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SUPPLEMENTS

Act

No. 4—The National Information Technology Authority,
Uganda Act, 2009.

Statutory Instrument

No. 36—The National Information Technology Authority,
Uganda Act (Commencement) Instrument, 2009.

General Notice No. 225 of 2009.

THE POLITICAL PARTIES AND ORGANISATIONS ACT

No. 18 of 2005

Section 11(2)

NOTICE

NOTIFICATION OF INTENDED CHANGE OF NAME, COLOURS, LOGO AND FLAG OF NATIONAL PEOPLE'S ORGANISATION (NAPO)

Notice is hereby given by the Electoral Commission in accordance with Section 11(2) of the Political Parties and Organisations Act, No. 18 of 2005 that National People's Organisation (NAPO) intends to alter/change its name to Ecological Party of Uganda (EPU), colours, and Logo as in the Schedule to the Notice.

SCHEDULE TO ECOLOGICAL PARTY OF UGANDA

Name: Ecological Party of Uganda (EPU)
Address: Namugera Building, Ndejje-Lufuka Zone, Off Entebbe Road, P.O. Box 25645, Kampala, Tel: 0794-944444.
Colours: Black, Green and white
Logo: A sunflower, encircled by a black ring in a Green background.
Flag: Horizontal Black, White and Green strips equal in width, in descending order, the Party Logo appearing in a Green Triangle covering about one third of the left side of the flag.
Slogan: "Peaceful Coexistence for sustainable Development"
Symbol: Hands put together and pointing upwards as in prayer.

Issued at Kampala this 30th day of July, 2009.

ENG. DR. BADRU M. KIGGUNDU,
Chairman, Electoral Commission.

General Notice No. 226 of 2009.

BLUE HACKLE EAST AFRICA LTD.

Plot 13, Binayomba Road

Bugolobi, P.O. Box 1444, Kampala, Uganda

Tel. +256-414-220068, Fax: +256-414-220069

Email: info@bluehackle.com; www.bluehackle.com

Pursuant to the provisions of Regulation 15(2) of the Control of Private Security Organisations Regulations, 1997 the personnel of Blue Hackle East Africa Ltd shall exclusively don a uniform adequately desirable as stated below:

UNIFORM DESCRIPTION

Corporate Logo

The Blue Hackle logo consist of blue feather sweeping up from bottom left to top right with the feather stem at the bottom right.

The word Blue Hackle sits directly below the feather justified from the left below the stem.

Overall

The overall is a cotton polyester mix blue in colour with 2 grey reflecting stripes running from the chest through the back to chest, two stripes on each sleeve and two stripes on each leg. With the word, Blue Hackle QRF at the back written in white and the company logo on the left hand side above the breast on top of the pocket. The overall has got six pockets and flips on the shoulders.

Dated this 8th day of July, 2009.

MUGUMYA ALEX,
Operations Manager.

General Notice No. 227 of 2009.

THE MINING ACT, 2003

(The Mining Regulations, 2004)

NOTICE OF GRANT OF EXPLORATION LICENCE

IT IS HEREBY NOTIFIED that Exploration Licence number EL 0447, registered as number 000598 has been granted in accordance with the provisions of Section 27 and Section 29 to M/s. Moonstar Minerals Limited of P.O. Box 27741, Kampala for a period of three (3) years effective from 25th May, 2009.

The Exploration area subject to the Exploration Licence is 9km² on Topography map sheet number 93/2 and 4 situated in Kisoro District.

DATED at Entebbe, this 25th day of May, 2009.

CHRIS RUDIGIZAH,
for Commissioner for Geological Survey and
Mines Department.

General Notice No. 228 of 2009.

THE MINING ACT, 2003
(The Mining Regulations, 2004)

NOTICE OF GRANT OF LOCATION LICENCE

IT IS HEREBY NOTIFIED that grant of Location Licence, Number LL 0458, registered as number 000617, has been granted in accordance with the provisions of Section 57 to Oli Gold Muruli Ltd of P.O. Box 8898, Kampala for a period of two (2) years effective from 22nd July, 2009.

The Exploration area subject to the Location Licence is 15 hectares on Topography map, sheet number 76/2 situated in Ibanda District.

DATED at Entebbe, this 22nd day of July, 2009.

GRACE NAKKU,
*for Commissioner for Geological Survey and
Mines Department.*

General Notice No. 229 of 2009.

THE MINING ACT, 2003
(The Mining Regulations, 2004)

NOTICE OF GRANT OF MINERAL DEALER'S
LICENCE NO. 0098 FOR YEAR 2009

IT IS HEREBY NOTIFIED that a Mineral Dealer's Licence Number 0098 for the year 2009 has been granted in accordance with the provisions of Section 69 and Section 70 to M/s Balaji Associates (U) Limited for a period of one calendar year effective from 25th day of February, 2009 to the 31st day of December, 2009.

M/s. Balaji Associates (U) Limited is duly authorised to trade in Precious Metals at Plot 31, Nakivubo View, Kampala.

DATED at Entebbe, this 25th day of March, 2009.

CHRIS RUDIGIZAH,
*for Commissioner for Geological Survey and
Mines Department.*

General Notice No. 230 of 2009.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.
(Cap. 110).
NOTICE.

PURSUANT to section 19(4) of the Companies Act, notice is hereby given that Virgin Uganda Limited has by special Resolution passed on the 4th day of November, 2008 and with the approval of the Registrar of Companies changed in name to Sanyuworld Limited and that such new name has been entered in my Register.

DATED at Kampala this 4th day of November, 2008.

MAUDAH ATUZARIRWE,
Assistant Registrar of Companies.

General Notice No. 231 of 2009.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.
(Cap. 110).
NOTICE.

PURSUANT to section 343(6) of the Companies Act, notice is hereby given that the undermentioned Company's name has been struck off the Register—

CENTRE OF GRACE LIMITED

DATED at Kampala this 16th day of July, 2009.

BISEREKO KYOMUHENDO,
Assistant Registrar of Companies.

General Notice No. 232 of 2009.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.
(Cap. 110).
NOTICE.

PURSUANT to section 19(4) of the Companies Act, notice is hereby given that Fortune Foods Limited has by special Resolution passed on the 28th day of July, 2009 and with the approval of the Registrar of Companies changed in name to Soroti Fresh Foods Processing Industry Ltd and that such new name has been entered in my Register.

DATED at Kampala this 28th day of July, 2009.

NANVUMA JANE FRANCIS,
Assistant Registrar of Companies.

General Notice No. 233 of 2009.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.
(Cap. 110).
NOTICE.

PURSUANT to section 343(3) of the Companies Act, notice is hereby given that unless cause is shown to the contrary the name of the following company will be struck off the Register after the expiration of three months from the date of publication of this notice.

NEMKO CERTIFICATION (U) LIMITED

DATED at Kampala this 9th day of July, 2009.

MAUDAH ATUZARIRWE,
Assistant Registrar of Companies

General Notice No. 234 of 2009.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.
(Cap. 110).
NOTICE.

PURSUANT to section 19(4) of the Companies Act, notice is hereby given that Daud Memorial Development Foundation (DMDF) has by special Resolution passed on the 4th day of January, 2009 and with the approval of the Registrar of Companies changed in name to Child Rights Empowerment and Development Organisation and that such new name has been entered in my Register.

DATED at Kampala this 17th day of June, 2009.

NABATANZI MIRIAM,
Assistant Registrar of Companies.

General Notice No. 235 of 2009.

THE TRADE MARKS ACT.
Section 23(3) and Rule 67
NOTICE.

NOTICE IS HEREBY GIVEN that pursuant to Section 23(3) and Rule 67 of the Trademarks Act, unless the Renewal Fee upon Trademark Form No. 10 together with additional fee upon Trademark Form No. 11 for the Trademark shown below is received within one month of the date of Notice, the mark will be removed from the Register.

No. Class Schedule Name of Proprietor

14260 3 III Colgate-Palmolive Company

Dated this 6th day of July, 2009.

MERCY KYOMUGASHO K. NDYAHIKAYO,
Assistant Registrar of Trademarks.

General Notice No. 236 of 2009.

THE TRADE MARKS ACT.

(Cap. 83).
NOTICE.

NOTICE IS HEREBY GIVEN that any person who has grounds to oppose the registration of any of the marks advertised herein may within sixty days from the date of this *Gazette*, lodge a Notice of opposition on Trade Mark Form No. 6 together with a fee of Shs. 4000 in case of National applicants or US\$ 250 in case of Foreign applicants. The period of lodging Notice of opposition may be extended in suitable cases by the Registrar as he thinks fit upon such terms as he may direct. Formal opposition should not be lodged until after reasonable notice has been given by letter to the applicant so that he may have an opportunity to withdraw his application before the expense of opposition proceedings is incurred. Failure to give such notice will be taken into account in considering any application by the opponent for an order for costs if the opposition is uncontested by the applicant. Representations of the marks herein advertised can be inspected at the office of the Registrar of Trade Marks, Amamu House, Plot No. 5B George Street, P.O. Box 6848, Kampala.

(21) APPLICATION No. 2009/40009 IN PART "A".
(52) Class 33.
(54)



(53)
(59)
(64)
(57) *Nature of goods*— Alcoholic beverages (except beers).
(73) *Name of applicant* — Tigebwa Development Association.
(77) *Address*— P.O. Box 138, Bushenyi, Uganda.
(74)
(22) *Date of filing application*— 15th May, 2009.

Kampala, KATUTSI VINCENT,
12th June, 2009. *Assistant Registrar of Trade Marks.*

(21) APPLICATION No. 2009/40179 IN PART "A".
(52) Class 29.
(54)



(53)
(59)
(64)
(57) *Nature of goods*— Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.
(73) *Name of applicant*— Alps Limited.
(77) *Address*— P.O. Box 201, Kabwohe Bushenyi, Uganda.
(74)
(22) *Date of filing application*— 24th July, 2009.

(21) APPLICATION No. 2009/40180 IN PART "A".
(52) Class 21.
(54)

Angel

(53)
(59)
(64)
(57) *Nature of goods*— Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel-wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.
(73) *Name of applicant*— Hengchang Plastic (U) Co. Ltd.
(77) *Address*— P.O. Box 24259, Kampala, Uganda.
(74)
(22) *Date of filing application*— 28th July, 2009.

(21) APPLICATION No. 2009/40182 IN PART "A".
(52) Class 11.
(54)



(53)
(59)
(64)
(57) *Nature of goods*— Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.
(73) *Name of applicant*— Hengchang Plastic (U) Co. Ltd.
(77) *Address*— P.O. Box 24259, Kampala, Uganda.
(74)
(22) *Date of filing application*— 29th July, 2009.

(21) APPLICATION No. 32053 IN PART "A".
(52) Class 14.
(54)

MARKS & SPENCER

(53)
(59)
(64)
(57) *Nature of goods*— Jewellery, precious stones; clocks, watches and watch and clock cases; watch straps and watch bands; cufflinks, tie clips and tie pins.
(73) *Name of applicant*— Marks & Spencer Plc, a British Company.
(77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
(74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
(22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32056 IN PART "A".
 (52) Class 24.
 (54)

MARKS & SPENCER

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Textiles and textile goods, not included in other classes; soft furnishings; bed and table covers; bed linen, blankets, throws, cushions, curtains and blinds, towels, shower curtains, textile coasters, travelling rugs, oven gloves and oven mitts; fabric coasters.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32057 IN PART "A".
 (52) Class 25.
 (54)

MARKS & SPENCER

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Clothing, footwear, headgear.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32061 IN PART "A".
 (52) Class 14.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Jewellery, precious stones; clocks, watches and watch and clock cases; watch straps and watch bands; cufflinks, tie clips and tie pins.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32063 IN PART "A".
 (52) Class 18.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" alone except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Articles made of leather or imitation leather; bags, handbags, trunks (luggage), suit cases, travelling bags, umbrellas, parasols, walking sticks, rucksacks, haversacks; bags for campers or climbers; beach bags; luggage straps; luggage tags; fabric carrier bags.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32064 IN PART "A".
 (52) Class 24.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" alone except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Textiles and textile goods, not included in other classes; soft furnishings; bed and table covers; bed linen, blankets, throws, cushions, curtains and blinds, towels, shower curtains, textile coasters, travelling rugs, oven gloves and oven mitts; fabric coasters.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32065 IN PART "A".
 (52) Class 25.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Clothing, footwear, headgear.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.

- (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32067 IN PART "A".
 (52) Class 30.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Coffee, tea, cocoa, sugar, rice, tapioca, sago; coffee substitutes; flour, preparations made from cereals; bread, biscuits (other than biscuits for animals), cakes, pastry, honey, treacle, yeast, baking powder; salt; mustard; pepper, vinegar, sauces, spices; pasta and past products; prepared meals and snacks; puddings, desserts; gravies and preparations for making gravies; salad dressings.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32062 IN PART "A".
 (52) Class 16.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Paper, paper articles, cardboard, cardboard articles and cards; plastic and paper carrier bags; printed matter, printed publications and books; stationery; adhesives for stationery or household purposes; artists' materials (other than colours or varnish); paint brushes; instructional and teaching material (other than apparatus); plant labels; luggage identity labels and luggage identity tags; pictures, photographs, photograph stands, prints (engravings); note pads, adhesive notes, pens, pencils, jotters and training manual; badges of cardboard, badges of paper.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32060 IN PART "A".
 (52) Class 03.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Cosmetics; perfumes; essential oils, toiletries; deodorants for personal use; antiperspirants; eau de cologne; soaps; detergents (not for use in industrial or manufacturing processes or for medical use); washing powders; washing up liquid; preparations for laundry use; fabric softener; cleansing and polishing preparations; household bleach; shampoos; preparations for the hair; dentifrices; depilatory preparations; false nails; toilet preparations, preparations for the care of the skin, preparations for use in the bath, aftershave lotions and shaving creams, all being non-medicated; room fragrances; pot-pouri.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32066 IN PART "A".
 (52) Class 29.
 (54)

M & S

- (53) *Disclaimer*— Registration of the above mark shall give no right to the exclusive use of the letters "M and S" except as represented.
 (59)
 (64)
 (57) *Nature of goods*— Meat, fish, poultry and game, none being live; products made from any of the aforesaid goods; preserved, dried, cooked or frozen fruits and vegetables; fruit products and vegetable products; jellies, jams, eggs, milk and other dairy products; edible oils and fats, butter, margarine and other butter substitutes; food preserves; pickles; edible nuts and seeds and products prepared therefrom; snacks, prepared meals and prepared dishes; soups and preparations made for making soups.
 (73) *Name of applicant*— Marks & Spencer Plc, a British Company.
 (77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.
 (74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 6th March, 2009.

(21) APPLICATION NO. 32058 IN PART "A".

(52) Class 29.

(54)

MARKS & SPENCER

(53)

(59)

(64)

(57) *Nature of goods*— Meat, fish, poultry and game, none being live; products made from any of the aforesaid goods; preserved, dried, cooked or frozen fruits and vegetables; fruit products and vegetable products; jellies, jams, eggs, milk and other dairy products; edible oils and fats, butter, margarine and other butter substitutes; food preserves; pickles; edible nuts and seeds and products prepared therefrom; snacks, prepared meals and prepared dishes; soups and preparations made for making soups.

(73) *Name of applicant*— Marks & Spencer Plc, a British Company.

(77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.

(74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th March, 2009.

(21) APPLICATION NO. 32054 IN PART "A".

(52) Class 16.

(54)

MARKS & SPENCER

(53)

(59)

(64)

(57) *Nature of goods*— Paper, paper articles, cardboard, cardboard articles and cards; plastic and paper carrier bags; printed matter, printed publications and books; stationery; adhesives for stationery or household purposes; artists' materials (other than colours or varnish); paint brushes; instructional and teaching material (other than apparatus); plant labels; luggage identity labels and luggage identity tags; [pictures, photographs, photograph stands, prints (engravings); note pads, adhesive notes, pens, pencils, jotters and training manual; badges of cardboard, badges of paper.

(73) *Name of applicant*— Marks & Spencer Plc, a British Company.

(77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.

(74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th March, 2009.

(21) APPLICATION NO. 32059 IN PART "A".

(52) Class 30.

(54)

MARKS & SPENCER

(53)

(59)

(64)

(57) *Nature of goods*— Coffee, tea, cocoa, sugar, rice, tapioca, sago; coffee substitutes; flour, preparations made from cereals; bread, biscuits (other than biscuits for

animals), cakes, pastry, honey, treacle, yeast, baking powder, salt; mustard; pepper, vinegar, sauces, spices; pasta and past products; prepared meals and snacks, puddings, desserts; gravies and preparations for making gravies; salad dressings.

(73) *Name of applicant*— Marks & Spencer Plc, a British Company.

(77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.

(74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th March, 2009.

(21) APPLICATION NO. 32052 IN PART "A".

(52) Class 03.

(54)

MARKS & SPENCER

(53)

(59)

(64)

(57) *Nature of goods*— Cosmetics; perfumes; essential oils, toiletries; deodorants for personal use; antiperspirants; eau de cologne; soaps; detergents (not for use in industrial or manufacturing processes or for medical use); washing powders; washing up liquid; preparations for laundry use; fabric softener; cleansing and polishing preparations; household bleach; shampoos; preparations for the hair; dentifrices; depilatory preparations; false nails; toilet preparations; preparations for the care of the skin, preparations for use in the bath, aftershave lotions and shaving creams, all being non-medicated; room fragrances; pot-pouri.

(73) *Name of applicant*— Marks & Spencer Plc, a British Company.

(77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.

(74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th March, 2009.

(21) APPLICATION NO. 32055 IN PART "A".

(52) Class 18.

(54)

MARKS & SPENCER

(53)

(59)

(64)

(57) *Nature of goods*— Articles made of leather or imitation leather; bags, hand bags, trunks (luggage), suit cases, travelling bags, umbrellas, parasols, walking sticks, rucksacks, haversacks; bags for campers or climbers; beach bags; luggage straps; luggage tags; fabric carrier bags.

(73) *Name of applicant*— Marks & Spencer Plc, a British Company.

(77) *Address*— Waterside House, 35 North Wharf Road, London W2 1NW, United Kingdom.

(74) *C/o*. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th March, 2009.

- (21) APPLICATION NO. 32203 IN PART "A".
 (52) Class 32.
 (54)

BERRY BLAST

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks, and fruit juices; syrups and other preparations for making beverages.
 (73) *Name of applicant*— The Coca-Cola Company.
 (77) *Address*— One Coca-Cola Plaza, Atlanta Georgia 30313, USA (A Delaware Corporation).
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Ssekatawa (MMAKS) Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 27th April, 2009.
 Kampala, MERCY KYOMUGASHO K NDYAHIKAYO,
 27th July, 2009. *Assistant Registrar of Trade Marks.*

ADVERTISEMENTS

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 145 Plot 12 Area 15.45 Hectares at Nagojje.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Administrator General of P.O. Box 7151, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, ARINAITWE OVERSON,
 31st July, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 105 Plot 241 Area 0.086 Hectare at Seeta.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Taata Sam of P.O. Box 77, Tororo, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, CHRISTINE NAMIREMBE KATENDE,
 13th July, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 312 Plot 42 Area 10.0 Acres at Lubanyi.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Muwanga Fred & Nganda Mukasa Bakuli of Kisimba L.C. I, Kyampisi, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, CHRISTINE NAMIREMBE KATENDE,
 29th July, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 355 Plot 12 Area 8.0 Acres at Mzingo.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Muwanga Fred & Nganda Mukasa Bakuli of Kisimba L.C. I, Kyampisi, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, CHRISTINE NAMIREMBE KATENDE,
 29th July, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 116 Plot 1516 Area 1.612 Hectares at Kitega.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Margaret Mulira, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, CHRISTINE NAMIREMBE KATENDE,
 8th June, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 92 Plot 822 Area 0.154 Hectares at Namwezi.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Haji Sula Mukasa Kazibwe of P.O. Kitukutwa, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, CHRISTINE NAMIREMBE KATENDE,
 23rd July, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 336 Plot 76 Area 5.0 Acres at Bulere.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Yonasani Senyondwa, Yekoyakimu Sendege, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono, ARINAITWE OVERSON,
 31st July, 2009. *for Ag. Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 255 Plot 209 Land at Munyonyo.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Joyce Bukumunhe Nangendo of P.O. Box 7, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,
7th July, 2009.

ROBERT V. NYOMBI,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 303 Plot 134 Area 4.0 Acres at Nyenga.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Charles Juuko of Kabizi Nyenga, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono,
14th July, 2009.

CHRISTINE NAMIREMBE KATENDE,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATES OF TITLES.

Buyaga Block 180/3, 4, 370.30 Hectares at Mutagasa.

Buyaga Block 182 Plot 2, 259.0 Hectares at Kyamukama.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Yoana Mulo Mugwanya, special Certificates of Titles under the above Blocks and Plots, the Certificates of Titles which were originally issued having been lost.

Fort Portal,
14th May, 2009.

DIANA BONABANA,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 216 Plots 1930, 1927, 1928 Land at Buye.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Western Wholesale Limited of P.O. Box 2741, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,
27th July, 2009.

MUHEREZA EDWIN,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block 591 Plots 79 & 78 Land at Kikondo Measuring 5.76 Hectares & 0.09 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Teddy Namakula of Kikondo Kalisizo of P.O. Box 38, Kalisizo, a special Certificate of Title under the above mentioned Block and Plots, the Certificate of Title which was originally issued having been lost.

Masaka,
9th April, 2009.

GALIWANGO HERMAN NSUBUGA,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Singo Block 83 Plot 66, 6.50 Hectares at Njagalamwenge Estate.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Semewo Sekuwanda, a special Certificate of Title under the above Block and Plot of the Mailo Register, the duplicate Certificate of Title which was originally issued having been lost.

Mityana,
21st July, 2009.

JANET NABUUMA,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busujju Block 115 Plot 23, 25.45 Hectares at Nkonyo Estate.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Vicent Nyanzi Makumbi of P.O. Box 394, Mityana, a special Certificate of Title under the above Block and Plot of the Mailo Register, the duplicate Certificate of Title which was originally issued having been lost.

Mityana,
23rd July, 2009.

JANET NABUUMA,
for Ag. Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 216 Plots 1932, 1921, 1922 Land at Buye.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Western Wholesale Limited of P.O. Box 2741, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,
27th July, 2009.

MUHEREZA EDWIN,
for Ag. Commissioner Land Registration.

ACTS SUPPLEMENT

to The Uganda Gazette No. 36 Volume CII dated 31st July, 2009.

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*National Information Technology
Authority, Uganda Act* **2009**

**THE NATIONAL INFORMATION TECHNOLOGY AUTHORITY,
UGANDA ACT, 2009.**

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**THE NATIONAL INFORMATION TECHNOLOGY
AUTHORITY, UGANDA ACT, 2009.**

An Act to provide for the establishment of the National Information Technology Authority, Uganda and to provide for its objects, functions, composition, management and finances; and other related matters.

DATE OF ASSENT: 15th July, 2009.

Date of Commencement: See section 1.

BE IT ENACTED by Parliament as follows—

PART I—PRELIMINARY

1. Commencement.

This Act shall come into force on a date appointed by the Minister by statutory instrument.

2. Interpretation.

In this Act, unless the context otherwise requires—

“authorised officer” means a person appointed as an authorised officer under section 18 and includes a computer scientist, network administrator, systems administrator, systems analyst, data base administrator, software engineer, programmer, information technology security administrator, electronic engineer, communications engineer and a telecommunication specialist;

- “Authority” means the National Information Technology Authority, Uganda established by section 3;
- “Board” means the Board of Directors appointed under section 7;
- “Chairperson” means the Chairperson of the Board appointed under section 7;
- “currency point” has the value assigned to it in Schedule 1 to this Act;
- “data” means information recorded in a form in which it can be processed by equipment operating automatically in response to instructions given for that purpose;
- “Executive Director” means the chief executive of the Authority, appointed under section 16;
- “e-Commerce” means the distribution, buying, selling, marketing and servicing of products or services over electronic systems such as the internet or other computer networks;
- “e-Government” is the use of information and communication technologies to deliver public services in a convenient, efficient customer-oriented, and cost-effective way;
- “e-Readiness survey” means a survey undertaken to establish the ability to use information technologies;
- “e-Transaction” means the exchange of information or data, the sale or purchase of goods or services between businesses, households, individuals, governments, and other public or private organizations, conducted over computer-mediated networks;
- “e-waste” means any form of waste that is accumulated as a result of hardware used in information technology;
- “information technology” means the science of collecting and using information by means of computer systems and refers to computers, ancillary or peripheral equipment such as printers and scanners, software and firmware services including support services, and related resources and includes any equipment or interconnected systems that are

used in the acquisition, storage, manipulation or processing, management, movement, control, display, transmission or reception of data or information;

“information technology survey” means an operation in which enumerations, inspections, studies, examinations, reviews, inquiries or analyses are carried out to collect or gather information and data on matters related to information technology;

“member” means a member of the Board of Directors appointed under section 7;

“Minister” means the Minister responsible for information technology.

PART II—ESTABLISHMENT, OBJECTS, FUNCTIONS AND POWERS OF THE
NATIONAL INFORMATION TECHNOLOGY AUTHORITY, UGANDA.

3. Establishment of the Authority.

(1) There is established an autonomous body known as the National Information Technology Authority, Uganda (NITA—U).

(2) The Authority shall be a body corporate with perpetual succession and a common seal, and shall be capable of suing and being sued in its corporate name and, subject to this Act, may borrow money, acquire and dispose of property and do or suffer any other thing a body corporate may lawfully do or suffer.

(3) The Authority shall be an agency of Government and shall be under the general supervision of the Minister.

4. Objects of the Authority.

The objects of the Authority are—

- (a) to provide high quality information technology services to Government;

- (b) to promote standardisation in the planning, acquisition, implementation, delivery, support and maintenance of information technology equipment and services, to ensure uniformity in quality, adequacy and reliability of information technology usage throughout Uganda;
- (c) to provide guidance and other assistance as may be required to other users and providers of information technology;
- (d) to promote cooperation, coordination and rationalisation among users and providers of information technology at national and local level so as to avoid duplication of efforts and ensure optimal utilisation of scarce resources;
- (e) to promote and be the focal point of co-operation for information technology users and providers at regional and international levels; and
- (f) to promote access to and utilisation of information technology by the special interest groups.

5. Functions of the Authority.

The functions of the Authority are—

- (a) to provide first level technical support and advice for critical Government information technology systems including managing the utilisation of the resources and infrastructure for centralised data centre facilities for large systems through the provision of specialised technical skills;
- (b) to identify and advise Government on all matters of information technology development, utilisation, usability, accessibility and deployment including networking, systems development, information technology security, training and support;
- (c) to co-ordinate, supervise and monitor the utilisation of information technology in the public and private sectors;

- (d) to regulate and enforce standards for information technology hardware and software equipment procurement in all Government Ministries, departments, agencies and parastatals;
- (e) to create and manage the national databank, its inputs and outputs;
- (f) to set, monitor and regulate standards for information technology planning, acquisition, implementation, delivery, support, organisation, sustenance, disposal, risk management, data protection, security and contingency planning;
- (g) to regulate the electronic signature infrastructure and other related matters as used in electronic transactions in Uganda;
- (h) to promote and provide technical guidance for the establishment of e-Government, e-Commerce and other e-Transactions in Uganda;
- (i) in liaison with other relevant institutions, to regulate the information technology profession in Uganda in order to ensure its effective utilisation promotion and development;
- (j) to act as an authentication center for information technology training in Uganda in conjunction with the Ministry responsible for Education;
- (k) to provide advice on information technology project management services to Government;
- (l) to provide for information management service through acting as a records management facility and an information depository;
- (m) to provide guidance on the establishment of an infrastructure for information sharing by Government and related stakeholders;
- (n) to provide guidance in information technology audit services to Government;
- (o) to undertake and commission research as may be necessary to promote the objects of the Authority;

- (p) to arbitrate disputes arising between suppliers of information technology solutions and consumers;
- (q) to protect and promote the interests of consumers or users of information technology services or solutions;
- (r) to undertake any other activity necessary for the implementation of the objects of the Authority.

6. Powers of the Authority.

In carrying out the functions specified in section 5, the Authority shall have the following powers—

- (a) to carry out regular e-Readiness surveys to ascertain the status of information technology in Uganda;
- (b) to establish a repository of information technology standards, and for the registration and classification of documentation related to locally developed and imported information technology solutions;
- (c) to establish a mechanism for collaboration and promotion of partnerships between various categories of players in the information technology sector;
- (d) to regulate and certify information technology education in Uganda in consultation with the Ministry responsible for Education or its agencies;
- (e) to charge fees for services provided by the Authority.

PART III—THE BOARD AND ITS FUNCTIONS

7. The Board.

(1) There is established a Board of Directors as the governing body of the Authority, which shall consist of the following members—

- (a) the Chairperson;
- (b) the Executive Director;
- (c) the Commissioner responsible for information technology in the Ministry responsible for information technology;
- (d) four other nominees, at least one of whom shall be an eminent Ugandan with expertise in information technology.

(2) The Chairperson and the members of the Board mentioned in subsection (1) (d) shall be appointed by the Minister, with the approval of Cabinet.

(3) In making the appointments to the Board, the Minister shall take into consideration gender equity.

(4) The Executive Director shall be the secretary to the Board.

8. Qualifications for appointment to the Board.

The Chairperson and the members of the Board mentioned in section 7 (1) (d) shall be appointed from among persons who qualify for appointment by virtue of their professional qualifications, knowledge and experience in disciplines relevant to the functions of the Authority.

9. Tenure of office of members of the Board.

The Chairperson and the members of the Board mentioned in section 7 (1) (d) shall hold office on such terms and conditions as may be specified in the instrument of appointment, for a period of three years which may be renewed for one further term.

10. Powers of Minister to suspend or terminate appointment of members of the Board.

(1) The Minister may, at any time suspend or terminate the appointment of the Chairperson or a member of the Board mentioned in section 7 (1) (d) for—

- (a) abuse of office;
- (b) corruption;
- (c) incompetence;
- (d) any physical or mental incapacity that renders a person incapable of performing the duties of that office;
- (e) failure to attend three consecutive Board meetings without reasonable grounds;
- (f) conviction of an offence involving moral turpitude;
- (g) being adjudged bankrupt by a court of law;
- (h) any other reasonable ground.

(2) A member of the Board other than the Executive Director may resign from the Board by giving notice in writing to the Board, of not less than one month.

11. Functions of the Board.

The Board shall—

- (a) formulate policy guidelines for the Authority;
- (b) monitor the implementation of the plans and programmes of the Authority;
- (c) approve the annual budget and action plan of the Authority;
- (d) appoint the staff of the Authority;
- (e) determine the structure and staffing levels of the Authority and the terms of service of the staff of the Authority;
- (f) establish rules and procedures for—

- (i) the appointment, career development and disciplining of staff;
- (ii) the management of the finances and assets of the Authority; and
- (iii) the procurement of goods and services for the Authority and for the disposal of the assets of the Authority, in accordance with the Public Procurement and Disposal of Public Assets Act, 2003;
- (g) submit a quarterly report to the Minister, on the activities of the Authority and any other reports as may be deemed necessary;
- (h) perform any other functions as may be approved by the Minister in writing, on the recommendation of the Board.

12. Meetings of the Board.

(1) Schedule 2 shall have effect in relation to the meetings of the Board and to other matters provided for in it.

(2) The Board may co-opt any person to participate in its deliberations, but a person so co-opted shall not have a right to vote.

13. Conditions of service of members of the Board.

The Minister shall, in consultation with the Minister responsible for finance, determine the terms and conditions of service of the members of the Board, except for the Executive Director.

PART IV—SECRETARIAT

14. Secretariat.

The Authority shall have a Secretariat headed by an Executive Director and shall consist of directorates covering the following areas—

- (a) planning, research and development;
- (b) technical services;
- (c) e-Government services;
- (d) finance and administration;
- (e) regulation and legal services;
- (f) any other area approved by the Minister.

15. Functions of the Secretariat.

The Secretariat shall—

- (a) be the source of official information and data relating to information technology in Uganda;
- (b) implement Government and national information technology policies, strategies and action plans;
- (c) be the custodian of the national information technology policies, strategies and action plans;
- (d) coordinate and monitor information technology initiatives in the public and private sectors;
- (e) perform any other duties as the Board may instruct from time to time.

16. Executive Director.

(1) The Executive Director shall be appointed by the Minister on the recommendation of the Board.

(2) A person to be appointed Executive Director shall be a person with considerable practical, professional and administrative experience in information and communication technology.

(3) The Executive Director shall hold office for five years and is eligible for re-appointment for one more term.

(4) The terms and conditions of service of the Executive Director shall be determined by the Board and approved by the Minister and shall be specified in the instrument of appointment.

(5) Subject to the general supervision and direction of the Board, the Executive Director shall be the accounting officer of the Authority and shall be responsible for—

- (a) the management and operations of the Authority;
- (b) the management of the funds, property and business of the Authority;
- (c) the administration, organisation and control of the officers and staff of the Authority; and
- (d) the promotion, training and disciplining of the officers and staff of the Authority in accordance with their terms and conditions of appointment.

(6) The Executive Director shall be a full time employee of the Authority.

(7) The Executive Director shall on appointment, take and subscribe before the Board, the oath of office and secrecy, specified in Schedule 3.

(8) The Minister may, after consultation with the Board, terminate the appointment of the Executive Director for—

- (a) abuse of office;
- (b) corruption;
- (c) incompetence;
- (d) physical or mental incapacity that renders the Executive Director incapable of performing the duties of that office;
- (e) failure to attend three consecutive Board meetings without reasonable grounds;

- (f) conviction of an offence involving moral turpitude;
- (g) being adjudged bankrupt by a court of law;
- (h) any other reasonable ground.

17. Other officers and staff of the Authority.

(1) The Board may, on the advice of the Executive Director, appoint directors to head the directorates specified in section 14.

(2) A director appointed under subsection (1) shall hold office for five years and is eligible for re-appointment for one more term.

(3) The terms and conditions of service of the directors shall be determined by the Board and specified in their instruments of appointment.

(4) The Board may, on the advice of the Executive Director, appoint other officers and staff of the Authority, as may be necessary for the effective performance of the functions of the Authority.

(5) The officers and staff appointed under subsection (4) shall hold office on such terms and conditions as the Board may determine and specify in their instrument of appointment.

(6) A director appointed under subsection (1), shall on appointment, take and subscribe before the Board, the oath of office and secrecy specified in Schedule 3.

(7) An officer appointed under subsection (4), shall on appointment, take and subscribe before the Executive Director, the oath of office and secrecy provided in Schedule 3.

(8) The Board shall be responsible for the discipline and management of the officers and staff.

18. Authorised officers.

(1) The Board may, from time to time appoint authorised officers for the purposes of carrying out information technology surveys under this Act.

(2) The terms of service of an authorised officer shall be determined by the Board and an authorised officer shall carry out such services in relation to information technology, as the Board may determine.

**PART V—INFORMATION TECHNOLOGY SURVEYS AND
POWERS OF THE AUTHORITY**

19. Information technology surveys.

(1) The Minister may, on the recommendation of the Board, direct, by statutory order that an information technology survey be taken by the Authority in both public and private sectors.

(2) An order made under subsection (1) shall specify—

- (a) the sector in respect of which the survey is to be carried out;
- (b) the purpose of the survey;
- (c) the date on which the survey is to be undertaken; and
- (d) the information to be obtained in the survey.

(3) In carrying out a survey under this section, the Authority—

- (a) shall have power to collect information and data regarding information technology for the sector specified in the order;
- (b) may use summons and search warrants to facilitate the enforcement of paragraph (a).

20. Authority to obtain particulars.

(1) Where data or information on information technology is being collected in accordance with section 19, the Executive Director, an officer of the Authority or an authorised officer, may require any person to supply him or her with any particulars as may be prescribed, or any particulars as the Executive Director may consider necessary or desirable in relation to the collection of the information.

(2) A person who is required to give information under subsection (1), shall, to the best of his or her knowledge and belief provide all the necessary information, in the manner and within the time specified by the Executive Director.

21. Power of entry and inspection.

(1) The staff of the Authority or an authorised officer may at all reasonable times enter and inspect any building or place and make such inquiries as may be necessary for the collection of information and data for a survey being carried out under section 19.

(2) Notwithstanding subsection (1), the staff of the Authority or an authorised officer is not entitled to enter a dwelling house except for the purposes of collecting information relating to information technology matters and for the exercise of functions under this Act.

22. Confidentiality.

(1) Except for the purpose of a prosecution, public interest, court order or state of emergency—

- (a) an individual return or part of the return made for the purpose of this Act;
- (b) an answer given to any question put for the purposes of this Act;
- (c) a report, abstract or document, containing particulars contained in any return or answer which is arranged as to render possible identification of those particulars with any person, business or undertaking; and
- (d) data set or part of data stored in a computer or any other electronic media,

shall not be published, admitted in evidence, or shown to any person who is not employed in the execution of a duty under this Act except with the written consent of the person who made the return or gave the answer, or, in the case of a business or undertaking, from the person having the control, management or superintendence of the business or undertaking.

(2) Subsection (1) does not apply where the person, business or undertaking has published the return, answer, report, abstract or document and opened up a computerised data set for general access.

(3) Nothing in this section shall prevent or restrict the publication of any report, abstract or document without the consent referred to in subsection (1) where the particulars contained in the report, abstract or document render identification possible merely by reason of the fact that they relate to an undertaking or business which is the only undertaking or business within its particular sphere of activities, if the particulars do not render possible identification of the costs of production of, or the capital employed or profits arising in the undertaking or business.

(4) Notwithstanding the restrictions under subsection (1), the Authority may release unit records on computer media, with identifiers removed, where the Authority—

- (a) is satisfied that the unit records are to be used for genuine research purposes;
- (b) obtains from the recipient of the records a written undertaking that the records will not be released to any other person without the written consent of the Authority;
- (c) obtains from the recipient a written undertaking to make available a copy of the research findings to the Authority;
- (d) is satisfied that the unit records cannot be identified as relating to any particular person or business enterprise.

23. Dissemination of information and data on information technology.

The Authority may release for general dissemination any information or data collected from a survey, after appropriate processing and ascertaining its quality for accuracy, and after ensuring confidentiality with respect to any individual who provided information.

PART VI—FINANCES OF THE AUTHORITY.**24. Funds of the Authority.**

(1) The funds of the Authority shall consist of—

- (a) money appropriated by Parliament for the purposes of the Authority;
- (b) loans and grants received by the Authority for its activities; and
- (c) revenues collected from services rendered by the Authority.

(2) The Authority shall open and maintain bank accounts in banks approved by the Board.

25. Estimates.

(1) The Executive Director shall, within three months before the end of each financial year, cause to be prepared and submitted to the Board for its approval, estimates of the income and expenditure of the Authority for the following financial year.

(2) The Board shall, within two months after receipt of the estimates referred to in subsection (1), cause to be submitted to the Minister for his or her approval, the estimates of income and expenditure for the following financial year as approved by the Board.

(3) Expenditure shall not be made out of the funds of the Authority unless that expenditure is part of the expenditure approved by the Board under the estimates for the financial year in which the expenditure is incurred.

26. Annual management plan.

The Executive Director shall, not later than three months before the end of each financial year, prepare and submit to the Board, for approval, an annual management plan for the next financial year.

27. Accounts.

(1) The Authority shall keep proper books of accounts of all its income and expenditure and proper records in relation to them.

(2) Subject to any direction given by the Minister, the Board shall cause to be prepared in respect of each financial year, and not later than three months after the close of the financial year, a statement of accounts which shall include a report on the performance of the Authority during that financial year.

(3) The statement of accounts shall comprise—

- (a) a balance sheet and a statement of income and expenditure of the Authority in respect of that financial year; and
- (b) any other information in respect of the financial affairs of the Authority as the Minister may in writing require.

28. Audits.

(1) The accounts of the Authority shall, in respect of each financial year, be audited by the Auditor General or by an auditor appointed by the Auditor General.

(2) The Board shall ensure that within four months after the close of each financial year, the statement of account described in section 27 is submitted for auditing under this section.

(3) The Auditor General and any auditor appointed by the Auditor General shall have access to all books of account, vouchers and other financial records of the Authority and is entitled to have any information and explanations required by him or her in relation to them, as he thinks fit.

(4) The Auditor General shall within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the Board a copy of the audited accounts together with his or her report on them stating any matter which in his or her opinion should be brought to the attention of the Minister.

(5) The Board shall as soon as possible upon receiving it, deliver to the Minister a copy of the audited accounts together with the report of the auditor submitted under subsection (4).

29. Borrowing powers.

(1) The Authority may, with the prior approval of the Minister, obtain loans and other credit facilities required for meeting its obligations and for carrying out its objects and functions under this Act.

(2) Subject to Article 159 of the Constitution, a loan or credit facility obtained by the Authority under this section may, with the prior approval of the Minister, be guaranteed by the Government and when so guaranteed, the principal sum and interest of the loan shall be charged on the Consolidated Fund.

30. Financial year of the Authority.

The financial year of the Authority shall be the same as the financial year of Government.

31. Compliance with Public Finance and Accountability Act, 2003.

The Authority shall at all times comply with the Public Finance and Accountability Act, 2003.

PART VII—MISCELLANEOUS

32. Relationship with other organisations.

(1) The Authority shall in performing its functions, consult and cooperate with organisations with functions related to, or having aims or objectives related to those of the Authority.

(2) The Authority may, on such terms and conditions considered necessary, delegate any of its functions under this Act to any organisation.

(3) It shall be the duty of any organisation to which subsection (1) relates to cooperate with the Authority in the carrying out of its functions under this Act.

33. Seal.

(1) The application of the seal of the Authority on any document shall be authenticated by the signatures of the Chairperson and the Executive Director, and in the absence of the Chairperson, by any one member of the Board, as shall be decided by the Board, and the Executive Director.

(2) Every document purporting to be an instrument issued by the Authority, sealed with the seal of the Authority and authenticated in accordance with subsection (1), shall be taken to be an instrument of the Authority and shall be received in evidence without further proof.

34. Minister's powers to give directions.

(1) The Minister may, after consultation with the Executive Director and the Board, give to the Authority directions of a general nature in writing, relating to policy matters in the exercise of the functions of the Authority; and the Authority shall comply with any direction given by the Minister.

(2) The particulars of any directions given by the Minister under subsection (1) shall be included in the annual report of the Authority, together with the extent to which the directions were complied with.

35. Protection from liability.

(1) A member of the Board shall not be personally liable in respect of any act or omission done in good faith in the performance of his or her functions under this Act.

(2) An employee or other person acting on behalf of the Authority shall not be personally liable in respect of any act or omission done in good faith in the performance of his or her functions under this Act.

36. Annual report.

The Board shall cause to be prepared and shall submit to the Minister within three months after the end of each financial year, an annual report on the activities and operations of the Authority for that financial year.

37. Minister to report to Parliament.

The Minister shall in each financial year, submit to Parliament as soon as possible after receiving them, the Auditor General's report and the annual report of the Authority.

38. Offences.

(1) A person who is employed in the execution of any duty under this Act who—

- (a) by virtue of the employment or duty comes into possession of information which may influence or affect the market value of any share or other security, interest or article and who before the information is made public, directly or indirectly uses it for personal gain;
- (b) without lawful authority, publishes or communicates to any person other than in the ordinary course of his or her employment any information acquired by him or her in the course of the employment or duty; or
- (c) knowingly compiles for issue, any data or information relating to information technology which he or she becomes possessed of by virtue of his or her employment,

commits an offence.

(2) A person who commits an offence under subsection (1) is liable on conviction, to a fine not exceeding six hundred currency points or imprisonment not exceeding five years, or both.

(3) A person in possession of any information which to his or her knowledge is disclosed in contravention of this Act, who publishes or communicates that information to any other person, commits an offence and is liable, on conviction, to a fine not exceeding twenty four currency points or imprisonment not exceeding one year, or both.

(4) A person commits an offence who—

- (a) hinders or obstructs the Executive Director, an officer of the Authority or an authorised officer, in the lawful performance of any duties or in lawful exercise of any power imposed or conferred on him or her under this Act;
- (b) refuses or neglects—
 - (i) to complete and supply, within the time specified for the purpose, the particulars required by the Authority in any return, form or other document;
 - (ii) to answer any question or inquiries put to or made of him or her, under this Act; or
- (c) knowingly or negligently makes in a return, form or other document completed by him or her under this Act or in any answer to any question or enquiry put to or made of him or her under this Act, a statement which is untrue in any material particular.

(5) A person who commits an offence under subsection (4) is liable, on conviction, to a fine not exceeding twelve currency points or imprisonment not exceeding six months, or both.

39. Regulations.

(1) The Minister may, in consultation with the Board, by statutory instrument, make regulations generally for giving effect to the provisions of this Act.

(2) Regulations made under this section may prescribe in connection with the contravention of the regulations—

- (a) a penalty of a fine not exceeding forty eight currency points or imprisonment not exceeding two years imprisonment or both;
- (b) in the case of a second or subsequent offence, a fine not exceeding seventy two currency points or imprisonment not exceeding three years or both;

- (c) in the case of a continuing offence an additional fine not exceeding ten currency points for each day on which the offence continues;
- (d) a requirement that the court convicting the accused may order the forfeiture of anything used in connection with the commission of the offence.

40. Amendment of Schedules.

(1) The Minister may, with the approval of Cabinet, by statutory instrument, amend Schedule 1 to this Act.

(2) The Minister may, on the advice of the Board, by statutory instrument, amend Schedule 2 to this Act.

(3) The Minister may, on the advice of the Board, by statutory instrument, amend Schedule 3 to this Act.

Act 4

*National Information Technology
Authority, Uganda Act*

2009

SCHEDULES

SCHEDULE 1

Sections 2 and 40

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

MEETINGS OF THE BOARD AND RELATED MATTERS**1. Meetings of the Board.**

(1) The Board shall meet at least every two months at such places and at such times as may be decided upon by the Board.

(2) The Chairperson shall preside at every meeting of the Board and in his or her absence, the Executive Director shall call the meetings and the members present shall elect from among their number, an acting chairperson.

2. Quorum.

The quorum for a meeting of the Board shall be four members; but where a member declares an interest in an agenda item or in the matter before the Board, the member shall not be counted for purposes of forming a quorum in relation to the item or matter in question.

3. Decisions of the Board.

(1) Decisions at a meeting of the Board shall be by a majority of the votes of the members present and where there is an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his or her deliberative vote.

(2) A decision may be made by the Board without a meeting, by the circulation of information electronically or using hard copies, among members of the Board and by the expression of the views of the majority of the members in writing, but any member shall be entitled to require that the decision be deferred and the matter on which a decision is sought be considered at a meeting of the Board.

(3) The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members or any defect in the appointment of a member.

(4) The decision reached by the Board thereafter shall be binding on all members.

4. Disclosure of interest.

(1) A member of the Board who has a direct or indirect personal interest in a matter being considered or which is about to be considered by the Board shall, as soon as possible after the relevant facts have come to his or her knowledge, disclose the nature of his or her interest to the Board.

(2) A disclosure of interest under subparagraph (1) shall be recorded in the minutes of the meeting of the Board and the member who makes the disclosure shall not, unless the Board otherwise determines in respect of that matter—

- (a) be present during any deliberation on the matter by the Board;
- (b) take part in the decisions of the Board.

(3) For the purpose of making a decision by the Board under subparagraph (2), in relation to a member who makes a disclosure under subparagraph (1), the member who makes the disclosure shall not—

- (a) be present during the deliberations of the Board for making the determination;
- (b) influence any other member or participate in the making by the Board of the determination.

(4) Where there is no quorum for the continuation of a meeting only because of the exclusion of a member from the deliberations on a matter in which he or she disclosed a personal interest, the other members present may—

- (a) postpone the consideration of that matter until a quorum, without that member is realised; or
- (b) proceed to consider and decide the matter as if there is a quorum.

5. Minutes of proceedings.

(1) The Board shall cause the minutes of all proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be confirmed by the Board at the next meeting and signed by the Chairperson of that meeting.

(2) The Chairperson shall submit to the Minister a copy of the minutes of each meeting of the Board as soon as the minutes are confirmed.

6. Residual power of Board to regulate its proceedings.

Subject to this Schedule, the Board shall regulate its proceedings.

SCHEDULE 3

Sections 16 (7), 17 and 40

OATH OF OFFICE AND SECRECY

I swear that I will faithfully and honestly fulfill my duties as in conformity with the requirements of the National Information Technology Authority, Uganda Act, and that I will not directly or indirectly communicate or reveal any matter to any person which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties except as may be required for the discharge of my official duties or as may be authorised by law. (So help me God.)

Cross References.

Public Finance and Accountability Act, 2003, Act No, 6 of 2003.

Public Procurement and Disposal of Public Assets Act, 2003, Act No. 1 of 2003

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S T A T U T O R Y I N S T R U M E N T S

2009 No. 36.

**The National Information Technology Authority, Uganda Act
(Commencement) Instrument, 2009.**

*(Under section 1 of the National Information Technology Authority, Uganda
Act, 2009, Act No. 4 of 2009)*

IN EXERCISE of the powers conferred upon the Minister by section 1 of the National Information Technology Authority, Uganda Act, 2009, this Instrument is made this 29th day of July, 2009.

1. Title.

This Instrument may be cited as the National Information Technology Authority, Uganda Act (Commencement) Instrument, 2009.

2. Appointment of commencement date for Act No. 4 of 2009.

The 15th day of August, 2009 is appointed as the date on which the National Information Technology Authority, Uganda Act, 2009 shall come into force.

AGGREY AWORI,
Minister of Information and Communication Technology.