



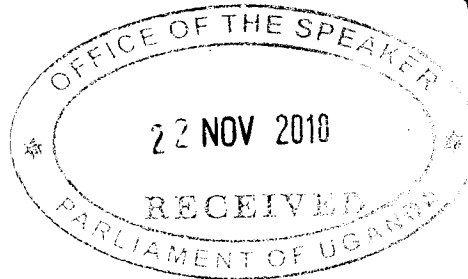
THE PARLIAMENT OF UGANDA

Parliament House, P. O. Box 7178, Kampala, Uganda.
Telephone: 0414-377000/377180/377181/377182 Facsimile: 0414-342364
Plot Nos. 16 - 18 Parliament Avenue

In any correspondence on
this subject please quote No.

22nd November 2018

The Right Hon. Speaker of Parliament,
Parliament of Uganda
KAMPALA



Handwritten notes:
Circ
P
Answer
22/11/18
S

PROPOSED AMENDMENT ON A BILL FOR ENACTMENT OF THE BIOSAFETY ACT 2017

This is to let you know that I have read the Report of the Committee on Science, Technology and Innovation on the Bill for an Act entitled The Biosafety Act 2017 which is available on our tablet titled 'Harmonized amendments to the Bill for the National Biosafety Act. The proposed Amendments are on Clause 3 on interpretation and Clause 35 as attached.

Yours faithfully,

Woboya VICENT-MP
BUDADIRI EAST

CC: Minister of Science, Technology and Innovations (MOSTI)
Chairman, Sectoral Committee on Science, Technology and Innovations of
Parliament

Insert new definition

“strict liability” under this act means liability for adverse effects caused deliberately or directly as a result of genetic engineering research, manufacture, processing, transit, export or import provided cause and suffering are duly proven.

Justification

To provide clarity regarding the scope of strict liability which has been grossly misunderstood by commentators on GEM technology.

Proposed amendment to the Harmonised proposals of the Committee of Science, Technology and Innovation.

Proposed amendment to clause 35.

Insert the statement **“based on the circumstances of the case, be subject to strict or fault-based liability”** between the word **shall** and **damage...**in Clause 35

Amended Clause 35 to read:

“A proprietor or an individual developer of genetically engineered material under this Act shall, **based on the circumstances of the case, be subject to strict or fault-based liability** for any damage, harm, inconvenience or loss caused to the community livelihood, indigenous knowledge system or technologies, environment, biodiversity, ecosystem, species of flora and fauna or human and animal health”.

Justification:

- To provide for both strict and fault-based liability for biosafety claims and applicable liability based on the circumstances of the claim
- Strict liability provisions alone are likely to disenfranchise our farmers who may be sued for faults that are not their own.