

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 85 OF 2018

The Tobacco Act

(Laws, Volume 14, Cap. 237)

**The Tobacco (Registration of Growers)
(Amendment) Regulations, 2018**

IN EXERCISE of the powers contained in sections 24, 25, 26, 27 and 100 of the Tobacco Act, the following Regulations are made:

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| <p>1. These Regulations may be cited as the Tobacco (Registration of Growers) (Amendment) Regulations, 2018, and shall be read as one with the Tobacco (Registration of Growers) Regulations, 1968, in these regulations referred to as the principal Regulations.</p> <p>2. The principal Regulations are amended by the revocation of regulations 2 and 3 and the substitution therefor of the following:</p> <p>2. (1) The Registrar shall cause to be kept a register each of the growers of the following classes of tobacco:</p> <p style="margin-left: 40px;">(a) Virginia flue-cured;</p> <p style="margin-left: 40px;">(b) Burley;</p> <p style="margin-left: 40px;">(c) Oriental; and</p> <p style="margin-left: 40px;">(d) other classes as may be prescribed.</p> <p style="margin-left: 40px;">(2) A register kept under subregulation (1) shall be in Form I set out in the Schedule.</p> <p>3. (1) A grower or intended grower shall apply for registration from 1st April to 31st October each year.</p> <p style="margin-left: 40px;">(2) The Board shall validate and register growers or intended growers from 1st November to 31st December each year.</p> <p style="margin-left: 40px;">(3) The Board shall issue a grower registered under these Regulations with a certificate of registration in Form II set out in the Schedule.</p> <p style="margin-left: 40px;">(4) A certificate of registration remains valid until the last sale of tobacco by the holder of that certificate in the year following the issue of the certificate.</p> <p>(5) A certificate of registration is not transferable.</p> | <p>Title</p> <p>SI No. 139 of 1968</p> <p>Revocation and replacement of regulations 2 and 3</p> <p>Registers of growers</p> <p>Registration period and validity of registration</p> |
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Revocation
and
replacement
of regulation
4

3. The principal Regulations are amended by the revocation of regulation 4 and the substitution therefor of the following:

Application
for
registration

4. (1) A person that intends to grow a class of tobacco shall apply to the Board in Form III set out in the Schedule.

(2) Where a prescribed class of non-auctionable tobacco is contracted to be sold to a licensed buyer by a grower, that grower's application for registration shall be supported by a declaration, by the licensed buyer, in Form IV set out in the Schedule, and submitted to the Board by 1st May in each year.

Amendment
of regulation
5

4. Regulation 5 of the principal Regulations is amended by the deletion of paragraphs (a) and (b) and the substitution therefor of the following:

(a) for an application submitted from 1st November to 31st December, year, a registration fee of 3,334 fee units; and

(b) for an application submitted after 31st December, a registration fee of 8,334 fee units.

Amendment
of Schedule

5. The Schedule to the principal Regulations is amended—

(a) by the deletion of Form T.A. 1 and the substitution therefor of Form I set out in the Appendix; and

(b) by the insertion of the Forms II and III set out in the Appendix.

APPENDIX

Form I
(Regulation 2)

Tobacco Board of Zambia

The Tobacco Act
(Laws, Volume 14, Cap. 237)

The Tobacco (Registration of Growers) Regulations, 1968

REGISTER OF GROWERS

No.	Name of Grower	Class of Tobacco	No of Growers /producers*of non-auctionable tobacco	Projected volumes of non- auctionable tobacco	Particular of licensed buyers
1.					
2.					
3.					

(Regulations 6 (b))

Form II
(Regulation 3 (3))

Tobacco Board of Zambia

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CERTIFICATE OF REGISTRATION AS GROWER

I certify that..... (name of grower) has been registered as a grower
of(prescribed class of tobacco) in accordance with this Act and has been
entered in the Register for that class of tobacco under Registration Number.....

.....
Date of issue.....
Signature of Registering Officer

Note: This registration is subject to the following conditions:

CONDITIONS OF REGISTRATION

1. This certificate is valid only for the selling season in respect of which it is issued.
2. The holder of this certificate shall abide by the provisions of the Act, Rules and Regulations.
3. The holder of this certificate shall submit such returns as are by law required to be submitted.
4. The holder of this certificate shall comply with such directions as may, from time to time, be issued by the Board, in regard to the growing of the prescribed class of tobacco.

Form III
(Regulation 4)

Tobacco Board of Zambia

The Tobacco Act
(Laws, Volume 14, Cap. 237)

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APPLICATION FOR REGISTRATION OF GROWER			
Please complete in BLOCK LETTERS		Shaded fields for official use only	Application No.
			Date/Time
Information Required		Information Provided	
PARTICULARS OF APPLICANT			
1.	Name(s) of applicant		
2.	Business address (Physical address of Head Office)		
3.	Telephone. No.		
4.	E-mail		
5.	Location of activities		
	Operations	Districts	
6.	Class of Tobacco (Please tick () what is applicable below)		
	<input type="checkbox"/> Virginia flue-cured <input type="checkbox"/> Burley <input type="checkbox"/> Oriental <input type="checkbox"/> Other (Specify)		
7.	Do you intend to grow more than one class of tobacco? YES <input type="checkbox"/> NO <input type="checkbox"/> If yes, please provide intended acreage of each class.		
8.	Attachments		
	Particulars of the acreages		
DECLARATION			
I declare that the information I have stated is correct and truthhhful to the best of my knowledge and belief.			
..... Name	 Designation	
..... Signature	 Date	
FOR OFFICIAL USE ONLY			
Date of Submission:.....			
Application Number:.....			
Application deficient)notifying applicant on deficiencies):.....			
..... Registrar		OFFICIAL STAMP	

[Reverse side of Form III]

NOTE 1 – The form applies to all applications relating to all prescribed classes of tobacco.

NOTE 2 – The prescribed class of tobacco are—

- (a) Auctionable tobacco; and
- (b) Non-auctionable tobacco which consists of
 - (i) fire-cured;
 - (ii) oriental;
 - (iii) sun-cured; and
 - (iv) air-cured.

NOTE 3 - Registration is conditional upon the applicant's compliance with the provisions of regulations 3 and 4 of the Plant Pests and Diseases (Tobacco) Regulations, which relate to the destruction of tobacco plants, stalks and roots after cropping. Failure to comply with the regulations may result in the refusal or cancellation of registration.

NOTE 4 - In terms section 84 of the Act, only prescribed varieties of prescribed classes may be grown or sold. The prescribed varieties, by classes, are—

- (a) Virginia flue-cured tobacco-Bonanza, Canadel, Delcrest, Hicks, Jamaica Wrapper, Kutsaga 51, Kutsaga E.1, Kutasaga E.2, Rhomos 7, Trelawney C.7, White Gold, White Stem Orinoco, Yellow Mammoth;
- (b) Fire-cured tobacco-Malawi Western;
- (c) Burley tobacco-Burley 21, Kentucky 41;
- (d) Oriental tobacco-Samsun; and
- (e) other prescribed classes-Malawi Western.

The prescribed varieties to be grown must be shown separately in item 6 of the form and the acreage of each.

NOTE 5 - Application for registration in respect of the following year's crop must be made within the periods—

- (a) Oriental tobacco: 1st June to 31st December; and
- (b) all other prescribed classes of tobacco: 1st April to 31st October.

NOTE 6- The completed application, duly signed, should be sent to the Registrar, Tobacco Board of Zambia, P.O. Box 31963, Lusaka, from whom additional forms are available.



Tobacco Board of Zambia
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DECLARATION OF PROJECTED TOBACCO VOLUMES TO BE BOUGHT

TO: The Registrar,
Tobacco Board of Zambia,
P.O. Box 31963,
Lusaka.

I/We, (name of buyer)of
(address).....declare
that I/We have contracted to buy.....(volume) of tobacco, being eighty percent of my/our
intended purchase volumes for the selling season. Twenty percent of the tobacco, being.....
(volume), shall be purchased from self-sponsored growers.

In support of this declaration, I/We submit the following particulars:

1. In the case of a company, the names of the directors
2. In the case of a partnership, the names of the partners.....
3. Where appropriate, the names of persons entitled to buy tobacco on your behalf:

<i>Name of Grower</i>	<i>Grower's Registration Number</i>	<i>Class of Tobacco</i>	<i>Prospective Volume</i>	<i>Estimated Value(ZMW)</i>

Declared at the day of 20

Before me:
Commissioner for Oaths

Note: This declaration is subject to the condition that the licensed buyer shall concurrently
purchase the 80 percent contracted crop and the 20 percent self-sponsored crop.

LUSAKA
5th November, 2018
[DAH.64/1/1]

M. KATAMBO,
Minister Agriculture

