

## CHAPTER 85

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## CHAPTER 85

### THE DAIRY INDUSTRY ACT.

*Commencement:* 1 June, 2000.

**An Act to provide for the structure and functions of the Dairy Development Authority; to provide for the promotion and control of the production, processing and marketing of milk and dairy products and generally to facilitate the development of the dairy industry and for other connected matters.**

#### PART I—INTERPRETATION.

##### 1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “authority” means the Dairy Development Authority established under section 2;
- (b) “board” means the board of directors established under section 6;
- (c) “cooperatives” means cooperatives dealing in milk or dairy products;
- (d) “currency point” represents the amount in Uganda shillings prescribed in the Second Schedule to this Act;
- (e) “Dairy Corporation” means the Dairy Corporation established by the Dairy Industry Act, 1967;
- (f) “dairy products” means the same as milk products;
- (g) “farmer” means a keeper of animals kept for the purposes of producing milk;
- (h) “functions” includes powers and duties;
- (i) “milk” includes milk from cows, buffaloes, goats, camels, donkeys and sheep;
- (j) “milk product” includes any product prepared or manufactured from milk by any process and includes cream, butter, clarified butter, ghee, buttermilk, cultured milk, toned milk, standardised milk, evaporated and semievaporated buttermilk or cultured milk, milk sugar (lactose), cheese, whey preparations, milk powder, condensed whole or separated milk, casein, yoghurt, ice cream, margarine and any other commodity of which milk is a substantial ingredient;
- (k) “Minister” means the Minister to whom functions under this Act

- are assigned;
- (1) “traders” means dealers in milk and dairy products.

PART II—ESTABLISHMENT, POWERS, OBJECTIVES AND FUNCTIONS OF THE  
DAIRY DEVELOPMENT AUTHORITY.

**2. Establishment of the authority.**

(1) There is established an authority to be known as the Dairy Development Authority.

(2) The Dairy Development Authority shall be a body corporate with perpetual succession and a common seal, and shall be capable of suing or being sued in its corporate name.

(3) The application of the seal of the authority on any document and the conduct of business at meetings of the board of directors shall be governed by the First Schedule to this Act.

**3. Powers and functions of the authority.**

The authority may, for and in connection with its objectives and functions under this Act—

- (a) solicit, receive, coordinate and manage—
  - (i) donor-financed grants and credit lines for investment in milk collection and processing;
  - (ii) proceeds from the sale of shares of the Dairy Corporation Limited at the time of divestiture;
  - (iii) the funds accruing to the dairy farmers on account of the Danish International Development Agency (DANIDA) grant at the time of rehabilitation of the Dairy Corporation;
- (b) promote dairy training institutions to ensure local availability of well-trained human resources to support the dairy industry;
- (c) advise the Government on dairy industry development policies and legislative measures in respect of provision of linkages between research, extension staff and extension support to dairy farmers;
- (d) borrow money;
- (e) impose a cess on producers of processed milk and dairy products;
- (f) purchase, hold, manage and dispose of any property, whether movable or immovable;

- (g) enter into any contract and other transaction as may be expedient;
- (h) charge for services provided by it and do any act as may be done by a body corporate.

#### **4. Objectives of the authority.**

(1) The objectives of the Dairy Development Authority shall be to provide proper coordination and efficient implementation of all Government policies which are designed to achieve and maintain self-sufficiency in the production of milk in Uganda by promoting production and competition in the dairy industry and monitoring the market for milk and dairy products.

(2) The Dairy Development Authority shall facilitate the dairy industry—

- (a) to raise the incomes and standard of living of small scale farmers through increased and continuous returns in dairy farming;
- (b) to achieve and maintain self-sufficiency in milk and dairy products and to export any surplus;
- (c) to promote increased dairy productivity with the use of available cost-effective technology and breeding policy and to foster its sustainability with due regard to cordial environmental equilibrium;
- (d) to establish liberal but harmonised dairy markets and to promote competition in milk collection, milk processing and milk marketing;
- (e) to regulate and control the market for milk and dairy products and to promote production and competition in the market; and
- (f) to improve human resources capacity for the development of the dairy sector.

#### **5. Duties of the authority.**

For the attainment of its objectives under section 4, the authority shall—

- (a) register and license milk processors and traders;
- (b) support dairy farmers marketing organisations;
- (c) register dairy farmers groups;
- (d) advise the Government on milk standards and coordinate the enforcement of those standards in liaison with the Uganda National Bureau of Standards;
- (e) control and regulate dairy and dairy-related import and export activities in conformity with the External Trade Act, but without

- violating the Animal Diseases Act;
- (f) implement Government policy designed to promote the development of the dairy sector;
- (g) support various dairy development activities such as dairy extension, dairy breeding, dairy research, dairy training, dairy products development and general market promotion, including promotion of dairy export;
- (h) appoint and supervise the management and staff of the authority;
- (i) in conjunction with the Ministry responsible for animal industry, coordinate the authority's regulatory and development activities;
- (j) act as arbitrator in any conflict between dairy companies and processors;
- (k) coordinate all dairy processing and marketing promotional activities, such as seminars, trade fairs and workshops;
- (l) pool dairy processing and marketing data;
- (m) advise the Government on research priorities of the dairy sector; and
- (n) do anything connected with, or necessary for the performance of, the foregoing duties.

PART III—COMPOSITION AND TENURE OF OFFICE OF THE BOARD OF DIRECTORS.

**6. Composition of the board of directors.**

- (1) There shall be a board of directors which shall consist of—
  - (a) the chairperson of the board;
  - (b) the executive director of the Dairy Development Authority who shall be an ex officio member;
  - (c) three members from the dairy cooperatives, dairy associations and cattle keepers groups;
  - (d) one member from dairy farmers (medium- and large-scale);
  - (e) one member from dairy processing companies;
  - (f) one member from the Uganda Veterinary Association;
  - (g) one member from dairy traders, organised by the Uganda National Chamber of Commerce and Industry;
  - (h) one member from the Ministry responsible for agriculture, animal industry and fisheries;
  - (i) one member from the Ministry responsible for planning and economic development.

(2) The Minister shall appoint the chairperson who shall be a practising dairy farmer.

(3) The members of the board referred to in subsection (1) shall be appointed by the Minister on the recommendation of the Ministry or body to be represented.

#### **7. Tenure of office of members of the board.**

(1) A member of the board shall hold office for a term of four years and shall be eligible for reappointment, but his or her tenure of office shall not exceed two consecutive terms.

(2) An appointed member may at any time resign his or her office in writing signed by him or her and addressed to the Minister, or 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) Subject to subsection (2), where an appointed member dies, resigns, is removed from office or for any other reason ceases to hold office before the expiration of his or her term of office, the Minister may appoint another person qualified to be appointed to take his or her place; and the person so appointed shall hold office until the expiration of the term of office of the member in whose place he or she is appointed.

(4) For the avoidance of doubt, a person appointed under subsection (3) is eligible for reappointment as a member of the board.

#### **8. Functions of the board.**

The functions of the board shall be—

- (a) to formulate and review the policy and strategic plan of the authority;
- (b) to provide guidance to the executive director and the authority's staff;
- (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 authority 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) any other duties as assigned to it by this Act.

PART IV—STAFF OF THE AUTHORITY.

**9. Executive director.**

(1) There shall be an executive director of the authority who shall be appointed by the board on terms and conditions that the board may determine.

(2) The executive director shall be the chief executive officer of the authority and shall be responsible for the day-to-day operations of the authority.

(3) Subject to this Act and the general supervision and control of the board, the executive director shall be responsible for the management of the funds, property and business of the authority and for the administration, organisation and control of the staff of the authority.

(4) The executive director shall be a member of the board.

(5) The executive director shall, from time to time, in writing, keep the board and the Minister informed of the progress of the business of the authority.

**10. Secretary.**

(1) The authority shall have a secretary who shall be appointed by the board on such terms and conditions as the board may determine.

(2) In addition to any other functions that may be conferred upon the secretary by the board, the secretary shall have the custody of the seal of the authority and be responsible for—

- (a) taking the minutes of the meetings of the board and the authority;  
and
- (b) keeping the records of all activities of the board and the authority.

(3) In the performance of his or her functions under this Act, the secretary shall, except where the board otherwise directs, be responsible to



the executive director.

### **11. Other staff.**

(1) There shall be other officers and employees of the authority as the board may determine.

(2) The board may, on terms and conditions it deems fit and with the approval of the Minister, fix remunerations, grant pensions, gratuities or other benefits on retirement or termination of service of the officers and employees of the authority and may require them to contribute to any pension, provident fund or superannuation scheme.

### **12. Protection against civil liability.**

Nothing done by an officer or employee of the authority shall, if done bona fide for the purposes of putting this Act into effect, shall subject him or her to any civil liability.

## **PART V—FINANCIAL AND RELATED PROVISIONS.**

### **13. Funds of the authority.**

- (1) The funds of the authority shall consist of—
- (a) grants from the Government, the initial grant being a sum of one thousand five hundred million shillings charged upon the Consolidated Fund;
  - (b) the balance of the Dairy Development Committee funds after the dissolution of the Dairy Development Committee;
  - (c) the funds accruing from the Dairy Development Committee credit scheme;
  - (d) money from time to time appropriated by Parliament;
  - (e) a levy imposed on imported dairy products, dairy equipment, raw milk and milk products in areas with pasteurising facilities;
  - (f) counterpart funds towards donor financed grants and credit lines for investment in milk collection and processing;
  - (g) any funds raised or borrowed by the authority under this Act;
  - (h) any monies accruing to the authority in the course of the discharge of its functions under this or any other enactment; and
  - (i) all other monies or other property which may in any manner become payable to or vested in the authority in respect of any

matter incidental to the performance of its functions.

(2) The funds of the authority shall be applied for the purpose of sustainable development of the dairy industry throughout Uganda.

(3) The board shall prepare annual recurrent and development budgets for the approval of the Minister.

#### **14. Borrowing powers.**

The authority may borrow sums of money as may be required by it for meeting any of its obligations or discharging any of its functions under this Act.

#### **15. Advances and guarantees.**

(1) For the purpose of enabling the authority to defray expenditure properly chargeable to capital account, including defraying initial expenses and provision of working capital, the Government may make advances to the authority.

(2) The Government may guarantee by the undertaking of the Minister responsible for finance, in such a manner and on such conditions as he or she thinks fit, the payment of the principal, interest and other charges on any authorised borrowings of the authority made otherwise than by way of advance under subsection (1).

(3) Any sums required by the Government for fulfilling any guarantee of borrowings of the authority under this Act are charged on the Consolidated Fund.

(4) As soon as may be practicable, the Minister responsible for finance shall lay before Parliament for approval by resolution a statement of the guarantee to be given.

#### **16. Repayment of advances by the authority.**

(1) The authority shall make to the Minister at such times and in such manner as he or she may direct—

(a) payment of such amounts as he or she may so direct in or towards the repayment of advances made to the authority under section

- 15;
- (b) payments of any sums issued in fulfillment of any guarantee under section 15;
  - (c) payment of interest on any amount outstanding for the time being in respect of such advances, and payments of any other loans issued, at such rate as he or she may so direct; and different rates of interest may be directed as respects different advances or sums, and in respect of interest for different periods.

(2) The Minister shall lay before Parliament a statement of any payment due from the authority under this section which is not duly paid to him or her as required by this section.

#### **17. Preliminary expenses.**

(1) Any acts done and preliminary expenses sanctioned by the Minister in connection with the establishment of the authority shall have the same effect and validity as if the acts had been done and the expenses incurred by the authority.

(2) The authority may continue any action or thing commenced by the Minister remaining unfinished at the date of the coming into force of this Act as if the action or thing had been initiated by the authority.

#### **18. Estimates.**

(1) The executive director shall, not later than three months before the end of each financial year, prepare and submit to the board for its approval estimates of income and expenditure of the authority for the next ensuing year and may, at any time before the end of the financial year, prepare and submit to the board for approval any estimates supplementary to the estimates of a current year.

(2) No expenditure shall be made out of the funds of the authority unless that expenditure is part of the expenditure approved by the board under the estimates for that financial year in which that expenditure is to be made or in the estimates supplementary to that year's estimates.

#### **19. Accounts, audit and annual report.**

(1) The authority shall prepare accounts and records of its

transactions and affairs and shall ensure that all monies received are properly accounted for, all payments of its monies are correctly made and properly authorised and that adequate control is maintained over its property and over the incurring of liabilities by the authority.

(2) The annual accounts of the authority shall be audited by the Auditor General or any qualified firm of auditors appointed by the Auditor General.

(3) The authority shall, within three months after the end of each financial year submit—

- (a) to the Minister an annual report in respect of that year containing—
  - (i) financial statements;
  - (ii) general information relating to the activities and operations of the authority and the dairy industry during the preceding financial year; and
  - (iii) other information as the Minister may, prior to the completion of the annual report or any supplement to the report, request in writing;
- (b) to the Auditor General or the firm of auditors appointed under subsection (2) the accounts of the authority for the financial year ended,

and the Auditor General or firm of auditors shall audit the accounts of the authority and, within two months of the receipt by him or her of the accounts, submit his or her opinion to the Minister and the board.

(4) The Minister shall cause copies of each annual report, together with a copy of the opinion of the Auditor General or firm of auditors, to be laid before Parliament within three months after he or she has received them.

(5) The provisions of this section shall apply in addition to any arrangements that may be made by the authority for any other audit.

(6) The powers of the Auditor General under this section shall extend to any company established by the authority by virtue of section 5.

PART VI—REGULATION OF THE MARKETING AND PROCESSING OF DAIRY PRODUCTS.

**20. Registration to engage in production and marketing of dairy products.**

(1) On application by any person, the authority may, in accordance with regulations made under this Act, register that person to undertake the following—

- (a) dealing in milk production, processing and marketing; and
- (b) dealing in the production and marketing of dairy products.

(2) The authority may refuse to register an applicant under subsection (1) if the application does not meet the requirements prescribed and revoke or suspend a registration where the registered person fails to comply with the terms and conditions of the registration; and the revocation or suspension shall be in addition to any other penalty to which the registered person may be liable under this Act.

(3) A person shall not be refused registration solely by reason that he or she has not previously been engaged in any of the activities prescribed under subsection (1).

(4) A person aggrieved by a refusal for registration or revocation or suspension of his or her registration may appeal to the Minister against the authority's decision.

(5) A registration certificate issued under this section shall be valid for one year and shall be renewable on payment of the prescribed fee.

(6) The Minister may, on the recommendation of the board, by statutory instrument, prescribe the terms and conditions for registration, including—

- (a) the form and method of application for registration under this section; and
- (b) the fee payable on the issuing of the registration certificate.

(7) Every holder of a registration certificate shall forward to the authority all information that the authority shall prescribe.

## **21. Offences and penalties.**

Any person who—

- (a) impedes, obstructs or assists another person to impede or obstruct an official of the authority in the performance of his or her duties under this Act; or
- (b) contravenes a provision of this Act or a condition of registration, commits an offence and is liable on conviction to a fine not exceeding twenty-five currency points and cancellation of the registration by the authority or to a term of imprisonment not exceeding six months or to both such fine and imprisonment.

## **22. Replacement of a lost or destroyed registration certificate.**

If a registration certificate issued under this Act is lost or destroyed, the holder of the certificate may apply to the authority with proof to the satisfaction of the authority of the loss or destruction of the registration certificate, and the authority shall issue a certified copy of the certificate on payment of the prescribed fee; and the certified copy of the registration shall be a registration for the purposes of this Act.

### PART VII—MISCELLANEOUS PROVISIONS.

## **23. Contracts.**

(1) Contracts on behalf of the authority may be made in the following manner—

- (a) a contract which if made between private persons would be by law required to be in writing, and if made according to any law for the time being in force in Uganda is required to be under seal, may be made on behalf of the authority under the common seal of the authority;
- (b) a contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith, may be made on behalf of the authority in writing, signed by any person acting under its authority, express or implied.

(2) A contract made under subsection (1) shall be effectual in law and shall bind the authority and its successors and all other parties to the contract.

(3) A contract made under this section may be varied or discharged in the same manner in which it is authorised in this section to be made.

#### **24. Byelaws of the authority.**

The board may, with the prior approval of the Minister, make byelaws consistent with this Act regulating the conduct of the business of the authority and, without derogating from the generality of the foregoing, regulating the following matters—

- (a) the books and accounts to be kept by the authority; and
- (b) the conduct of legal proceedings.

#### **25. Regulations for registration, cess and licences.**

(1) The Minister may, after consultation with the authority, by statutory instrument, make regulations—

- (a) for the registration of producers for the purposes of section 20;
- (b) for the payment and collection of cess imposed under section 3;
- (c) for the granting of licences to producers or processors and the qualifications for the granting of the licences;
- (d) prohibiting any producer or processor from engaging in the production, supplying, cooling, processing, manufacturing, distribution or sale of milk or dairy products in any case where his or her licence has been suspended or revoked;
- (e) prescribing the manner of producing, cooling, supplying, processing, manufacturing, transporting and storing of milk or dairy products;
- (f) restricting by means of quotas or any other means the quantities of milk or dairy products which may be sold or disposed of by any person;
- (g) requiring such estimates, returns and other information to be furnished to the authority as may be demanded by the authority and prescribing the books, accounts, vouchers, records and other documents to be kept by producers or persons buying, transporting, selling or dealing in milk or dairy products;
- (h) prescribing fees or charges for services rendered under this Act by the authority or its officers or agents;
- (i) providing for the licensing of premises where milk or dairy products are produced for sale and where milk is cooled, processed, manufactured, stored or from which it is distributed; and

- (j) providing for the appointment of an arbitrator to whom disputes may be referred by any person who is aggrieved by any wrongful act or omission of the authority.
  
- (2) Regulations made under subsection (1) may apply to—
  - (a) the whole or any part of Uganda;
  - (b) any category of milk or dairy products; and
  - (c) any category of persons subject to this Act.
  
- (3) The board may, with the prior approval of the Minister, by statutory instrument, make regulations—
  - (a) prescribing standards for the construction, ventilation, lighting, cleanliness, drainage and water supplies of all or any premises on which milk or dairy products are produced, cooled, processed, manufactured, handled or stored;
  - (b) prescribing the locations, capacity and form of operation of all or any cooling, processing or manufacturing premises;
  - (c) prescribing minimum standards for milk and dairy products and prohibiting the sale of any milk or dairy product which does not conform to the minimum standards;
  - (d) prescribing methods of treatment and disposal of any waste product or effluent resulting from the production or processing of milk or dairy products;
  - (e) prescribing methods of cooling, processing or manufacture of milk or dairy products;
  - (f) prescribing methods and conditions of use, and limitations thereon, of preservatives, colouring or other substances added to milk or dairy products;
  - (g) prescribing types and methods of packing any milk or dairy products;
  - (h) providing for the grading of milk and milk products, prescribing designations and descriptions to be used and prohibiting the sale or delivery for sale of any milk or dairy product under any designation or description other than that appropriate to the grade of the milk or dairy product;
  - (i) prescribing methods of grading milk or dairy products;
  - (j) providing for the issue of grading certificates to producers, processors or manufacturers and for the suspension or revocation of the certificates;
  - (k) prescribing precautions to be taken for the protection of milk or milk products and providing for methods of disposal of infected



- or contaminated milk or dairy products;
- (l) providing for the inspection of premises, and persons in or about those premises, where milk or dairy products are produced, cooled, processed, manufactured, handled or stored and of any vessels, containers and equipment used in the premises;
  - (m) providing for the inspection, sampling, examination and analysis of milk and dairy products at any time before retail sale;
  - (n) providing for the examination, sampling and analysis of any article or substance found on any premises where milk or dairy products are produced, cooled, processed, manufactured, handled or stored;
  - (o) providing for the use and cleanliness of vehicles used for the conveyance of milk or dairy products;
  - (p) prescribing the duties and qualifications of inspectors, graders, sampling officers and analysts;
  - (q) authorising any officer employed by the authority or any person authorised by the authority or a police officer to seize and detain milk or any dairy product where he or she is of the opinion that an offence has been committed against any order or regulation made under this Act, and to detain the person or persons concerned in the alleged misdemeanour; but any person detained or articles or vehicle seized under the foregoing powers shall be taken as soon as possible before a court of competent jurisdiction, to be dealt with according to law;
  - (r) prescribing conditions under which milk or dairy products may be imported into or exported from Uganda;
  - (s) prescribing anything which the authority is empowered to prescribe under this Act, or which may be required for better carrying into effect the provisions of this Act.

(4) Where an offence is committed by a body corporate, every director, manager, secretary or other officer of that body corporate shall be deemed to commit the offence and is liable to be proceeded against and punished accordingly unless he or she proves to the satisfaction of the court that he or she took all reasonable steps to prevent the commission of the offence.

(5) Where any person is convicted of an offence under regulations made under this Act, the court may order that any milk or dairy product in respect of which the offence has been committed be forfeited to the authority.

**26. Ministries, departments to cooperate with the authority.**

Every Ministry, department and other division of the Government, parastatal body or private company shall afford the authority all reasonable opportunity for consultation and shall, subject to any law, provide the authority with any information that the authority may require.

**27. Vesting of assets and liabilities.**

(1) All property and assets, except property and assets that the Minister may determine, which immediately before the commencement of this Act were vested in the Dairy Corporation and which are required for the discharge of the functions of the authority under this Act, shall vest in the authority subject to all interests, liabilities, charges, obligations and trusts affecting that property.

(2) The Minister may transfer to the authority the assets belonging to the Government which by virtue of this Act and in his or her opinion are necessary for the performance of the functions of the authority; and the authority shall, in respect of these assets, have all the liabilities attaching to these assets.

**28. Regulations.**

The Minister may, after consultation with the authority, make regulations for giving full effect to this Act.

**29. Minister's power to amend Schedules.**

The Minister may, after consultation with the authority, by statutory instrument amend the Schedules to this Act.

**30. Employees of the Dairy Corporation.**

(1) A person who was employed by the Dairy Corporation immediately before the commencement of this Act may be employed by the Dairy Corporation Limited or the authority on terms that may be determined by the Dairy Corporation Limited or the authority as the case may be.

(2) A person who was employed by the Dairy Corporation immediately before the commencement of this Act who is not employed by

the Dairy Corporation Limited or the authority shall be paid his or her terminal benefits by the Dairy Corporation Limited or its successors, or the authority, as the case may be, in accordance with the terms of his or her employment.

### **31. Incorporation of Dairy Corporation Limited.**

(1) The Minister responsible for finance, in consultation with the Minister responsible for agriculture, animal industry and fisheries, shall, within a period not exceeding three months from the date of commencement of this Act, cause to be incorporated under the Companies Act, a company to be known as the Dairy Corporation Limited to assume the commercial role of the Dairy Corporation.

(2) The Government shall hold 100 percent of the shares in the Dairy Corporation Limited and continue normal trading activities until divestiture.

(3) The divestiture of the Dairy Corporation Limited shall be handled within the Government programmes of restructuring and divestiture of Government enterprises (Public Enterprises Reform and Divestiture); but the divestiture shall be carried out taking into consideration the recommendations contained in the Dairy Master Plan.

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## **SCHEDULES**

### *First Schedule.*

s. 2.

#### **The seal of the authority and meetings of the board of directors.**

##### **1. Seal.**

The common seal of the authority shall be in such form as the board may determine.

##### **2. Application of seal.**

The common seal shall, when affixed on any document, be authenticated by the signatures of the executive director and the secretary.

##### **3. Contract to which seal not applied.**

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 a seal on behalf of the authority by the secretary or any other person authorised by the board.

##### **4. Effect of seal.**

Every document purporting to be—

- (a) an instrument issued by the authority and sealed with the common seal of the authority and authenticated in the manner prescribed in paragraph 2 of this Schedule; or
- (b) a contract or instrument entered into or executed under paragraph 3 of this Schedule,

shall be received in evidence without further proof as the instrument duly issued or a contract or instrument duly entered into or executed, unless the contrary is proved.

##### **5. Meetings of the board of directors.**

- (1) The chairperson shall convene every meeting of the board.
- (2) The board shall meet for the transaction of its business at times and places that may be decided upon by the board but shall meet at least once

every three months.

(3) The chairperson or, in the absence of the chairperson, a member elected by the board to act as chairperson may, at any time, call a special meeting of the board or call a special meeting upon a written request by a majority of the members of the board.

(4) The chairperson shall preside at all meetings of the board; and in his or her absence, the members present may elect a member from among themselves to preside at that meeting.

## **6. Quorum.**

The quorum at a meeting of the board shall be five members.

## **7. Decisions of the board of directors.**

Questions proposed at meetings of the board shall be decided by a majority of the votes of the members present; and in the event of an equality of votes, the person presiding shall have a casting vote in addition to his or her deliberative vote.

## **8. Disclosure.**

(1) A member of the board who has any pecuniary interest in a matter being considered by the board shall, as soon as possible after relevant facts have come to his or her knowledge, disclose the nature of his or her interest to the board.

(2) A disclosure of interest under subparagraph (1) of this paragraph shall be recorded in the minutes of the meeting of the board; and the member making the disclosure shall not, unless the board otherwise determines in respect of that matter—

- (a) be present during any deliberation on the matter by the board;
- (b) take part in the decision making of the board of directors on the matter.

(3) For the purpose of the making of a decision by the board under subparagraph (1) of this paragraph, the member who has made the disclosure shall not—

- (a) be present during the deliberations of the board for the making of

- the decision;
- (b) influence any other member or take part in the making of the decision by the board.

**9. Minutes of proceedings.**

(1) The board shall cause the minutes of the proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be approved by the board at the next meeting and shall be signed by the chairperson of the meeting.

(2) The chairperson of the board shall submit to the Minister a copy of the minutes of each meeting of the board as soon as the minutes have been approved.

**10. Board to regulate proceedings.**

Subject to this Schedule, the board may regulate its own proceedings.

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*Second Schedule.*

s. 1.

**Currency point.**

A currency point represents twenty thousand Uganda shillings.

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**History:** Act 11/1998; S.I. 34/2000.

**Cross References**

Animal Diseases Act, Cap. 38.  
Companies Act, Cap. 110.  
Dairy Industry Act, Act 4/1967.  
External Trade Act, Cap. 88.

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