provided that if the failure by the tea factory to collect the green leaf as set in the time table is due to *force majeure* the factory shall not be liable to compensate the grower for the loss of green leaf.
- 3.6 The factory shall inform the grower of its inability to collect green leaf as per the set timetable due to *force majeure* within a reasonable time after such occurrence.
- 3.7 The factory shall comply with the provisions of the Tea Act, these regulations, any other relevant laws and standards on tea.

4. DELIVERY OF GREEN LEAF

- 4.1 All green leaf from the grower delivered to the Factory shall be verified and weighed by the factory within a reasonable time after delivery to ensure conformity to the Leaf Standards and the weight recorded.
- 4.2 The grower or their representative shall be entitled to be present or to be represented at such weighing and examination.
- 4.3 The property and risk in the green leaf accepted by the Factory will pass to the Factory upon completion of such verification and weighing.
- 4.4 Green Leaf shall be collected as per the timetable displayed at the Leaf Collection Centre.
- 4.5 The Factory shall cause to be displayed at every Leaf Collection Centre a Service Charter displaying relevant information including, Leaf Collection timetable, Green Leaf Quality Standards, Input distribution, Payment procedures.

5. PAYMENTS TO THE GROWER

- 5.1 The tea factory shall within thirty days of receipt of the proceeds of sale, pay to the grower at least fifty percent of payment due for green leaf delivered to the factory every month.

- 5.2 The tea factories shall consolidate payments for green leaf delivered each month provided that the payments are made within thirty days of receipt of the proceeds of sale.
- 5.3 The monthly payment to the grower shall be computed by multiplying the monthly proceeds of sale of tea by fifty percent and dividing it by the monthly green leaf delivered in kilogram.
- 5.4 The formula for calculating the monthly green leaf price shall be:-
- $$\text{Monthly green leaf price} = \frac{50\% \times \text{monthly proceeds of sale of tea}}{\text{Total green leaf deliveries for the month (Kgs.)}}$$
- 5.5 The balance due to the tea grower from the proceeds of sale of tea during the year shall be paid in accordance with the Act.

6. TERMINATION

- 1.1 Notwithstanding anything to the contrary herein before contained, this Agreement may be terminated by either party as follows:-
- (a) by service of a written notice of termination, if a party fails to remedy any breach of this agreement within 30 days after service of a written notice specifying the breach and requiring it to be remedied;
 - (b) forthwith and without notice, in the event of the grower ceasing to grow tea; and
 - (c) forthwith and without notice, if a party does not comply with any legal and statutory requirements currently in force or hereinafter enacted related to the growing, delivery or manufacture of green leaf;
- 6.2 Any termination under the provision of this clause shall be without prejudice to any claim for damages and any rights and remedies of either party against the other in respect of any breach of any of the terms and conditions of this agreement whether giving rise to such termination or antecedent thereto.
- 6.3 Provided that a party shall be required to fulfil any outstanding obligations that they may have to the other party notwithstanding the termination of the contract under clause 6.1 above

7. DISPUTE RESOLUTION

Any complaint arising between the parties in connection with the agreement and the review thereof shall be submitted to the Tea Board of Kenya, within 14 days after a party first serves notice to the other of such dispute. Any such complaint shall be conducted in accordance with the complaints and investigation procedure specified under Section 62 of the Act and any other relevant law.

IN WITNESS whereof this agreement has been duly executed by or on behalf of the parties.

Sealed with the common seal of

.....TEA FACTORY

In the presence of)

)

)

Director)

Director/Company Secretary)

)

)

)

Signed by the Tea Grower : _____

Name of Tea Grower :

Witnessed By : _____

Name :

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\H

(r. 14(2))

**APPLICATION FOR REGISTRATION/RENEWAL OF MANAGEMENT
AGENT**

1. Name of applicant.....
2. Certificate of incorporation No..... (attach copy)
3. Names and Particulars of Directors (attach copy of Form CR 12).....
.....
4. Tax Compliance Certificate (attach copy)
5. Postal Address.....
6. Telephone number.....
7. E-mail address
8. L.R. No. /Nos.....
9. Contact Person.....
10. Indicate services to be provided shall be in the following areas (tick as appropriate)

(a) Production.....

(b) Processing.....

(c) Financial Services.....
(d)
(e) Others - specify.....
11. List of factory(ies) (attach list).....

Date.....

Signature of applicant

Recommendation by Tea Factory

.....

Date **Signature**

Terms and Conditions:

1. Before registering a management agent, the Board shall satisfy itself: -

- (a) that the applicant has the necessary management capacity to carry out the services they intend to offer for which the licence is required;
- (b) that the applicant intending to offer agency services has provided indemnity of 0.5% of principals' annual business turnover from a reputable financial institution; and
- (c) the Directors of the Management Agent do not act in a position of directorship or have a commercial relationship with a tea factory that they intend to offer management services to.

2. The Board shall satisfy itself that the agreement between the Management Agent and the tea factory conforms to the Tea Act, 2020, Tea (General) Regulations, 2023 and any other relevant laws.

1. 3. The management agent agreement shall specify the performance standards to be adhered to by each of the parties to the agreement for the contract period.

2.

3. 4. When considering an application for renewal of registration for a Management Agent, the Board shall require the applicant to submit the annual audited financial statements for previous concurrent two years.

4.

5. 5. A Management Agent shall be excluded from offering the services of a Company Secretary to a tea factory limited company that they intend to offer management agent services to.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\H1

(r. 14(3))

MANAGEMENT AGENT CERTIFICATE

The Tea (General) Regulations, 2023

THIS Certificate is issued to of
P.O Box..... and authorizes the said person to carry on
Business as a tea management agent to offer:-

a. Production.....

b. Processing.....

c. Financial Services.....

Others –specify.....

Specify the factory/garden marks..... in
the Republic of Kenya at L.R. No(s).....for a period of
.....beginning on the..... day of
..... and ending on..... day of..... (Both days
inclusive).

THIS Certificate is issued subject to compliance with the provisions of the Crops Act, the
Crops (Tea Industry) Regulations, 2020 and to the terms and conditions specified herein
below.

Date.....

.....
Managing Director
Tea Board of Kenya

.....
Signature/Stamp

Terms and Conditions

1. A certificate shall be for specific factory/garden /garden marks.
2. Any subsequent factory/garden /garden marks shall be applied for separately.
3. The term duration of the management agreement shall be for a period not exceeding 5 years and annual fees for the service does exclude 2% of gross tea sales.
4. A tea factory company wishing to terminate its management agreement shall give at least six months' notice of its intention to terminate the agreement or any such period as specified in the management agreement and inform the Board immediately stating the reasons thereof.
5. A Management Agent wishing to terminate its management agreement with a factory company shall give at least six months' notice of its intention to terminate or such period as specified in the agreement and inform the Board immediately stating the reasons thereof.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\H2

(r. 14(4))

**ANNUAL RETURN BY MANAGEMENT AGENT
(CONFIDENTIAL)**

1. Name of agent.....
2. Postal address.....
3. E-mail address.....
4. Registration certificate number.....
5. Category of Services offered to factories:.....
(Attach list of tea factory(ies) under each service)
 - (i)
 - (ii)
 - (iii)
 - (iv)
 - (v)*(If space is not adequate provide an attachment)*

I.....do hereby declare that the above particulars are true.

Date.....

Signature/ Stamp.....
Management Agent

Note:-

This form must be forwarded to the Tea Board of Kenya, **P.O. Box 20064-00200 NAIROBI**, on or before **15th January** of each year.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\I

(r. 16(2))

**APPLICATION FOR REGISTRATION /RENEWAL OF TEA
WAREHOUSE OPERATOR**

1. Name of Applicant
2. Certificate of Incorporation No. (attach copy).....
3. Director(s) National Identity Card No/Passport No.....(attach copy/copies)
4. Tax compliance Certificate from Kenya Revenue Authority..... (attach Copy)
5. List Names and particulars of Directors (attach copy of Form CR 12).....
6. Postal address.....
7. Email address.....
8. Location of Business:
 - (a) County.....
 - (b) Town.....
 - (c) Street/Road.....
 - (d) Name of Building
 - (e) Telephone No
 - (f) E-mail address.....

Date

Signature
Applicant or his duly Authorized Agent

FOR OFFICIAL USE:

Received

.....
Remarks by the Board.....
.....

Date.....

Signature/Stamp.....

**Managing Director
Tea Board of Kenya**

Terms and conditions for Warehouse Operator

1. Only a firm incorporated under the Company's Act shall apply for registration as a warehouse operator.
2. Provide details of the proposed premises suitably located and equipped for the business for which they are registered.
3. On application for registration or renewal of registration certificate a warehouse operator shall submit to the Board a certified copy of a valid Insurance Policy covering all risks related to the tea warehouse operator business.
4. On application for registration or renewal of certificate the applicant shall comply with the requirements of the Public Health Act and any other relevant law.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\I1

(r. 16(3))

TEA WAREHOUSE CERTIFICATE

THIS Certificate of registration is issued toof P. O. Box..... to engage in the business of tea warehousing in the County ofat LR/ No(s).....for a period of beginning on the.....day of and ending onday of.....(Both days inclusive).

THIS Certificate is issued subject to compliance with the provisions of the Tea Act, 2020, Tea (General) Regulations, 2023, Public Health Act, and any other relevant law.

Date issued.....

Signature

**Managing Director
Tea Board of Kenya**

Official Seal

Terms and Conditions

1. A warehouse operator shall comply with these Regulations, Tea Industry Code of Practice KS:2128, Standards on warehousing including National and International Standards on Food Safety and Hygiene and any other relevant laws.
2. A warehouse operator shall conduct their business honestly, fairly and with integrity, appropriate to the nature and scale of business.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\G

(r. 17 (2))

APPLICATION FOR REGISTRATION/RENEWAL OF A TEA PACKER

1. Name of Applicant.....
2. Copy of Director(s) National Identity Card No/Passport No.(attach)
3. If company, list names and particulars of directors (attach a copy of Form CR12)
4. Certificate of Incorporation/Registration/Registration No (attach copy).....
5. Tax Compliance Certificate (Attach Copy).....
6. If a Company, List Names and Particulars of Directors
(Attach copy).....
7. Postal Address.....
8. Email Address.....
9. Telephone No.
10. Location of Business:-
 - a. County.....
 - b. Town.....
 - c. Street/Road.....
 - d. Name of Building
10. Source of Tea:-
 - a. Own tea.....Yes/No
 - b. Mombasa auction purchases.....Yes/No
 - c. Ex-factory purchase.....Yes/No
 - d. Direct purchase.....Yes/No
 - e. Imports.....Yes/No

The Tea (General) Regulations, 2023

f. Packaging on contractYes/No

g. Packing CapacityKgs. per Year

11. Tea exports:-

a. Value added exports.....Kgs. Per year.

b. Bulk tea exports

Date

Signature

Applicant or his duly Authorized Agent

FOR OFFICIAL USE:

Remarks by Managing Director, Tea Board of Kenya

.....
.....

Signature..... **Date & Stamp**.....

Terms and conditions:

1. While considering an application for registration or renewal, the Board shall ensure that only packers with the requisite approvals under the Public Health Act and any other written law are registered.
2. An applicant shall provide details of proposed premises that are suitably located and equipped for tea packing.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\G1

(r. 17 (3))

TEA PACKER CERTIFICATE

THIS Certificate is issued to of P. O. Box and authorizes the said person to carry on business as a tea packer in the Republic of Kenya at L.R. No.(s).....or a period of beginning on the.....day ofand ending onday of..... (Both days inclusive).

THIS Certificate is issued subject to compliance with the provisions of the Tea Act, 2020, Tea (General) Regulations, 2023, and to the terms and conditions specified hereunder.

Date

.....

**Managing Director
Tea Board of Kenya
Signature & Seal Stamp**

Terms and Conditions

1. A packer shall comply with national and international standards on tea quality, standards on tea packing and food safety and hygiene.
2. A packer who fails to submit statistical returns as required under these regulations may have their registration certificate revoked, altered or suspended.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\G2

(r. 17(6))

**TEA PACKER MONTHLY RETURN
(CONFIDENTIAL)**

1. Month..... Year.....
2. Name of packer.....
3. Address.....
4. Tea bought during the month:
 - a. Auction purchase.....Kgs
 - b. Ex-factory..... Kgs
 - c. Local purchase.....Kgs
 - d. ImportsKgs
 - e. Others..... Kgs
 - Total Kgs.....**
5. Total packing releases:
 - a. Local sales..... Kgs
 - (i) Packets(in grams).....Kgs
 - (ii) Tea bags.....Kgs
 - (iii) Others.....Kgs
 - Total.....Kgs**
 - b. Export sales.....Kgs
 - (i) Packets (in grams).....Kgs
 - (ii) Tea bags.....Kgs

The Tea (General) Regulations, 2023

(iii) Others.....Kgs
Total.....Kgs

6. Allowances and free issues.....Kgs

a. Packets (in grams).....Kgs

b. bags.....Kgs

c. Others.....Kgs

Total.....Kgs

GRAND TOTALKgs.
(If space is inadequate provide an attachment)

Date.....

Signature.....
Packer or his duly Authorized Agent

Note:

- i. The Form shall be forwarded to the Board **C/O. P.O. Box 20064-00200, NAIROBI** and copy to respective County Government duly completed not late than **Fourteen (14) days** after end of each month.
- ii. It is an offence for a tea packer to fail to submit monthly statistical returns as required under the Tea (General) Regulations, 2023.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\P

(r. 18(2))

APPLICATION FOR REGISTRATION/RENEWAL OF AUCTION ORGANIZER

1. Name of applicant.....
2. Certificate of incorporation No..... (Attach copy)
3. Memorandum and Articles of Association.....(Attach copy)
4. Names and Particulars of Directors and Form CR.12 (attach details).....
5. Tax Compliance Certificate (Attach copy).....
6. Address.....
7. Telephone number
- E-mail address.....
8. Contact Person.....
9. L.R. No. /Nos.....
10. Nature of business.....
11. Specify services to be provided.....
.....
.....
.....

Date applied.....

Signature of applicant

Terms and Conditions

1. The applicant is a company incorporated in Kenya under the Companies Act;
2. An applicant shall furnish the Board with the rules governing the operations of the auction in a state satisfactory to the Board.
3. The rules shall restrict the applicant to the business of operating a tea auction and related services.
4. The rules shall contain the applicable fees and charges for membership and for services rendered by and between members.
5. The rules shall contain guidelines for disclosure of the daily trading report of the auction.

The Tea (General) Regulations, 2023

6. Satisfy the Board on the applicant financial capacity, functional expertise and infrastructure to undertake tea auction in the Republic of Kenya.
7. Have in its employments sufficient number of persons with adequate, professional and other relevant competencies and experience.
8. An applicant shall digitize and automate the tea auction system for efficient services delivery and information dissemination.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\P1

(r. 18)

AUCTION ORGANIZER CERTIFICATE

THIS Certificate is issued to of P.O. Box..... and authorizes the said person carry on the business of Tea auction organizer in the Republic of Kenya at L.R. No.(s).....for a period of beginning on the.....day of and ending onday of.....(both days inclusive).

THIS Certificate is issued subject to compliance with the provisions of the Tea Act, 2020, Tea (General) Regulations, 2023 and to the terms and conditions specified here under:

Date.....

.....
Managing Director
Tea Board of Kenya
Signature/Stamp

Terms and Conditions

1. An auction organizer shall not later than the fourteen (14) day of each month submit to the Board a monthly tea auction report of all teas sold through the auction in the previous month in the prescribed form.
2. An auction organizer shall ensure that only Members who have valid licences or registration certificates from the Board participate in the auction.
3. The trading rules and regulations of the auction organizer shall:-
 - a. promote fair treatment of members and persons who applies for admission as members;
 - b. exclude a person who is not fit and proper from being a member;
 - c. promote appropriate standards of conduct of its members;
 - d. ensure that its members comply with the Tea Act, 2020 and these Regulations;
 - e. require members to report in a timely manner any breaches of applicable rules and regulations;
 - f. expel, suspend, discipline or sanction a member if they contravene the Tea Act, 2020 or these Regulations and other relevant laws; and
 - g. provide procedure for dispute resolution.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\R

(r. 18(6))

**AUCTION ORGANIZER MONTHLY REPORT
(CONFIDENTIAL)**

**Monthly auction sales analysis for the Month ending.....20.....
for Sale No/s.....**

1. Name of Auction Organizer.....
 2. Address.....
 3. Registration Number.....
1. Kenyan teas

Auction No.	Garden Mark	Grade(s)	Volume Offered (Kgs)	Broker	Catalogue Valuation (USD/Kg)	Buyer	Buyer Price (USD/Kg)
1							

Auction No.	Country	Grade(s)		Volume Offered (Kgs)	Broker	Broker Valuation (USD/Kg)	Buyer	Buyer Price (USD/Kg)
1								

The Tea (General) Regulations, 2023

1. Non-Kenya teas

Tea auction report

- (1) auction offerings.....
.....
- (2) tea prices trends.....
.....
- (3) tea market trends.....
.....

I.....do hereby declare that the
above particulars are true.

Date..... Signature.....
Auction Organizer

Note:- This Form must be forwarded to the Tea Board of Kenya, **P.O. Box 20064,**
00200 NAIROBI, on or before the **fourteenth (14) day** of the subsequent month.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\F

(r. 18(2))

**APPLICATION FOR ISSUANCE/RENEWAL OF TEA MANUFACTURING
FACTORY LICENCE**

An application is hereby made to establish/operate a factory for the manufacture of tea in accordance with the particulars given below:-

1. Name of Applicant.....
2. Certificate of Company Incorporation and Tax Compliance certificate (Attach copy)
.....
3. List Names and Particulars of Directors (Attach copy of CR 12 Form)
.....
4. Postal Address
5. Telephone No
6. E-mail address.....
7. Sub-Location.....
8. Location/Ward
9. Sub-County.....
10. County
11. L.R. No./Nos.....
12. GPS Location.....
13. Factory Trade Mark(s).....
14. Source of green leaf for processing:
 - (a) Own (Hectares)
 - (b) Out growers/growers..... (Hectares)
15. Type of tea manufacture:

(a) C.T.C. (cut, tear, curl)

(b) Orthodox

16. Manufacturing capacity:

(a) Green tea leaf..... Kilogrammes per year.

(b) Made Tea.....Kilogrammes per year.

17. Tea Packing Capacity:Kilogrammes per year

18. Source of tea for packing

(a) Own tea..... Kilogrammes per year

(b) Other factory teas..... Kilogrammes per year

(c) Imported teas Kilogrammes per year

The particulars given are hereby certified to be correct.

Date.....

Signature.....

Applicant

FOR OFFICIAL USE:

Approved/not approved by The Managing Director, Tea Board of Kenya.....

.....

.....

.....

Signature.....Date & Stamp.....

Terms and conditions

1. An applicant for a tea manufacturing licence shall;

(a) furnish the Board with a feasibility study report of the proposed tea manufacturing factory which should include a financial plan demonstrating capacity to construct and a crop development plan to sustain leaf supply;

(b) provide a grower's register to include growers name, I.D number, location, total area of the grower's farm, area planted with tea, land registration (L.R) number and factory where the grower currently supply green leaf;

(c) provide grower's affidavits supported by grower I.D copy and copy of land title or area chiefs letter.

(d) have at least 250 hectares of planted tea bushes; and

- (e) where an application is by a group of persons or companies, have at least 250 hectares of planted tea bushes which parcels of land must be within a 50 kilometres radius.
2. A tea manufacturing factory shall not buy green leaf from any other person other than the growers appearing in its register.
 3. A tea manufacturing factory shall verify the details contained in the application made to it by a grower to ensure that the particulars submitted are correct.
 4. A tea manufacturing factory shall sign a Green Leaf Agreement with all its registered grower's and maintain the signed agreement at the factory for inspection by the Board.
 5. A tea manufacturing factory that intends to vary its licensed processing capacity, shall furnish the Board with proof of the additional source of leaf.
 6. Before granting additional processing capacity to a tea manufacturing factory, the Board shall satisfy itself that the applicant has adequate green leaf for the capacity applied for.
 7. A tea manufacturing factory shall only manufacture the types of teas for which they are licensed.
 8. When considering an application for a manufacturing licence, the Board shall satisfy itself that the applicant has adequate financial capacity to undertake the project.
 9. When considering an application for renewal of a manufacturing licence, the applicant shall furnish the Board with audited financial statements for the last two years.
 10. If a tea manufacturing factory intends to use wood as a source of energy, the applicant shall furnish the Board with a wood fuel sustainability plan equivalent to the ratio of 4:1 tea planted to woodlots planted.
 11. Before granting a manufacturing license the Board shall satisfy itself that the directors of the applicant are not serving as directors in a company having a direct or indirect commercial relationship with the factory.
 12. A tea factory shall register all its vehicles for transportation of green leaf with the Board using the prescribed format.
 13. A tea factory shall clearly label all its green leaf transportation vehicles with the factory's name.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\F1

(r. 18(3))

**APPLICATION FOR ISSUANCE/RENEWAL OF SPECIALTY TEA
MANUFACTURING LICENCE**

An application is hereby made to establish/operate a factory for specialty tea manufacture in accordance with the particulars given below:-

1. Name of Applicant.....
2. Certificate of Company Incorporation and Tax compliance certificate (Attach copy)
3. List Names and Particulars of Directors /Officials (Attach Form CR12).....
.....
4. Postal Address
5. Telephone No
6. E-mail address.....
7. Sub-location.....
8. Location/Ward.....
9. Sub-County.....
10. County
11. L.R. No./Nos.....
12. GPS location.....
13. Factory Trade Mark.....
14. Source of green leaf for processing:
 - (a) Own (Hectares)
 - (b) Out growers /growers..... (Hectares)

15. Type of tea manufacture:

- (a) Orthodox,
- (b) Purple
- (c) Instant
- (d) White tea (silver tips)
- (e) Green
- (f) Oolong
- (g) Tea extracts
- (h) Others (specify)

16. Manufacturing capacity:

(a) Green leaf.....Kilogrammes per year.

(b) Made tea.....Kilogrammes per year.

17. Tea Packing Capacity:Kilogrammes per year

The particulars given are hereby certified to be correct.

Date.....

Signature.....

Applicant

FOR OFFICIAL USE:

Remarks by the Managing Director, Tea Board of Kenya

.....
.....

Signature.....Date & Stamp.....

Terms and conditions

1. A specialty tea manufacture shall not buy leaf from any other person other than the growers appearing in its register.
2. A specialty tea manufacturer shall verify the details contained in the application made to it by a grower to ensure that the particulars submitted are accurate.
3. A specialty tea manufacturer shall sign a Green Leaf Agreement with all its registered growers and maintain the signed agreement at the factory for inspection by the Board.
4. A specialty tea manufacturer shall comply with the provisions of the Tea Act, 2020, Good Manufacturing Practices and relevant national and international standards on quality, food safety & hygiene, Tea Industry Code of Practice, and other relevant laws.
5. A specialty tea manufacturer shall only manufacture the types of teas for which they are licenced by the Board.

6. If a specialty tea manufacturer wishes to vary the type of tea manufacture or processing capacity they shall seek prior approval from the Board.
7. Before granting additional processing capacity to a specialty tea manufacturer, the Board shall satisfy itself that the applicant has adequate green leaf for the capacity applied for.
8. When considering an application for a specialty manufacturing licence, the Board shall satisfy itself that the applicant has adequate financial capacity to undertake the project.
9. When considering an application for renewal of a specialty manufacturing licence, the applicant shall furnish the Board audited financial statements for the last two years.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\F2

(r. 19(5)(a))

TEA MANUFACTURING LICENCE

THIS LICENCE is issued to of P. O. Box and authorizes the said person to conduct the business or carry on the business of manufacture in the Republic of Kenya at L.R. No(s) for a period of beginning on the Day of and ending on Day of (Both days inclusive).

THIS LICENCE is issued for:

Type of tea manufacture:

(a) Black C.T.C. (cut, tear, curl)	Orthodox	Others (specify)

Licensed manufacturing capacity:

Green tea leaf Kilograms per year.
Made tea.....Kilograms per year.

THIS LICENCE is issued subject to compliance with the provisions of the Tea Act, 2020, the Tea (General) Regulations, 2023, and to such terms and conditions as specified hereunder.

Terms and Conditions

1. Each tea factory shall sign a Green Leaf Agreement with all their registered growers and a copy of the Agreement shall be maintained at the factory for inspection.
2. A tea factory shall furnish the Board with a certified copy of the growers register.
3. No tea factory shall buy green leaf from any other person other than the growers appearing in its register.
4. Notwithstanding the provisions of paragraph 3, in cases where a tea factory has

inadequate processing capacity and surplus green leaf, the Board shall, where necessary, arbitrate to decide the arrangements to divert the surplus green leaf to the tea factory with extra processing capacity.

5. No tea factory shall collect green leaf from other factory collection centres.
6. This license shall authorize the holder to carry on the business of packing and blending in addition to manufacturing.
7. A holder of a tea manufacturing licence shall not install additional processing capacity, increase through put or vary the type of manufacture without prior approval by the Board.
8. A tea factory shall comply with good manufacturing practices and national standards on quality, food safety and hygiene.
9. The Board may cancel, vary, or suspend the licence if the conditions of the licence have been contravened or not complied with.
10. The Board shall seize and remove or order the removal of any manufactured tea or additional processing capacity where it has reasonable grounds to believe has been installed contrary to the conditions of the licence issued under these Regulations.
11. A director of a tea factory shall not serve as a director in another company having a direct or indirect commercial relationship with the factory where the person is serving as a director.

Date issued.....Signature/Seal.....

Managing Director
Tea Board of Kenya

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\F3

(r.18 (5)(b))

SPECIALTY TEA MANUFACTURING LICENCE

THIS SPECIALTY TEA MANUFACTURING LICENCE is issued to
.....
of P. O. Box and authorizes the said person to conduct the business or carry
on the
business of manufacture in the Republic of Kenya at L.R. No(s)
.....
for a period of beginning on the Day of and
ending on Day of (Both days inclusive).

THIS LICENCE is issued for;

Type of tea manufacture:

Orthodox	Green	Instant	White (silver tips)	Purple	Oolong	Tea Extracts	Others (specify)

Licensed manufacturing capacity:

Green tea leaf Kilograms per year.

Made tea.....Kilograms per
year.

THIS LICENCE is issued subject to compliance with the provisions of the Tea Act, 2020,
the Tea (General) Regulations, 2023, and to such terms and conditions as specified
hereunder.

Date issued.....Signature/Seal..... <div style="text-align: right;">Managing Director Tea Board of Kenya</div>
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Terms and Conditions

1. Each specialty tea manufacturer shall sign a Green Leaf Agreement with all their registered growers and a copy of the Agreement shall be maintained at the factory for inspection.
2. No specialty tea manufacturer shall buy green leaf from any other person other than the growers appearing in its register.
3. A holder of a specialty tea manufacturing licence shall ensure that their designated tea collection centres comply with the provisions of the Public Health Act (CAP. 242) and other relevant laws.
4. A new applicant for a specialty tea manufacturing licence shall construct and commission the tea factory within three years from the date of issuance of licence.
5. The Board may refuse to issue, cancel, vary, or suspend the licence if the conditions of the licence have been contravened or not complied with.
6. A holder of a specialty tea manufacturing licence shall not install additional processing capacity or vary the type of manufacture without prior approval by the Board.
7. A specialty tea factory shall comply with provisions of the Tea Act, 2020, Good Manufacturing Practices, Tea Industry Code of Practice, national and international standards on quality, food safety & hygiene and any other relevant laws.
8. The Board shall seize and remove or order the removal of any manufactured tea or processing capacity where it has reasonable grounds to believe has been installed contrary to the conditions of the licence issued under these Regulations.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\ G

(r. 22 (1)(a))

**TEA FACTORY ANNUAL PRODUCTION STATISTICAL RETURN
(CONFIDENTIAL)**

1. Name of the factory.....
2. Address.....
3. County.....
4. Telephone.....
5. Email address
6. Licence Number.....
7. Total Number of registered tea growers/outgrowers.....
8. **Planted Area (Hectares)**
 - (a) Planted area by registered tea growers /outgrowers (Hectares).....
 - (b) Planted area own Factory Estates (Hectares).....
 - (c) Total Combined Planted area (a+b) above (Hectares)
9. Number of Commercial Tea Nurseries in the area.....
10. **Tea Manufactured during the reporting period:**
 - (a) C.T.C (cut, tear, curl).....
 - (b) Orthodox
 - (c) Green Tea.....
 - (d) Purple.....
 - (e) White (silver tips).....
 - (f) Oolong Tea.....
 - (g) Instant Tea.....
 - (h) Tea extracts.....
 - (i) Others (specify)

The Tea (Registration and Licensing) Regulations, 2024

11. Total crop processed in the last financial year.....Kgs/G.L/YR

12. Made Tea in the last financial year.....Kgs/M.T.

(a) Current installed processing capacity.....Kgs/G.L/YR

(b) Capacity utilization percentage (%)......Kgs/G.L/YR

(c) Projected processing capacityKgs/G.L/YR

13. Packed tea in the last financial year.....Kgs/M.T.

14. Average payment to growers on Greenleaf deliveries.....Ksh./Kg/G.L/YR

15. Cumulative rainfall for the yearmm

I, do hereby declare that above particulars are true

Date.....
.....

Signature

**Tea Factory Manager
For**

.....
Tea Factory Company

NOTE: This Form must be forwarded to the Board C/o **P.O. Box 20064, 00200, NAIROBI** and a copy to the respective County government on or before **15th of January** in every year.

It is an offence for a tea factory to fail to submit statistical returns as required by the Tea Regulations 2023.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\GI

(r. 22(1)(b))

**TEA FACTORY MONTHLY PRODUCTION RETURN
(CONFIDENTIAL)**

Month.....20.....

...

1. Name of Manufacturing Licence Holder.....

2. Licence Number.....

3. Address.....

4. County.....

GRADE ANALYSIS OF PRODUCTION AND STOCK RELEASES (KGS)

Types of Tea Manufacture											TOTAL (kg)
	CTC Grades	BP1	PF1	PD	D1	BMF	FNG	BP	D	D2	
	Orthodox Grades	FB	FBOP	BOP	GOF	Others	FOF	OFB	GOF1	FBOP2	
	Purple Tea										
	OTHER Grades (Green Tea, Oolong, Tea Extracts, White Tea and Soluble)										
Production Analysis	Stock brought forward										
	Tea Manufactured this month										

The Tea (Registration and Licensing) Regulations, 2024

	Total										
Stock Releases	Auction sales										
	Direct sales Export										
	Direct sales Local										
	Total Issues										
STOCK BALANCE CARRIED FORWARD											

I.....do hereby declare that the above particulars are true.

Date,
20.....

Signature.....
Licence holder or his duly Authorized Agent.

NB: Each licence holder must complete a separate Form for each type of tea manufactured

<p>FOR OFFICIAL USE</p> <p>Date received.....Official Stamp.....</p> <p>Remarks by the Managing Director, Tea Board of Kenya</p> <p>.....</p> <p>...</p> <p>.....</p> <p>...</p>

NOTE:

- i. This Form must be forwarded to Tea Board of Kenya **C/o. P.O. Box 20064, 00200, NAIROBI**, on or before **14th day** of ensuing month.
- ii It is an offence for a tea factory to fail to submit monthly statistical returns as required by the Tea (General) Regulations, 2023.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\J1

(r.23(3))

TEA BUYER/EXPORTER REGISTRATION CERTIFICATE

THIS Certificate is issued toof P. O. Box..... and authorizes the said person to carry on business as a tea buyer/exporter in the Republic of Kenya at L.R. No(s).....for a period of beginning on the.....day of and ending onday of.....(both days inclusive).

THIS Certificate is issued subject to compliance with the provisions of the Tea Act, 2020, Tea (General) Regulations, 2023 and to the terms and conditions specified hereunder.

Date issued	Signature Managing Director Tea Board of Kenya Official Seal
--------------------------	--

Terms and Conditions

1. A tea buyer/exporter shall value add at least five percent of their annual tea exports to attain forty percent over a period of eight years except tea extracts, tea aroma, tea oils, tea by-products and specialty teas.
2. A buyer/exporter shall conduct its business honestly, fairly, with integrity and professional skills appropriate to the nature and scale of activity.
3. A buyer/exporter shall comply with the provisions of the Tea Act, 2020 Tea (General) Regulations, 2023 and any other relevant laws.
4. Any buyer/exporter who fails to register their tea exports promptly and correctly with the Board may have their registration certificate cancelled, varied or suspended.
5. The Board may cancel, vary or suspend a registration certificate of a buyer/exporter if an offence has been committed with respect to a registered activity or if a condition of the registration has been contravened or not complied

with.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\K

(r. 24(2))

**APPLICATION FOR REGISTRATION/RENEWAL
OF A TEA IMPORTER**

1. Name of Applicant.....
2. Director(s) National Identity Card No/Passport No.....(Attach copy).....
3. Certificate of Incorporation No (Attach copy).....
4. Tax compliance Certificate from Kenya Revenue Authority... (Attach Copy)
4. Names and Particulars of Directors (Attach copy of Form CR 12).....
.....
5. Postal address.....
6. Email address.....
7. Location of Business
 - a. County.....
 - b. Town.....
 - c. Street/Road.....
 - d. Name of Building
 - e. Telephone No
 - e. E-mail address.....
8. Form of tea to be imported: (tick as appropriately)
 - a. Value added imports
 - b. Bulk tea imports

c. Other (specify).....

9. Purpose for imports: (tick as appropriately)

a. Re-export.....

b. Local sales.....

c. Other
(specify).....

10. Projected annual capacityKgs.

Date
.....

Signature

Applicant or his duly Authorized Agent

(Delete as necessary)

FOR OFFICIAL USE:

Received

.....

Remarks by the Board.....

.....

Date.....

Signature/Stamp.....

**Managing Director
Tea Board of Kenya**

Terms and conditions:

1. An applicant for importer registration shall:-

- (a) The applicant is a company incorporated in Kenya under the Companies Act, with such minimum share capital as may be prescribed;
- (b) The applicant has the necessary management capacity to carry on tea importing business for which the Registration is required;
- (c) The applicant has sufficient knowledge, experience and capacity to conduct tea importing business; and
- (d) The persons engaged or to be engaged in the position of Chief Executive Officer or other senior position possess sufficient knowledge, management experience and competence.

2. A person who imports tea into Kenya shall prior to importation—

(a) provide evidence that the teas they intend to import are not available in the local market or at the tea auction;

(b) provide a sample of the teas to be imported and pre-import verification

certificate from the country of origin; and

(c) obtain pre-import approval from the Board.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\K1

(r. 23(2))

TEA IMPORTER REGISTRATION CERTIFICATE

THIS Certificate is issued toof P. O. Box.....and authorizes the said person to carry on business as a tea importer in the Republic of Kenya at L. R. No(s).....for a period ofbeginning on the.....day of..... and ending on.....day of.....(both days inclusive)

THIS Certificate is issued subject to compliance with the provisions of the Tea Act, 2020, Tea (Registration And Licensing) Regulations 2024 and to the terms and conditions specified hereunder.

Date issued.....	Signature
	Managing Director Tea Board of Kenya
	Official Seal

Terms and Conditions

1. An importer shall conduct its business honestly, fairly, with integrity and professional skills appropriate to the nature and scale of activity.
2. An importer shall comply with the provisions of the Tea Act, 2020, Tea (General) Regulations, 2023 and any other relevant law.
3. An importer who fails to declare their tea imports promptly and correctly to the Board or fails to obtain pre-import approval may have their registration certificate cancelled, varied or suspended.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\L

(r. 26(2))

**PRE- IMPORT APPROVAL APPLICATION
(CONFIDENTIAL)**

1. Name of importer
2. Registration certificate number
3. Physical Address.....
4. Telephone number
5. Email address.....
6. Reason(s) for intended importation.....
7. Details of consignment (bulk teas)

Country of Origin	Invoice No.	Type/Grade(s)	Net weight (Kg)	Unit Price (USD)	Customs Value of Consignment (USD)
TOTAL					

(If space is not adequate provide additional attachment)

8. If imported tea packets or value added form, (Indicate pack size or stock taking unit).
.....
.....
.....
9. Details of shipment (value added)

Country of Origin	Invoice No.	Type/Grade	Net weight (Kg)	Unit price	Customs value of consignment
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The Tea (Registration and Licensing) Regulations, 2024

				(USD)	(USD)
TOTAL					

(If space is not adequate provide additional attachment)

10. Full name and address of

Seller/Consigner:.....

.....
.....

11. Name and physical address of Warehouse where tea will be
stored.....

.....
.....

12. Indicate Tea short shipment (if any):

Country of Origin	Invoice No.	Grade(s)	Net weight (Kg)	Unit price (USD)	Customs Value of consignment (USD)
TOTAL					

(If space provided is not adequate provide an attachment)

Note:- Every importer shall attach certified copies of the following documents for
verification:-

- i. Sale contract;
- ii. Phytosanitary Certificate;
- iii. Certificate of Origin;
- iv. Health certificate or its equivalent,
- v. Certificate of analysis from an accredited institution from the country of origin
and recognized by the Board including microbiological, pesticides residues
and heavy metals contaminants; and
- vi. Customs entry forms.

Date.....

.....

Authorized signature

Stamp of Importer

FOR OFFICIAL USE	
Approved/Not approved.....	
Remarks	
.....	
Date.....	
Officers Name	
Signature/Official Stamp	
Managing Director	
Tea Board of Kenya	

Terms and conditions

1. Every tea importer must comply with Kenya Revenue Authority rules and regulations on bonded and transit goods.
2. A tea importer who diverts tea into the local market must produce evidence of duty and value added tax payment to the Board and Kenya Revenue Authority, Customs Services Department, where due.
3. The tea import registration form is issued in triplicate for distribution as follows-
 - a. One copy to be retained by the Board.
 - b. Two copies to the importer or agent one of which must be presented to the Kenya Revenue Authority together with relevant import registration documents.
4. A tea importer who imports tea without prior approval from the Board may have their registration as a tea importer cancelled, varied or suspended.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

PRE-IMPORT APPROVAL ORDER

FORM TBK\TB\L1

(r. 26(3))

This pre-import approval order is issued to.....of P. O. Boxand authorizes the said person to importKgs of tea in accordance with the following details.

1. Details of consignment (bulk teas)

Country of Origin	Invoice No.	Grade(s)	Net weight (Kg)	Unit Price (USD)	Customs Value of Consignment (USD)
TOTAL					

(If space is not adequate provide additional attachment)

2. Details of consignment (value added)

Country of Origin	Invoice No.	Type/Grade(s)	Net weight (Kg)	Unit price (USD)	Customs value of consignment (USD)
TOTAL					

(If space is not adequate provide additional attachment)

3. Full name and address of Seller/Consigner:.....

.....

4. Name and physical address of warehouse where tea will be stored.....

FOR OFFICIAL USE ONLY

Pre-Import approval order

Name Signature/Stamp

For and on behalf of the Tea Board of Kenya

Dated this.....day of

.....20.....

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\M

(r. 27)

TEA EXPORT/IMPORT RELEASE ORDER

1. Name of Exporter/Importer.....
2. Postal Address.....
3. Contact Person and Designation.....
4. Telephone/Mobile No.
5. E-mail Address.....
6. Tea Exporter/Importer Registration Certificate No.....
7. Customs Entry No. and Date.....
8. Net Weight (Kgs made tea).....
9. Bill of lading No.....
10. Physical location of consignment.....
11. Indicate tea short shipment (if any):

Country of Origin	Invoice No.	Grade(s)	Net weight (Kg)	Unit price (USD)	Customs Value of consignment (USD)
TOTAL					

(If space provided is not adequate provide an attachment)

.....
Signature of Exporter/Importer or Authorized Agent

.....
Date

FOR OFFICIAL USE ONLY

NameSignature/Stamp
.....

For and on behalf of Tea Board of

Kenya

Dated this.....day of
.....20.....

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\W

(r.28 (3))

**TEA EXPORT DECLARATION
(CONFIDENTIAL)**

1. Name of exporter.....
2. Address.....
3. Telephone No.....
4. Email Address.....
5. Registration certificate number.....

1. Details of consignment (bulk teas)

Factory Marks	Invoice No.	Grade	No. of Packages	Net Weight (Kg)	Value of Consignment (USD)

(If spaces not adequate provide attachment and if tea is blended please attach blending sheet)

7. Details of consignment (teas packed for retail in form of tea bags, tea packets, instant and ready to drink tea containers).

Brand Name	Form of packaging	Invoice No.	No. of Packages	Net Weight (Kg)	Unit Price	Value of Consignment (USD)

Full name and address of buyer/consignee.....

Name and address of Warehouse where tea can be inspected.....

Tea Short Shipment (if any):

The Tea (Registration and Licensing) Regulations, 2024

Factory Marks.	Invoice No.	Grade	No of Packages	Net Weight (Kg)

If space provided is not adequate provide an attachment

Note:- Every exporter shall attach certified copies of the following documents for verification.

- i. Sale contract showing (contract number, contract date);
- ii. Commercial invoice showing (unit price USD, terms of payment, port and Country of destination);
- iii. Brokers invoice and;
- iv. Blending sheet (where applicable);
- v. Custom entry form

Date.....

**Authorized signature Stamp of
Exporter**

FOR OFFICIAL USE

Authentication by Agriculture and Food Board

Date.....

Officer's Name

Signature and Official Stamp.....

Terms and Conditions

1. For the purpose of duty/VAT exemptions on imported inputs, all exporters shall account for all tea bought by them for export using Form AFA\TD\ T in the Schedule.
2. The Tea export registration form is issued in triplicate for distribution as follows-
 - i. One copy to be retained by the Board; and
 - ii. Two copies to the exporter or agent, one of which must be presented to the Kenya Revenue Authority together with relevant Export Entry form.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\N

(r.30(2))

**APPLICATION FOR REGISTRATION/RENEWAL OF
TEA BROKER**

1. Name of Applicant.....
2. Details of Certificate of Incorporation No (Attach copy).....
3. If Company, List Names and Particulars of Directors
(Attach A copy of Form CR12)
.....
4. Tax Compliance Certificate (Attach copy).....
5. Address
6. Location of Business
 - a. Town.....
 - b. Street/Road.....
 - c. Name of Building.....
 - d. Telephone Number
 - e. E-mail address.....Contact Person.....
7. Nature of business.....
- Date.....

Signature

FOR OFFICIAL USE

Received.....

Decision of Tea Board of Kenya.....

Date.....

**Managing Director
Tea Board of Kenya**

Terms and Conditions

1. Before granting any Registration, in respect of an application before it, the Board shall satisfy itself-
 - (a) that the applicant is a company incorporated in Kenya under the Companies Act with such minimum share capital as it may be prescribe;
 - (b) that the applicant has provided evidence of a performance guarantee of at least Kenya shillings ten million or such sum as may be prescribed by the Board from time to time;
 - (c) that the applicant has the necessary management capacity to carry on tea brokerage business for which the Registration is required;
 - (d) that the applicant has sufficient knowledge, experience and capacity to conduct tea broking business or that the persons to be engaged in the position of Chief Executive Officer or other senior position possess sufficient knowledge, management experience and capacity;
 - (e) that the applicant is an independent company not having a direct or indirect commercial relationship with the tea factory that they intend to offer brokerage services to; and
 - (f) that the applicant or the directors or management do not have a direct or indirect interest that conflicts or may conflict with the interest of the tea factory that they may offer brokerage Services to.
 - (g) that the applicant or the directors or management do not have a direct or indirect interest that conflicts or may conflict with the interest of the tea buyer, exporter or importer.
2. The applicant shall furnish the Board with audited financial statements for the preceding two years.
3. The applicant shall demonstrate financial capacity to provide brokerage services.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\ N1

(r. 30(2))

TEA BROKER REGISTRATION CERTIFICATE

THIS Certificate is issued toof P. O. Box and authorizes the said person to carry on business as a tea broker in the Republic of Kenya at L.R. No.(s).....for a period of beginning on the.....day of and ending onday of..... (Both days inclusive).

THIS Certificate is issued subject to compliance with the provisions of the Act, the Tea (General) Regulations, 2023 and to the terms and conditions as specified herein below.

Date.....

**Managing Director
Tea Board of Kenya**

Signature/
Stamp.....

Terms and Conditions

1. A tea broker shall conduct its business honestly, fairly, with integrity and professional skills appropriate to the nature and scale of activity.
2. A tea broker, its directors or staff shall not engage directly or indirectly in any business activity that conflicts with the interest of the tea factory/factories it offers or intends to offer brokerage services to.

THE TEA ACT

THE TEA (REGISTRATION AND LICENSING) REGULATIONS, 2024

FORM TBK\TB\O

(r.32(1))

**BUYER/EXPORTER/IMPORTER AND BROKER MONTHLY RETURN
(CONFIDENTIAL)**

Month..... Year.....

1. Name of buyer/exporter/importer/broker.....

2. Address.....

3. Location of business.....

(a) County.....

(b) Town.....

(c) Street/Road.....

(d) Name of building.....

(e) Telephone number.....

(f) E-mail address

4. Nature of business.....

5. If buyer/exporter/importer, specify source of tea bought/handled during the month:

(a) Auction.....Kgs.

(b) Imports.....Kgs

(c) Ex-factory purchases.....Kgs.

(d) Factory door sales.....Kgs.

6. If buyer/exporter, specify details of exported consignment:

Country of Destination	Factory Mark(s)	Grade(s)	Value added teas (Kgs)	Bulk teas (Kgs)	Total Weight (Kgs)	Value of Consignment (USD)

The Tea (Registration and Licensing) Regulations, 2024

7. If importer, specify details of imported consignment:

Country of Origin	Invoice No.	Grade(s)	Value added teas (Kgs)	Bulk teas (Kgs)	Net Weight (Kg)	Value of Consignment (USD)

8. If broker, specify details of consignment (bulk teas)

Factory Mark	Invoice No.	Grade(s)	Net Weight (Kg)	Value of Consignment (USD)

(If space not adequate provide an attachment)

FOR OFFICIAL USE

Date Received

Signature & Stamp.....

**Managing Director
Tea Board of Kenya**

Note:

- (1) The Form shall be forwarded to the Board **C/o. P.O. Box 20064-00200, NAIROBI** duly completed not later than the **fourteenth (14th) day** of each month.
- (2) A tea buyer, exporter, importer or broker who fails to submit monthly statistical returns commits an offence and shall be liable, on conviction, to a penalty as prescribed under Section 71 of the Tea Act, 2020.

SECOND SCHEDULE

FEEES

No.	Persons dealing in tea	New applicants Amount (Kshs).	Renewal fee Amount (Kshs).
1.	Tea Manufacturing Licence – Black CTC tea	10,000	7,500
2.	Cottage Tea Manufacturing License	10,000	7,500
3.	Management Agent	25,000	12,500
4.	Marketing Agent	25,000	12,500
5.	Tea Buyer/Exporter,	20,000	10,000
6.	Tea Warehouse	20,000	10,000
7.	Tea Importer	20,000	10,000
8.	Tea Broker	20,000	10,000
9.	Tea Auction Organizer	25,000	10,000
10.	Tea Packer	5,000	2,000
11.	Commercial Green Leaf Transporter	1,000	1,000
12.	Commercial Tea Nursery Operator	To be determined by the County Assembly of the respective County.	To be determined by the County Assembly of the respective County.

Made on the....., 2024.

MITHIKA LINTURI,
Cabinet Secretary for Agriculture and Livestock Development.