

THE FOOD RESERVE ACT, 2026

ARRANGEMENT OF SECTIONS

Section

PART I

PRELIMINARY PROVISIONS

1. Short title and commencement
2. Interpretation

PART II

THE FOOD RESERVE AGENCY

3. Continuation of Food Reserve Agency
4. Seal of Agency
5. Functions of Agency
6. Constitution of Board
7. Functions of Board
8. Tenure of office for members and vacancy
9. Proceedings of Board
10. Committees
11. Allowances
12. Disclosure of interest
13. Prohibition of disclosure of information
14. Executive Director, Secretary and other staff
15. Immunity

PART III

THE NATIONAL FOOD RESERVE

16. Continuation of National Strategic Food Reserve
17. Role of Minister in National Strategic Food Reserve
18. Designation of agricultural commodities
19. Purchase of designated agricultural commodities
20. Sale of designated agricultural commodity
21. Receipt of donation of designated agriculture commodity and non-designated agricultural commodity
22. Aid to foreign country
23. Standard of designated agricultural commodity
24. Offence and penalty for misrepresenting

PART IV
FINANCIAL PROVISIONS

25. Funds of Agency
26. Financial year
27. Accounts and audited accounts
28. Annual Report

PART V
GENERAL PROVISIONS

29. Power to inspect records
30. Restricted area
31. Offence by principal officers of body corporate or unincorporate body
32. Regulations
33. Repeal of Act No. 6 of 2020 and savings and transitional provisions

SCHEDULE

GOVERNMENT OF ZAMBIA

ACT

No. 6 of 2026

Date of Assent: 31st March, 2026

An Act to continue the existence of the Food Reserve Agency and re-define its functions; re constitute the Board of the Agency and re-define its functions, continue the existence of the National Strategic Food Reserve; ensure national food security by maintaining sufficient levels of designated agricultural commodities to respond and provide food relief during emergencies or market and economic shocks; provide for the power of the Minister to designate agricultural commodities that are essential for food security; provide for the purchase of designated agricultural commodities by the Agency for purposes of the National Strategic Food Reserve; provide mechanisms for collaboration and cooperation with relevant regulatory and advisory agencies to ensure exchange of agricultural marketing information and the stabilisation of agricultural markets; repeal and replace the Food Reserve Act, 2020; and provide for matters connected with, or incidental to, the foregoing.

[8th April, 2026

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Food Reserve Act, 2026, and shall come into operation on the date appointed by the Minister by statutory instrument.

Short title
and
commence-
ment

Interpretation	<p>2. In this Act, unless the context otherwise requires—</p> <p>“Agency” means the Food Reserve Agency continued under section 3;</p> <p>“agricultural commodity” means any cereal, oilseed, stockfeed and other agricultural food product derived from farming;</p>
Act No. 8 of 2026	<p>“Agricultural Market Observatory” has the meaning assigned to the words under the Agricultural Marketing Act, 2026;</p> <p>“agricultural marketing” means services involved in moving an agricultural product from production to consumption, including planning, production, harvesting, grading, inspection, certification, packaging, application of standards, transportation, storage, processing, distribution and sale;</p> <p>“agricultural marketing mechanisms” means the processes and systems that enable market players to buy, sale and distribute agricultural commodities;</p>
Cap. 91	<p>“associate” has the meaning assigned to the word in the Anti Corruption Act;</p> <p>“Board” means the Board of the Agency constituted under section 6;</p> <p>“cereals” means food grain and includes wheat, rice, barley, maize, millet and sorghum;</p> <p>“Chairperson” means a person elected as Chairperson of the Board under section 6;</p>
Act No.18 of 2024	<p>“climate change” has the meaning assigned to the words in the Green Economy and Climate Change Act, 2024;</p>
Act No. 7 of 2026	<p>“commodity exchange” has the meaning assigned to the words in the Agricultural Credits and Warehouse Receipts Act, 2026;</p> <p>“community sales” means the structured distribution and sale of an agricultural commodity by the Agency at affordable prices directly to—</p> <p style="margin-left: 40px;">(a) institutions that provide essential public and social services; and</p> <p style="margin-left: 40px;">(b) vulnerable groups to make agricultural commodities available;</p>

-
- “Consolidated Fund” means the Consolidated Fund established under the Constitution; Cap. 1
- “crop forecasting” means the process of predicting future yields of crops, before harvest, using various data and techniques, so as to make informed decisions on resource management, marketing strategies and food security;
- “designated agricultural commodity” means any cereal, oilseed, stockfeed and other agricultural commodity designated by the Minister as being essential for food security under section 18, which forms part of the National Strategic Food Reserve;
- “domestic market” means a market within the Republic where agricultural commodities are produced, purchased and sold;
- “emergency” means an emergency declared under the Constitution and in accordance the Water Resources Management Act or the Disaster Management Act; Cap. 1
Cap. 198
Cap. 132
- “emoluments” has the meaning assigned to the word in the Constitution; Cap. 1
- “Emoluments Commission” means the Emoluments Commission established under the Constitution; Cap. 1
- “Executive Director” means a person appointed as Executive Director under section 14;
- “food security” means access by all individuals to sufficient food of adequate quality and quantity for a healthy and active life;
- “food shortage” means a status where a natural or man-made disaster or any other phenomena leads to a situation in which a community or individuals cannot meet their food needs through their own production or purchase from open markets;
- “legally disqualified” means the absence of legal capacity as provided in section 4 of the Mental Health Act; Cap. 305
- “market player” means a person or entity dealing in an agricultural product, and includes—
- (a) an agricultural producer organisations and cooperatives;
 - (b) processors, producers and producer-processors,

- (c) input suppliers;
- (d) vendors and retailers;
- (e) marketing agents and transporters;
- (f) graders;
- (g) aggregators, brokers and traders;
- (h) millers or packagers;
- (i) importers and exporters;
- (j) warehouse operators and storage providers;
- (k) market facility managers;
- (l) digital or online platforms facilitating agricultural marketing; and
- (m) any other participant in the marketing chain, as may be prescribed by the Minister.

“marketing season” means the period from 1st May in each year to 30th April of the following year;

“National Food Balance Sheet” means an annual and comprehensive compilation of selected food supply and demand for the Republic, for a specific period compiled by the Ministry responsible for agriculture in collaboration with the Zambia Statistics Agency;

“National Strategic Food Reserve” means an inventory or stockpile of designated agricultural products operated and maintained by the Agency, in accordance with section 16, for purposes specified in that section;

“processor” means a person who converts or transforms, on a commercial scale, a designated agricultural product into a finished or semi finished product;

“producer” means a person who grows a designated agricultural commodity;

Cap.1 “property” has the meaning assigned to the word in the Constitution;

Cap. 347 “public body” has the meaning assigned to the words in the Public Finance Management Act;

-
- “Public-Private Partnership” has the meaning assigned to the words in the Public-Private Partnership Act, 2023; Act No. 18 of 2023
- “purchaser” means a person who directly or indirectly purchases for oneself, or for another person, a designated agricultural product;
- “regulatory agency” means a public body that regulates a specific part of the agriculture sector, regional and urban planning, standards, competition and consumer protection, collection, storage and dissemination of agricultural information and data, metrological information, disaster management, water resources management, the environment, public private partnerships or other activity impacting or dependent on the agriculture sector;
- “relative” has the meaning assigned to the word in the Anti Corruption Act; Cap. 91
- “repealed Act” means the Food Reserve Act, 2020; Act No. 6 of 2020
- “Secretary” means the person appointed as Secretary of the Agency under section 14;
- “shortfall” means the non availability of a sufficient quantity of a designated agricultural commodity supplied through domestic production, food stocks or imports as defined in the National Food Balance Sheet;
- “stock management mechanisms” means the process, system and strategy used to manage and control—
- (a) stock levels;
 - (b) track stock movement; and
 - (c) optimise inventory stock levels;
- “stock rotation” means a systematic process by which the Agency disposes of older agricultural commodities from the National Strategic Food Reserve and replaces it with fresh stocks of the same commodity;
- “trader” means a person who, as broker, dealer, marketing company, or other purchaser, acquires any designated agricultural commodity from a producer or other person through a purchase or otherwise, for the purpose of resale;
- “Vice-Chairperson” means the person elected as Vice-Chairperson of the Agency under section 6;

Act No. 7 of 2026	“warehouse” has the meaning assigned to the word in the Agricultural Credits and Warehouse Receipts Act, 2026;
Act No. 7 of 2026	“Warehousing Licensing Authority” has the meaning assigned to the words in the Agricultural Credits and Warehouse Receipts Act, 2026;
Act No. 8 of 2026	“Zambia Agricultural Marketing Council” means the Zambia Agricultural Marketing Council established under the Agricultural Marketing Act, 2026;
Cap. 416	“Zambia Bureau of Standards” means the Zambia Bureau of Standards established under the Standards Act;
Cap. 403	“Zambia Metrology Agency” means the Zambia Metrology Agency established under the Metrology Act; and
Cap. 127	“Zambia Statistics Agency” means the Zambia Statistics Agency established under the Statistics Act.

PART II

THE FOOD RESERVE AGENCY

Continuation of Food Reserve Agency	<p>3. The Food Reserve Agency established under the repealed Act is continued as if established under this Act as a body corporate with perpetual succession and a common seal, capable of suing and being sued in its corporate name and with power, subject to the provisions of this Act, to do all such acts and things that a body corporate may, by law, do or perform.</p>
Seal of Agency	<p>4. (1) The seal of the Agency shall be a device that may be determined by the Agency and shall be kept by the Executive Director.</p> <p>(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Executive Director or any other person authorised in that behalf by a resolution of the Board.</p> <p>(3) A contract or instrument which, if entered into or executed by a person not being a body corporate, is not required to be under seal, may be entered into or executed without seal on behalf of the Agency by the Executive Director or any other person authorised in that behalf by a resolution of the Board.</p> <p>(4) A document purporting to be a document under the seal of the Agency or issued on behalf of the Agency shall be received in evidence and considered to be so executed or issued, without further proof, unless the contrary is proved.</p>

5. (1) The Agency shall manage the National Strategic Food Reserve in a cost effective and transparent manner. Functions of Agency

(2) Despite the generality of subsection (1), the functions of the Agency are to—

- (a) manage the National Strategic Food Reserve in a manner that minimises market distortions;
- (b) ensure national food security;
- (c) ensure effectiveness and transparency in the procurement of designated agricultural commodities;
- (d) dispose of designated agricultural commodities by stock management mechanisms;
- (e) establish a pricing model for restocking the National Strategic Food Reserve based on prevailing market rates in different geographical areas in the country;
- (f) collaborate with other regulatory agencies in the performance of the Agency's functions;
- (g) purchase designated agricultural commodities from farmers and other market players prioritising rural areas;
- (h) sell a designated agricultural commodity as specified under this Act;
- (i) operate grain silos, depots, and warehouses to store designated agricultural commodities for the purposes of maintaining strategic food reserves; and
- (j) advise the Minister on matters relating to the National Strategic Food Reserve.

6. (1) There is constituted a Board of the Agency which consists of the following part time members, appointed by the Minister: Constitution of Board

- (a) a representative each of the ministry responsible for —
 - (i) agriculture;
 - (ii) finance; and
 - (iii) commerce, trade and industry;
- (b) a representative of the Attorney General;
- (c) a representative each of an association representing—

- (i) small scale farmers;
- (ii) large scale farmers;
- (iii) millers; and
- (iv) grain traders; and

(d) one person, from the private sector, with proven knowledge and experience in matters relevant to this Act.

(2) The ministries, institutions and organisations referred to in subsection (1)(a), (b) and (c) shall nominate their representatives for appointment by the Minister.

(3) Subject to subsection (4), the members of the Board shall elect the Chairperson and Vice-Chairperson from among themselves.

(4) The Chairperson and Vice-Chairperson shall not be elected from the members specified in subsection (1)(a) and (b).

(5) The representatives specified in subsection (1)(c), shall qualify to be appointed as members of the Board, if the representatives possess knowledge and experience relevant to the functions of the Agency, under this Act.

(6) A person shall not be nominated or appointed as a member of the Board if that person is—

- (a) an undischarged bankrupt;
- (b) not a citizen;
- (c) an employee of the Agency;
- (d) convicted of an offence under this Act or any written law and is sentenced to imprisonment for a period exceeding six months, without the option of a fine;
- (e) legally disqualified;
- (f) a member of the Zambia Agricultural Marketing Council; or
- (g) a member of the Board of the Warehousing Licensing Authority.

Functions of
Board

7. (1) Subject to the other provisions of this Act, the Board shall perform the functions of the Agency and provide strategic policy direction to the Agency.

(2) Despite the generality of subsection (1), the functions of the Board are to—

- (a) approve policies, programmes and strategies of the Agency;
- (b) approve the annual budget estimates and financial statements of the Agency;
- (c) approve the annual work plan, action plans and activity reports of the Agency;
- (d) monitor and evaluate the performance of the Agency against budgets and plans; and
- (e) promote effective corporate governance of the Agency.

(3) The Board may, by direction in writing and on conditions that the Board considers necessary, delegate to the Executive Director any of the Board's functions under this Act.

(4) A delegation made in accordance with subsection (3) shall not prevent the Board from performing the function so delegated.

(5) The Minister may give to the Board general or specific directions relating to the performance of the Board's functions and the Board shall give effect to those directions to the extent that they are not inconsistent with this Act or any other written law.

8. (1) A member of the Board shall, subject to other provisions of this Act, hold office for a term of three years from the date of appointment and may be re-appointed for a further and final term of three years.

Tenure of office for members and vacancy

(2) A member of the Board shall, on the expiration of the term for which the member is appointed, continue to hold office until another member is appointed, but in no case shall an extension of the period exceed three months.

(3) The office of a member of the Board shall become vacant, if the member—

- (a) dies;
- (b) is adjudged bankrupt;
- (c) is absent, without reasonable excuse, from three consecutive meetings of the Board, of which the member has had notice, without the prior approval of the Board;

- (d) resigns by giving one month's notice in writing, to the Minister;
- (e) is legally disqualified from performing the functions of a member;
- (f) is found guilty of professional misconduct;
- (g) is convicted of an offence under this Act or any written law and is sentenced to imprisonment for a term exceeding six months, without the option of a fine; or
- (h) ceases to be a representative of the ministry, institution, or organisation that nominated that member.

(4) The Minister shall, where the office of a member of the Board becomes vacant before the expiry of the term of office, appoint another member in place of that member, but that member shall hold office as a member of the Board only for the unexpired part of the term of the Board.

Proceedings
of Board

9. (1) Subject to the provisions of this Act, the Board may regulate its own procedure.

(2) The Board shall meet for the transaction of business at least once every three months at a place and time that the Chairperson may determine.

(3) The Chairperson shall, on giving notice of not less than fourteen days, call for a meeting of the Board, or where one third or more of the members of the Board so request, in writing, except that if the urgency of a particular matter does not permit the giving of a notice, a special meeting may be called on giving a shorter notice.

(4) Five members shall form a quorum at a meeting of the Board.

(5) There shall preside at a meeting of the Board—

- (a) the Chairperson;
- (b) in the absence of the Chairperson, the Vice-Chairperson;
or
- (c) in the absence of the Chairperson and the Vice-Chairperson, a member of the Board as the members of the Board present may elect for the purpose of that meeting.

(6) A decision of the Board on any question shall be by a majority of members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to the deliberative vote.

(7) A member of the Board may, where a member is for any reason unable to attend a meeting of the Board, except for a member referred to under section 6(1)(d), nominate another person, in writing, from the same ministry, institution or organisation to attend a meeting in that member's place and that person shall be deemed to be a member for the purpose of that meeting.

(8) The Board may invite a person whose presence is in the Board's opinion, desirable to attend and to participate in the deliberations of the meeting of the Board but that person shall have no vote.

(9) The Board shall cause minutes to be kept of the proceedings of every meeting of the Board and any committee of the Board.

10. (1) The Board may, for the purpose of performing the functions of the Board under this Act, constitute committees and delegate any of the Board's functions to the committee as the Board considers necessary.

Committees

(2) The Board may appoint as members of a committee persons who are, or are not, members of the Board, except that at least one member of the Board shall be a member of a committee.

(3) A member of a committee shall hold office for a period that the Board may determine.

(4) A committee may invite a person whose presence is in the committee's opinion, desirable to attend and to participate in the deliberations of the meeting of the committee, but that person shall have no vote.

(5) Subject to any specific or general direction of the Board, a committee may regulate its own procedure.

11. A member of the Board or any committee of the Board shall be paid allowances that the Emoluments Commission may, on recommendation by the Minister, determine.

Allowances

12. (1) A person who is present at a meeting of the Board or any committee at which any matter is the subject of consideration and in which matter that person or that person's relative or associate

Disclosure of interest

is directly or indirectly interested in a private capacity, shall, as soon as is practicable after the commencement of the meeting, declare that interest and shall not, unless the Board or the committee otherwise directs, take part in any consideration or discussion of, or vote on, any question relating to that matter.

(2) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.

Prohibition
of disclosure
of
information

13. (1) A person shall not, without the consent, in writing, given by, or on behalf of, the Agency, publish or disclose to a person, other than in the course of that person's duties, the contents of a document, communication or information which relates to or which has come to the knowledge of that person in the course of that person's duties under this Act.

(2) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand penalty units.

(3) A person who, having information which to that person's knowledge has been published or disclosed in contravention of subsection (1), unlawfully publishes or communicates the information to another person, commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.

Executive
Director,
Secretary
and other
staff

14. (1) The Board shall appoint an Executive Director who shall be—

(a) the chief executive officer of the Agency; and

(b) responsible for the day to day administration of the Agency under the direction of the Board;

(2) The Executive Director shall be an *ex-officio* member of the Board.

(3) The Board shall appoint a Secretary who shall perform corporate secretarial duties for the Board and other functions that the Board may determine under the direction of the Board and the Executive Director.

(4) The Board shall appoint other staff of the Agency that the Board considers necessary for the performance of the functions of the Agency.

(5) The Emoluments Commission shall, on the recommendation

of the Board, determine the emoluments of the Executive Director, Secretary and other staff of the Agency.

(6) The Board shall determine the conditions of service, other than emoluments, of the Executive Director, Secretary and other staff of the Agency.

15. An action or other proceeding shall not lie or be instituted against a member of the Board, a committee of the Board or a member of staff of the Agency for, or in respect of, an act or thing done or omitted to be done in good faith in the exercise or performance of any of the powers, functions or duties conferred under this Act.

Immunity

PART III

THE NATIONAL STRATEGIC FOOD RESERVE

16. (1) The National Strategic Food Reserve established under the repealed Act is continued as if established under this Act.

Continuation
of National
Strategic
Food
Reserve

(2) The purpose of the National Strategic Food Reserve is to—

- (a) ensure availability of designated agricultural commodities for national food security;
- (b) meet domestic shortfalls in the supply of designated agricultural commodities;
- (c) mitigate economic and social hardship of vulnerable households and individuals identified under the Disaster Management Act;
- (d) meet food shortages caused by an emergency; and
- (e) provide aid to a foreign country as specified under section 22.

Cap.132

(3) The Agency shall specify the size of the National Strategic Food Reserves as determined by the Agricultural Marketing Council under the Agricultural Marketing Act, 2026.

Act No. 8 of
2026

17. (1) The Minister shall, for the purposes of this Act—

- (a) approve the quantity and type of a designated agricultural commodity to be maintained in, sold, traded or issued from, the National Strategic Food Reserve;
- (b) cause the collection of data for the purposes of national food security;
- (c) cause the inspection and verification of stock levels of designated agricultural commodities; and

Role of
Minister in
National
Strategic
Food
Reserve

(d) cause the preparation of the National Food Balance Sheet.

(2) The Minister may appoint inspectors to perform the functions under subsection (1)(b) and (c).

(3) A person shall not obstruct or refuse to provide information to an inspector in the performance of the inspector's function under subsection (2).

(4) A person who contravenes subsection (3) commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

Designation
of
agricultural
commodities

18. The Minister shall, by statutory instrument, in consultation with the Agency and the Zambia Agricultural Marketing Council, at least sixty days before 31st of October in each year, designate agricultural commodities that the Minister considers essential for food security of the Republic.

Purchase of
designated
agricultural
commodities

19. (1) Subject to subsection (4), the Agency may, for purposes of maintaining the National Strategic Food Reserve—

(a) purchase designated agricultural commodities from the domestic market;

(b) import designated agricultural commodities; or

(c) purchase designated agricultural commodities through a commodity exchange or trading platform.

(2) The Agency shall, for the purposes of subsection (1), purchase designated agricultural commodities at prices that reflect prevailing market conditions based on benchmarks published by the Agriculture Market Observatory or other prescribed transparent pricing mechanism.

(3) The Agency shall, in consultation with the Zambia Agriculture Marketing Council, develop the methodology for determining the prices referred to under subsection (2).

(4) The Agency shall, in purchasing a designated agricultural commodity from the domestic market, identify, enter and operate markets in rural areas.

(5) The Agency shall purchase a designated agricultural commodity, if the Agency publishes, at least thirty days before the 10th of May in each year, in the *Gazette* and a daily newspaper of general circulation in the Republic, the Agency's plan to purchase the designated agricultural commodity for the next marketing season.

(6) The plan, referred to in subsection (5), shall include information on the—

- (a) quantity of each designated agricultural commodity;
- (b) method of procurement;
- (c) period of payment for the designated agricultural commodity; and
- (d) areas from which the Agency shall purchase the designated agricultural commodity.

20. (1) The Agency may sell designated agricultural commodities from the National Strategic Food Reserve—

Sale of designated agricultural commodity

- (a) for the purposes of stock rotation to ensure the quality and safety of grain and to prevent spoilage and waste;
- (b) as relief food to mitigate the impact of an emergency;
- (c) to meet a local shortfall in the supply of a designated agricultural commodity; or
- (d) through community sales.

(2) The Agency may, on the recommendation of the Zambia Agricultural Marketing Council and the direction of the Minister, export a designated agricultural commodity.

(3) The Agency shall, in selling agriculture commodities under this section, use public auction, commodity exchange or a trading platform.

21. The Agency may—

- (a) receive as a donation a designated agricultural commodity or any commodity not designated under this Act as part of the National Strategic Food Reserve; or
- (b) sell any donation received in paragraph (a) in accordance with this Act.

Receipt of donation of designated agriculture commodity and non-designated agricultural commodity

22. The Agency may, on approval by Cabinet, release an agricultural commodity from the National Strategic Food Reserve as aid to a foreign country after an analysis of domestic prices and stocks.

Aid to foreign country

23. The Agency shall—

- (a) use the standards of quality, condition, quantity and grade of a designated agricultural commodity approved by the Zambia Bureau of Standards under the Standards Act and the Compulsory Standards Act to ensure uniformity and consistency; and

Standard of designated agricultural commodity

Cap. 416
Cap. 422

Cap. 403 (b) consult the Zambia Metrology Agency in approving the weighing and measuring equipment used in the purchase of a designated agricultural commodity in accordance with the Metrology Act.

Offence and penalty for misrepresenting

24. (1) A person who knowingly sells to the Agency a grade of a designated agricultural commodity contrary to the standards approved by the Zambia Bureau of Standards referred to under section 23 commits an offence.

(2) A person convicted of an offence under subsection (1) shall be liable, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a term not exceeding five years, or to both.

PART IV

FINANCIAL PROVISIONS

Funds of Agency

25. (1) The funds of the Agency consist of monies that may—

Cap. 347

(a) be appropriated to the Agency by Parliament;

(b) subject to the Public Finance Management Act be generated from sales of designated agricultural commodities, for purposes of maintaining, rotating and securing the National Strategic Food Reserve; or

(c) vest in, or accrue to, the Agency.

(2) The Agency may, subject to the approval of the Minister—

(a) accept monies by way of grants or donations from any source in the Republic and from any source outside the Republic;

(b) charge and collect fees in respect of programmes, publications, seminars, consultancy and other services provided by the Agency; or

(c) lease storage facilities and equipment.

Act No. 15 of 2022

(3) The Agency may raise loans in accordance with the Public Debt Management Act, 2022.

(4) There shall be paid from the funds of the Agency—

(a) the salaries, allowances and loans of members of staff of the Agency;

(b) reasonable travelling, transport and subsistence allowances for members of the Board or members of any committee of the Board when engaged in the business of Agency, at rates that the Emoluments Commission may, on the recommendation of the Minister, determine; and

(c) any other expenses incurred by the Agency in the performance of the Agency's functions.

(5) Subject to the Public Finance Management Act the Agency may, invest in a manner that the Board considers appropriate, funds of the Agency that it does not immediately require for the performance of Agency's functions. Cap. 347

26. The financial year of the Agency shall be a period of twelve months ending on 31st December in each year. Financial year

27. (1) The Board shall cause to be kept proper books of accounts and other records relating to the accounts of the Agency. Accounts and audited accounts

(2) The accounts of the Agency shall be audited annually by the Auditor- General or an auditor appointed by the Auditor- General.

(3) The Auditor's fees shall be paid by the Agency

28. (1) The Agency shall, as soon as practicable, but not later than ninety days after the end of the financial year, submit to the Minister a report concerning the activities of the Agency during the financial year. Annual Report

(2) The report referred to in subsection (1) shall include information on the financial affairs of the Agency and there shall be appended to the report—

(a) an audited statement of financial position;

(b) an audited statement of comprehensive income and expenditure;

(c) the quantities and values of all the designated agricultural commodities purchased and sold during the year;

(d) the cost of purchase, handling, storage and distribution of designated agricultural commodities;

(e) any loss or subsidy incurred from sales below full cost recovery of the designated agricultural commodities; and

(f) any other information that the Minister may require.

(3) The Minister shall, not later than seven days after the first sitting of the National Assembly next after receipt of the report referred to in subsection (1), lay the report before the National Assembly.

(4) The Agency shall, within seven days after the Minister lays the report before National Assembly in accordance with subsection (3), publish the report in a newspaper of general circulation in the Republic and on the website of the Agency.

PART V

GENERAL PROVISIONS

- Power to inspect records
Act No. 7 of 2026
Cap. 429
- 29.** Subject to the Agricultural Credits and Warehouse Receipts Act, 2026, the Agency may, before purchasing a designated agricultural commodity, inspect relevant records of a market player, to ascertain if the market player has pledged the designated agricultural commodity, as security, a charge or lien, registered in accordance with the Movable Property (Security Interest) Act.
- Restricted area
- 30.** (1) The Minister may, by statutory instrument, designate a storage facility used for the storage of a designated agricultural commodity as a restricted area.
- (2) A person who is in a restricted area shall comply with directions regulating the person's movements and conduct that may be given by the Agency.
- (3) A person who, while in a restricted area fails to comply with a direction under subsection (2) commits an offence and is liable, on conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a term not exceeding three years, or to both.
- (4) A person who is unlawfully found on the premises of a storage facility designated as a restricted area under subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a term not exceeding three years, or to both.
- Offence by principal officers of body corporate or unincorporate body
- 31.** Where an offence under this Act is committed by a body corporate or unincorporate body, with the knowledge, consent or connivance of the director, manager, shareholder or partner of the body corporate or unincorporate body, that director, manager, shareholder or partner is liable, on conviction, to the penalty or term of imprisonment specified for that offence.
- Regulations
- 32.** (1) The Minister may, by statutory instrument, on the recommendation of the Agency, make Regulations for the better carrying out of the provisions of this Act.
- (2) Despite subsection (1), regulations made under that subsection may make provisions for—
- (a) forms and records for purposes of this Act;

(b) procedure for purchase and sale of designated agricultural commodities; Regulations

(c) designation of agricultural commodities that are essential for food security; and

(d) processes and procedures to give effect to this Act.

33. (1) The Food Reserve Act, 2020 is repealed.

Repeal of
Act No. 6 of
2020 and
savings and
transitional
provisions

(2) Despite subsection (1), the provisions of the Schedule apply in respect of the matters specified in the Schedule.

SCHEDULE
(Section 33(2))

Interpretation	<p>1. In this Schedule “former Agency” means the Agency established under the repealed Act.</p>
Member	<p>2. A person who immediately before the commencement of this Act held office as a member of the Board of the former Agency shall continue to hold office as a member for a period of three months after which the Minister shall appoint the members of the Board in accordance with this Act.</p>
Staff of Board	<p>3. (1) For the avoidance of doubt a person who, before the commencement of this Act, was an officer or employee of the former Agency, shall continue to be an officer or employee of the Agency, as if appointed or employed under this Act.</p> <p>(2) The service of the persons referred to in subparagraph (1) shall be treated as continuous service.</p> <p>(3) Nothing in this Act affects the rights and liabilities of any person employed or appointed by the former Agency before this Act comes into force.</p>
Transfer of assets and liabilities	<p>4. (1) On or after the commencement of this Act, there shall be transferred to, vest in and subsist against the Agency by virtue of this Act and without further assurance, all assets, rights and obligations which immediately before that date were the assets, rights, liabilities and obligations of the former Agency.</p> <p>(2) Subject to subparagraph (1), every deed, bond and agreement, other than an agreement for personnel service, to which the former Agency was a party immediately before the commencement of this Act whether or not of a nature that rights, liabilities and obligations could be assigned, shall unless its subject matter or terms make it impossible that it should have effect as modified, as provided under this paragraph, have effect as if —</p> <p style="padding-left: 40px;">(a) the Agency had been party to it;</p> <p style="padding-left: 40px;">(b) for any reference to the former Agency there was substituted, with respect to anything falling to be done on or after the commencement of this Act, a reference to the Agency; or</p> <p style="padding-left: 40px;">(c) for any reference to any officer of the former Agency, not being a party to it and beneficially interested, there</p>

were substituted, as respects anything falling to be done on or after the commencement of this Act, a reference to that officer of the Agency, that it shall designate.

(3) Where under this Act, any assets, rights, liabilities and obligations of the former Agency are deemed to be transferred to the Agency in respect of which transfer a written law provided for registration, the Agency shall make an application, in writing, to the appropriate registration authority for registration of the transfer.

(4) The registration authority referred to in subparagraph (3), shall make entries in the appropriate register as shall give effect to the transfer and where applicable certificate of title in respect of the property or make necessary amendments to the register and shall endorse the deeds relating to the title, right or obligation concerned and no registration fees or other duties shall be payable in respect of the transaction.

5. (1) Any legal proceedings or application of the former Agency pending immediately before the commencement of this Act by or against the former Agency may be continued by or against the Agency.

Legal
proceedings

(2) After the commencement of this Act, proceedings in respect of any right, liability or obligation which was vested in, held, enjoyed, incurred or suffered by the former Agency, may be instituted by or against the Agency.
