

CHAPTER 205
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ORGANISATION ACT.

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CHAPTER 205

THE NATIONAL AGRICULTURAL RESEARCH ORGANISATION ACT.

Commencement: 4 December, 1992.

**An Act to provide for the establishment of a National Agricultural
Research Organisation, its composition, objects, functions,
administration and finances and other related matters.**

PART I—INTERPRETATION.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “associate institute” means an associate institute within the meaning of section 3;
- (b) “board” means the board established under section 5;
- (c) “deputy director general” means the deputy director general of the organisation;
- (d) “director” means a director of a research institute or a division of the organisation;
- (e) “director general” means the director general of the organisation;
- (f) “management committee” means the management committee referred to in section 13;
- (g) “Minister” means the Minister responsible for agriculture, animal industry and fisheries;
- (h) “NGO” means a nongovernmental organisation;
- (i) “prescribed” means prescribed by regulations made under this Act;
- (j) “research institute” means a research institute specified in the Third Schedule to this Act;
- (k) “secretariat” means the secretariat of the board;
- (l) “secretary” means the secretary of the board referred to in section 5(2);
- (m) “UNCST” means the Uganda National Council for Science and Technology.

PART II—ESTABLISHMENT, COMPOSITION, OBJECTS AND FUNCTIONS OF
THE ORGANISATION.

2. Establishment of the organisation.

(1) There is established an organisation to be known as the National Agricultural Research Organisation.

(2) The organisation shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) The organisation may, for and in connection with its objects and functions under this Act, purchase, hold, manage and dispose of any property, whether movable or immovable, and may enter into any contract and other transactions as may be expedient and do any other act or thing that in law may be done by a body corporate subject to the provisions of this Act.

3. Composition of the organisation.

(1) The organisation shall comprise—

- (a) the board;
- (b) the secretariat;
- (c) the research institutes specified in the Third Schedule to this Act;
- (d) the associate institutes.

(2) Any institution which undertakes agricultural or similar research, not being part of or sponsored by any sector Ministry specified in the Second Schedule to this Act, may apply to the board to join the organisation; and if the board grants the application, the institution shall be an associate institute of the organisation.

4. Objects and functions of the organisation.

(1) The objects of the organisation are to undertake, promote and streamline research in agriculture, livestock, fisheries and forestry.

(2) For the attainment of its objects under subsection (1), the organisation shall have the following functions—

- (a) the provision of grants to associate institutes and persons desirous of carrying out research and training programmes which are

- consistent with national research priorities and plans of the organisation;
- (b) the determination of resource requirements and approval of medium- or long-term research strategies and plans;
 - (c) ensuring the dissemination and application of research results; and
 - (d) the carrying on subject to this Act of any other activity conducive or incidental to the attainment of the objects set out in subsection (1).

PART III—THE BOARD.

5. The board.

- (1) The organisation shall have a governing board comprising—
 - (a) an imminent Ugandan scientist who shall be chairperson of the board;
 - (b) the Permanent Secretary of the Ministry responsible for finance and economic planning;
 - (c) the Permanent Secretary of the Ministry responsible for agriculture, animal industry and fisheries;
 - (d) the Secretary in the Ministry responsible for environment protection;
 - (e) the vice chancellor of Makerere University;
 - (f) the chairperson of UNCST;
 - (g) two distinguished agricultural scientists, who are not members of the organisation, to be nominated by the management committee and approved by the board;
 - (h) the director of crop resources;
 - (i) the director of animal resources;
 - (j) the commissioner for fisheries;
 - (k) the head of the Uganda Cooperative Alliance;
 - (l) one representative of agro-industries nominated by the Agro-Industry Association and approved by the board;
 - (m) the director general; and
 - (n) one representative of farmers nominated by the National Farmers Association and appointed by the board.
- (2) The director general shall act as secretary to the board.

6. Tenure of office of members of the board.

(1) For the avoidance of doubt, a person holding office as a member of the board by virtue of an office held by him or her shall cease to be a member of the board upon ceasing to hold that office but if otherwise qualified for appointment may be eligible for reappointment to the board.

(2) An appointed member shall hold office as a member of the board for three years and is eligible for reappointment.

(3) An appointed member may resign his or her membership of the board by notice in writing addressed to the chairperson which shall take effect from the date of receipt of it by the chairperson.

(4) The membership of the board of an appointed member may, on the recommendation of the board, be terminated by the chairperson by written notice; and the termination shall take effect from a date specified by the chairperson.

7. Remuneration of members of the board.

A member of the board or any person who attends any meeting of the board may be paid such remuneration or allowances as the board may, in consultation with the Minister responsible for finance and economic planning, determine.

PART IV—FUNCTIONS OF THE BOARD.

8. Functions of the board.

(1) The board shall, subject to this Act, be charged with general responsibility for—

- (a) control and formulation of the policies of the organisation;
- (b) carrying out the objects and functions of the organisation;
- (c) management of the property and business, income, funds and other affairs of the organisation.

(2) Without prejudice to the general effect of subsection (1), the board may under that subsection—

- (a) solicit and receive on behalf of the organisation gifts, donations, fees, subscriptions and other monies payable to the organisation

- and approve their expenditure;
- (b) cause to be opened on behalf of the organisation such bank accounts as may be necessary for the effective carrying on of its objects and functions; and
- (c) do anything conducive or incidental to the better carrying out of the provisions of this Act.

9. Delegation by the board.

The board may delegate any of its functions under this Act to any member of the board or to any officer of the organisation subject to such conditions as the board may prescribe.

10. Meetings of the board, etc.

The First Schedule shall have effect in relation to meetings of the board and other matters specified in that Schedule.

11. Relationship of the board with UNCST.

(1) The organisation shall operate in cooperation with UNCST and shall in relation to UNCST be responsible for research in the agricultural sector of the economy of Uganda.

(2) The board shall submit to UNCST annual reports on research and development activities carried out by or under the auspices of the organisation.

PART V—COMMITTEES OF THE BOARD.

12. Committees of the board.

(1) The board may appoint committees to assist it in carrying out its functions under this Act and may delegate to any such committee such functions as it may consider fit and subject to such conditions as it may determine.

(2) A committee appointed under subsection (1) may comprise members of the board or nonmembers or both.

(3) The board may prescribe the procedure of any committee

appointed by it under this section.

(4) The board may prescribe allowances, if any, to be paid to members of committees under this Part.

13. Management committee.

- (1) The board shall have a management committee comprising—
 - (a) the director general who shall be the chairperson of the committee;
 - (b) the deputy director general;
 - (c) the directors of research institutes;
 - (d) the head of the research extension liaison office of the organisation; and
 - (e) the head of one associate institute.

(2) The committee may co-opt any resource person as the committee may think fit to any meeting of the committee, except that a person so co-opted shall have no right to vote on any matter coming for decision at the meeting.

14. Functions of the management committee.

The management committee shall be responsible for providing guidance and assistance to the secretariat in the performance of its functions and, without prejudice to the general effect of the foregoing, shall assist in the following—

- (a) the development of an improved and efficient research management system for the organisation with particular emphasis on decentralisation of research operations and implementations to the research institutes;
- (b) the determination and drafting of appropriate research policies and review of research priorities in accordance with the social and economic policies of the Government and guidelines provided by the UNCST;
- (c) reviewing and appraising, on the basis of national research priorities, project proposals that have been endorsed by the appropriate technical committees, for approval and funding by the organisation;
- (d) establishing an effective scheme of service, performance-oriented incentive schemes and personnel policies for the organisation for approval by the board and funding by the organisation;

- (e) periodic review of the organisation's management systems, research policies and priorities, scheme of service, personnel policies, management and research operations; and
- (f) performing such other functions as may be assigned to it by the board.

PART VI—SECRETARIAT.

15. Secretariat of the organisation.

- (1) The organisation shall have a secretariat.
- (2) The secretariat shall be headed by the director general.
- (3) The secretariat shall have such other staff of the organisation as the board may determine.

16. Functions of the secretariat.

The functions of the secretariat shall be—

- (a) to prepare, for approval by the board, rolling five-year research and manpower plans of the organisation;
- (b) to coordinate and monitor the implementation of research programmes and training activities;
- (c) to establish, coordinate and review linkages of research institutes with any international organisation or research body outside the organisation or outside Uganda;
- (d) to present to the board recommendations of the management committee on policies and priorities for agricultural research;
- (e) to make arrangements for periodic assessments of the performance of each research institute and the secretariat in terms of efficiency, appropriateness of organisational structure and adequacy of facilities and resources with reference to the tasks to be performed;
- (f) to monitor and report to the board on arrangements for dissemination and utilisation of research results and their impact on the development of agriculture and social improvement of Uganda;
- (g) to review research proposals in terms of priority and technical content;
- (h) to provide secretarial and logistical support that will facilitate the

- work of the management committee, external review team and such other committees or teams that may be set up by the board;
- (i) to process reports, proposals and papers on various issues to be considered by the board; (j) to present to the board recommendations of the management committee on policies and priorities for agricultural research;
 - (k) to establish a database and coordinate information flow among the research institutes and sector Ministries set out in the Second Schedule to this Act; (l) to sensitise politicians, policymakers and donors on the activities of the organisation; (m) to coordinate activities of donor agencies in relation to agricultural research; (n) to mobilise and solicit for funds for the organisation's research programmes;
 - (o) to organise seminars, conferences and workshops; and
 - (p) to do such other things as may be necessary, desirable or expedient for carrying out its functions.

PART VII—RESEARCH INSTITUTES.

17. Research institutes.

(1) The organisation shall have and operate the research institutes specified in the Third Schedule to this Act and such other institutes as the board may approve as constituent institutes of the organisation.

(2) Where a new research institute has been approved by the board under this section, the Minister may, by statutory order and with the approval of Parliament, amend the Third and Fourth Schedules to this Act to insert the particulars of the new research institute.

18. Functions of research institutes.

The research institutes of the organisation shall have the following functions—

- (a) to identify production, policy, market, processing and utilisation constraints in the fields of agriculture, livestock, fisheries and forestry, and prepare short- and long-term research programmes within the framework of the national agricultural research strategy and plan;

- (b) to ensure participation of extension workers, producers and agro-industries in identifying constraints and establishing priority research agenda;
- (c) to organise, design and carry out on-station and on-farm research in the fields specified in the Fourth Schedule to this Act in accordance with such policies and in such priorities as may be determined by the board;
- (d) to carry out, independently or in cooperation with the extension services and other organisation, agencies and institutions, public or private, such surveys, studies and investigations as the board may consider necessary;
- (e) to organise national conferences, seminars, workshops and training to improve skills and knowledge of research, extension and support staff;
- (f) to establish and maintain regular contact with regional and international agricultural research centres to ensure the rapid introduction, evaluation and use of improved technology of potential benefit to Uganda;
- (g) to establish close links with the public and the private extension agencies for propagating the results of research;
- (h) to identify and disseminate, in collaboration with the extension agencies, appropriate technology options to improve agricultural production and incomes of clients; (i) to conduct, in association with the secretariat of the organisation, annual reviews of research results and modify research programmes as appropriate; (j) to report and comment on results in such publications as may be deemed appropriate; and (k) to do such other things as may be necessary, desirable or expedient in carrying out its functions.

19. Operation of research institutes.

(1) The research institutes of the organisation shall be autonomous in their operations relating to the implementation of their programmes and in the allocation and management of their resources in accordance with their annual programmes and budget as approved by the board.

(2) Each research institute referred to in subsection (1) shall have an advisory executive committee appointed by the director of the institute and approved by the director general.

(3) The director of the institute shall be the chairperson of the committee.

(4) The director of a research institute shall also, with the approval of the director general, appoint a programme review committee of the institute which may include representatives from the extension services, national universities, NGOs, farmers associations and agro-industries operating within the fields of research specified in the Fourth Schedule and donors funding research programmes of the institutes.

(5) The programme review committee shall scrutinise research proposals of the institute in relation to which it is appointed and make recommendations on priority research programmes and projects to be undertaken by the institute and ensure that the research programmes of the institute are relevant and responsive to the needs of clients.

PART VIII—STAFF OF THE ORGANISATION.

20. Director general.

(1) The board shall appoint a director general of the organisation who shall hold office on such terms and conditions as may be specified in the instrument of appointment.

(2) The director general shall be the chief executive officer of the organisation and shall be a full-time employee of the organisation.

(3) The director general shall, subject to this Act and subject, in particular, to the directions of the board on matters of policy, be responsible to the board for the day-to-day management of the organisation and control of its staff.

(4) If the director general is incapacitated by absence or illness or other causes from performing the functions of his or her office or if the post of director general is vacant, the deputy director general shall perform the functions of the director general for the duration of the incapacity or, as the case may be, until the vacancy in the office of the director general is filled by the board.

(5) Where the post of director general becomes vacant, the board

shall take necessary steps to ensure that the vacancy is filled within six months.

21. Deputy director general.

(1) The board shall also appoint a deputy director general of the organisation who shall hold office on such terms and conditions as may be specified in the instrument of appointment.

(2) The deputy director general shall assist the director general in the performance of the functions of the director general and shall perform such other functions as the director general or the board may determine.

22. Heads of units and directors of research institutes.

(1) The board shall also appoint heads of various units of the secretariat and directors of research institutes.

(2) Subject to this Act, the persons appointed under this section shall hold office on such terms and conditions as may be specified in the instruments of appointment.

23. Other staff.

(1) The board shall also engage for the organisation such officers and employees as may be necessary for the proper and efficient discharge of the objects and functions of the organisation under this Act and, in particular, for the efficient carrying out of the functions of the secretariat and research institutes.

(2) The board may, subject to such conditions and restrictions as it may impose, delegate any of its functions under this section to a committee of the board, the director general or any officer of the organisation.

24. General provisions relating to staff.

(1) The board shall prescribe the terms and conditions of service and regulate the mode of appointment, conduct and discipline of officers and employees of the organisation.

(2) Without prejudice to the general effect of subsection (1), the board may, under that subsection, provide for payment to its officers and employees of salaries, allowances, pensions, gratuities or any other payments required by them to contribute to any pension, provident fund or superannuation scheme.

25. Experts and consultants.

The board may, on the advice of the director general, engage on behalf of the organisation, the services of experts and consultants in respect of any of the functions of the organisation in connection with which they are considered to have special competence.

PART IX—FINANCE.

26. Source of funds.

- (1) The funds of the organisation shall consist of—
 - (a) grants from the Government;
 - (b) monies voted by Parliament;
 - (c) assistance from aid-giving agencies, including assistance from governments other than the Uganda Government and foundations;
 - (d) donations and endowments from organisations and individuals;
 - (e) the Agricultural Research Trust Fund;
 - (f) loans from any source; and
 - (g) monies that may become payable to the organisation in the discharge of its functions.

(2) All monies of the organisation shall be deposited in a bank account of the organisation in a bank approved by the Minister responsible for finance and shall not be withdrawn except in the manner approved by the board.

27. Agricultural Research Trust Fund.

(1) There is established a fund to be known as the Agricultural Research Trust Fund.

(2) Monies of the trust fund shall be derived from the Government and donor contributions.

(3) Monies of the fund shall be invested in a manner approved by the board, and the earnings from the investment shall be used to support agricultural research.

28. Investment of surplus funds.

The organisation may, with the prior approval of the Minister responsible for finance, invest funds which are not immediately required for use, in a manner determined by the board.

29. Financial year of the organisation.

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

30. Organisation's budget.

(1) The board shall, on a date in each year determined by the Minister responsible for finance, cause to be presented to the Ministry responsible for finance and economic planning the budget of the organisation for the next following financial year.

(2) On approving the budget of the organisation, the Ministry responsible for finance and economic planning shall release funds directly to the secretariat.

(3) Requests for release of funds from research institutes shall be made to the secretariat.

31. Accounts and audit.

(1) The organisation shall keep proper account of its income and expenditure and proper records in relation to them.

(2) For the purposes of proper accounting, the secretariat and each research institute shall keep separate accounts which shall be maintained in a manner and form as determined by the board and in accordance with the Government accounting regulations for the time being in force.

(3) The board shall, subject to such directions as the Minister responsible for finance may give, cause to be prepared in respect of each financial year a statement of account of the organisation which shall include—

- (a) a balance sheet, a statement of income and a statement of income and surplus or deficit; and
- (b) such other information in respect of the affairs of the organisation as the Minister responsible for finance may require.

(4) The accounts of the organisation shall be audited by the Auditor General or an auditor appointed by him or her.

(5) The board shall, within three months after the end of each financial year of the organisation, cause to be prepared and submitted to the Auditor General for auditing a statement of account as prescribed in subsection (3).

(6) The Auditor General shall, within four months after the date of receipt of the statement of account from the organisation, audit the statement and deliver to the board a copy of the audited accounts together with his or her report on the audit.

PART X—MISCELLANEOUS.

32. Seal of the organisation.

(1) The common seal of the organisation shall be kept in the custody of a person to be appointed by the director general and shall not be affixed except by order of the board.

(2) The seal of the organisation shall be authenticated by the signature of the director general and the deputy director general in the presence of two other members of the board who shall sign as witnesses.

33. Protection of members and staff from civil action.

(1) A member of the board or a member of a committee of the board shall not be personally liable for any civil action done by him or her in good faith without negligence for the purpose of carrying into effect the provisions of this Act.

(2) An employee or other person acting on behalf of the organisation shall not be liable for any act done by him or her in good faith for the purpose of carrying into effect the provisions of this Act.

34. Report on the organisation's activities.

(1) The director general shall submit to the board periodic reports, returns and summaries on the activities of the organisation and shall submit an annual progress report.

(2) The board shall, as soon as practicable after the end of each financial year but not later than October, submit to the Government an annual financial report on the progress and conduct of the affairs of the organisation to which shall be attached the Auditor General's report delivered to the board under section 31.

35. Patent rights.

(1) Any right of patent in a discovery, invention, new formula, or improvement on any apparatus or machine made by any person in the course of carrying out the objects and functions of the organisation shall vest in the organisation.

(2) The right of patent referred to in this section may be made available for use in the public interest.

36. Regulations.

The Minister may, on the recommendation of the board, by statutory instrument, make regulations for better carrying out the objects and functions of the organisation and otherwise for giving full effect to the provisions of this Act.

37. Amendment of Schedules.

The Minister may, by statutory order, with the approval of Parliament, amend any provision of the Second, Third and Fourth Schedules to this Act by the deletion or insertion of any particulars.

SCHEDULES

First Schedule.

s. 10.

Meetings of the board and other miscellaneous matters.

1. Meetings of the board.

(1) The board shall meet for the discharge of its functions at least once every three months or upon the request in writing to the chairperson by at least one-third of the members of the board at such time and place as the chairperson may appoint.

(2) A meeting of the board shall be convened by a notice issued under the signature of the secretary to the board at least fourteen days before the meeting except that in the case of an emergency a shorter notice may be given.

(3) The chairperson shall preside at all meetings of the board, and if the chairperson is absent the vice chairperson shall preside; or in the absence of both of them, a person elected by the members present shall preside.

(4) One-third of the members of the board shall form a quorum at a meeting of the board.

(5) Any decision at a meeting of the board may be determined by a simple majority of the members present.

(6) A member of the board shall have one vote; and in the event of equality of votes, the chairperson or person presiding at the meeting shall have a casting vote.

(7) The board may invite any person to assist it at any of its meetings, but that person shall not have the right to vote at that meeting.

(8) Subject to this Schedule, the board may regulate its own procedure.

2. Minutes.

(1) The secretary to the board shall cause to be recorded and kept

minutes of all meetings of the board in a form approved by the board.

(2) The minutes recorded under this paragraph shall be submitted to the board for confirmation at its next meeting following that to which the minutes relate and when so confirmed shall be signed by the chairperson and the secretary in the presence of the other members present at the latter meeting.

3. Validity of proceedings not affected by vacancy.

The validity of any proceedings of the board shall not be affected by any vacancy among its members or by any defect in the appointment of any of them.

4. Disclosure of interest.

(1) If a person is present at a meeting of the board at which a matter is the subject of consideration and in which matter that person or his or her spouse is directly or indirectly interested in a private capacity, he or she shall, as soon as practicable after the commencement of the meeting, disclose that interest and shall not, unless the board directs otherwise, take part in any consideration or discussion or vote on any question relating to that matter.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

5. Service of documents.

Any notice or other document may be served on the organisation by delivering it to the office of the organisation or by sending it by registered post to the director general.

Second Schedule.

s. 16.

Sector Ministries.

Ministries	Area
Ministry responsible for agriculture, animal industry and fisheries	Crops, livestock, fisheries and associated production systems and factors
Ministry responsible for water, minerals, energy and environment protection	Forestry, agro-forestry and associated production systems and factors
Ministry responsible for industry, commerce, cooperatives and marketing	Production, processing, export and marketing of agricultural commodities

Third Schedule.

ss. 3, 17.

Research institutes.

Agricultural Engineering and Appropriate Technology Research Institute, (AEATRI) Fisheries Research Institute Jinja (FIRI) Food Science and Technology Research Institute (FOSRI) Forestry Research Institute Kifu (FORI) Kawanda Agricultural Research Institute (KARI) Livestock Health Research Institute, Tororo (LIRI) Namulonge Agricultural and Animal Production Research Institute, (NAARI) Serere Agricultural and Animal Production Research Institute (SAAPRI)

Research mandate.

Research institute	Fields of research
Agricultural Engineering and Appropriate Technology Research Institute (AEATRI)	Farm mechanisation, crop processing and storage, soil and water engineering and other appropriate technology as approved by the board
Fisheries Research Institute Jinja (FIRI)	Freshwater fisheries, fish technology, aquaculture and fish production systems and other fields as approved by the board
Food Science and Technology Research Institute (FOSRI)	Food preservation, processing, storage, marketing and dietetics and other fields as approved by the board
Forestry Research Institute Kifu (FORI)	Natural forests, plantation forests, forest products and utilisation, agro-forestry and other fields as approved by the board
Kawanda Agricultural Research Institute (KARI)	Perennial cash and food crops, farming systems; soils crop protection; plant introduction and quarantine service; other fields as may be approved by the board
Livestock Health Research Institute Tororo (LIRI)	Animal health, animal breeding and theriugenology, animal diseases and other fields as approved by the board
Namulonge Agricultural and Animal Production Research Institute (NAARI)	Annual industrial and food crops, crop/livestock management systems pastures and other fields as approved by the board
Serere Agricultural and Animal Production Research Institute (SAARI)	Cereals, root crops, legumes and oil seeds for semiarid areas; semiarid production systems; seed research and production; pastures and range management; livestock management systems; other fields as approved by the board

History: Statute 19/1992; S.I. 31/1999.