

	KENYA SUGAR BOARD	DOC. NO.KSB/ST/F01	ISSUE NO. 01
APPLICATION FOR LICENSE FOR A SUGAR MILL		ISSUED BY: HOST	DATE: 12/06/2008

FORM A: APPLICATION FOR LICENSE FOR A SUGAR MILL

1. Name of the Applicant
2. Physical Address..... Land Reference Number
3. Postal Address.....
4. Location.....Division.....District.....Province
5. Tel:..... Fax E-mail
6. Registration No. Trade Licence No.
7. I hereby apply for a sugar mill licence. The following are my/our particulars:
8. Name(s) of ownership/ shareholders
9. Names of directors of the company
 Director.....
 Director.....
 Director.....
10. Legal status of the applicant/ public company/ co-operative society/
 partnerships/private firm/.....
11. Date of establishment/ incorporation, registration certificate
 number.....
12. Name of nearest commercial centre
13. Source of water source of electricity
14. Attached is a copy of memorandum and articles of association for the
 Company/ co-operative society/ partnerships/private firm is attached.
15. The type of products and by-products to be manufactured and for each
 product the quality must meet the minimum or maximum values as
 provided for under Part 6 of the Second Schedule of the Sugar Act, 2001
 and Kenya Bureau of Standards specifications indicating colour, moisture
 content and polarization of the end-product.
 (a).....
 (b).....
 (c).....
 (d).....
 (e).....
16. The type of technology employed in manufacturing the products specified
 in sub paragraph (15) shall be adequately illustrated by-
 (a) flow diagrams of the process;
 (b) list of major equipment;
17. The applicant shall be required to give a brief description of the
 manufacturing process to be employed in the factory as a separate
 attachment to this form stating technical parameters as per the following
 guidelines:

- (a) Operational parameters of factory processing;
 - (i) mill extraction;
 - (ii) boiling house recovery;
 - (iii) overall recovery;
 - (iv) factory time efficiency;
 - (v) capacity utilization;
 - (vi) cane/ sugar ratio, etc;
 - (b) Quality of end products
 - (i) colour in ICUMSA units;
 - (ii) insoluble matter;
 - (iii) polarization;
 - (iv) invert sugar;
 - (v) moisture;
 - (vi) ash;
 - (vii) sulphur dioxide, etc;
18. An applicant shall provide a profile of all key personnel proposed for the mill in the management and technical areas, numbers of permanent and casual employees:
- (a). number of key personnel(attach personnel profiles);
 - (b). number of the permanent employees.....;
 - (c). number of casual employees
19. Source and availability of sugar cane supply:
- (a) state the geographical area where cane will be sourced
 - (b) if nucleus estate, state acreage and projected yield for the coming year
 - (c) total area of cane contracted with out-grower institutions in the next 12 months and projected yield
 - (d) total area of cane contracted with grower for the next 12 months and projected yield
 - (e) total area of cane from independent growers and projected yield
 - (f) total available area from (b), (c), (d) and (e) and total expected tonnage of cane per year
 - (g) daily capacity of the mill in tonnes of sugarcane per day; and
 - (h) capacity of fixed weighbridge or mobile weighbridge.....
20. The applicant shall be required to demonstrate that the miller's operations are economically and technically viable and that all contractual obligations to the grower or out-grower institution can be met as provided in the Sugar Act, 2001 through a viability report which shall include the following:
- (a) sugar production for the last three years;
 - (b) rendement for the last three years;

- (c) projected rendement for the next twelve months;
- (d) projected sugar production for the next twelve months;
- (e) the yield per tonne of cane, in case of jaggeries, for the last three years.

21. I hereby declare that:

- (a) all the statements and supporting materials are complete and true;
- (b) this application and supporting materials shall form the basis for evaluation and appraisal of this proposal for registration/licensing of mill;
- (c) I have authorized, by this declaration, the Board to make any other inquiries and receive information in connection with this application to the extent permitted by law.

Signed by applicant

Name Signature Designation
Date

Witnessed by Signature Designation
Date

For Official Use Only

Date of receipt of application

.....
Chief Executive
Kenya Sugar Board

Note:

All information regarding this application shall be treated as confidential but the Board reserves the right to share the information with other approving agencies of the Kenya Government to the extent required by law or by the policy of the Government.

CONDITIONS FOR LICENSING AND REGISTRATION OF MILLERS

- (1) Every person wishing to set up a sugar factory shall, before doing so, be required:
 - (a) to prepare a feasibility study and submit it to the Investment Promotion Centre for approval and grant of a general authority in accordance with the Investment Promotion Centre Act, Cap 485;
 - (b) to obtain an environmental impact assessment licence or approval from the National Environmental Management Authority;
 - (c) to submit to the Board a copy of the general authority issued under sub paragraph (a) and a copy of the license issued under paragraph (b) for record purposes.
- (2) Every application for a license or renewal of a license shall be accompanied with the following: -
 - (a) list of all growers with sugarcane farming and supply contracts as proof of availability and adequacy of sugarcane supply; or
 - (b) state the nature of supply of sugar cane such as nucleus estate or independent non-contracted sugarcane growers;
 - (c) details of the geographical area of production of sugarcane;
 - (d) a declaration with undertaking that the quality of sugar and other products manufactured by the applicant shall meet the standards set by the Kenya Bureau of Standards in accordance with the Standards Act, Cap. 496;
 - (e) a certificate from Public Health Officer and licence as proof that applicant's operations and premises satisfy safety and health standards stipulated by the Medical Officer of Health responsible for public health in accordance with the Public Health Act, Cap. 242;
 - (f) environmental impact assessment licence as proof that applicant's operations comply with environmental standards set by the National Environmental Management Authority in accordance with the Environment Management and Co-ordination Act, 1999;
 - (g) factory licence as proof that applicant's operations comply with the provisions of the Factories Act, Cap. 514.
- (3) Every applicant for license shall complete Form A.
- (4) Every license shall be in the form set out in Form B in the First Schedule to the Sugar Regulations.

- (5) The Board may impose conditions from time to time and any conditions so imposed after the grant of a license may be either by endorsement of the condition served by post on the licensee, and any condition of license may be varied or extended in the same manner as conditions imposed after the grant of the license provided that a condition shall not be imposed after the grant of license, which may frustrate the purpose, for which the license was granted.
- (6) There shall be payable in respect of the grant of a license a fee of one hundred thousand shillings, in case of white sugar mill, and ten thousand shillings, in case of jaggery mill.
- (7) The Board may, at its discretion, refuse to grant or renew a license on any of the following grounds: -
 - (a) that a sufficient number of millers already exist;
 - (b) that the applicant has not conducted his mill according to these Regulations or any other legislation in force or required standards;
 - (c) that the miller has failed to honour industry agreements entered into with other parties and related programmes;
 - (d) that the miller has failed to remit any levies lawfully imposed on the industry payable to the Board or any other designated or authorized party or agent; or
 - (e) any other ground which appears to the Board to be reasonable in the interest of the sugar industry as a whole.
- (8) The Board may suspend or revoke a licence in the event of the licensee contravening these Regulations or any condition of a licence whether original or amended.
- (9) Where the Board revokes a licence under sub-regulation (2) the mill to which the licence relates shall, for the purpose of this regulation, be deemed to have ceased to operate forthwith.
- (10) A licence shall not be transferred except with the consent in writing of the Board.
- (11) The holder of a licence issued by the Board under section 14 of the Act shall conduct all operations of the factory to the satisfaction of the Board.
- (12) The Board shall register every licensed miller in Form C set out in the First Schedule of the Sugar Regulations.

