

Tanzania

Sisal Industry Act

Tanzania Sisal Board Regulations, 1999

Government Notice 240 of 1999

Legislation as at 31 July 2002

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Tanzania Sisal Board Regulations, 1999

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Tanzania

Sisal Industry Act

Tanzania Sisal Board Regulations, 1999

Government Notice 240 of 1999

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[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]

[Section 20; G.N. No. 240 of 1999]

Part I – Preliminary provisions (regs. 1-3)

1. Citation

These Regulations may be cited as the Tanzania Sisal Board Regulations.

2. Application

These Regulations shall apply to any type of sisal and sisal products processed or brought into Tanzania for the purpose of production, processing, marketing or export.

3. Interpretation

In these Regulations, unless the context requires otherwise—

"**Act**" means the Tanzania Sisal Industry Act ¹;

"**Board**" means the Tanzania Sisal Board;

"**Director**" means the Director for crop development;

"**exporter**" means the export of sisal or sisal products;

"**Inspector**" means an officer designated as a sisal inspector under the Act;

"**Institute**" means the Mlingano Sisal Research Institute;

"**Minister**" means the Minister responsible for agriculture;

"**Officer**" means any officer acting on behalf of the Board.

Part II – Sisal cultivation and husbandry (regs. 4-5)

4. Restrictions on importation of bulbils

- (1) No person shall import sisal bulbils without a permit issued in writing by the Director.
- (2) Any person who contravenes the provisions of subregulation (1) commits an offence and upon conviction the imported bulbils shall be forfeited by the Director for destruction.

5. Sisal growing

- (1) Every Sisal grower shall—
 - (a) grow sisal in accordance to the recommendation the institute and issued by the Board;
 - (b) use planting material approved by the Institute and develop, nurseries of such planting materials;
 - (c) follow the recommended practices issued from time to time.
- (2) Any person who contravenes or fails to comply with the provision of subregulation (1) commits an offence and upon conviction is liable to a fine of three hundred thousand shillings or to an imprisonment for a term of six months or to both such fine and imprisonment.

Part III – Registration and licensing (regs. 6-15)

6. Registration and licensing

- (1) Any person intending to carry on any of the activities under the Act shall be registered and licensed according to these Regulations.
- (2) The activities referred to in subregulation (1) includes the following—
 - (a) sisal growing;
 - (b) sisal spinning;
 - (c) sisal weaving;
 - (d) sisal export;
 - (e) sisal cordage export;
 - (f) sisal woven products export;
 - (g) sisal trading;
 - (h) small holders and co-operatives.

7. Register

The Board shall keep and maintain registers of the following, namely—

- (a) sisal growers;
- (b) sisal spinners;
- (c) sisal buyers;
- (d) sisal weavers;
- (e) sisal exporters,

- (f) cordage exporters;
- (g) woven products exporters;
- (h) small holders and co-operative growers or traders.

8. Licensing period and fees

- (1) Unless specifically provided on the licence, all licences issued under these Regulations shall be valid for one year and shall commence from the 1st day of January to 31st day of December of each year.
- (2) Every application for a licence shall be accompanied by fees as may be prescribed by the Board from time to time.

9. Sisal growing licence

An application for sisal growing shall be in Form TSB/SGL/001 and the sisal growing licence shall be in Form TSB/SGL/002 set out in the First Schedule.

10. Sisal buyer licence

- (1) An application for sisal buyer licence shall be in Form TSB/SBL/003 and the sisal buyer licence shall be in Form TSB/SBL 004 set out in the First Schedule.
- (2) The licence granted under this regulation empowers the holder to buy sisal fibre from any estate but does not entitle him to export sisal fibre without a valid export licence.
- (3) Every sisal fibre buyer shall produce his licence at all reasonable time upon request by the Board, police officer or any other duly authorised person.
- (4) Any sisal buyer who fails without reasonable cause to produce the licence so requested, commits an offence and upon conviction is liable to a fine of two hundred thousand shillings or to imprisonment for a term of six months, and in addition, the court may order cancellation of the licence.

11. Sisal spinner licence

- (1) An application for sisal spinner licence shall be in Form TSB/SSL/005 and the licence shall be in Form TSB/SSL/006 as set out in the First Schedule.
- (2) All sisal spinning plants shall be licensed by the Board in accordance with specifications prescribed by the Board from time to time.

12. Sisal weaving licence

- (1) An application for sisal weaving shall be in Form TSB/SWL 007 and the licence shall be in Form TSB/SWL008 as set out in the First Schedule.
- (2) All sisal weaving plants shall be licensed by the Board in accordance with specifications prescribed by the Board from time to time.

13. Sisal fibre exporters

An application for sisal fibre exporters licence shall be in Form TSB/STL/009 and the licence shall be in Form TSB/SFE/010 as set out in the First Schedule.

14. Cordage exporters licence

- (1) An application for cordage exporter licence shall be in Form TSB/CE/011 as set out in the First Schedule.
- (2) The cordage exporter licence empowers the holder to export sisal twine, yams and ropes from the licensed spinning mills

15. Local sisal sales licence

- (1) An application for local sisal sales licence shall be in Form TSB/LSL/012 and the licence shall be in Form TSB/LSL/013 as set out in the First Schedule.
- (2) The local sales licence empowers the holder to sell all sisal products produced in the Country.

Part IV – Grading (reg. 16)**16. Grading of sisal fibre or product**

- (1) The Board may at any time cause any type or grade of sisal fibre or product to be graded by a quality controller or any person authorised by the Board, particularly—
 - (a) prior to the sale by the grower; or
 - (b) after processing; or
 - (c) prior to export; or
 - (d) at the storage point.
- (2) The grading of sisal fibre shall be as prescribed in Part A of the Second Schedule.
- (3) The grading of sisal products shall be in accordance to the internationally recognised standards provided in Part B of the Second Schedule.

Part V – Issuing of licences (regs. 17-21)**17. Processing of licence**

The Board shall process every application for a licence under these Regulations without undue delay.

18. Refusal to issue licences

The Board may refuse to issue a licence to an applicant if—

- (a) the applicant has failed to show evidence of capacity to carry our business relating to the applied licence;
- (b) in the opinion of the Board, the applicant is unable to comply with the provisions of these Regulations relating to the carrying out of the sisal business;
- (c) the applicant is heavily indebted to the sisal industry.

19. Suspension of licence

- (1) The Board may, for specified reasons made to the holder of a licence issued under these Regulations, suspend a licence.
- (2) A suspension of a licence under this regulation shall not exceed a period of sixty days.

- (3) Any person whose licence is suspended under this regulation shall be given an opportunity to be heard by the Board at the earliest opportunity.
- (4) Any person who transacts any business during the period when the licence is under suspension commits an offence and upon conviction is liable to a fine of three hundred thousand shillings or to imprisonment for a term of six months and in addition the court may order cancellation of the licence or order forfeiture of the property used in connection with the contravention.
- (5) The Board shall, as soon as the situation necessitating the suspension of any licence is rectified by the holder of the licence to the satisfaction of the Board, lift the suspension of the licence without delay.

20. Cancellation

Notwithstanding provisions of regulations 18 and 19 the Board may cancel any licence issued under these Regulations where it is satisfied that the holder of the licence has—

- (a) ceased to carry on the business in respect to which the licence was issued; or
- (b) failed to pay the annual fee required to be paid in respect of the licence.

21. Transfer of licence

A licence issued in accordance with these Regulations shall not be transferred to any other person.

Part VI – Inspection and quality control (regs. 22-24)

22. Inspection

- (1) Every holder of licence for sisal growing, processing or marketing, shall, at all times during the normal working hours, whether with or without prior notice from the Board, allow free entry to inspectors and officers of the Board to carry out any inspection as it may be required and other activities which they may consider necessary for enforcing these Regulations and the holder of such licence shall render all reasonable assistance required.
- (2) An inspector shall inspect the following, namely—
 - (a) land utilisation, which shall include but not limited to—
 - (i) brush cutting;
 - (ii) ploughing and cross ploughing;
 - (iii) usage of fertilizers and insecticides, water utilisation and other environmental factors;
 - (b) planting space and inter row cultivation;
 - (c) clearing of immature and mature sisal;
 - (d) cutting, transportation, decortication, brushing, pressing and storage facilities;
 - (e) plant and equipment for processing of sisal products;
 - (f) raw materials used in the spinning and weaving of sisal.

23. Inspector may require production of documents

- (1) For purposes of proper execution of inspection duties, the inspector may require the holder of any permit or licence, the production of books, records, or returns required to be kept under these Regulations, which shall include—
 - (a) production and stock returns;
 - (b) inspectors reports;
 - (c) labour returns;
 - (d) land use returns;
 - (e) local and exports sales returns;
 - (f) investment returns;
 - (g) research and development returns.
- (2) The inspector shall have to report all the inspection findings in the sisal inspection forms set out in the Third Schedule.

24. Offences and penalty

Any person who—

- (a) denies entry; or
 - (b) obstructs; or
 - (c) fails to render reasonable assistance required by these Regulations to any inspector or, any officer,
- commits an offence and upon conviction is liable to a fine of three hundred thousand shillings or to imprisonment for a term of six months, and in addition, the court may order cancellation of his licence.

Part VII – General provisions (regs. 25-27)**25. Exporting terms**

All sisal fibre and sisal products shall be exported through the following terms:

- (a) FOB Tanga or Dar es Salaam or Mtwara;
- (b) C.I.F. Tanga or Dar es Salaam; or
- (c) any other terms may be approved by the Board.

26. Prices

- (1) The Board may, from time to time, inform the general public about the prices prevailing in the world market.
- (2) Any price which may be published by the Board under this regulation shall have no binding effect to either the grower, processor or seller of any type of sisal product, but shall only serve to indicate the approximate levels the products may be sold.

27. Records, returns and documents

- (1) Every person registered by the Board under these Regulations, shall keep the following at the business premises namely—
 - (a) accurate records of his transactions;
 - (b) proper and accurate records of all sisal fibre and products exported and the contracted prices;
 - (c) a copy of the licence issued to him, by the Board; and
 - (d) a copy of the Act and these Regulations.
- (2) Every licence holder shall be required to file with the Board such returns as shall be directed by the Board.

First Schedule

Forms

[Editorial note: The forms have not been reproduced.]

Second Schedule

Grading of sisal fibre and sisal products

A – Sisal fibre

- (i) There shall be 11 grades of sisal fibre as follows:
 - (a) Grade 1 - length from 90 cm upwards, free of defective decortication. Properly brushed, free of tow, cutting, dust. Colour may vary from creamy white to cream.
 - (b) Grade A - length from 90 cm upwards, free of defective decortication. Properly brushed, free of tow, cutting, dust tousled and bunchy end. Colour may be slightly yellowish.
 - (c) Grade 2 - length between 75 cm and 90 cm. Free of defective decortication. Properly brushed, free of tows, cuttings, dust tousled and bunchy ends. Colour may vary from creamy white to cream.
 - (d) Grade 3L - length from 90 cm upwards. Free of defective decortication. Properly brushed, and free of tows, cuttings, dust tousled and bunchy ends. Colour may vary from creamy white to slightly yellowish.
 - (e) Grade 3S - Length from 90 cm upwards. Free of defective decortication. Properly brushed, free of tows, cuttings, dust tousled and bunchy ends. Colour may vary from creamy white to slightly yellowish.
 - (f) Grade UG (or R) length from 60 cm. upwards, Free of defective decortication. Properly brushed, free of tow, cuttings, dust tousled and bunchy ends. Colour may be creamy white, yellowish, greenish and slightly blackish but not rotten.
 - (g) Grade UF - length from 60 cm upwards. Slightly barky runners and harshness are permissible. Brushed and unbrushed fibre is allowed. Free of dust and under-corticated barks. Colour may be blemished, greenish, yellowish, brownish due to delayed decortication and blackish but not rotten.
 - (h) Grade S.C.W.F. - Short Clean White Fibre: Length between 45 cm and 60 cm. Free of defective decortication. Properly brushed, free of tow, dust, tousled and bunchy ends. Colour may vary from creamy white to cream.

- (i) TOWI - Pieces of fibre that come out behind the brushing machines. Entirely free of fine fibre, dust, sweepings, knots and undercorticated barks. Colour may vary from creamy white to cream.
- (j) TOWI - Pieces of fibre that come out behind the brushing machine entirely free of fine fibre, dust, sweepings, knots and undercorticated barks. Colour may be yellowish, greenish, brownish.
- (k) Flume Tow - Fibre cuttings extracted from the flume channel then dried. The detailed description of the fibre grading is attached to these Regulations.

B – Sisal products

The grading of various sisal products shall follow the internationally recognised standards as follows:

- (i) Sisal twines and ropes shall be governed by International Sisal Organisation Standards No. ISO 5080 first published in 1977.
 - (ii) Woven products shall be governed by International Sisal Organisation Standards No. 150 first published in 1997.
- (2) The technical specifications of the products are appended together with these Regulations.

Third Schedule

Sisal inspector's fibre quality report

Tanzania Sisal Board

_____ Estart Mark _____

Month of production

Quality Faults x Slight xx Serious xxx Very Serious

		No.	No.	No.	No.	UG	UF
		1	2	3L	3		
<u>Bales opened</u>							
1.	Condition & packing						
	Bale No.						
	Grade						
	Date						
	(a)	Difficult to unpack					
	(b)	Poor alignment					
	(c)	Uneven - butt ends					
	(d)	Loops & tangles					
	(e)	Knots & ties					
	(f)	_____					
(g)	_____						
2.	Decortication						
	(a)	Incomplete: General					

	(b)	Incomplete Butts, Tips		
	(c)	_____		
	(d)	_____		
3.	Sorting & grading			
	(a)	Short length		
	(b)	Mixed length		
	(c)	Colour: General		
	(d)	Blemished Fibres		
	(e)	Stringers		
	(f)	Barky		
4.	Brushing			
	(a)	Incomplete		
	(b)	Town: General		
	(c)	Bunchy butt ends		
	(d)	Tow in butts		
	(e)	Tousled Tips		
	(f)	_____		

5.	Bales			
	(a)	Burst Bales		
	(b)	_____		
6.	Tow			
	(1)	Faults _____		
	(2)	Faults _____		

Production for the months of _____

Grades _____ passed for export _____

Proposed changes _____

Tanzania Sisal Board

Stock check sheet

Estate _____ Mark

	1	2	3L	3S	A	UG	UF	SCWF	Total/ Fibre	Tow 1	Tow 2	Total tow	Flume tow	Grand total
Stock on														
Production on														
Total Tons														
Despatches to														
Balance Bales														
Checked Tons														
Checked Bales														
Difference in Tons														
Difference in Bales														
Last Months Prod.														
Last Months Desp.														
Destinations of This Month's Desp.														
Note on Baling Rates														

Line Fibre _____	Bales per Ton
Tows _____	Bales per Ton
Flume Tow _____	Bales per Ton

Date _____

Manager's Signature

Sisal Inspector's Signature