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SUBSIDIARY LEGISLATION

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THE SUGAR INDUSTRY ACT, 2001

(No. 26 of 2001)

SUGAR REGULATIONS, 2010

ARRANGEMENTS OF REGULATIONS

PART I

PRELIMINARY PROVISIONS

<i>Regulation</i>	<i>Title</i>
1.	Citation and commencement date
2.	Application
3.	Interpretation

PART II

REGISTRATION OF SUGARCANE GROWERS

4.	Registration of growers and issuance of “GRNs”
5.	Restriction on growing or selling sugar cane without registration
6.	Particulars of growers
7.	Qualification for registration of a growers
8.	Terms and conditions of registered grower
9.	De- registration of growers

Sugar Industry Regulations

G.N. No.

10. Appointment of agents

PART III

SUGARCANE HUSBANDRY

11. Sugarcane husbandry
12. Approved variety
13. Seed Cane quality
14. Specified pests and diseases
15. Control of cane fires
16. Obligation to protect the environment
17. Board or agent may inspect fields
18. Board may order reduction of sugarcane production
19. Sanitary measures
20. Obligation to provide correct information and data

PART IV

CONTRACT FARMING

21. Contract farming
22. Contents of contract
23. Dispute resolution

PART V

SUGAR MANUFACTURING

24. Registration of mills
25. Registration and licensing of manufacturers.
26. Application for registration and licence
27. Information for registration and licensing
28. Manufacturers to buy sugarcane from registered cane growers
29. Board to issue license to registered manufacturers
30. Validity period of license
31. Suspension and cancellation of license
32. De-registration of manufacturer
33. Re application for registration and licensing
34. Categories of registers
35. Manufacturers to enter into commercial agreement
36. Quality standard of sugar
37. Submission of returns

PART VI

ETHANOL AND OTHER PRODUCTS

- 38. Condition for producing ethanol or other products
- 39. Registration of plant or facility to produce ethanol and other products
- 40. Information required for registration
- 41. Board to keep register of ethanol producers
- 42. Commercial agreement by producers of ethanol
- 43. Deregistration of ethanol producers product from sugarcane
- 44. Re- registration of ethanol producers

PART VII

SUGAR EXPORTATION

- 45. Licensing for sugar export
- 46. Penalty
- 47. Condition for exporting sugar
- 48. Quality certification
- 49. Refusal to issue export license
- 50. Board to prescribe exportable quantity of sugar
- 51. Information to be submitted to the Board
- 52. Board may cancel export license

PART VIII

SUGAR IMPORTATION

- 53. Establishment of the Technical Advisory Committee
- 54. Restriction on importation of sugar without registration
- 55. Board to keep a register
- 56. Advertisement
- 57. Application for sugar import registration
- 58. Applicants to furnish information
- 59. Categories of registration and related qualifications
- 60. Condition for import license
- 61. Terms and conditions
- 62. Cancellation of registration
- 63. Notice of de-registration
- 64. Appeal against de-registration

Sugar Industry Regulations

G.N. No.

- 65. Re-registration
- 66. Registration certificate
- 67. Restriction to import sugar without license
- 68. Mode of application
- 69. Categories of licenses
- 70. Processing of license applications
- 71. Maximum quantity of sugar for importation
- 72. Licensed quantities
- 73. Specifications of license
- 74. Refusal to issue license
- 75. Appeals
- 76. Suspension or cancellation of license
- 77. Confidentiality
- 78. Sugar other than sugar from cane and beet

PART IX

SUGAR IMPORT LEVY

- 79. Import levy
- 80. Mode of payment of levy
- 81. Restriction of taking loan

PART X

STAKEHOLDERS FORUM

- 82. Annual stakeholder meeting
- 83. Functions of stakeholders meeting
- 84. Funding of stakeholders meeting
- 85. Procedures for stakeholders meeting

PART XI

IMPLEMENTATION OF SHARED FUNCTIONS

- 86. Matters for consideration
- 87. Implementation of stakeholders meeting resolutions

PART XII

MISCELLANEOUS

- 88. Staff performance evaluation scheme

Sugar Industry Regulations

G.N. No.

- 89. Board to establish clear standard of service
- 90. Appointment of agents
- 91. Board to issue guidelines
- 92. General penalty and forfeiture
- 93. Appeal
- 94. Value chain analysis and service delivery
- 95. Compliance with the Act
- 96. Revocation and saving

THE SUGAR INDUSTRY ACT, 2001

(No. 26 of 2001)

CROP LAWS (MISCELLANEOUS AMENDMENTS) ACT 2009

REGULATIONS

[Made under section 29]

SUGAR REGULATIONS, 2010

PART I

PRELIMINARY PROVISIONS

- | | |
|----------------------------------|---|
| Citation and commencement | 1. These Regulations may be cited as the Sugar Industry Regulations, 2010 and shall come into force on the date of publication. |
| Application | 2. These Regulations shall apply to any type or grade of sugarcane grown or imported into Mainland Tanzania, sugar produced, imported into or exported from Mainland Tanzania. |
| Interpretation | 3. In these Regulations, unless the context requires otherwise:- |
| CAP 251 | “Act” means the Sugar Industry Act;
“agent” means A person appointed by the Board under section 22 of the Act; |

Sugar Industry Regulations

G.N. No.

“Board” means the Board as defined in the Act;

“committee” means the Technical Advisory Committee on Sugar Importation established under regulation 64;

“the Director” means an officer-in-charge of the department in the Ministry responsible for crop development and technical services;

“contract farming” means farming under an agreement between sugarcane growers, farmers or producers on the one part and financiers such as sugarcane buyers, processors, investors or bankers on the other part;

“commercial agreement” means an agreement between grower or association and miller which governs the relationship between them;

“ethanol” means Ethyl alcohol ($\text{CH}_3\text{CH}_2\text{OH}$), a colourless liquid of characteristic odour with a density of 0.7937 at 15°C and a boiling point of 78.32°C (at 760 mm Ha), which is soluble in water and ether and its calorific value is 7100 Cal/g with a heat combustion of 328 Kcal (liquid);

“industrial user of sugar” means a person who uses sugar as a raw material for an industrial manufacturing process in the production of a new product, different from the raw material used, but does not include a blending process, and the sugar intended for industrial use may be referred to as “industrial sugar”;

“grower registration number” means the number given to grower after registration by the Board;

“grower” means a person who grows sugarcane for sale or supply to a sugar cane processing factory and miller growing sugarcane for processing in his or other mills and registered by the Board;

“levy” means money raised, collected and paid on sugar imported into Mainland Tanzania;

“local newspaper” means a newspaper with a nation-wide circulation;

“local government authority” means a district authority, or an urban authority established under Local Government (District Authorities) Act or the Local Government (Urban Authorities) Act.

“miller” means a sugar cane processor and may include a manufacturer as defined in the

**Caps 287 and
288**

Sugar Industry Regulations

G.N. No.

Act.

“minister” means the minister responsible for agriculture;

“small scale sugar plant operator” means A person who manufactures quantities of sugar not exceeding 1,000 metric tonnes per annum.

“sugarcane” includes all cane varieties that are species or hybrids of the *saccharin* genus;

”trust fund” means sugar industry development fund established by stakeholders for funding the sugar industry shared functions.

PART II

REGISTRATION OF SUGARCANE GROWERS

Registration of cane growers and issuance of “GRNs”

- 4.** - (1) For purposes of assisting the Board to:-
- (a) monitor contract of farming;
 - (b) regulate sugarcane quality;
 - (c) establish a basis for planning and making appropriate estimates of inputs;
 - (d) determine sugarcane growers credit requirements,
- the Board shall keep and maintain a register of sugarcane growers.
- (2) Upon registration, a grower shall be issued with a Grower Registration Number.
- (3) The Director General or A person appointed by him shall be the Registrar of growers.
- (4) The Board shall not charge registration fee to growers.

Restriction on growing or selling sugar cane without registration

- 5.** (1) A person shall not grow or supply sugarcane to a miller unless he has been registered pursuant to Regulation 4.
- (2) A miller shall not procure or buy sugarcane for processing from a grower who is not registered by the Board pursuant to Regulation 4.
- (3) A person who contravenes the provisions of this regulation commits an offense and shall on conviction be liable to a fine not exceeding two million shillings or to imprisonment for a term of not less than six months but not more than two years.

Particulars of growers

- 6.** (1) The Board shall enter in the register, particulars of a grower, indicating where

Sugar Industry Regulations

G.N. No.

applicable:-

- (a) the full name and address;
- (b) where the person who owns the land differs from the cane grower, the name and address of the person owning the land;
- (c) description of the location of the farm or field in sufficient detail to identify the farm, and where applicable location of the farm or field in a general map of the area, the number of title deed and Land Office number, if any;
- (d) the name of the village, ward and district in which the field is located;
- (e) the area in hectares and the location of the whole farm or field and the part planted with sugarcane on the date of registration;
- (f) the area in hectares and the location expected to be planted with sugarcane;
- (g) the average tonnage of sugarcane supplied by the grower to the mill and the estimated maximum quantity the grower expects to supply from the area normally under sugarcane; and
- (h) any other information, which may be deemed necessary for the purpose of registration

(2) Where the grower owns more than one sugarcane field, each field shall be identified separately on registration.

Qualification for registration of a grower

7. (1) A person shall not be eligible for registration as a grower unless he satisfy the Board that:-

- (a) he is already growing sugarcane at the time of registration or, he has definite intentions to commence growing cane within a period of six months from the date of being registered ,or;
- (b) he has been selling or supplying sugarcane to a mill and his name appears in the records of the mill, or;
- (c) the area under sugarcane or area on which sugarcane is to be grown is not less than one acre (0.40 ha),or;

Sugar Industry Regulations

G.N. No.

(d) the sugarcane field is located within a radius not exceeding 40 km from the sugar mill, provided however, where the distance exceeds 40 km the grower provides proof satisfactory to the Board that he is able to transport and deliver sugarcane to the mill.

(2) Notwithstanding sub regulation (1) (c), where the area for which the applicant wishes to register is less than one acre, the Board may register him provisionally for a period not exceeding three years during which he shall have to grow one or more acres of sugar cane in order to qualify for full registration.

(3) Where a person who applies for registration is a new cane grower or is a registered grower who wishes to expand his existing area, the Board shall satisfy itself that-

- (a) the mill has capacity to mill the cane to be produced;
- (b) the land where sugar cane is to be grown has been evaluated by an agricultural expert acceptable to the Board and deemed suitable for sugar cane cultivation on sustainable basis.

Terms and conditions of registered grower

8. (1) Every grower registered by the Board shall comply with the following terms and conditions:-

- (a) to supply all sugarcane produced by him to the miller indicated in the register;
- (b) to maintain at all times the area of land specified in his registration under sugarcane and not to expand or reduce it without giving the mill and the Board at least twelve months notice of the intention to expand or reduce the area under sugarcane; and
- (c) to comply with rules and regulations for better farming husbandry of sugar cane as provided in Part III of these Regulations and as may be specified by the Board from time to time.

(2) A grower shall enter into a commercial agreement with sugarcane processors to whom he will sell sugarcane as provided for under regulations 30 and 48.

Sugar Industry Regulations

G.N. No.

(3) The sugar cane grower or his association shall submit to the Board such reports, data, information, and at such time or times as the Board may, in writing require.

**De-registration
of sugarcane
grower**

9. (1) The Board may, after being satisfied that a registered grower has failed to comply with the terms and conditions for registration shall de-register and notify such grower in writing.

(2) Notwithstanding the provision of regulation (1), the Board may require the grower to rectify the defects within a specified time, a failure of which shall warrant de-registration.

(3) A grower who has been de-registered under sub regulation (1) shall cease to operate as a grower.

(4) A grower aggrieved by the decision of the Board pursuant to sub regulation (1) may appeal to the Minister within sixty days from the date of receipt of the de-registration notice and the Minister shall make a decision within sixty days thereof.

(5) A person de-registered under sub regulation (1) above may be re-registered upon such additional terms and conditions as the Board may specify.

**Appointment of
agents**

10. (1) The Board may appoint an association of sugarcane growers or a cooperative society or local government authority or any other person to act as its agent in performing any or all activities pertaining to the registration of sugarcane growers on such terms and conditions as it may specify in writing.

(2) An agent of the Board appointed under sub regulation (1) shall perform the registration activities specified by the Board in conformity to the provisions of these Regulations.

PART III

SUGARCANE HUSBANDRY

**Sugarcane
husbandry**

11. A grower shall carry out the sugarcane farming activities in most efficient manner complying with good agricultural management practices as may be provided by the Board or any other relevant authority.

Approved

12. (1) A grower shall only grow sugarcane varieties which have been approved by the

Sugar Industry Regulations

G.N. No.

variety

Director.

(2) Any sugarcane grower or any miller who contravenes the provisions of sub-regulation (1) shall be guilty of an offence and on conviction shall be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding two years or to both.

(3) The Board shall recommend to the Director for quarantine and an order for up-rooting and destruction, at the cost of the grower of any sugarcane variety grown without prior approval of the Director.

**Seed Cane
quality**

13. (1) A grower shall not be allowed to grow or supply seedcane to another grower or miller without the Board approval and being registered by the Tanzania Official Seed Certifies Institute (TOSCI)

(2) A grower who intend to grow seedcane for sale or its own use shall apply for the Board approval and in his application shall indicate the following

- a. Source of “A” seedcane (for commercial “B” nursery.
- b. Area/zone where the commercial seed is intended/destined for sale
- c. His capacity in compliance with the recommended practices and any other guidelines as may be specified by the Board or an appointed agent by the Board.

(3) An approved grower shall grow seedcane which comply with the following three stages of seedcane grades :-

(i) Breeder Seed – where variety is in high standard of management to ensure purity.

(ii) “A” Nursery – Bulking of seed cane for the next stage “B” (B Nursery) for commercial seed production where the source of seed may be from breeder seed or from “A” nursery

(ii) “B” Nursery – Seed cane field for commercial production where source of seed is “A” nursery.

(4) Seed cane for “Breeder” and “A” nurseries shall be hot water treated at 50⁰C

Sugar Industry Regulations

G.N. No.

for two hours and treated with fungicide recommended by the Board or an agent appointed by the Board.

(5) A seed cane grower who has been approved by the Board and registered by the Tanzania Official Seed Certified Institute (TOSCI) shall grow seedcane which comply with good agricultural and management practices to ensure that:-

- (a) the seed cane field is free from volunteer crops
- (b) the surrounds field have acceptable/minimum levels of insect pests and disease causing organisms as follows:-
 - (iii) smut – less than 1% infect stool and are properly rouged up to six months of age.
 - (iv) White scale – less than 10% while scale cover in infected stalk based on 250 stalk sample per field.
 - (v) Eldana – Less than 1% bored internodes from 250 stalk sample/field.
 - (vi) Noxious weeds – free from strigar and other noxious plants.

(6) For the purpose of compliance for seedcane production, seedcane producers shall comply with standards norms as specified in schedule eight of these regulations.

(7) A person who contravenes the provision of sub-regulation 1 shall be guilty of an offence and on conviction shall be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding two years or to both.

8) A certified seed cane grower shall at all the time deliver seed cane lot for sale to a grower with information/details of a particular seedcane and shall included:-

- a) Name of seed cane grower
- b) Registration certificate number issued by the Tanzania Seed Certification Institute
- c) Seed cane certification number
- d) Name of the variety of seed cane
- e) Name and signature of inspecting/certifying agent

**Specified pests
and diseases
Cap**

14. (1) Subject to the relevant laws on plant protection, the following pests and diseases of sugarcane shall be subject to compulsory control measures by sugarcane growers,

Sugar Industry Regulations

G.N. No.

namely: -

- (a) Diseases which include:-
 - (i) Ratoon stunting disease or RSD; - (*clavibacter xyli subsp. Xyli*)
 - (ii) Smut (*Ustilago Scitaminea*);
 - (iii) Leaf Scald (*Zanthomans alibilineans*), and;
 - (iv) Sugar cane mosaic virus.
- (b) Pests which include: -
 - (i) White grub complex including (*cochliotis melolonthoides*);
 - (ii) Eldana (*Eldana Saccharina*); and
 - (iii) White Scale (*Aulacaspis tegalensis*).

(2) Without prejudice to the generality of Sub regulation (1) , the Director or an authorized officer may, by order under his hand and for purposes of preventing or controlling occurrence or spread of any pests

or diseases of sugar cane within any area specified in that order: -

- (a) prohibit or regulate the growing of cane or any other crop specified in the order, which is known to harbor pests or disease;
- (b) prohibit the removal from any area sugar cane or any article, which in the opinion of the Director is likely to harbor pests or disease of sugarcane;
- (c) require the uprooting and burning of all or any sugarcane or residue specified in the order by a person having possession or control of the sugarcane field. or
- (d) prohibit A person from growing any sugarcane before the date specified in the order.

(3) Where a person fails to comply with an order issued under sub-regulation (2), the Director or an authorized officer, may, on giving further seven days' notice in writing, of his intention to do so, cause the removal or destruction to be effected and there upon that person shall, without prejudice to any penalty which he may have suffered by reason of any failure, be liable to pay all the costs incurred, which shall be recoverable as a debt due to the Government.

(4) Every sugarcane grower shall report to advisory services officers, the Board or extension officers any incidence or occurrence of sugar cane disease or pest in his

Sugar Industry Regulations

G.N. No.

cane field unless such incidence or occurrence is already known to be present in such cane field by the said officers.

(5) Every sugarcane grower shall carry out such operations or take such measures to remedy or control pests and diseases at the lands occupied or cultivated by him.

(6) The Board may require a sugarcane grower to take compulsory remedial operations or measures in order to control pests and diseases on the land occupied or cultivated by him which shall include the following activities :-

- (a) pre-mature harvesting of sugarcane;
- (b) destruction of sugarcane;
- (c) up-rooting and destruction of sugarcane followed by fallow;
- (d) hot water treatment of seed cane or other procedure with similar effect;
- (e) specified agronomic practices;
- (f) chemical or biological control procedure;
- (g) quarantine measures restricting movement of cane out of specified area; or
- (h) prohibition of sugarcane cultivation in a specified area as disease or pest buffer zone;

(7) A sugarcane grower who fails or neglects to carry out a sugarcane pest or disease control or remedial operation or measures specified in writing by the Board, commits an offense and shall upon conviction be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding two year or to both.

Control of cane fires

15. (1) A grower shall prevent fire spreading to or from his field by construction of firebreaks or by taking any other appropriate measures.

(2) A grower shall, before setting fire to any sugarcane field during harvesting, take all reasonable measures to contain the fire within his field.

(3) A grower who sets fire to his sugar cane for harvesting purposes shall adhere to the delivery schedule and prior approval of the mill to which he is scheduled to deliver the cane in accordance with regulation 8.

(4) Where a sugar cane grower burns, harvests and delivers sugarcane to the mill

Sugar Industry Regulations

G.N. No.

in contravention of sub regulation (3), the mill may refuse to receive the cane or may receive the cane and impose on the grower penalty or surcharge on the cane at a rate which shall unless otherwise agreed by the parties, not exceed five percent of the value of the cane which ought to have been delivered.

Obligation to protect the environment

16. (1) Growers shall ensure that sugarcane growing does not endanger the environment of sugarcane producing areas.

(2) Every sugarcane grower shall carryout such operations or take such measures to remedy or control the lands occupied or cultivated by him for conserving the environment.

(3) The Board may issue environmental guidelines for adherence by sugarcane growers.

Board or agent may inspect fields

17. (1) The Board or its agent may at any time, enter the cane field of any sugar cane grower for the purpose of inspection and or verification of compliance to these Regulations by the grower.

(2) The Board may appoint, in writing, a qualified person to carry out inspection of cane fields as provided in sub regulation (1) and such person shall report to the Board the findings of such inspections.

Board may order reduction of sugarcane production

18. Where the Board determines that the amount of cane grown by sugar cane processor is more than the quantity of cane the respective sugar factory can mill during a milling season or, should the market forces render processing of sugar cane unviable then in consultation with the manufacturers, may curtail the quantity of sugar produced in the country, by instructing or ordering sugar cane growers to reduce sugarcane production by specified amounts and the growers shall give effect to such instructions.

Sanitary measures

19. (1) Any building or vehicle used for manufacturing, transportation and storage of sugar shall be cleaned regularly and shall be subject to inspection by the relevant authorities.

(2) A person owning or having control of any premises for storage of sugar shall not

Sugar Industry Regulations

G.N. No.

allow any chemicals detrimental to human health be stored in such premises.

(3) Any vehicle or storage facilities shall not be used to transport sugar along with odorous material.

Obligation to provide correct information and data

20. (1) The Board shall have the power to require A person, Association, Company, processor or buyer to provide correct data and information on any matter related to sugarcane production.

(2) A person, Association, Company, processor, buyer or society who wilfully neglects to provide any data or information or intentionally gives wrong information to the Board, the Board shall cause his registration or licence to be cancelled.

PART IV

CONTRACT FARMING

Contract farming

21. (1) Contract farming may be entered between sugarcane growers, farmers, or producers on the one part and financiers such as sugarcane buyers, processors, investors or bankers on the other part.

(2) A grower having entered into a commercial agreement with processor, may further enter into contract (s) of farming with financier or other party, for purpose of financing farming activities.

(3) Such contract of farming must be in harmony with the main grower/processor contract and must be registered with the Board.

(4) The contract of farming must be in the prescribed form provided under schedule 5.

Contents of contract

22. The Contract of farming shall contain:

- (a) names , address, status of contracting parties
- (b) obligation of the parties
- (c) terms and conditions imposed on grower
- (d) type of facilitation to be granted to the farmer
- (e) duration of Contract
- (f) Such other information as is pertinent

Sugar Industry Regulations

G.N. No.

- Dispute Resolution** **23.** (1) The financier shall submit the contract of farming to the Board for approval and Registration
- (2) The Board having satisfied on the equity of the contract will proceed to register same on such terms and conditions as may be prescribed in these regulations.
- (3) Any dispute arising between the parties in respect of provision of the agreement of a regulatory nature, either party may submit an application to the Director General who will proceed to arbitrate.
- (4) If subsequent to arbitration by the Director General either party is still aggrieved, then the party so aggrieved may lodge an appeal to the Minister within 60 days of the decision by the Director General.

PART V

SUGAR MANUFACTURING

- Registration of Mills** **24.** (1) A person who intends to install a mill or facility to manufacture sugar shall, before installing such mill or facility, register it with the Board.
- (2) The Board may refuse to register a person to install and operate a mill or a facility stated in sub regulation (1) of this regulation for the reasons that -
- (a) in the vicinity of the place the mill is to be located there already exists an operating mill and the surrounding land suitable for sugarcane is not sufficient to produce enough sugarcane to operate two mills economically;
 - (b) important resources such as water are not sufficient to support two mills on sustainable basis; or
 - (c) the mill to be installed will adversely impact the environment, the society or the economic viability of sugar industry in general.
- (3) The Board shall, before refusing registration on grounds stated in sub regulation 2 (a), ensure that the existing mill is being operated efficiently and the miller has the capacity or is willing to provide the capacity to mill all the cane which may be produced, from the said lands.
- Registration and licensing of** **25.** (1) A person shall not manufacture sugar for sale or human consumption unless he is registered and issued a licence by the Board.

Sugar Industry Regulations

G.N. No.

- Manufacturers** (2) Notwithstanding the provisions of sub regulation (1), the Board may, in writing, exempt a sugar manufacturer registered under category “C”, from the requirements of a manufacturing licence if it is satisfied that the manufacturer complies with the registration conditions and such other instructions as may be issued to him by the Board from time to time.
- Application for registration and licensing** 26. A person who intends to manufacture sugar shall submit to the Board, an application for registration and licensing in which he shall provide information as prescribed in regulation 27
- Information for registration and licensing** 27. An application for registration and licensing of a manufacturer shall contain the following information:-
- (a) name and address of the applicant;
 - (b) description of the applicant whether a sole proprietor, a company, a partnership, a cooperative, or an association and the like;
 - (c) location of the mill or the place where the sugar manufacturing is to take place;
 - (d) type of sugar to be produced whether white, refined, semi white, brown or jaggery;
 - (e) type of processing to be used whether vacuum pan centrifugal, open pan centrifugal, manual or non centrifugal;
 - (f) cane crushing capacity of the plant in metric tonnes per day indicating the number of shifts operated;
 - (g) quantity of sugar produced in the ended production season preceding the registration and estimate of future seasonal productions to full capacity of the mill prescribed under paragraph (f);
 - (h) sources of sugarcane used to produce sugar whether from own cane field, out growers or both;
 - (i) in case the sugarcane used is from own fields, the area currently under sugarcane, tonnes of cane normally harvested and the available potential area for expansion of sugarcane;

Sugar Industry Regulations

G.N. No.

- (j) the milling season in days indicating usual starting and ending month and extent of variation in days.

Manufacturers to buy sugar cane from registered cane growers

28. (1) A sugar manufacturer registered under category “A” or “B” of regulation 34 shall not buy or procure sugarcane for sugar manufacturing from a grower who is not registered by the Board pursuant to these Regulations.

(2) Unless otherwise provided for by these Regulations or except for reasons beyond the control of the sugar manufacturer acceptable to the Board, it shall be an offence for a sugar manufacturer under category “A” or “B” to refuse or neglect to buy or procure sugarcane for manufacturing sugar from a grower registered by the Board under these Regulations.

(3) A person who contravenes the provisions of sub regulations (1) and (2) commits an offence and shall, on conviction, be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding two years or to both..

Board to issue licence to registered manufacturers

29. Save as provided under regulation 25(2) a person registered by the Board as a sugar manufacturer in accordance with these Regulations shall be issued with a sugar manufacturer’s licence.

Validity period of licence

30. The sugar manufacturer’s licence issued by the Board shall unless suspended or cancelled by the Board, be valid for a period of five years or such longer period as the Board may grant and may be renewed on expiry.

Suspension and cancellation of licence

31. (1) A manufacturer who contravenes any provisions of these Regulations and fails or ignores to rectify the contravention within three months of being notified by the Board, may have his licence suspended for a period not exceeding six months .

(2)The Board may cancel a manufacturer’s licence upon expiry of a three months notice where-

- (a) the manufacturer fails to procure validation of his licence which has been suspended by the Board within six months after suspension of such licence;

Sugar Industry Regulations

G.N. No.

- (b) the manufacturer, other than the licence holder of a new sugar mill, fails to produce sugar for two consecutive milling seasons;
- (c) in the case of a new sugar mill, the licence holder fails to commence sugar production within four years of issuance of the licence;
- (d) the manufacturer has been de-registered by the Board; or
- (e) the manufacturer fails to comply with terms and conditions of the licence

Deregistration of manufacturer **32.** The cancellation of license under Regulation **31** shall result into deregistration of a manufacturer.

Reapplication for registration and licensing **33.** A manufacturer whose licence has been cancelled by the Board may reapply to the Board for a new licence, upon satisfying provisions of these Regulations and such other conditions as the Board may impose on him.

Categories of registers **34.** The Board shall keep and maintain three categories of registers with particulars of manufacturers as follows-

- (a) category “A” register in which particulars of manufacturers of sugar through vacuum pan centrifugal process with or without sulphitation shall be entered;
- (b) category “B” register in which particulars of manufacturers of sugar through open pan centrifugal process with or without sulphitation shall be entered ;
- (c) category “C” register in which particulars of manufacturers who produce sugar without employing machinery or mechanical aids other than in extracting juice from sugarcane, including the production of jaggery shall be entered.

Manufacturer to enter into commercial agreement **35.** (1) A category “A” manufacturer who buys sugarcane from a grower shall enter into a commercial agreement with the grower or the growers’ association which shall, *inter-alia*, provide for -

- (a) the quantity of cane a grower shall deliver to the manufacturer during a

Sugar Industry Regulations

G.N. No.

specified season;

- (b) the obligations of the manufacturer and the grower in relation to harvesting of the cane and its delivery or transportation to the manufacturer;
- (c) a schedule for harvesting and delivery of cane to the manufacturer;
- (d) the price to be paid by the miller to the grower or if no price has been agreed, the formula for determining the price and the latest date by which a price shall have been determined;
- (e) the terms of payment by the manufacturer for cane delivered and the rate of interest payable by the manufacturer on sums of money not paid per the agreement;
- (f) the time of payment which shall not exceed thirty days after the delivery of cane to the manufacturer and where no interest rate is set upon, the manufacturer shall pay interest at the ruling standard short term borrowing rate from a commercial bank; and
- (g) the compensation or the basis of determining the compensation payable by the manufacturer to the grower and that payable by the grower to the manufacturer for failure by the manufacturer to buy or to accept the agreed quantity of cane and failure by the grower to deliver the agreed quantity of cane, as determined or approved by the Board, provided that, the failure has not been caused by reasons beyond control of the manufacturer or grower.

(2) A manufacturer and a grower shall negotiate and agree on any compensation payable under sub regulation (1) (g) in the commercial agreement.

(3) Where a manufacturer and a grower fail to agree on compensation to be paid by the manufacturer, or as the case may be, by the grower, the Board may intervene.

**Quality standard
of sugar
Caps.....**

36. (1) Unless otherwise approved by the Board in writing, a manufacturer under category “A” shall manufacture a quality of sugar suitable for direct human consumption with the minimum specifications as provided by the relevant Authorities.

(2) Manufacturers under categories “B” and “C” shall manufacture such type or grade of sugar as the Board may in writing approve and shall comply with such

Sugar Industry Regulations

G.N. No.

instructions applicable to the manufacturing process as the Board may direct.

Submission of returns

37. (1) A manufacturer under category “A” or “B” shall submit to the Board returns and any other information as the Board may require, using the forms prescribed in the *First Schedule* to these Regulations.

(2) The returns and information to be submitted to the Board under sub regulation (1) shall be due for submission on the fifteenth day of the month in respect to the production or the activities of the manufacturer during the previous calendar month, or at such other time as the Board may require.

(3) A manufacturer who fails or neglects to submit to the Board the returns and information as required by sub regulations (1) and (2) commits an offence and on conviction shall be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding twenty four months or to both.

PART VI

ETHANOL AND OTHER PRODUCTS

Condition for producing ethanol or other products.

38. A person shall not use sugarcane or sugar by-products for production of ethanol or other products unless he is registered by the Board.

Registration of plant or facility to produce ethanol and other products

39. (1) A person who intends to install a plant or facility to produce Ethanol or other products from sugarcane or sugar by-products shall, before installing such plant or facility, apply to the Board for registration.

(2) The Board may refuse to register a person to utilize sugarcane or sugar by-products for production of ethanol or other products for the reasons that-

(a) In the vicinity where the plant or facility is to be located already exists an operating plant or mill and the surrounding land suitable for sugarcane is not sufficient to produce enough sugarcane to operate two mills economically.

(b) Important resources such as water are not sufficient to support the plant or facility on suitable basis.

Sugar Industry Regulations

G.N. No.

- (c) The plant or facility to be installed will adversely impact the environment, the society or the economic viability of sugar industry in general.

Information required for registration

- 40.** An application for the registration specified in Regulation 39 shall contain the following information:-
- a) name and address of the applicant.
 - b) description whether applicant is a sole proprietor, a company, a partnership, a cooperative, or an association.
 - c) location where the applicant wants to procure the sugarcane or sugar by-products
 - d) quantity of sugarcane or sugar by-products in metric tonnes needed to be procured per annum.
 - e) specifying whether the sugarcane or sugar by-products to be used is from his own field, mill or out growers.
 - f) production trends of ethanol or other products and the subsequent quantities of sugarcane or sugar by-products to be used in the period of three years.
 - g) certification for production of ethanol or other products from the Government or any other authorizing agent recognized by the Government.

Board to keep register of ethanol producers

- 41.** The Board shall keep and maintain register in which it shall enter particulars of the ethanol or other products producers as prescribed in Regulation 40.

Commercial agreement by producers of ethanol

- 42.** (1) A producer of ethanol or other products who has been registered by the Board to procure or buy sugarcane from registered grower for production of ethanol or other products shall enter into a commercial agreement between him and the grower or grower's association which shall *inter alia*, provide for
- a) quantity of sugarcane or sugar by-products to be delivered to the ethanol or other product producer during a specified season;
 - b) obligations of the ethanol or other products producer and the grower in relation to harvesting of the sugarcane and its delivery or transportation to the plant or facility.

Sugar Industry Regulations

G.N. No.

- c) schedule of harvesting and delivery of sugarcane to the ethanol or other products producer.
 - d) price to be paid by the producer to the grower or supplier of sugar by-products or if no price has been agreed, the formula for determining the price and the latest date by which a price shall have been determined.
 - e) terms of payment by the ethanol or other products producer for delivery of sugarcane and sugar by-products and the rate of interest payable by the producer on sums of money not paid per the agreement,
 - f) time of payment which shall not exceed thirty days after the delivery of sugarcane or sugar by-products to the producer and where no interest rate is set upon, the ethanol or other products producer shall pay interest at the ruling standard short term borrowing rate from a commercial bank; and
 - g) the compensation or the basis of determining the compensation payable by the ethanol or other products producer to the grower or sugar by-products supplier and that payable by the grower or sugar by-products supplier to the producer for failure by the producer to buy or procure the agreed quantity of sugarcane or sugar by-products and failure by the grower or sugar by-products supplier to deliver the agreed quantity of sugarcane or sugar by-products, provided that, the failure has not been caused by reasons beyond the control of the producer or the grower or sugar by-products supplier
- (2) The ethanol or other products producer and the grower or sugar by-products supplier shall negotiate and agree on compensation payable under sub-regulation 1 (g).
- (3) Where the ethanol or other products producer fails to agree on compensation to be paid by him or as the case may be, the grower or sugar by-products supplier, the Board may intervene.

Deregistration of ethanol producers

43. The Board may de-register a producer of ethanol or other products who does not comply with the provisions of the regulations relating to registration of producers of ethanol or other products.

Sugar Industry Regulations

G.N. No.

- Re-registration of ethanol producers.** 44. A producer of ethanol or other products who has been de-registered may apply to the Board for a new registration, upon satisfying provisions of these regulations and such other conditions as the Board may impose.

PART V SUGAR EXPORTATION

- Licensing for sugar export** 45. (1) A person wishing to export sugar shall apply to the Board for a sugar export licence using the sugar export application form prescribed in the Regulations.
(2) The Board may issue licence to the successful applicant and such licence shall be in the form prescribed in the *Fourth Schedule* to these Regulations.

- Penalty** 46. A person who exports sugar without a licence issued by the Board commits an offence and on conviction shall be liable to a fine not exceeding thirty million shillings or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

- Conditions for exporting sugar.** 47. (1) A person who exports sugar to the specific markets indicated in the Third Schedule of these Regulations shall comply with the terms and conditions governing access to that market, which shall include but not limited to –
- (a) quality of sugar as may be required by the export terms and conditions and in accordance with related specifications of the specified market;
 - (b) delivery according to the agreed schedules;
 - (c) sale agreement with buyers if required;
 - (d) securing of all export documentations and approvals demanded by importing country or the specified market such as certificate of origin, phytosanitary certificate and special delivery forms;
 - (e) submission of such reports or returns to the Board on the export in compliance with the agreement governing specified sugar.

- (2) A person who exports sugar to a specified market and fails or ignores to comply with any terms or conditions of sugar export to the specified market, commits an

Sugar Industry Regulations

G.N. No.

offence and on conviction shall be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding twenty four months or to both.

Quality certification

48. Sugar for export shall bear a quality certificate issued by a relevant Authority acceptable or recognized by the Board.

Refusal to issue export licence

49. (1) The Board may refuse to issue a sugar export licence if-

- (a) the proposed export is to a specified market which is served through special supply arrangements or sugar supply contracts and the applicant is not part of such arrangements or contracts;
- (b) the proposed export is to a market being regulated by quotas and the Tanzania's quota has already been exhausted or contracted for;
- (c) the maximum exportable quantity prescribed by the Board under these Regulations has been fully licensed for export;
- (d) the quality of sugar proposed for export does not meet the official quality standards applicable to the proposed use of the sugar in the importing country or in the specified market.

(2) Notwithstanding the provisions of sub regulation (1) (c), the Board may issue an export licence where the expected proceeds from the exports substantially exceed the cost of importing the same quantity of sugar as that exported.

Board to prescribe exportable quantity of sugar

50. (1) The Board shall prescribe the maximum quantity of sugar that may be exported every year.

(2) In establishing the maximum exportable quantity, the Board shall take into account the domestic sugar production, the requirement of sugar for domestic and industrial use, and a buffer stock equivalent to not less than two months domestic and industrial consumption.

Information to be submitted to the

51. A person issued with a sugar export licence shall, before export, submit to the Board, a

Sugar Industry Regulations

G.N. No.

Board copy of the sale contract or pro-forma invoice which indicates the quantity and quality of sugar, the price, details of the buyer, country of destination and the period of delivery.

Board may cancel export licence **52.** The Board may cancel any sugar export licence if -

- (a) the terms of contract or sale contravene or fall short of any of the terms or conditions of the licence;
- (b) the information submitted in the application for licence is found to be false or materially inaccurate;
- (c) the quality of the sugar as certified in accordance with Regulation 55 does not meet the quality of sugar for which the licence was issued or the quality of sugar the exporter contracted to supply;
- (d) the Board has reasons to believe that the sugar production upon which the exportable quantity of sugar was based will not be met by a substantial amount.

PART VIII

SUGAR IMPORTATION

Establishment of the Technical Advisory Committee **53.**(1) For better execution of the provisions under this Part, there is hereby established a Technical Advisory Committee on Sugar Importation.

(2) The provisions of the Second Schedule to these Regulations shall have effect as to the composition of the committee, its functions, meetings, proceedings and other matters related thereto.

Restriction on importation of sugar without registration **54.** A person shall not import sugar under category A or B licence specified in regulation 69 unless he has been registered by the Board.

Board to keep a Register **55.** There shall be a register of sugar importers, which shall be kept by the Board.

Advertisement **56.** (1) The Board shall, by advertising in local newspapers, give notice of its intention to carry out registration of sugar importers.

Sugar Industry Regulations

G.N. No.

(2) Such advertisement shall indicate the date of commencement of registration, conditions for registration, nature of information and documents required to be furnished to the Board.

Application for Sugar Import Registration

57. (1) Registration of sugar importers shall be made upon application in the prescribed manner to the Board and a person who applies and satisfies the registration conditions shall be registered as a sugar importer.

(2) The Board shall, after being satisfied that the applicant has met the criteria for registration proceed to register him within thirty days from the date of receipt of the application.

(3) The Board may refuse to register an applicant on grounds that he does not meet the requirements stated in the Act and in these Regulations.

(4) Where the Board does not register an applicant it shall inform him the grounds for such refusal.

(5) A person aggrieved by the decision of the Board relating to registration may appeal to the Minister within thirty days after receipt of the Board's letter of refusal.

Applicants to furnish information

58. (1) Applicants for registration as importers of sugar for trading purposes shall furnish adequate information to the Board which shall include the following:-

- (a) name of business, directors and owners;
- (b) permanent correspondence addresses;
- (c) principal location of business;
- (d) branches or depots and their locations;
- (e) address and location of business agents;
- (f) type of trade and merchandize;
- (g) quantity and quality of sugar imported for the last three years, if any; and
- (h) copies of TIN, VAT registration certificates and trading license.

(2) In addition to the information required to be furnished by all sugar importers under sub regulation (1), an applicant for registration as industrial user of sugar shall furnish the following information to the Board:-

- (a) copy of certificate of incorporation;

Sugar Industry Regulations

G.N. No.

- (b) copy of industrial licence;
- (c) type of products to be produced using sugar as one of the raw materials;
- (d) units of sugar utilized per unit of product;
- (e) specification of the sugar required;
- (f) factory installed capacity and the current utilized capacity; and
- (g) except for newly established enterprises, quantities of products produced and quantities of sugar utilized in production during the last three years.

Categories of registration and related qualifications

- 59.** (1) Upon being satisfied on the requirements set out under regulation 69, the Board shall register applicants under the following two categories, namely: -
- (a) Category “A” importers of sugar for trading purposes; and
 - (b) Category “B” importers of sugar for industrial use purposes.

(2) A person shall be registered under category “A” if he satisfies the Board that-

Cap.....

- (a) he holds a valid business licence issued under the Business Licensing Act;

Cap.....

- (b) he is a registered tax payer under the Income Tax Act; and

Cap.....

- (c) he is a registered tax payer under the Value Added Tax Act.

(3) A person shall be registered under category “B” if he satisfies the Board that:

Cap.....

- (a) he holds a valid industrial licence issued under the National Industries (Licensing and Registration) Act ;
- (b) he owns and operates a factory, which manufactures a product for human consumption that is approved by the National Food and Drugs Authority or Tanzania Bureau of Standards or such other Authorities established under any other written law; and
- (c) the manufacturing process and the use of sugar thereof satisfies the requirements of an industrial user

Condition for import licence

- 60.** Save as provided for under regulation 69(5) (e), a person shall not be issued a licence for importation of sugar for any purposes unless he has been registered by the Board as a sugar importer.

Sugar Industry Regulations

G.N. No.

Terms and conditions

61. A person registered by the Board as a sugar importer shall be required to comply with the following terms and conditions:

- (a) in the case of an importer of sugar for trading purposes, he shall submit to the Board on monthly basis, information regarding quantities and quality of sugar imported, the manner in which the sugar has been, is being or will be disposed of, stocks held and the place where such stocks are held;
- (b) in the case of industrial user of sugar, he shall submit information on quantities of sugar used in the production process and quantities of products produced;
- (c) subject to paragraph (d), he shall import sugar of the quality that conforms to standards for direct human consumption specified by the relevant Authorities;
- (d) in the case of industrial user of sugar, he shall import sugar with minimum specifications specified by the relevant Authorities
- (e) participates in importing sugar when called upon by the Board unless prevented from doing so by reasons acceptable to the Board;
- (f) pay all taxes, duties and levies payable on importation of sugar in accordance with the relevant laws; and
- (h) complies with all sugar import licence conditions and any other conditions and import procedures as specified in the Sugar import licence appearing in the *Fourth Schedule* to these Regulations;

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Cancellation of registration

62. The Board may strike out of the register any sugar importer who fails to comply with the provisions of Regulations **59 and 61** or any other provisions of these Regulations.

Notice of de-registration

63. (1) Where the Board intends to de-register a sugar importer, it shall give the importer a thirty days notice of its intention to de-register him, stating the reasons thereof
(2) Upon receipt of such notice the importer shall show cause within 30 days from the date of receipt of such notice, why he should not be de-registered.

Appeal against deregistration

64. A person aggrieved by the Board's decision of de-registration may, within twenty-one

Sugar Industry Regulations

G.N. No.

days, after being so notified, appeal to the Minister.

- Re-registration** **65.** A person who has been de-registered by the Board as a sugar importer may apply for re-registration upon fulfilling conditions for registration.
- Registration certificate** **66.** (1) The Board shall register a sugar importer and issue him a certificate which indicates a registration number.
(2) The certificate issued under Sub regulation (1) shall remain valid for a period of three years and may be renewed on application.
(3) The Board shall not process new application for registration received from date of public invitation for import quota application to award.
- Restriction to import sugar without licence** **67.** (1) A person shall not import sugar without a licence issued by the Board.
(2) A person who imports sugar without a licence issued by the Board commits an offence and on conviction shall be liable to a fine not exceeding thirty million shillings or to imprisonment for a term not exceeding three years or to both.
- Mode of application** **68.** (1) Save as otherwise provided, all applications to the Board for sugar import licences shall be in the form prescribed in the *Fourth Schedule* to these Regulations
(2) Each application form shall contain such terms and conditions as may be prescribed by the Board.
- Categories of licences** **69.** (1) The Board shall issue three categories of sugar import licences, which shall be designated as “A”, “B” and “C”, in accordance with procedures, terms and conditions prescribed in these Regulations.
(2) The Board shall issue Category “A” sugar import licence to a person registered by the Board as sugar importer for trading purposes.
(3) The Board shall issue Category “B” sugar import licence to a person registered by the Board as sugar importer for industrial use purposes.
(4) The Board shall issue Category “C” sugar import licence for importation of sugar, which is not intended for industrial use, and except as provided under sub-

Sugar Industry Regulations

G.N. No.

regulation 5 (e) , it is not intended for trade.

(5) Sugar under category “C” shall not be categorized as such unless it is imported by:-

- (a) Government or on its behalf for use by a government department and not for sale to the public;
- (b) diplomatic missions accredited to Tanzania and which is not intended for domestic trade;
- (c) charitable or religious organisations for own use or for relief or charity purposes, and which is not for supply to domestic trade;
- (d) air caterers specifically for in-flight catering services; or
- (e) individuals for own consumption or for sale but not exceeding five tonnes per consignment or a one year aggregate import not exceeding sixty tonnes.

**Processing of
licence
applications.**

70. The Board shall process every application for a licence within thirty days after receipt of the application and shall publish the list of successful applicants in local newspapers.

**Maximum
quantity of sugar
for importation**

71. (1). The Board shall determine and specify the maximum quantity of sugar needed to be imported during the period of twelve months.

(2) In determining the amount of sugar to be imported, the Board shall take into account among other things, sugar deficit between local production consumption, including sugar that is needed to maintain a buffer stock in the country.

(3) The Board shall, at least one month before the commencement of the licensing period, advertise the quantity of sugar which will be open for importation during the next twelve months.

(4) The advertisement under sub regulation (2) shall be made in local newspapers and shall invite eligible sugar importers under sugar import licence categories “A”, “B” and “C” to apply for import licences, and shall indicate the last day for receiving applications.

Licensed

72. (1) In case of Category “A” sugar importation licence, where the Board is of the

Sugar Industry Regulations

G.N. No.

quantities opinion that the maximum quantity of sugar to be imported is equal to or exceeds the aggregate of the total quantities applied for; the Board may issue import licences for such applied quantities.

(2) In case of category “A” sugar importation licence where the maximum quantity of sugar to be imported is less than the aggregate of the quantities for which import licences have been applied for, the Board shall allocate the quantity to be imported to all or some of the applicants taking into account-

- (a) viability of shipment quantities;
- (b) reliability of the importer;
- (c) the desirability of competition in the domestic sugar market;
- (d) the sugar distribution network of the applicant; and
- (e) any other relevant factors.

Specifications of licence **73.** All sugar import licences granted by the Board shall -

- (a) be in the form set out in the *Fourth Schedule* to these Regulations;
- (b) indicate the category of the licence issued,
- (c) specify the validity period;
- (d) state the quantity of sugar covered by the licence in metric tonnes or kilograms.
- (e) state whether the quantity is for single or multiple entry and ports to be used;
- (f) state the proposed use of the sugar whether for trade, industrial use, personal consumption, relief, in-flight use or any other use; and
- (g) state the importer’s registration number or references, if applicable.

Refusal to issue licence **74.** (1) The Board may refuse to issue a sugar import licence if-

- (a) the applicant falls under category “A” or “B” licence but has not been registered by the Board in accordance with these Regulations;
- (b) the applicant has breached or is in breach of any of the conditions for registration;
- (c) the Board is not satisfied with the purpose for which the importation is to

Sugar Industry Regulations

G.N. No.

be made;

(d) the Board is satisfied that the importation will result into an increase of sugar stocks in the country in excess of sugar which can be consumed during the ensuing twelve months and a buffer stock of two months, taking into account sugar production, sugar imports and exports during the ensuing twelve months;

Cap.....

(e) (e) the Board is satisfied that the applicant previously breached conditions of licence or conducted himself in a manner that is contrary to the Fair Competition Act.

(2) Where the Board refuses to issue a sugar import licence, it shall inform the applicant in writing the reasons for refusal.

Appeals

75.A person aggrieved by the decision of the Board made under Regulation 74 (1) may, within thirty days after the date of notification, appeal to the Minister.

Suspension or
cancellation of
licence

76. (1) The Board may, for specific reasons relating to the enforcement of these Regulations or the Act made known to the holder of the sugar import licence issued under these regulations, suspend or cancel such a licence.

(2) In suspending a licence under Sub Regulation (1), the Board shall ensure that-

(a) the licence holder has not at the material time made a confirmed irrevocable order for sugar from a foreign supplier;

(b) the suspension does not exceed a period of ninety days.

(3) The Board may cancel any sugar import licence if it is satisfied that the licence holder-

(a) has furnished false information or failed to disclose to the Board material information which would have disqualified him from being issued an import licence;

(b) has not adhered to or is in the process of contravening the conditions governing the licence or his registration;

(c) has ceased to carry on the business in respect of which the licence was issued;

Sugar Industry Regulations

G.N. No.

- Cap.....
- (d) is involved in evading import duties or taxes payable under any written law;
 - (e) has failed to rectify the anomalies after being suspended; or
 - (f) is involved in sugar price fixing or hoarding for price speculation or doing anything contrary to the Fair Competition Act.
- Confidentiality** 77. (1) The Board shall maintain confidentiality of all information supplied to it for registration of a sugar importer, licensing sugar importation or for any other reason and may be used by the Board only for the better carrying out of the provisions or purposes of the Act and these Regulations.
- (2) A person who contravenes the provisions of Sub regulation (1) commits an offence and upon conviction he shall be liable to the punishment prescribed under the Act.
- Sugar other than sugar from cane and beet.** 78. The Board may impose or specify requirements for sugar import licences and conditions for licence for importation of other types of sugar other than granular sucrose produced from sugar cane and sugar beet.

PART IX

SUGAR IMPORT LEVY

- Import levy** 79. (1) A person who imports sugar into Mainland Tanzania shall pay to the Board a sugar levy of United States Dollars 3.00 per metric tonne or its equivalent in Tanzania Shillings.
- (2) The Minister may, by notice in the *Gazette* vary or exempt a person from payment of the levy stated in Sub regulation (1) hereof.
- (3) The levy prescribed under sub regulation (1) shall be due, payable and paid by the importer before the sugar is cleared through customs.
- (4) For the purpose of payment of the levy in Tanzania shillings the exchange rate for converting the United States Dollars to Tanzania shillings shall be the rate applied by the customs in the valuation of the sugar import.
- (5) Payment of the levy prescribed under sub regulation (1) shall be a condition

Sugar Industry Regulations

G.N. No.

for clearance of sugar destined to mainland Tanzania, through customs including sugar held in customs bond.

(6) A person who imports sugar and fails or neglects to pay the prescribed levy commits an offence and shall be liable on conviction to a fine not exceeding shillings two million or imprisonment for a term not exceeding two years or to both.

Mode of payment of levy **80.** (1) Unless otherwise agreed by the Board in writing, all payments for levy shall be by means of a banker's cheque, bank draft, bank transfers or similar liquid financial instruments.

(2) Where payment of levy is made through an agent appointed by the Board, a copy of the payment document or an appropriate payment advice shall be sent to the Board by the agent.

(3) Any agent who fails to comply with the provisions of sub-regulations (1) and (2) of this regulation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two million shillings or imprisonment for a term not exceeding two years or to both.

Restriction of taking loan Cap..... **81.** Subject to the provision of the Government Loans, Guarantees and Grants Act, the Board shall not take any loan from any financial institution unless such loan has been approved in writing by the Minister responsible for Finance.

PART X

STAKEHOLDERS FORUM

Annual Stakeholders meeting **82.** (1) There shall be an annual Stakeholders meeting which shall bring together key stakeholders of the industry including growers, processors, Government, Board, traders, researchers, trainers, local government and cooperative societies,

(2) Where any group of stakeholders comprises of a large membership base, presentation shall be through relevant member associations.

Sugar Industry Regulations

G.N. No.

Functions of Stakeholders meeting	83. The stakeholders meeting shall <ol style="list-style-type: none">(a) deliberate and make resolutions on issues forming the business of the day.(b) decide on the mechanisms for financing of shared functions.(c) form committees and working groups for the better carrying out of the shared functions(d) deliberate on issues for development and promotion of the industry.
Funding of Stakeholders meeting	84. While the Board may provide venue for the meeting, each stakeholder will bear own costs unless otherwise agreed.
Procedures for Stakeholders meeting	85. The stakeholders meeting procedures shall be as provided in the <i>Sixth Schedule</i> to these Regulations.

PART XI

IMPLEMENTATION OF SHARED FUNCTIONS

Matters for consideration.	86. Subject to the provision of section 39 of the Act, the Local Authorities shall in the implementation of the shared functions agreed by stakeholders, take into consideration the following:- <ol style="list-style-type: none">(a) use of designated land for sugarcane cultivation;(b) proper farming and husbandry of sugarcane;(c) sustainable water use and drainage management; and(d) infrastructure development and maintenance including cane transportation and fire breaks.
Implementation of stakeholders meetings resolutions	87. For purposes of ensuring implementation of resolutions of stakeholders meetings, Local Government Authorities may present status report on implementation of previous stakeholders meeting resolutions at the annual stakeholders meeting

PART XII

Sugar Industry Regulations

G.N. No.

MISCELLANEOUS

- Staff performance evaluation scheme** **88.** The Board shall develop staff performance evaluation scheme, which shall be based on physical achievement of the set out targets derived from Strategic Action Plan.
- Board to establish clear standard of service** **89.** The Board shall establish clear standards of service to its clients.
- Appointment of agents** **90.** The Board may appoint an agent to perform its functions upon such terms and conditions as may be agreed.
- Board to issue guidelines** **91.** The Board may issue administrative guidelines, which it deems necessary in accordance with the Act and these Regulations, in relation to the production, processing, marketing, exportation and importation of sugar.
- General penalty and forfeiture** **92.** (1) A person who contravenes any of these Regulations where no punishment has been specified commits an offence and upon conviction shall be liable to a fine of not less than two million shillings or a term or imprisonment not exceeding two years or to both such fine and imprisonment and in addition to such fine or imprisonment, the Board may exercise its powers to revoke or suspend the licence formerly issued.
- (2) Where a person contravenes the provisions of these Regulations, and is convicted of an offence under Sub regulation (1) of this regulation, the court may in addition to the penalty, order that any sugar in respect of which the offence has been committed be forfeited.
- Appeals** **93.** A person who has been aggrieved by the decision of the Board pursuant to provisions of these Regulations may appeal to the Minister within sixty (60) days from the date of decision of the Board.

Sugar Industry Regulations

G.N. No.

Value chain analysis in service delivery

94. In ensuring compliance of standards of service to stakeholders, the Board in collaboration with other key stakeholders shall observe that:

(a) the roles and responsibilities of each actor in the sugar industry contributes to adding value to the development of the sugar industry.

(b) the potential for adding value through the means of cost advantage or differentiation is enhanced

(c) the sugar industry attains sustainable competitive advantage

Compliance with the Act

95. The provisions under these regulations shall be construed in accordance with the provisions of the Act.

**Revocation and saving
GN No/2005**

96.(1)The Sugar Industry Regulations, 2005 are hereby revoked.

(2)Any orders made or licenses issued before the coming into effect of these Regulations shall continue to be in force until they are cancelled or otherwise rendered invalid under these Regulations.

FIRST SCHEDULE

—————
(Under regulation 32(1))
—————

SUGAR MANUFACTURERS' REPORTING FORMS

Sugar Industry Regulations

G.N. No.

THE SUGAR BOARD OF TANZANIA		SR.NO. 01 SBT – 01
SUGAR MANUFACTURER’S MONTHLY RETURNS <i>(Submitted in compliance with regulation 32)</i>		
<ul style="list-style-type: none"> • Name of sugar manufacturer)..... • Manufacturing licence No. issued on • Returns for month of year 20..... 		
1.1.	Sugar in stock at beginning of the month	tons/kg
1.2	Sugar produced during the month.....	tons/kg
1.3	Sugar sold during the month	tons/kg
1.4	Sugar in stock end of the month:-	
	(a) In depots (give name/place)	
	(i)	tons)
	(ii)	tons) tons
	(iii)	tons)
	(iv)	tons)
	(b) At the mills’ godowns	
	(i)	tons)
	(ii)	tons) tons
	(c) Total sugar in stock end of month (a + b)	
2.1	Milling season’s production target	tons/kg
2.2	Produced to – date	tons/kg
2.3	Expected production to end of season	tons/kg
3.0	Molasses produced to-date tons, sold to date	
	tons/kg	
4.1	Own cane crushed during the month.....	tons/kg
4.2	Own cane crushed to-date	tons/kg
4.3	Balance own cane to end of season	tons/kg
5.1	Outgrowers cane crushed during the month	tons/kg
5.2	Outgrowers cane crushed to-date	tons/kg
5.3	Balance outgrower cane to end of season	tons/kg
6.1	Average ex-factory selling price for sugar during the month	
6.2	Average ex-factory price for molasses	
7.0	Other remarks:	

Sugar Industry Regulations

G.N. No.

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

THE SUGAR BOARD OF TANZANIA	SBT – 02
SUGAR MANUFACTURER’S ANNUAL REPORT/STATISTICS	
To be submitted to the Board by 31 st May (Under regulation 32)	
<ol style="list-style-type: none"> 1. Name of sugar manufacturer 2. Sugar manufacturing licence No. issued on 3. Report for milling season 20.../20... ending (date) 4. Area under sugarcane (own cane) ha *5. Area under sugar cane (outgrowers)ha 6. Area harvested, ended season (own cane)ha *7. Area harvested, ended season (outgrowers) ha *8. Left over/deferred cane (own) ha *9. Left over/deferred cane (outgrowers) ha 10. Planned increase (decrease) own cane area next season ha *11. Planned increase (decrease) outgrower cane area next season ha 12. Planned increase in milling rate (explain) 13. Opening sugar stock beginning of season tons <li style="padding-left: 20px;">Total sugar produced during the season tons <li style="padding-left: 20px;">Sugar sold during the season tons <li style="padding-left: 20px;">Unsold sugar stock at end of season tons 14. Molasses produced during the season tons <li style="padding-left: 20px;">Molasses sold locally during the season tons <li style="padding-left: 20px;">Molasses sold for export/exported tons <li style="padding-left: 20px;">Molasses drained/wasted..... tons <li style="padding-left: 20px;">Molasses stock end of the season tons 	
* = Estimates	

Sugar Industry Regulations

G.N. No.

15.	<p>Highest number of people employed during the season:</p> <p>Senior staff Other Remarks</p> <p>Middle level</p> <p>Lower level</p> <p>Seasonal</p> <p>Casual</p>
16.	<p>If some of the production activities were contracted by the manufacturer to third parties (e.g. cane cultivation, harvesting, transport, farm machinery repairs & services, roads maintenance etc) give below the number of people employed by the third parties.</p> <p>.....</p> <p>.....</p>
17.	<p>Sugar marketing</p> <p>Indicate below the major sugar distribution points/outlets and where possible the quantities distributed at those points.</p>
18.	<p>Summarize below major problems or bottlenecks faced in sugar production, sugar marketing (distribution) or in investment.</p>
19.	<p>Investment (CAPEX) – Summarize here major investments undertaken during the financial year.</p>
20.	<p>Investment (CAPEX) next season: Summarise nature and extent of planned investment next financial year.</p>

CAPEX = Capital Expenditure

14

21.	<p>Expected production next season 20..../20.....</p> <ul style="list-style-type: none"> • Milling season to start about (date) • Milling season to end about (date) • Cane to be crushed (own cane) tons • Cane to be crushed (outgrowers) tons
-----	--

Sugar Industry Regulations

G.N. No.

- Sugar to be produced

Signature:

Designation: Date:

SECOND SCHEDULE

(Regulation 64(2))

Composition

1. -(1) The Technical Committee on Sugar Importation shall be composed of the following members:-

- (a) the Director General of the Board, who shall be the Chairman of the Committee;
- (b) two representatives from the Confederation of Tanzania Industries (CTI);
- (c) one representative from the Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA);
- (d) two representatives from the apex organization of Sugar processors.
- (e) one representative from apex organization Sugarcane Growers .
- (f) one representative from the Ministry of Industries and Trade;
- (g) one representative from the Customs and Excise department, Tanzania Revenue Authority;
- (h) one representative from the Ministry of Agriculture and Food Security; and

Sugar Industry Regulations

G.N. No.

(i) one representative from the Ministry of Finance.

(2) The Board shall appoint one of its officers to be the Secretary of the Committee.

(3) The Committee may, co-opt A person who is in a position to assist the committee in its deliberations as it may determine from time to time.

Functions of
the Committee

2. -(1) The Committee shall be a technical advisor to the Board on matters of sugar importation and on locally produced sugar for industrial use purposes.

(2) Without prejudice to the generality of sub-paragraph (1) the functions of the Committee shall be: -

(a) to consider applications for the registration of industrial users of sugar and importers of sugar for trade (domestic consumption) and advise the Board on registration and any matters related thereto;

(b) to advise the Board on sugar import requirements over a given period;

(c) to consider applications for sugar import licenses and advise the Board on granting of import licenses to applicants, quantities of sugar for each license and any other matter relating to the licenses to be issued; and

(d) to advise the Board on any other matter relating to sugar importation, and the production locally and sale of sugar for industrial use;

(3) For the purposes of this paragraph “industrial sugar” includes locally produced industrial sugar.

Sugar Industry Regulations

G.N. No.

Meetings of the
Committee

3. -(1) The committee shall meet at such times as may be necessary or expedient for the transaction of its business.

(2) All meetings of the Committee shall be convened by the Chairman.

(3) Notice for meetings of the Committee shall be seven days.

Quorum

4. Six members of the Committee present shall constitute a quorum at any meeting.

Minutes

5. Minutes of each meeting of the Committee shall be kept by the Secretary and the same shall be confirmed at the next, meeting of the committee and signed by the Chairman.

Confidentiality

6. -(1) All documents, information, transactions and recommendations of the Committee shall be strictly confidential to the committee and the Board.

(2) All communications to any party interested in or otherwise affected by any transaction, and recommendations of the Committee shall be made by the Board.

Members to
declare interest

7. -(1) Any member representing a party or parties or institution with interest on an application or any matter being deliberated by the committee shall declare his interest to the fellow members.

(2) Where a member has declared any interest as provided under sub regulation (1), he shall not take part in or be present at the consideration or discussion of, any question with respect to the application or any matter being deliberated by the Committee.

Procedures

8. Subject to the provisions of the Act and the Regulations, the Committee shall regulate its own procedures in respect of meetings and proper conduct of its business.

THIRD SCHEDULE

(Regulation 55(1))

Current Specified markets

1. The European Union (EU)
2. The countries forming part of the Southern Africa Customs Union (SACU).

Sugar Industry Regulations

G.N. No.

FOURTH SCHEDULE

(Under regulation 57 (1))

APPLICATION, LICENCE FORMS AND TERMS AND CONDITIONS

THE SUGAR BOARD OF TANZANIA			
SML.No	SUGAR MANUFACTURERS' LICENCE	*	SR.NO. SBT 03
<i>(Issued under S.12(1), of the Sugar Industry Act)</i>			
M/S (Name & address)			
.....			
.....			
IS HEREBY LICENCED TO CARRY OUT THE BUSINESS OF MANUFACTURING SUGAR			
1. Sugar manufacturer registration reference			
2. Registration category			
3. Licence number issued on			
4. Validity: Valid until.....			
5. Conditions:			
(i) This licence is governed by the Sugar Regulations, 2010.			
(ii) This licence is not transferable			
(iii) This licence must be displayed at the place where sugar is manufactured and produced to any authorized inspector, on demand.			
(iv) If defaced return this licence to the Board for replacement.			
Signature..... Date:.....			

Sugar Industry Regulations

G.N. No. _____

Designation

* Enter A, B. or C for registration category (item 2)

SBT-04

THE SUGAR BOARD OF TANZANIA										
A.C	APPLICATION FOR SUGAR IMPORT LICENCE <i>(Non industrial sugar)</i>	Sr.No.								
<p>1. I/We (Name(s) and address of Applicant(s))</p> <p>.....</p> <p>.....</p> <p style="text-align: center;">Hereby apply for a licence to import sugar stated below:-.</p> <p>2. I/We am/are registered sugar importer/not registered sugar importer.</p> <p>3. Registration Certificate No. dated</p> <p>4. Quantity to be imported bags/tonnes</p> <p>5. Quality of the sugar: (<i>Refined/White/VHP/DC Raw</i>)</p> <p>6. Period (month and year): From 20.... to 20</p> <p>7. Use of the sugar to be imported</p> <table style="width: 100%; border: none;"> <tr> <td style="border: 1px solid black; width: 10%; height: 20px;"></td> <td style="padding-left: 20px;">Normal trading (a registered sugar importer)</td> </tr> <tr> <td style="border: 1px solid black; height: 20px;"></td> <td style="padding-left: 20px;">Normal trading (not a registered sugar importer)*</td> </tr> <tr> <td style="border: 1px solid black; height: 20px;"></td> <td style="padding-left: 20px;">Own consumption</td> </tr> <tr> <td style="border: 1px solid black; height: 20px;"></td> <td style="padding-left: 20px;">Other (<i>state</i>)</td> </tr> </table>				Normal trading (a registered sugar importer)		Normal trading (not a registered sugar importer)*		Own consumption		Other (<i>state</i>)
	Normal trading (a registered sugar importer)									
	Normal trading (not a registered sugar importer)*									
	Own consumption									
	Other (<i>state</i>)									
<p>If you are not a registered sugar importer enclose copy of Business Licence and TIN certificate</p> <p>8. Single/multiple entry</p> <p>9. Port(s) of entry</p> <p>10. Previous sugar import Licence No. for tons</p> <p>.....</p> <p style="text-align: center;">(<i>Give details</i>)</p> <p>11. Conditions: See reverse side.</p> <p>Signature Application..... Date:.....</p> <p style="text-align: center;">For official use</p>										

CONDITIONS FOR APPLICATION

Application for sugar to be used for trading purposes by an applicant who has not been registered by the Board must be accompanied with a copy of relevant business licence and copy of TIN certificate.

By signing and submitting this application to the Board the applicant declares that he has the financial and logistical capacity to import the sugar applied for if granted licence

Sugar Industry Regulations

G.N. No.

This application and any licence arising there-from is governed by the Sugar Regulations, 2010.

SBT – 05

THE SUGAR BOARD OF TANZANIA		
B	APPLICATION FOR SUGAR IMPORT LICENCE: <i>(Industrial sugar)</i>	Sr. No.
<p>1. I/We (<i>Name and address of Applicant</i>) _____ _____ _____</p> <p style="text-align: center;">Hereby apply for a sugar Import Licence Category B to import sugar for Industrial use as stated hereunder.</p> <p>2. Registration Certificate No. _____ dated _____</p> <p>3. Quantity of sugar to be imported _____ metric tons</p> <p>4. Period (<i>month & year</i>), from _____ 20 ____ to _____ 20 ____</p> <p>5. Single or multiple entry _____</p> <p>6. Port (s) of entry _____</p> <p>7. Last Import Licence was No. _____ for _____ tons</p> <p>8. Production from the last imported sugar (<i>item 7</i>) is per page 2 overleaf.</p> <p>9. Fill in the type and quantities of products to be produced from the sugar to be imported (<i>item 3</i>).</p>		

<u>Product</u>	<u>Quantity</u>	<u>Product</u>	<u>Quantity</u>

(Give details) _____

Signature: **Designation:**..... **Date:**.....

For official use

Sugar Industry Regulations

G.N. No.

PRODUCTION (previous licence(s))

1. Last Import Licence No(s). _____
 2. Tons sugar imported _____
 3. Total tons sugar used _____

 4. Products produced Sugar used
 - (i) _____ _____ kg
 - (ii) _____ _____ kg
 - (iii) _____ _____ kg
 - (iv) _____ _____ kg
 - (v) _____ _____ kg
 - (vi) _____ _____ kg
-

CONDITIONS FOR APPLICATIONS OF IMPORT LICENCE

(Industrial Sugar)

1. By signing and submitting this application to the Board the applicant declares that if granted licence the sugar he will import will be solely for industrial use and shall not be sold or disposed of in any other manner except as may be approved by the Board.
 2. Licence granted under this application shall be used to import refined sugar only.
 3. This application and any licence arising there-from is governed by the Sugar Regulations, 2010.
-

Sugar Industry Regulations

G.N. No.

THE SUGAR BOARD OF TANZANIA												
CN	SUGAR IMPORT LICENCE	**	SR. No. SBT 06									
<i>(Issued under Sect. 14 – (1), Sugar Industry Act No. 26 of 2001)</i>												
<p>1. LICENCE CATEGORY _____ for* _____</p> <p>M/S (Name & address) _____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">_____</p>												
IS HEREBY LICENCED TO IMPORT SUGAR AS UNDER												
<p>2. Quantity: _____ mt. _____ tons)</p> <p>3. Quality: _____</p> <p>4. Period: between _____ and _____</p> <p>5. Port (s) of entry: _____</p> <p>6. Single or multiple entry: _____</p> <p>7. Importer's Registration: _____</p> <p>8. Validity: Valid until _____</p>												
<p>9. Conditions of Licence: See overleaf</p> <p>.....</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;">Signature</td> <td style="width: 33%; border: none;">Designation</td> <td style="width: 33%; border: none;">Date</td> </tr> <tr> <td colspan="3" style="border: none;">.....</td> </tr> <tr> <td style="border: none;">Signature</td> <td style="border: none;">Designation</td> <td style="border: none;">Date</td> </tr> </table>				Signature	Designation	Date			Signature	Designation	Date
Signature	Designation	Date										
.....												
Signature	Designation	Date										
For official use (Customs endorsement of quantities)												
<p>* Industrial or trade or personal consumption, relief, etc.</p> <p>** Enter A or B or C for category of licence. CN = Issue code number</p>												

THE SUGAR BOARD OF TANZANIA

APPLICATION FOR SUGAR EXPORT LICENCE

I/We (Name) of

- (Postal Address)
- Physical address/location
- Telephone Fax E-mail

HEREBY APPLY FOR LICENCE TO EXPORT SUGAR -

1. Sugar from (company/manufacture):
2. Quantity to be exported (M.tons):
3. Country to which export will be made:
4. Month and year when export will be made:
5. Mode of transport (tick): sea Air road rail
6. Port or border post of exit
7. Quality of the sugar: jaggery raw for refining DC/VHP raws
White Refined other specify.....

8. Explain the nature of export obligation you have with the buyer or purpose of the export
.....
9. State the estimated CIF selling price in US\$

10. If consignment/shipment will be in lots state each lot quantity
11. Enclose copies of the following with this application: Business/Trading Licence, TIN & VAT registration certificates.
Signature of applicant: Date
Designation:

Sugar Industry Regulations

G.N. No.

THE SUGAR INDUSTRY ACT, 2001

(NO. 26 OF 2001)

THE SUGAR BOARD OF TANZANIA

S.E.L.No.

SUGAR EXPORT LICENCE
Issued under sect. 15 of Act No. 26 of 2001

SR.NO.
SBT 07

M/S (Name & Address)

IS HEREBY LICENCED TO EXPORT SUGAR:-

Licence No. issued on

1. Quantity:
2. Quality:
3. Export to (countries)
4. Port(s) of exit
5. Names(s) and address (es) of Buyer(s):

6. Single or multiple shipment(s) & dates:

7. Category of market: Specified market not specified market

8. Validity: This licence is valid until:

9. Conditions of Licence: see overleaf

Signature: Date

Designation:

Sugar Industry Regulations

G.N. No.

CONDITIONS OF LICENCE

- (1) Licence holder shall export sugar produced in Tanzania only.
- (2) Export only the quantity and quality of sugar stated.
- (3) Before exporting sugar submit to the Board copy of quality certificate and pro-forma invoice/contract.
- (4) Special conditions
 - (a)
 - (b)
 - (c)
 - (d)
 - (e)

FIFTH SCHEDULE

STANDARD FORM AGREEMENT FOR CONTRACT FARMING

Made under Regulation.....

This agreement is made onday of20.....

BETWEEN

(Grower)

Full Name.....

Address:.....Tel.....Email.....

Mill Area:.....District.....

Registration No.....

Farm details: Location (FIN).....Acreage (undercane).....

AND

Sugar Industry Regulations

G.N. No.

(Financier)

Full Name.....

Address:.....Tel.....Email.....

Preamble:

WHEREAS out growers in a given mill grow sugarcane for sole supply to the respective mill;

WHEREAS the miller is a sugar manufacturer and a sole buyer of the sugarcane from growers;

AND WHEREAS the grower is desirous to access a loan to finance his sugarcane growing activities and the financier is willing to advance the said loan to the grower on terms and conditions set forth in this agreement.

NOW THEREFORE the parties hereto agree as follows;

A: Details of type or kind of facilitation to be granted:-

- 1) Type or kind of facilitation to be issued.....
.....
.....
- 2) Total area contracted (Acreage).....
- 3) Obligations of the grower.
.....
.....
- 4) Obligations of the financier.
.....
.....
- 5) Duration of the contract from.....to
- 6) Mode of Payment :
.....
.....

B: Terms and Conditions:

Sugar Industry Regulations

G.N. No.

- 1) The parties undertake to comply with requirements of the Sugar Regulations, 2010 and Sugar Industry Act, 2001 as amended.
- 2) The parties undertake to discharge fully all obligations hereby created .
- 3) Neither party shall be liable to the other for failure to fulfill the provisions of this contract if such failure is caused by reason beyond control of either party.
- 4) Any dispute arising between parties to this Contract shall in the first instance be mediated by the Board, failure of which may entitle either party to seek other remedies in accordance with the laws of Tanzania.

C: Annextures

The following documents shall form part of this contract

.....
.....

IN WITNESS WHEREOF the parties have executed these presents on the date first above written and in the manner appearing herein below;

Grower

Witness

Full Name: _____ Full Name: _____

Signature: _____ Signature _____

Date: _____ Date: _____

Financier

Witness

Full Name: _____ Full Name: _____

Signature: _____ Signature _____

Date: _____ Date: _____

G.N. No.

D: Registration of the contract

The contract is approved/ not approved. (*If not approved, give reasons*)

.....
.....

Registration No.....

DesignationSignature.....Date.....

DesignationSignature.....Date.....

SIXTH SCHEDULE

PROCEDURE FOR STAKEHOLDERS FORUM

Issued under section 38 of Sugar Industry Act 2001

1 INAUGURATION

The inaugural meeting shall deliberate and approve draft procedures for conduct of stakeholders’ forum and subsequent operations. A framework is given below for general guidance.

2. ORGANOGRAM

The forum is the apex organization in the sugar sector whereby all players have an opportunity to be heard. It creates ownership of shared vision. It also identifies ways and means to finance and execute shared activities. Except for Chairman and Secretariat, all members’ stakeholders are peers.

The key stakeholders shall provide the Chairman, while the (Sugar) Board provides Secretariat.

3. COMPOSITION

Sugar Industry Regulations

G.N. No.

Stakeholders in the Sugar Industry are of such number that they could not possibly be accommodated in one conference facility. It is therefore proposed that representation be by (representative) associations.

At present, the following list may be considered representative:

- | | |
|--|------------|
| 2. MAFC, SBT, SIDTF | (3) |
| 4. TASGA, 4 OLD ASSOCIATIONS, 6 NEW ASSOCIATIONS | (11) |
| 5. TSPA, 5 PROCESSORS | (6) |
| 6. CTI, TCCIA, DCC | (3) |
| 7. LOCAL GOVERNMENT COUNCILS | (6) |
| 8. SMALL SCALE PLANTS | (3) |
| 9. NSI,SRI,SUA,VETA, TSSCT | (4) |
| 10. DONORS, EC, CFC, AGRA | (3) |
| 11. Ethanol Producers/Other products | <u>(2)</u> |
| 12. TAMISEMI, Ministry of Finance, Ministry of Industry and Trade , Ministry of EAC, CRDB, NMB,NBC,PASS,TIB, | <u>(8)</u> |

4. NOTICE & AGENDA

- 4.1 The Board to schedule a regular Stakeholder forum once a year, preferably in the off crop. Extraordinary meeting to be convened if a petition with 20 member signature is forwarded to Chairman.
- 4.2 Board to provide secretariat services to stakeholders forum
- 4.3 Notice to be vide public media and newspaper, email, fax and telephone. Member to be invited to transmit agenda items to secretariat
- 4.4 Meeting date, place, time Agenda, to be confirmed and communicated at least 14 days prior to the meeting.
- 4.5 Draft Minutes of Previous meeting and a record of deliberations will be prepared and confirmed at subsequent meeting.

5. ELECTION OF CHAIRMAN

Sugar Industry Regulations

G.N. No.

- 5.1 It is proposed the forum to elect provide the Chairman.
- 5.2 Proposed MAFC to designate Chairperson for the inaugural meeting
- 5.3 In the event of elected chairperson, it is further proposed that he serves a maximum of 2 years, when he must take a minimum break of two year before being eligible for re-election.
- 5.4 The Chairman to preside over the meetings. If unavailable, or after waiting for 30 minutes from schedule start time of meeting the member present and forming a quorum (minimum 50%) to elect interim Chairman for the meeting.
- 5.5 The Chairman to ensure equity opportunity to contribute. The Board to provide secretarial and Secretariat services.
- 5.6 Working groups

6. MINI-FORUM

As deemed appropriate, the full meeting can delegate specific issues to working group comprising specialist members, as long as all findings and outcome of mini-forums are made available to the full forum for approval and decisions.

7. ATTENDANCE/PROXY

- 7.1 Since membership of meeting is institutional it is expected that proxies will be received and attend the meeting. Where a member chooses to make their view through correspondence same will be made available to the meeting
- 7.2 A member absent but wishing to vote may appoint a proxy who is an attending member to vote on their behalf. No member can represent more than 2 proxies at the meeting.
- 7.3 For purposes of extraordinary meeting, members not able to attend personally can avail their views/decision/recommendation through teleconference or electronic exchange.

8. SPOKESPERSON

The Chairman is the official spokesperson of the Forum

9. REPORTS

The Board will incorporate business of the Stakeholders Forum in the Annual Report.

10. DISCIPLINARY PROCEDURE

10.1 A breach by any person done under this schedule shall warrant a disciplinary action.

10.2 A member may submit to chairperson through its secretariat, a report of any breach occasioned and the chairperson shall convene a disciplinary proceeding in accordance with meeting procedure prescribed in this schedule.

10.3 A person aggrieved by the decision of the stakeholders meeting may lodge an appeal to Minister within 30 days from the date of the stakeholders meeting decision.

10.4 The Minister shall within 30 days from receipt of appeal by an aggrieved person, make a decision in writing and serve a copy to the aggrieved person.

10.5 A decision made by the Minister shall be final.

SEVENTH SCHEDULE

Issued under section 39 of sugar industry Act 2001

Making By-Law

NOTICE TO STAKEHOLDERS

District:

Council:

Sugar Industry Regulations

G.N. No.

Mills:

Association:

Please take note that the Council in consultation with Minister have agreed on the following measures for the better administration of sugarcane farming in the affected area.

DED

Signature:-----

Date:.....

EIGHT SCHEDULE

STANDARDS FOR SEED CANE PRODUCTION

Part A: Pest and Diseases

Seed cane Category	Breeder	A” nursery	“B” nursery
Isolation distance: Minimum	20m	Nil	Nil
Variety purity – Off type	Nil	3.0	3.0
Other variety	Nil	1.0	1.0

Sugar Industry Regulations

G.N. No.

Ratoon Stunting Disease (RSD)**	Nil	Nil	Nil
Level of smut infection (% stools): Maximum	0.1*	0.1*	0.5*
Stem Borer (Bored internodes): Maximum	0.1	0.1	1%*
White Scale (White scale cover): Maximum	2*	2	2*
Leaf Scald (% infected stools): Maximum	Nil	Nil	1%
Leaf Rust (Scale 1 –5): Maximum	2	2	2*
Pokkah Boeng (% infected Stool): Maximum	5	5	5
Yellow Leaf Syndrome (YLS) (% infected stools): Maximum	Nil	Nil	6

* To be treated at harvest with recommended pesticides

**Determined by laboratory analysis

Part B: Germination and Loose Trash

	Breeder	“A”	“B”
Loose trash (% by weight): Maximum	Nil	3	5
Germination (% Setts): Maximum	90%	75%	80%

Dar es Salaam
2010.

Stephen M. Wassira
Minister of Agriculture and Food Security