

**CHAPTER 196**

**THE NATIONAL AGRICULTURAL ADVISORY  
SERVICES ACT**

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## CHAPTER 196

## THE NATIONAL AGRICULTURAL ADVISORY SERVICES ACT

*Commencement:* 1 June, 2001

**An Act to provide for the establishment of the National Agricultural Advisory Services, its composition, functions and administration; to provide for the promotion of market oriented agriculture and for related matters.**

## PART I—INTERPRETATION

**1. Interpretation**

In this Act unless the context otherwise requires—

“advisory services” means the provision of guidance to farmers or farmers groups with regard to the operation and management of their farming enterprises;

“agriculture” means the management of crops, animals or fish for producing food, fibre or wood;

“Board” means the Board of Directors established under section 7;

“District NAADS Coordinator” means a technical officer recruited by the district to be in charge of NAADS activities in a district;

“farmer” means a person who derives his or her livelihood from crops or animals, (land or water based);

“farmers group” means a group of individual farmers, an association, cooperative or any legal entity with a common farming interest;

“farmers forum” means a forum, comprising farmers groups at the subcounty, district or national level;

“local government councils” means the councils set out in the Local Governments Act;

“Minister” means the Minister responsible for agriculture;

“Organisation” means the National Agricultural Advisory Services Organisation (NAADS) established under section 2;

“parish” means an administrative unit established under the Local Governments Act;

“Secretariat” means the Secretariat established under section 12;

“service provider” means a person or body contracted to deliver advisory services;

“Subcounty NAADS Coordinator” means a technical officer recruited by the local government to be in charge of NAADS activities in a subcounty.

PART II—ESTABLISHMENT, FUNCTIONS AND  
COMPOSITION OF NATIONAL AGRICULTURAL ADVISORY  
SERVICES ORGANISATION (NAADS) AND BOARD

**2. Establishment of National Agricultural Advisory Services Organisation (NAADS)**

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

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

(3) The Organisation may, for and in connection with its objectives 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 may do any act or thing that is lawfully done by a body corporate.

**3. Seal of Organisation**

(1) The seal of the Organisation shall be kept under the custody of the Executive Director and shall be authenticated by the signatures of the Chairperson of the Board and the Executive Director.

(2) A document purporting to be an instrument issued by the Organisation and sealed with the seal of the Organisation and authenticated in the manner provided under subsection (1) shall be deemed to be a valid document and admissible in evidence without further proof unless the contrary is shown.

**4. Object of Organisation**

- (a) to promote food security, nutrition and household incomes through increased productivity and market oriented farming;
- (b) to empower all farmers to access and utilise contracted agricultural advisory services;
- (c) to promote farmers groups to develop capacity to manage farming enterprises;
- (d) to create options for financing and delivery of agricultural advice for the different types of farmers but with emphasis on subsistence farmers, particularly women, youth and people with disabilities;
- (e) to gradually shift from public delivery to private delivery of agricultural advice;
- (f) to develop private sector agricultural advisory delivery capacity and systems and assure quality of advice; and
- (g) to catalyse the participation of the private sector to fund agricultural advisory services.

## **5. Functions of Organisation**

(1) The functions of the Organisation are to contribute to the modernisation of the agricultural sector in order to increase total factor productivity of both the land and labour for the benefit of the farmers and to this end, the Organisation shall—

- (a) support the provision of advice and information services to farmers;
- (b) support technology development and linkages with markets;
- (c) monitor and ensure the quality, appropriateness and affordability of advisory services;
- (d) support private sector and farmer institutional development;
- (e) provide programme management and monitoring; and
- (f) ensure that the research and extension needs of farmers are identified and answered by service providers.

(2) In the performance of its functions and roles, the Organisation shall collaborate with Government Ministries and their agencies, local governments, administrative units, the private sector and universities.

## **6. Composition of Organisation**

The Organisation shall be composed of—

- (a) the Board;

- (b) the Secretariat; and
- (c) the farmers fora.

## 7. Board of Directors

(1) The governing body of the Organisation shall be a Board of Directors comprising the following—

- (a) the Chairperson of the Board;
- (b) nine farmers, at least three of whom shall be women, two youths and one person with disability;
- (c) one member representing the agro-industry;
- (d) one representative of the Ministry responsible for agriculture;
- (e) one representative of the Ministry or agency of Government responsible for coordination and monitoring of Government programmes;
- (f) a representative or representatives of a Ministry or agency of Government as the Minister may determine; and
- (g) the Executive Director who shall be the Secretary to the Board, as an *ex officio* member.

(2) The members of the Board under subsection (1)(a) and (c) shall be appointed by the Minister in consultation with the National Farmers Forum.

(3) The member of the Board under subsection (1)(c) shall be appointed by the Minister from among members of the National Farmers Forum.

(4) The members of the Board in subsection (1)(d), (e) and (f) shall be *ex officio* members appointed by the Minister upon the recommendation of the Ministry or body they represent.

(5) A member of the Board shall hold office for three years and may be eligible for re-appointment for one more term only.

- (6) A member of the Board shall vacate office—
  - (a) by resignation;
  - (b) by removal from office by the Minister on the written recommendation of the Board;

- (c) for inability to perform the functions of his or her office, whether arising from infirmity of body or mind or from any other cause; or
- (d) for failure to attend three successive Board meetings without sufficient reason.

(7) A member of the Board who becomes a member by virtue of his or her office shall be a member of the Board for as long as he or she holds the office and shall cease to be a member upon ceasing to hold that office.

(8) Where a member of the Board ceases to be a member, other than by effluxion of time, the appointing or nominating authority shall appoint or nominate another person in that place and that person shall hold office for the remaining period of the person in whose place he or she is appointed or nominated.

## **8. Remuneration of members of Board**

A member of the Board or any person attending a meeting of the Board may be paid such remuneration or allowances as may be approved by the Minister.

## **9. Functions of Board**

The functions of the Board shall be—

- (a) to formulate the policies of the Organisation;
- (b) to support and supervise the carrying out of the objects and functions of the Organisation;
- (c) to advise and give guidance on programme, policy and strategy issues;
- (d) to facilitate, supervise and support the Secretariat in carrying out its functions;
- (e) to set targets and approve work plans and budgets for the Organisation;
- (f) to appoint and discipline members of staff of the Secretariat; and
- (g) to perform any other functions relating to the above as the Minister may direct.

## **10. Meetings of Board**

The provisions of Schedule 1 to this Act shall have effect with regard to meetings of the Board.

## **11. Committees of Board**

(1) The Board may appoint such committees as it may determine to assist it in the carrying out of its functions and may delegate to any committee such functions as it may consider fit and subject to such conditions as it may determine.

(2) The Board shall prescribe the procedure of any committee appointed by it under this section.

### **PART III—SECRETARIAT**

## **12. Secretariat and Executive Director**

(1) The Organisation shall have a Secretariat headed by an Executive Director who shall be appointed by the Minister on the recommendation of the Board.

(2) Subject to the provisions of this Act and the general supervision and control of the Board, the Executive Director shall be responsible for the day-to-day operations of the Organisation, management of funds, property and the general affairs of the Organisation and for the administration, Organisation and control of the staff of the Organisation.

## **13. Other staff**

(1) The Organisation shall have such other officers and employees in the Secretariat as the Board may, with the approval of the Minister, determine.

(2) The terms and conditions of service of the Executive Director, officers and employees of the Organisation shall be determined by the Board and approved by the Minister.



**PART IV—FARMERS GROUPS AND COMMITTEES****14. Registration of farmers groups**

(1) Individual farmers in a village or a parish with a common identifiable farming interest may fill the Form in Schedule 2 to this Act, for purposes of registration as a group so as to benefit from NAADS services.

(2) A farmers group, association or cooperative which is a legal entity already in existence, may, for purposes of benefiting from NAADS services, register with NAADS in the subcounty by filling the Form in Schedule 2 to this Act.

(3) Upon receipt of the forms referred to in subsections (1) and (2), a certificate of registration shall be issued to the group by the subcounty chief and shall be conclusive evidence of registration for purposes of accessing NAADS services.

(4) The format of a certificate of registration is prescribed in Schedule to this Act.

**5. Deregistration of farmers groups**

A farmers group may, under this Act, be deregistered if it dissolves itself or ceases to comply with the Organisation or mismanages the funds of the organisation.

**1. Establishment of subcounty farmers forum**

(1) There shall be a subcounty farmers forum in each subcounty which shall be linked to the District Farmers Forum and the Secretariat.

(2) The subcounty farmers forum shall comprise—

- (a) two members of the executive committee of every farmers group in a subcounty;
- (b) the secretary for production at the subcounty; and
- (c) the Subcounty NAADS Coordinator who shall be an *ex officio* member.

(3) The Subcounty NAADS Coordinator shall be the Secretary to the subcounty farmers forum.

(4) The subcounty farmers forum shall have an executive committee consisting of

- (a) three members elected from among the chairpersons of farmers groups of that subcounty;
- (b) the Subcounty NAADS Coordinator; and
- (c) the secretary for production.

(5) The Chairperson of a subcounty farmers forum shall be elected from among the Chairpersons of farmers groups in that subcounty.

(6) The Chairperson of the subcounty farmers forum shall also be the Chairperson of the executive committee of the subcounty farmers forum.

(7) The Subcounty NAADS Coordinator shall be the Secretary to the executive committee of the subcounty farmers forum.

## **17. Functions of Subcounty Farmers Forum**

- (1) The functions of the Subcounty Farmers Forum shall be—
- (a) to consider and approve proposed annual work plans and budgets at the subcounty level for the implementation of the NAADS in their areas;
  - (b) to advise the Organisation on suitable strategies of implementation of the NAADS; and
  - (c) to monitor the overall implementation of the NAADS programme in the subcounty.

(2) In awarding contracts for NAADS services and goods for farmers groups, the Subcounty Procurement Committee shall co-opt—

- (a) the Chairperson of a Subcounty Farmers Forum; and
- (b) the Subcounty NAADS Coordinator.

(3) In awarding contracts for NAADS services and goods for farmers groups, the Subcounty Procurement Committee shall, in as far as is not

**18. Establishment of District Farmers Forum**

(1) There is established a District Farmers Forum in each district which shall be linked to the National Farmers Forum and the Secretariat.

- (2) A District Farmers Forum shall comprise—
- (a) the secretary for production at the district;
  - (b) the Chairperson of every Subcounty Farmers Forum of the district; and
  - (c) the District NAADS Coordinator.

(3) The Chairperson of the District Farmers Forum shall be elected from the Chairpersons of the Subcounty Farmers Fora.

(4) The District NAADS Coordinator shall be the Secretary to the District Farmers Forum.

**19. Functions of District Farmers Forum**

The functions of the District Farmers Forum shall be—

- (a) to consider and approve proposed annual work plans and budgets at the district level for the implementation of the NAADS in their areas;
- (b) to advise the Organisation on suitable strategies of implementation of the object of the Act; and
- (c) to monitor the overall implementation of the NAADS Programme in the district.

**20. Establishment of National Farmers Forum**

(1) There shall be a National Farmers Forum which shall comprise of—

- (a) Chairpersons of the District Farmers Fora;
- (b) two farmers from each district elected by the District Farmers Fora; and
- (c) invited stakeholders as shall be identified by the Minister.

(2) The composition of farmers in subsection (1)(b) shall be representatives of the various interest groups.

(3) The secretariat to the National Farmers Forum shall be provided by the NAADS Secretariat.

## **21. Functions of National Farmers Forum**

The functions of the National Farmers Forum shall be

- (a) to participate in monitoring and evaluation of the progress of the advisory services;
- (b) to participate in the review of local governments plans for agricultural development;
- (c) to play an advocacy role for the general agricultural development and the Organisation in particular;
- (d) to provide feed back at different levels; and
- (e) to identify and nominate the farmers' representatives on the Board.

## **22. Regulation of procedures of farmers groups and Fora**

(1) Farmers groups and the Subcounty, District and National Farmers Fora shall regulate their own procedure in relation to membership, holding meetings, election of office bearers, duration of office bearers or any other matters relating to management of the farmers groups and Farmers Fora.

(2) Notwithstanding subsection (1), the term of office of a member of the Farmers Forum shall be three years, renewable for one more term only.

### **PART V—SERVICE PROVIDERS**

## **23. Contracting of service providers**

(1) The Organisation shall contract service providers to advise farmers groups, associations or cooperatives on the recommended types of farming at the subcounty level.

(2) The signatories to the contract shall be the service provider, the subcounty chief and the Chairperson of the Farmers Forum, and shall be witnessed by the Subcounty NAADS Coordinator.

(4) The farmers who are the recipients of the services of service providers shall have a duty to assess the quality of services provided by a service provider while the technical audit of the quality of services of a service provider shall be carried out by the relevant technical departments at the subcounty and district level.

#### **24. Functions of service providers**

A service provider shall carry out the functions and roles as stipulated in the contract and specified in Schedule 4 to this Act.

### **PART VI—FINANCIAL AND OTHER MATTERS**

#### **25. Funds of Organisation**

- (1) The funds of the Organisation shall consist
  - (a) grants and funds appropriated by Parliament;
  - (b) local government council contributions;
  - (c) assistance from aid-giving agencies and foundations;
  - (d) donations and endowments from organisations and individuals;
  - (e) loans from any lawful source;
  - (f) money that may become payable to the Organisation in the discharge of its functions; and
  - (g) any other lawful source.

(2) All money for the operation of the Organisation shall be deposited in a bank account of the Organisation in a bank approved by the Minister, after consultation with the Minister responsible for finance, and shall not be withdrawn except in the manner approved by the Board.

#### **Financial year**

The financial year of the Organisation shall be the period of twelve months commencing on the 1st day of July and ending on the 30th day of June of the following year.

#### **Estimates**

(1) The Board shall cause to be prepared and submitted to the Minister responsible for finance through the Minister, for approval, estimates

of income and expenditure of the Organisation for the following year, not later than three months before the end of the current financial year.

(2) The Board may, at any time before the end of the current financial year, cause to be prepared such supplementary estimates as may be required.

(3) No expenditure shall be made out of the funds of the Organisation unless that expenditure is part of the expenditure approved by the Minister responsible for finance under estimates for the financial year in which the expenditure is to be made or in estimates supplementary to the expenditure.

## **28. Accounts, audit and report**

(1) The Organisation shall keep proper accounts and records of its transactions and affairs and shall ensure that all money received is properly brought to account, all payments out of its money is correctly made and properly authorised and that adequate control is maintained over its property.

(2) The annual accounts of the Organisation shall be audited by the Auditor General or an auditor appointed by the Auditor General.

(3) The Organisation shall, within three months after the end of each financial year, submit—

- (a) to the Minister an annual report in respect of that year containing
  - (i) the financial statements;
  - (ii) a report on the operations of the Organisation;
  - (iii) an audit of the procurement processes for goods and services; and
  - (iv) such other information that the Board may deem appropriate;
- (b) to the Auditor General—
  - (i) the accounts of the Organisation for the financial year just ended; and
  - (ii) the annual report referred to in paragraph (a) of this subsection.

(c) The Auditor General shall audit the accounts of the Organisation submitted to him or her within three months and deliver to the Board and the

(5) The Minister shall cause to be laid before Parliament, the annual report together with a copy of the report of the Auditor General within three months after receiving them.

#### PART VII—MISCELLANEOUS

### **29. Protection of members and staff from civil action**

A member of the Organisation or any of its committees shall not be personally liable for any action done by him or her in good faith without any negligence for the purpose of carrying into effect the provisions of this Act.

### **30. Reports to Board**

The Executive Director shall submit to the Board quarterly reports, returns and summaries on the activities of the Organisation and shall submit an annual progress report.

#### **1. Regulations**

The Minister may, by statutory instrument, on the recommendation of the board, make regulations for the better carrying into effect the objectives and functions of the Organisation and the provisions of this Act.

#### **2. Power to amend Schedules**

The Minister may, by statutory instrument, on recommendation of the Board, amend the Schedules to this Act.

**SCHEDULES**

*Schedule 1*

Sections 10, 32

**Meetings of Board**

**1. Meetings of Board of Directors**

(1) The Chairperson shall convene every meeting of the Board.

(2) The Board shall meet for the transaction of its business at times and places that may be decided upon by the Board but shall meet at least once every three months.

(3) The Chairperson or, in the absence of the Chairperson, a member elected by the Board to act as Chairperson may, at any time, call a special meeting of the Board or call a special meeting upon a written request by a majority of the members of the Board.

(4) The Chairperson shall preside at all meetings of the Board and in his or her absence the members present may elect a member from among themselves to preside at that meeting.

(5) The Board may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant and that person may speak at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

**2. Quorum**

The quorum at a meeting of the Board shall be six members.

**3. Decisions of Board of Directors**

The questions proposed at meetings of the Board shall be decided by consensus and in the event of an equality of votes the person presiding shall have a casting vote in addition to his or her deliberative vote.



(5) The Minister shall cause to be laid before Parliament, the annual report together with a copy of the report of the Auditor General within three months after receiving them.

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The questions proposed at meetings of the Board shall be decided by consensus and in the event of an equality of votes the person presiding shall have a casting vote in addition to his or her deliberative vote.

**4. Disclosure**

(1) A member of the Board who has pecuniary interest in a matter being considered by the Board shall, as soon as possible after relevant facts have come to his or her knowledge, disclose the nature of his or her interest to the Board.

(2) A disclosure of interest under subparagraph (1) shall be recorded in the minutes of the meeting of the Board and the member making the disclosure shall not, unless the Board otherwise determines in respect of that matter—

- (a) be present during any deliberation on the matter by the Board; and
- (b) take part in the decision making of the Board of Directors on the matter.

(3) For the purpose of making a decision by the Board under subparagraph (1), a member who has made the disclosure shall not—

- (a) be present during the deliberations of the Board for the making of the decision; and
- (b) influence any other member or take part in the making of the decision by the Board.

**5. Minutes of proceedings**

(1) The Board shall cause the minutes of the proceedings of its meeting to be recorded and kept and the minutes of each meeting shall be approved by the Board at the next meeting and shall be signed by the Chairperson of the meeting.

(2) The Chairperson of the Board shall submit to the Minister a copy of the minutes of each meeting of the Board as soon as the minutes have been approved.

**6. Board to regulate proceedings**

Subject to the provisions of this Schedule, the Board may regulate its own proceedings.

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Schedule 2

Sections 14(1), 14(2), 32

Form

**Group Registration Form**

Group details	
Name of group	
Number of people in group	
Registration details, if group already inexistence	
Types of enterprise/farm activities for group	
Name of subcounty/LC III	
Name of district/LC V	

**Personal details of group members**

Name	Sex	Age	Name of village/LC I	Name of parish/LC II	Other relevant information

*\*If space provided is insufficient, another leaf should be used.*

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*Schedule 3*

Sections 14(4), 32

The Republic of Uganda

**Certificate of Registration of Farmers Group**

*(National Agricultural Advisory Services Act, Cap. 196)*

I HEREBY CERTIFY that \_\_\_\_\_ has this  
day of \_\_\_\_\_, 20 \_\_\_\_ been duly registered pursuant to and in accordance  
with the provisions of the National Agricultural Advisory Services Act  
and the Rules made under it, and has been entered under the number  
in the index of registration. \_\_\_\_\_

GIVEN under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20

Subcounty chief

\_\_\_\_\_

*Schedule 4*

Sections 24, 32

The Republic of Uganda

**Functions of Service Providers**

*(National Agricultural Advisory Services Act, Cap. 196)*

The service provider shall carry out the functions stipulated in the contract and these shall include—

- (a) to advise and provide information, knowledge and skills to farmers on improved methods of farming and agricultural development;
- (b) to advise and provide information to farmers on marketing and trading activities, input supply, storage and product processing;
- (c) to advise and provide information to farmers on mobilisation of resources, including access to credit;
- (d) to report to the Subcounty Farmers Forum Executive Committee on the performance of agriculture in general and on the performance of the farmers groups in their areas of operation;
- (e) to arrange and perform advisory, adaptive research and development support services in response to the demands of the farmers; and
- (f) to perform any other functions relating to the above as the subcounty local government and the Subcounty Farmers Forum may direct.

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**History:** Act 10/2001

**Cross References**

Local Governments Act, Cap. 138

Local Government (Financial and Accounting) Regulations, S.I. 138–15

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