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Act 11

Animal Breeding Act

2001

THE ANIMAL BREEDING ACT, 2001

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THE ANIMAL BREEDING ACT, 2001

An Act to establish the National Animal Genetic Resources Centre and Data Bank, to provide for the promotion, regulation and control, marketing, import and export, and quality assurance of animal and fish genetic materials and generally to provide for the implementation of the national breeding policy in Uganda; to repeal and replace the Branding of Stock Act; and to provide for other matters connected with the foregoing.

DATE OF ASSENT: 25th May, 2001.

Date of Commencement: See section 2.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY.

1. This Act may be cited as the Animal Breeding Act, 2001. Short title.
2. This Act shall come into force on such day as the Minister shall by statutory instrument appoint; and the Minister may appoint different dates for different provisions of this Act. Commence-
ment.
3. In this Act, unless the context otherwise requires — Inter-
pretation.

- “Accounting Officer” means the Permanent Secretary in the Ministry responsible for animal Industry;
- “animals” means all livestock, camels, donkeys, rabbits, poultry other ruminating and pseudo-ruminating animals, fish and any other animal that the Minister may by statutory instrument so declare;
- “Animal Breeder” means a person or group of persons engaged in breeding activities and registered with the Ministry;
- “Animal or Fish Breeding Specialist” means a person or class of persons academically qualified and recognised as an animal geneticist by the Ministry;
- “Animal Production Officer” means any person or class of persons certified and declared to be an animal production officer by the Ministry;
- “approved laboratory” or “testing station” means a laboratory in Uganda or any other country designated by the Board to carry out the tests provided for under this Act;
- “Aquaculturist” means an officer who has undergone training in aquaculture and is recognised by the Ministry;
- “Board” means the Board of Directors of the Centre;
- “cattle” means bulls, cows, oxen, heifer and calves;
- “centre” means the National Animal Genetic Resources Centre and Data Bank established under section 13;
- “collection” means a quantity of semen and ova taken from a donor at any time;
- “consignment” means a quantity of semen or sperm covered by a single certificate;

“country of collection” means a country in which semen or ova is collected including Uganda;

“currency point” has the meaning assigned to it in the First Schedule to this Act;

“Director” means the Director of Animal Resources in the Ministry responsible for agriculture, animal industry and fisheries (MAAIF);

“disease” means cattle plague (rinderpest), anthrax, pleuropneumonia, trypanosomiasis, tuberculosis, foot and mouth disease, mad cow disease, rabies, sheep pox, sheep scab, goat scab, goat pox, swine erysipelas, glands farcy, mange (scabies) in swine, mules and donkeys, ulcerative lymphangitis, epizootic lymphangitis, black quarter, and in fish, worms, argulus species and parasites and any other disease that may be declared by the Minister by statutory instrument to be included in the term “disease” for the purposes of this Act;

“Executive Director” means the Executive Director referred to in section 22 of this Act;

“farmer” means any person, household or group of persons keeping or rearing animals;

“fingering” means fish seed ready to grow out systems;

“fish seed” means sperm, eggs, fry and fingerings;

“fry” means fish seed which has exhausted its yolk food;

“Minister” means the Minister responsible for animal industry and fisheries;

“Ministry” means the government Ministry responsible for animal industry and fisheries;

Statute No.
9 of 1992.

“NARO” means the National Agricultural Research Organisation established by the National Agricultural Research Organisation Statute, 1992;

“Official Veterinarian” means a veterinary officer duly registered with the Veterinary Board and employed in government service;

“policy” means the National Animal Breeding Policy approved and adopted by government for implementation of the animal genetic improvement programme in Uganda;

“programme” means the Action Plan for the implementation of the National Animal Breeding Policy in Uganda formulated by the government as amended from time to time with the approval of government;

“poultry” means all domestic or domesticated fowls, ducks, geese, turkey, guinea fowl, pea-fowl, pheasants, pigeons, ornamental or caged birds, ostriches;

“semen” means the prepared or diluted ejaculate of a farm animal;

“semen collection centre” means an officially approved and supervised establishment situated in Uganda or any other country in which semen is produced for use in Artificial Insemination;

“stock” means cattle, sheep, goats, horses mules, donkeys, swine, rabbits, guinea pigs, camels and poultry;

“strip” means artificially removed eggs and sperms from mature fish;

“Veterinary Officer” means any person or class of persons registered as a veterinary surgeon by the Veterinary Board.

PART II—THE DIRECTOR OF ANIMAL RESOURCES.

4. The Director shall have functions in animal genetics—

Functions of
the Director.

- (a) to ensure the effective and efficient implementation of the policy aimed at achieving a sustainable increase in the productivity of farm animals;
- (b) to ensure animal based national food security and socio-economic development;
- (c) to determine priorities for animal breeding and research in relation to the economic and social policies of the Government;
- (d) to ensure the effective and efficient implementation of all aspects of the programme;
- (e) to advise government and make such recommendations to government as he or she may consider necessary on the financial, human and other resource requirements for implementing the programme;
- (f) to promote optimum animal genetic resource management, conservation and sustainable use, commensurate with Uganda's needs and environmental protection;
- (g) to promote the production of farm animals and their products for export;
- (h) to promote and encourage optimal utilisation of the adapted and resistant indigenous breeds, and the development and use of animal genetic resources that are relatively more tolerant to disease and environmental stress;

- (i) to formulate and enforce regulations and guidelines relating to the regulation of breeding, processing of semen and other genetic materials, storage, distribution, marketing, import and export and use in the public and private sector and;
- (j) to provide standards for herd recording, progene testing stud book and pedigree certification;
- (k) to do any other thing incidental to and related to the foregoing.

Additional
functions of
the Director.

5. In carrying out of the functions under section 4 of the Act the Director shall carry out the following additional functions—

- (a) develop, promote and regulate animal breeding and reproduction, and co-ordinate and monitor the appropriate use of genetic resources in Uganda;
- (b) establish and identify the animal and fish breeds needed to ensure that improved animal production is met as economically as possible;
- (c) promote, control and regulate the importation, exportation, sale and distribution of animal breeds and trade in genetic materials which shall include semen, ova, eggs and embryo;
- (d) develop and formulate regulations governing artificial insemination and embryo transfer techniques regarding qualifications and required standards;
- (e) promote and encourage scientific knowledge and conservation of animal breeds and genetic materials;
- (f) promote, encourage and regulate training and schools specialised in animal breeding and genetic resource management;

- (g) approve applications by animal breeders and breeding centres or places where breeding shall be permitted; and issue permits.
- (h) register and certify all animal breeds, breeders and breeding centres;
- (i) mobilise resources for animal breeding;
- (j) publish the Animal Breeding and Production Bulletin and any other information materials; and
- (k) perform any other function that is connected to the objects and purposes of this Act or may be directed to be performed by the Minister.

6. (1) The Commissioner, Animal Production and Marketing in the Ministry shall be responsible for registration of animal genetic resources and related activities.

Registration.

(2) The functions referred to in subsection (1) of this section include the following—

- (a) the registration and certification of all breeds and animal genetic resources in Uganda;
- (b) the registration and certification of animal breeders or associations or both;
- (c) the registration and certification of artificial insemination technicians and inoulators;
- (d) registration and issue of licences for animal breeding training schools and institutes;
- (e) registration and issue of animal brands;
- (f) performance of any other function as may be recommended by the Minister.

(3) The Commissioner, Animal Production and Marketing may delegate any of his or her functions under this Act and may at any time revoke or vary the delegation; except that no such delegation shall be deemed to divest the Commissioner of any of his or her functions.

(4) The Commissioner, Fisheries Resources shall register fish breeding and related activities.

PART III—REGULATORY AND INSTITUTIONAL FRAMEWORK.

7. No imports or exports of animal breeds and genetic material shall be done without first obtaining a permit from the Commissioner, Livestock Health and Entomology.

8. (1) The list in the Third Schedule to this Act shall be the official list of suitable breeds for wide-spread use.

(2) The list will be updated regularly by the Executive Director.

(3) Any breed not appearing on the list shall only be allowed into the country for restricted use on designated locations and experimental stations or specialised production units approved by the Director.

(4) All imports and exports shall be sanctioned by the Director based on verified documentary evidence of the material being free of the disease agents and prohibited hereditary defects as specified in the Fourth Schedule to this Act.

9. (1) A sample of all genetic materials namely—

- (a) semen;
- (b) ova;
- (c) eggs; and
- (d) embryos.

shall be submitted to a national depository for examination and future reference.

Permits for imports and exports of animal and fisheries breeds.

List of suitable breeds to be drawn and updated regularly.

Genetic materials.

(2) All new genetic materials shall conform to the national bio-safety standards as set by the Uganda National Council of Science and Technology (UNCST) and the Uganda National Bureau of Standards (UNBS).

(3) A satisfactory genetic impact statement shall be provided by the promoter to the Centre and other designated offices.

(4) All genetic material developed in Uganda shall be patented and protected under the provisions of the National and International Intellectual property rights.

(5) Imported and locally produced genetic material shall be strictly screened to conform to quality and performance standards established by the Director.

(6) The seller of animal genetic material to be used for breeding purposes, shall show proof of the quality of the product to the prospective buyer, by indicating the performance and parameters of the animals in issue which parameters shall conform to the performance parameters contained in the Fifth Schedule to this Act.

10. For the avoidance of doubt, the prescribed minimum amount of spermatozoa in a dose of semen shall be the one specified in the Sixth Schedule of this Act.

Quality of
semen and
sperms.

11. (1) The Commissioner, Animal Production and Marketing shall establish a system of record keeping, breed registration, and registration and regulation of breeders and their breeding stock, for effective information dissemination.

Registration
and
regulation of
breeders and
their
breeding
stock.

(2) The following shall register with the Commissioner, Animal Production and Marketing on payment of the prescribed fee contained in the Seventh Schedule to this Act—

- (a) inseminators;
- (b) semen collection premises;
- (c) importers and exporters of germplasm;

- (d) breed associations and breed societies;
- (e) animals and their brands;
- (f) breeding farms;
- (g) breeders;
- (h) embryo transfer technicians;
- (i) premises for embryo transfer;
- (j) inovulators;
- (k) training institutes relevant to animal breeding;
- (l) hatcheries;
- (m) animal genetic engineering premises; and
- (n) any other thing or transaction deemed necessary under this Act.

(3) Applications for—

- (a) registration as an inseminator, embryo transferor or inovulator;
- (b) registration of premises as centres;

shall be in accordance with the regulations made under section 48 to this Act.

(4) The Director shall review and approve national quality and performance standards with regard to animal genetic resources.

12. (1) The Commissioner, Animal Production and Marketing, shall have the following responsibilities--

- (a) overall policy guidance on animal production;
- (b) training of staff and farmers;
- (c) monitoring of animal production activities;
- (d) encouraging formation of animal products marketing groups or associations; and

(e) compiling and disseminating market information especially of animal products.

(2) The Commissioner, Livestock, Health and Entomology shall, in addition to his or her other functions under the Ministry carry out the following activities—

(a) control of endemic and epidemic disease in livestock;

(b) supervise the establishment and maintenance of disease-free zones; and

(c) supervise ethical performance of veterinary practitioners.

(d) issue import and export permits for animal breeds and genetic materials.

(3) The Commissioner, Fisheries Resources, shall have the following responsibilities—

(a) overall policy guidance on fish production;

(b) training of staff and farmers;

(c) monitoring of fish production activities;

(d) encouraging formation of fish products marketing groups or associations;

(e) compile and disseminate market information of fish products; and

(f) issue import and export permits for fish breeds and genetic materials.

PART IV—THE NATIONAL ANIMAL GENETIC RESOURCES
CENTRE AND DATA BANK.

Establish-
ment of the
Centre and
Data Bank.

13. (1) There is established a body called the National Animal Genetic Resources Centre and Data Bank which shall be a body corporate with perpetual succession and a common seal and shall be capable of—

- (a) acquiring and holding property;
- (b) suing and being sued;
- (c) doing all acts and things that corporate bodies may lawfully do or suffer to be done.

(2) The Centre shall operate on a commercial basis in discharging its functions unless otherwise directed and funded by Government.

(3) The Centre shall be under the general policy direction of the Board.

Objects of
the Centre.

14. The objects of the Centre are to—

- (a) play a leading role in the gradual commercialisation of—
 - (i) breeding activities including procurement and distribution of semen and associated equipment;
 - (ii) training of artificial insemination technicians;
 - (iii) training of Embryo transfer technicians;
 - (iv) training of farmers in fish breeding techniques;
 - (v) liquid nitrogen production and distribution; and

(vi) cryo-preservation of semen and embryos;
and their distribution;

(b) to carry out any other activities incidental or
conducive to the foregoing.

15. (1) The Centre shall, for the attainment of its objects
specifically carry out the following commercial activities—

Functions of
the Centre.

(a) production, procurement and sale of semen, eggs,
ova, embryos and their associated equipment;

(b) management of the Centre farms for production and
selection of superior dams and sires;

(c) production and sale of founder brood stock of
fisheries resources;

(d) open nucleus breeding scheme and reproduction
extension services to farmers on the farms of the
Centre and offer for sale properly bred and
recorded good quality livestock to farmers;

(e) rearing of sire studs for production and sale of
semen;

(f) production, procurement and sale of liquid nitrogen
and associated equipment; and

(g) procurement and sale of other breeding and
reproduction equipment.

(2) The following activities shall be undertaken by the
Centre as shall be directed and funded by Government or other
funding agents—

(a) serve as a National Animal Genetic Data Bank;

(b) serve as a National Central Livestock Registry;

(c) serve as the National Animal Genetic Resources
Evaluation Centre and Laboratory;

- (d) serve as a national gene depository and examination Centre for Genetic materials;
- (e) quarantine and evaluation of imported genetic material;
- (f) offer and conduct specialised training to technicians dealing in Breeding;
- (g) train staff and farmers in aspects of animal and fish breeding;
- (h) monitor breeding activities;
- (i) collaborate in research on genetic improvement and characterisation of breeds and production environments;
- (j) encourage the formation of Breeders' Associations;
- (k) develop guidelines and implement a field oriented breeding extension service for field workers and farmers;
- (l) foster the development of Breed Societies;
- (m) provide guidance on breeding and multiplication of improved breeds;
- (n) promote herd recording and performance testing on farms;
- (o) promote the use of improved natural national breeding especially in areas where artificial insemination is not available; and
- (p) any other function that may be deemed necessary by the Minister.

16. The patent rights in any discoveries, inventions and improvements, apparatus and machines effected by persons engaged by the Centre in the discharge of their functions, shall vest in the Centre but the Centre may make any such patents available for use in the public interest on such terms as the Board may determine.

Patent
rights.

PART V—THE BOARD.

17. (1) The governing body of the Centre shall be a Board of Directors appointed by the Minister.

The Board.

(2) The Board shall consist of the following—

(a) a Chairperson appointed by the Minister;

(b) Director responsible for Animal Resources;

(c) two prominent and knowledgeable breeders one from the animal sector and the other from the fisheries sector;

(d) four farmers' representatives one from each region;

(e) Officer-in-charge NARO breeding programme;

(f) a representative of the Ministry responsible for finance;

(g) a representative of the artificial insemination technicians nominated by the Uganda National Association of Artificial Insemination Technicians; and

(h) the Executive Director referred to in section 22 of this Act.

18. (1) The Chairperson and the persons appointed under paragraphs (c) and (d) of section 17(2) shall hold office as members for three years and shall be eligible for reappointment for one further term.

Tenure of
office.

(2) An appointed member may be removed from office by the Minister due to inability to perform the functions of his or her office, whether arising from infirmity of body or mind or for any other cause.

(3) Any member of the Board other than the Chairperson or a person being on the Board by virtue of his or her office may be removed by the Minister on the recommendation of the Chairperson on the ground that he or she—

(a) has absented himself or herself from three consecutive meetings of the Centre without notification;

(b) is or is to be out of Uganda for a continuous period of twelve months or more.

(4) The appointment of any person representing any other person or organisation or authority on the Board may at any time be revoked by that other person or the organisation or authority.

(5) Where a person is removed or where the appointment of a person is revoked under this section the person or organisation or authority who or which appointed that person may appoint another person qualified in place of the person removed or whose appointment is revoked.

Functions of
the Board.

19. The functions of the Board shall be—

(a) to formulate and review the policy and strategic plan of the centre;

(b) to provide guidance to the Executive Director and the staff of the Centre;

(c) to approve the appointment of technical and professional staff on the advice of the Executive Director;

(d) to monitor and evaluate the performance of the Centre against budgets and plans;

(e) to establish and approve rules and procedures for the appointment, discipline, termination and other terms and conditions of service of staff;

(f) to perform any other duties assigned to it under this Act.

20. The Centre shall pay to members and also to persons co-opted to any meeting of the Board, such sitting, subsistence, travelling and other allowances as the Minister may on the recommendation of the Board determine.

Remuneration of members of the Board.

21. The Second Schedule to this Act shall apply to meetings of the Board.

Meetings of the Board.

PART VI—MANAGEMENT AND STAFF OF THE CENTRE.

22. (1) There shall be an Executive Director of the Centre who shall be appointed by the Minister on the recommendation of the Board.

The Executive Director.

(2) The Executive Director shall be a qualified animal scientist.

(3) The Executive Director shall be appointed on contract for a period of five years, which may be renewed by the Minister on the recommendation of the Board.

(4) The Executive Director shall hold office upon such terms and conditions as shall be specified in his or her contract of appointment.

23. (1) The Executive Director shall be the Chief Executive Officer of the Centre.

Functions of the Director.

(2) The Executive Director shall be the Secretary to the Board of Directors.

(3) The Executive Director shall keep the seal of the Board under lock and key and shall be the accounting officer for the Centre.

(4) The Executive Director shall from time to time in writing, submit reports on matters affecting the affairs of the Centre as shall be required of him or her by the Board.

(5) In addition to any other function prescribed by this Act, the Executive Director shall, subject to the general control of the Centre, be responsible for the funds and properties of the Centre and for the day to-day administration of the affairs of the Centre and for the control of all employees of the Centre.

Other
employees
of the
Centre.

24. The Board shall appoint other employees to facilitate the proper running of the Centre under terms and conditions of service determined by the Board.

Experts and
consultants.

25. The Centre may, on such terms as the Board may determine, engage the services of experts and consultants in respect of any part of the functions of the Centre in which they are considered to have special competence.

PART VII—FINANCIAL PROVISIONS.

Financial
year of the
Centre.

26. The financial year of the Centre shall be the twelve months beginning on the 1st day of July and ending on the 30th day of June in the following year.

Funds of the
Centre.

27. (1) The funds of the Centre shall consist of—

(a) moneys appropriated by Parliament for the purposes of the Centre;

(b) loans from government or from any person or organisation within or outside Uganda;

(c) grants, gifts and donations that may be received by the Centre from sources within or outside Uganda; and

(d) profits from the commercial activities of the Centre.

(2) All income and moneys of the Centre shall be deposited to the credit of the Centre in a bank approved by the Board.

Other Financial Affairs of the Centre.

28. The Centre shall be financially autonomous and self accounting and shall perform its functions in a commercial manner and in accordance with existing financial regulations and accounting principles in the public service.

Financial status of the Centre.

29. (1) The Centre shall within a period of three months before the end of each financial year, cause to be prepared and submitted to the Board for approval and onward transmission to the Minister, estimates of the income and expenditure of the Centre for the following financial year.

Estimates of the Centre.

(2) No expenditure shall be made out of the funds of the Centre unless the expenditure has been approved by the Board under subsection (1) of this section.

30. (1) The Centre may, with the prior approval of the Board, borrow by way of overdraft or otherwise, such sums as may be required for meeting current obligations of the Centre or for discharging its functions under this Act.

Borrowing powers.

(2) Subject to article 159 of the Constitution, a loan or credit facility obtained by the Centre under this section may, with prior approval of the Board and Minister be guaranteed by Government.

31. Any funds of the Centre not immediately required for any purpose under this Act shall be invested in such manner as the Board may determine.

Investment of surplus funds of the Centre.

32. (1) The Centre shall keep proper books of accounts of all its income and expenditure and proper records in relation to them.

Accounts of the Centre.

(2) The Centre shall cause to be prepared in respect of each financial year and not later than three months after the close of the financial year, a statement of accounts which shall include a report on the performance of the Centre during the financial year comprising of—

- (a) the balance sheet, a statement of income and expenditure and a statement of surplus and deficit; and
- (b) any other information in respect of the financial affairs of the Centre.

Audit of the
Centre.

33. (1) The accounts of the Centre shall, in respect of each financial year, be audited by the Auditor-General or by an auditor appointed by the Auditor-General.

(2) Within three months after the expiry of each financial year, the statement of accounts described in subsection (1) of this section shall be submitted to the Auditor-General for auditing.

(3) The Auditor-General or any auditor appointed by him or her shall have access to all books of accounts, vouchers and other financial records of the Centre, and be entitled to have any information and explanation required by him or her in relation to them as he or she may think fit.

(4) The Auditor-General shall, within three months after receipt of the statement of accounts under subsection (2) of this section, audit the accounts and deliver to the Centre a copy of the audited accounts of the Centre together with his or her independent opinion.

(5) The Board shall, as soon as possible, after receiving the audit report of the Auditor-General under subsection (4) of this section, forward it together with the Auditor-General's opinion, to the Minister.

(6) The Auditor-General shall also deliver to the Minister, a copy of the audited accounts together with his or her independent opinion.

PART VIII—OFFENCES AND PENALTIES.

Sales of
substandard
genetic
material.

34. (1) Any registered or authorised person who—

(a) sells any prescribed breed or genetic material that does not conform to the standard of growth and purity prescribed for that breed; or

(b) sells for breeding any breed or genetic material that does not conform to the standard tests of the Centre,

commits an offence and is liable on conviction, to a fine not exceeding fifty currency points or imprisonment not exceeding one year or both.

(2) The court which convicts any person of an offence under subsection (1) may, in addition to any other penalty that it may impose, order the forfeiture or destruction without compensation of the substandard breed or genetic material found in the possession or under the control of that person.

35. (1) Any person who sells for breeding, any breed or genetic material under a description other than its patent name, commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding one year or both.

Sales of genetic material under different name.

(2) In this section, "patent name" means the name given to a specific variety of breed or genetic material by its originator or discoverer.

36. Any person who—

(a) tampers with any prescribed genetic material so as to procure any sample of that genetic material, to be taken for the purpose of this Act, and the sample does not correctly represent the bulk from which that sample was taken; or

(b) otherwise tampers with any sample taken under this Act; or

Tampering with samples.

- (c) with intent to deceive, causes or permits to be sent to any genetic testing laboratory to be tested, for the purposes of any prescribed genetic material which to his or her knowledge does not conform to the bulk from which it was taken,

commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding one year or both.

Altering
official
record.

37. Any person who, without authority alters or defaces or removes—

- (a) any register, roll, index, or other official marking maintained under regulations made under this Act; or
- (b) any entry appearing in any register roll, index or other official record;

commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding one year or both.

Altering
documents
and marks.

38. Any person who without lawful authority—

- (a) alters or defaces any certificate, report, record, invoice, account or other document prescribed, issued, furnished or kept under this Act or under regulations made under this Act; or
- (b) alters or defaces any label, note, document, or mark placed upon any container under this Act or under any order, requirement, condition or regulations made under this Act; or
- (c) removes any label, note, document or mark from any container,

commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding one year or both.

39. (1) Where a person commits any offence under sections 35 to 38 of this Act, the court convicting the person of the offence may, in addition to any other penalty imposed on that person—

Additional penalties.

(a) suspend any licence or permit held by that person for a period not exceeding five years;

(b) cause any items in connection with which the offence is committed to be forfeited and destroyed or otherwise disposed of in a manner prescribed by the Minister.

(2) Where a person commits any of the offences referred to in subsection (1) a second or subsequent time, that person is liable on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding two years or both.

40. (1) Any act or omission which if done by an individual would be an offence under this Act or under any regulations made under it, shall, if done by body corporate, be deemed to be an offence and any director, secretary and manager of the body corporate who is proved to have contributed by any act or omission to the commission of the offence, shall be deemed to have committed the offence.

Offences by bodies of persons.

(2) Where an offence under this Act or any regulations made under it is committed by a partner in a firm, every person who at the time of the commission of the offence was a partner in that firm or was purporting to act as such and who is proved to have contributed by any act or omission to the commission of the offence shall be deemed to have committed the offence.

(3) A director, secretary, manager, partner or other person shall not be taken to have committed an offence under sub-section (1) or (2) of this section, if he or she proves that the offence was committed without his or her consent or connivance and that he or she exercised all such diligence to prevent the

commission of the offence as he or she ought to have exercised having regard to the nature of his or her functions in that capacity and to all the circumstances of the case.

PART IX—MISCELLANEOUS.

41. (1) The common seal of the Centre shall be such device as the Board may determine and shall be kept in the custody of the Executive Director.

(2) The common seal of the Centre shall be authenticated by the signatures of at least two of the following that is to say, the Chairperson, the Executive Director and another member authorised by the Board.

(3) A contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal, may be entered into or executed without seal on behalf of the Board.

42. The validity of any proceedings of the Board shall not be affected by any vacancy among its members or by any defect in the appointment of any of them or by the fact that any person sat or voted at any meeting who was not entitled to do so.

43. A member of the Board or an employee of the Centre shall not in his or her personal capacity be liable to any civil or criminal proceeding in respect of any act done or omission made in good faith in the performance of his or her duties under this Act.

44. (1) The Executive Director shall cause to be prepared for the Centre, within six months after the end of each financial year, and submitted to the Minister through the Board, a report of the activities of the Centre in respect of that financial year and the report shall include its achievements during the financial year and its future plans.

(2) The annual report shall be accompanied by the Auditor-General's report on the accounts of the Centre referred to in section 33 of this Act.

Common
seal of
Centre.

Validity of
proceedings
not affected
by defects.

Protection
of Board
members
and
employees.

Annual
reports of
Centre.

45. The Minister shall, as soon as possible after receiving the annual report and the audit reports submitted to him or her under sections 33 and 44 of this Act, cause them to be laid before Parliament.

Minister's
report to
Parliament.

46. A notice or document required to be served on the Centre may be served by leaving it at the office of the Executive Director or by sending it by pre-paid registered post to the Executive Director.

Notices to
Centre.

47. The Minister may, on the recommendation of the Board, by statutory instrument, exempt any person or class of persons from any provision of this Act.

Exemption.

48. (1) The Minister may, on the recommendation of the Board, by statutory instrument, make regulations generally for the better carrying into effect of the provisions of this Act.

Regulations.

(2) The Minister shall make regulations for the registration and issuance of codes for the identification of stock and any other related matter.

(3) Regulations made under this section may prescribe—

(a) penalties for the contravention of the regulations being a fine not exceeding one hundred currency points or imprisonment not exceeding two years or both;

(b) in the case of a continuing contravention, an additional fine not exceeding two currency points for every day on which the offence continues; and

(c) a requirement that the court convicting an offender shall direct the forfeiture of anything used in connection with the offence.

Powers of
Minister to
amend
Schedules.

49. (1) The Minister may, with the approval of the Cabinet, by statutory instrument, amend the First Schedule to this Act.

(2) The Minister may, by statutory instrument on the recommendation of the Director amend the Second, Third, Fourth, Fifth, Sixth and Seventh Schedule of this Act.

Transfer of
assets and
liabilities.

50. (1) All property and assets, including land, except such property and assets that the Minister may specify by statutory order, which immediately before the commencement of this Act, were vested in or were in the possession of or used by the Artificial Breeding Centre, Entebbe shall vest in the Centre subject to all interests, liabilities, charges, obligations and trusts affecting them.

(2) The Minister may transfer to the Centre the assets belonging to Government, which by virtue of this Act and in his or her opinion, are necessary for the performance of the functions of the Centre.

(3) The Centre shall, in respect of the assets transferred to it under subsection (2) of this section, have all rights and be subject to all liabilities attaching to those assets.

Repeal of
Cap. 222.

51. The Branding of Stock Act is repealed.

SCHEDULES.

FIRST SCHEDULE

SECTION 3.

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

SECOND SCHEDULE.

SECTION 21

MEETINGS OF THE BOARD OF DIRECTORS.

Meetings of
the Board.

1. (1) The Board of the Centre shall ordinarily meet for the discharge of business at least four times in a year at such times, and places as the Chairperson may determine.

(2) The Chairperson shall also summon a special meeting of the Board upon a request made in writing by the Executive Director or any five other members of the Board of the Centre who shall specify the matters intended to be considered at the meeting.

(3) The Executive Director shall, where the Chairperson is absent, summon a meeting of the Board if not less than one-third of the members of the Board, request him or her to do so.

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

(5) The Chairperson shall preside at all meetings of the Board at which he or she is present and in his or her absence, a member elected by members present from among their number, shall preside.

(6) A question proposed at any meeting of the Board shall be determined by a simple majority of votes of members present and voting, and where there is an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(7) The Board may co-opt any person who is not a member to attend any of its meetings as an advisor or consultant and that person may speak at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(8) The Board may, subject to the provisions of this Schedule, regulate its own procedure.

Minutes of
the Board.

2. (1) The Executive Director shall keep or cause to be kept, the minutes of every meeting of the Board.

(2) The minutes shall be submitted to the Board of the Centre for confirmation at its next meeting following that to which the minutes relate, and when so confirmed shall be signed by the chairperson and the Executive Director in the presence of the other members.

THIRD SCHEDULE

SECTION 8

LIST OF BREEDS OF LIVESTOCK AND FISH THAT MAY BE
IMPORTED IN UGANDA

(A) List of Breeds of Cattle that may be imported into Uganda

(i) Exotic Bos Taurus

(a) Dairy

Holstein - Friesian

Friesian

Ayrshire

Guernsey

Jersey

Swedish Red

(b) Beef

Aberdeen Angus

Hereford

Chalorais

Red Poll

South Devon

Beef Shorthorn

(c) Dual Purpose - Beef and Milk

Simmental

Montbeliarde

Brown Swiss

Red Poll

Red Dane

Norwegian Red

Dairy Shorthorn

N'Dama

(ii) Exotic Bos Indicus

(a) Dual Purpose - Beef and Milk

Hariana

Ongole

Red Sindhi

Gir

Kenana

Butana

Australian Milking Zebu

Tharpakar

Sahiwal

- (b) Beef
 - Boran
 - Tswana
 - Tuli
 - Nguni
 - Brahman
 - Africander
 - Bonsamara

(B) List of breeds of goats that may be imported into Uganda

- (i) Dairy
 - Anglo-Nubian
 - Toggenburg
 - Saanen
 - Alpine
- (ii) Meat
 - Boer
 - Anglo-Nubian
 - Galla

(C) List of breeds of sheep that may be imported into Uganda

- Merino
- Romney Marsh
- Corriedale
- Suffork
- Dorper
- Horro
- Menz
- Red Masai

(D) List of breeds of pigs that may be imported into Uganda

- Large white
- Wassex Saddleback
- Landrace

(E) List of breeds/strains of chicken that may be imported into Uganda

Rhode Island Red
Shaver
Hubbard
Isobrown
White leghorn
Boran Brown
Zambian
Ross

(F) List of fish that may be imported into Uganda

- (i) Food fish
 - Common Carp (*cyprinus carpio*)
 - Black Bass
 - Eel (*Anguila anguila*)
 - Cray fish (*Procammbros clarkaii*)
 - Paenoes
- (ii) Sport fish
 - Trout

FOURTH SCHEDULE

SECTION 8

LIST OF PROHIBITED HEREDITARY DEFECTS IN LIVESTOCK
AND FISH FOR IMPORTATION INTO UGANDA.
LIVESTOCK SEMEN OR OVA BEING IMPORTED INTO
UGANDA PROHIBITED HEREDITARY DEFECTS IN COUNTRY
OF ORIGIN OR FOR EXPORT

Kind of Animal	Hereditary Defect
1. Cattle	Abnormal skull (nasal openings fused) Absent dewclaws Agnathia (abnormal lower jaw) Dermatosparaxis Dwarfism Cryptorchidism 5 Hermaphroditism Impacted molars Congenital ichthyosis (diffuse hyperkeratosis and abnormal carnification of the skin resulting in thick, horny scales) Congenital porphyrinuria (pink tooth) Spastic paresis Viable hypotrichosis Deformed limbs Hereditary laminitis Flexed pasterns Bowed pasterns Prognathism Skew face Deviated penis Scow tail Screw tail Muscular hypertrophy Digital anomalies Multiple eye defects
2. Goats	Abnormal skull (nasal openings fused) Agnathia Dwarfism Hermaphroditism Impacted molars

	<p>Conformational defects</p> <p>Congenital ichthyosis (diffuse hyperkeratosis and abnormal carnification of the skin resulting in thick, horny scales)</p> <p>Congenital porphyrinuria (pink tooth)</p> <p>Cryptorchidism</p> <p>Viable hypotrichosis</p> <p>Deformed limbs</p> <p>Flexed pasterns</p> <p>Bowed pasterns</p> <p>Prognathism</p> <p>Skew face</p> <p>Deviated penis</p> <p>Scow tail</p> <p>Screwtail</p> <p>Muscular hypertrophy</p> <p>Digital anomalies</p> <p>Multiple eye defects</p> <p>Shortened jaw</p>
3. Horses	<p>Kyphosis</p> <p>Deformed forelegs</p> <p>Wobbles</p>
4. Sheep	<p>Abnormal skull (nasal openings fused)</p> <p>Agnathia</p> <p>Dwarfism</p> <p>Hermaphroditism</p> <p>Impacted molars</p> <p>Conformational defects</p> <p>Congenital ichthyosis (diffuse hyperkeratosis and abnormal carnification of the skin resulting in thick, horny scales)</p> <p>Congenital porphyrinuria (pink tooth)</p> <p>Cryptorchidism</p> <p>Viable hypotrichosis</p> <p>Deformed limbs</p> <p>Flexed pasterns</p> <p>Bowed pasterns</p> <p>Prognathism</p> <p>Skew face</p> <p>Deviated penis</p> <p>Scow tail</p> <p>Screwtail</p> <p>Muscular hypertrophy</p> <p>Digital anomalies</p> <p>Multiple eye defects</p> <p>Shortened jaw</p>

5. Pigs	Diverticulosis or ileitis Spilt ears Stringhalt Hermaphroditism Kinky tail Congenital bent legs Cryptorchidism Melanotic skin tumours Eye defects (microphthalmia or protruding eyes) Polydactyl Syndactyly Scrotal hernia Thickened forelimbs
6. Poultry	Frizzled feathers Baratum Dwarfism Silky feathers (Hypohyrodism) Cracked Beaks
7. Fish	Sickle back Dwarfism Hermaphroditism Deformed fins Eye defects
8. Ostriches	Dwarfism

FIFTH SCHEDULE

SECTION 9

REQUIRED PERFORMANCE PARAMETERS OF ANIMALS
AND FISH FOR COLLECTION OF SEMEN AND SPERM

Kind and breed of animal	Required parameters
1. Beef cattle breeds	Inter-calving period of mother Scrotal form and circumference Own weaning index and those of sibs and half-sibs Birth weight
2. Dairy breeds (cattle)	Mother, grandmother and great-grandmothers (mother's Side) particulars in respect of: (i) milk, butterfat and protein production (ii) linear classification for general appearance and udder (iii) calving intervals Father and grandfather (mother's side) tested
3. Dairy breeds (smallstock)	Mother and both grandmothers particulars in respect of- (i) within herd indices for milk, butterfat and protein production (ii) linear classification for general appearance and udder (iii) parturition intervals, (iv) scrotal form and circumference,
4. Meat breeds (small stock)	Interparturition period of mother Scrotal form and circumference Own weaning index and those of sibs and half-sibs
5. Merino	Performance tested indices for body weight, clean fleece mass, fibre thickness and fold count
6. Done merino	Breeding values for body weight, clean fleece mass, fibre thickness
7. Pigs	Within herd performance tested indices

8. Food fish	<i>Female</i> Brood stock - Breeding value for body weight Breeding cycle Egg output Hatchability Hatching weight <i>Male</i> Sperm number
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SIXTH SCHEDULE

SECTION 10

LIVE SPERMATOZOA IN A DOSE OF SEMEN AND NUMBER
IN A BROOD STOCK

Kind of Animal	Minimum Amount
1. Cattle	10 million
2. Goats	
(a) Unfrozen semen	
(i) for cervical insemination	80 million
(ii) for laparoscopic insemination	10 million
(b) Frozen semen	
(i) for cervical insemination	80 million
(ii) for laparoscopic insemination	10 million
3. Horses	
(a) Unfrozen semen	100 million
(b) Frozen semen	200 million
4. Sheep	
(a) Unfrozen semen	
(i) for cervical insemination	80 million
(ii) for laparoscopic insemination	10 million
(b) Frozen semen	
(i) for cervical insemination	80 million
(ii) for laparoscopic insemination	20 million
5. Pigs	2,000 million
6. Fish	10 million sperm/ml
7. Food fish brood stocks	200 males to 200 females
(i) Artificial Breeding system	
(ii) Natural Breeding system	500 males to 500 females

SEVENTH SCHEDULE

SECTION 11

**FEE PAYABLE FOR APPLICATION OF REGISTRATION OF
INSEMINATORS, SEMEN COLLECTION PREMISES,
IMPORTATION AND EXPORT OF ANIMAL GERMPLASM,
REGISTRATION OF BREED SOCIETIES**

Purpose	Amount in currency points
Application for registration as an inseminator, embryo transfer technician, inovulator.	3 currency points
2. (i) Application for registration of premises as a centre; where Centre means Centre for semen, embryo or ova, collection or AI sub-centre	10 currency points
(ii) Centre for fish sperm collection	25 currency points
3. Application for approval of an animal for the collection of semen meant for widespread commercial use.	8 currency points
4. Application for renewal of:	
(a) registration as an inseminator, embryo transfer technician or inovulator.	1.5 currency points
(b) registration as a centre for semen, embryo etc.,	5 currency points
(c) fish seed collection	21 currency points
(d) approval of an animal for the collection of semen	4 currency points
5. Late submission of application for renewal	5 currency points
6. Application for approval for the sale of semen	4 currency points
7. Application for an authorisation to import an animal, semen, ova or eggs into the Republic; where Republic means Republic of Uganda	1% of Cost price

8.(i) Application for a certificate of a registration as a livestock breeders' Society.	1 currency point
(ii) Application for a certificate of registration as a fish breeder's Society	3 currency points
(iii) Application to register brand code	3 currency points
9. Appeal against a decision or action	0.5 currency points
10. (i) Inspection of the register	0.1 currency point,
(ii) A copy of any particular recorded in the register	0.1 currency points
(iii) A certificate in respect of particulars recorded in the register	0.1 currency points