

COTTON (LICENCES AND FEES) RULES

deemed to be made under s. 18

[made under s. 13 of the Cotton Ordinance, 1949, No. 11 of 1949 (now repealed)]

G.N. 146/1949

8/1951

74/1963

122/1985

34/2005

1. Citation

These Rules may be cited as the Cotton (Licences and Fees) Rules.

2. Interpretation

In these Rules, “licensing officer” means any public officer designated by the Minister to grant licences on his behalf for the purpose of these Rules.

3. Form of licences to gin and sale cotton

Licences to gin and bale cotton shall be in Form A in the Schedule.

4. Condition of licences to gin and bale cotton

It shall be a condition of every licence to gin and bale cotton that the licensee shall, within 14 days after the end of every calendar month during which any ginning or baling operations have been

carried on under the licence, complete a return in Form B in the Schedule and send the completed return to the Minister.

5. Applications for licences to buy cotton grown on private estates

Applications for licences to buy seed cotton grown by tenants on a private estate shall be made to the licensing officer and shall be in Form C in the Schedule.

6. Form of licences to buy cotton grown on a private estate

Licences to buy seed cotton grown by tenants on a private estate shall be in Form D in the Schedule.

7. Applications for licences to buy cotton grown on customary land

Applications for licences to buy seed cotton grown on customary land shall be made to the licensing officer and shall be in Form E in the Schedule.

8. Form of licences to buy cotton grown on customary land

Licences to buy seed cotton grown on customary land shall be in Form F in the Schedule.

9. Conditions of licences to buy cotton grown on a private estate or on customary land

It shall be a condition of every licence to buy seed cotton grown by tenants on a private estate or grown on customary land that—

(a) the licensee shall render a weekly return of all cotton bought by him under his licence in Form G or H in the Schedule as the case may be;

(b) the licensee shall not buy any cotton in excess of the amount specified in his licence.

10. Failure to observe conditions may entail cancellation of licence

The Minister may cancel any licence if the holder thereof has failed to comply with any condition contained in or relating to such licence.

11. Fees

(1) There shall be paid on the issue of any licence under these Rules a fee of K5,000.

(2) The said fee of K5,000 shall be sent to the licensing officer together with the application for the licence, and shall be refunded by the licensing officer if he refuses to issue the licence to the applicant.

12. Power to refuse licences

The licensing officer may in his discretion refuse to issue to any person a licence under these Rules.

13. Appeals

Any person who is aggrieved—

(a) by the cancellation of a licence under rule 10; or

(b) by the refusal of a licence under rule 12, may appeal to the Minister whose decision shall be final.

SCHEDULE

FORM A reg. 3

THE COTTON ACT

LICENCE TO GIN AND BALE COTTON

Region: District:

Name of licensee:

Factory at:

.....

Licence is hereby given to the abovenamed to gin and bale cotton at the factory stated in this licence.

Dated this day of, 20

This licence expires on the Fee K5,000.

.....

Licensing Officer

.....

GOVERNMENT OF MALAWI

THE COTTON ACT

FORM B r. 4, G.N. 122/1985

To Minister of Agriculture

P.O. Box 30134

Capital City

Lilongwe 3

(Address)

.....

Date

I hereby inform you that the particulars relating to the quantities of seed cotton received and ginned at my factory at in the District of during the month of, 19..... are as follows:

Quantity Received at Ginnery	Quantity Ginned	Quantity of Lint Produced	Ginning Percentage	During the month
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kg	Total to			
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Date				
------	--	--	--	--

kg	During the month			
----	------------------	--	--	--

kg	Total to			
----	----------	--	--	--

date				
------	--	--	--	--

kg	During the month			
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kg	Total to date			
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kg	During the month			
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kg	Total to			
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date				
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kg	First grade cotton from customary land markets	Other cotton from customary land markets	First grade cotton from private estates	Other cotton from private estates
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Signature

This form must be completed by the holder of a ginning licence and forwarded to the Minister within fourteen days after the end of each calendar month during which his ginnery is in operation, provided that where no cotton is ginned during the month a NIL return shall be forwarded and when ginning is finished the Minister shall be notified.

THE COTTON ACT

FORM C r. 5, G.N.122/1985

APPLICATION FOR COTTON BUYING LICENCE IN RESPECT OF COTTON GROWN ON PRIVATE ESTATES

To: The Licensing Officer,

.....

I/We beg to apply for a licence to purchase seed cotton grown on my/our estate.

The place at which purchase will take place is

The number of African tenants on my/our estate who are cultivating cotton in the current season is

The hectareage of cotton under cultivation by tenants on my/our estate in the current season is hectares.

The estimated production of seed cotton by tenants on my/our estate in the current season is kg.

The hectareage of cotton under cultivation by paid labourers on my/ our estate in the current season is hectares.

The estimated production of seed cotton by paid labourers on my/our estate in the current season is kg.

I/We enclose the licence fee K2.

Signature of Applicant

Address

Date

THE COTTON ACT

FORM D

COTTON BUYING LICENCE IN RESPECT OF COTTON GROWN ON A PRIVATE ESTATE r. 6, G.N. 122/1985

No.

Licence is hereby granted to of to purchase seed cotton grown on the licensee's estate, subject to the Cotton Act, and to the following conditions—Delete where inapplicable.*

(a) the amount of seed cotton to be purchased under this licence shall not exceed
kg. This figure is subject to revision at any time during the validity of the licence.

(b) the licence is valid only for the purchase of seed cotton at the following place
.....

(c) the prices to be paid for seed cotton purchased under this licence shall be those from
time to time fixed by the Minister.

(d)
.....

This licence expires on the, 19....

Fee K2. Dated this day of, 19....

.....

Licensing Officer

THE COTTON ACT

FORM E

COTTON BUYING LICENCE IN RESPECT OF COTTON GROWN ON CUSTOMARY LAND r. 7

To: The Licensing Officer,

.....

I/We beg to apply for a licence to purchase seed cotton grown on customary land.

The place at which purchase will take place is

The following are the reasons which I/we wish to advance in support of this application—

.....

.....

.....

.....

I/We enclose the licence fee of K2.

Signature of Applicant

Address

.....

Date

THE COTTON ACT

FORM F

COTTON BUYING LICENCE IN RESPECT OF COTTON GROWN ON CUSTOMARY LAND r. 8, G.N. 122/1985

No.

Licence is hereby granted to of to purchase seed cotton grown on customary land, subject to the Cotton Act and to the following conditions—Delete where inapplicable*

(a) the amount of seed cotton to be purchased under this licence shall not exceed kg;

(b) the licence is valid only for the purchase of seed cotton at the following place

(c) the prices to be paid for seed cotton purchased under this licence shall be those from time to time fixed by the Minister;

(d)

.....

This licence expires on the, 19....

Fee K2 Dated this day of, 19....

.....

Licensing Officer

(..... Region)

THE COTTON ACT

FORM G

RETURN OF SEED COTTON PURCHASED FROM TENANTS ON PRIVATE ESTATES r. 9, G.N. 122/1985

To: Minister of Agriculture,

P.O. Box 30134,

Capital City, Lilongwe 3

I hereby submit details of seed cotton purchased by me from tenants on estate during the week ended, 19.....

During the week

kgTotal to date

kgFirst grade cotton.....Other
cotton.....Total.....

Signature

Address

.....

Date

COTTON ACT

(Cap. 65:04)

FORM H

RETURN OF PURCHASES OF SEED COTTON GROWN ON CUSTOMARY LAND r. 9, G.N. 122/1985

To: Minister of Agriculture,

P.O. Box 30134,

Capital City, Lilongwe 3

I hereby submit details of seed cotton grown on customary land purchased by me at the under-mentioned centres during the week ended, 19.....

Place of Purchase	District	First Grade Cotton	Other Cotton	Weight
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(kg)Amount paid to growers

K tWeight (kg)Amount paid to growers

K t

Signature

Address

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Date