

REPUBLIKA Y'U RWANDA



MINISITERI Y'UBUCURUZI N'INGANDA

Agasanduku k'Iposita 73 KIGALI

AMABWIRIZA YA MINISITIRI W'UBUCURUZI
N'INGANDA N°19 YO KU WA 03/11/2012 YEREKEYE
ITUNGANYWA N'ICURUZA RY'UMUCERI

REPUBLIC OF RWANDA



MINISTRY OF TRADE AND INDUSTRY

Po.Box 73 KIGALI

INSTRUCTIONS OF THE MINISTER OF TRADE AND
INDUSTRY N°19 OF 3rd November,2012
ON RICE PROCESSING AND TRADING

<p>MINISITIRI W'UBUCURUZI N'INGANDA,</p> <p>Ashingiye ku Itegeko n°15/2001 ryo ku wa 28 Mutarama 2001 rigenga ubucuruzi bw'imbere mu gihugu, cyane cyane mu ngingo zaryo, iya 19 n'iya 20;</p> <p>Ashingiye ku Itegeko n° 07/2009 ryo ku wa 27/4/2009 ryerekeye amasosiyete y'ubucuruzi, cyane cyane mu ngingo zaryo, iya 4 n'iya 16;</p> <p>Ashingiye ku Itegeko n° 50/2007 ryo kuwa 18/09/2007 nkuko ryavuguruwe kugeza ubu rigena ishyirwaho, imitunganyirize n'imikorere y'amakoperative mu Rwanda;</p> <p>Ashingiye ku itegeko nimero 43/2006 ryo kuwa 05/10/2006 rigena inshingano n'imiterere by'ikigo cy'Igihugu gitsura ubuziranenge(RBS);</p> <p>Ashingiye kuri Politiki y'ubucuruzi mu Rwanda yo mu mwaka wa 2010 igaragaza imitunganyirize y'ubucuruzi mu Rwanda ;</p> <p>Ashingiye kuri Politiki y'u Rwanda ijyanye n'ipiganwa mu bucuruzi no kurengera abaguzi yo mu mwaka wa 2010;</p> <p>Ashingiye kuri Politiki y'u Rwanda y'Ubuziranenge yo mu</p>	<p>THE MINISTER OF TRADE AND INDUSTRY,</p> <p>Pursuant to the Law N°15/2001 of 28th January 2001 concerning organization of Internal Trade especially in Articles 19 and 20;</p> <p>Pursuant to the Law N° 07/2009 of 27/04/2009 relating to Companies in Articles 4 and 16;</p> <p>Pursuant to the Law N° 50/2007 of 18/09/2007 as amended to date providing for the establishment, organization and functioning of Cooperative Organizations in Rwanda;</p> <p>Pursuant to the Law N° 43/2006 of 05/10/2006 establishing RBS and determining the responsibilities, organization and functioning of Rwanda Bureau of Standards (RBS)</p> <p>Pursuant to the Rwanda Trade Policy 2010 that stipulates the organization of trade in Rwanda;</p> <p>Pursuant to the Rwanda Competition and Consumer Protection Policy 2010;</p> <p>Pursuant to the Rwanda Quality Assurance Policy of 2010;</p>
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<p>mwaka wa 2010;</p> <p>Ashingiye ku nshingano yo gushyira mu bikorwa Politiki y'igihingwa cy'umuceri mu Rwanda yo mu mwaka wa 2010;</p> <p>Ashingiye ko uburyo bwo gucuruza umuceri uhingwa mu Rwanda kimwe n'uturuka mu mahanga bugomba kugira amategeko abugenga kugira ngo ihiganwa rikorwe neza kandi hitawe no ku nyungu z'abaguzi ;</p> <p>Ashingiye ku byemezo by'inama zinyuranye zagiye impaka ku bibazo byerekeye umuceri;</p> <p>Amaze kubiganiraho n'abafatanyabikorwa b'ingenzi barebwa n'ibi bibazo ;</p> <p>Minisitiri w'Ubucuruzi n'Inganda , mu bubasha bwe nka Minisitiri ufite ubucuruzi n'inganda mu nshingano ze;</p> <p>ATANZE AMABWIRIZA AKURIKIRA ASHYIRAHO UMURONGO NGENDERWAHO MU BUCURUZI BW'UMUCERI AGOMBA GUKURIKIZWA N'AMAKOPERATIVE Y'ABAHINZI BACURUZA UMUCERI UDATONOYE, ABATUNGANYA UMUCERI MU NGANDA, ABARANGUZA, ABADANDA ZA</p>	<p>Considering the responsibilities of implementing the Rwanda Rice Policy of 2010;</p> <p>Considering that the distribution channels for locally produced and imported rice need to be properly regulated in order to ensure fair competition and value for money to the consumers;</p> <p>Pursuant to the resolutions of different meetings that discussed the rice issues;</p> <p>After discussing the rice issues with the key stakeholders;</p> <p>The Minister of Trade and Industry, in his capacity as the Minister responsible for trade and industry;</p> <p>HEREBY ISSUES THE FOLLOWING INSTRUCTIONS DETERMINING GUIDELINES ON RICE PROCESSING AND TRADING FOR FARMERS COOPERATIVES ENGAGED IN PADDY RICE TRADE, RICE PROCESSORS, IMPORTERS, DISTRIBUTORS/WHOLESALEERS AND RETAILERS OF PROCESSED RICE</p>
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**UMUCERI UTUNGANYIJWE KIMWE N'ABATUMIZA
UMUCERI MU MAHANGA**

**UMUTWE WA I: UBUCURUZI BW'UMUCERI
UDATONOYE.**

Ingingo ya 1: Uwemerewe gucuruza umuceri udatonoye

- Amakoperative y'abahinzi b'umuceri niyo yonyine afite uruhushya rwo gucuruza umuceri udatonoye bakawushyikiriza gusa inganda zemewe zifite uruhushya rwo gutunganya umuceri rutangwa na Minisitiri ufite ubucuruzi n'inganda mu nshingano ze. Ayo makoperative agomba kuba afite ubuzimagatozi butangwa n'ikigo gishyinzwe iterambere ry'amakoperative kandi bwaratangajwe mu igazeti ya Leta.
- Umuhinzi w'umuceri waba udafite koperative abarizwamo ku mpamvu zitamuturutseho, agomba kugira koperative ifite ibyangombwa biteganywa n'aya mabwiriza acishamo umusaruro we ukagurishirizwa hamwe n'uwabanyamuryango b'iyi koperative.
- Ibyemezo byo gucuruza umuceri udatonoye byari byarahawe abacuruza bandi batari amakoperative

CHAPTER ONE: TRADE OF PADDY RICE.

Article One: Person certified for paddy rice trade

- Only cooperatives of rice farmers shall be authorized to sell and distribute paddy rice only to recognized rice processors plants licensed that have a permit to process rice, issued by the Minister of Trade and Industry. Those cooperative must have legal status registered by the Authority in charge of cooperative organizations (RCA) and published in the official Gazette of the Republic of Rwanda.
- Any rice farmer who is not involuntarily member of any cooperative shall have a cooperative fulfilling all requirements established by these instructions through which his production must be sold together with the production of the cooperative members.
- Permits to sell paddy rice that were granted to rice traders who are not cooperatives of rice farmers are no longer valid

y'abahinzi b'umuceri nta gaciro bigifite uhereye igihe aya mabwiriza ashyiriweho umukono.

Ingingo ya 2: Amakoperative y'abahinzi b'umuceri

- Abahinzi b'umuceri bahinga mu gishanga kimwe, cyangwa basangiye ibikorwa remezo byashyizweho mu gutegura imirima yo guhingamo umuceri, bagomba kwibumbira muri koperative imwe gusa ifite inshingano ya mbere yo guhuriza hamwe umuceri udatonoye basarura, ikanawugurisha.

Ingingo ya 3: Amasezerano y'ubucuruzi bw'umuceri udatonoye hagati ya koperative n'inganda zitunganya umuceri

Buri koperative y'abahinzi b'umuceri igomba kugirana amasezerano yanditse n'uruganda igurishaho umuceri w'abanyamuryango bayo. Urwo ruganda rugomba kuba rufite ibyemezo byose byo gukora biteganywa muri aya mabwiriza.

Ingingo ya 4: Igenwa ry'igiciro cy'umuceri udatonoye

Ibiciro by'umuceri udatonoye bigenwa buri gihembwe cy'ihinga

since the date of signature of these instructions.

Article 2: Cooperatives of rice farmers

- Rice farmers that exploit one same swamps or who share the same infrastructure developed in order to exploit rice plantations shall unite in one cooperative which shall have the overall duty of collecting the produced paddy rice and sell it.

Article 3: Contractual agreement between rice farmers cooperatives and rice processors plants

Each cooperative of rice farmers shall enter into written contract with a rice processor plant that buys rice of its members. That rice processor plant shall have all required certificates as stipulated by these instructions.

Article 4: Price setting of the paddy rice

Rice prices shall be set up every term of growing by common agreement between stakeholders at the national level and in

ku bwumvikane hagati y'abafatanyabikorwa mu rwego rw'igihugu hakurikijwe uko isoko ry'umuceri rihagaze. Muri abo bafatanyabikorwa harimo: amakoperative y'abahinzi b'umuceri, inganda zitunganya umuceri, Minisiteri y'ubuhinzi n'ubworozi na Minisiteri y'Ubucuruzi n'inganda.

Ingingo ya 5: Ibigenderwaho mu gutumiza umuceri udatonoye mu mahanga.

Gutumiza umuceri udatonoye mu mahanga byemerwa gusa mu gihe byubahiriza imirongo ngenderwaho yashyizweho muri urwo rwego na Minisitiri w'ubucuruzi n'inganda kandi yatangajwe ku itariki ya 22 Gashyantare 2011 cyane cyane mu ngingo zayo, iya 3 (ingano y'ububiko), iya 5 (gutumiza umuceri mu mahanga mu gihe ari muke mu Rwanda) n'iya 6 (kubahiriza ubuziranenge bwawo).

Ingingo ya 6: Kubika inyandiko ku makoperative.

Amakoperative n'amashyirahamwe y'abahinzi agomba kubika inyandiko zigaragaza ingano y'umuceri udatonoye bakiriye uturutse mu banyamuryango bayo ndetse n'ingano y'umuceri bagurishije abatunganya umuceri mu nganda zibyemerewe.

UMUTWE WA II: INGANDA ZITUNGANYA UMUCERI

accordance with the realities of the rice market. Among the stakeholders there are: rice farmers' cooperatives, rice processor plants, the Ministry of Agriculture and Animal Resources and the Ministry of Trade and Industry.

Article 5: Guidelines for importing paddy rice

Importing paddy rice shall be authorized only when it is in compliance with guidelines established by the Minister of Trade and Industry, published on February 22nd 2011 especially in Article 3 (on the size of the warehouse), Article 5 (importing rice in case of insufficient quantity in Rwanda) and 6 (compliance with standards).

Article 6: Record keeping for cooperatives

Cooperatives and associations of rice farmers shall keep records showing the quantity of paddy rice received from their members and the quantity sold to rice certified processors.

Ingingo ya 7: Gushyiraho uruganda rutunganya umuceri.

- Nta muntu n'umwe wemerewe gushyiraho uruganda rutunganya umuceri adafite uruhushya rutangwa na Minisitiri ufite ubucuruzi n'inganda mu nshingano ze. Usaba uruhushya rwo gushyiraho uruganda rutunganya umuceri agomba kuba yujuje ibi bikurikira:
 - Kuba afite uburenganzira ahabwa n'Akarere urwo ruganda ruteganywa kubakwamo,
 - Kuba afite uburenganzira ahabwa n'ikigo gishinzwe kubungabunga ibidukikije(REMA);
 - Kugaragaza lisiti y'amakoperative y'abahinzi b'umuceri bafitanye amasezerano yanditse yo kugemurira urwo ruganda kandi ayo makoperative agomba kuba afite byibura 40% y'imigabane ku mari shingiro y'uruganda.
- Ayo masezerano agomba kugaragaza uruhare rw'uruganda mu gushyira mu bikorwa za gahunda zo gufasha abahinzi b'umuceri kongera umusaruro no gufata neza ibikorwa remezo bifasha ubuhinzi bw'umuceri.

CHAPTER II: RICE PROCESSORS

Article 7: Establishing a rice processing plant

- No person shall be authorized to put in place a rice processing plant without authorization issued by the Minister of Trade and Industry. Any person applying for the authorization of establishing a rice processing plant should fulfill the following:
 - Permit issued by the District where he/she intends to put this processing plant,
 - Permit issued by the Authority in charge of the environment protection (REMA);
 - Showing the list of cooperatives of rice growers that have written contracts to supply that processing plant and such cooperatives must have at least 40% of the share capital of that plant.
- Such contract shall show the role of the plant in implementing the program of assisting rice growers to increase production and maintain infrastructure related to rice growing.

Ingingo ya 8: Ibindi byemezo byangombwa mbere yo gutangira imirimo yo gutunganya umuceri udatonoye mu ruganda.

Mbere yo gutangira gukora imirimo yo gutunganya umuceri, abatunganya umuceri udatonoye mu nganda bagomba kuba bafite icyemezo cy'iyandikwa gitangwa n'Umwanditsi Mukuru w'amasosiyete n'ibikorwa by'ubucuruzi mu Rwanda (RDB) ndetse n'icyemezo gitangwa n'Ikigo cy'igihugu gishinzwe gutsura ubuziranenge (RBS) hakurikijwe ibipimo ngenderwaho kuri iyo mirimo.

Ingingo ya 9: Kubika inyandiko ku nganda.

Abatunganya umuceri mu nganda bagomba kugira imibare yerekana ingano y'umuceri udatonoye bakiriye waturutse muri buri koperative. Bityo kandi bagomba kugaragaza lisiti y'abacuruzi b'umuceri utonoye bagemuriye, urutonde rw'amakoperative y'umuceri bakorana ndetse n'abawuranguza babyemerewe. Izi nyandiko zigomba kubikwa neza zikaba zashyikirizwa abagenzuzi mu gihe zisabwe.

Ingingo ya 10: Gupfunyika umuceri.

Abatunganya umuceri mu nganda bakwiye gushyiraho uburyo bwo kuwupakira mu dufuka duto tw'ibiro bibiri, bitanu,

Article 8: Other certificates required before commencing paddy rice processing in the plant

Before starting activities of rice processing , rice Processing Plant shall have a certificate of registration issued by the Registrar General (RDB) as well as a certificate issued by the Rwanda Bureau of Standards (RBS) in accordance with standards in force for such activities.

Article 9: Record keeping in rice plants

Rice processing plants shall keep records that show the quantity of paddy rice received from each cooperative. They shall also show the list of processed rice sellers to whom they supplied, the list of rice cooperatives that have partnership with the plant as well as of certified rice wholesalers. Such records shall be well kept and presented to controllers whenever required.

Article 10: Packaging rice

Rice processing plants shall set up means of packaging rice in bags

twiyongera ku mifuka y'ibiro 25 na 50 isanzwe iri ku isoko hagamijwe kurwanya ubupakizi bw'umuceri butemewe n'amategeko bukorwa na bamwe mu badandaza.

Ingingo ya 11: Inyandiko ku mifuka y'umuceri.

Abatunganya umuceri mu nganda n'abawutumiza mu mahanga bagomba kureba neza ko ibyandikwa ku mifuka byujuje ibisabwa byerekeye ibipimo ngenderwaho bikurikira:

- izina ry'umuceri (urugero: Basimati, Kigori, Nerika, ...)
- ikiciro (grade)
- aho umuceri watunganyirijwe
- nomero ya lot
- uburemere
- kugaragaza igihugu wakorewemo.
- Italiki umuceri uzasaziraho

Izo nyandiko ku mifuka zigomba kuba zigaragarira abakiliya bose kandi zidasibika. Inyandiko isibika izafatwa ko inyuranije n'aya mabwiriza.

Ingingo ya 12: Ibyiciro by'umuceri byemewe.

Ibyiciro by'umuceri byemewe gukorwa mu nganda ndetse no gucuruzwa mu Rwanda ni ibi bikurikira:

of 2 and 5 kilos bags in addition to bags of 25 and 50 kilos already available on the market in order to prevent illegal rice packaging conducted by some of retailers.

Article 11: Rice bag's identification and labeling

Rice processing plants and importers shall have to check if the indications on the bags meet the requirements regarding the following standards:

- Brand of rice (such as Basmati, Kigori, Nerika, ...)
- Grade
- Place of processing
- Number of lot
- Weight;
- Country of processing
- Expiry date.

These indications on bags shall be prominently visible to all customers and indelible. Indications that can be erased shall be considered as non complying with these instructions

Article 12: Acceptable processed rice grades

Grades of rice that are accepted to be processed in plants and sold in Rwanda are the following:

- icyiciro cya mbere (grade one): hakurikijwe ubucagagure butarengeje 10%;
- icyiciro cya kabiri (grade two): hakurikijwe ubucagagure butarengeje 25%;
- icyiciro cya gatatu (grade three): hakurikijwe ubucagagure butarengeje 50%.

Ingingo ya 13: Gutonozza umuceri

- Amakoperative afitanye amasezerano n’uruganda mu rwego rwo kugemura umuceri udatonoye ashobora kugirana amasezerano n’urwo ruganda yo gutonorera abahinzi bari muri ayo makoperative umuceri wo gukoresha mu miryango yabo.
- Ibindi bikorwa by’amakoperative n’abantu ku giti cyabo batonozza umuceri ku nganda birabujijwe.

UMUTWE WA III: UBUCURUZI BW’UMUCERI UTONOYE

Ingingo ya 14: Gucuruza umuceri utonoye

- Abaranguza umuceri utonoye bagomba kugira icyemezo gifite agaciro gitangwa n’Umwanditsi Mukuru w’amasosiyete n’ibikorwa by’ubucuruza (RDB) ndetse

- Grade one: according to the grinding level not exceeding 10%;
- Grade two: according to the grinding level not exceeding 25%;
- Grade three: according to the grinding level not exceeding 50%.

Article 13: Rice processing

- Cooperatives having contracts with rice processing plants regarding the supply of paddy rice may enter into contract with the processing plant for peeling rice from the cooperative members to be consumed in their families.
- Other activities of cooperatives and private individuals having rice processed at processing plants shall be prohibited.

CHAPTER III: TRADE OF PROCESSED RICE

Article 14: Sale of processed rice

- Wholesalers of processed rice shall have a valid certificate issued by the Registrar General (RDB) as

n'uruhushya rubemerera gukora iyo mirimo rutangwa na Minisiteri y'Ubucuruzi n'Inganda;

- Abaranguza umuceri utonoye bategetswe kubahiriza ibisabwa n'aya mabwiriza bivugwa mu ngingo ya 11, 12 ndetse n'ya 15.

Ingingo ya 15: Ububiko bw'umuceri

Abaranguza umuceri bagomba kugira ububiko butunganye, buzwi kandi bwujuje ibisabwa mu byerekeranye n'isuku ndetse n'ibindi bipimo ngenderwaho nko kuba ububiko bufite umwanya uhagije ku buryo hakorwa isuku bitagoranye, kuba hari umwuka uhagije, kuba hatwikiriye neza, kuba hafite isaso (y'imbaho), kuba hakingwa neza hakanagenzurwa neza mu gihe bibaye ngombwa (buri n'ahantu hagerwa nta ngorane) ndetse ubwo bubiko bugomba kuba butavirwa.

Ingingo ya 16: Kudandaza umuceri

Abadandaza umuceri bagomba kugira icyemezo gifite agaciro cyo kwiyandikisha gitangwa n'Umwanditsi Mukuru w'amasosiyete n'ibikorwa by'ubucuruzi (RDB).

well as a permit authorizing such activities issued by the Minister of Trade and Industry;

- Wholesalers of processed rice are required to comply with provisions of Articles 11, 12 and 15.

Article 15: Rice storage

All rice wholesalers shall have appropriate and known warehousing facilities, meeting requirements regarding hygiene and other standards such as warehousing with enough space for hygiene purposes, enough air, sheltered, wood floor, well locked and well controlled when needed (with easy access) and the warehouse shall not be reachable by rainwater.

Article 16: Retail sale of rice

All rice retailers shall hold a valid certificate of registration issued by the Registrar General of Companies and trade activities (RDB).

<p>Ingingo ya 17: Kubahiriza ibipimo by'ubuziranenge.</p> <p>Abatumiza umuceri mu mahanga bose bagomba kumenya kandi bakubahiriza ibipimo by'ubuziranenge by'u Rwanda bijyanye n'itunganywa ndetse n'icuruzwa ry'umuceri.</p> <p>Umuceri uvanwa mu mahanga ugomba kuba ufite ibyemezo by'ubuziranenge.</p> <p>Ingingo ya 18: Ubuziranenge mu bwikorezi bw'umuceri.</p> <p>Abacuruzi baranguza umuceri, n'abawutumiza mu mahanga bagomba kureba ko imodoka zitwara umuceri zubahirije ibisabwa n'ingingo ya 14, iya 15 n'iya 17 z'aya mabwiriza byerekeye ububiko bw'umuceri bwabugenewe.</p> <p>Ingingo ya 19: Uburiganya mu micururize y'umuceri.</p> <p>Uburiganya bwo guhindura cyangwa kuvanga ibyiciro by'umuceri binyuranyije n'amategeko kandi bihanwa hakurikijwe amategeko y'ubucuruzi n'ubuziranenge y'u Rwanda.</p>	<p>Article 17: Compliance with required standards</p> <p>All rice importers shall know and comply with standards set up in Rwanda regarding rice processing and sale.</p> <p>Rice imported shall hold standards certificate.</p> <p>Article 18: Standards in rice transportation</p> <p>Rice wholesalers and rice importers shall check if vehicles transporting rice meet requirements of Article 14, 15 and 17 of these instructions regarding appropriate storage of rice.</p> <p>Article 19: Fraud in trade of rice</p> <p>Fraud in modifying or mixing grades of rice violates the law and shall be punished in accordance with commercial and quality assurance law in Rwanda.</p>
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UMUTWE IV: INGINGO ZISOZA

Ingingo ya 20: Igihe ntarengwa ku makoperative y’abahinzi b’umuceri

Amakoperative y’abahinzi b’umuceri yaba atubahiriza ibivugwa mu ingingo ya 2 n’iya 3 ahawe amezi ntarengwa atatu (3) kugira ngo abe yamaze kubona ibyangobwa kugira ngo izo ngingo zubahirizwe.

Ingingo ya 21: Igihe ntarengwa ku nganda zitunganya umuceri.

Inganda zitunganya umuceri zari zisanzwe zifite ibyemezo byo gukora zaba zitubahiriza ibivugwa mu ngingo ya karindwi (7), zihawe amezi atatu (3) ntarengwa kugirango zibe zamaze kubona ibyangombwa byose kugirango aya mabwiriza y’ubahirizwe uko yakabaye.

Ingingo ya 22: ibihano.

Umuntu wese uzanyuranya n’ibiteganywa n’aya mabwiriza azahanwa hakurikijwe kandi nkuko biteganwa n’amategeko y’u Rwanda.

CHAPTER IV: FINAL PROVISIONS

Article 20: Deadline for conformity to rice farmers cooperatives

Cooperatives of rice farmers that may not comply with provisions of Articles 2 and 3 are granted a period of three months in order to have got all necessary documents.

Article 21: Deadline for conformity to rice processing plants

Rice processing plants with license that may not be in compliance with provisions of Article seven (7), are granted a period of three (3) months in order to have got all necessary documents as required by these instructions.

Article 22: Sanctions

Any person who will act contrary to these instructions shall be punished according to Rwandan laws.

<p>Ingingo ya 23: Ishyirwa mu bikorwa ry'aya mabwiriza.</p> <p>Inzego zose z'igihugu zirebwa n'aya mabwiriza, harimo n'ubuyobozi bw'inzego z'ibanze na polisi basabwe kugira uruhare mu gushyira mu bikorwa aya mabwiriza.</p>	<p>Article 23: Implementation of these instructions</p> <p>All Governments institutions concerned with these instructions including Local Government authorities are required to assist in the enforcement of these instructions.</p>
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Ingingo ya 24: Igihe aya mabwiriza atangira gukurikizwa.

Aya mabwiriza atangira kubahirizwa ku itariki ashyiriweho umukono.

Bikorewe i Kigali, ku wa 03.../.../2012

KANIMBA François
Minisitiri w'Ubucuruzi n'Inganda



Article 24: Commencement

These instructions shall come into force on the day of their signature.

Done at Kigali, on 3rd.../.../2012

KANIMBA François
Minister of Trade and Industry



