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**COFFEE (FORMS) RULES, 2012**

ARRANGEMENT OF RULES

*Rule*

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SCHEDULES

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FOR ALL LOTS FOR EVERY CROP SEASON

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[Subsidiary]

## COFFEE (FORMS) RULES, 2012

[L.N. 80/2012.]

### 1. Citation

These Rules may be cited as the Coffee (Forms) Rules, 2012.

### 2. Registration of a nursery

(1) An application for a nursery registration certificate shall be in Form A1 set out in the First Schedule.

(2) The annual certificate of registration of a coffee nursery shall be in Form A2 set out in the First Schedule.

(3) Every coffee nursery shall furnish the Board with quarterly returns in Form A3 set out in the First Schedule.

### 3. Licensing of pulping station and registration of growers

(1) An application for a pulping station licence under section 22 of the Act shall be in Form B1 set out in the First Schedule.

(2) The pulping station licence shall be in Form B2 set out in the First Schedule.

(3) The Certificate of Registration of a coffee grower shall be in Form B3 set out in the First Schedule.

(4) Every plantation grower shall furnish the Board with bi-annual returns in Form B4 set out in the First Schedule.

(5) Every co-operative society shall furnish the Board with bi-annual returns in Form B5 and Form B6 set out in the First Schedule.

### 4. Registration of Management Agent

(1) An application for registration as a management agent under section 44(2) of the Act shall be in Form C1 set out in the First Schedule.

(2) The Certificate of Registration of a management agent shall be in Form C2 set out in the First Schedule.

(3) Every management agent shall furnish the Board with bi-annual returns in Form C3 set out in the First Schedule.

### 5. Milling licence

(1) An application for a milling licence under section 23 of the Act shall be in Form D1 set out in the First Schedule.

(2) The milling licence shall be in Form D2 set out in the First Schedule.

(3) The Certificate of Registration of a miller shall be in Form D3 set out in the First Schedule.

(4) Every miller shall furnish the Board with monthly milling returns in Form D4 set out in the First Schedule.

(5) Every holder of a milling licence shall complete and submit to the grower out-turn statements in Form D5 set out in the First Schedule.

(6) Every miller shall furnish the Board with milling agreements return at the beginning of the coffee year in Form D6 set out in the First Schedule.

**6. Marketing licence**

(1) An application for a marketing licence under section 18 of the Act shall be in Form E1 set out in the First Schedule.

(2) The marketing licence shall be in Form E2 set out in the First Schedule.

(3) The Certificate of Registration of a marketer shall be in Form E3 set out in the First Schedule.

(4) Every marketer shall furnish the Board with monthly returns in Form E4 set out in the First Schedule.

(5) Every marketer shall furnish the Board with annual marketing agent agreements returns in Form E5 set out in the First Schedule.

**7. Dealer licence**

(1) An application for a dealer's licence under section 18 of the Act shall be in Form F1 set out in the First Schedule.

(2) The dealer's licence shall be in Form F2 set out in the First Schedule.

(3) The Certificate of Registration of a dealer shall be in Form F3 set out in the First Schedule.

(4) Every dealer shall furnish the Board with monthly returns in Form F4 set out in the First Schedule.

**8. Monthly returns**

Every dealer or grower marketer who undertakes roasting of coffee shall furnish the Board with monthly returns in Form G set out in the First Schedule.

**9. Warehouseman licence**

(1) An application for a warehouseman's licence under section 18 of the Act shall be in Form H1 set out in the First Schedule.

(2) The warehouseman's licence shall be in Form H2 set out in the First Schedule.

(3) The Certificate of Registration of a warehouseman shall be in Form H3 set out in the First Schedule.

(4) Every warehouseman shall furnish the Board with monthly returns in Form H4 set out in the First Schedule.

**10. Exports and imports**

Every coffee dealer shall register with the Board the exports and imports of coffee made by completing and submitting Form I set out in the First Schedule.

**11. Nairobi Coffee Exchange Monthly Returns**

The manager of the Nairobi Coffee Exchange shall furnish the Board with monthly returns in Form J set out in the First Schedule.

**12. Annual Coffee Credit Returns**

Financiers in the coffee industry shall furnish the Board with annual returns in Form K set out in the First Schedule.

**13. Movement permit**

A coffee movement permit issued under the Coffee (General) Rules, 2002 shall be in Form M set out in the First Schedule.

[Subsidiary]

**14. Sales catalogue**

The marketer shall prepare sales catalogues in a format that includes the particulars specified in the Second Schedule.

**15. Returns to growers**

The marketer shall prepare returns to the grower with a copy to the Board in a format that includes the particulars specified in the Third Schedule.

**16. Licensing requirements**

An applicant under this Act shall comply with the respective licensing requirements specified in the Fourth Schedule.

**17. Fees**

The Board may prescribe fees to be paid in—

- (a) receipt and processing of applications;
- (b) issuance of a licence or certificate; or
- (c) for any other matter arising under these Rules.

**18. New applicants**

A first time applicant shall be issued with a Certificate of Registration in addition to a licence as provided for herein above.

**19. Revocation of L.N 124/2002**

The Coffee (Forms) Rules, 2002, are hereby revoked.

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FIRST SCHEDULE

Form A1

(r. 2(1))

COFFEE (FORMS) RULES, 2012

APPLICATION FOR REGISTRATION OF A COFFEE NURSERY

(1) Personal Information

Name of Applicant (new/renewal-delete as appropriate): .....

Address: Postal .....

Email .....

Telephone: .....

Where the applicant is a company or co-operative society, supply the Board with:

- (a) A certified copy of certificate of incorporation/registration;
- (b) A certified copy of memorandum and articles of association/constitution;
- (c) Names and address of Directors.
  - (i) .....
  - (ii) .....
  - (iii) .....

(2) Nursery Information

Location: ..... Sublocation ..... Village/Road .....

Division: .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

County: .....

L.R. No. /Plot No. ....

(3) Nursery Category (tick as appropriate)

Commercial  Private

CONDITIONS:

The registration requirements shall be as per the fourth schedule of this forms.

Date: ..... Signed .....

Form A2

(r. 2(2))

ANNUAL NURSERY REGISTRATION CERTIFICATE

Valid from ..... to .....

Name of Applicant: .....

Address: Postal .....

Email .....

Telephone: .....

Location: ..... Sub location ..... Village/Road .....

Division: ..... County .....

L.R. No. or Plot No.: .....

Nursery Code: .....

Nursery Category (tick as appropriate)

Commercial  Private

Is hereby registered to operate coffee nursery on the above L.R. No./Plot No. in the above (county).

NOTE: THIS IS NOT A LICENCE

Terms and conditions

- 1. Nursery operators shall maintain records of source of seed, amount of allocated seed, seedlings raised and seedlings bought.
2. Nursery operators shall remit returns to the board on a quarterly basis

Date: ..... Signature .....

Managing Director,
Coffee Board of Kenya.

Form A3

(r. 2(3))

QUARTERLY COFFEE NURSERIES RETURNS

- 1. Name of Applicant/Nursery: .....
2. Address: Postal .....
Email .....
3. Telephone: .....
4. Location: ..... Sub location ..... Village/Road .....
5. Division: ..... County .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

- 6. L.R. No. or Plot No.: .....
- 7. Nursery Code .....
- 8. Period of returns from ..... to .....
- 9. Source of planting materials (seed/seedlings/cuttings) .....

SEEDLING STOCK

Variety	Balance b/f from previous quarter:	Amount of planting material allocated	No. of seedlings raised	Total seedlings available
Ruiru 11				
Batian				
Traditional (specify)				
Others				
Total				

SEEDLINGS SALES

No.	Date	Date of Buyer	ID No./Board's code	Receipt No. Issued	No of Seedlings Sold				Total
					Ruiru II	Batian	Traditional	Others	
1									
2									
3									
4									
5									
		Total							

Prepared by:

Name: ..... Designation: .....

Signature: ..... Date: .....

Stamp: .....

Form B1

(r. 3(1))

APPLICATION FOR PULPING STATION LICENCE

- 1. Name of Applicant (new/renewal-delete as appropriate): .....
- 2. Address: Postal .....  
Email .....
- 3. Telephone: .....
- 4. Location: ..... Sub location ..... Village/Road .....  
Division: ..... County .....
- 5. Proposed Name of farm (where applicable): .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

- 6. L.R. No. (Attach copy of Title Deed/Registration Certificate of a co-operative society/Company) .....
- 7. Application is made for permission to erect/operate a factory for the pulping of coffee in accordance with the particulars given above, which are hereby certified to be correct by the applicant(s)—

Name ..... Signed ..... Date .....

Name ..... Signed ..... Date .....

Name ..... Signed ..... Date .....

Name ..... Signed ..... Date .....

Stamp .....

CONDITION:

The registration requirements shall be as per the fourth schedule of these forms

Form B2

(r. 3(2))

PULPING STATION LICENCE

Valid from ..... to .....

- 1. Name: ..... Grower's Code .....
- 2. Address: Postal .....  
Email .....
- 3. Telephone: .....
- 4. Location: ..... Sublocation ..... Village/Road .....  
Division: ..... County .....
- 5. Is/are hereby authorized to operate a factory for the pulping or hulling of coffee at:
- 6. L.R. No. ....
- 7. Registration Certificate No. ....
- 8. Type of coffee Pulping or hulling (wet processing/dry processing): .....

Date: ..... Signed: .....

Managing Director,  
Coffee Board of Kenya.

Subject to the terms and conditions:

- 1. A licence for a new pulping station or buni mill will only be issued to persons, co-operative societies or companies who have a minimum of five acres or more of mature coffee trees.
- 2. When licensing a new pulping station or buni hullers due consideration will be taken to ensure that processing over capacity is not created in a given local area or zone. In the case of a private investor, the Coffee Board of Kenya shall arbitrate to decide how the farmers are distributed between the existing and the new pulping station/hullers before issuing a licence.
- 3. The Board, in consultation with the Minister, may cancel, vary or suspend the licence issued to any person if such person fails to comply with terms and conditions of the licence.
- 4. The pulping stations shall submit their pulping/buni hulling returns to the Board on bi-annual basis as prescribed in Form B4, B5 and B6.
- 5. A pulping licence may be suspended where the licensee, without any good reason acceptable to the Board, continues to default in submitting returns.

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Form B3

(r. 3(3))

GROWER'S REGISTRATION CERTIFICATE

Certificate No. ....  
 Name of Applicant: ..... Grower Code .....  
 Address: Postal .....  
           Email .....  
 Telephone: .....  
 Location: ..... Sublocation ..... Village/Road .....  
 Division: ..... County .....  
 L.R. No. or No: .....  
 Is hereby registered to maintain ..... hectares of coffee on the above  
 L.R. No./plot No. in the above (Coffee District/County and/or to plant/uproot approximately .....  
 hectares of coffee on the said land), subject to the terms and conditions.

NOTE: THIS IS NOT A LICENCE

Date: ..... Signature .....

*Managing Director,  
Coffee Board of Kenya.*

Terms and conditions of registration as a grower are as stated here below

- (i) The growers shall not sell, transfer or in any way part with possession of coffee seedlings, stump plants, or any planting material, whether produced by vegetative propagation or otherwise, to any person other than a person who is registered to plant by the Board.
- (ii) No grower shall sell cherry, parchment or buni to any person or deliver coffee to a pulping station other than the pulping station specified in the application.
- (iii) Registered growers who are licensed to operate coffee nurseries are required to issue a receipt indicating the name of the grower, the date, and in the case of sales made to small holders, the registration number of the grower.
- (iv) The grower shall not sell his cherry, parchment coffee or clean coffee directly to a miller, a grower or a co-operative society or deal in coffee with other growers.
- (v) The grower shall not, in a bid to avoid the repayment of any loan due to any other financier, supply hypothecated crops to any marketing agent other than his own duly appointed agent.
- (vi) This registration certificate is issued subject to the conditions specified in sections 21 and 22 of the Coffee Act and the provisions of the rules made under that Act, and the grower's attention is drawn to the provisions of the Act and rules.





FIRST SCHEDULE—continued

(r. 3(4))

Form B4

BI-ANNUAL ESTATES RETURNS

Name of farmer ..... gender .....  
 ID/Passport No. ....  
 Estate Name .....  
 Mark .....  
 Grower Code .....  
 Physical Address .....  
 Tel ..... Email .....  
 Period of returns from ..... to .....  
 Crop Year ..... Month ..... to .....

COFFEE ACREAGE AND PRODUCTION

Area under coffee (Acres)			Number of mature trees (above 3 years)			Number of new planting (below 3 years)			Production (Kg.)				
R11	Traditional	Batian	Others	R11	Traditional	Batian	Others	R11	Traditional	Batian	Others	Cherry	Mbuni

COFFEE SALES

	Delivery to millers (tonnes)	Clean Coffee (tonnes)	% Loss	Gross Sales (KSh.)	Total Deductions By Marketing Agent (KSh.)	Net From Marketing Agent (KSh.)	Farm Expenses	Net Proceeds
Parchment								
Mbuni								
Total Sales (KSh.)								

[Subsidiary]

FIRST SCHEDULE—continued

Prepared by: .....

Name: ..... Designation: .....

Signature: ..... Date: .....

Stamp: .....

Form B5

(r. 3(5))

BI-ANNUAL CO-OPERATIVES SOCIETIES PRODUCTION RETURNS

Co-operative Society Name ..... CS Registration No. ....

Grower Code ..... Factory .....

Crop Year ..... Month .....

COFFEE ACREAGE AND PRODUCTION

Member No.	Name of Farmer	I/D. No.	Sex (M/F)	Area (acres) under coffee			mature trees (over 3 years)			New planting (under 3 years)			Production (Kg.)		Status (Active/Dormant)	
				Ruiru II		Batian		Ruiru II		Batian		Ruiru II		Cherry		Mbuni
				Traditional	Others	Traditional	Others	Traditional	Others	Traditional	Others					
Total																

Period: from ..... to .....

FIRST SCHEDULE—continued

Prepared By:

Name: ..... Designation: .....

Signature: ..... Date: .....

Stamp: .....

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Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Form B6

(r. 3(5))

BI-ANNUAL CO-OPERATIVE SOCIETIES COFFEE SALES RETURNS

Co-operative Society ..... Grower's Code .....

Crop Year ..... Month .....

COFFEE SALES

	Factory Name	Coffee Type	Production (Kgs)	Clean Coffee (Kgs)	Gross Sales (KShs)	Net From Marketing Agent (KShs.)	Factory Expenses	Rate Per Kilo Cherry (KShs)	% Pay On Net
1		CHERRY							
		MBUNI							
2		CHERRY							
		MBUNI							
3		CHERRY							
		MBUNI							
4		CHERRY							
		MBUNI							
5		CHERRY							
		MBUNI							

Prepared By .....

Signature .....

Designation .....

Date .....

Stamp .....

Form C1

(r. 4(1))

APPLICATION FOR REGISTRATION OF MANAGEMENT AGENT

Name of Applicant (new/renewal-delete as appropriate): .....

Principal Office .....Branches(if any).....

Address: Postal .....

Email .....

Telephone: .....

Location: ..... Sublocation ..... Village/Road .....

Division: ..... County .....

L.R. No. / Plot No. ....

Services to be provided shall be in respect of management of coffee farms or pulping stations and without prejudice to the generality of the foregoing, the following services may be offered:

- (a) Extension services on coffee production and processing
- (b) Provision of farm inputs
- (c) Advisory services on marketing of coffee

FIRST SCHEDULE—continued

- (d) Record keeping, Book-keeping and general accounting at factory and societies
- (e) Training of factory staff on record keeping, book-keeping, crop husbandry, processing and marketing

Date ..... Signature of Applicant .....

Terms and Conditions are as follows:

1. The management agent shall exercise due prudence and diligence in executing the provisions of the specific management agreement between him/her and the grower.
2. The registration requirements shall be as per the Fourth Schedule of these forms.

Form C2

(r. 4(2))

CERTIFICATE OF REGISTRATION OF MANAGEMENT AGENT

Valid from ..... to ..... Board's Code .....

Name of Management Agent: .....

Principal Office ..... Branches (if any) .....

Address: Postal .....

Email .....

Telephone: .....

Location: .....

Sublocation ..... Village/Road .....

Division: ..... County .....

L.R. No. / Plot No. ....

Is/are hereby registered to conduct the business of a management agent Services to be provided shall be the following areas:

- (a) Extension services on coffee production and processing
- (b) Provision of farm inputs
- (c) Advisory services on marketing of coffee
- (d) Record keeping, Book-keeping and general accounting at factory and societies
- (e) Training of factory staff on record keeping, book-keeping, crop husbandry, processing and marketing

This certificate is not transferable

NOTE: THIS IS NOT A LICENCE

Date ..... Signed .....

Managing Director,  
Coffee Board of Kenya.

Subject to the terms and conditions:

1. A registered management agent shall not unreasonably withhold a no objection letter sought by a prospective management agent.
2. A grower wishing to terminate management agreement with a current management agent shall give three months notice of the intention of termination to the marketing agent.
3. A management agent wishing to terminate management agreement with grower shall give three months notice of the intention of termination to the grower with a copy to the Board.
4. A grower wishing to terminate management agreement with a current management agent shall give notice of three months to the management agent with a copy to the Board.
5. All management agreements shall be registered with the Board within thirty days after the commencement of the agreement by the management agent.

Coffee

[Subsidiary]

FIRST SCHEDULE—*continued*

- 6. The Board may sanction any amendment of the management agreement recommended by either party in the interest of the coffee grower.
- 7. The management agent shall exercise due prudence and diligence in executing the provision of the specific management agreement between him and the grower.

NOTE: This certificate shall not be used to buy or sell cherry.

Form C3

(r. 4(3))

BI-ANNUAL MANAGEMENT AGENT RETURNS

(A) Management Agent Details

Name of the Management Agent .....

Physical Address .....

P.O. Box .....

Board's Code .....

VAT Registration No. .... PIN No. ....

Email .....

Fax .....

Tel .....

Crop Year: ..... month .....

(B) Farms Managed

Grower Code	Name of Farm	Contract No. and date signed	Physical Location	Area Under Coffee (acres)	Type of service offered	Production Clean coffee (metric tonnes)

(C) Summary Services Offered

	Type of Service	Fee Charged (KSh.)
1		
2		
3		

Prepared by:

Name: .....

Signature .....

Stamp .....

FIRST SCHEDULE—continued

Form D1

(r. 5(1))

APPLICATION FOR MILLING LICENCE

- 1. Name of applicant (new/renewal-delete as appropriate) .....
- 2. Address: Postal ..... Email .....
- 3. Telephone number .....
- 4. Location ..... Sublocation ..... village/road .....
- 5. Division ..... County .....
- 6. L.R. No./Plot No. ....
- 7. Milling capacity—
  - (a) Parchment ..... tonnes per hour
  - (b) Buni ..... tonnes per hour
- 8. Licence category (tick as appropriate):-  
 Commercial  Private

Application is made for authority to erect/operate a coffee milling plant, particulars given are hereby certified to be correct:

Date ..... Signature .....  
Applicant

Subject to Terms and Conditions overleaf:

- 1. A license for a new milling plant will only be issued to persons, co-operative societies or companies who have fulfilled the conditions as per the fourth schedule.

Form D2

(r. 5(2))

MILLING LICENCE

Valid from ..... to .....

Licence No. .... Board's Code .....

Name .....

Address: Postal ..... Email .....

Telephone number .....

Location ..... Sub location ..... village/road .....

Division ..... County .....

L.R.No./Plot ..... Location .....

Is/are hereby authorized to erect/operate a coffee milling plant at .....

.....

L.R. No. /Plot No. ....

Date .....  
Managing Director,  
Coffee Board of Kenya.

Signature/Seal Stamp

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Subject to Terms and Conditions overleaf:

- 1. The Board may vary, suspend or cancel any license issued to a person, co-operative society or company, if such person, co-operative society or company fails to abide with the terms and conditions of the license.
- 2. The millers shall submit their milling returns to the Board on a monthly basis.
- 3. A milling license may be suspended where a licensee, without any good reason acceptable to the Board, continues to default in submitting returns.

Form D3

(r. 5(3))

CERTIFICATE OF REGISTRATION AS A MILLER

- 1. Name of Miller ..... Board's Code .....
- 2. Address: Postal ..... Email .....
- 3. Telephone number .....
- 4. Location ..... Sublocation ..... village/road .....
- 5. Division ..... County .....
- 6. L.R. No./Plot No. ....
- 7. It is hereby certified that the above named has been registered as a coffee miller in accordance with section 23 of the Coffee Act in respect of milling plant situated at .....

NOTE: THIS IS NOT A LICENCE

Date ..... Signed .....

Managing Director,  
Coffee Board of Kenya.



Form D4

FIRST SCHEDULE—continued

(r. 5(4))

MONTHLY MILLERS RETURNS

Name ..... Board's Code ..... Licence No. ....  
 P.O Box ..... Physical Address ..... Email .....  
 Telephone .....  
 Crop year ..... Month .....

GROWER	CBK Code	Out/Turn	Parchment (Kgs)			CLEAN COFFEE										Buni										
			P1	P2	P3	T/P	AA	AB	PB	E	C	TT	T	SB	UG	Total Clean Coffee	Milling loss	MH	ML	Total Clean Mbuni	Milling Loss					
Total																										

Monthly Sweepings in Kg .....  
 Milling Charges per Tonne .....  
 Transport charges .....

[Subsidiary]

FIRST SCHEDULE—continued

Colour sorting per tonne .....

Handling charges per bag .....

Other charges (specify) .....

Name: ..... Designation: .....

Signature: .....

Date: ..... Stamp .....

\_\_\_\_\_

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Form D5

(r. 5(5))

OUTTURN MILLING STATEMENT

Name of miller ..... Board's Code ..... License No. ....  
 P.O Box ..... Physical Address .....  
 Telephone ..... Email .....  
 Crop year ..... Month .....  
 Name of Grower ..... Board's code .....  
 Date of Delivery ..... Milling Date .....  
 Type of Coffee: Parchment .....  
   Buni .....

Distinguishing Mark .....

Out-Turn No. ....

Name of Marketing Agent

Grade	Bags	Pockets	Total (Kgs)	Bulk Out-Turn
AA	.....	.....	.....	.....
AB	.....	.....	.....	.....
PB	.....	.....	.....	.....
C	.....	.....	.....	.....
T	.....	.....	.....	.....
TT	.....	.....	.....	.....
E	.....	.....	.....	.....
UG	.....	.....	.....	.....
SB	.....	.....	.....	.....
MH	.....	.....	.....	.....
ML	.....	.....	.....	.....
Totals	.....	.....	.....	.....

Net Weight ..... Kgs Milling Loss ..... %

Milling Charges ..... Cost of bags .....

Transport .....

Colour sorting .....

Handling cost .....

Others (specify) .....

TOTAL CHARGES .....

I/We certify that the information supplied on parchment coffee received is correct.

I/We certify that the information supplied on buni coffee is correct.

Prepared by .....

Date ..... Signed .....

Mills Manager

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Form D6

(r. 5(6))

ANNUAL MILLING AGREEMENTS RETURN

Crop Year .....  
 Name of Miller .....  
 Board's Code .....  
 Licence Number .....  
 Postal Address .....  
 Physical Location .....  
 Telephone .....  
 Fax .....  
 E-mail .....

Grower Code	Grower Name	Milling Contract No.	Date Signed

Prepared By ..... Signature .....  
 Designation..... Date .....

Form E1

(r. 6(1))

APPLICATION FOR A MARKETING LICENCE

- Name of marketer (Grower/Commercial) (new/renewal-delete as appropriate)
- Address .....
- Registered address ..... Building .....  
 Street .....  
 Town/City ..... L.R. No. ....
- Date of Incorporation .....
- Registration No. ....
- Name of Company .....
- Physical Address .....
- Location of the principal office .....  
 Address .....  
 Telephone .....

FIRST SCHEDULE—continued

Fax .....

E-mail .....

9. Details of the capital structure

(a) Nominal capital KShs .....

(b) Paid up capital KShs .....

10. Full names, addresses and occupations of the directors:

	<i>Name:</i>	<i>Address:</i>	<i>Occupation:</i>
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....
4.	.....	.....	.....

11. Branch Office(s) if any

Address: .....

Building ..... Street .....

Town/City ..... L.R. No. ....

Telephone .....

Fax .....

E-mail .....

12. Name, Address and Telephone of the Chief Executive:

Name: .....

Physical Address .....

Telephone: .....

Postal Address: .....

Professional Qualifications: .....

Experience: .....

13. I/We certify that the information given above is correct.

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

14. I/We certify that we have read and understood the Coffee Act, 2001 and the rules made thereunder. I/We also understand that the licence and registration certificate granted on this application may be cancelled and penalties and punishment may be imposed on each of us if any document or statement submitted by us in the course of this application is false or materially misleading.

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

15. I/We hereby apply for licence and registration as coffee marketer and to carry on business of coffee marketer.

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

16. Additional registration requirements shall be as per the Fourth Schedule of these forms.

Form E2

(r. 6(2))

LICENCE TO CONDUCT THE BUSINESS OF COFFEE MARKETING

Board's Code .....

THIS LICENCE is granted to ..... of P.O. Box .....

and authorizes the said ..... to conduct the business of coffee marketing in the Republic of Kenya for a period of one year beginning on the ..... day of ..... and ending on ..... day of ..... (both days inclusive).

THIS LICENCE is issued subject to the maintenance of the requirements for approval and the provisions of the Coffee Act, 2001 and the rules made there under and to such conditions as are stipulated herein.

THIS LICENCE is not transferable.

Terms And Conditions:

- 1. In the performance of his/her/its functions under this licence, the licensee shall so far as practicable endeavor to ensure—
(a) The promotion of good technical practices in coffee production, primary and secondary processing of coffee that assist in maintenance and enhancement of quality of Kenyan coffee;
(b) The promotion of good storage, handling and transportation of coffee with preservation of quality in mind;
(c) That coffee is secure and that adequate insurance cover is provided by reputable firms;
(d) Competitive prices through fair competition in a liberalized coffee auction market that facilitates orderly sale of the commodity;
(e) That appropriate deductions, including statutory deductions, are made in an accountable and transparent manner;
(f) Prompt direct payment to the grower in the case of commercial marketing agent.
2. The licensee shall possess coffee quality control facilities and engage the services of a qualified liquorer to determine the quality of coffee.

ISSUED at Nairobi this ..... day of ..... 20 .....

Signed .....

Managing Director,
Coffee Board of Kenya.

FIRST SCHEDULE—continued

Form E3

(r. 6(3))

REGISTRATION CERTIFICATE OF A MARKETER

Board's Code .....

Name ..... of P.O. Box ..... is registered to conduct the business of a coffee marketer in the Republic of Kenya.

THIS REGISTRATION has been granted subject to the maintenance of the requirements for approval and the provisions of the Coffee Act, 2001 and the Rules made thereunder and to such conditions as are stipulated herein.

NB: THIS IS NOT A LICENCE

Dated at Nairobi this ..... Day of ..... 20 .....

Signed .....

Managing Director,  
Coffee Board of Kenya.

\_\_\_\_\_

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Form E4

(r. 6(4))

MARKETER'S MONTHLY RETURNS

Name of Marketer ..... Boards Code ..... Licence Number .....  
 Postal Address ..... Physical Location .....  
 Telephone .....  
 Fax .....  
 E-mail .....  
 Crop Year ..... Month .....

Sale No	Lot No.	Outturn	Grade	Bags (50kgs)	Pockets (Kgs)	Total Weight (Kg)	Price (US\$/50kg)	Gross Value (USD)	Total Statutory Deductions (4%)	Milling Charges	Marketing Charges	Export Bags	Other Charges	Net Proceeds

Specify the lots of sweepings sold

Prepared By ..... Signature .....

Designation ..... Date .....

Stamp: .....

\_\_\_\_\_



FIRST SCHEDULE—continued

Form E5

(r. 6(5))

ANNUAL MARKETING AGREEMENTS RETURN

Name of Marketer .....  
 Board's Code .....  
 Licence Number .....  
 Postal Address .....  
 Physical Location .....  
 Telephone .....  
 Fax .....  
 E-mail .....  
 Crop Year ..... Month .....

<i>Grower Code</i>	<i>Grower Name</i>	<i>Marketing Contract No.</i>	<i>Date Signed</i>

Prepared By ..... *Signature* .....  
 Designation ..... *Date* .....  
 Stamp: .....

Form F1

(r. 7(1))

APPLICATION FOR A DEALER'S LICENCE

1. Name of applicant (new/renewal-delete as appropriate) .....
2. Address .....
3. Registered address ..... Building .....
- Street .....
- Town/City ..... L.R. No. ....
4. Date of Incorporation .....
5. Registration No. ....
6. Name of Company .....
7. Physical Address .....
8. Location of the principal office .....
- Address .....
- Telephone .....
- Fax ..... E-mail .....
9. Details of the capital structure:
  - (i) Nominal capital KSh .....
  - (ii) Paid up capital KSh .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

10. Full names, addresses and occupations of the directors:

	Name:	Address:	Occupation:
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....
4.	.....	.....	.....

11. Branch Office(s) if any

Address: .....

Building ..... Street .....

Town/City ..... L.R. No. ....

Telephone ..... Fax .....

E-mail .....

12. Name, address and telephone of the Chief Executive:

Name: .....

Physical address ..... Email .....

Telephone: .....

Postal address: .....

Professional qualifications: .....

Experience: .....

13. I/We enclose the following required documentation in support of our application for licence and registration to conduct the business of coffee dealer—

- (i) The certified copy of certificate of incorporation;
- (ii) The certified copy of memorandum and articles of association;
- (iii) A statement listing the names of holding companies, associated companies or partnerships in which the applicant has interest;
- (iv) Names and address of two business referees:
  - 1. ....
  - 2. ....

14. I/We certify that we have read and understood the Coffee Act, 2001 and the rules made there under. I/We also understand that the licence and registration certificate granted on this application may be cancelled and penalties and punishment may be imposed on each of us if any document or statement submitted by us in the course of this application is false or materially misleading.

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

15. I/We certify that the information given above is correct.

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

FIRST SCHEDULE—continued

16. I/We hereby apply for licence and/or registration as a coffee dealer and to carry on business as a coffee dealer (delete as necessary)

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

17. Additional registration requirements shall be as per the Fourth Schedule of these forms.

Form F2

(r. 7(2))

DEALER'S LICENCE

Board's Code .....

1. Name: .....

Address: Postal ..... Email .....

Location: Town/City: ..... L.R. No./Plot No. ....

Road/Street .....

2. Nature of business .....

The license hereby authorizes the holder to operate as a coffee dealer subject to the terms and conditions of this licence for a period of one year from ..... to ..... (both dates inclusive).

3. THIS LICENCE is issued subject to the maintenance of the requirements for approval and the provisions of the Coffee Act, 2001 and the Rules made there under and to such conditions as are stipulated herein.

4. This licence is not transferable.

Date ..... Signature: .....

Managing Director,
Coffee Board of Kenya.

Form F3

(r. 7(3))

REGISTRATION CERTIFICATE FOR A DEALER

Board's Code .....

Name ..... of P.O. Box ..... is registered to conduct or carry on the business of a coffee dealer in the Republic of Kenya.

THIS REGISTRATION has been granted subject to the maintenance of the requirements for approval and the provisions of the Coffee Act, 2001 and the Rules made there under and to such conditions as are stipulated herein.

NOTE: THIS IS NOT A LICENCE

Dated at Nairobi this ..... Day of ..... 20 .....

Signed .....

Managing Director,
Coffee Board of Kenya.

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

Form F4

(r. 7(4))

DEALERS MONTHLY RETURNS

Name .....  
 Physical Address (Locality) .....  
 Postal Address .....  
 Licence No. .... Board's Code ..... Email .....  
 Telephone ..... Fax .....  
 Crop Year ..... Month .....

	Type of coffee	No of bags/ others (specify)	Pockets (Kgs)	Total Weight (Kg)	ICO No.
Opening Stock	Green				
	Roasted				
Auction Purchases	Green				
Post-Auction Purchases	Green				
Imports	Green				
	Roasted				
Exports	Green				
	Roasted				
Local Sales	Green				
	Roasted				
Closing Stock	Green				
	Roasted				

Prepared by:

Name: ..... Signature .....  
 Designation ..... Date .....  
 Stamp .....

Form G

(r. 8)

MONTHLY ROASTING RETURNS

Crop Year ..... Month .....  
 1. Name of Dealer/Grower .....  
 2. Address: Postal ..... Email .....  
 3. Source of coffee:  
     (i) Auction purchases ..... Grade ..... Kg .....  
     (ii) Own (grower) ..... Grade ..... Kg .....  
     (iii) Others (specify) ..... Grade ..... Kg .....  
 Total ..... Kg .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

- 4. Balance brought forward: Green ..... Kg .....
- Roasted ..... Kg .....
- 5. Total Roasted ..... Kg .....
- (a) Local sales ..... Kg .....
- (b) Export sales ..... Kgs .....
- 6. Balance carried forward: Green ..... Kgs .....
- Roasted ..... Kgs .....

Date .....

Name ..... Signature .....

Form H1

(r. 9(1))

APPLICATION FOR A WAREHOUSEMAN LICENCE

- 1. Name of applicant (new/renewal-delete as appropriate) .....
- 2. Address .....
- 3. Registered Office ..... Building ..... Street .....
- Town/City ..... L.R. No. ....
- 4. Date of Incorporation .....
- 5. Registration No. ....
- 6. Name of Company .....
- 7. Physical Address .....
- 8. Location of the Principal Office .....
- Address .....
- Telephone .....
- Fax .....
- E-mail .....
- 9. Details of the Capital Structure:
  - (i) Nominal Capital KSh .....
  - (ii) Paid Up Capital KSh .....

10. Full Names, Addresses and Occupations of the Directors:

	<i>Name</i>	<i>Address</i>	<i>Occupation</i>
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....
4.	.....	.....	.....
5.	.....	.....	.....

11. Branch office(s) if any

Address: .....

Building ..... Street .....

Town/City ..... L.R. No. ....

Tel: ..... Fax: .....

E-mail: .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

12. I/We hereby apply for a licence as a Coffee Warehouseman and to carry on a business of Coffee Warehouseman

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

13. I/We certify that we have read and understood the Coffee Act 2001 and the Rules made thereunder, and understand that the licence granted on this application may be cancelled and penalties and punishment may be imposed on each of us if any document or statement submitted by us in the course of this application is false or materially misleading. I/We also certify that the information given above is correct.

Date .....

Name of Director ..... Signature .....

Name of Director ..... Signature .....

Name of Secretary ..... Signature .....

14. The additional registration requirements shall be as per the Fourth Schedule of this forms

Form H2

(r. 9(2))

WAREHOUSEMAN'S LICENCE

Board's Code .....

THIS LICENCE is granted to ..... of P.O. Box ..... and authorizes the said ..... to conduct the business of Coffee warehouseman in the Republic of Kenya for a period of one (1) year from the ..... day of ..... to ..... day of ..... (both days inclusive).

THIS LICENCE is issued subject to the maintenance of the requirements for approval and the provisions of the Coffee Act, 2001 and the Rules made thereunder and to such conditions as are stipulated herein.

Warehouses, whether owned or rented, used for storage of clean coffee or hulled buni shall comply with international standards for clean coffee warehousing.

THIS LICENCE is not transferable.

ISSUED at Nairobi this ..... day of ..... 20 .....

Signed .....

Managing Director,
Coffee Board of Kenya.

Subject to terms and conditions set out hereunder:

- 1. A warehouseman shall not engage in any business that is contrary to the provisions of the Act
2. Shall maintain a record of all transactions undertaken and avail them to an authorized officer of the Board or any other appointed authority upon request.

FIRST SCHEDULE—continued

Form H3

(r. 9(3))

CERTIFICATE OF REGISTRATION OF WAREHOUSEMAN

Board's Code .....

1. Name of Warehouseman .....

2. Address: Postal ..... Email .....

3. Location: .....

Is/are hereby registered to conduct the business of a warehouseman.

4. Services to be provided shall be in the following areas:

(a) Storage

(b) Sorting

(c) Bulking/Blending

5. This certificate is not transferable.

NOTE: THIS IS NOT A LICENCE

Date ..... Signature: .....

Managing Director,  
Coffee Board of Kenya.

\_\_\_\_\_

Coffee

[Subsidiary]

(r. 9(4))

FIRST SCHEDULE—continued

Form H4

MONTHLY WAREHOUSEMAN RETURNS

Name of Warehouseman .....  
 Physical Address .....  
 P.O. Box .....  
 Licence No. .... Board's Code ..... Email .....  
 Fax ..... Tel .....  
 Crop Year: ..... Month .....

Date	Name of Client/ Company	Stock B/F			Stock Received (In )			Stock Released ( Out )			Stock C/F			Remarks	
		No. of bags	Pockets	Net weight	No. of bags	Pockets	Net weight	Movement permit No.	Warrant No.	Movement permit No.	No. of bags	Pockets	Net weight		

(Bags are 60 kgs net weight)

Prepared by:

Name: ..... Signature .....

Stamp .....



FIRST SCHEDULE—continued

Form I

(r. 10)

CERTIFICATE OF COFFEE EXPORT/ IMPORT

- 1. Name of Exporter/ Importer .....
- 2. Address: Postal ..... Email .....
- 3. Details of marks, invoice number, grade, number of bags and net weight:

	<i>Distinguishing Marks</i>	<i>Invoice Number</i>	<i>Grade No.</i>	<i>No. of Bags</i>	<i>Net Weight (Kg)</i>
(a)	.....	.....	.....	.....	.....
(b)	.....	.....	.....	.....	.....
(c)	.....	.....	.....	.....	.....
(d)	.....	.....	.....	.....	.....
(e)	.....	.....	.....	.....	.....

(If space is not adequate provide attachment)

- 4. (i) Sale contract number .....
- (ii) Sale contract date .....
- (iii) Unit Price (US\$) .....
- (iv) Terms of Payment .....
- (v) Port and Country of destination .....
- 5. Please indicate whether coffee is unprocessed/processed: .....
- 6. Please specify quantities of coffee being imported/ exported ..... (Kg)
- 7. Full name and address of buyer and consignee .....
- 8. Name and address of Warehouse where coffee can be inspected .....
- 9. Coffee short shipment (if any)

	<i>Distinguishing Marks</i>	<i>Invoice/ Receipt No.</i>	<i>Grade</i>	<i>No. of Bags</i>	<i>Net Weight (Kgs)</i>
(f)	.....	.....	.....	.....	.....
(g)	.....	.....	.....	.....	.....
(h)	.....	.....	.....	.....	.....
(i)	.....	.....	.....	.....	.....

The above named is authorized to Export/Import Coffee as specified herein.

Date: .....

Signature: .....

Managing Director,  
Coffee Board of Kenya.

Terms and Conditions are as follows:

- 1. Every Coffee dealer shall register with the Coffee Board of Kenya.
- 2. Every dealer shall make return as specified in Form F4 of all coffee bought/sold by/to him/her/it.
- 3. Every exporter/importer (whether manufacturer, buyer, packer or agent) shall register every export transaction with the Board.
- 4. For coffee sold through the Nairobi Coffee Exchange, the Board shall submit certified summary in respect of each dealer to the customs and excise Department for the purpose of accounting for the coffee.

Coffee

[Subsidiary]

FIRST SCHEDULE—*continued*

5. Any buyer who diverts coffee bought at the Nairobi Coffee Exchange to the local market must produce evidence of duty/Value Added Tax (VAT) payment to the Kenya Revenue Authority.
6. Any person who exports coffee in contravention of section 17(3) of the Act commits an offence and shall be liable to a fine not less than fifty thousand shillings or to a term of imprisonment not exceeding ten years or both such fine and imprisonment.

Form J

(r. 11)

NAIROBI COFFEE EXCHANGE MONTHLY RETURNS

Physical Address .....  
 P.O. Box .....  
 Email .....  
 Crop Year ..... Month .....

MARKETING AGENT

Sale Number	Marketing Agents' Name	Quantities of Bags Offered	Weight Offered (Kgs)	Bags Sold	Average Price (USD)	Sales Value (USD)

DEALER

Sale Number	Dealers Name	Number of full bags bought	Total Weight bought (Kgs)	Price (USD)	Sample Lots Collected	Sample Fees Paid

PREPARED BY:

Name: ..... Signature: .....  
 Date: ..... Stamp: .....

Form K

(r. 12)

ANNUAL COFFEE CREDIT RETURNS

Name of Financier ..... Board's Code .....  
 Physical Address ..... Mark/Factory .....  
 P.O. Box ..... Telephone No. ....  
 E-Mail ..... Coffee Year .....

Coffee

[Subsidiary]

FIRST SCHEDULE—continued

A. LOAN PRODUCTS

Type of Product	Repayment Period	Interest Rate	Grace Period	Type of Collateral

B. LOANS DISBURSED AND RECOVERED

Reg.No./ Member No.	Name of Loanee	Type of Product	Date Disbursed	Amount (KShs)	Interest Rate (annual)	Repayment Period	Amount Recovered	Balance Outstanding

Prepared By ..... Designation: ..... Signature: .....

Date: ..... Stamp: .....

Approved By: ..... Designation ..... Signature .....

Form M

(r. 13)

COFFEE MOVEMENT PERMIT

Validity period: from ..... to .....

Date of issue ..... time issued ..... a.m./p.m. .... expires ..... on .....

Booking slip no. .... bearer .....

Mark

--	--	--

Is hereby authorized to move the undermentioned coffee

From .....to specify destination .....

Lorry/wagon reg. no. .... by rail/road a distance of ..... kilometres

Description of coffee (clean, parchment/buni/cherry)

Name of driver .....

This permit is not valid between 6.30 p.m. and 6.30 a.m. .... quantity in figure and words

\*(delete as necessary) county/ district .....

Collected by ..... ID No. ....

Issued by .....

Signature .....

Designation .....

for Coffee Board of Kenya

*Coffee*

[Subsidiary]

## SECOND SCHEDULE

[Rule 14.]

1. The sales catalogue shall be prepared by the Marketing Agent in consultation with the growers.
2. The details to be included in the sales catalogue shall include—
  - (i) The name of the marketing agent and/or auctioneer;
  - (ii) Sale Number;
  - (iii) Day, date and time of the auction;
  - (iv) The place of the auction shall be Nairobi Coffee Exchange, Nairobi;
  - (v) Total number of bags of coffee to be offered for sale;
  - (vi) Name of the warehouse where the coffee is stored;
  - (vii) The prompt date being the date on or before which proceeds are payable to the marketing agent;
  - (viii) Terms and conditions of sale;
  - (ix) The date on which rent charges in respect of purchased coffee shall be due from the buyers to warehousemen;
  - (x) The net weights as per warehouse weights (and unless otherwise stated coffee shall be packed in bags of 60 Kgs net, tare weight 1.1 Kgs but bids shall be on the basis of 50 Kgs), the bags used shall conform with the coffee packaging standards;
  - (xi) Lot numbers arranged serially per marketing agent for all coffee offered for sale;
  - (xii) The out-turn Number shown against each lot number and the registered distinguishing mark of the grower (whether Bulk, E/Bulk, P/Bulk, T/Bulk; Spillage, or sweepings) and out-turn Number arising from operations of millers and marketing agents;
  - (xiii) Grade of coffee (AA, AB, PB, E, C, T, TT, UG, HE, SB, ML or MH);
  - (xiv) Number of bags in the lot (which shall not be less than ten bags);
  - (xv) Nett weight of coffee in kilogrammes respectively;
  - (xvi) Adequate space for inserting big prices by dealers.
3. The sales catalogue shall be prepared weekly or as frequently as the Board may determine in consultation with marketing agents.

## THIRD SCHEDULE

[Rule 15.]

## STATEMENTS OF COFFEE SALES AND PAYMENTS FOR ALL LOTS FOR EVERY CROP SEASON

## I – PARTICULARS OF GROWER

1. Name of the grower .....
2. Address: Postal ..... Email ..... Telephone no. ....
3. County ..... location ..... sublocation ..... village/road .....
4. Reference number of grower .....
5. Distinguishing Marks .....
6. Name of Pulping station .....

Coffee

[Subsidiary]

THIRD SCHEDULE—continued

II – PARTICULARS OF COFFEE MILLING

- 1. Name of milling agent .....
- 2. Milling fees ..... %
- 3. Out-turn number .....
- 4. Parchment type ..... (First (P1) ..... Second (P2) ..... Third (P3) .....
- 5. Buni .....
- 5. Parchment weight ..... kgs
- 6. Total net weight of clean coffee after milling ..... kgs
- 7. Total weight loss in milling/bulking ..... kgs
- 8. Grades by miller (AB, AA, PB, E, TT, C, UG, T, MH, ML, SB, HE)
- 9. Milling charges ..... (USD/per tonne)

III – PARTICULARS OF COFFEE SALES

- 1. Particulars of Sales/Out-turn ..... kgs (direct sales)
- 2. Sale Number ..... Date .....
- 3. Sale Type ..... (Big Lot, Small bulks, P bulks, PB, E, T grades)
- 4. Lot Number .....
- 5. Grades .....
- 6. Classification by liquorer .....
- 7. Number of Bags (of 60 kgs each) .....
- 8. Net weight clean coffee ..... kgs
- 9. Sale price in US\$/50 kgs bag .....
- 10. Value of US\$ (net wt. X price/50kgs) .....
- 11. Payment for sale Number .....
- 12. Gross proceeds (earnings) US\$ .....

IV – PARTICULARS OF DEDUCTIONS

- 1. Gross amount (earnings) credited to coffee factory account with the agent in US\$ .....
- 2. Less marketing and administrative expenses (marketing expenses) in US\$ .....
- 3. Less *Ad Valorem* Levy ..... % of gross proceeds US\$ .....
- 4. Less Presumptive Income Tax (if any) US\$ .....
- 5. Less County Council Cess US\$ .....
- 6. Less milling charges US\$ .....
- 7. Less VAT on milling charges US\$ .....
- 8. Less coffee picking advance (if any) in US\$ .....
- 9. Less interest on advance (if any) in US\$ ..... Date .....
- 10. Total Deductions in US\$ .....
- 11. Net payment to grower in US\$ .....
- 12. Total statutory and marketing costs deducted by marketing agent US\$ .....
- 13. Payment to grower in US\$ .....
- 14. VAT charges on milling revenue (if any) to raise milling charges US\$ .....
- 15. Less handling charges (specify) in US\$ .....
- 16. Less transport/railrage charges in US\$ .....
- 17. Less additional deductions by agent for color sorting charges in US\$ .....
- 18. Less other charges (specify) in US\$ .....
- 19. Total deductions by the marketing agent in US\$ .....

## Coffee

[Subsidiary]

THIRD SCHEDULE—*continued*

## V – PARTICULARS OF CROP ADVANCE AND RECOVERIES OF PRINCIPAL AND INTEREST THEREON OVER THE CROP YEAR

1. Crop year .....
2. Delivered crop of (P1, P2 parchment in bags of 50 kgs each) .....
3. Crop Advance in US\$ .....
4. Date issued .....
5. Date of first recovery .....
6. Period of advance in months .....
7. Amount recovered in first recovery .....
8. Annual Interest payable in (%) .....
9. Total advance repaid .....
10. Date of second recovery .....
11. Amount recovered in US\$ .....
12. Interest in US\$ .....
13. Date of third recovery (if any) .....
14. Amount recovered (recoverable debt) in US\$ .....
15. Interest on outstanding US\$ .....
16. Amount not recovered in US\$ .....
17. Period of interest accrual (from date of advance to repayment in months) .....
18. Interest accrued as above at ..... % p.a.
19. Indebtedness (if any) US\$ .....
20. At exchange rate of KShs. .... US\$ = KShs. ....

## FOURTH SCHEDULE

[Rule 16.]

## LICENSING REQUIREMENTS

## A. Nursery Certificate.

1. A certified copy of title deed.
2. Individual National ID/Passport No., Pin Numbers and certificate of good conduct.
3. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents.
4. Suitable land site for establishment of a nursery.
5. Demonstrate adequate knowledge and technical competence in nursery management (training/experience).
6. Reliable source of clean water.
7. Accessibility of nursery site for inspection and materials transportation.
8. Clearance letter by the local co-operative society, whenever it applies.
9. Any other requirements that may be prescribed by the Board from time to time.  
In addition, where the applicant is a company/society.
10. A certified copy of certificate of incorporation/registration (in case of companies/societies).
11. A certified copy of memorandum and articles of association.

FOURTH SCHEDULE —*continued*

12. A paid up share capital of not less than KSh 300,000.
  13. Names and addresses of two business referees.
  14. Names of directors/officials.
  15. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company/Society or individuals as applicable.
- B.** A Pulping station licence.
1. Applicants personal details and contacts.
  2. Individual National ID/Passport No., Pin Numbers and certificate of good conduct.
  3. Copy of title deed as proof of ownership and a current certificate of search or a Lease or written consent for use of land from the owner.
  4. Minimum of five (5) acres under mature coffee, indicating the number of coffee trees and variety per land parcel presented, with an average Coffee production of 2,400 kilograms of cherry per acre for the immediately preceding two (2) years.
  5. Compliance with minimum specifications as required by Kenya Bureau of Standards. KS1052,593,2221,175 (2011) or as amended from time to time.
  6. Confirmation of availability of water for coffee processing by the Ministry of water or its representative in the specific area.
  7. A clearance letter from a co-operative society to which the small scale farmer is a registered member and delivers coffee (where applicable).
  8. Recommendation by the respective County Coffee Working Group (CCWG).
  9. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents.
  10. Coffee production figures for the past three years with evidence of deliveries.
  11. A letter of undertaking to remit returns to the Board.
  12. Any other requirements that may be prescribed by the Board from time to time.
- C.** Coffee Management Certificate.
1. A certified copy of certificate of incorporation.
  2. A certified copy of memorandum and articles of association.
  3. A paid up share capital of not less than KSh 300,000.
  4. Names of company directors, individual National ID/Passport No., Pin Numbers and certificate of good conduct.
  5. Names and addresses of two business referees.
  6. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company and Directors.
  7. Minimum first degree in Agriculture or related field for Company employees.
  8. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents.
  9. Any other requirements that may be prescribed by the Board from time to time.
- D.** Coffee Miller's License
1. A certified copy of certificate of incorporation.
  2. A certified copy of memorandum and articles of association.
  3. A paid up share capital of not less than KSh. 300,000.
  4. Names of company directors, individual National ID/Passport No., Pin Numbers and certificate of good conduct.
  5. Names and addresses of two business referees.

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[Subsidiary]

FOURTH SCHEDULE —*continued*

6. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company and Directors.
  7. Compliance with Statutory requirements, including but not limited to, NEMA certificate Safety & Occupational Health Certificate and Local Authority Business Permit.
  8. A certified copy of a comprehensive insurance cover from a reputable firm proportionate to volume of coffee handled as per insurance valuation.
  9. Compliance with minimum specifications as required by Kenya Bureau of Standards KS1052,593,2221,175 (2011) or as may be amended from time to time.
  10. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents.
  11. Proof of engaging services of a coffee liquorer registered by the Board.
  12. Undertaking to furnish the Board with monthly stock returns.
  13. Any other requirements that may be prescribed by the Board from time to time.
- E. Marketing Agent License.
- (i) Commercial Marketing Agent.
    1. A certified copy of certificate of incorporation.
    2. A certified copy of memorandum and articles of association.
    3. A paid up share capital of not less than KSh. 300,000.
    4. Names of company directors, individual National ID/Passport No., Pin Numbers and certificate of good conduct.
    5. Names and addresses of two business referees.
    6. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company and Directors.
    7. Compliance with Statutory requirements, including but not limited to Safety & Occupational Health Certificate and Local Authority Business Permit.
    8. A certified copy of a comprehensive insurance cover from a reputable firm proportionate to volume of coffee handled as per insurance valuation.
    9. Clearance certificate by the Nairobi Coffee Exchange (NCE).
    10. Compliance with minimum specifications as required by Kenya Bureau of Standards KS1052,593,2221,175 (2011) or as amended from time to time.
    11. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents.
    12. A letter of intent from an approved bank to give a guarantee.
    13. A bank guarantee worth between US\$ 1,000,000 and US\$ 12,000,000 or one and half times the Free on Board (f.o.b) value of the coffee transacted on each particular case less the transaction cost, whichever is higher (after the Board approves the application).
    14. Undertaking to deduct and remit statutory levies based on the auction/declared value of coffee.
    15. Undertaking to deduct and remit growers' obligations.
    16. Undertaking to furnish the Board with monthly marketing returns.
    17. Proof of engaging services of a coffee liquorer registered by the Board.
    18. Any other requirements that may be prescribed by the Board from time to time.
  - (ii) Grower Marketer
    1. Be in possession of a growers code issued by the Board.
    2. Be in possession of a valid pulping station license issued by the Board.



FOURTH SCHEDULE —*continued*

3. Names of directors/officials, individual National ID/ Passport No., Pin Numbers and certificate of good conduct.
  4. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company/Society or individuals as applicable.
  5. Compliance with Statutory requirements, including but not limited to Safety & Occupational Health Certificate and Local Authority Business Permit.
  6. Compliance with minimum specifications as required by Kenya Bureau of Standards KS1052, 593, 2221,175 (2011) or as amended from time to time.
  7. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or commercial marketing agents.
  8. Submit coffee production statistics for the past three years with evidence of milling statements.
  9. Undertaking to deduct and remit statutory levies based on the declared value of coffee.
  10. Undertaking to submit returns to the Board for roasted coffee and exports.
  11. Any other requirements that may be prescribed by the Board from time to time.
- In addition, where the applicant is a company/society—
16. A certified copy of certificate of incorporation/registration (in case of companies/societies).
  17. A certified copy of memorandum and articles of association.
  18. A paid up share capital of not less than KShs 300,000.
  19. Names of directors/officials.
  20. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company/Society or individuals as applicable.

**F. Coffee Dealer's License.**

1. A certified copy of certificate of incorporation.
2. A certified copy of memorandum and articles of association.
3. A paid up share capital of not less than KSh. 300,000.
4. Names of company directors, individual National ID/Passport No., Pin Numbers and certificate of good conduct.
5. Names and addresses of two business referees.
6. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company and Directors.
7. Clearance letter from the Nairobi Coffee Exchange (NCE).
8. Compliance with Statutory requirements, including but not limited to NEMA certificate (where applicable) Safety & Occupational Health Certificate (where applicable) and Local Authority Business Permit.
9. A valid performance bond of KSh. 1,000,000 in favour of Coffee Board of Kenya.
10. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial millers, management agents, warehousemen, pulping station or marketing agents.
11. Proof of engaging the services of a coffee liquorer registered by the Board.
12. Undertaking to furnish the Board with monthly returns.
13. Any other requirements that may be prescribed by the Board from time to time.

**G. Coffee Warehouseman License.**

1. A certified copy of certificate of incorporation.
2. A certified copy of memorandum and articles of association.
3. A paid up share capital of not less than KSh. 300,000.

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[Subsidiary]

FOURTH SCHEDULE —*continued*

4. Names of company directors, individual National ID/ Passport No., Pin Numbers and certificate of good conduct.
5. Names and addresses of two business referees.
6. Names of company directors, individual National ID, Passport No. Pin Numbers and certificate of good conduct.
7. Tax compliance certificate from Kenya Revenue Authority (KRA) for the Company and Directors.
8. Compliance with Statutory requirements, including but not limited to NEMA Certificate, Safety & Occupational Health Certificate and Local Authority Business Permit.
9. A certified copy of a comprehensive insurance cover from a reputable firm proportionate to volume of coffee handled as per insurance valuation.
10. Compliance with minimum specifications as required by Kenya Bureau of Standards KS1052,593,2221,175 (2011) or as amended from time to time.
11. A sworn affidavit by the applicant of their involvement by themselves, their servants, spouses, next of kin, holding companies, associated companies, or partnerships in the business of commercial dealers, management agents, warehousemen, pulping station or marketing agents.
12. Undertaking to furnish the Board with monthly stock returns.
13. Any other requirements that may be prescribed by the Board from time to time.

All applicants under paragraphs A, B, C, D, E, F and G will be subjected to an integrity vetting process and any false information provided by the applicants or other integrity issues will lead to prosecution and cancellation of the licence.

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