

STATUTORY INSTRUMENTS

2005 No. 40.

THE COTTON (ESTABLISHMENT OF ZONES AND ISOLATED AND SEGREGATED
AREAS) REGULATIONS, 2005.

ARRANGEMENT OF REGULATIONS.

Regulation

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**The Cotton (Establishment of Zones and Isolated and Segregated Areas),
Regulations, 2005.**

(Under Sections 8 and 9 of the Cotton Development Act, Cap 30)

IN EXERCISE of the powers conferred upon the Minister responsible for agriculture by sections 8 and 9 of the Cotton Development Act, Cap 30 and in consultation with the Organisation these Regulations are made this 3rd day of May, 2005.

PART I—PRELIMINARY.

1. Title

These Regulations may be cited as the Cotton (Establishment of Zones and Isolated and Segregated Areas), Regulations, 2005.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“area” means an isolated and segregated area established under these Regulations;

“Act” means the Cotton Development Act;

“Association” means the Uganda Ginners and Cotton Exporters Association;

“dealer” means a person who deals in seed cotton, cotton seed and cotton lint referred to in regulations 4(a) and 6(2) of the Cotton Regulations;

“Organisation” means the Cotton Development Organisation established under section 2 of the Act;

“zone” means the zone established under these Regulations;

“zonal dealer” means a person issued with a certificate of registration to perform the functions of a dealer in a zone, specified in regulation 7(6) of these Regulations;

“zonal ginner” means a ginner in respect of whom a certificate of registration is issued under these Regulations.

3. Application

These Regulations shall apply to any type or grade of cotton in Uganda for purposes of cultivation, marketing, ginning or export.

PART II—ESTABLISHMENT OF ZONES

4. Establishment of zones

is established in Uganda zones for cultivation and dealing in marketing and ginning of cotton as follows—

(a) West Nile shall comprise of the districts of Nebbi, Arua, Moyo, Adjumani and Yumbe;

- (b) Busoga region shall comprise of the districts of Bugiri, Iganga, Kamuli, Mayuge, Jinja and Kayunga;
- (c) Kazinga Channel shall comprise of the districts of Kasese, Bushenyi, Kamwenge, Rukungiri, Kabarole and Kanungu;
- (d) Teso region shall comprise of the districts of Kumi, Soroti and Katakwi;
- (e) Bukedi region shall comprise of the districts of Pallisa, Tororo and Busia;
- (f) Acholi region shall comprise of the districts of Gulu, Kitgum, Pader and Kotido;
- (g) Lango region shall comprise of the districts of Lira, Apac and Kaberamaido;
- (h) Mid-West and central region shall comprise of the districts of Luwero, Kiboga, Masindi, Hoima, Kibale, Kyenjojo and Nakasongola;
- (i) Bugisu region shall comprise of the districts of Mbale, Sironko and Kapchorwa.

5. Purposes of zones

The purposes for which these zones are established are to—

- (a) to support cotton production in Uganda by providing inputs to small scale farmers and extension services in order to increase cotton production and its productivity;
- (b) to encourage establishment of medium to large estate cotton farms;
- (c) to encourage fair distribution in ginning capacity in the country;
- (d) to ensure fair returns to the investors who support cotton production;
- (e) to ensure catchment areas generate enough cotton for the ginning capacity in their zones;
- (f) to ensure that every ginner supports farmers to produce cotton economically and profitably in their catchment area;
- (g) to minimise criss-crossing of cotton across the country, which increases transport costs and reduces farm-gate price;
- (h) to avoid the mixing of seed varieties.

6. Organisation to implement zoning policy

(1) The Organisation shall implement the zoning policy set out in these Regulations and in so doing may seize, impound, confiscate, restrict or prohibit movement of cotton plants, cotton seed, seed cotton or lint cotton generally or in respect of a particular dealer from one zone to another.

(2) Any person who resists the seizure, impounding, confiscation, restriction or prohibition issued under sub-regulation (1) commits an offence.

7. Certificate of registration to specify zone

(1) Every dealer must apply to the Organisation for registration in a given zone.

(2) A certificate of registration issued by the Organisation under the Cotton Regulations shall specify the zone in respect of which it is issued.

(3) The Organisation may issue a certificate of registration to a dealer referred to as a zonal dealer.

(4) The Organisation shall not issue a certificate of registration to a zonal dealer unless—

- (a) the dealer has made an application in a prescribed form for the establishment of a ginnery or operations in a given zone;
- (b) the applicant demonstrates to the satisfaction of the Organisation by way of a business plan in a manner that may be prescribed from time to time, filed with the application, the ability or capacity of the applicant to generate sufficient crop for dealing in cotton in the given zone;
- (c) the Organisation is satisfied that the issuance of the certificate of registration will promote the policy considerations in regulation 5 of these Regulations.

(5) The Organisation may, after issuing the certificate of registration under this regulation inform the Association in writing with a copy of the registration certificate.

(6) The duties of the zonal dealer shall include—

- (a) registration of cotton farmers in their zones;
- (b) establishment of demonstration gardens for the farmers' education and training;
- (c) provision of cotton agronomy education to the farmer;
- (d) availing approved cotton pesticides and spray pumps on cash or credit basis;
- (e) availing any other cotton production inputs as may be required.

PART III—ESTABLISHMENT OF ISOLATED AND SEGREGATED AREAS.

8. Declaration of isolated and segregated areas

(1) There is hereby established in Uganda isolated and segregated areas for purposes of seed multiplication activities as follows—

- (a) Northern segregated area shall comprise of the sub-counties of Awelo and Namasele in Kyoga county, Lira district;
- (b) North Eastern segregated area shall comprise of the sub counties of Pingere in Soroti district and Gogonyo in Pallisa district;
- (c) South Eastern segregated area shall comprise of the sub-county of Gadumire in Kamuli district;
- (d) Mid West and central segregated area shall comprise of the sub-counties of Biiso and Kigumba in Masindi district;
- (e) West Nile segregated area shall comprise the sub-county of Rhino Camp in Arua district;

(f) Western/Kazinga channel segregated area shall comprise of Kalungi Baati sub-county and Mubuku prison farm, in Kasese district.

(2) In respect of an isolated and segregated area, no cotton plants, cotton seed, seed cotton or lint cotton shall be exported from or imported into that area without the consent in writing of the Organisation.

(3) The Organisation shall prescribe the manner in which or the route by which any such cotton plant, cotton seed, seed cotton or lint cotton may be processed, exported from or imported into the isolated and segregated area and the ginnery or ginneries at which the seed cotton produced in the area shall be ginned.

(4) Except a ginner or any other person authorized in writing by the Organisation under these Regulations, no person shall be allowed to carry out seed multiplication activities or purchase seed cotton in the isolated and segregated areas established under these Regulations.

(5) The Organisation shall enter into a written agreement with any ginner or person authorized under sub-regulation (4) spelling out the terms and conditions of the authorization and the person so authorized shall carry out his or her obligations under the agreement in conformity with the rules, regulations, guidelines, instructions, made and given with respect to cotton from time to time.

(6) The Organisation shall, after authorizing a person under this regulation issue the person with a written authorization and inform the Association in writing with a copy of the authorisation.

(7) Any person who contravenes the provisions of sub-regulation (2) commits an offence.

9. Offences and penalties

(a) Any person who contravenes the provisions of these Regulations shall be liable to forfeiture, cancellation or suspension of the certificate of registration or any other authorization issued under these Regulations and the Cotton Regulations and during such forfeiture, cancellation or suspension the person shall be prohibited from participating in any manner in the cotton Sub-sector.

(b) The Organisation shall inform the Association in writing of its decision to forfeit, cancel, suspend or prohibit taken under this regulation.

(c) Any person who deals with any person whose certificate of registration or authorization is forfeited, cancelled or suspended or who has been prohibited under this regulation commits an offence and may be liable to suffer the same consequences as the person with respect to whom he or she has dealt.

HON HAJAT JANAT B. MUKWAYA,
Minister of Agriculture, Animal Industry and Fisheries.