

**REPORT OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY  
ON THE NATIONAL BIOTECHNOLOGY AND BIOSAFETY BILL,  
2012**

**Date: November 2013  
Parliament of Uganda**

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**Acronyms**

<b>Acronyms</b>	<b>Meaning</b>
GMO .....	Genetically Modified Organisms
MAAIF .....	Ministry of Agriculture, Animal Industry and Fisheries
UNCST .....	National Council for Science & Technology
NEMA .....	National Environment Management Authority
UNBS .....	Uganda National Bureau of Standards

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**1.0. INTRODUCTION**

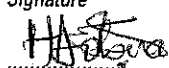

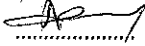
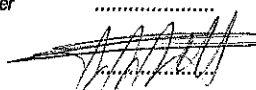
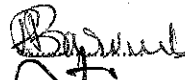
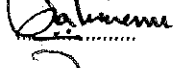

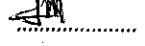

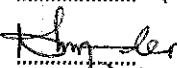
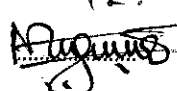

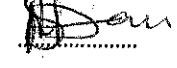

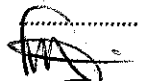
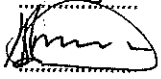

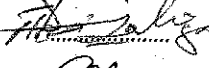

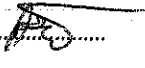
On Tuesday 5<sup>th</sup> February 2013, the Minister of Finance, Planning and Economic Development presented to the House, the National Biotechnology and Bio-safety Bill-, 2012 (*hereafter referred to as the Bill*) for its First Reading. The Bill was referred to the Committee on Science and Technology (*hereafter referred to as the Committee*) for scrutiny.

The Committee, in executing its mandate given by Rule 173 (i) of the Rules of Procedure, examined, reviewed, discussed the Bill; and we hereby make recommendations to the August House for consideration and adoption.


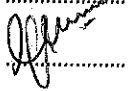
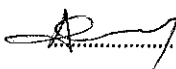
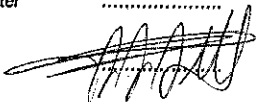


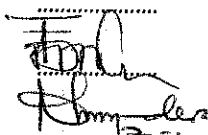
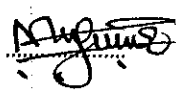
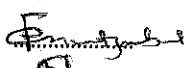
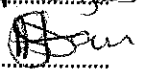

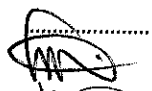
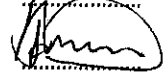

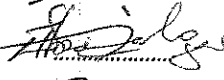

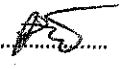
**2.0. METHODOLOGY**

The Committee made wide consultations on the Bill with the following Stakeholders:-

- i. Uganda Biotechnology and Biosafety Consortium (UBBC)
- ii. National Council for Science & Technology (UNCST)
- iii. Uganda National Academy of Sciences (UNAS)
- iv. Cotton Development Organisation (CDO);
- v. Uganda Coffee Development Authority (UCDA);
- vi. Science Foundation for Livelihoods and Development (Scifode)
- vii. Food Rights Alliance (FRA)
- viii. Makerere University students of

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Hon. Ajok Lucy	
Hon. Anywarach Joshua Carter	.....
Hon. Bagoole John B	
Hon. Balidawa Edward Kafufu	.....
Hon. Barumba Rusaniya Beatrice	
Hon. Bategana Katwiremu Yorokamu	
Hon. Chemutai Phyllis	
Hon. Dr. Epetait Francis	
Hon. Kahunde Hellen	.....
Hon. Kintu Florence	
Hon. Mandera Amos	
Hon. Mugume Roland	
Hon. Mukula George Michael	.....
Hon. Mutyabule Florence Tibafana	
Hon. Namaganda Susan	
Hon. Namugwanya Benny Bugembe	.....
Hon. Nauwat Rosemary	
Hon. Nokrach Wilson William	.....
Hon. Ochola Stephen	
Hon. Dr. Okuonzi Sam Agatre	
Hon. Omara Geoffrey	
Hon. Omona Kenneth Olusegun	
Hon. Ssemuli Anthony	
Hon. Tinyefuza David (Lt. Gen)	.....
Hon. Waira Kyewalabye Majegera	
Hon. Wangolo Jacob	.....



	biotechnology	
ix.	Minister of Health;	Hon. Obua Dennis Hamson 
x.	Minister of Water & Environment	Hon. Kafeero Ssekitoleso Robert 
xi.	National Planning Authority (NPA)	Hon. Achile Mwanah Mila .....
xii.	Centre for Public Interest Law	Hon. Ajok Lucy 
xiii.	Institute for National Transformation (INT)	Hon. Anywarach Joshua Carter .....
xiv.	Makerere University (College of Agriculture & Environment; College of Natural Resources & College of Veterinary and Animal Resources and Biosecurity.)	Hon. Bagoole John B 
		Hon. Balidawa Edward Kafufu .....
xv.	Agency for Transformation	Hon. Barumba Rusaniya Beatrice 
		Hon. Bategana Katwiremu Yorokamu .....
xvi.	National Association of Professional Environmentalists (NAPE)	Hon. Chemutai Phyllis 
		Hon. Dr. Epetait Francis .....
xvii.	National Agricultural Research Organisation (NARO)	Hon. Kahunde Hellen .....
xviii.	National Environment Management Authority (NEMA)	Hon. Kintu Florence 
		Hon. Manderu Amos .....
xix.	NGO Forum	Hon. Mugume Roland 
xx.	Uganda National Farmers' Federation (UNFFE)	Hon. Mukula George Michael .....
xxi.	Abantu for Development, Uganda	Hon. Mutyabule Florence Tibafana 
xxii.	International Food Policy and Research Institute (IFPRI)	Hon. Namaganda Susan 
		Hon. Namugwanya Benny Bugembe .....
xxiii.	Uganda Virus Research Institute (UVRI)	Hon. Nauwat Rosemary 
xxiv.	The Minister of Finance, Planning and Economic Development	Hon. Nokrach Wilson William .....
		Hon. Ochola Stephen 
xxv.	Committee of Parliament on Agriculture Animal Industry and Fisheries	Hon. Dr. Okuonzi Sam Agatre 
xxvi.	Committee of Parliament on Finance, Planning and Economic Development	Hon. Omara Geoffrey 
		Hon. Omona Kenneth Olusegun 
xxvii.	Uganda Veterinary Association (UVA)	Hon. Ssemuli Anthony 
xxviii.	National Drug Authority	Hon. Tinyefuza David (Lt. Gen) .....
xxix.	A Public hearing	Hon. Waira Kyewalabye Majegera 
xxx.	Mbarara University of Science & Technology	Hon. Wangolo Jacob .....
xxxi.	Kyambogo University	.....

xxxii. Gulu University

xxxiii. The Southern and Eastern African Trade, Information and Negotiations Institute (SEATINI)

xxxiv. Joint Clinic Research Centre (JCRC)

Individual scientists and citizens were also consulted in their respective capacities.

The Committee also undertook country wide on-spot assessment trips to assess the progress of confined field trials; and to consult stakeholders.

It also undertook a benchmarking study, to Pretoria, South Africa; a comparative study visit to the Kenya National Biosafety Authority and attended an international Conference on modern Biotechnology.

### 3.0. BACKGROUND TO THE BILL

In April 2008, the Ministry of Finance, Planning and Economic Development formulated the National Biotechnology and Biosafety Policy, (*hereafter referred to as the Policy*); in response to the Cartagena Protocol on Biosafety of 2000. The protocol committed member countries, including Uganda, (*which had ratified the protocol in 2001*); to establish measures for ensuring the safe transfer, handling and use of Genetically Modified Organisms (GMOs).

As such, a law has to be enacted to make the policy operational. It was in that regard that the National Biotechnology and Biosafety Bill, 2012 was tabled to Parliament for enactment. The Bill tabled to Parliament on 5<sup>th</sup> February 2013 was intended to:

- i. provide a regulatory framework that facilitates the safe development and

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application of biotechnology;

- ii. designate a National Focal Point and a Competent Authority;
- iii. establish a National Biosafety Committee and Institutional Biosafety Committees; and
- iv. Provide mechanism to regulate research, development and general release of GMOs and for related matters.

#### 4.0. COMMITTEE'S FINDINGS AND OBSERVATIONS

##### What are Genetically Modified Organisms (GMOs)

Genetically modified organisms (GMOs) are organisms in which the genetic material (DNA) has been altered in a way that does not occur naturally. This technology is called "modern biotechnology" or "gene technology", sometimes also "recombinant DNA technology" or "genetic engineering". It allows selected individual genes to be transferred from one organism into another, or between non-related species.

##### Why are Genetically Modified Organisms (GMOs) produced?

GMOs are produced because they are believed to translate into a product with a lower price and greater benefit (in terms of durability or nutritional value) or both. GMOs are mainly aimed at increasing the level of crop protection through the introduction of resistance against plant diseases caused by insects or viruses or through increased tolerance towards herbicides.

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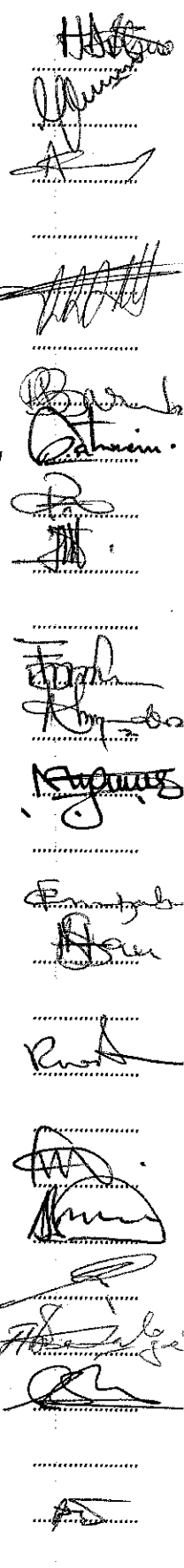
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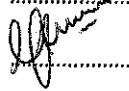
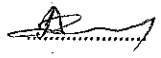
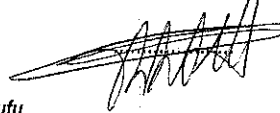


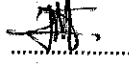
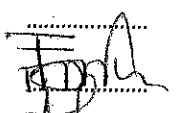
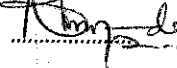
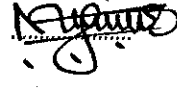
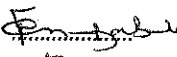

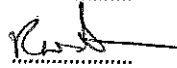
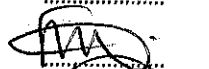
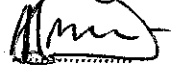
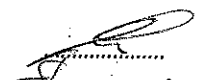
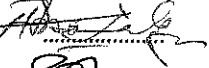




Insect resistance is achieved by incorporating into the food plant the gene for toxin production from the bacterium *Bacillus thuringiensis* (BT); which toxin is used as a conventional insecticide in agriculture and is safe for human consumption. Crops with this toxin require lower quantities of insecticides in specific situations.

#### 4.1. The need for Uganda to have a regulatory framework for GMOs.

4.1.1 The Committee learnt that traditional biotechnology started many years ago, with farmers growing plants that had desirable traits to increase yields, provide better taste and some that were more resistant to drought. They replanted seeds by selecting grains from their harvest. The process however, took a lot of time and was at times unpredictable.

Today, modern biotechnology offers more precise and faster methods to establish improved foods that are abundant, tasty, safe and nutritious. Scientists develop GMOs by applying plant genes to improve food quality and production. Specific genes that carry specific traits, such as better nutrient quality, resistance to drought, pests and diseases which are selected and transferred to another plant to attain more desirable characters; resulting into healthier and higher yielding crops and reduction on production costs for the farmer. An example is introduction of a specific gene from a common soil bacterium called *Bacillus thuringiensis* (BT) into maize thereby producing corn that is not resistant to the maize stock borer, but also resistant to

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herbicides.

Another benefit of genetically improved crops is weather-resistance, which can enable some crops to withstand severe weather conditions, extending the growing season. This can also reduce crop loss for farmers.

4.1.2. It has been established that improved technologies and research are key to driving Uganda's growth and development across all sectors.

### **Recommendation**

***In light of the fact that Uganda is already conducting GMO confined field trials, a law should be enacted to create a legal regulatory framework for GMOs.***

4.1.3. Modern agricultural biotechnology has greatly contributed to the development of South Africa, India, Brazil, Egypt and Burkina Faso. Nevertheless, there is utmost need to for the technology to be regulated to optimise benefits while minimising any potential risks. Uganda is already conducting confined field trials of crops produced through biotechnology. Before GMOs are released for commercialization; a legal framework is required to regulate them.

4.1.4. The Bill is timely considering that many African countries are engaged in Biotechnology as indicated in Annex A attached herewith. Some African countries such as Kenya, South Africa, Nigeria and Ghana already have similar laws in place and are engaged in commercialisation of

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modern biotechnology.

**4.2. Objectives of the Bill-** the Committee observed that the objectives ought to be realigned to harmonise them with the subject matter of the Bill.

### 4.3. Application of Modern Biotechnology

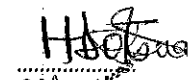
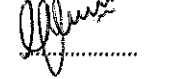
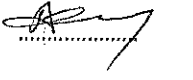
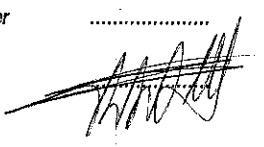

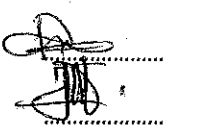
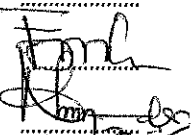
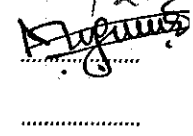
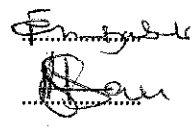
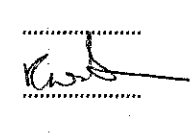
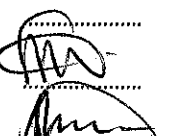
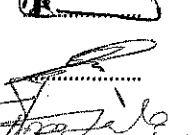
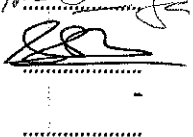
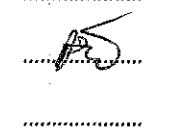

**4.3.1.** The Committee learnt that Biotechnology offers potential to address global challenges through innovative approaches, and it broadly covers medicine, agriculture, biological engineering, bio-weapons and bioremediation among others.

Given that biotechnology is very broad, the title may be misleading since the Bill only provides for the development and application of Genetically Modified Organisms.

**Observation-** The Committee however noted that if its proposal to change the title of the Bill is adopted by this August House, the title of the Bill will not be consistent with the title of the Policy. The Committee's interpretation was that the Bill is meant to operationalize part of the Policy which is handling GMOs.

### 4.4. Fears of the Unknown

**4.4.1. Unfair legal Proceedings-** There are fears that Ugandans may not be protected from unfair legal proceedings that may be a result of patenting, hence be sued for naturally reproducing seeds from

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patented varieties.

**Recommendation.-Parliament should expedite the Plant Variety Protection Bill to protect farmers' and community rights and to guarantee the farmers' right to save, sow, reuse and freely exchange seed.**

4.4.2. **Natural pollination-** There is also fear that pollen may be naturally transferred from one garden to another by wind, hence contaminating gardens that had not initially been planted with GMO seed. Such pollen flow and seed movement presents a direct economic threat to farmers growing non-genetically engineered and organic products, as well as irreparable harm in the form of lost markets, reputation and the loss of the fundamental right to sow the crop of their choice. Despite this factor, seed giants may explicitly attempt to shift the liability of such contamination away from themselves onto the farmer whose field has been contaminated.

**Observation-**The Committee learnt that a certain amount of incidental, trace level of pollen movement may occur, but it is not possible to achieve 100% purity of seed or grain in any crop production system.

4.4.3. There is also fear that Government may enter into agreements with seed giants causing Ugandan farmers to be bound to purchase seed from them.

4.4.4. **Promotion of GMOs-** A section of the population was not comfortable with a law that intended to promote GMOs in Uganda. They preferred a deterrent law that would protect the health and safety of people; protect the environment by

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identifying risks posed by or as a result of gene technology; and one that would manage those risks through regulating certain dealings with GMOs.

4.4.5. **Labelling-** People were in fear of unknowingly consuming GMOs.

**Observation-** *The Bill provides for labelling of products derived from modern biotechnology or products containing GMOs.*

**Recommendation-** *The Bill should address the problem of accidental contamination of conventional food by GM material.*

4.4.6. **Terminator Gene-** The terminator gene is a specific genetic sequence inserted into a seed's DNA. Once activated by a synthetic chemical catalyst of the manufacturer's choosing, the sequence renders the seed and crop it produces sterile. Patented by the USDA and Delta and Pine Land Co., now owned by Monsanto, this terminator technology has no agricultural or economic benefits for farmers or consumers. The only motivation is to protect intellectual property rights, according to owners of the technology. They claimed that it allows them to be able to recover investments on research, and produce profits from their technology, as planters must re-purchase seeds every year.

**Observation-** *The Committee was informed that in an October 4, 1999 letter to the Rockefeller Foundation, Monsanto said it would not develop the so-called terminator gene for commercial use. It committed itself not to commercialize sterile seed technology in food crops.*

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#### 4.4.6. **GMOs are potential risks to human health –**

**Allergenicity**-There is fear that GMOs cause allergic reactions to people.

**Observation-** The Committee also observed that as a matter of principle, the transfer of genes from commonly allergenic foods is discouraged unless it can be demonstrated that the protein product of the transferred gene is not allergenic. While traditionally developed foods are not generally tested for allergenicity, protocols for tests for GM foods have been evaluated by the Food and Agriculture Organization of the United Nations (FAO) and World Health Organisation (WHO). No allergic effects have been found relative to GM foods currently on the market.

**Gene Transfer**-It is also feared that Gene transfer from GM foods to cells of the body or to bacteria in the gastrointestinal tract may adversely affect human health.

**Observation-** This fear would suffice if antibiotic resistance genes used in creating GMOs, were to be transferred.

**Out crossing-** There is fear that the movement of genes from GM plants into conventional crops or related species in the wild (referred to as “out crossing”), as well as the mixing of crops derived from conventional seeds with those grown using GM crops, may have an indirect effect on food safety and food security.

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## Observations-

- This risk is real, as was shown when traces of a maize type which was only approved for feed use appeared in maize products for human consumption in the United States of America. However, the Committee learnt that several countries had adopted strategies to reduce mixing, including a clear separation of the fields within which GM crops and conventional crops are grown.
- The Committee observed that the safety assessment of GMOs generally investigates direct health effects (toxicity), (tendencies to provoke allergic reaction (allergenicity); specific components thought to have nutritional or toxic properties; the stability of the inserted gene; nutritional effects associated with genetic modification; and any unintended effects which could result from the gene insertion.

**Recommendation- The Bill should therefore cater for safety assurance measures with regard to toxicity and allergenicity, among others.**

4.4.7. **Environment risks-** There are fears that insertion of GMOs into the soil may cause environmental degradation. There is further fear regarding the capability of GMO to escape and potentially introduce the engineered genes into wild populations; the persistence of the gene after the GMO has been harvested; the susceptibility of non-target organisms (e.g. insects which are not pests) to

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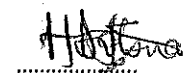
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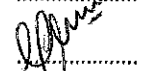
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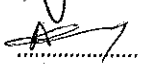
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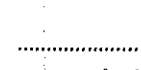
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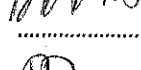




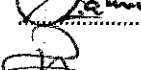


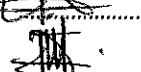


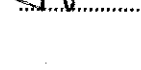


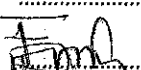


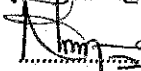




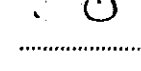






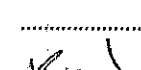


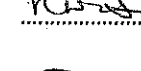




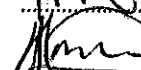




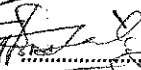




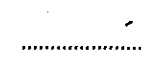


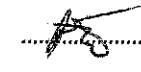


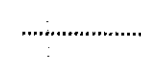














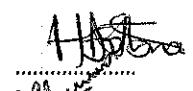
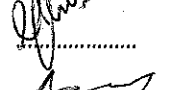
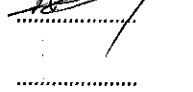
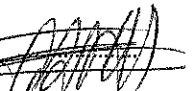
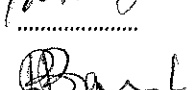
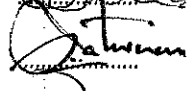
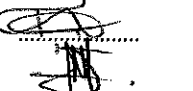
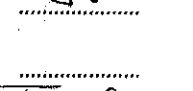

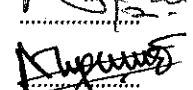
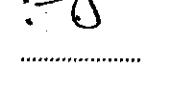

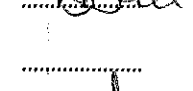
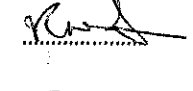
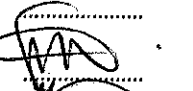

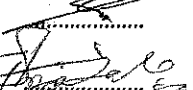
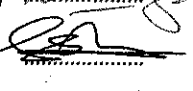
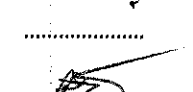
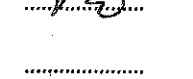


the gene product; the stability of the gene; the reduction in the spectrum of other plants including loss of biodiversity; and increased use of chemicals in agriculture.

**Observations-**

- Environmental risk assessments cover both the GMO concerned and the potential receiving environment. The assessment process includes evaluation of the characteristics of the GMO and its effect and stability in the environment, combined with ecological characteristics of the environment in which the introduction will take place. The assessment also includes unintended effects which could result from the insertion of the new gene.
- The Committee was informed that international investigations focusing on the potentially detrimental effect on beneficial insects or a faster induction of resistant insects; the potential generation of new plant pathogens; the potential detrimental consequences for plant biodiversity and wildlife, and a decreased use of the important practice of crop rotation in certain local situations; and the movement of herbicide resistance genes to other plants were ongoing.

4.4.8. **Enslaving farmers-** There are perceived fears regarding the rights of farmers to own their crops. There are potential problems of monopolization of patenting of GMOs. Besides, some stakeholders

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expressed fear that Intellectual Property Rights for pre-existing, uncharacterized genetic material indigenous to Uganda are not exclusively given to Ugandans; neither is there a provisional mandate for such situations.

**Observation-** *The Intellectual property rights (IPRs), address the above concern.*

**Recommendations**

- **Local genetic material should not be patented.**
- **To protect farmers' rights, Government should come up with a law that protects them.**

**4.5. Conservation of indigenous varieties**

At its visit to the Plant Genetic Resources Centre (PGRC) at Entebbe; the Committee learnt that this institution which comprises of the historical Entebbe Botanic Gardens (EBG) and the Uganda National Gene bank (UNGB) was established to conserve, manage and ensure sustainable use of Uganda's Plant Genetic Resources for Food and Agriculture (PGRFA), while optimizing their full potential in contributing to national development goals.

**Observation-** *This institution would be an appropriate reference point for people who wish to continue accessing indigenous crops, but it is threatened with human activities which have reduced the original acreage of Centre.*

**Recommendation-**

- **Government should secure the Plant Gene**

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*Bank to prevent encroachers from reducing its acreage.*

- *The Gene Bank should also be improved upon to meet international standards and to enable it to sustain indigenous plant varieties.*

#### 4.6. National Biosafety Committee (NBC)


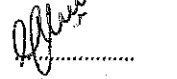
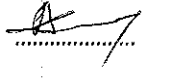
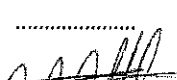
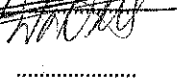

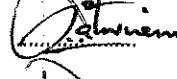
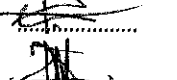
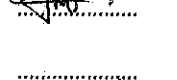

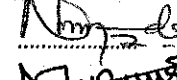
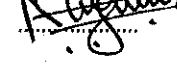
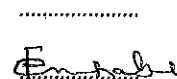


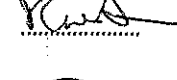
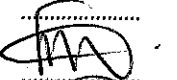
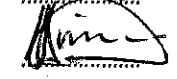
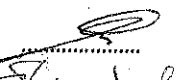
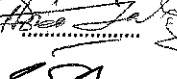
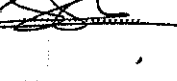
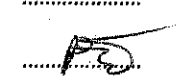

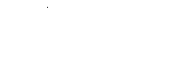

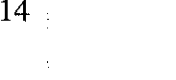

A National Biosafety Committee had been provided for in the Bill. However, in addition to raising the profile of the regulatory outfit by proposing to establish an independent Genetically Modified Organisms Regulatory Authority, the functions that would have been performed by the National Biosafety Committee will be performed by the Authority.

#### 4.7. Decision Making

Unlike in Kenya, where every decision must be reached at within 150 days of receipt of the application but not less than 90 days, the Committee noted with concern that our Bill provides for very few days within which decisions must be taken.

#### 4.8. GENERAL OBSERVATIONS

4.8.1. **Competent Authority-** The Committee observed that it is difficult to have the promoter of modern biotechnology to act at the same time as the regulator.

Hon. Obua Dennis Hamson	
Hon. Kafeero Ssekitoleso Robert	
Hon. Ajok Lucy	
Hon. Anywarach Joshua Carter	
Hon. Bagoole John B	
Hon. Balidawa Edward Kafufu	
Hon. Barumba Rusaniya Beatrice	
Hon. Bategana Katviremu Yorokamu	
Hon. Chemutai Phyllis	
Hon. Dr. Epetait Francis	
Hon. Kahunde Hellen	
Hon. Kintu Florence	
Hon. Mandera Amos	
Hon. Mugume Roland	
Hon. Mukula George Michael	
Hon. Mutyabule Florence Tibafana	
Hon. Namaganda Susan	
Hon. Namugwanya Benny Bugembe	
Hon. Nauwat Rosemary	
Hon. Nokrach Wilson William	
Hon. Ochola Stephen	
Hon. Dr. Okuonzi Sam Agatre	
Hon. Omara Geoffrey	
Hon. Omona Kenneth Olusegun	
Hon. Ssemuli Anthony	
Hon. Tinyefuza David (Lt. Gen)	
Hon. Waira Kyewalabye Majegere	
Hon. Wangolo Jacob	

## Recommendations

- **An independent Competent Authority should be established under the Bill, to avoid Conflict of interest.**
- **The functions, composition, structure and term of Office of the Competent Authority should clearly be spelt out in the Bill.**

4.8.2. **Modern biotechnology-** The Committee observed that the definition of the term 'modern biotechnology' as indicated in Clause 3 of the Bill was based on the Cartagena Protocol. It was however acknowledged by scientists that modern biotechnology has been developed beyond the recombinant deoxyribonucleic acid (DNA) as it were at the time of signing the Protocol. Modern Biotechnology now includes ribonucleic acid (RNA), which was not envisaged at that time.

### Recommendation

**A comprehensive definition that will cater for biotechnology, modern biotechnology and Nano-biotechnology should be provided for in the Bill.**

### 4.8.3. Application to conduct GMO Research –

#### Recommendation

**In order to protect local Researchers, a Researcher or Research Institution that applies to conduct GMO Research in Uganda should not be allowed to conduct GMO Research without a recognised Local**

Hon. Obua Dennis Hamson

Hon. Kafeero Ssekitoleko Robert

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Hon. Bategana Katwiremu Yorokamu

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Hon. Waira Kyewalabye Majegere

Hon. Wangolo Jacob

research institution.

**4.8.4. Decision making on applications to conduct GMOs Research** While the National Biotechnology and Biosafety Bill proposes that the institutional biosafety committee shall review the application and respond to the applicant within twenty eight working days; The National Biosafety Authority of Kenya reaches at EVERY decision within 150 days of receipt of the application but not less than 90 days


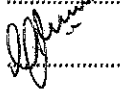
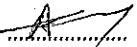
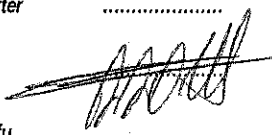
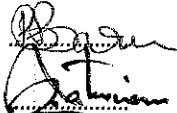
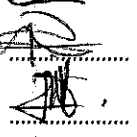
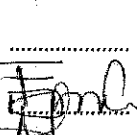
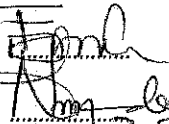
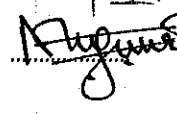
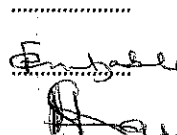
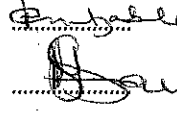
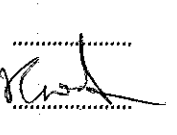
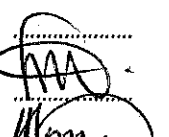
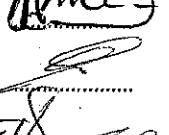
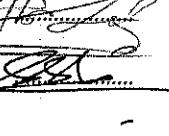
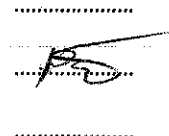

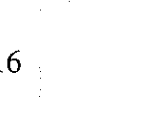

### **Recommendation**

**The minimum number of days within which to make a decision on an application should be specified in the Bill.**

**4.8.5. Review and appeal mechanisms** - The Bill proposes that a person aggrieved by the decision of an institutional biosafety committee may within 14 working days appeal to the Competent Authority; and if not satisfied may appeal to the Minister. The Committee feels that it is safer to have independent bodies to ensure better results.

### **Recommendations**

- **An Appeals Board should be provided for in the Bill.**
- **The Chairperson of the Appeals Board should be a person who qualifies to be a Judge of the High Court**

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Hon. Kafeero Ssekitoleso Robert	
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Hon. Wangolo Jacob	.....

**4.8.6. Transboundary movement of GMOs** - the Bill did not adequately address remedies in the event of damage or sufficient likelihood of damage to the conservation and sustainable use of biological diversity resulting from living modified organisms that find their origin in transboundary movements as required by the 'Nagoya-Kuala Lumpur Supplementary Protocol on liability and redress to the Cartagena Protocol on Biosafety'; which was adopted in Nagoya, Japan on 15<sup>th</sup> October 2010.


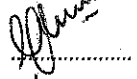
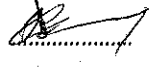
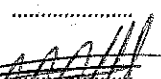
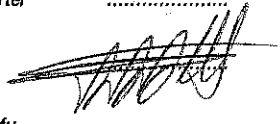
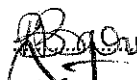
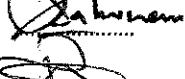

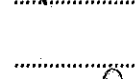
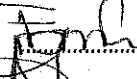
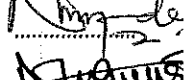
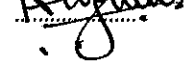
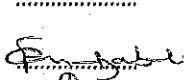
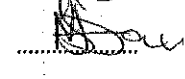

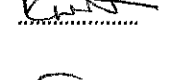
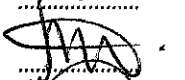
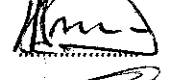
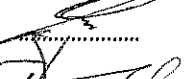
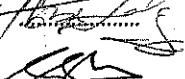
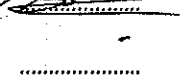

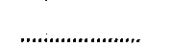




**Recommendation**

**Loss of biodiversity should be guarded against.**

**4.8.7. Biosecurity-** A section of the public was concerned that the Bill lacks a provision on Biosecurity; which they described as 'a set of preventive measures designed to reduce the risk of intentional transmission of infectious diseases, quarantined pests, invasive alien species or living modified organisms'. Despite the fact that it was acknowledged that preventive measures and practices are in place at bioscience laboratories to prevent the use of dangerous pathogens and toxins for malicious use, it was believed that the biosafety provisions in the Bill were inadequate to handle biosecurity matters.


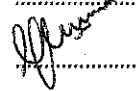
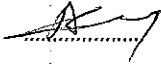
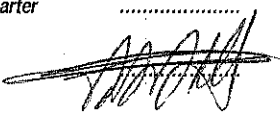

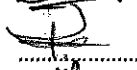

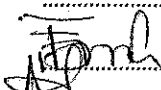
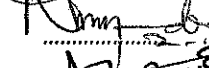
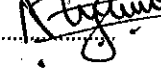
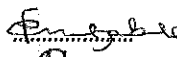


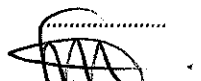
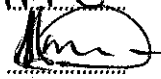

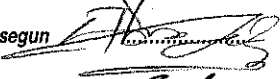
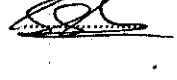
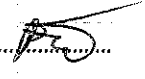
**Recommendation**

**Government should table Bills on other forms of biotechnology and those that take care of biosecurity.**

- Hon. Obua Dennis Hamson 
- Hon. Kafeero Ssekitaloko Robert 
- Hon. Ajok Lucy 
- Hon. Anywarach Joshua Carter 
- Hon. Bagoole John B 
- Hon. Balidawa Edward Kafufu 
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- Hon. Wangolo Jacob 

5.0. **CONCLUSION-** It is general knowledge that there is a challenge of food insecurity in Uganda caused by lack of high yielding seed varieties, over reliance on rain fed agriculture, crops resisting pests and diseases; and increasing population, among others. The Committee is therefore convinced that modern biotechnology may provide a solution to many of the above mentioned factors; hence this Bill should be passed, with amendments into law to enhance food security.

Madam/Mr. Speaker, I beg to move that this report be adopted.

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**PROPOSED AMENDMENTS TO THE NATIONAL BIOTECHNOLOGY AND BIOSAFETY BILL, 2012**

**Title of the Bill**

**Amend** the title to read as 'The Genetically Modified Organisms and Biosafety Bill, 2012.'

**Justification:** To align the short title of the bill with its scope and content.

**Long title**

**Rephrase** the long title to read as follows;

**An Act to provide for mechanisms to regulate research, safe development and application, and general release of genetically modified organisms; to designate a national focal point; to establish the GMO Regulatory Authority; to provide for the establishment of the institutional biosafety committees and the Appeals Board; and to provide for other related matters.**

**Justification:** For clarity and consistency with the amendments made to the Bill.

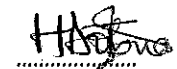
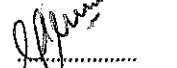


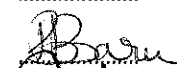


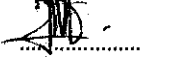





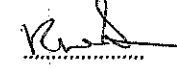
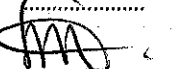

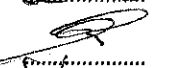

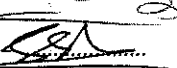

**Clause 2: Objectives of the Act**

**Rephrase** the entire clause to read as follows;

*"The objectives of this Act-*

(a) to regulate research, safe development and application of GMOs;

(b) to establish procedures for minimizing and managing risks that may be posed by GMOs to the environment,

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and human and animal health in the course of development and application;

(c) to strengthen consumer protection, public understanding of products and the benefits of GMOs;

(d) to establish procedures for bio-ethical considerations in GMO research;

(e) to facilitate safe use of GMOs to address national development challenges in food security, healthcare, biodiversity conservation and industrialization;

(f) to build capacity in GMO research, development and innovation;

(g) to promote technology transfer and benefit-sharing in the development and use of GMOs; and

(h) to build strong institutional relationships among biotechnology stakeholders.

**Justification:** To harmonize the objectives of the Bill with the subject matter of the bill.

### Clause 3: Interpretation

(a) **Insert** the interpretation of the word 'Authority' immediately after the interpretation of the expression "advanced informed agreement" to read as follows;

"Authority" means the Genetically Modified Organisms Regulatory Authority established under section 6

**Justification:** The word has been introduced in the Bill.

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**(b) Insert** the interpretation of the word 'board' immediately after the interpretation of the expression "biotechnology" to read as follows;

"board" means the board of directors appointed under section 9;

**Justification:** The word has been introduced in the Bill.

**(c) Insert** the interpretation of the word 'inspector' immediately after the interpretation of the expression 'general release';

"Inspector" means a person appointed under section 34;

**Justification:** For clarity.

**(d) Interpretation of the phrase "modern biotechnology".**

**Insert** the word 'and' between the words 'or' and 'selection' appearing in the last line of paragraph (a).

**Justification:** For consistency with the definition of the phrase in the Cartagena Protocol on Biodiversity.

**(e) Introduce** the interpretation of the word 'person' immediately after the interpretation of the phrase 'modern biotechnology'.

"person" includes a company or association or body of persons corporate or unincorporated;

**Justification:** For clarity.

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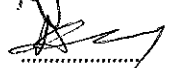
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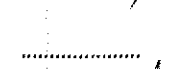
Hon. Waira Kyewalabye Majegeru

Hon. Wangolo Jacob

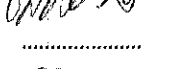








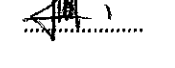


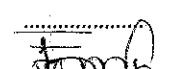


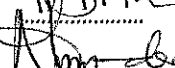


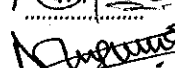




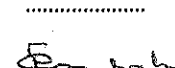


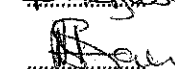






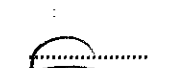


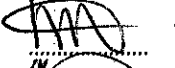


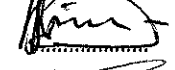


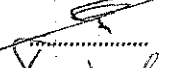




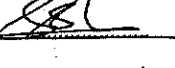


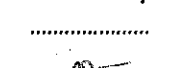


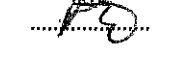


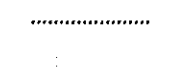
















**Clause 6: Designation of Competent Authority**

**Substitute** for the entire clause 6, the following;

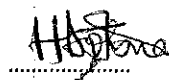
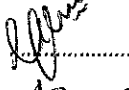
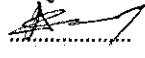
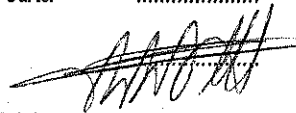
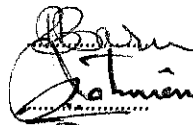

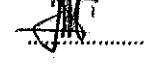

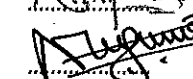
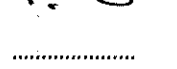

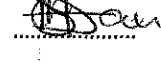
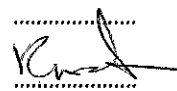

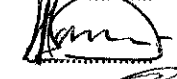


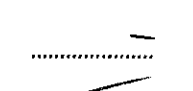
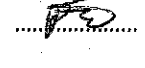
*“Establishment of the Genetically Modified Organisms Regulatory Authority.*

**Establishment of the Authority**

- (1) There is established an Authority to be known as the Genetically Modified Organisms Regulatory Authority.
- (2) The Authority is a body corporate with perpetual succession and a common seal and may for the purposes of discharging its functions under this Act-
  - (a) acquire and dispose of movable and immovable property;
  - (b) sue or be sued in its corporate name;
  - (c) do all acts and things that a body corporate may lawfully do.
- (3) The seal of the Authority shall be authenticated in accordance with Schedule 2.”

**Justification:** *To avoid conflict of interest since Uganda National Council for Science and Technology is a promoter of science and technology under the Uganda National Council for Science and Technology Act, Cap. 209.*

*It is not advisable to have a body that promotes and at the same time regulates technology.*

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## Clause 7: Functions of the Competent Authority

### Clause 7 (1)

(a) **Delete** the word 'Competent' appearing in the head note and in line one of the provision, and wherever it appears in the Bill.

**Justification:** For consistency with the amendment made to clause 6.

### (b) Clause 7 (1) (b)

**Substitute** for the word 'biotechnology' appearing in line one, the phrase 'GMOs'.

**Justification:** For specificity.

### (c) Clause 7 (1) (c)

**Insert** the words 'and animal' between the words 'human' and 'health' appearing in line one.

**Justification:** To broaden the provision to cater for livestock.

### (d) Clause 7 (1) (d)

**Insert** the words 'and animal' between the words 'human' and 'health' appearing in line two.

**Justification:** To broaden the provision to cater for livestock.

### (e) Clause 7 (1) (e)

**Substitute** for the word 'biotechnology' appearing in line one, the phrase 'GMOs'.

**Justification:** For specificity.

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(f) **Insert** the following paragraphs immediately after paragraph (e);

(f) to receive and screen completeness of GMO applications;

(g) to register all research institutions required to be registered under this Act;

(h) to keep a register of institutional biosafety committees;

(i) to prepare and issue certificates, permits and advance informed agreements;

(j) to inspect and monitor any person or activity authorized or approved under this Act;

**Justification:** to broaden the functions of the Authority since the office of the registrar has been deleted from the Bill.

**(g) Clause 7 (1) (g)**

**Substitute** for the word 'biotechnology' appearing in line one, the phrase 'GMOs'.

**Justification:** For specificity.

**(h) Clause 7 (1) (j)**

**Substitute** for the word 'biotechnology', the phrase 'GMOs'.

**Justification:** For specificity.

**Clause 7 (2)**

**Delete** the expression 'or any other person' appearing in

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line one.

**Justification:** To avoid abuse since an inspector would suffice.

**Introduce** the following provisions immediately after clause 7 as follows;

### **8 Board of the Authority**

- (1) The Authority shall be governed by the board, which shall consist of fourteen members.
- (2) The composition of the board shall be as follows-
  - (a) a person with at least seven years experience in plant or animal breeding, genetics, biotechnology or biosafety, who shall be the chairperson;
  - (b) a representative of the ministry responsible for science and technology;
  - (c) a representative of the ministry responsible for health with knowledge and experience in public health;
  - (d) a representative of the ministry responsible for agriculture with knowledge and experience in animal health and breeding;
  - (e) a representative of the ministry responsible for agriculture with knowledge and experience in plant health and breeding;
  - (f) a representative of the National Environmental Management Authority with knowledge and experience in biodiversity or ecology;
  - (g) a representative of the ministry responsible for trade and industry;
  - (h) a representative of the ministry responsible for justice;
  - (i) a representative of the Uganda National Bureau of

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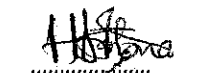

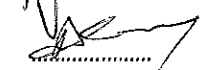
Hon. Omona Kenneth Olusegun

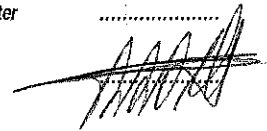
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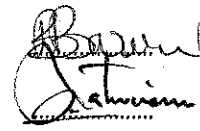
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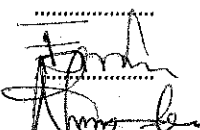
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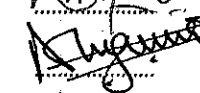
  
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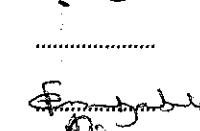
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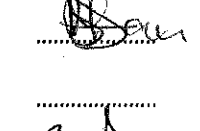
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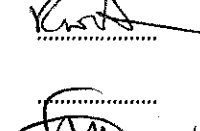
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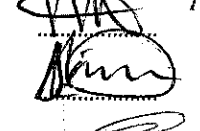
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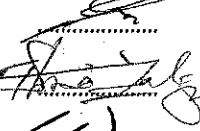
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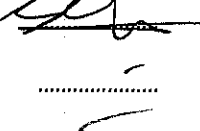
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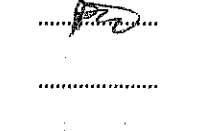
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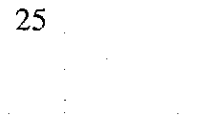
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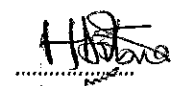
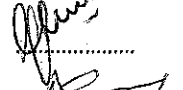
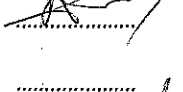
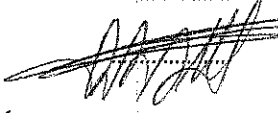
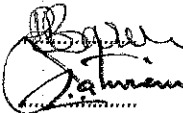

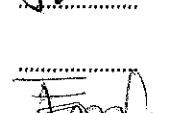
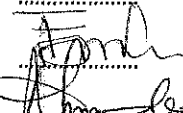
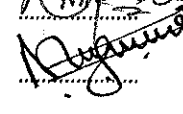
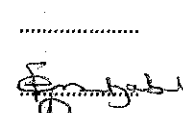
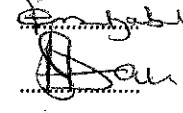
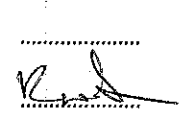
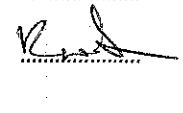
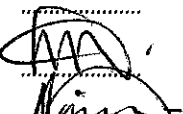
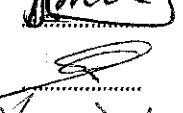
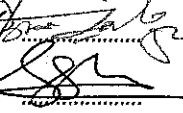
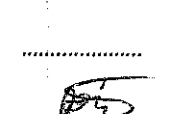

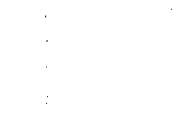
Standards with experience and knowledge in GMO standard;

- (j) a representative of the Uganda National Council for Science and Technology;
  - (k) a representative of the private sector;
  - (l) a representative of farmers nominated by a recognized farmers' umbrella association;
  - (m) a representative of the academia or institutions conducting research with knowledge and experience in plant or animal breeding, genetics, entomology, botany, ecology, biotechnology or biosafety; and
  - (n) the Executive Director appointed under **section 15**, who shall be an ex-officio member.
- (3) The chairperson and members of the board shall be appointed by the Minister.
- (4) The Minister shall, in making the appointments to the board, take into consideration gender equity.
- (5) A member of the board other than the Executive Director shall hold office for a term of three years and shall be eligible for reappointment only once.
- (6) The Executive Director shall be the Secretary to the board.

### 9. Disqualification from appointment of the member of the board

A person shall not be appointed to the board who-

- (a) has a financial or proprietary interest in any research institution registered under this Act;
- (b) has been convicted of a criminal offence and sentenced to a term of imprisonment for six months or more by a court of law without the

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Hon. Mandera Amos	
Hon. Mugume Roland	
Hon. Mukula George Michael	.....
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option of a fine;

(c) is an undischarged bankrupt or has made an assignment or arrangement with his or her creditors; or

(d) is incapacitated by mental or physical illness that renders the person incapable of performing the functions of a member of the board;

### 10. Vacation of office of member of the board

(1) The office of the member of the board shall fall vacant if the member-

(a) is incapacitated by mental or physical illness that renders the person incapable of performing the functions of a member of the board;

(b) fails to attend three consecutive board meetings without obtaining permission from the chairperson;

(c) has been declared bankrupt by a court of law;

(d) has been convicted of a criminal offence and sentenced to a term of imprisonment for six months or more by a court of law without the option of a fine;

(e) engages in misbehavior or abuse of office;

(f) fails to disclose to the board any interest in any matter before the Authority; or

(g) subsequently becomes disqualified from being a member under **section 9**.

(2) The Minister shall determine that a member vacates office under subsection (1).

(3) A member of the board other than the Executive Director may resign from the board by giving notice in writing to the Minister, of not less than one month.

(4) Where a member resigns, dies or is removed from

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office under this section, the Minister shall within three months and in accordance with section 10, appoint another person to replace the member, and to hold office for the remainder of the term of that member.

## 11. Functions of the board

The functions of the board shall be to-

- (a) formulate policy guidelines for the Authority;
- (b) monitor the implementation of the plans and programmes of the Authority;
- (c) approve the annual budget and plan of the Authority;
- (d) appoint staff of the Authority;
- (e) determine the structure and staffing levels of the Authority and the terms of service of the staff of the Authority;
- (f) submit quarterly reports to the Minister on the activities of the Authority;
- (g) perform any other functions as may be approved by the Minister, on the recommendation of the board.

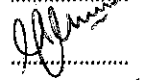
## 12. Meetings of the board

- (1) The board shall meet at least once in every three months.
- (2) The proceedings of the meetings of the board shall be conducted in accordance with Schedule 3 to this Act.

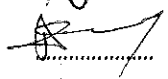
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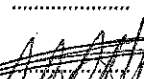
Hon. Kafeero Ssekitooleko Robert



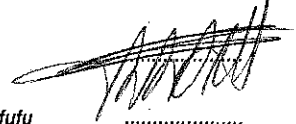
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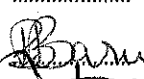
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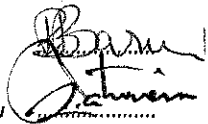
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Hon. Balidawa Edward Kafufu



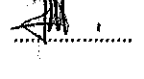
Hon. Barumba Rusaniya Beatrice



Hon. Bategana Katwiremu Yorokamu



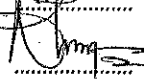
Hon. Chemutai Phyllis



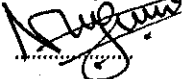
Hon. Dr. Epetai Francis




Hon. Kahunde Hellen



Hon. Kintu Florence



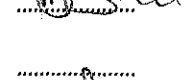
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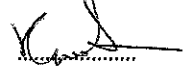
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Hon. Mukula George Michael



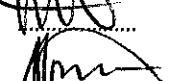
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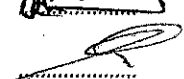
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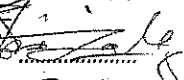
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Hon. Nauwat Rosemary



Hon. Nokrach Wilson William



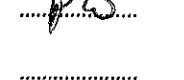
Hon. Ochola Stephen



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Hon. Omara Geoffrey



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Hon. Ssemuli Anthony



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### 13. Remuneration of members of the board.

The chairperson and other members of the board shall be paid such remuneration or allowance as the Minister may determine.

### 14. Sub-Committees of the board

- (1) The board may appoint sub-committees-
  - (a) to inquire into and advise the board on any matter concerning the functions of the Authority;
  - (b) to exercise powers or perform a function of the Authority.
- (2) A sub-committee appointed under subsection (1) shall consist of a chairperson and other members of the board, as the board may determine.
- (3) A sub-committee may invite any person to attend any of its meetings and may co-opt any person to the committee but that person shall not vote on any matter before the committee.
- (4) Members of a sub-committee appointed under this section shall be paid allowances as the board, may with the written approval of the Minister, determine.
- (5) Subject to any direction given by the board, a sub-committee appointed under this section may regulate its own procedure.

### PART III- STAFF OF THE AUTHORITY

#### 15. Executive Director.

- (1) There shall be an Executive Director of the Authority, who shall be appointed by the Minister on the recommendation of the board.
- (2) A person shall not be appointed Executive Director

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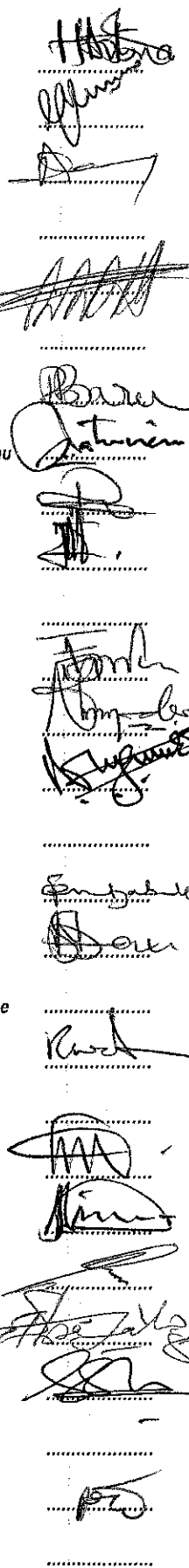
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unless the person has relevant knowledge, qualification and considerable experience in biotechnology or biosafety.

- (3) The Executive Director shall hold office for a term of five years and shall be eligible for reappointment for only one more term.
- (4) The Executive Director shall be a full time employee of the Authority.
- (5) Subject to the general supervision and direction of the board, the Executive Director shall be the accounting officer of the Authority and shall be responsible for-
- (a) the management and operations of the Authority;
  - (b) the management of the funds, property and business of the Authority;
  - (c) the administration, organization and control of the officers and staff of the Authority; and
  - (d) the promotion, training and disciplining of the officers and staff of the Authority in accordance with their terms and conditions of appointment.
- (6) The Minister may, after consultation with the board, terminate the appointment of the Executive Director for —
- (a) misbehaviour;
  - (b) physical or mental incapacity that renders the Executive Director incapable of performing the duties of that office;
  - (c) incompetence;
  - (d) being adjudged bankrupt by a court of law;
  - (e) absence from office for a period of not less than fourteen consecutive days without reasonable excuse;
  - (f) conviction of an offence that involves moral

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turpitude.

(7) The Executive Director may resign his or her office by giving one month's notice in writing through the board, to the Minister.

## 16. Appointment of officers and employees.

(1) There shall be officers and staff of the Authority as may be necessary for the effective performance of the functions of the Authority.

(2) The officers and staff of the Authority shall be appointed by the board on such terms and conditions as the board may determine.

**Justification:** To ensure that the established Authority is fully fledged with powers and functions to run the affairs of the Authority.

## Clause 9: Establishment of National Biosafety Committee.

Delete the entire clause.

**Justification:** With the establishment of the Authority, the National Biosafety Committee is redundant.

## Clause 10: Functions of the committee

Delete the entire clause.

**Justification:** Consequential amendment arising from the amendment made to clause 9.

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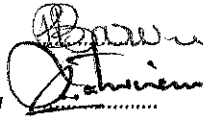
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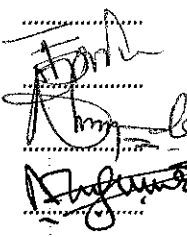
Hon. Wangolo Jacob

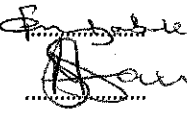


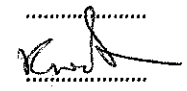


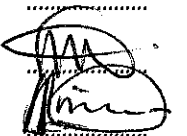


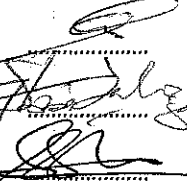


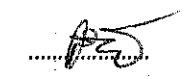












**Clause 11: Business of the committee**

**Delete** the entire clause.

**Justification:** Consequential amendment arising from the amendment made to clause 9.

**Clause 12: Registrar of biotechnology and biosafety.**

**Delete** the entire clause 12.

**Justification:** With the amendment made to Clause 6, introducing an independent Authority and the subsequent introduction of the office of the Executive Director and the secretariat, the office of the registrar is therefore rendered redundant.

**Clause 13: Functions of the registrar**

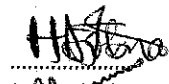
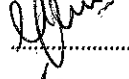
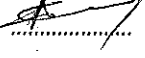
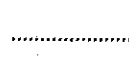
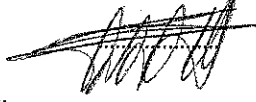
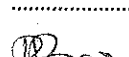
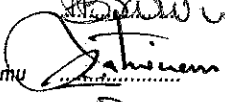
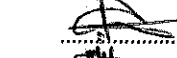



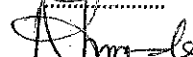
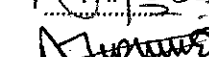
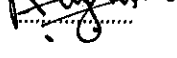
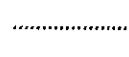
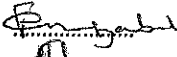


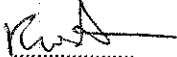



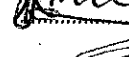
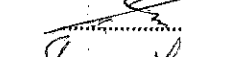
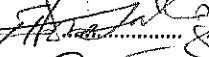
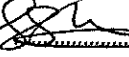
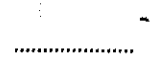

**Delete** the entire clause 12.

**Justification:** It is a consequential amendment arising from the amendment made to Clause 12.

**Clause 14: Institutional biosafety committee**

**Clause 14 (5) Delete** the entire sub clause.

**Justification:** This is already provided for under the functions of the Authority.

- Hon. Obua Dennis Hamson 
- Hon. Kafeero Ssekitoleko Robert 
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- Hon. Anywarach Joshua Carter 
- Hon. Bagoole John B 
- Hon. Balidawa Edward Kafufu 
- Hon. Barumba Rusaniya Beatrice 
- Hon. Bategana Katwiremu Yorokamu 
- Hon. Chemutai Phyllis 
- Hon. Dr. Epetait Francis 
- Hon. Kahunde Hellen 
- Hon. Kintu Florence 
- Hon. Manderu Amos 
- Hon. Mugume Roland 
- Hon. Mukula George Michael 
- Hon. Mutyabule Florence Tibafana 
- Hon. Namaganda Susan 
- Hon. Namugwanya Benny Bugembe 
- Hon. Nauwat Rosemary 
- Hon. Nokrach Wilson William 
- Hon. Ochola Stephen 
- Hon. Dr. Okuonzi Sam Agatre 
- Hon. Omara Geoffrey 
- Hon. Omona Kenneth Olusegun 
- Hon. Ssemuli Anthony 
- Hon. Tinyefuza David (Lt. Gen) 
- Hon. Waira Kyewalabye Majegere 
- Hon. Wangolo Jacob 

**Clause 18: Approval of export, import or transit of a GMO.**

**(a) Clause 18 (2)**

**Increase** the currency points from one hundred and twenty to **two hundred and forty** and the years of imprisonment from five years to **ten years** respectively.

**Justification:** To make the provision more deterrent.

**Clause 19: Laboratory experiment**

**(a) Clause 19(3), (4) and (5)**

**Rephrase** sub-clauses (3), (4) and (5) to read as follows;

(3.) The institutional biosafety committee shall within seven days after receipt of the notification under subsection (1), notify the Authority of the application.

(4.) The Authority shall within thirty days after receipt of the notice in subsection (3) give directions to the institutional biosafety committee regarding the notification for research.

(5.) The institutional biosafety committee shall within twenty one working days of receiving the directions, respond to the person who notified the institutional biosafety committee under subsection (1), informing the person whether to proceed or not to proceed with the experiment.

**Justification:** For proper chronological numbering.

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Hon. Ochola Stephen

Hon. Dr. Okuonzi Sam Agatre

Hon. Omara Geoffrey

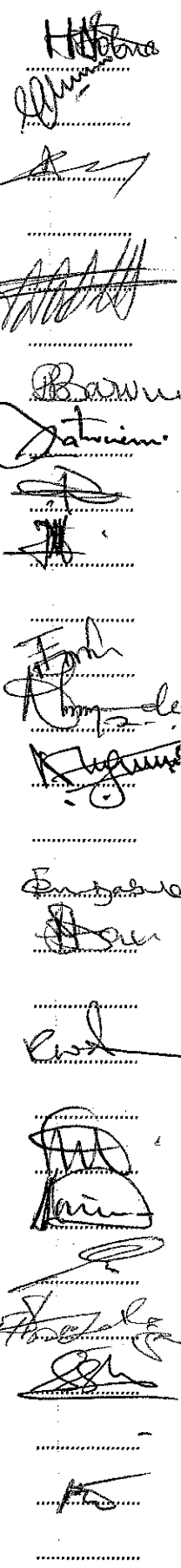
Hon. Omona Kenneth Olusegun

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**(b) Clause 19(6)**

**Insert** the word 'biosafety' in between the words 'institutional' and 'committee' appearing in line one of sub-clause (6).

**Justification:** For consistency with its usage in the bill.

**(c) Clause 19 (7)**

**Delete** the entire sub-clause (7)

**Justification:** To avoid abuse. The Bill indicates that if there is no response received, it is assumed that approval has been granted for the applicant to go on with the experiment or the testing. This leaves a lot of opportunity for the process to be abused, and activities that would otherwise not be approved will be deemed approved.

**Clause 20: Application for approval to conduct contained testing of a GMO**

**Clause 20 (7)**

**Delete** the entire sub-clause.

**Justification:** To avoid abuse.

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**Clause 21: Application for approval to conduct confined field testing of a GMO.**

**Clause 21 (3)**

**Substitute** for the expression 'National Biosafety Committee' appearing in line one, the word 'Authority'.

**Justification:** To align the provision with the amendments made to Clauses 6 and 9 respectively.

**Clause 22: Application for approval for general release of a GMO.**

**Clause 22 (4)**

**Substitute** for the word 'thirty' appearing in line two of the provision, the word 'sixty'.

**Justification:** To provide for sufficient time.

**Clause 24: Review of applications by National Biosafety Committee**

**Rephrase** the entire clause 24 to read as follows;

**"Review of applications by the Authority**

(1) The Authority shall upon receipt of an application for confined testing, general release, export, import, or transit of a GMO, review the application for-

(a) confined testing, within ninety working days;

(b) general release, within two hundred and seventy working days;

(c) export or transit, within twenty eight working

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Hon. Wangolo Jacob

days;

(d) imports, within ninety working days.

- (2) The Authority shall within twenty working days after review of the application, notify the applicant of its decision.
- (3) Where the Authority informs the applicant not proceed with the testing activity, the Authority shall indicate the reasons for the decision.”

**Justifications:**

- To align the provision with the amendments made to Clause 9.
- Review of application for imports requires more time to avoid dangerous materials from being brought into the country.

**Clause 25: Expedited review of applications.**

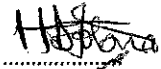

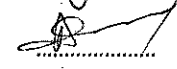
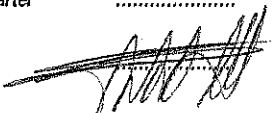
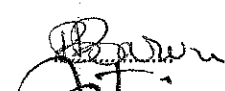
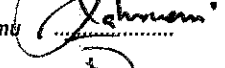

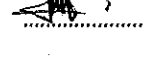
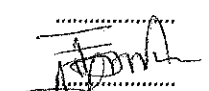

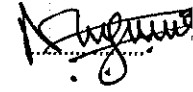
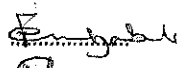


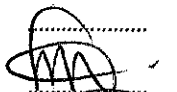
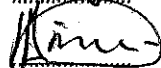
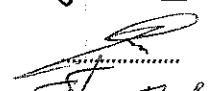
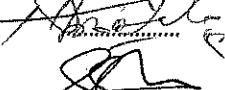
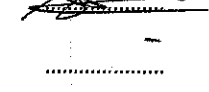
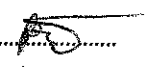
**Delete** the entire provision

**Justification:** To avoid manipulation of the applications review process.

**Clause 26: Conditional approval**

**Delete** the entire provision.

**Justification:** To avoid manipulation of the approval process.

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Hon. Kafeero Ssekitooleko Robert	
Hon. Ajok Lucy	
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Hon. Bagoole John B	
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Hon. Barumba Rusaniya Beatrice	
Hon. Bategana Katwiremu Yorokamu	
Hon. Chemutai Phyllis	
Hon. Dr. Epetai Francis	
Hon. Kahunde Hellen	.....
Hon. Kintu Florence	
Hon. Madera Amos	
Hon. Mugume Roland	
Hon. Mukula George Michael	.....
Hon. Mutyabule Florence Tibafana	
Hon. Namaganda Susan	
Hon. Namugwanya Benny Bugembe	.....
Hon. Nauwat Rosemary	
Hon. Nokrach Wilson William	.....
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Hon. Omara Geoffrey	
Hon. Omona Kenneth Olusegun	
Hon. Ssemuli Anthony	
Hon. Tinyefuza David (Lt. Gen)	.....
Hon. Waira Kyewalabye Majegere	
Hon. Wangolo Jacob	.....

**Clause 27: Suspension or revocation of approval**

**Clause 27 (3)**

**Substitute** for the word 'seven' appearing in line three, the word 'fourteen'.

**Justification:** To avail sufficient time within which to give reasons for non-revocation of the approval.

**Clause 27 (5)**

**Introduce** clause 27 (5) immediately after sub-clause (4) to read as follows;

"An applicant whose approval is revoked under this section shall not be eligible to re-apply until the expiration of five years.


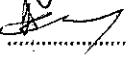
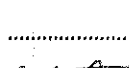
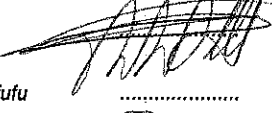

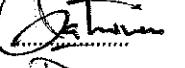
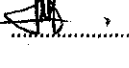
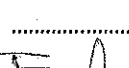
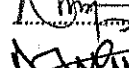
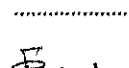

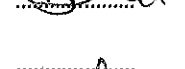
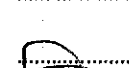
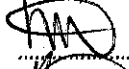


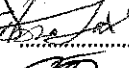

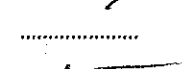
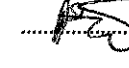
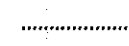


**Justification:** To make sure that whoever engages in GMO research takes extra precaution due to the likely effect that may arise from the failure to follow the conditions for GMO research under the Act.

**Clause 30: Unintentional release and emergency measures**

**Clause 30 (1)**

**Redraft** the entire sub-clause (1) to read as follows;

"An institutional biosafety committee shall before recommending an application for approval for research or general release of a GMO ensure that the application contains-

- Hon. Obua Dennis Hamson 
- Hon. Kafeero Ssekitoleko Robert 
- Hon. Ajok Lucy 
- Hon. Anywarach Joshua Carter 
- Hon. Bagoole John B 
- Hon. Balidawa Edward Kafufu 
- Hon. Barumba Rusaniya Beatrice 
- Hon. Bategana Katwiremu Yorokamu 
- Hon. Chemutai Phyllis 
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- Hon. Namaganda Susan 
- Hon. Namugwanya Benny Bugembe 
- Hon. Nauwat Rosemary 
- Hon. Nokrach Wilson William 
- Hon. Ochola Stephen 
- Hon. Dr. Okuonzi Sam Agatre 
- Hon. Omara Geoffrey 
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- (a) an emergency plan which includes information on safety measures and procedures to be adopted in the case of any unintentional release; and
- (b) mechanisms through which the information shall be made available to the persons likely to be affected by the unintentional release of a GMO.

**Justifications:**

- The expression 'National Biosafety Committee' is redundant since it has been deleted from the Bill.
- For specificity.

**Clause 30 (2) (c)**


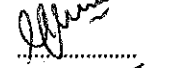
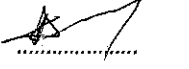
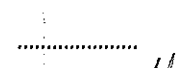
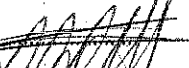
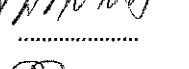
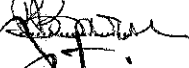
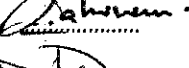

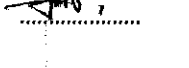
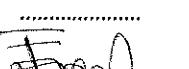
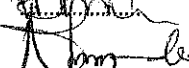
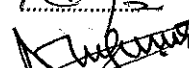
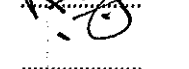
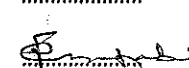





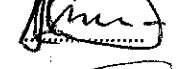
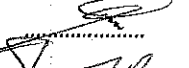
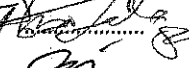

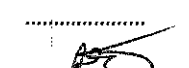
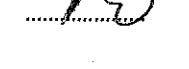
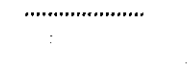

**Insert** the words 'and animal' between the words 'human' and 'health' appearing in line three.

**Justification:** To make the provision all-encompassing.

**Insert** a new sub-clause immediately after sub-clause (2) to read as follows:-

*"The applicant shall take appropriate measures to mitigate the risks arising out of the unintentional release of a GMO".*

**Justification:** To ensure that the applicant takes precautionary measures to alleviate an unintentional release of a GMO.

- |                                  |   |
|----------------------------------|---|
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| Hon. Kafeero Ssekitooleko Robert |    |
| Hon. Ajok Lucy                   |    |
| Hon. Anywarach Joshua Carter     |    |
| Hon. Bagoorie John B             |    |
| Hon. Balidawa Edward Kafufu      |    |
| Hon. Barumba Rusaniya Beatrice   |    |
| Hon. Bategana Katwiremu Yorokamu |    |
| Hon. Chemutai Phyllis            |    |
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| Hon. Waira Kyewalabye Majegera   |  |
| Hon. Wangolo Jacob               |  |

**(a) Clause 30 (3)**

**Insert** the words 'of a GMO' immediately after the word 'release' appearing at the end of the provision.

**Justification:** For specificity.

**Clause 31: Restoration Order**

**Clause 31 (2) (b)**

**Delete** the expression 'taken by an authorized person' appearing in line four.

**Justification:** To avoid ambiguity since the authorized person would be working on behalf of the Authority.

**Clause 34: Appointment of inspectors**

**Clause 34 (1)**

**Insert** 'a comma. (,)' immediately after the word 'Authority' in line one.

**Justification:** For clarity.

**Clause 35: Powers of an inspector**

**Clause 35(1)**

**Delete** the expression 'subject to subsection (2)' appearing at the beginning of the provision.

**Justification:** It is redundant.

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Hon. Waira Kyewalabye Majegere

Hon. Wangolo Jacob

*(Handwritten signatures of the listed members)*

**Clause 35 (1) (a)**

**Insert** the phrase 'GMO material' immediately after the word 'information' appearing in line two.

**Justification:** To broaden the provision.

**Clause 35(1) (b)**

**Insert** the phrase 'and animal' between the words 'human' and 'health'.

**Justification:** To broaden the provision to include livestock.

**Clause 35 (2)**

**Substitute** for the word 'was' appearing in the last line of the provision, the word 'is'.


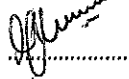
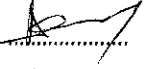
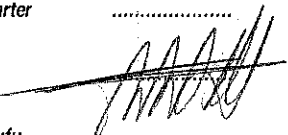

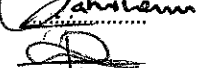
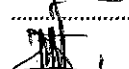
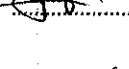
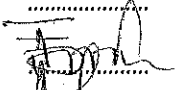
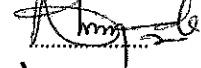


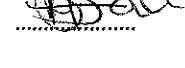

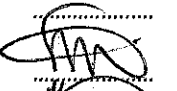
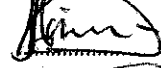
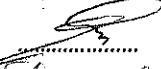
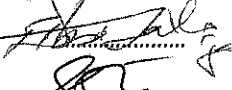


**Justification:** For use of proper grammar since legislation should be in active voice.

**Clause 35 (3)**

**Insert** the phrase 'GMO material' immediately after the word 'information' appearing in line one.

**Justification:** To broaden the provision.

**Introduce** two new Parts in the Bill immediately after 'PART VI' as 'PART VII' and PART VIII to provide for an Appeals Board and the financial provisions of the Authority respectively to read as follows;

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Hon. Barumba Rusaniya Beatrice	
Hon. Bategana Katwiremu Yorokamu	
Hon. Chemutai Phyllis	
Hon. Dr. Epetai Francis	
Hon. Kahunde Hellen	.....
Hon. Kintu Florence	
Hon. Manderu Amos	
Hon. Mugume Roland	
Hon. Mukula George Michael	.....
Hon. Mutyabule Florence Tibafana	
Hon. Namaganda Susan	
Hon. Namugwanya Benny Bugembe	.....
Hon. Nauwat Rosemary	
Hon. Nokrach Wilson William	.....
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Hon. Dr. Okuonzi Sam Agatre	
Hon. Omara Geoffrey	
Hon. Omona Kenneth Olusegun	
Hon. Ssemuli Anthony	
Hon. Tinyefuza David (Lt. Gen)	.....
Hon. Waira Kyewalabye Majegere	
Hon. Wangolo Jacob	.....

"PART VI—ESTABLISHMENT OF THE APPEALS BOARD

37. Establishment of the Appeals Board

(1) There is established an Appeals Board which shall consist of-

(a) a chairperson, who shall be an advocate of the High Court qualified for appointment as a judge of the High Court; and

(b) two other persons, each of whom shall be with considerable experience in biological or environmental sciences.

(2) The members of the Appeals Board shall be appointed by the Minister.

(3) The term of office of the members of the Appeals Board other than the chairperson shall be three years, and the members shall be eligible for reappointment.

(4) The appointments of the Appeals board shall be by notice in the Gazette.

38. Disqualification from appointment to the Appeals Board.

A person shall not be appointed to the Appeals Board who-

(a) has a financial or proprietary interest in a research institution registered under this Act;

(b) is an undischarged bankrupt or has made

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Hon. Bategana Katwiremu Yorokamu
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Hon. Kahunde Hellen
Hon. Kintu Florence
Hon. Mandera Amos
Hon. Mugume Roland
Hon. Mukula George Michael
Hon. Mutyabule Florence Tibafana
Hon. Namaganda Susan
Hon. Namugwanya Benny Bugembe
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Hon. Nokrach Wilson William
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Hon. Ssemuli Anthony
Hon. Tinyefuza David (Lt. Gen)
Hon. Waira Kyewalabye Majegere
Hon. Wangolo Jacob

any arrangement with creditors;

(c) is incapacitated by mental or physical illness that renders the person incapable of performing the functions of the Appeals Board; or

(d) is otherwise unable or unfit to discharge the functions of office of the Appeals Board.

### 39. Vacation of office of the Appeals Board.

(1) The office of a member of the Appeals Board shall fall vacant if—

(a) the member is incompetent;

(b) the member engages in misbehavior or abuse of office;

(c) the member is subsequently disqualified from membership in accordance with **section 38**;

(d) the member fails to disclose to the Appeals Board any interest in a matter before the Authority.

(2) A vacancy under **section 39** shall be determined by the Minister.

(3) A member of the Appeals Board may resign office by notification in writing to the Minister.

### 40. Jurisdiction of the Appeals Board

(1) The Appeals Board shall have jurisdiction to hear and determine all matters arising from the decisions of the Authority under this Act.

(2) For the avoidance of doubt, the jurisdiction of the Appeals Board does not include the trial of any criminal offence.

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Hon. Waira Kyewalabye Majegere

Hon. Wango Jacob

#### 41. Procedure of the Appeals Board

The Appeals Board shall meet as and when there is need to exercise its jurisdiction under this Act.

- (1) The Appeals Board shall, in the exercise of its jurisdiction under this Act, be guided by the rules of natural justice.
- (2) The Appeals Board shall communicate its decision to the appellant within ninety days from date the appeal was made.
- (3) The Appeals Board shall regulate its own procedure.

#### 42. Remuneration of members of the Appeals Board.

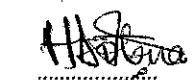
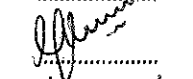
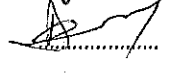
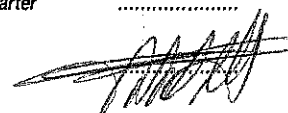
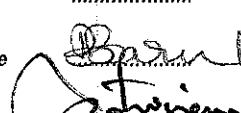
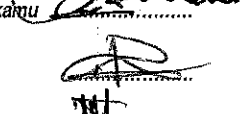
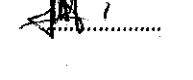
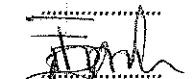
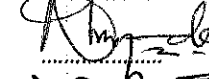
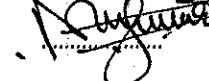
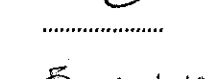

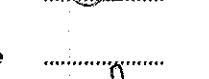
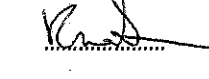
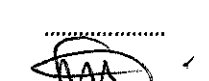
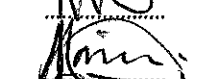
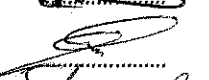
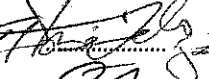

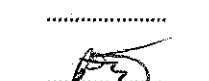
The members of the Appeals Board shall be paid such remuneration or allowance as the Minister may determine.

**Justification:** To ensure that principles of natural justice are followed.

### PART VII- FINANCIAL PROVISIONS

#### 43. Funds of the Authority.

- (1) The funds of the Authority shall consist of—
  - (a) money appropriated by Parliament from time to time for enabling the Authority to perform its functions;
  - (b) grants, gifts or donations from the Government or other sources acceptable to the Minister; and
  - (c) money borrowed by the Authority.
- (2) The Authority may operate its own bank account as may be determined by the board.

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Hon. Barumba Rusanlya Beatrice	
Hon. Bategana Katwiremu Yorokamu	
Hon. Chemutai Phyllis	
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Hon. Omona Kenneth Olusegun	
Hon. Ssemuli Anthony	
Hon. Tinyefuza David (Lt. Gen)	.....
Hon. Waira Kyewalabye Majegere	
Hon. Wangolo Jacob	.....

#### 44. Borrowing powers.

The Authority may, subject to the approval of the Minister, borrow sums required by it for meeting any of its obligations or for discharging any of its functions under this Act.

#### 45. Estimates.

- (1) The Authority shall, three months before the end of each financial year, make and submit to the Minister for his or her approval estimates of the income and expenditure of the Authority for the next ensuing year.
- (2) The Minister shall lay before Parliament the estimates of the Authority within three months after receiving the estimates.
- (3) Expenditure shall not be made out of the funds of the Authority unless the expenditure has been approved by the Minister under the estimates for the year in which the expenditure is to be made or in any other estimates supplementary to those estimates.

#### 46. Accounts.

- (1) The Authority shall keep proper books of account and proper records in relation to them.
- (2) The Authority shall prepare in respect of each financial year a statement of account which shall include—
  - (a) a balance sheet, a statement of income and expenditure and a statement of surplus or deficit; and
  - (b) such other information in respect of the

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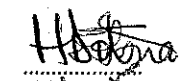
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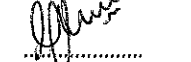
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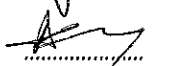
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Hon. Waira Kyewalabye Majegere

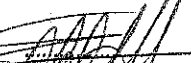
Hon. Wangolo Jacob

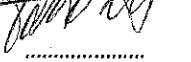












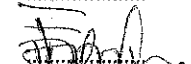


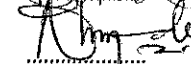




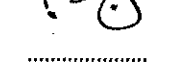










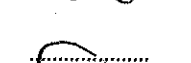




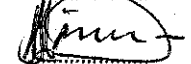






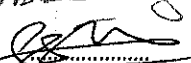












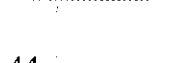












financial affairs of the Authority as the Minister may require.

#### 47. Audit.

The annual statement of account of the Authority shall be audited within four months after the end of each financial year by the Auditor General or an auditor appointed by him or her who shall be entitled to have access to all books of account, vouchers and other financial records of the Authority and to require such information and explanation on them as he or she thinks fit.

#### 48. Annual report.

The Authority shall, not later than three months after the end of each financial year, make and submit to the Minister a report on the Authority's activities during that financial year.

**Justification:** To provide for financing of the activities of the Authority.

#### Clause 37: Offences and penalties


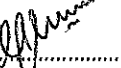
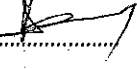
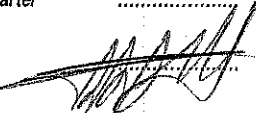


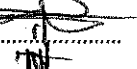
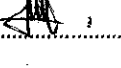
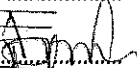


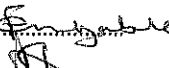
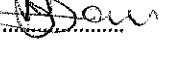
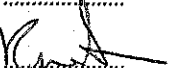
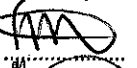

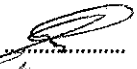
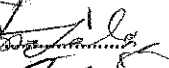
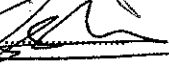
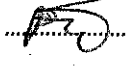
##### Clause 37 (a)

**Increase** the currency points to 'two hundred and forty' and the term of imprisonment to 'ten years'.

**Justification:** To make the provision more deterrent.

##### Clause 37 (b)

**Increase** the currency points to 'ninety six' and the term

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Hon. Wangolo Jacob	



of imprisonment to 'four years'.

**Justification:** To make the provision deterrent.

**Clause 37 (c)**

**Increase** the currency points to 'ninety six' and the term of imprisonment to 'four years'.

**Justification:** To make the provision more deterrent.

**Clause 37 (d)**

**Increase** the currency points to 'ninety six' and the term of imprisonment to 'four years'.

**Justification:** To make the provision deterrent.

**Clause 37 (e)**

**Increase** the currency points to 'forty eight' and the term of imprisonment to 'two years'.

**Justification:** To make the provision deterrent.


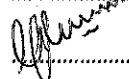
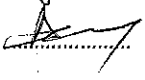
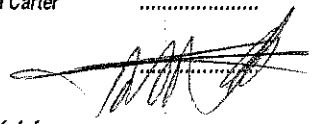
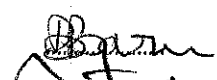


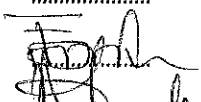

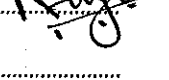
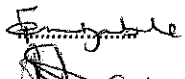
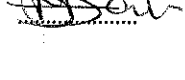

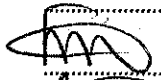

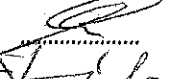
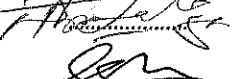
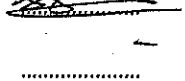
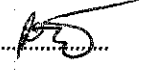
**Clause 37 (f)**

**Increase** the currency points to 'four hundred and eighty' and the term of imprisonment to 'twenty years'.

**Justification:** To make the provision deterrent.

**Clause 37 (g)**

**Increase** the currency points with 'forty eight' and the term of imprisonment to 'two years' years.

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Hon. Wangolo Jacob	.....

**Justification:** To make the provision deterrent.

**Clause 37 (h)**

**Increase** the currency points with 'two hundred and forty' and the term of imprisonment to 'ten' years.

**Justification:** To make the provision deterrent.

**Clause 38: Offences by a body corporate**

**Clause 38 (a)**

**Substitute** for the word 'and' appearing in the first line, the word 'or'.

**Justification:** To ensure that the provision caters for a circumstances where liability only falls on the director and not the officer and vice versa.

**Clause 38 (b)**

**Insert** the word 'her' between the words 'or' and 'knowledge' appearing in lines seven and eight respectively.

**Justification:** To provide for gender balance.

**Clause 39: Protection of confidential business information**

**Clause 39(2) (d)**

**Delete** the words 'as well as information on which the Competent Authority and the applicant disagree as to its

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*[Handwritten signatures of the listed members]*

confidentiality' appearing at the end of the provision.

**Justification:** *The Authority should be left with the discretion to determine which information should be kept confidential.*

**Clause 39 (3)**

**Delete** subsection '(1)' appearing in line one.

**Justification:** *It is redundant.*

**Clause 40: Protection from personal liability**


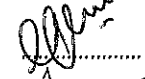
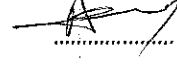

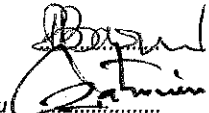
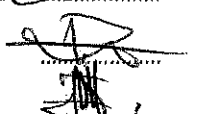
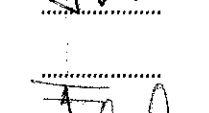
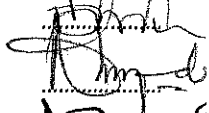
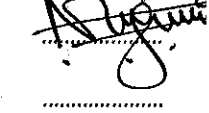
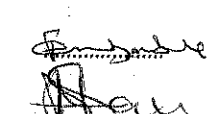
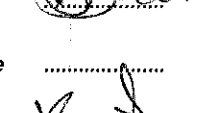
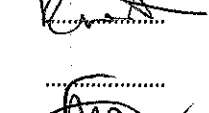
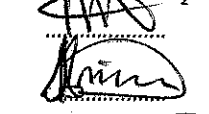
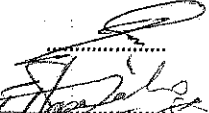
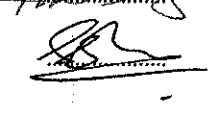
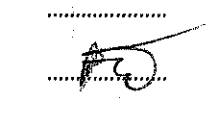
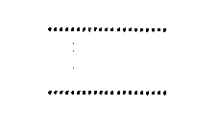
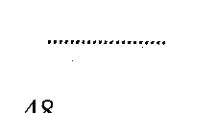
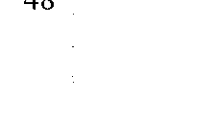

**Rephrase** to read as follows;

(1.) A member of the board shall not be personally liable in respect of any act or omission done in good faith in the performance of his or her functions under this Act.

(2.) An employee or other person acting on behalf of the Authority shall not be personally liable in respect of any act or omission done in good faith in the performance of his or her functions under this Act.

**Justifications:**

- *To align the provision with the amendment made to clause 6.*
- *The splitting of the provision is for clarity.*

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Hon. Wangolo Jacob	.....

**Clause 41: Appeals**

**Clause 41(2)**

**Substitute** for the word 'Minister' appearing in line two, the word 'Appeals Board'.

**Justification:** Appeals should be handled by the established Appeals Board and not an individual to avoid abuse.

**Introduce** a new subsection (3) immediately after subsection (2) to read as follows;

"A person aggrieved by the decision of the Appeals Board may within thirty days from the date of the decision appeal to the High Court."

**Justification:** To ensure that due justice is obtained.

**Clause 44: Regulations**


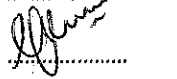
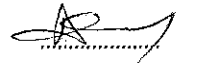
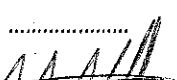
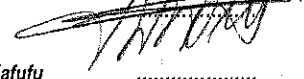

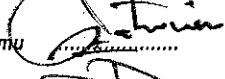

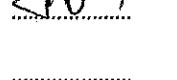
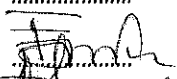
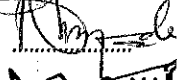

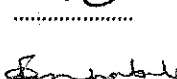
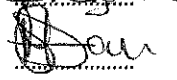

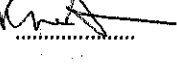
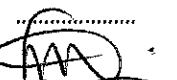
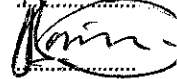
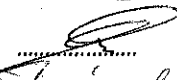
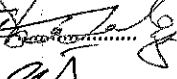
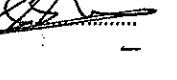

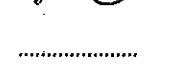




**Clause 44 (2) (c)**

**Insert** the word 'labelling' between the words 'identification' and 'and'.

**Justification:** To make the provision all-encompassing.

**Clause 44 (2) (g)**

Delete the words 'not exceeding a fine of forty eight currency points or imprisonment not exceeding twenty four months or both'

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- Hon. Omona Kenneth Olusegun 
- Hon. Ssemuli Anthony 
- Hon. Tinyefuza David (Lt. Gen) 
- Hon. Waira Kyewalabye Majegere 
- Hon. Wangolo Jacob 

**Justification:** To allow the Minister exercise discretionary powers depending on the circumstances of each case.

**Insert** immediately after Schedule 1 the following Schedules;

**SCHEDULE 2**

*Seal of the Authority*

1. The common seal of the Authority shall be determined by the Authority and shall be kept in the custody of the Executive Director.
2. The common seal shall, when fixed to any document, be authenticated by the signatures of the chairperson and the Executive Director.
3. In the absence of the chairperson or when the chairperson is unable to perform this function, two other members of the Authority appointed for that purpose shall sign in the place of the chairperson.
4. A person performing the functions of the Executive Director shall sign in the absence of the Executive Director.
5. A contract or instrument which is entered into or executed by a person not being a body corporate would not be required to be under seal on behalf of the Authority by the Executive Director or any other person authorized in that behalf by the Authority.
6. Every document purporting to be –
  - (a) an instrument issued by the Authority and sealed with the common seal of the Authority and

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Hon. Omara Geoffrey	
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Hon. Ssemuli Anthony	
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Hon. Waira Kyewalabye Majegere	
Hon. Wangolo Jacob	.....

authenticated in the manner prescribed in paragraph 2 to 4; or

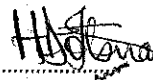
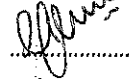
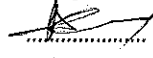
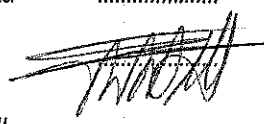
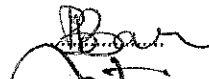
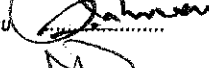

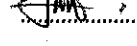
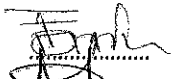
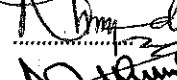
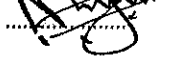

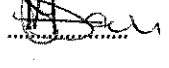
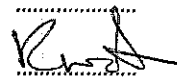
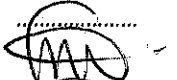
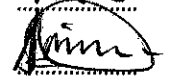
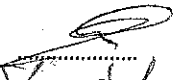
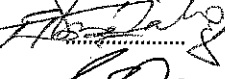
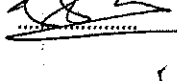

(b) a contract or instrument entered into or executed under paragraph 5 shall be received in evidence as such an instrument without further proof unless the contrary is proved.

### SCHEDULE 3

#### Meetings of the board

##### 1. Meetings of the board

- (1) The chairperson shall preside at all meetings, at which he or she is present, and in his or her absence the Executive Director shall call the meeting and the members present shall elect one of the members to preside.
- (2) Notice of a board meeting shall be given in writing to each member of the board at least seven days before the day of the meeting.
- (3) The chairperson may, at any time, convene a special meeting of the board.
- (4) The chairperson may, at the request of at least four members of the board, in writing, convene a special meeting within fourteen days.
- (5) The notice to be given under paragraph 2 shall state—
  - (a) the venue and time of the meeting;
  - (b) the agenda with sufficient details of the business to be discussed; and
  - (c) the text of any special resolution to be submitted to the meeting, if any.

Hon. Obua Dennis Hamson	
Hon. Kafeero Ssekitoleko Robert	
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Hon. Bagoole John B	
Hon. Balidawa Edward Kafufu	.....
Hon. Barumba Rusanlya Beatrice	
Hon. Bategana Katwiremu Yorokamu	
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Hon. Omona Kenneth Olusegun	
Hon. Ssemuli Anthony	
Hon. Tinyefuza David (Lt. Gen)	.....
Hon. Waira Kyewalabye Majegere	
Hon. Wangolo Jacob	.....

## 2. Quorum

The quorum for the meeting of the board shall be two-thirds; but where a member declares an interest in an agenda item or in the matter before the board, the member shall not be counted for purposes of forming a quorum in relation to the item or matter in question.

## 3. Minutes of the meetings

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

## 4. Disclosure of interest

- (1) A member of the board who has a direct or indirect personal interest in a matter being considered or which is about to be considered by the board shall, as soon as possible after the 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) shall be recorded in the minutes of the meeting of the board and the member who makes the disclosure shall not, unless the board otherwise determines in respect of that matter:
  - (a) be present during the deliberations on the matter by the board; or
  - (b) take part in the decisions of the board.
- (3) For the purposes of making the decision by the board under subparagraph (2), the member who makes the

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Hon. Waira Kyewalabye Majegere

Hon. Wangolo Jacob

*[Handwritten signatures and initials corresponding to the names listed on the left]*

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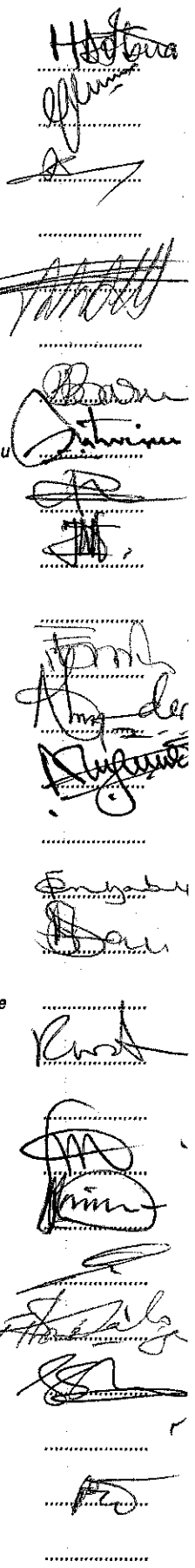
Hon. Omona Kenneth Olusegun

Hon. Ssemuli Anthony

Hon. Tinyefuza David (Lt. Gen)

Hon. Waira Kyewalabye Majegere

Hon. Wangolo Jacob





disclosure shall not-

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

(b) influence any other member or participate in the making by the board of the determination.

(4) Where there is no quorum for the continuation of a meeting only because of the exclusion of a member from the deliberations on a matter in which he or she disclosed a personal interest, the other members present may-

(a) postpone the consideration of that matter until a quorum, without that member is realized; or

(b) proceed to consider and decide the matter as if there is a quorum.

## 5. Power to co-opt

(1) The board may invite any person who, in the opinion of the board, has expert knowledge concerning the functions of the board, to attend and take part in the proceedings of the board.

(2) A person attending a meeting of the board under this paragraph may take part in any discussion at the meeting on which his or her advice is required but shall not have any right to vote at that meeting.

## 6. Validity of proceedings not affected by vacancy

The validity of any proceedings of the board shall not be affected by a vacancy in its membership or by any defect in the appointment or qualification of a member or by

Name

Hon. Obua Dennis Hamson

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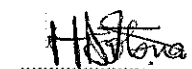
Hon. Omona Kenneth Olusegun

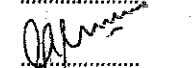
Hon. Ssemuli Anthony

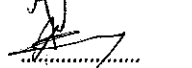
Hon. Tinyefuza David (Lt. Gen)

Hon. Waira Kyewalabye Majegere

Hon. Wangolo Jacob

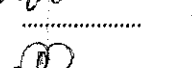




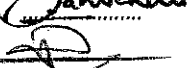


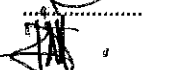




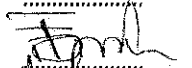


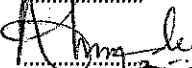




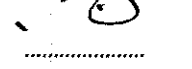


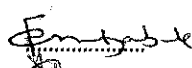


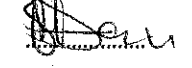






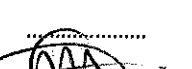







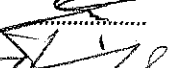




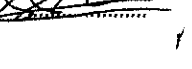


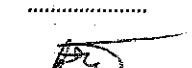


















reason that a person not entitled, took part in its proceedings.

### 7. Board may regulate its procedure

Subject to this Act, the board may regulate its own procedure or any other matter relating to its meetings.

**Justification:** To provide for conduct of meetings of the board.

### Schedule 2: Conduct of business and affairs of the National Biosafety Committee

Delete the entire Schedule 2.

**Justification:** It is redundant since the National Biosafety Committee has been deleted from the Bill.

### Schedule 3, Form 1

#### Part A: Particulars of the Applicant

Insert immediately after paragraph 1, the following as 2, 3, and 4, respectively;

“2. Nationality

3. Sex

4. Qualification”

**Justification:** To obtain detailed particulars.

Name

Hon. Obua Dennis Hamson

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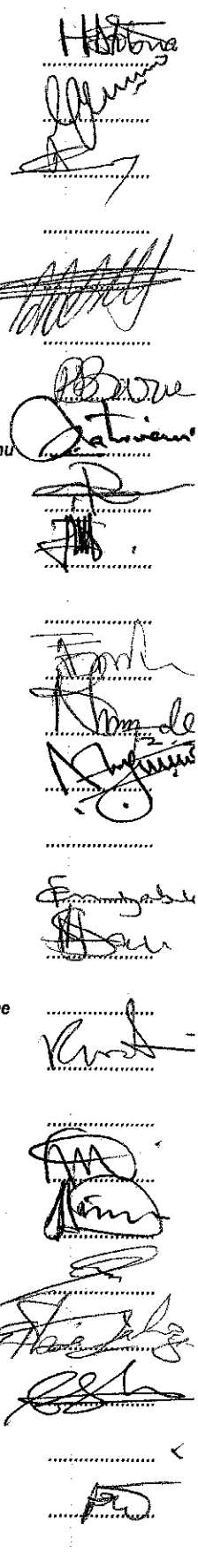
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Hon. Waira Kyewalabye Majegere

Hon. Wangolo Jacob



**Part B: Particulars of Research**

**Insert** immediately after paragraph 8 as paragraph 9 as follows;

“Description of proposed chemical containment measures.”

**Justification:** To make the provision all-encompassing.

**Paragraph 11**

**Rephrase** the entire paragraph to read as follows;

“Name, sex, nationality and addresses of persons proposed to be involved in the research activities”

**Justification:** For specificity and to obtain detailed particulars of the person involved in research.

**Schedule 3, Form 2**

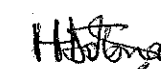
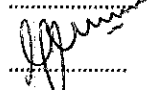
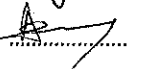
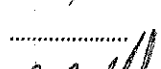
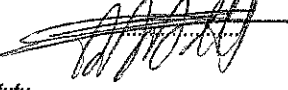
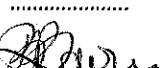
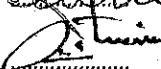
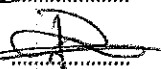

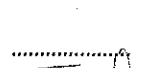
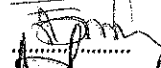


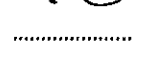
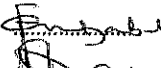
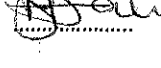

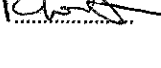

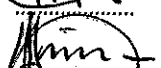



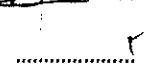




**Paragraph 3 (c) (v)**

**Substitute** for the word ‘which’ appearing in line two, the word ‘with’.

**Justification:** To correct the grammatical error.

**Paragraph 3 (c) (xiii)**

**Insert** the word ‘be’ between the words ‘will’ and ‘provided’ and the word ‘to’ between the words ‘provided’ and ‘personnel’.

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**Justification:** To correct the grammatical error.

**Schedule 3, Form 3**

**Paragraph 7.1**

**Substitute** for the word 'livestock', the word 'animal'.

**Justification:** To make the provision more encompassing by including livestock.

**Schedule 4: Risk and Safety Assessment**

**Paragraph 1**

**Insert** the expression 'and animal' between the words 'human' and 'health'.

**Justification:** To broaden the provision by including livestock.

**Paragraph 4 (a)**

**Insert** the expression 'and animal' between the words 'human' and 'health' appearing at the end of the provision.

**Justification:** To broaden the provision to include livestock.

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