

THE CROP PRODUCTION AND LIVESTOCK (SUGAR FACTORY) RULES

L.N.10/1967.
L.N.125/1967

1. These Rules may be cited as the Crop Production and Livestock (Sugar Factory) Rules.

2. In these Rules, except where the context otherwise requires—

"factory" means a mill or other processing plant for the purpose of the production of sugar or sugar juice;

"licence" means a sugar factory licence issued under rule 3 of these Rules;

"medical officer of health" means a medical officer of health as denned in the Public Health Act;

"sugar" means any processed extract of sugar-cane and sugarbeet, and includes crystallized sugar, mollasses, jaggery, gur and all kinds of unrefined sugar;

"sugar juice" means the liquid extract of any sugar-cane or sugar-beet.

3. No person shall operate a factory except under and in accordance with the terms and conditions of a sugar factory licence granted by the Minister in respect of that factory.

4. Every applicant for a licence or for the renewal of a licence shall produce with his application a medical certificate signed by a medical officer of health for the area in which the factory is situated o the effect that the factory complies with the Public Health Act and any rules made thereunder:

Provided that, where an applicant for a licence has not yet completed the erection of the factory for which a licence is required. A licence may be granted subject to the production of the medical certificate and on completion of the building.

5. (1) Every licence shall be in the form in the Schedule to these Rules, and shall be subject to such conditions as may be imposed by the Minister from time to time and any conditions imposed after the grant of a licence may be imposed either by endorsement of the condition on the licence or by written notice of the imposition of the condition served by post on the licensee, and any condition of a licence may be varied or extended in the same manner as a condition imposed after the grant of the licence:

Provided that a condition shall not be imposed after the grant of a licence which will frustrate the purpose for which the licence was granted.

(2) Each licence shall be valid for such period as the Minister, after consultation with the applicant, shall determine:

Provided that a licence issued before the commencement of these Rules shall remain valid for the period expressed therein.

(3) There shall be payable m respect of the grant of a licence a fee calculated at the rate of two hundred shillings for each year the licence is to be valid.

6. The Minister shall have power in his discretion to refuse the grant or a renewal of a licence on any of the following grounds—

(a) that a sufficient number of factories already exist;

(6) that the applicant has not conducted his factory according to

Cap. 242. these Rules, the Public Health Act and the Factories Act, or any rules made under either of those Acts;

(c) any other ground which appears to the Minister to be reasonable in the interest of the sugar industry as a whole.

7. The Minister shall have power at any time to suspend or revoke a licence in the event of the licensee contravening these Rules or any condition of a licence whether original or amended.

8. (1) A licence shall lapse if the factory in respect of which it was issued ceases to operate for a period of twelve months or more.

(2) Where the Minister revokes a licence under rule 7 of these Rules, the factory to which the licence related shall, for the purposes of this rule be deemed to have ceased to operate forthwith.

9. A licence shall not be transferred except with the consent in writing of the Minister.

10. The holder of a licence shall conduct all operations of the factory to the satisfaction of the Minister.

11. All sugar produced in a licensed sugar factory shall, if the Minister so requires, be sold to an agent appointed by the Minister for the time being responsible for commerce after consultation with the Minister.

SCHEDULE (r. 5)

Licence No. Province District
Name of Licensee
Address of Licensee
Sugar Factory at

Licence is hereby given to the above-named to produce sugar and sugar juice, as defined in the rules at the sugar factory specified in this licence.

This licence is issued subject to the conditions printed or written on the back of the licence.