

HARMONISATION OF THE BILLS FOR ORDINANCES FOR URBAN AND PERI-URBAN AGRICULTURE AND LIVESTOCK IN KAMPALA CITY COUNCIL

**REPORT OF A WORKSHOP HELD AT HOTEL TRIANGLE – JINJA
3RD-4TH/03 2005**

1. Background

The workshop on harmonising Kampala City Council (KCC) Urban and Peri-urban Agriculture (UPA&L) ordinances brought together participants of different disciplines from different government departments and non-governmental organisations. (*Ref. appended – list of participants*)

The workshop aimed at identifying and harmonising clauses and articles in the ordinances that are in conflict with other national laws and policies.

2. Proceedings

2.1 Opening remarks and Overview of the workshop by the Team Leader KUFSAALCC Dr. George Nasinyama

The team leader KUFSAALCC, Dr. George Nasinyama welcomed participants to the workshop and thanked them for having sacrificed their precious time to respond to the noble cause of harmonising the clauses in the Bills for Ordinances with national laws and policies.

In an overview and background to the exercise of harmonising the Ordinances, Dr. Nasinyama outlined the different UPA&L related research activities in the areas of zoonoses, nutrition, livelihoods, production and marketing that were carried out to, among others, inform the revision of the Bills for Ordinances. He also briefed participants on the on-going project geared at Pilot – testing the KCC UPA&L guidelines (that were derived from the revised Ordinances) in two parishes of Banda (in Nakawa Division) and Buziga (in Kawempe Division). He commented on the existing political will and support for urban and peri-urban agriculture in the Kampala City Council by principally the Mayor and the City Minister for Social Improvement (Cllr. Winnie Makumbi) and also expressed at the national level by the New Minister of Agriculture Animal Industry and Fisheries Hon. Janat Mukwaya.

Closing his remarks, Dr. Nasinyama pointed out the workshop output that was to come up with the final Draft of the Bills for Ordinances to be submitted to the Mayor for endorsement and hence become law.

Reactions to opening remarks.

- Dissemination of UPA&L Information: KUFSAALCC committee was requested to come up with a dissemination strategy of all the UPA&L documents in

form of brochures to respond to the increasing public concern and interest in UPA&L.

- In reaction, the Team leader KUFSAALCC explained that some documents and some resources were available to publishing such documents like the UPA&L guidelines. Even resources were available through this project to gazette and launch the Ordinances.
- Mass Sensitisation: The State Attorney, Mark Ssinabulya advised that the implementation of the law could be put on hold for three months after gazetting during which time mass sensitisation of the public about the new laws could be undertaken.

Discussion of the Ordinances – lead by the Legal Consultant – Mark Ssinabulya

Mr. Ssinabulya took participants through the ordinances and pointed out areas of conflict and those that required clarification. Except the milk ordinance whose soft copy was missing, changes in the rest of the ordinances were effected immediately by the Rappporteur, Ms Margaret Azuba as discussions progressed.

Discussions on Implementation of the law

- Enforcement of the Law: Having noted that the law was virtually ready for launching, participants observed that Kampala City Council should make arrangements to sensitise the public about the law before it is enforced. KCC was also put in place the relevant structures and all requirements including a budget to enhance implementation of the law.
- A suggestion was then made that before the law becomes operational in the next financial year, KCC should use the time in between to source for funds to enable the sensitisation of the public.
- Gazetting of the Law: Regarding Proofreading of the final draft, the State Attorney – Parliamentary Counsel clarified that copies of the final draft will be sent the Parliament Office by the printery as proofs which copies can be distributed to KCC and other stakeholders for proofreading before publishing
- Commencement of the law: Mr. Ssinabulya further clarified that usually the law allows a grace period ranging from 3 – 6 months, which period can be reflected in the ordinances and within that period, arrangements of enforcement of the law can be done. General consensus on the grace period before gazetting of the law was on 3 months; with effect from April – end of June.
- On this note it was suggested that arrangements for mass sensitisation should start immediately.

The Way forward Presented by Team Leader KUFSALLC Dr. George Nasinyama

Issues that require the attention of the Council

- List of urban and peri-urban activities: The team leader KUFSALCC noted the need for Council to come up with a list of items that shall be considered as activities to be carried out in urban and peri-urban agriculture. An outline of UPA&L activities later and members were allocated to the different UPA&L categories to specify activities to be considered under each category.
- Revision of the guidelines: Dr. Nasinyama also pointed out the need to hold another meeting and make a revised copy of the guidelines in conformity with the current version of the ordinances.
- Challenges in piloting the guidelines: These challenges he observed are mainly operational; which need to be place for people to comply to the guidelines. It requires Kampala City Council to put in place a mechanism for providing permits and licences, providing dog and cat collars and badges, and also having adequate and accessible vaccination facilities and pounds, among others..
- Another challenge noted was the need for KCC to gazette the slaughter-houses / places for hygiene slaughter purposes.
- Operationalisation of the ordinances: This requires KUFSALCC to hold massive sensitisation about the law throughout Kampala District. KCC was therefore urged to have a final commitment to this cause and put funds in place.
- An appeal was on this note made to KCC SICDA Minister to mobilise some funds for the sensitisation. Likewise, KUFSALCC also made a commitment to write a proposal for funding.
- Once again, Dr. Nasinyama pointed out the existing political will and support for UPA&L&L that had been expressed by the new Minister of Agriculture Hon. Janat Mukwaya. He, therefore, called for concept papers to source funds for development of the national policy on UPA&L and urged KCC to take the lead in sourcing for funds.

Reaction by KCC Minister – SCIDA Ms Winnie Makumbi

The Minister started by apologising to the workshop for having not attended fully but was caught up by other responsibilities.

- She also conveyed the Mayor's acknowledgement of UPA&L work and efforts made by KUF SALCC in mobilising resources for UPA&L activities and challenged other KCC departments to emulate the agriculture department.
- She acknowledged KUF SALCC committee for their efforts and commitment in promoting urban and peri-urban agriculture and went on to inform participants of Kampala City Council plans intended at screening the documents of the social sector, of which UPA&L is part. For this cause she said she would use the UPA&L reports in place.
- She concluded by committing herself always to continue supporting UPA&L activities despite the challenges.

UPA&L LIST OF ACTIVITIES

An outline of activities to be considered as UPA&L was made and members were allocated to some category to make the respective lists more comprehensive.

1. Crop farming: Maria Kawesa, John Muwanga and Margaret Azuba to develop this list and decide on the crops to be considered under this category.
2. Livestock keeping: Dr. Nasinyama and Mr. Kibombo
3. Agro-food processing:
4. Companion Animals (dogs ad cats), Dr. Nasinyama, Tamale Fred
5. Butcher shops:
6. Slaughter houses:
7. Animal and bird transportation
8. Fish – fisherman, fish mongers, fish hawkers, transporters and processors
9. Milk - Dairy, on farm milk, milk hawkers, transporters, and processors

This is an example of how the harmonization of Ordinances with National laws was handled:

KAMPALA CITY COUNCIL MILK ORDINANCE 2005

Observations

➤ **Definitions**

- Replace industrial dairy with commercial dairy throughout
- Definition of artisanal dairy: Small scale operation basically producing for home consumption although may sell some

NB: [It was noted that small scale is still subjective but further decisions regarding size shall be made by Council:

Further reference to Public Health Act definition]

- Definition of commercial dairy: production in bigger quantity basically for sale
- Goat milk be included in definition of milk
- Definition of dairy; add farm “house”
- In the milk ordinance, where there is dairy person, add cow or goat keeper

➤ **Section 4 (1)**

- Un-bold
- Numbering of paragraphs 1 & 2 interchanged: 1 for 2, and 2 for 1; 3 not changed

➤ **Section 7 (d)**

- © Add “and” between wash & (**clean**) themselves.
- Replace efficient with effective

➤ **Section 8 (g)**

- Delete “if so required by Council are” add dressed in clean “protective wear” made of washable materials extending from the neck to the knees (white overalls, white head gears, white gumboots, and without jewelry except for marriage.
- Add (**i**) “The owner of the premises shall ensure that the sale of milk shall be carried out at a reasonable distance to be determined by the Council from the marketing of any other items, a toilets, garbage refuse skips and hair dressing areas, open drainage channel or any other likely source of contaminants”.

➤ **Section 9.**

- Last sentence: delete “for that purpose” and replace with “ in accordance with National Standards.”

➤ **Section 10**

- Delete ...Council to take “a reasonable” and make sample plural i.e. “samples”
- N.B: It was noted that according to the Public Health Act, the milk analyst is supposed to pay some fee / money for the milk samples, however, the State Attorney Parliamentary Counsel Mark Ssinabulya advised that for the purpose of easy enforcement of the law, the ordinance should keep silent about payment since even National Bureau of Standards does not pay for the samples, however, he promised to do further consultations and clarification from the National Bureau of Standards.

➤ **Section 12 (5)**

- Delete “Chief”; to read: “Medical Officer of Health”

➤ **Section 13**

- Change Commissioner of Veterinary ... Industry “ to Commissioner responsible for animal health.”

➤ **Section 15**

- Need to interpret / define the infectious diseases

➤ **Section 18**

- Revised: “A person ... a live animal or bird to be kept or remain in the dairy other than a farmhouse, cow or goat shed”.

Appendix

LIST OF PARTICIPANTS

1. Ms Margaret Ssemwanga Azuba, Urban Agriculture Officer / Extension Coordinator, Kampala City Council
2. Dr. George Nasinyama George - Team Leader KUFSALCC
3. Mr. Nyamutale Placid – District Fisheries Officer and Coordinator of Central Regions Fisheries Association, Kampala City Council.
4. Mr. Kibombo – Representative District Veterinary Officer, also District Officer in charge of dairy issues
5. Mark Ssinabulya, Legal Consultant and State Attorney, Parliamentary Counsel
6. Ms Maria Kawesa – Program Officer Urban Food Security, Gender and Environmental Alert.
7. Mr. Musisi John Muwanga – Desk Officer on Urban Agriculture, Ministry of Agriculture, Animal Industries and Fisheries (MAAIF)
8. Ms Winnie Makumbi – Minister of SCIDA
9. Mr. Abderlrahman Lubowa, Program Officer, Kampala Urban Harvest / Secretary KUFSALCC
10. Ms Sarah Kimeze – Lead Research Assistant, Project on Pilot – testing the new KCC ordinances on urban agriculture
11. Mr. Lule John – Health Inspector, KCC
12. Steven Muhumuza – Coordinator, Kampala District Farmers Association
13. Mr. Katungi – City Law Enforcement Officer
14. Mr. John - Farmer