

THE UNITED REPUBLIC OF TANZANIA

**BILL SUPPLEMENT**

**No.2**

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TANZANIA AGRICULTURAL RESEARCH INSTITUTE ACT, 2016

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**NOTICE**

This Bill to be submitted to the National Assembly is published for general information to the public together with a statement of its objects and reasons.

Dar es Salaam,  
17<sup>th</sup> May, 2016

**JOHN W. KIJAZI,**  
*Secretary to the Cabinet*

**A BILL**  
*for*

**An Act to provide for the enhancement of an agricultural research system; establishment of a Tanzania Agricultural Research Institute; effective coordination, governance, management and conducting of agricultural research activities and to provide for other related matters.**

**ENACTED** by Parliament of the United Republic of Tanzania

PART I  
PRELIMINARY PROVISIONS

Short title and  
commencemen  
t

**1.** This Act may be cited as the Tanzania Agricultural Research Institute Act, 2016 and shall come into operation on such date as the Minister may, by notice published in the *Gazette*, appoint.

Interpretation

**2.** In this Act, unless the context requires otherwise-  
“agricultural product” means any crop product or commodity recognized as such under this Act;  
“agricultural research” means the furtherance, accumulation and improvement of knowledge in crops and related sciences through original and other investigations and methods of a scientific or indigenous nature into the production, treatment or handling of an agricultural product;  
“agricultural research service provider” means a person, whether in a public or private sector who

- conducts or manages agricultural research in accordance with this Act and it includes a public agricultural research institute, universities, farmers groups, civil society organisations, private sector organisations and any other entity as may be determined by the Institute;
- “agricultural research theme” means an agricultural research theme declared as such under section 14;
- “applied research” means a research that creates new or uses existing technologies to solve a broad range of agricultural challenges facing a society as a whole;
- “basic research” means research designed to improve a discipline and advance the frontiers of knowledge or research that creates new scientific knowledge and may consist of research to develop or improve theories, techniques or measurements with known or unknown relevance;
- “Board” means the Tanzania Agricultural Research Institute Board established under section 5;
- “centres” means research centres referred to under section 11;
- “Chairman” means the Chairman of the Board;
- “Director General” means the Director General of the Institute appointed under section 8;
- “farmers organisation” means an organization formed by persons engaged in either production, processing or marketing of a specific agricultural commodity and is registered by the relevant authority;
- “Forum” means the National Agricultural Research Consultative Forum established under section 12;
- “Institute” means the Tanzania Agricultural Research Institute established under section 3;
- “Minister” means the Minister responsible for agriculture;
- “national agricultural research system” means a cross section of stakeholders, whether in a public or private sector, engaged in the provision of agricultural research services; and
- “strategic research” means research responding to national research questions or priorities and identifying the processes, principles and technological elements.

**PART II**  
**ESTABLISHMENT AND ADMINISTRATION OF THE INSTITUTE**  
*(a) Establishment of the Institute and the Board of the Institute*

Establishment  
of Tanzania  
Agricultural  
Research  
Institute

**3.**-(1) There is hereby established an institute, to be known as the Tanzania Agricultural Research Institute or in its acronym "TARI".

(2) The Institute shall be a body corporate and shall-

- (a) have perpetual succession and an official seal;
- (b) in its corporate name, be capable of suing and being sued;
- (c) subject to this Act, be capable of holding, purchasing, or acquiring in any other way, any movable or immovable property, and of disposing of any of its property;
- (d) have all rights and privileges of a natural person; and
- (e) in its own name, enter into contracts and agreements.

(3) Notwithstanding the provisions of this section, the Attorney General shall have the right to intervene in any suit or matter instituted by, or against the Institute.

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(4) Where the Attorney General intervenes any matter pursuant of sub-section (3), the provisions of the Government Proceedings Act shall apply in relation to the proceedings of that suit or matter as if it had been instituted by, or against the Government.

(5) For the purposes of subsections (3) and (4), the Institute shall have a duty to notify the Attorney-General of any pending suit or intention to institute a suit or matter by, or against the Institute.

Functions of  
the Institute

**4.**-(1) The Institute shall be responsible for conducting, regulating and coordinating all agricultural research activities in the Mainland Tanzania.

(2) Without prejudice to the generality of subsection (1), the Institute shall-

- (a) conduct, promote and coordinate basic, applied and strategic agricultural research;

- (b) advise the Government on the formulation of national policies, laws and regulatory frameworks for promoting and regulating agricultural research;
- (c) formulate and oversee the implementation of intellectual property policy of the Institute;
- (d) formulate research standards, code of ethics, conduct and practice, and guidelines for delivery of agricultural research services;
- (e) set, in collaboration with key stakeholders, national agricultural research agenda and priorities of the national agricultural research system and coordinate the implementation of such agenda and priorities;
- (f) establish and operate an efficient system of documentation, dissemination and promotion of information on agricultural research;
- (g) promote advancement of skills by providing facilities for training research personnel for the Institute and other stakeholders for better carrying out basic, applied and strategic research;
- (h) mobilise funds for agricultural research and development;
- (i) coordinate and promote cooperation and collaboration with other countries, institutions, scientific or professional societies and other agricultural research service providers, with regard to agricultural research, development and technology transfer in the agricultural sector;
- (j) provide, undertake and promote consultancy services in research, training and dissemination of information in agriculture and allied sciences;
- (k) register and maintain a register of agricultural research service providers and their research projects in the public and private sectors;
- (l) promote seed deployment and multiplication;
- (m) establish and maintain gene Institutions for purposes of characterizing, evaluating and conserving plant genetic resources; and

(n) perform any other function for better carrying out the purposes of this Act.

(3) The Institute may, by a written instrument under the seal of the Institute, delegate to any of its committee, members, or employee of the Institute, any of its functions or powers given under this Act.

(4) The Institute may revoke a delegation made under this section, and no delegation so made shall prevent the Institute from exercising the function or power delegated.

(5) Notwithstanding subsections (3) and (4), the Institute shall not delegate-

(a) its power of delegation; or

(b) the power to approve the annual budget, the annual balance sheet or any statement of accounts.

Establishment  
and composition  
of the Board of  
the Institute

**5.**-(1) There is hereby established a Board to be known as the Tanzania Agricultural Research Institute Board.

(2) The Board shall consist of the following:

(a) the Chairman, who shall be appointed by the President; and

(b) nine other members to be appointed by the Minister as follows-

(i) a member from the Ministry responsible for agriculture;

(ii) a vice-chancellor appointed from one of agricultural related universities;

(iii) a Chief Executive Officer representing private agricultural research institutes;

(iv) the Director of Local Government Authorities;

(v) the Director General of the Tanzania Commission for Science and Technology;

(vi) the Director General of Tanzania Livestock Research Institute;

(vii) a Law Officer from the Attorney-General's Office;

(viii) one member with experience in agriculture representing farmers'



organisations; and

(ix) one member with experience in agriculture representing agribusiness organizations.

(3) Upon appointing the members of the Board, the Minister shall take into consideration skills, experience and gender.

(4) Notwithstanding the provisions of subsection (2), the Board may, where it considers necessary, co-opt any person who is not a member of the Board to attend the deliberations of the Board.

(5) The First Schedule to this Act shall have effect in regard to the constitution, proceedings and other matters relating to the Board.

Powers and  
functions of  
the Board

**6.**-(1) Subject to the provisions of this Act, management oversight, governance and control of the Institute shall be vested in the Board.

(2) Without prejudice to the generality of subsection (1), the Board shall-

- (a) provide oversight, direction and guidance on the affairs of the Institute and ensure that adequate funds and resources are made available to the Institute to carry out its national mandate of agricultural research, development and promotion;
- (b) review and approve, strategic plans, work plans and budgets of the Institute;
- (c) review performance reports and approve plans for career development and promotion of research scientists, technicians and other staff;
- (d) recommend to the appointing authority through the Minister, disciplinary action against the Director General;
- (e) act as disciplinary authority over management staff of the Institute;
- (f) act as an appellate disciplinary authority for other subordinate staff of the Institute who are not at the managerial level;
- (g) advise the Minister on the establishment of centres as may be necessary for the better performance of the functions of the Institute;

- (h) oversee the administration and accountability of funds and other assets of the Institute; and
- (i) do all acts and things as may be, in the opinion of the Board, necessary or expedient for the proper discharge of its functions under this Act.

(3) The Minister may, subject to this Act, give to the Board directives of a general or specific character regarding the performance of the Institute of any of its functions under this Act, and the Board shall give effect to such directives.

(4) In the exercise of its powers and performance of its functions under this Act, the Board shall be accountable to the Minister.

(5) For the proper and efficient performance of its functions, the Board may establish such number of committees or sub-committees as it may deem necessary which shall be composed of members appointed from amongst the members of the Board.

Remuneration  
of members of  
the Board

**7.** The members of the Board shall, from time to time be paid such remuneration and allowances as may be approved by the Minister upon the recommendation of the Board.

*(b) Management of the Institute*

Appointment  
and duties of  
the Director  
General

**8.**(1) There shall be a Director General of the Institute appointed by the President on the advice of the Minister from amongst persons who possess relevant qualifications and competence to manage efficiently and effectively the affairs of the Institute.

(2) A person shall be eligible for appointment as a Director General if that person is a citizen of Tanzania and possesses-

- (a) a doctorate degree in agricultural sciences from a recognized university;
- (b) high level of integrity;
- (c) proven knowledge and experience of at least ten years in matters relating to scientific research or agricultural research and development; and
- (d) innovative ideas with competence in good

governance.

(3) The Director General shall be a Secretary to the Board and shall, in the performance of his functions under this Act, be under the general supervision and control of the Board.

(4) The Director General shall be the Chief Executive Officer of the Institute and shall be responsible for-

- (a) day to day operations and affairs of the Institute;
- (b) developing and, subject to approval of the Board, implementation of strategic plan of the Institute;
- (c) mobilization and management of funds, property and business of the Institute;
- (d) administration, organization and control of the staff of the Institute and discipline of the employees other than management staff of the Institute;
- (e) coordination and implementation of policies, programmes and activities of the Institute; and
- (f) discharge of any other duties that may be assigned to him by the Board or under this Act.

(5) In the discharge of his duties under this Act, the Director General shall comply with the directives of the Board as may be given from time to time.

(6) The Director General shall hold office for a term of five years and shall be eligible for reappointment for one more term.

Departments  
and Units of  
the Institute

**9.**-(1) For the proper discharge of the functions of the Institute under this Act, the Board shall establish such number of departments and units under the Institute in accordance with the approved organizational structure.

Recruitment of  
other staff

**10.**-(1) The Institute shall, with approval of the Board, appoint or recruit on competitive basis such other staff as may be necessary for the proper and efficient discharge of its duties.

(2) Officers and employees recruited under this

section shall hold office on such terms and conditions as the Board may determine.

Research centres of the Institute

**11.**-(1) The Research Institutes specified in the second column of the Second Schedule to this Act are hereby vested in the Institute and shall continue to be under the direct control and management of the Institute as centres of the Institute in their respective new names specified in the third column of the Schedule.

(2) The research centres shall be headed by a director who shall be appointed by the Board.

(3) The Minister may, upon advice of the Board and by Order published in the *Gazette*, amend, add to, vary or replace the centres specified in the Second Schedule.

*(c) National Agricultural Research Consultative Forum*

National Agricultural Research Consultative Forum

**12.**-(1) There shall be a forum to be known as the National Agricultural Research Consultative Forum.

(2) The Forum shall consist of-

- (a) the Chairman appointed by the Minister from amongst prominent agriculturist;
- (b) other members appointed by the Minister from institutions of the national agricultural research system as follows-
  - (i) one member from the Ministry responsible for agriculture;
  - (ii) Chief Executive Officers from public and private research institutes dealing with agricultural research;
  - (iii) Directors responsible for research from agricultural related higher learning institutions;
  - (iv) the Director General of Tanzania Livestock Research Institute;
  - (v) the Director of Local Government authorities;
  - (vi) a representative of farmers organizations;
  - (vii) a representative of agribusiness;
  - (viii) the Director General of the Tanzania

- Commission for Science and Technology;
- (ix) the Director General of the National Environmental Management Council;
- (x) a representative from the Planning Commission;
- (xi) one representative from the Ministry responsible for trade and industries;
- (xii) one representative from the Ministry responsible for forestry; and
- (xiii) any other person appointed by the Minister who has knowledge in matters relating to agricultural research.

(3) Every member of the Council shall, except for a member appointed by virtue of his office, serve the office for a term of three years and shall be eligible for reappointment for one more term.

(4) The Forum may co-opt any other member to attend its meetings depending on the agenda to be deliberated upon.

(5) The Forum shall meet once a year but may, where a need arises and after consultation with the Chairman of the Forum, convene a meeting at such time and place as it considers convenient.

(6) The Forum may form committees whose members shall be appointed from amongst the members of the Forum.

(7) The Institute shall serve as the Secretariat to the Forum.

(8) Procedures for regulating the affairs of the Forum shall be prescribed in the regulations.

Functions of  
the Forum

**13.**-(1) The Forum shall have the following functions-

- (a) act as a coordinating body among the national agricultural research system institutions;
- (b) provide a platform for deliberation and discussions regarding challenges facing the national agricultural research system;
- (c) provide a platform for sharing information, knowledge and best practices among national agricultural research system institutions; and

(d) deliberate upon and provide advice on any other matter as the Forum may consider necessary for the better implementation of the provisions of this Act.

(2) The Forum shall prepare a report on its deliberation and submit it to the Director General who shall work on the recommendations and submit the same to the Board.

### PART III OPERATIONS OF THE INSTITUTE

Declaration of agricultural research themes

**14.**-(1) The themes listed in the Third Schedule to this Act are declared to be agricultural research themes for the purposes of this Act.

(2) The Minister may, on the recommendation of the Board and by the Notice published in the *Gazette*, declare any research theme to be added to or removed from the list in the Third Schedule.

Guidelines for coordination of agricultural research

**15.**-(1) The Board may, after consultation with stakeholders in the national agricultural research system, issue guidelines and such directives as may be necessary for the coordination of agricultural research.

(2) Every stakeholder shall abide to the guidelines and directives issued pursuant to this section.

Contracting of agricultural research service providers

**16.**-(1) The Institute may, upon approval of the Board, enter into performance contract or arrangement with an agricultural research service provider for carrying out agricultural research development or technology transfer.

(2) An agricultural research service provider shall carry out agricultural research activities in accordance with a performance contract from the Institute.

Information on agricultural research and allied scientific

**17.**-(1) Any person who engages in agricultural research within the country shall, at his own expense, furnish to the Institute information relating to his research and shall, subject to intellectual property rights

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research to be  
furnished to  
the Institute

policies of the relevant institute that governs such research, make available to the Institute copies of any records or findings as may be directed by the Institute.

(2) The information required to be furnished under subsection (1), shall be furnished in a manner prescribed by regulations.

(3) The Institute and its personnel shall ensure confidentiality of all research information submitted to the Institute under subsection (1).

(4) Any person who contravenes this section commits an offence.

Ownership of  
research  
discoveries

**18.**-(1) Where as a result of any research carried out using public funds by or on behalf of the Institute, anything discovered or invented, the discovery shall become the property of the Institute.

(2) The Institute may, for the purposes of commercial exploitation of any discovery and if the Institute considers important for the use in relation to invention or improved technologies, techniques, processes, practices, products and services and their applications, arrange with any person to buy, sell, take or grant intellectual property rights in the discovery or invention, subject to the terms spelt out in the intellectual property policy of the Institute.

(3) The Institute shall register every discovery made as a result of research carried out under this Act in such form and upon such conditions prescribed in the regulations.

(4) Where any discovery, invention or improvement is vested in the Institute under subsection (1), the Institute may-

(a) award to the person responsible for the discovery, invention or improvement such bonus as agreed; or

(b) make provision for financial participation by that person in the profits derived from the discovery, invention or improvement,

to such extent as the Institute may determine, after consultation with the Board and in accordance with the existing laws relating to intellectual property rights.

(5) The Minister may, by regulations, prescribe the manner for protecting intellectual property, innovations, improvements and inventions arising out of agricultural research.

Publication of agricultural research findings

**19.**-(1) Any person who, in his research, uses resources and facilities of the Institute, shall not publish or cause to be published the results of such research unless such person has obtained approval of the Institute.

(2) For the purposes of obtaining approval pursuant to subsection (1), a person who intends to publish the results of findings shall submit to the Institute a manuscript of the publication for approval.

(3) Subject to subsection (2), the Institute shall review the manuscript and upon satisfaction, recommend it for publication.

Coordination of agricultural research and allied scientific research carried outside Tanzania

**20.**-(1) Where a person desires to carry out any agricultural research and allied scientific research project-

(a) of which the information shall be drawn from the Tanzania; or

(b) for the benefit of the Tanzania but such research shall be carried out outside the Tanzania,

he shall first submit his proposals in that behalf in writing to the Institute.

(2) The Institute may hold consultations with the person who submits proposals, and make such decision in relation to the proposals taking into consideration the interests of agricultural research and allied scientific research in Tanzania.

(3) A decision made by the Institute under subsection (2) shall be binding to person affected by it.

Monitoring and evaluation of agricultural research

**21.**-(1) For effective planning, implementation and impact assessment of agricultural research, the Institute shall be responsible for-

(a) tracking and assessing the extent of use and effectiveness of research outputs and get feedback on adoption and impact of technologies;



- (b) institutionalizing effective peer review system;
- (c) establishing commodity and or discipline national research coordinating committees;
- (d) institutionalizing an effective research performance assessment system and developing results, outcome-and impact-based indicators; and
- (e) institutionalizing an efficient progress reporting, communication and management information system.

(2) The Institute shall in consultation with other relevant entities, formulate and periodically revise, a national plan for monitoring agricultural research and allied scientific research and shall undertake such monitoring activities.

#### PART IV

### REGISTRATION OF AGRICULTURAL RESEARCH PROJECTS AND SERVICE PROVIDERS

Registration of agricultural research service providers

**22.**-(1) A person shall not provide or carry out agricultural research service under this Act, unless that person is registered by the Institute as an agricultural research service provider.

(2) The Minister may, by regulations, prescribe the manner of registering agricultural research service providers and any other matters connected thereto.

(3) Any person who carries out agricultural research service without being registered pursuant to this section commits an offence.

Registration of agricultural research projects

**23.**-(1) A person shall not implement an agricultural research project unless such project is registered by the Institute under this Act.

(2) Any person who intends to register an agricultural research project shall make application to the Institute in such form as prescribed in the regulations.

(3) The Institute may register an agricultural research project in a manner and subject to such conditions as prescribed in the regulations.

(4) Where the Institute refuses to register an agricultural research project, the Institute shall inform the applicant in writing of the refusal and the reasons for

such refusal.

(5) The Institute may, for good cause, and after giving the person concerned an opportunity to show cause, suspend or cancel the registration of agricultural research project.

(6) Any person who implements an agricultural research project which is not registered pursuant to this section commits an offence.

Research by  
foreign  
researchers

**24.**-(1) A foreign researcher who intends to carry out research under this Act shall submit a research proposal to the Institute for approval.

(2) The Institute shall not approve a research proposal submitted by a foreign researcher unless such foreign researcher has a local co-researcher.

Register of  
agricultural  
research and  
allied scientific  
research

**25.**-(1) The Institute shall establish and maintain a register in which shall be entered-

- (a) agricultural research services providers registered pursuant to this Act;
- (b) agricultural research and allied scientific research projects being carried out Tanzania.

(2) For the purposes of subsection (1), the Minister may, by regulations published in the *Gazette*, prescribe the form and entries to be entered in the register.

## PART V FINANCIAL PROVISIONS

Funds and  
Resources of the  
Institute

**26.**-(1)The funds and resources of the Institute shall consist of-

- (a) such sums of money as may be appropriated by Parliament;
- (b) any sums or assets held or hereafter received by the Institute, including any sums received by way of gift and endowment, grants, donation, loans, bequest and money received from development partners;
- (c) any money raised by way of fees or charges imposed under the provisions of this Act;
- (d) any loan or subsidy granted by the Government or any other body or person;

- (e) any income generated from the Institute's research products and services; and
- (f) such sums of money or property which may become payable to or vested in the Institute under this Act or any other written law.

(2) The Board shall ensure that the funds of the Institute are effectively utilized for the purpose of achieving the objectives of this Act.

Powers to  
borrow and  
invest

**27.**-(1) Subject to the prior approval of the Minister and the Minister responsible for finance, the Institute may borrow money for the purposes of the Institute by way of loan or overdraft and upon such security and such terms and conditions relating to repayment of the principal and payment of interest, subject to any directives given by the Minister.

(2) With the prior approval of the Minister, the Institute may, invest any part of its moneys.

(3) The funds of the Institute shall be utilised for the purposes of-

- (a) meeting costs of implementing agricultural research projects, research infrastructure development, research operational costs and commercialization of research products;
- (b) the acquisition of land, equipment, materials and other assets;
- (c) financing by way of loan or grant, the training or capacity building courses of experts or farmers engaged in the agricultural research; and
- (d) meeting any expenses of the Institute.

Superannuation  
benefits

**28.** Subject to the provisions of any written law for the time being in force relating to pensions, the Board may-

- (a) grant gratuities or other retirement allowances or benefits to the employees of the Institute;
- (b) establish and contribute to a superannuation fund or a medical benefits fund for the employees of the Institute;
- (c) require any employee of the Institute to contribute to the superannuation fund or

medical benefits fund and fix the amounts and method of payment of the contribution.

Annual and  
supplementary  
budget

**29.**-(1) The first financial year of the Institute shall commence on the date when the Act comes into operation and may be of a period longer or shorter than twelve months.

(2) The Board shall, not less than two months before the commencement of every financial year and at a meeting, pass a detailed budget of the amounts respectively-

(a) expected to be received; or

(b) expected to be disbursed,

by the Institute during that financial year, and whenever circumstances so require, the Board may pass a supplementary budget in any financial year.

(3) The annual budget and every supplementary budget shall be in such form and include details as the Minister may approve.

(4) Upon passing of any budget or supplementary budget, the Board shall submit to the Minister for approval the annual budget or the supplementary budget as the case may be.

(5) The Minister shall, upon receipt of the annual budget or any supplementary budget, approve or disapprove it, or may approve it subject to any amendments which he may deem fit.

(6) Where the Minister approves any annual or supplementary budget, with or without amendment, the Board shall confine the disbursements of the Institute within the items and amounts contained in the applicable estimates as approved by the Minister.

(7) The Board may-

(a) with the written sanction of the Minister, make a disbursement notwithstanding that, the disbursement is not provided for in any budget;

(b) adjust expenditure limits to take account of circumstances not reasonably foreseeable at the time the budget was prepared, subject to submitting a supplementary budget to the Minister within two months of the alteration of expenditure limits becoming necessary.

Account and  
audit

**30.**-(1) The Director General shall keep proper books of accounts and shall, within and not later than three calendar months after the end of each financial year, prepare a statement of income and expenditure during the financial year.

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(2) The accounts including the balance sheet of the Institute shall, within three months of the close of every financial year be audited by the Controller and Auditor General in accordance with the Public Audit Act.

(3) Every audited accounts shall be placed before a meeting of the Board and, if adopted, it shall be endorsed with a certificate to that effect.

(4) As soon as the accounts of the Institute is audited, and in any case not later than six months after the close of the financial year, the Institute shall submit to the Minister a copy of the audited statement of accounts together with a copy of the report on that statement made by the auditors.

Annual report of  
the Institute

**31.** The Board shall, within six months after the close of the financial year, cause to be prepared and submitted to the Minister a report on activities on operations undertaken by the Institute during that financial year and accompanied by-

- (a) a copy of the audited accounts;
- (b) a copy of the auditors' reports on the accounts; and
- (c) such other information as the Minister may direct.

Laying of  
accounts before  
National  
Assembly

**32.** The Minister shall, as soon as practicable after receiving the report, lay before the National Assembly the audited accounts of the Institute together with the auditor's report of the accounts and the annual report of the Institute.

## PART VI GENERAL PROVISIONS

Penalties for  
offences

**33.** A person who is convicted of an offence under this Act to which no specific penalty has been prescribed shall be liable:

- (a) in the case of an individual, to a fine of not less than five hundred thousand shillings and not exceeding one million shillings, or imprisonment for a term of six months or to both;
- (b) in the case of a subsequent offence, to a further fine of not less than two million shillings and not exceeding five million shillings or imprisonment for a term of twelve months or to both;
- (c) in the case of a corporation, to a fine of not less than one million shillings and in the case of a subsequent offence, to a further fine of not less than five million shillings.

Indemnity

**34.** No matter done by any person exercising or purporting to exercise any function under this Act or under any subsidiary legislation made under this Act shall, if done in good faith in the execution or purported execution of his functions under any of the provisions of this Act or such subsidiary legislation, render such person to any action, liability, claim or demand whatsoever.

Appeals

**35.**-(1) Any person aggrieved by the decision of the Institute regarding implementation of the provisions of this Act may, within twenty one days upon receipt of such decision, appeal to the Minister.

(2) The Minister shall determine the appeal and issue his decision on the appeal within thirty days from the date of lodging the appeal.

(3) The decision by the Minister shall be final.

Power to make regulations

**36.**-(1) The Minister may, make regulations for the better carrying the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations-

- (a) for the registration procedures for-
  - (i) agricultural research service providers;
  - (ii) agricultural research projects;
- (b) for conducting agricultural research;
- (c) prescribing for payment of fees payable under this Act;

- (d) for conducting monitoring and evaluation;
- (e) prescribing for modalities of publication of agricultural research findings;
- (f) for the setting of standards and a code of conduct of the agricultural research service providers;
- (g) prescribing procedures of submission to the Institute of research project proposals;
- (h) prescribing procedures for contracting research;
- (i) prescribing the manner of maintaining of database for agricultural research information;
- (j) prescribing conditions for licensing and royalties to be paid for the licensed public bred varieties and other technologies by the Institute;
- (k) prescribing rewarding system for researchers of the Institute;
- (l) providing for the manner of handling appeals; and
- (m) prescribing any other matter or thing which is required or necessary to be prescribed or provided under this Act.

Transfer of assets  
and liabilities

**37.-**(1) All property and assets which immediately before the commencement of this Act were vested in the Division of Research and Development of the Ministry and its institutes taken over pursuant to section 11 shall belong to the Institute.

(2) The Institute shall assume all liabilities and trusts affecting the property and assets mentioned in subsection (1).

(3) All land held by the institutes taken over pursuant to section 11 shall be exclusively used for the activities of the Institute as may be approved by the Board and shall be managed or used in such manner desirable for the better performance of the functions of the Institute.

(4) Any agreement or similar arrangement made by the institute taken over pursuant to section 11 shall continue to be in force until terminated in accordance with the terms and conditions of the agreement or arrangement.

Provisions  
regarding  
employees of the  
Institute

**38.**-(1) Subject to this Act, all employees of the Division of Research and Development of the Ministry shall, with effect from the effective date, be transferred to and be employed of the Institute.

(2) With effect from effective date every employee transferred to the institute under subsection (1) from the Division of Research and Development of the Ministry and its research institutes shall be employed by the Institute on terms and conditions not less favourable than those applicable to him before the transfer.

(3) Until such time as new scheme and terms and conditions of service are drawn up by the Institute, the schemes and terms and conditions of service in the Division of Research and Development of the Ministry and its research Institutes shall continue to apply to every person transferred under subsection (1) to the service as if he was still in the service of the Institute.

(4) Where any person who is transferred to the service of the Institutes under this section is a member of any statutory or voluntary pension scheme or provident fund he shall, for the purposes of this Act, continue to be governed by the same regulations under those schemes or funds as if he has not been transferred to the service of the Institute.

(5) For avoidance of doubt and for the purposes of the regulations governing the pension scheme and provident fund, the service of employees transfer under this section from Division of Research and Development of the Ministry and its research institutes shall be deemed to be service of the Institute.

(6) For the purpose of this section “effective date” means the date of coming into operation of this Act.

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**SCHEDULES**

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**FIRST SCHEDULE**

*(Made under section 5(5))*

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**PROCEDURES AND OTHER AFFAIRS OF THE BOARD**

- Vice Chairman                   **1.** The members shall, in their first meeting elect one of their members present to be the Vice-Chairman of the Board and shall, subject to his continuing to be a member holding the office for a term of three years from the date of election, and shall be eligible for re-election.
- Procedures of the Board                   **2.** The Board shall regulate its own procedure and the conduct of its business in conformity with this Act and Regulations.
- Conflict of interest                   **3.** Any Board member who has a conflict of interest related to any matter being discussed by the Board shall be required to declare interest and the Board may not allow him to participate in decision making concerning that matter.
- Tenure of office of members of the Board                   **4.**-(1) A member shall, unless his appointment is terminated by the appointing authority or ceases in any other way to be a member, hold office for the period of three years and shall be eligible for re-appointment for one more term.  
(2) Any member appointed under this Act may at any time resign his office by giving notice in writing to the appointing authority and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the appointing authority, he shall cease to be a member.
- Alternate members                   **5.** Where a member dies or resigns or otherwise vacates from the office before the expiry of the term of office, the appointing Authority shall appoint another person in place of such member who holds office for the remainder of the term of office of his predecessor.
- Meetings and procedures of the Board                   **6.**-(1) The Board shall hold its meetings at least four times in a year for the transaction of its business.  
(2) Notwithstanding the provision of subparagraph (1), The Chairman may, in case of an emergency matter that needs the decision of the Board, convene an extra ordinary meeting on such date and place to be determined by the Chairman.  
(3) The Chairman shall preside at all meetings of the Board.  
(4) Where at any meeting of the Board the Chairman is absent the Vice- Chairman shall preside.
- Quorum for the meeting                   **7.**-(1) All decisions of the Board shall be arrived at unanimously, except in the case of disagreement the decision shall be made by a majority vote.  
(2) The quorum at any meeting of the Board shall be half of members in office.

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Minutes of Board's Meetings

**8.**-(1) The Board shall cause to be recorded and kept minutes of all business conducted or transacted at its meeting and the minutes of each meeting of the Board shall be read and confirmed or amended and confirmed, at the next meeting of the Board and signed by the person presiding at the meeting.

(2) Any minutes purporting to be signed by the person presiding at a meeting of the Board shall, in the absence of proof or error, be deemed to be a correct record of the meeting, whose minutes purport to be.

Vacancies etc not to invalidate proceedings

**9.** The validity of any act or proceedings of the Board shall not be affected by any vacancy amongst its members or by any defect in the appointment of any of them.

Notices or directions

**10.** All notices or other documents issued by or on behalf of the Board shall be signed by:

- (a) the Chairman; or
- (b) the Secretary or any officer or officers of the Board authorised in writing in that behalf by the Secretary.

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**SECOND SCHEDULE**

*(Made under section 11 (3))*

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AGRICULTURAL RESEARCH CENTRES  
UNDER THE INSTITUTE

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S/N	FORMER NAME OF THE INSTITUITE	NAME OF THE CENTRE	LOCATIO N
1.	Ilonga Agricultural Research Institute	TARI-Ilonga Centre	Kilosa, Morogoro
2.	Mlingano Agricultural Research Institute	TARI-Mlingano Centre	Muheza, Ta nga
3.	Kibaha Sugarcane Research Institute	TARI-Kibaha Centre	Kibaha, Pwani
4.	Mikocheni Agricultural Research Institute	TARI-Mikocheni Centre	Kinondoni, Dar es Salaam
5.	KATRIN Agricultural Research Institute	TARI-Ifakara Centre	Kilombero, Morogoro
6.	Dakawa Agricultural Research Institute	TARI-Dakawa Centre	Mvomero, Morogoro,
7.	Makutopora Viticultural Research Institute	TARI-Makutopora	Dodoma

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		Centre	
8.	Hombolo Agricultural Experimental Station	TARI-Hombolo Centre	Chamwino, Dodoma
9.	Ukiriguru, Agricultural Research Institute	TARI-Ukiriguru Centre	Misungwi, Mwanza
10.	Maruku Agricultural Research Institute	TARI-Maruku Centre	Bukoba, Kagera
11.	Selian Agricultural Research Institute	TARI-Selian Centre	Arumeru, Arusha
12.	Tengeru Agricultural Research Institute	TARI-Tengeru Centre	Arumeru, Arusha
13.	Naliendele Agricultural Research Institute	TARI-Naliendele Centre	Mtwara Urban Mtwara
14.	Uyole Agricultural Research Institute	TARI-Uyole Centre	Mbeya
15.	Kifyulilo Experimental Station	TARI-Kifyulilo Centre	Mufindi, Iringa
16.	Tumbi Agricultural Research Institute	TARI-Tumbi Centre	Uyui, Tabora

**THIRD SCHEDULE**

*(Made under section 14 (1))*

**AGRICULTURAL RESEARCH THEMES**

1. *Crop Improvement*
  - (a) breeding for improved crop varieties;
  - (b) develop recommendations for good agricultural practices (gap) under rain fed and irrigated farming;
  - (c) collection, conservation and sustainable utilization of plant genetic resources; and
  - (d) any other emerging issues.
2. *Crop Protection:*
  - (a) integrated pest management
  - (b) integrated disease management
  - (c) weeds and invasive species management
  - (d) any other emerging issues
3. *Post-Harvest Research*
  - (a) handling,
  - (b) processing,
  - (c) packaging,
  - (d) storage

- (e) any other emerging issues.
4. *Land use and water management*
- (a) soil fertility, plant nutrition, conservation agriculture and erosion control;
  - (b) soil mapping, land resources inventory and evaluation;
  - (c) water conservation and water quality analysis; and
  - (d) efficient and sustainable irrigation technologies.
  - (e) any other emerging issues
5. *Agroforestry*
- (a) screening of multipurpose trees species for suitability as fuel wood, fodder or for soil fertility improvement, border and shade;
  - (b) developing sustainable management systems that incorporate trees and shrubs into crop/livestock systems;
  - (c) genetic resources management, conservation and sustainable utilization of trees and shrubs;
  - (d) any other emerging issues.
6. *Environmental Management and Climate Change Resilience*
- (a) development of new tools for risk-based agricultural planning and operational techniques to address less predictable weather patterns and potential shifts of agro-ecological zones;
  - (b) research in loss of biodiversity due to commercial over-exploitation;
  - (c) development of measures to control pollution and degradation of natural resources;
  - (d) development of varieties of different crops for climate change adaptation purposes;
  - (e) research in agricultural technologies, techniques, and innovative adaptive measures appropriate to given agro-ecological zones.
  - (f) any other emerging issues.
7. *Biosciences and Biotechnology Innovations*
- All emerging scientific innovation and technologies that enhance sustainable agricultural growth and development such as:
- (a) marker assisted breeding;
  - (b) tissue culture
  - (c) genetic engineering;
  - (d) biosafety research;
  - (e) disease diagnostics;
  - (f) bioinformatics;
  - (g) genomics;
  - (h) proteomics;
  - (i) gene tilling;
  - (j) metabolomics; and
  - (k) any other emerging issues.
8. *Socio-economics and Marketing Research*
- (a) characterization and analysis of farming system and client groups to enhance research targeting;
  - (b) technology transfer, adaptation and adoption by stakeholders;

- (c) validation and up-scaling and out-scaling of agricultural indigenous knowledge, technologies and techniques;
  - (d) impact and research spillover studies of adapted and adopted technologies and return to research investment; including documentation and dissemination;
  - (e) entrepreneurship and farm enterprise development;
  - (f) analysis of institutional policy-induced constraints to technology development along the value-chain;
  - (g) research in factors that enhance competitiveness and marketability of tanzanian agricultural produce in regional and international supply chains;
  - (h) impact studies of agricultural technologies on labor and gender relations.
  - (i) any other emerging issues.
9. *Technology Transfer*
- (a) testing technologies with farmers (on-farm trials) in collaboration with extension agents;
  - (b) farmers field days at research institutes;
  - (c) farmer field schools;
  - (d) developing and executing communication strategies including print, audio, visual and electronic media;
  - (e) documentation and dissemination of agricultural research technologies to users;
  - (f) access and assessment of technologies in order to screen and adapt for dissemination; and
  - (g) any other emerging issues.
10. *Agricultural Engineering*
- (a) collaborative research on testing farm implements and the use of animal power traction;
  - (b) processing technologies;
  - (c) screening for varieties that are adapted for mechanization;
  - (d) tillage systems/techniques;
  - (e) sustainable management of agricultural waste; and
  - (f) any other emerging issues.

11. *Crosscutting Themes*
- (a) intellectual property management of developed research products and services;
  - (b) information management and development of integrated information/ict systems;
  - (c) formulation of research standards, codes of ethics, conduct and practice, and guidelines for delivery of agricultural research services;
  - (d) collaboration and linkages with local government authorities, national institutions, regional networks and international organizations dealing with and supporting agricultural research and development; the purpose being to conduct collaborative research and sharing knowledge, experiences, technologies and resources;
  - (e) alternative sources of energy such as solar, biogas, wind and biofuel; and
  - (f) gender mainstreaming;
  - (g) any other emerging issues.

**OBJECTS AND REASONS**

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This Bill proposes for the enactment of the Tanzania Agricultural Research Institute Act, 2015. The aim of the proposed law is to establish the Tanzania Agriculture Research Institute which shall be responsible for supervision and coordination of agricultural research activities in Tanzania. The proposed Law is also intended to put in place an agricultural research system that will facilitate production, availability and dissemination of right technology and the required infrastructure for agricultural research.

The proposed system is expected to increase production and make available for use the right and convenient technology which will facilitate agricultural activities taking into consideration market demand. Furthermore, the system is expected to strengthen the effective use of national resources by avoiding overlaps and duplications of resources.

The Bill is divided into VI Parts as follows:

Part I deals with preliminary provisions such as the name and date of commencement of the proposed law. Clause 2 of this Part provides for interpretations of various terms used in the proposed law.

Part II deals with the establishment and management of the Tanzania Agricultural Research Institute. This Part proposes for the establishment of the Tanzania Agricultural Research institute which shall be vested with powers to coordinate and supervise Agricultural research in Tanzania.

According to the provisions of this Part, the governance of the Institute is vested in the Board called the Tanzania Agricultural Research Board. The Board is composed of a total of nine members who shall be appointed by the Minister from different Agriculture related institutions. The Board shall be lead by the Chairman who shall be appointed by the President.

Clause 11 of the Bill recognizes the Research Centres and put the under supervision and management of the Institute. Currently, the Research Centers are under the supervision of the Agricultural Research and Development Department in the Ministry of Agriculture, Food Security and Cooperatives.

Part II proposes, in Sub-Part (c), the establishment of the National Agricultural Research Consultative Forum. The Forum shall provide a platform for discussions of different matters relating to agriculture. The outcome of the Forum's discussion will assist the Institute and the Government in the management of research activities in the country.

Part III proposes for provisions relating to the management of the Institute activities. Among other things, this Part identifies areas which are potential for agricultural research conducted in Tanzania for the benefit of Tanzania.

Part IV deals with registration of agricultural research projects conducted in Tanzania. The Part requires any agricultural research service provider to be registered before engaging in the provision of such services. It also stipulates provisions that require the institute to keep and maintain Register for agricultural research projects and service providers.

Part V deals with financial provisions. The Part makes provisions relating to sources of funds of the Institute and accountability for the use of the funds of the Institute. It also provides for submission of financial reports.

Part VI of the Bill deals with general provisions. The Part provides for employees of the Division transferred to the Institute, their rights and other administrative matters. It further provides for the penalties for any offence whose penalty is not provided in the Act is stated hereto.

Dar es Salaam,  
10 May 2016

**MWIGULU L. NCHEMBA**  
*Minister of Agriculture, Livestock  
and Fisheries*



MPANGILIO WA VIFUNGU

*Kifungu*      *Jina*

SEHEMU YA KWANZA  
MASHARTI YA UTANGULIZI

1. Jina fupi na tarehe ya kuanza kutumika.
2. Tafsiri.

SEHEMU YA PILI  
UANZISHWAJI NA USIMAMIZI TAASISI  
(a) *Kuanzishwa kwa Taasisi na Bodi ya Taasisi*

3. Kuanzishwa kwa Taasisi ya Utafiti wa Kilimo Tanzania.
4. Kazi za Taasisi.
5. Kuanzishwa kwa Bodi na muundo wa Bodi ya Taasisi.
6. Mamlaka na kazi za Bodi.
7. Posho kwa wajumbe wa Bodi.

(b) *Usimamizi wa Taasisi*

8. Uteuzi na majukumu ya Mkurugenzi Mkuu.
9. Idara na Vitengo vya Taasisi.
10. Ajira za watumishi.
11. Vituo vya Utafiti vya Taasisi.

(c) *Baraza la Taifa la Ushauri wa Utafiti wa Kilimo*

12. Baraza la Taifa la Ushauri wa Utafiti wa Kilimo.
13. Kazi za Baraza.

SEHEMU YA TATU  
UENDESHAJI WA TAASISI

14. Kutangazwa kwa maeneo ya utafiti wa kilimo.
15. Miongozo ya kuratibu utafiti wa kilimo.
16. Mikataba ya watoa huduma za utafiti wa kilimo.
17. Kuwasilisha kwa Taasisi taarifa za utafiti wa kilimo na utafiti mwingine husishi wa kisayansi.

18. Umiliki wa ugunduzi wa utafiti.
19. Utangazaji wa matokeo ya utafiti wa kilimo.
20. Uratibu wa utafiti wa kilimo na utafiti husishi wa kisayansi unaofanyika nje ya Tanzania.
21. Ufuatiliaji na tathmini ya utafiti wa kilimo.

**SEHEMU YA NNE  
USAJILI WA MIRADI YA UTAFITI WA KILIMO NA WATOA  
HUDUMA**

22. Usajili wa miradi ya utafiti wa kilimo.
23. Usajili wa watoa huduma za utafiti wa kilimo.
24. Utafiti unaofanywa na watafiti kutoka nje ya nchi.
25. Rejista ya utafiti wa kilimo na utafiti husishi wa kisanyansi.

**SEHEMU YA TANO  
MASHARTI YA FEDHA**

26. Fedha na raslimali za Taasisi.
27. Mamlaka ya kukopa na kuwekeza.
28. Mafao ya uzeeni.
29. Bajeti ya mwaka na bajeti ya nyongeza.
30. Hesabu na Ukaguzi.
31. Taarifa za mwaka za Taasisi.
32. Kuwasilisha taarifa za hesabu Bungeni.

**SEHEMU YA SITA  
MASHARTI YA JUMLA**

33. Adhabu.
34. Kinga kwa kosa lililofanywa kwa nia njema.
35. Rufaa.
36. Mamlaka ya kutunga kanuni.
37. Kuhamisha mali na madeni.
38. Masharti kuhusiana na wafanyakazi wa Taasisi.

**NOTISI**

Muswada huu utakaowasilishwa Bungeni unachapishwa kwa ajili ya kutoa taarifa kwa umma pamoja na maelezo yake ya madhumuni na sababu.

Dar es Salaam,  
17 Mei, 2016

**JOHN W. KIJAZI**  
*Katibu wa Baraza la Mawaziri*

**MUSWADA**

*wa*

**Sheria ya kuimarisha mfumo wa utafiti wa kilimo Tanzania; kuanzisha Taasisi ya Utafiti wa Kilimo Tanzania; uratibu madhubuti, utawala bora, usimamizi na utekelezaji wa utafiti wa kilimo pamoja na masuala mengine yanayohusiana.**

**IMETUNGWA** na Bunge la Jamhuri ya Muungano wa Tanzania.

**SEHEMU YA KWANZA  
MASHARTI YA UTANGULIZI**

Jina fupi na na  
tarehe ya kuanza  
kutumika

**1.** Sheria hii itajulikana kama Sheria ya Taasisi ya Utafiti wa Kilimo Tanzania 2016, na itanza kutumika tarehe itakayoainishwa na Waziri kwenye notisi itakayochapishwa katika *Gazeti la Serikali*.

Tafsiri

**2.** Katika Sheria hii, isipokuwa kama muktadha utahitaji vinginevyo-  
“mazao ya kilimo” maana yake ni mazao yoyote au bidhaa zitokanazo na mazao hayo kama zinavyotambuliwa kwa mujibu wa Sheria hii;  
“utafiti wa kilimo” maana yake ni kuendeleza, kuongeza na kuboresha uelewa kwenye mazao na sayansi husishi kwa kutumia mbinu bunifu za mwanzo na za kisayansi katika uzalishaji, uhifadhi na utunzaji wa mazao au bidhaa za kilimo;

- “watoa huduma za utafiti wa kilimo” maana yake ni mtu yeyote, awe kwenye sekta ya umma, au sekta binafsi anayefanya au kusimamia utafiti wa kilimo kwa mujibu wa Sheria hii; itajumuisha pia, taasisi za umma za utafiti wa kilimo, vyuo vikuu, vikundi vya wakulima, vyama visivyo vya kiserikali, vikundi binafsi na asasi yeyote kama itakavyotambulika na Taasisi;
- “maeneo ya utafiti wa kilimo” maana yake ni maeneo ya utafiti katika kilimo kama yalivyotambuliwa kwa mujibu wa kifungu cha 14;
- “Utafiti tumizi” maana yake ni utafiti unaolenga matumizi ya teknolojia mpya au iliyopo katika kutatua changamoto za kilimo zinazokabili jamii kwa upana wake;
- “utafiti wa msingi” maana yake ni utafiti uliobuniwa ili kuboresha taaluma na kuongeza uelewa au utafiti wenye lengo la kugundua teknolojia mpya, kuongeza maarifa ya kisayansi na unaweza kuhusisha ugunduzi wa kuendeleza nadharia, mbinu au viwango vinavyojulikana au visivyojulikana;
- “Bodi” maana yake ni Bodi ya Taasisi ya Utafiti wa Kilimo Tanzania kama ilivyoanzishwa kwa mujibu wa kifungu cha 5;
- “vituo” maana yake ni vituo vya utafiti vinavyotajwa kwenye kifungu cha 11;
- “Mwenyekiti” maana yake ni Mwenyekiti wa Bodi;
- “Baraza” maana yake ni Baraza la Taifa la Ushauri wa Utafiti wa Kilimo kama lilivyoanzishwa chini ya kifungu cha 12;
- “Mkurugenzi Mkuu” maana yake ni Mkurugenzi Mkuu wa Taasisi aliyeteuliwa kwa mujibu wa kifungu cha 8;
- “chama cha wakulima” maana yake ni chama ambacho kimesajiliwa na mamlaka husika na kilichoanzishwa na watu wanaojihusisha na uzalishaji, usindikaji au biashara ya mazao maalumu ya kilimo;
- “Taasisi” maana yake ni Taasisi ya Utafiti ya Kilimo Tanzania iliyoanzishwa chini ya kifungu cha 3;
- “Waziri” maana yake ni Waziri mwenye dhamana ya masuala ya utafiti wa kilimo;

“mfumo wa taifa wa utafiti wa kilimo” maana yake ni mfumo unaojumuisha wadau wote, wawe kwenye sekta ya umma au sekta binafsi, ambao wanajihusisha na utoaji wa huduma za utafiti wa kilimo; na

“utafiti mkakati” maana yake ni utafiti unaokusudia kujibu hoja za kiutafiti au vipaumbele vya kitaifa na kuainisha utaratibu, misingi na vigezo vya kiteknolojia.

#### SEHEMU YA PILI

#### UANZISHWAJI NA USIMAMIZI WA TAASISI

##### *(a) Kuanzishwa kwa Taasisi na Bodi ya Taasisi*

Kuanzishwa kwa Taasisi ya Utafiti wa Kilimo Tanzania

**3.-(1)** Inaanzishwa Taasisi itakayojulikana kwa jina la Taasisi ya Utafiti wa Kilimo Tanzania au kwa kifupi “TARI”.

(2) Taasisi itakuwa ni taasisi hodhi na itakuwa na-

- (a) urithi wa kudumu na lakiri rasmi;
- (b) jina lake la biashara na uwezo wa kushtaki na kushtakiwa;
- (c) kwa mujibu wa Sheria hii, itakuwa na uwezo wa kumiliki, kununua au kutwaa kwa njia yoyote ile, mali yoyote inayohamishika au isiyohamishika, na kutoa mali yake yoyote ile;

(3) Bila kuathiri masharti ya kifungu hiki, Mwanasheria Mkuu wa Serikali atakuwa na haki ya kuingilia mashauri yoyote au masuala yaliyofunguliwa na Taasisi au yale mashauri yaliyofunguliwa dhidi ya taasisi.

(4) Pale ambapo Mwanasheria Mkuu wa Serikali ataingilia suala lolote lile kwa mujibu wa kifungu kidogo cha (3) na (4), masharti ya Sheria ya Mwenendo wa Mashauri dhidi ya Serikali itatumika kuhusiana na mwenendo wa shauri au suala hilo kama vile lilifunguliwa na Serikali, au dhidi ya Serikali.

(5) Kwa madhumuni ya kifungu kidogo cha (3) na (4), Taasisi itakuwa na wajibu wa kumtaarifu Mwanasheria Mkuu wa Serikali juu ya mashauri yote ambayo yanasubiri kusikilizwa, au nia ya kufungua shauri au suala na au dhidi ya Taasisi.

Sura ya 5

Kazi za Taasisi

4.-(1) Taasisi itawajibika kufanya, kudhibiti na kuratibu shughuli zote za utafiti wa kilimo Tanzania Bara.

(2) Bila kuathiri majukumu ya jumla kama yalivyoelezwa kwenye kifungu kidogo (1), Taasisi itakuwa na kazi ya-

- (a) kufanya, kuhamasisha na kuratibu utafiti wa msingi na wa mkakati wa kilimo;
- (b) kuishauri Serikali katika kutunga sera ya Taifa, Sheria na mifumo ya usimamizi kwa ajili ya kuhamasisha na kusimamia utafiti wa kilimo;
- (c) kutunga na kusimamia utekelezaji wa sera ya hakimiliki ya Taasisi;
- (d) kuweka viwango, miiko ya taaluma, utendaji na miongozo ya utoaji wa huduma za utafiti wa kilimo;
- (e) kwa kushirikiana na wadau, kuandaa ajenda ya kitaifa ya utafiti wa kilimo na vipaumbele vya mfumo wa utafiti wa kilimo pamoja na kuratibu utekelezaji wa ajenda na vipaumbele husika;
- (f) kuanzisha na kusimamia mfumo madhubuti wa utunzaji, utoaji na usambazaji na kuhamasisha matumizi ya taarifa za utafiti wa kilimo;
- (g) kukuza weledi kwa kutoa mafunzo kwa watafiti wa Taasisi na wadau wengine ili waweze kufanya utafiti wa msingi, tumizi na mkakati;
- (h) kutafuta fedha kwa ajili ya kugharamia shughuli za utafiti wa kilimo na maendeleo;
- (i) kuratibu na kuhamasisha ushirikiano na nchi, taasisi nyingine, jumuiya za wanasayansi na watoa huduma wengine katika masuala ya utafiti, maendeleo na uhawilishaji wa teknolojia katika sekta ya kilimo;
- (j) kutoa, kufanya na kuwezesha huduma za ushauri katika utafiti, mafunzo, na usambazaji wa taarifa za kilimo na sayansi shirikishi;
- (k) kusajili na kutunza rejesta ya watoa huduma za utafiti na miradi ya utafiti wa kilimo katika

taasisi za umma na sekta binafsi;

- (l) kuhamasisha matumizi na uzalishaji wa mbegu bora;
- (m) kuanzisha na kutunza benki za vinasaba kwa madhumuni ya kuchanganua, kutathmini na kuhifadhi vinasaba vya mimea; na
- (n) kutekeleza majukumu mengine yoyote katika utekelezaji bora wa madhumuni ya Sheria hii.

(3) Taasisi inaweza kwa maandishi chini ya lakiri ya Taasisi kukasimu kwenye kamati au kwa wanachama wake au kwa mfanyakazi yeyote wa Taasisi mojawapo ya kazi zake au mamlaka chini ya sheria hii.

(4) Taasisi inaweza kutengua ukasimishaji ilioufanya chini ya kifungu hiki na hakutakuwa na ukasimishaji wowote uliofanywa ambao utaizuia Taasisi kutekeleza kazi au mamlaka yaliyokasimishwa.

(5) Tasisi haitakasimu:

- (a) mamlaka yake ya kukasimu au mamlaka; au
- (b) kuidhinisha bajeti ya mwaka, maelezo ya mwaka ya mizania ya mahesabu au taarifa za mahesabu.

Kuanzishwa na muundo wa Bodi ya Taasisi

**5.-(1)** Inaanzishwa Bodi itakayojulikana kama Bodi ya Taasisi ya Utafiti wa Kilimo Tanzania.

- (2) Bodi itaundwa na wafuatao:
  - (a) Mwenyekiti ambaye atateuliwa na Rais; na
  - (b) Wajumbe tisa wengine ambao watateuliwa na Waziri kama ifuatavyo-
    - (i) mjumbe kutoka Wizara yenye dhamana ya kilimo;
    - (ii) Makamu Mkuu wa Chuo atakayeteuliwa kutoka katika moja ya vyuo vikuu vya kilimo;
    - (iii) Mtendaji Mkuu atakayewakilishwa **kutoka** taasisi binafsi za utafiti wa kilimo;
    - (iv) Mkurugenzi wa Serikali za Mitaa;
    - (v) Mkurugenzi Mkuu wa Tume ya Taifa ya Sayansi na Teknolojia;
    - (vi) Mkurugenzi Mkuu wa Taasisi ya Utafiti wa Mifugo Tanzania;

- (vii) Wakili mwandamizi wa Serikali kutoka Ofisi ya Mwanasheria Mkuu wa Serikali;
- (viii) Mjumbe mmoja mwenye uzoefu kwenye kilimo atakayewakilisha vyama vya wakulima; na
- (ix) mjumbe mmoja mwenye uzoefu kwenye kilimo atakayewakilisha jumuiya za wafanyabiashara kwenye kilimo.

(3) Katika kuteua wajumbe wa Bodi, Waziri atazingatia taaluma, uzoefu na jinsia.

(4) Bila kuathiri masharti ya kifungu kidogo cha (2), Bodi, pale itakapona inafaa, inaweza kumwalika mtu yeyote ambaye sio mjumbe wa Bodi hiyo kuhudhuria vikao vya Bodi.

(5) Masharti katika Jedwali la Kwanza kwenye Sheria hii yanaainisha muundo, utaratibu na masuala mengine yanayohusiana na Bodi.

Mamlaka na kazi  
za Bodi

6.-(1) Kwa kuzingatia masharti ya Sheria hii, usimamizi, uendeshaji na udhibiti wa Taasisi utakuwa chini ya Bodi.

(2) Kwa madhumuni maalum na pasipo kuathiri matakwa ya jumla ya kifungu kidogo(1), mamlaka na majukumu ya Bodi yatakuwa -

- (a) kusimamia, kutoa maelekezo na miongozo kuhusu uendeshaji wa Taasisi na kuhakikisha kuwa fedha na rasilimali za kutosha zinapatikana ili kuiwezesha Taasisi kutekeleza majukumu yake ya kitaifa ya utafiti wa kilimo, maendeleo na uhamasishaji;
- (b) kupitia na kuidhinisha mipango mkakati, mipango kazi na bajeti ya Taasisi na kupitia taarifa za utekelezaji wake na kuidhinisha mipango ya kuwezesha shughuli za maendeleo na kuwaendeleza kitaaluma watafiti na watumishi wengine;
- (c) kupendekeza kwa mamlaka ya uteuzi kupitia kwa Waziri hatua za kinidhamu dhidi ya Mkurugenzi Mkuu;
- (d) kuchukua hatua za kinidhamu dhidi ya watumishi wa ngazi ya menejimenti;



- (e) kutekeleza jukumu la chombo cha rufaa kwa menejimenti ya Taasisi;
- (f) kumshauri Waziri kuhusu uanzishwaji wa vituo vya utafiti au vituo vidogo vya utafiti kwa idadi inayofaa kuwezesha utekelezaji wa majukumu ya Taasisi;
- (g) kusimamia matumizi na uwajibikaji kwenye masuala ya fedha na rasilimali zingine za Taasisi; na
- (h) kutekeleza majukumu yoyote yaliyoainishwa katika Sheria hii au ambayo kwa maoni ya Bodi, ni muhimu kwa ajili ya kuwezesha Taasisi kufanikisha malengo yake.

(3) Kwa kuzingatia masharti ya Sheria hii, Waziri anaweza kutoa maelekezo ya jumla au maalumu kwa Bodi kuhusu utekelezaji wa majukumu yoyote ya Taasisi kwa mujibu wa Sheria hii.

(4) Katika kutekeleza mamlaka na kazi zake chini ya Sheria hii, Bodi itawajibika kwa Waziri.

(5) Ili kuwezesha utekelezaji wa majukumu yake kwa ufanisi, Bodi inaweza kuunda Kamati au Kamati ndogo kama itakavyoona inafaa ambazo zitakuwa na wajumbe watakaoteuliwa miongoni mwa wajumbe wa Bodi.

Posho kwa  
wajumbe wa  
Bodi

**7. Wajumbe wa Bodi mara kwa mara watalipwa posho zitakazoainishwa na Waziri mara baada ya kupendekezwa na Bodi.**

*(b) Usimamizi wa Taasisi*

Uteuzi na  
majukumu ya  
Mkurugenzi  
Mkuu

**8.-(1) Kutakuwa na Mkurugenzi Mkuu wa Taasisi atakayeteuliwa na Rais baada ya kupata ushauri wa Waziri kutoka miongoni mwa watu wenye sifa na uzoefu wa kusimamia kwa ufanisi na ufasaa masuala ya Taasisi.**

(2) Mtu atakuwa na sifa za kuteuliwa kuwa Mkurugenzi Mkuu kama mtu huyo ni raia wa Tanzania na ana sifa zifuatazo-

- (a) awe na shahada ya uzamivu katika masuala ya kilimo kutoka chuo kinachotambulika;
- (b) awe muadilifu;
- (c) awe na ujuzi uliothibitika na uzoefu

usiopungua miaka kumi katika masuala ya sayansi na utafiti wa kilimo na **maendeleo**; na

(d) awe mbunifu, mwenye weledi na uwezo katika masuala ya uongozi na utawala bora wenye kuwezesha kutoa uongozi unaofaa kwa Taasisi.

(3) Mkurugenzi Mkuu atakuwa Katibu wa Bodi na wakati wa kutekeleza majukumu yake chini ya Sheria hii atakuwa chini ya usimamizi na udhibiti wa Bodi.

(4) Mkurugenzi Mkuu atakuwa na wajibu wa-

(a) usimamizi wa kila siku wa uendeshaji wa Taasisi;

(b) kuendeleza, na kwa kuzingatia idhini ya Bodi, kutekeleza mpango mkakati wa Taasisi;

(c) kuhamasisha upatikanaji wa fedha na kusimamia matumizi ya fedha, rasilimali na shughuli za kila siku za Taasisi;

(d) kusimamia, kuongoza na kuwaelekeza watumishi wa Taasisi na nidhamu ya wafanyakazi ambao si wafanyakazi walio katika menejiment ya Taasisi;

(e) kuratibu na kutekeleza sera, programu na shughuli za Taasisi; na

(f) kutekeleza majukumu mengine yoyote atakayokabidhiwa na Bodi au chini ya Sheria hii.

(5) Katika kutekeleza majukumu yake chini ya Sheria hii, Mkurugenzi Mkuu atatakiwa kuzingatia maelekezo ya Bodi kama yatakavyotolewa kwake mara kwa mara.

(6) Mkurugenzi Mkuu atashika madaraka kwa muda wa miaka mitano na anaweza kuteuliwa kwa kipindi kingine kimoja.

Idara na Vitengo  
vya Taasisi

**9.** Kwa ajili ya kuwezesha utekelezaji wa shughuli za Taasisi, Bodi inaweza kuanzisha idadi yoyote ya Idara na Vitengo chini ya Taasisi kwa kuzingatia Muundo wa Taasisi ulioidhinishwa.

Ajira za  
watumishi

**10.**(1) Kwa idhini ya Bodi, Taasisi inaweza kuteua au kuajiri kwa utaratibu wa ushindani, maafisa na watumishi ambao watawezesha Taasisi kutekeleza majukumu yake.

(2) Maafisa au watumishi watakaoajiriwa chini ya Kifungu hiki watatekeleza majukumu yao kwa muda ambao Bodi itaamua.

Vituo vya utafiti vya Taasisi

**11.**-(1) Taasisi za Utafiti zilizotajwa kwenye Sehemu ya Pili ya Jedwali la Pili la Sheria hii vitakuwa ni vituo vya Taasisi na vitaendelea kuwa chini ya usimamizi, uangalizi na udhibiti wa Taasisi kwa kuzingatia majina mapya ya vituo hivyo kama ilivyoainishwa sehemu ya tatu ya kwenye Jedwali.

(2) Vituo husika vya utafiti vitaongozwa na Wakurugenzi ambao watateuliwa na Bodi.

(3) Waziri kwa kushauriana na Bodi na kwa amri itakayochapishwa kwenye Gazeti la Serikali anaweza kurekebisha, kufuta au kuongeza majina ya vituo kwenye Jedwali la Pili.

*(c) Baraza la Taifa la Ushauri wa Utafiti wa Kilimo*

Baraza la Taifa la Ushauri wa Utafiti wa Kilimo

**12.**-(1) Kutakuwa na jukwaa litakalojulikana kwa jina la Baraza la Taifa la Ushauri wa Utafiti wa Kilimo.

(2) Baraza litajumuisha wajumbe wafuatao-

(a) Mwenyekiti atakayeteuliwa na Waziri kutoka miongoni mwa watu mahiri katika sekta ya kilimo;

(b) wajumbe wengine watakaoteuliwa na Waziri kutoka asasi zinazounda mfumo wa taifa wa utafiti wa kilimo kama ifuatavyo -

(i) mjumbe mmoja kutoka Wizara yenye dhamana ya kilimo;

(ii) Watendaji Wakuu wa Taasisi za Umma na binafsi zinazojihusisha na kilimo;

(iii) Wakurugenzi wa utafiti wanaowakilisha vyuo vya elimu ya juu vinavyohusika na kilimo;

(iv) Mkurugenzi Mkuu wa Taasisi ya Utafiti wa Mifugo Tanzania;

(v) Mkurugenzi wa Serikali za Mitaa;

(vi) mwakilishi wa vyama vya wakulima ;

(vii) mwakilishi wa vyama vya wafanyabiashara wa mazao ya kilimo;

- (viii) Mkurugenzi Mkuu wa Tume ya Sayansi na Teknolojia;
- (ix) Mkurugenzi Mkuu wa Baraza la Taifa la Hifadhi na Usimamizi wa Mazingira;
- (x) mwakilishi kutoka Tume ya Mipango;
- (xi) mwakilishi mmoja kutoka Wizara yenye dhamana ya Viwanda na Biashara;
- (xii) mwakilishi mmoja kutoka Wizara yenye dhamana ya misitu; na
- (xiii) mtu yeyote mwenye uzoefu wa utafiti wa kilimo ambaye atakayeteuliwa na Waziri.

(3) Mjumbe wa Baraza, isipokuwa kwa aliyeteuliwa kwa mujibu wa wadhifa wake, atakaa madarakani kwa muda wa miaka mitatu na anaweza kuteuliwa kwa kipindi kingine kimoja.

(4) Baraza linaweza kumualika mjumbe yeyote kuhudhuria vikao vyake kulingana na majadiliano husika.

(5) Baraza litakutana mara moja kwa mwaka, isipokuwa kwa ridhaa ya Mwenyekiti, linaweza kukutana muda na mahali popote kama itaonekana inafaa.

(6) Baraza linaweza kuunda Kamati ambazo wajumbe wake watateuliwa miongoni mwa wajumbe wa Baraza hilo.

(7) Taasisi itatumika kama Sekretarieti ya Baraza.

(8) Taratibu za kuendesha shughuli za Baraza zitaainishwa kwenye Kanuni.

Kazi za Baraza

**13.-(1)** Baraza litakuwa -

- (a) na wajibu wa kuratibu asasi zote zinazounda mfumo wa taifa wa utafiti wa kilimo kwa lengo la kuhakikisha kuwa kunakuwepo matumizi yenye tija ya rasilimali na kupunguza kurudia kwa shughuli za utafiti;
- (b) ni jukwaa la kujadili masuala yanayohusu changamoto zinazohusu mfumo wa utafiti wa kilimo;

(c) ni jukwaa la kubadilishana taarifa, maarifa na uzoefu miongoni mwa asasi zinazounda mfumo wa taifa wa utafiti wa kilimo; na

(d) na wajibu wa kujadili na kushauri kuhusu masuala yoyote ambayo Baraza litaona yanafaa kwa lengo la kusaidia utekelezaji wa Sheria hii.

(2) Baraza litaandaa taarifa ya majadiliano na maazimio yake na kuwasilisha kwa Mkurugenzi Mkuu ambaye atatakiwa kuyafanyia kazi maazimio hayo na kuwasilisha kwa Bodi.

#### SEHEMU YA TATU UENDESHAJI WA TAASISI

Kutangazwa  
kwa maeneo ya  
utafiti wa kilimo

**14.**-(1) Maeneo yaliyoainishwa kwenye Jedwali la Tatu, ndiyo yatakayotambulika kuwa maeneo ya utafiti wa kilimo kwa madhumuni ya Sheria hii.

(2) Waziri anaweza, kwa mapendekezo ya Bodi na kwa notisi la tangazo kwenye Gazeti la Serikali, kuongeza au kuondoa kwenye maeneo mengine ya utafiti wa kilimo kwenye orodha ya Jedwali la Tatu.

Miongozo ya  
kuratibu utafiti  
wa kilimo

**15.**-(1) Bodi inaweza, baada ya kushauriana na wadau katika mfumo wa taifa wa utafiti wa kilimo kutoa miongozo na maelekezo ambayo yatasaidia katika kuratibu utafiti wa kilimo.

(2) Kila mdau atawajibika kufuata na kuzingatia miongozo itakayotolewa kwa mujibu wa kifungu hiki cha Sheria na ukiukwaji wa miongozo hiyo utatafsiriwa kuwa ni ukiukwaji wa Sheria hii.

Mikataba ya  
watoa huduma  
za utafiti wa  
kilimo

**16.**-(1) Taasisi inaweza, Kwa ridhaa ya Bodi, kuingia kwenye mikataba ya utekelezaji au kukubaliana na watoa huduma za utafiti wa kilimo au usambazaji wa teknolojia za utafiti wa maendeleo ya kilimo ili kufanya utafiti wa kilimo.

(2) Mtoa huduma za utafiti atatekeleza jukumu la utafiti kwa kuzingatia mkataba wake na Taasisi.

Kuwasilisha  
kwa Taasisi  
taarifa za utafiti  
wa kilimo na  
tafiti nyingine

**17.**-(1) Mtu yeyote anayejihusisha na utafiti wa kilimo hapa nchini, kwa gharama zake, atawasilisha kwa Taasisi taarifa zote zinazohusiana na utafiti wake na kwa kuzingatia masharti ya sera ya hakimiliki ya taasisi

husishi za  
kisayansi

husika, atatoa nakala ya taarifa ya utafiti au matokeo ya utafiti huo kama atakavyoelekezwa na Taasisi.

(2) Taarifa zitakazotolewa kwa mujibu wa kifungu kidogo (1) zitawasilishwa kwa Taasisi kwa kuzingatia utaratibu utakaoainishwa kwenye Kanuni.

(3) Taasisi na maafisa wake watahakikisha utunzaji wa siri kwa taarifa zote zitakazowasilishwa kwa mujibu wa kifungu kidogo cha (1).

(4) Mtu yeyote atakayekiuka kifungu hiki atakuwa ametenda kosa.

Umiliki wa  
ugunduzi wa  
utafiti

**18.**-(1) Pale ambapo matokeo yoyote ya utafiti yaliyofanyika kwa kutumia fedha za umma au kwa niaba ya Taasisi, chochote kitakacho gundulika katika utafiti huo kitakuwa ni mali ya Taasisi.

(2) Taasisi inaweza, kwa nia ya kufanyia biashara na matokeo ya utafiti na ugunduzi wowote na kama Taasisi itaona inafaa kutumia kwenye ugunduzi au kuboresha teknolojia, mbinu za utafiti, taratibu, bidhaa au huduma yoyote ile na matumizi yake, Taasisi inaweza kukubaliana na mtu yeyote kununua, kuuza au kutoa hakimiliki katika ugunduzi au ubunifu kwa kuzingatia masharti yatakayoainishwa kwenye sera ya hakimiliki ya Taasisi.

(3) Taasisi itasajili ugunduzi wowote utakaofanyika kutokana na shughuli za utafiti chini ya Sheria hii na kwa utaratibu na masharti yatakayoainishwa kwenye kanuni.

(4) Endapo ugunduzi, uvumbuzi au ubunifu ni mali ya Taasisi chini ya kifungu kidogo cha (1), Taasisi inaweza -

- (a) kutoa tuzo kwa mtu yeyote aliyehusika na ugunduzi, uvumbuzi au ubunifu huo; au
- (b) kuweka masharti ya kumpa mtu aliyeshiriki kwenye ugunduzi au ubunifu haki ya kushiriki na kunufaika na matokeo ya ugunduzi huo;
- (c) kwa kiwango na masharti ambayo Taasisi kwa kushauriana na Bodi na kwa kuzingatia masharti ya sheria zilizopo zinazohusiana na hakimiliki.

(5) Waziri anaweza kutengeneza kanuni, kuainisha utaratibu wa kulinda hakimiliki, ugunduzi, ubunifu na uvumbuzi unao jitokeza kwenye utafiti wa kilimo.

Utangazaji wa matokeo ya utafiti wa kilimo

**19.**-(1) Mtu yeyote ambaye atafanya utafiti kwa kutumia rasilimali za Taasisi hataruhusiwa kutangaza matokeo ya utafiti huo pasipo kupata kwanza idhini ya Taasisi.

(2) Kwa madhumuni ya kupata idhini kwa mujibu wa kifungu kidogo cha (1), mtu ambaye anataka kutangaza utafiti atatakiwa kuwasilisha andiko la utafiti wake kwa Taasisi.

(3) Kwa kuzingatia masharti ya kifungu kidogo cha (2), Taasisi itapitia andiko la utafiti na baada ya kujiridhisha itaidhinisha kutangazwa kwa matokeo ya utafiti huo.

Uratibu wa utafiti wa kilimo na utafiti husishi wa kisayansi unaofanyika nje ya Tanzania

**20.**-(1) Endapo mtu yeyote anataka kufanya mradi utafiti wa kilimo na sayansi inayohusiana na kilimo-

- (a) ambao taarifa zake zitapatikana kutoka Tanzania; au
- (b) kwa manufaa ya Tanzania lakini utafiti huo utafanyika nje ya Tanzania;
- (c) atatakiwa kuwasilisha kwa maandishi, andiko lake la utafiti kwa Taasisi.

(2) Taasisi inaweza kushauriana na mtu aliyewasilisha andiko na kutoa uamuzi kwa kuzingatia maslahi ya utafiti huo wa kilimo au sayansi husishi kwa Tanzania.

(3) Uamuzi utakaotolewa na Taasisi kwa mujibu wa kifungu kidogo cha (2) utakuwa na nguvu ya kisheria dhidi ya mtu yeyote atakayeathirika.

Ufuatiliaji na tathmini ya utafiti wa kilimo

**21.**-(1) Kwa madhumuni ya kuweka mipango madhubuti, utekelezaji na athari za utafiti wa kilimo, Taasisi itakuwa na wajibu wa -

- (a) kufuatilia na kuhakiki kiwango cha matumizi na ufanisi wa matokeo ya utafiti na kupata mrejesho wa kukubalika kwa matumizi ya matokeo ya teknolojia;

- (b) kurasimisha mfumo mwenzi wa kujitathmini;
  - (c) kuanzisha kamati za kitaifa za kuratibu utafiti wa mazao mbalimbali;
  - (d) kurasimisha mfumo madhubuti wa upimaji wa matokeo ya utafiti wenye ufanisi na kuandaa viashiria vya matokeo ya utafiti; na
  - (e) kurasimisha mfumo endelevu wa utoaji taarifa, mawasiliano na usimamizi wa taarifa.
- (2) Taasisi itaandaa na kuhuisha mara kwa mara kwa kushirikiana na mamlaka husika, mpango wa kitaifa wa kufuatilia utekelezaji wa utafiti wa kilimo na sayansi husishi.

**SEHEMU YA NNE**  
**USAJILI WA MIRADI YA UTAFITI WA KILIMO NA**  
**UTOAJI WA HUDUMA**

Usajili wa watoa huduma za utafiti wa kilimo

**22.**-(1) Mtu hatatoa au kufanya utafiti wa kilimo isipokuwa mtu huyo au taasisi iwe imesajiliwa na Taasisi kama mtoa huduma za utafiti wa kilimo.

(2) Waziri anaweza kutengeneza kanuni akiainisha utaratibu wa kusajili watoa huduma za utafiti wa kilimo na masuala mengine husishi.

(3) Mtu yeyote atakayetoa huduma za utafiti wa kilimo pasipo kusajiliwa kwa mujibu wa kifungu hiki atakuwa ametenda kosa.

Usajili wa miradi ya utafiti wa kilimo

**23.**-(1) Mtu hataruhusiwa kutekeleza mradi wowote wa utafiti wa kilimo isipokuwa mradi huo uwe umesajiliwa na Taasisi kwa mujibu wa Sheria hii.

(2) Mtu yeyote anayetaka kusajili mradi wa utafiti wa kilimo atawasilisha maombi ya usajili kwa Taasisi katika muundo kama utakavyoainishwa kwenye kanuni.

(3) Taasisi itasajili miradi ya utafiti kwa utaratibu na kwa masharti kama yalivyoainishwa kwenye kanuni.

(4) Endapo Taasisi itakataa kusajili mradi wa utafiti wa kilimo, Taasisi itamfahamisha kwa maandishi mwombaji sababu za kukataa.

(5) Taasisi inaweza, kwa sababu maalumu na baada ya kumfahamisha mhusika kusimamisha au kufuta usajili wa mradi wa utafiti wa kilimo.

(6) Mtu yeyote ambaye anatekeleza mradi wa



utafiti wa kilimo ambao haujasajiliwa kwa mujibu wa kifungu hiki atakuwa anatenda kosa.

Utafiti unaofanywa na watafiti kutoka nje ya nchi

**24.**-(1) Mtafiti yeyote kutoka nje ya nchi ambaye anakusudia kufanya utafiti chini ya Sheria hii atapaswa kuwasilisha andiko lake la utafiti kwa Taasisi ili kuidhinishwa.

(2) Taasisi haitaidhinisha andiko la utafiti litakalowasilishwa na mtafiti kutoka nje ya nchi isipokuwa kama mtafiti huyo atashirikiana na mtafiti mwingine ambaye ni Mtanzania.

Rejesta ya utafiti wa kilimo na utafiti husishi wa kisanyansi

**25.**-(1) Taasisi itaanzisha na kutunza rejesta ambayo taarifa zifuatazo zitaingizwa-

(a) watoa huduma za utafiti kwa mujibu wa sheria;

(b) utafiti wa kilimo na miradi ya utafiti ya sayansi husishi;

(2) kwa madhumuni ya kifungu kidogo (1), Waziri atatengeneza kanuni zitakazotangazwa kwenye Gazeti la Serikali, zitakazoainisha utaratibu na taarifa za kuwekwa kwenye rejesta.

#### SEHEMU YA TANO MASHARTI YA FEDHA

Fedha na rasilimali za Taasisi

**26.**-(1) Fedha na rasilimali za Taasisi zitatokana na-

(a) kiasi cha fedha kitakachoidhinishwa na Bunge kupitia bajeti;

(b) fedha au mali ambazo zinaweza kutolewa kwa Taasisi ikijumuisha fedha zitakazopokelewa kama zawadi, misaada, udhamini, mikopo au kutoka kwa wadau wa maendeleo;

(c) fedha zozote zitakazopatikana kutokana na tozo zilizowekwa na Sheria hii;

(d) mikopo yoyote au ruzuku itakayotolewa na Serikali au mtu yeyote;

(e) fedha zozote zitakazotokana na huduma na bidhaa za utafiti unaofanywa na Taasisi; na

(f) kiasi cha fedha ambacho kitatolewa kwa Taasisi kwa mujibu wa Sheria hii au Sheria yoyote ya Bunge.

(2) Bodi itahakikisha kuwa fedha zote za Taasisi zinatumika kwa ufanisi na kwa madhumuni ya kusaidia utekelezaji wa malengo ya Sheria hii.

Mamlaka ya  
kukopa na  
kuwekeza  
Sura. 53

**27.**-(1) Kwa kuzingatia idhini ya Waziri na Waziri mwenye dhamana ya Fedha, Taasisi inaweza kukopa kiasi chochote cha fedha kwa ajili yake kwa dhamana yenye masharti yoyote yatakayoonekana yanafaa kuhusu taratibu za urejeshaji wa mkopo huo kwa kadiri ambavyo Waziri ataona inafaa.

(2) Kwa idhini ya Waziri, Taasisi inaweza kuwekeza sehemu yoyote ya fedha zake.

(3) Fedha za Taasisi zitatumika kwa ajili ya-

- (a) kugharimia utekelezaji wa shughuli za miradi ya utafiti, miundombinu ya maendeleo ya utafiti, uendeshaji wa utafiti na ubiasharishaji wa bidhaa zitokanazo na matokeo ya utafiti wa kilimo.
- (b) ununuzi wa ardhi, vifaa na mali nyingine za Taasisi;
- (c) kugharamia kwa utaratibu wa mikopo au misaada, mafunzo na kuwajengea uwezo wataalamu wa utafiti na wakulima wanaojihusisha na utafiti wa kilimo; na
- (d) kugharamia shughuli nyingine zozote za Taasisi.

Mafao ya  
uzeeni

**28.** Kwa kuzingatia masharti ya Sheria nyingine yoyote ya nchi ambayo inatumika kuhusiana na pensheni, Bodi itahakikisha-

- (a) kwamba viinua mgongo au posho nyingine za kustaafu au mafao mengine yanayotolewa kwa waajiriwa wa Taasisi;
- (b) Taasisi inachangia kwa wakati kwenye mifuko ya pensheni au mfuko wa huduma za matibabu kwa waajiriwa wa Taasisi;
- (c) kwamba mwajiriwa yeyote wa Taasisi anachangia kwenye mfuko wa pensheni au mifuko mingine ya huduma za afya.

Bajeti ya  
mwaka na

**29.**-(1) Mwaka wa kwanza wa fedha wa Taasisi utaanza kwenye tarehe ambayo Sheria hii itaanza

bajeti ya  
nyongeza

kutumika na unaweza kuwa muda mrefu au mfupi kuliko miezi kumi na mbili.

(2) Si chini ya miezi miwili kabla ya kuanza kwa kila mwaka wa fedha Bodi katika mkutano wake, itapitisha bajeti ya kiasi cha fedha husika:

(a) kinachotegemewa kupokelewa; au

(b) kinachotegemewa kutumiwa na Taasisi katika mwaka huo wa fedha, na kwa kadri mazingira yatakavyoruhusu, Bodi inaweza kupitisha bajeti ya nyongeza katika mwaka wowote wa fedha.

(3) Bajeti ya mwaka na kila bajeti ya nyongeza itakuwa kwenye namna ambayo na itajumuisha taarifa ambazo kama itakavyoidhinishwa na Waziri.

(4) Baada ya kupitisha bajeti ya mwaka au bajeti ya nyongeza, Bodi itawasilisha bajeti ya mwaka au nyongeza ya bajeti kwa Waziri kwa ajili ya kuidhinishwa.

(5) Waziri, baada ya kupokea bajeti ya mwaka au bajeti ya nyongeza, ataikubali, ataikataa au ataikubali bajeti au nyongeza ya bajeti kwa kuzingatia marekebisho yoyote ambayo anaweza kuona yanafaa.

(6) Endapo Waziri ameidhinisha bajeti yoyote ya mwaka au bajeti ya nyongeza ikiwa na marekebisho au bila marekebisho, bajeti hiyo, kama ilivyoidhinishwa na Waziri, itaifunga Bodi ambayo, kwa kuzingatia kifungu kidogo cha (8), itaelekeza matumizi ya fedha hizo za Taasisi kwenye vitu na kiasi ambacho kimewekwa kwenye makisio yanayotumika na kama ilivyoidhinishwa na Waziri.

(7) Bodi inaweza-

(a) kwa idhini ya kimaandishi ya Waziri, kutumia fedha bila kujali kwamba matumizi hayo hayapo kwenye bajeti yoyote;

(b) kubadilisha ukomo wa kiwango cha matumizi ya fedha kwa kuzingatia mazingira ambayo hayakuweza kutarajiwa wakati wa uandaaji wa bajeti kwa masharti ya uwasilishaji wa bajeti ya nyongeza kwa Waziri ndani ya kipindi cha miezi miwili cha marekebisho ya ukomo wa matumizi utakuwa ni wa muhimu.

Hesabu na  
Ukaguzi

**30.**-(1) Mkurugenzi Mkuu atatunza vitabu vya hesabu za fedha, na katika kipindi kisichozidi miezi mitatu baada ya mwaka wa fedha wa Taasisi, atawajibika kuandaa taarifa ya mapato na matumizi ya Taasisi katika kipindi husika cha mwaka wa fedha.

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(2) Ndani ya kipindi cha miezi mitatu ya kufunga mwaka wa fedha, hesabu pamoja na taarifa za fedha za Taasisi kwa mwaka husika zitakaguliwa na Mdhibiti na Mkaguzi Mkuu wa Hesabu za Serikali kwa mujibu wa Sheria ya Ukaguzi wa Umma.

(3) Kila taarifa ya ukaguzi wa hesabu za fedha za Taasisi itawasilishwa kwanza kwa Bodi na endapo itaridhiwa itaidhinishwa kwa hati maalumu.

(4) Mara baada ya kukamilika kwa ukaguzi wa hesabu za Taasisi, na kwa mazingira yoyote, katika kipindi kisichozidi miezi sita baada ya kukamilika kwa mwaka wa fedha, Taasisi itawasilisha kwa Waziri nakala ya taarifa ya hesabu zilizokaguliwa pamoja na taarifa ya Mkaguzi kuhusu hesabu hizo.

Taarifa za  
mwaka za  
Taasisi

**31.** Katika kipindi cha miezi sita baada ya kufungwa kwa mwaka wa fedha, Bodi itaelekeza Taasisi iandae na kuwasilisha kwa Waziri taarifa ya shughuli za Taasisi katika kipindi husika cha mwaka ambayo itaambatana na-

- (a) nakala ya hesabu zilizokaguliwa;
- (b) nakala ya taarifa ya mkaguzi kuhusu hesabu; na
- (c) taarifa nyingine ambazo Waziri anaweza kuelekeza.

Kuwasilisha  
taarifa za hesabu  
Bungeni

**32.** Waziri, mara baada ya kupokea taarifa ya hesabu, atawasilisha taarifa ya hesabu iliyokaguliwa ya mwaka ya Taasisi Bungeni.

SEHEMU YA SITA  
MASHARTI YA JUMLA

Adhabu

**33.** Mtu yeyote atakayepatikana na hatia chini ya Sheria hii kwa kosa ambalo adhabu yake haijabainishwa katika kifungu chochote:

- (a) ikiwa ni mtu binafsi, atalipa faini isiyopungua shilingi laki tano na isiyozidi shilingi milioni

moja au atatumikia kifungo cha miezi sita jela au atalipa faini na kutumikia kifungo kwa pamoja.

- (b) kwa kosa lililorudiwa, atawajibika kulipa faini ya ziada isiyopungua shilingi milioni mbili na isiyozidi shilingi milioni tano au kifungo cha mwaka mmoja au vyote pamoja;
- (c) ikiwa ni taasisi au jumuiya, atalipa faini isiyopungua shilingi milioni moja na ikiwa kwa kosa lililorudiwa, itawajibika kulipa faini ya ziada isiyopungua shilingi milioni tano.

Kinga kwa kosa lililofanywa kwa nia njema

**34.** Hakutakuwa na shitaka lolote, madai au malalamiko yatakayofunguliwa dhidi ya mtu yeyote kwa kitendo chochote alichokifanya kwa nia njema katika kutekeleza kazi zake alizopewa kwa mujibu wa Sheria hii au sheria nyingine ndogo iliyotungwa chini ya Sheria hii.

Rufaa

**35.**-(1) Mtu yeyote ambaye atakuwa hajaridhika na maamuzi ya Taasisi kuhusiana na utekelezaji wa masharti ya Sheria hii, anaweza ndani ya siku ishirini na moja baada ya kupokea uamuzi huo, kukata rufaa kwa Waziri.

(2) Waziri atapitia rufaa na kutoa uamuzi wake ndani ya siku thelathini baada ya **tarehe ya** kupokea rufaa husika.

(3) Uamuzi wa Waziri kwenye rufaa utakuwa wa mwisho.

Mamlaka ya kutunga kanuni

**36.**-(1) Waziri anaweza kutunga kanuni kwa ajili ya utekelezaji mzuri wa masharti ya Sheria hii.

(2) bila ya kuathiri masharti ya jumla kwenye kifungu kidogo (1), Waziri anaweza kutunga kanuni kuhusu mambo yafuatayo-

- (a) taratibu za usajili wa -
  - (i) watoa huduma za utafiti wa kilimo;
  - (ii) miradi ya utafiti wa kilimo;
- (b) ufanyaji utafiti wa kilimo;
- (c) viwango vya ada au tozo zitakazolipwa chini ya Sheria hii;
- (d) kwa ajili ya ufuatiliaji na kufanya tathmini;
- (e) kuweka utaratibu wa kutangaza matokeo ya utafiti wa kilimo;

- (f) kuweka viwango na maadili ya watoa huduma za utafiti wa kilimo;
- (g) kuweka utaratibu wa kuwasilisha maandiko ya utafiti kwa Taasisi ;
- (h) kuweka utaratibu wa kuingia mikataba ya kufanya utafiti wa kilimo;
- (i) kuweka utaratibu wa kuhifadhi taarifa za utafiti wa kilimo kupitia kanzi data;
- (j) kuweka masharti ya kutoa leseni na ulipaji mrabaha kwa mbegu na teknolojia nyingine ambazo zitagunduliwa na Taasisi;
- (k) kuweka mfumo wa utoaji motisha kwa watafiti wa Taasisi;
- (l) kuweka utaratibu wa kupokea na kushughulikia rufaa; na
- (m) kuweka masharti kuhusu masuala mengine yoyote ambayo yanatakiwa kwa mujibu wa Sheria hii.

Kuhamisha mali na madeni

**37.**-(1) Mali zozote ambazo mara baada ya kuanza kutumika kwa sheria hii zilikuwa ni za Idara ya Utafiti na Maendeleo chini ya Wizara na Vituo vilivyotambulika chini ya kifungu cha 11 cha Sheria hii zitaendelea kumilikiwa na Taasisi.

(2) Taasisi itapokea madeni na dhamana zozote ambazo zinahusiana na mali zilizotajwa kwenye kifungu kidogo (1).

(3) Ardhi yoyote ambayo ilikuwa chini ya vituo vilivyochukuliwa na Taasisi kwa mujibu wa kifungu cha 11 itaendelea kutumiwa na Taasisi kwa ajili ya shughuli zake za utafiti kadiri ambavyo Bodi itakavyoidhinisha na itatumika kwa manufaa ya shughuli za Taasisi.

(4) Mikataba yoyote iliyoingiwa na vituo vilivyochukuliwa kwa mujibu wa kifungu cha 11 itaendelea kuwa na nguvu ya kisheria chini ya Taasisi mpaka hapo itakapokoma.

Masharti kuhusiana na waajiriwa wa Taasisi

**38.**-(1) Kwa mujibu wa sheria hii, waajiriwa wote wa Idara ya Utafiti na Maendeleo ya Wizara watahamishiwa na kuajiriwa na Taasisi itakapofikia tarehe maalum.

(2) Itakapofikia tarehe maalum kila mwajiriwa aliyehamishwa kutoka Taasisi chini ya kifungu kidogo

cha (1) kutoka kwenye Idara ya Utafiti na Maendeleo ya Wizara na vituo vyake vya utafiti atajiriwa na Taasisi kwa masharti ambayo si ya chini kuliko yale yaliyokuwa yakitumika kwake kabla ya kuhamishwa.

(3) Mpaka pale mpango mpya na masharti ya utumishi wa Taasisi, umepatikana, mpango na masharti ya utumishi katika idara ya Utafiti na Maendeleo ya Wizara na vituo vyake utaendelea kutumika kwa watumishi waliohamishiwa kwenye Taasisi chini ya kifungu kidogo cha (1) kama vile ni watumishi waliokuwa bado wako kwenye utumishi.

(4) Pale ambapo mtu yeyote aliyehamishiwa kwenye utumishi wa Taasisi chini ya kifungu hiki alikuwa ni mwanachama katika mfuko au mpango wa pensheni kwa mujibu wa sheria ama kwa hiari, kwa madhumuni ya sheria hii, ataendelea kusimamiwa na taratibu za mfuko au mpango huo kama vile hajahamishiwa kwenye utumishi wa Taasisi.

(5) Kwa kuondoa shaka na kwa madhumuni ya taratibu zinazosimamia mifuko ya hifadhi ya jamii wafanye kazi waliohamishwa chini ya kifungu hiki kutoka katika Idara ya utafiti na maendeleo ya Wizara na taasisi za utafiti zitachukuliwa kuwa ni huduma za taasisi.

(6) Tarehe ya kuanza kutumika maana yake ni tarehe ambayo sheria hii itanza kutumika.

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**MAJEDWALI**

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**JEDWALI LA KWANZA**

*(Limetungwa chini ya kifungu cha 5(2))*

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**TARATIBU NA MASUALA MENGINE YA BODI**

- Makamu Mwenyekiti                   **1.** Wajumbe, kwenye kikao chao cha kwanza watamchagua miongoni mwao mjumbe mmoja kuwa Makamu Mwenyekiti wa Bodi na kwa kuzingatia sharti la yeye kuendelea kuwa mjumbe wa Bodi, atakuwa madarakani kwa muda wa miaka mitatu na anaweza kuchaguliwa tena.
- Taratibu za Bodi                           **2.** Bodi itajiwekea taratibu zake yenyewe kuhusu masuala ya uendeshaji wa shughuli zake kwa kuzingatia Sheria hii na Kanuni.
- Mgongano wa maslahi                           **3.** Mjumbe yeyote atakayekuwa na mgongano wa kimaslahi katika jambo lolote linalojadiliwa na Bodi atatakiwa kutangaza maslahi katika jambo hilo na Bodi inaweza kumzuia kushiriki katika kutoa maamuzi juu ya jambo hilo.
- Vipindi vya ujumbe wa Bodi                           **4.**-(1) Mjumbe wa Bodi, isipokuwa tu endapo uteuzi wake umesitishwa na mamlaka iliyomteua au ameacha kwa namna yoyote kuwa mjumbe, atashika madaraka kwa kipindi cha miaka mitatu na anaweza kuteuliwa tena kwa kipindi kingine kimoja.  
(2) Mjumbe yeyote aliyeteuliwa kwa mujibu wa Sheria hii anaweza wakati wowote kujiuzulu kwa kutoa tangazo la nia ya kujiuzulu kwa maandishi kwa mamlaka iliyomteua kueleza tarehe ya kusudio lake, na kama tarehe haikuoneshwa atakoma kuwa Mjumbe kuanzia tangazo la nia yake lilipofika kwa mamlaka iliyomteua.
- Mjumbe wa kupokezana                           **5.** Inapotokea mjumbe amefariki au amejiuzulu au anaondoka katika ofisi yake, mamlaka iliyomteua itamteua mjumbe mwingine badala yake ambaye atakuwa mjumbe kwa muda uliobakia wa aliyemtangulia.
- Vikao na taratibu nyingine za Bodi                           **6.**-(1) Bodi itafanya mikutano yake angalau mara nne kwa mwaka kwa ajili ya kutekeleza majukumu yake.  
(2) Bila kujali kifungu kidogo cha (1), Mwenyekiti anaweza, endapo kutakuwa na jambo la dharura ambalo linahitaji maamuzi ya Bodi, kuitisha mkutano wa dharura katika siku na tarehe atakayoona inafaa.  
(3) Mwenyekiti ataongoza vikao vyote ya Bodi.  
(4) Iwapo Mwenyekiti hatakuwepo katika mkutano



wowote wa Bodi, Makamu Mwenyekiti atakuwa Mwenyekiti wa Mkutano.

(5) Mwenyekiti au mtu anayeendesha Mkutano wa Bodi atakuwa na kura ya ziada iwapo kura zitalingana katika kufanya uamuzi zaidi ya kura yake ya hiari.

Akidi ya Mkutano

**7.**(1) Maamuzi yote ya Bodi yataamuliwa kwa kukubaliana kwa wajumbe, isipokuwa pale ambapo hapatakuwepo na muafaka, uamuzi utafanyika kwa kupiga kura ya wingi.

(2) Akidi ya mkutano wa Bodi itakuwa ni nusu ya wajumbe wote waliopo madarakani.

Muhtasari wa mikutano ya Bodi

**8.**(1) Bodi itahakikisha kuwa muhtasari za mikutano yake yote inaandaliwa na kutunzwa na kwamba muhtasari ya kila mkutano wa Bodi utasomwa na kuthibitishwa au utarekebishwa na kuthibitishwa katika mkutano unaofuata wa Bodi, na utasainiwa na Mwenyekiti.

(2) Muhtasari wowote uliosainiwa na Mwenyekiti, utahesabika, kuwa ni kumbukumbu sahihi za mkutano husika.

Nafasi wazi kutokuvuruga uhalali wa maamuzi ya Bodi

**9.** Uhalali wa tendo au uamuzi wowote wa Bodi hautaathiriwa na kutokuwepo kwa mjumbe yeyote au kutokana na upungufu katika uteuzi wa yeyote miongoni mwao.

Taarifa au maelekezo

**10.** Taarifa zote na maelekezo yanayotolewa na au kwa niaba ya Bodi sharti yasainiwe na:

- (a) Mwenyekiti; au
- (b) Katibu au afisa yeyote au afisa wa Bodi aliyeidhinishwa kimaandishi kwa niaba hiyo na Katibu.

### **JEDWALI LA PILI**

*(Limetungwa chini ya kifungu cha 11 (3))*

#### **VITUO VYA UTAFITI WA KILIMO CHINI YA TAASISI**

S/N	JINA LA AWALI LA TAASISI	JINA LA KITUO	ENEO
1.	Kituo cha Utafiti wa Kilimo Ilonga,	TARI-Ilonga Centre	Kilosa, Morogoro
2.	Kituo cha Utafiti wa Kilimo Mlingano,	TARI-Mlingano Centre	Muheza, Tanga
3.	Kituo cha Utafiti wa Miwa Kibaha,	TARI-Kibaha Centre	Kibaha, Pwani

*Sheria ya Taasisi ya Utafiti wa Uvuvi Tanzania*

4.	Kituo cha Utafiti wa Kilimo Mikocheni,	TARI- Mikocheni Centre	Kinondoni, Dar es Salaam
5.	Kituo cha Utafiti wa Kilimo KATRIN,	TARI-Ifakara Centre	Kilombero, Morogoro
6.	Kituo cha Utafiti wa Kilimo Dakawa,	TARI-Dakawa Centre	Mvomero, Morogoro
7.	Kituo cha Utafiti wa Kilimo Makutupora,	TARI-Makutupora Centre	Dodoma
8.	Kituo cha Utafiti wa Kilimo Hombolo,	TARI-Hombolo Centre	Chamwino, Dodoma
9.	Kituo cha Utafiti wa Kilimo Ukiriguru, ,	TARI-Ukiriguru Centre	Misungwi, Mwanza
10.	Kituo cha Utafiti wa Kilimo Maruku,	TARI-Maruku Centre	Bukoba, Kagera
11.	Kituo cha Utafiti wa Kilimo Selian,	TARI-Selian Centre	Arumeru, Arusha
12.	Kituo cha Utafiti wa Kilimo Tengeru,	TARI-Tengeru Centre	Arumeru, Arusha
13.	Kituo cha Utafiti wa Kilimo Naliendele,	TARI-Naliendele Centre	Mtwara Urban Mtwara
14.	Kituo cha Utafiti wa Kilimo Uyole,	TARI-Uyole Centre	Mbeya
15.	Kituo cha Utafiti wa Kilimo Kifyulilo,	TARI-Kifyulilo Centre	Mufindi, Iringa
16.	Kituo cha Utafiti wa Kilimo Tumbi,	TARI-Tumbi Centre	Uyui, Tabora

**JEDWALI LA TATU**

*(Limetungwa chini ya kifungu cha 13(1))*

**MAENEO YA UTAFITI**

1. *Uboreshaji Mazao*
  - (e) ugunduzi wa aina bora za mazao;
  - (f) kuandaa mapendekezo ya mbinu bora za kilimo kwa kilimo cha kutegemea mvua na cha umwagiliaji;
  - (g) kukusanya, kuhifadhi na matumizi endelevu ya nasaba za mimea; na
  - (h) masuala mengine yoyoye yatakayojitokeza
2. *Afya ya Mimea:*
  - (a) uthibiti husishi wa wadudu na wanyama waharibifu
  - (b) uthibiti husishi wa magonjwa ya mimea
  - (c) uthibiti wa magugu na magugu vamizi
  - (d) masuala mengine yoyoye yatakayojitokeza
3. *Utafiti baada ya mavuno*
  - (a) usafirishaji na utunzaji;
  - (b) usindikaji;
  - (c) ufungashaji;
  - (d) uhifadhi ghalani;
  - (e) masuala mengine yoyoye yatakayojitokeza.
4. *Matumizi bora ya ardhi na maji*
  - (a) rutuba ya udongo, lische ya mimea, kilimo hifadhi na kudhibiti mmomonyoko wa udongo;
  - (b) ramani za udongo, tathmini ya raslimali ardhi;
  - (c) hifadhi na uchunguzi wa ubora wa maji; na
  - (d) teknolojia bora na endelevu za umwagiliaji.
  - (e) masuala mengine yoyoye yatakayojitokeza
5. *Kilimo-misitu*
  - (a) kufanya utafiti wa miti mbalimbali kwa matumizi kama kuni, malisho ya mifugo, kuboresha rutuba ya udongo na matumizi mengine;
  - (b) kuendeleza matumizi endelevu inayohusisha miti katika mifumo ya kilimo cha mazao na mifugo;
  - (c) uhifadhi na matumizi endelevu ya nasaba na raslimali miti;
  - (d) masuala mengine yoyoye yatakayojitokeza.
6. *Usimamizi wa Mazingira na Mabadiliko ya Tabianchi:*
  - (a) kubuni mbinu mpya kwa ajili ya mipango ya kilimo inayochukua tahadhari zitokanazo na mabadiliko ya tabianchi.
  - (b) utafiti unaolenga kupunguza upoteaji wa bioanuai;
  - (c) utafiti wa kubuni mbinu za kudhibiti uchafuzi wa mazingira na uharibifu wa mali asili

- (d) ugunduzi wa aina za mazao mbalimbali yanayostahimili mabadiliko ya tabianchi;
  - (e) utafiti wa teknolojia na mbinu bunifu za kilimo bora kulingana na kanda za kiikolojia;
  - (f) masuala mengine yoyoye yatakayojitokeza.
7. *Mbinu bunifu za sayansi za kibaolojia na kibioteknolojia*
- (a) mbinu molekuli za ugunduzi wa aina bora za mazao;
  - (b) uzalishaji wa miche kwa njia ya tishu;
  - (c) uhandisi jeni;
  - (d) utafiti wa matumizi salama wa bioteknolojia;
  - (e) utambuzi wa magonjwa;
  - (f) uchambuzi wa miandamano ya jeni na dna;
  - (g) utafiti wa *genome*;
  - (h) utafiti wa protini;
  - (i) utafiti wa metaboli
  - (j) masuala mengine yoyoye yatakayojitokeza.
8. *Utafiti wa Uchumi-Jamii na Masoko*
- (a) ainishaji na uchambuzi wa mifumo ya kilimo na vikundi vya wadau ili kulenga utafiti kwa mahitaji ya wadau;
  - (b) uhaulishaji, uhuishaji na upokeaji wa teknolojia kwa wadau;
  - (c) kuhakiki, kueneza na kupanua maarifa kuhusu teknolojia na mbinu asili za kilimo;
  - (d) utafiti juu ya matokeo ya teknolojia zilizohuishwa na kutumiwa na wadau;
  - (e) uendelezaji wa ujasiriamali na ujasiriamali wa kilimo;
  - (f) uchambuzi changamoto zitokanazo na sera za kitaasisi katika uendelezaji wa teknolojia katika mnyororo wa thamani;
  - (g) utafiti unaolenga kuimarisha masoko na biashara ya mazao ya kilimo ya Tanzania katika soko la ndani, kikanda na kimataifa;
  - (h) utafiti kuhusu matokeo ya teknolojia za kilimo kwa nguvu kazi na masuala ya jinsia;
  - (i) masuala mengine yoyoye yatakayojitokeza.
9. *Uhawilishaji wa teknolojia za kilimo:*
- (a) kufanya majaribio ya teknolojia sahihi za kilimo na wakulima kwa kushirikiana na wagani;
  - (b) kuandaa siku za wakulima kwenye vituo vya utafiti;
  - (c) kuandaa na kutumia mashamba darasa;
  - (d) kubuni na kutekeleza mikakati ya mawasiliano ikiwemo matumizi ya magazeti, redio na tv;
  - (e) ukusanyaji, uhifadhi na usambazaji wa teknolojia za kilimo kwa walengwa;
  - (f) upatikanaji na tathmini ya teknolojia zinazofaa kwa ajili ya uhuishaji na usambazaji;
  - (g) masuala mengine yoyoye yatakayojitokeza.
10. *Uhandisi Kilimo*
- (a) Utafiti shirikishi wa zana za kilimo na matumizi ya maksai;
  - (b) Teknolojia za usindikaji mazao;
  - (c) Kutafiti wa aina za mazao yanayofaa kwa kilimo cha kutumia mashine;

- (d) Mifumo na mbinu za ulimaji; na
  - (e) Utafiti kuhusu mbinu endelevu za matumizi ya mabaki ya mazao ya kilimo;
  - (f) Masuala mengine yoyote yatakayojitokeza.
11. *Masuala mtambuka*
- (a) usimamizi wa hati miliki ya matokeo na huduma za utafiti;
  - (b) usimamizi wa taarifa na kubuni mifumo husishi ya teknohama kuimarisha mawasiliano na usambazaji wa teknolojia za kilimo kwa wadau;
  - (c) kubaini viwango vya kufanya utafiti, maadili na miongozo ya utoaji wa huduma za utafiti wa kilimo;
  - (d) kuimarish aushirikiano na serikali za mitaa, asasi za kitaifa kikanda na kimataifa zinazohusika na uendelezaji wa kilimo kupitia utafiti na maendeleo; na
  - (e) matumizi ya nishati mbadala na jadidifu kama jua, biogesi, upepo na nishati ya mimea;
  - (f) masuala ya jinsia;
  - (g) Masuala mengine yoyote yatakayojitokeza.

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## MADHUMUNI NA SABABU

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Muswada huu unapendekeza kutungwa kwa Sheria ya Taasisi ya Utafiti ya Kilimo Tanzania, 2015. Lengo la Sheria inayopendekezwa kutungwa ni kuanzisha Taasisi ya Utafiti wa Kilimo ambayo, pamoja na mambo mengine, itakuwa na jukumu la kufanya na kusimamia tafiti zote za kilimo Tanzania.

Sheria inayopendekezwa pia inakusudia kuweka mfumo mahsusi wa utafiti utakaowezesha uzalishaji, upatikanaji na usambazaji wa teknolojia sahihi za mazao nchini na kujenga uwezo wa wataalam na miundombinu ya utafiti. Mfumo huu wa kisheria utawezesha upatikanaji na matumizi ya kiteknolojia sahihi kwa ajili ya kuendeleza kilimo kulingana na mahitaji ya sasa. Aidha, mfumo unaopendekezwa utasaidia kuimarika kwa matumizi sahihi ya raslimali za utafiti (Cost effectiveness) kwa kulenga katika vipaumbele vya sekta na kuondoa hali ambayo taasisi zaidi ya moja hurudia kufanya miradi ya utafiti inayofanana (overlaps and duplications).

Muswada huu umegawanyika katika Sehemu Kuu VI kama ifuatavyo:

Sehemu ya Kwanza inahusu masuala ya utangulizi kama vile jina la sheria inayopendekezwa na tarehe ya kuanza kutumika. Ibara ya 2 ya Sehemu hii inahusu tafsiri ya misamiati mbalimbali kama ilivyotumika katika Sheria inayopendekezwa.

Sehemu ya II inahusu masharti ya uanzishwaji na uendeshwaji wa Taasisi ya Utafiti wa Kilimo Tanzania. Sehemu hii inapendekeza kuanzisha Taasisi ya Utafiti wa Kilimo Tanzania. Taasisi hii itakuwa ndicho chombo pekee chenye mamlaka kisheria kusimamia shughuli za utafiti wa kilimo Tanzania. Kwa mujibu wa masharti ya Sehemu hii, Taasisi itakuwa chini ya Bodi ambayo inaundwa na jumla ya wajumbe tisa watakaoteuliwa na Waziri kutoka katika taasisi mbalimbali. Taasisi itaongozwa na Mwenyekiti wa Bodi atakayeteuliwa na Rais.

Ibara ya 11 ya Muswada inatambua na kuweka chini ya usimamizi wa Taasisi, vituo mbalimbali vya utafiti ambavyo kwa sasa vipo chini ya Idara ya Utafiti wa Kilimo iliyopo Wizara ya Kilimo, Chakula na Ushirika.

Sehemu ya II, sehemu ndogo ya (c), inaanzisha Baraza la Taifa la ushauri wa utafiti wa kilimo. Baraza hili litakuwa ndilo jukwaa la mijadala mbalimbali kuhusu utafiti wa kilimo na Matokeo ya mijadala hii itasaidia Taasisi na Serikali kwa ujumla katika kusimamia masuala ya utafiti wa kilimo.

Sehemu ya III inapendekeza masharti kuhusu uendeshaji wa Taasisi. Pamoja na mambo mengine, sehemu hii ya utafiti inaipa mamlaka Bodi ya Taasisi kuweka miongozo mbalimbali ya kuratibu utafiti wa kilimo nchini. Sehemu hii pia inaweka masharti ya usimamizi na udhibiti wa utafiti unaofanywa Tanzania au kwa manufaa ya Tanzania.

Sehemu ya IV inahusu usajili wa miradi ya utafiti wa kilimo na usajili wa watoa huduma za utafiti. Pamoja na mambo mengine, Sehemu hii inaweka masharti yanayomtaka mtu yeyote anayetoa huduma kuhusu utafiti wa kilimo kupata usajili kabla ya kufanya hivyo. Aidha, kwa mujibu wa masharti ya Sehemu hii, mtu yoyote hataruhusiwa kuendesha mradi wa utafiti mpaka mradi huo uwe umesajiliwa. Hivyo, kwa msingi, huo Taasisi itaanzisha na kutunza Rejesta kwa ajili ya usajili wa huduma utafiti na miradi ya utafiti.

Sehemu ya V inahusu masharti ya fedha. Sehemu hii inaainisha masharti mbalimbali kuhusu vyanzo vya fedha za Taasisi, udhibiti wa fedha za Taasisi, ukaguzi wa fedha za Taasisi na uwasilishaji wa taarifa za fedha katika ngazi mbalimbali za maamuzi kama vile ngazi ya Bodi, Waziri na Bungeni.

Sehemu ya VI ya Muswada inahusu masuala ya jumla ambayo ni pamoja na masharti ya adhabu kwa makosa ambayo adhabu zake hazijaainishwa ndani ya sheria, Mamlaka ya Waziri kutunga Kanuni kwa ajili ya utekelezaji wa masharti ya Sheria inayopendekezwa.

Dar es Salaam,  
10 Mei, 2016

**MWIGULU L. NCHEMBA**  
*Waziri wa Kilimo, Mifugo na Uvuvi*