

The Kampala City Fish Ordinance: A Guideline



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1. Kampala City Council is aware that food security is an important aspect of urban planning and management. That is why, in 2003, it organized public meetings to help draft these new Ordinances governing urban agriculture and food handling in the City.

2. The farming, capture, handling, processing and marketing of fish in urban areas, which are part of urban agriculture, benefit health in terms of nutrition. However, these activities can also create hazards to health and must be subject to proper planning and management. Fish are highly perishable as a form of food, and need careful handling to protect people's health. The Kampala City Council will therefore document and regulate this aspect of urban agriculture and food handling, to benefit residents and the city population in general.

3. It is the intention of the Council to enable artisanal fishermen, fish farmers, fish handlers, and fish mongers to operate with its support to benefit food security and good nutrition in the Council's area of jurisdiction, while protecting public health.

4. The Kampala City Urban Agriculture Ordinance allows for temporary permits for such artisans, while the provisions of this Ordinance and related guidelines will create the necessary public awareness for its eventual enforcement in relation to all fishermen, fish farmers, fish handlers, and fish mongers, both artisanal and industrial.

5. In the interests of effective regulation, the Kampala City Council will:

- a. Publish this set of Ordinances and the Guidelines that explain them
- b. Organize the listing of all urban agriculture and food handling activities
- c. Promote public discussion of the Ordinances
- d. Amend the Ordinances as needed
- e. Enact and enforce the Ordinances

What the Fish Ordinance Covers

6. Anyone dealing in any way with fish and fish products as a business, whether as a fish farmer, fisherman, fish monger, transporter or any other, must have permission from the Council.

7. Anyone dealing with fish as a business must do so in a place that is licensed, or have a permit to move fish as a hawker. Licensed places may be fish mar-

kets or other licensed area, or in a gazetted fishlanding site.

8. The Council's authorized officers can examine any fish being sold. If they think it is contaminated or unfit for human consumption, they can ban it from being sold.

9. They can also check the fish at any landing site, in transit or at a fish farm, as well as in markets. If they find the fish is not fit for human consumption, they can order its destruction.

10. If you don't comply with these instructions, you have committed an offence according to this Ordinance.

Moving fish and fish products

11. Anyone bringing fish for sale from elsewhere without the relevant papers is committing an offence. Even if you are found carrying a lot of fish from elsewhere which is assumed to be for sale, you can be charged with an offence if you don't have a permit.

12. Fish intended for sale for human consumption can only be moved around in or on a vehicle that has been approved by the Council.

13. If Council thinks the fish could be contaminated, it can refuse to approve the vehicle. It can also revoke (stop) its approval if the vehicle becomes a hazard to health.

14. Vehicles used for carrying fish must be kept in a clean condition. The vehicle should not carry anything else (including other animals or people) at the same time. The inside, the covering, the fish containers and other parts of the vehicle coming in contact with the fish have to be kept very clean. This also applies to the way the fish are loaded and unloaded onto the vehicle.

15. If you are handling or moving fish, you should take a lot of care to see that it does not get contaminated. Don't allow any part of the fish to touch the ground. Don't let other people or animals come into contact with the fish so as to make it dirty. Don't put the fish in dirty containers, and don't use containers that cannot easily be cleaned.

Never wrap or cover fish with grass, leaves, or expose it to dust.

16. If you employ people to handle or transport fish, make sure they wear a clean and washable head cover, white overall and boots, and that they keep themselves clean.

17. The Council's officers can inspect vehicles carrying fish at any time.

Permits and Licences

18. An artisanal fish farmer, fisherman, fish handler or fish monger may apply for an urban agriculture permit under Clause 3 of the "Kampala City Council Urban Agriculture Ordinance". But you will have to produce your medical permit.

19. Have a look at this clause in the Urban Agriculture Ordinance Guideline. Basically, it means you are allowed to operate if you are on the Council's Urban Agriculture List.

20. For the time being, just having your name on the list means you have permission to operate!

21. You may have to pay Council a small amount to have your name on the list. You will be issued with a receipt which constitutes a temporary permit, so keep it carefully.

22. And even more important, you need to read this Ordinance, and to make every effort to comply with it. All the requirements that you need to comply with are explained in this Guideline.

23. If you have an established fish business, and especially if you operate on a large scale, you have to make an application to Council for a commercial Fish Licence. This applies to fish farmers, fishermen, and fish mongers who are well established. Forms will be provided for your application. The licence has to state whether it is for fish processing, wholesaling, fish handling or fish selling (fish monger).

24. You can only get a permit or licence if you produce a certificate from a Medical Officer of Health that the premises where you operate conform with this Ordinance.

25. You are only allowed to process fish, or to sell fish or fish products, in a place that is licensed by the council. This can include a fish landing site.

26. Permits and licences cannot be transferred to another place. Commercial Fish Licences expire after one year and have to be renewed.

Premises used for Processing and Selling Fish.

27. Premises with a commercial Fish Licence must have:

- a. Proper sanitation and conditions to protect the fish from contamination. (The siting, construction, lighting, drainage, sanitary facilities and state of repair must be approved by Council).
- b. A sufficient and accessible supply of clean and wholesome water. (To be maintained by the Council);
- c. Facilities for enough boiling water to keep the place clean;
- d. Facilities for employees to keep themselves, their overalls and head coverings clean;
- e. Enough movable containers for refuse and trimmings not for sale. These have to have good, efficient lids. They have to be of a size and shape approved by Council.
- f. A place for employees to store their overalls and head coverings, to keep them in a clean and sanitary condition. This cupboard or dressing room cannot be used for anything else;
- g. A fly-proof storage place for fish not for immediate sale. It must be of a design and size approved by Council. It should not be used for anything else;

28. In addition, the premises must not:

- a. Be used as a living or sleeping room, or have direct connection to such rooms;
- b. Be a cellar or basement;
- c. Be close to a toilet, garbage heap or refuse skip, hair dressing area, or marketing of other items. The right distance shall be set by Council;

29. The person holding the licence of the premises (the licensee) shall:

- a. Make sure the place and all the articles in it are kept very clean;
- b. Treat the inside walls and ceiling with lime-wash or other suitable material approved by the Council. This should be re-done from time to time as required by Council, so as to keep the place clean and the fish free from risk of contamination;
- c. Not allow gut scraping, tripe cleaning or domestic washing to be done on his or her premises;
- d. Not allow refuse, filth, fish by-products or fish trimmings not intended for sale to accumulate. There must special receptacles provided for that purpose;
- e. Do everything possible to prevent flies, and prevent
- f. Inform a Medical Officer of Health immediately he or she suspects any employee is sick. Any instructions given by the Medical Officer of Health

must be followed, so as to prevent spread of disease;

- g. Not allow any live animal or bird on the premises;
- h. Not allow the premises to be used for any other trade or business without written approval of Council;
- i. Not allow anyone with an infectious disease to work on the premises, or to handle fish for human consumption. They are not even allowed to assist with handling the fish;
- j. Make sure anyone working on processing or handling fish is medically examined at least once a year. The person has to pay for this themselves. The medical exam must be done by a medical officer appointed by Council;
- k. Display his or her licence in a prominent place on the premises at all times.

30. The person holding the licence for processing or selling fish is responsible for making sure everyone on the premises complies with the Ordinance. If anyone on the premises does not comply, the person holding the licence is assumed to be responsible.

Fish Drying and Packaging

31. If you are drying or packaging fish and fish products, the materials used must comply with the Fish

Act. Make sure you follow this Act, especially as it applies to the use of hazardous materials, such as rubber, which might poison the fish while drying.

Penalties

32. Anyone who does something against what is stated in this Ordinance commits an offence. If you are found guilty in court, a penalty will be imposed.

33. Instead, or in addition, the court can cancel or suspend your permit or licence.

34. Capturing fish with toxic substances or chemicals is a very serious offence. It not only makes the fish unhealthy and dangerous to eat, but it damages the environment and can destroy other peoples' livelihoods.

35. If you are caught doing this, or even if you are found in the Council's area with such chemicals in or near the water, and if the fish samples test positive for the chemicals, you may be found guilty of an offence. If you are convicted, a severe penalty will be imposed including surrender of all your fishing equipment and licence to the Council, and a life-time ban on fishing.

KUFSALC

The Kampala Urban Food Security, Agriculture and Livestock Committee was set up in 2004. Its members, from university, public and civil society organizations including the Kampala City Council, are concerned to promote the availability of healthy and safe food for Kampala, and are actively involved in research, policy dialogue and public awareness.

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URBAN HARVEST

The Consultative Group on International Agricultural Research (CGIAR) established Urban Harvest as a system wide initiative on urban and peri-urban agriculture in 1999. It is based at the International Potato Centre (CIP), whose regional office is in Nairobi, Kenya. Urban Harvest established a Kampala office in 2002 at the Department of Veterinary Public Health and Preventive Medicine at Makerere University, and is an active member of KUFSALC which it supports through its programme.

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