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## SUPPLEMENTS

### Statutory Instruments

- No. 9—The Trade (Licensing) (Restricted Trading Centres) (Revocation) Order, 2011  
No. 10—The Trade (Licensing) (Appointment of Licensing Authority) (Amendment) Instrument, 2011.  
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*Acts*  
No. 5—The Fish (Amendment) Act, 2011.  
No. 6—The Institution of Traditional or Cultural Leaders Act, 2011  
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No. 8—The Electronic Transactions Act, 2011.

### General Notice No. 180 of 2011.

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

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Barloworld Logistics Tours & Travel Limited has been by special resolution passed on 27th January, 2011 and with the approval of the Registrar of Companies changed in name to Swift Freight International Tours and Travel Limited and that such new name has been entered in my Register.

Dated at Kampala, this 25th day of February, 2011.

BEN TURYASINGURA,  
*Assistant Registrar of Companies.*

### General Notice No. 181 of 2011.

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

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Barloworld Logistics (Uganda) Limited has been by special resolution passed on 27th January, 2011 and with the approval of the Registrar of Companies changed in name to Swift Freight International (Uganda) Limited and that such new name has been entered in my Register.

Dated at Kampala, this 25th day of February, 2011.

BEN TURYASINGURA,  
*Assistant Registrar of Companies.*

### General Notice No. 182 of 2011.

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

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Bugolobi Mall Limited has by a special resolution passed on 14th February, 2011 and with the approval of the Registrar of Companies changed in name to Bugolobi Holdings Limited and that such new name has been entered in my Register.

Dated at Kampala, this 14th day of February, 2011.

JULIET NASSUNA,  
*Assistant Registrar of Companies.*

### General Notice No. 183 of 2011.

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

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Margaritha Palace Limited has been by special resolution passed on 8th February, 2011 and with the approval of the Registrar of Companies changed in name to Margaritha Palace Hotel Limited and that such new name has been entered in my Register.

Dated at Kampala, this 4th day of March, 2011.

JULIET NAGAWA LUGGYA,  
*Assistant Registrar of Companies.*

### General Notice No. 184 of 2011.

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 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.

#### ITALYTEX LIMITED

Dated at Kampala, this 25th day of January, 2011.

MUGABE ROBERT,  
*Assistant Registrar of Companies.*

### General Notice No. 185 of 2011.

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 to the following Company will be struck off the Register after the expiration of three months from the date of publication of this Notice.

#### ULL PRINTING AND PACKAGING LIMITED

Dated at Kampala, this 4th day of February, 2011.

MAUDAH ATUZARIRWE,  
*Assistant Registrar of Companies.*

General Notice No. 186 of 2011.

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 to 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.

**PROSEL (U) LIMITED**

Dated at Kampala, this 10th day of March, 2011.

RUTA DARIUS,

*Assistant Registrar of Companies.*

General Notice No. 187 of 2011.

THE ADVOCATES ACT, CAP. 267.

**NOTICE OF APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.**

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Buzibira Mwesige Richard who is stated to be a holder of a Bachelor of Laws Degree from Makerere University having been awarded on the 6th day of October, 2006 and a Diploma in Legal Practice awarded by the Law Development Centre on the 31st day of July, 2009, for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala,  
3rd March, 2011.

STELLA NYANDRIA,  
*for Ag. Secretary, Law Council.*

General Notice No. 188 of 2011.

THE ADVOCATES ACT, CAP. 267.

**NOTICE OF APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.**

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Ojara Timothy who is stated to be a holder of a Bachelor of Laws Degree from Makerere University having been awarded on the 6th day of October, 2006 and a Diploma in Legal Practice awarded by the Law Development Centre on the 31st day of July, 2009, for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala,  
2nd March, 2011.

MARGARET APINY,  
*Ag. Secretary, Law Council.*

General Notice No. 189 of 2011.

THE ADVOCATES ACT, CAP. 267.

**NOTICE OF APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.**

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Oscar Kabata who is stated to be a holder of a Bachelor of Laws Degree from Makerere University having been awarded on the 6th day of October, 2006 and a Diploma in Legal Practice awarded by the Law Development Centre on the 31st day of July, 2009, for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala,  
10th March, 2011.

BAGEYA MOTOOKA AARON,  
*for Ag. Secretary, Law Council.*

General Notice No. 190 of 2011.



**PUBLIC NOTICE**

THE NATIONAL ENVIRONMENT ACT, CAP. 153

THE NATIONAL ENVIRONMENT (WASTE MANAGEMENT) REGULATIONS, 1999

*(Under Regulation 7(1)(c) of The National Environment (Waste Management) Regulations, 1999)*

**NOTICE OF INTENTION TO ISSUE A LICENCE FOR TRANSPORTATION OF REUSABLE SOLID WASTE**

NOTICE IS HEREBY GIVEN that an application for a Licence for transportation of Reusable solid waste has been received by the National Environment Management Authority, (NEMA) from AQUILA INVESTMENTS LTD, P.O. Box 1234, Kampala.

The reusable solid waste will be transported from Nile Breweries Ltd and Coca cola Uganda to Plastic Recycling Ltd.

NEMA will proceed to consider granting the Licence for transportation of reusable solid waste if no objections are received at NEMA Offices or the District Environment Office, within thirty (30) days from the date of publication of this Notice.

Dated at Kampala this 25th day of January, 2011.

DR. ARYAMANYA-MUGISHA, HENRY,  
*Executive Director,*

*National Environment Management Authority.*

General Notice No. 191 of 2011.



**PUBLIC NOTICE**

THE NATIONAL ENVIRONMENT ACT, CAP. 153

THE NATIONAL ENVIRONMENT (WASTE MANAGEMENT) REGULATIONS, 1999

*(Under Regulation 7(1)(c) of The National Environment (Waste Management) Regulations, 1999)*

**NOTICE OF INTENTION TO ISSUE A LICENCE FOR STORAGE OF REUSABLE BOXES, JERRY CANS, DRUMS AND GUNNY BAGS**

NOTICE IS HEREBY GIVEN that an application for a Licence for storage of reusable boxes, jerry cans, drums and gunny bags has been received by the National Environment Management Authority, (NEMA) from AQUILA INVESTMENTS LTD, P.O. Box 1234, Kampala.

The reusable boxes, jerry cans, drums and gunny bags will be stored in Kyazze Road, Kyaliwajjala Town, Kyaliwajjala Ward, Kira Town Council, Wakiso District.

NEMA will proceed to consider granting the Licence for storage of reusable boxes, jerry cans, drums and gunny bags if no objections are received at NEMA Offices or the District Environment Office, Wakiso District within thirty (30) days from the date of publication of this Notice.

Dated at Kampala this 25th day of January, 2011.

DR. ARYAMANYA-MUGISHA, HENRY,  
*Executive Director,*

*National Environment Management Authority.*



General Notice No. 192 of 2011.

ELECTRICITY REGULATORY AUTHORITY  
Plot 15 Shimoni Road, Nakasero,  
P.O. Box 10332, Kampala  
Tel: (041)434 1852/646, Fax (041)434 1624

**OUR MISSION:**

"REGULATING THE ELECTRICITY INDUSTRY FOR  
EFFICIENT AND RELIABLE SUPPLY AT EQUITABLE  
PRICES"

**NOTICE OF INTENDED APPLICATION FOR A  
LICENCE FOR GENERATION AND SALE OF  
ELECTRICITY FROM BUNDIBUGYO**

The Electricity Regulatory Authority (ERA) has under Section 29 of the Electricity Act 1999, Cap 145 received a Notice of Intended Application for a Licence from Butama Hydro-Electricity Company Limited for generation and sale of electricity from Rivers Sindoro and Ndugutu.

Butama Hydro-Electricity Company Limited intends to generate approximately 7.5MW from the above-mentioned rivers in Bundibugyo District and sell the generated electricity to Uganda Electricity Transmission Company Limited for injection into the national grid.

Interested persons are invited to obtain details of the project from the addresses below:

1. Electricity Regulatory Authority  
ERA House,  
Plot 15, Shimoni Road, Nakasero,  
Kampala.
2. The LC V Chairman's Office,  
Bundibugyo District.

Under Section 30 of the Electricity Act 1999, Cap. 145, the Electricity Regulatory Authority hereby invites directly affected parties and local authorities in the areas affected by the project to make comments and lodge objections (if any) on the notice to the Authority by 4.00 pm on Monday March 14th 2011. Interested parties must submit their written comments, objections or interests by recorded delivery to the reception at ERA House for the attention of:

THE SECRETARY  
ELECTRICITY REGULATORY AUTHORITY,  
ERA HOUSE,  
PLOT 15, SHIMONI ROAD, NAKASERO  
KAMPALA.

**NOTE: THE AUTHORITY APPEALS TO ALL  
ELECTRICITY SECTOR STAKEHOLDERS  
TO TAKE NOTE OF THE ABOVE.**

February 11th 2011.

General Notice No. 193 of 2011.

ELECTRICITY REGULATORY AUTHORITY  
Plot 15 Shimoni Road, Nakasero,  
P.O. Box 10332, Kampala  
Tel: (041)434 1852/646, Fax (041)434 1624

**OUR MISSION:**

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PRICES"

**NOTICE OF INTENDED APPLICATION FOR A  
LICENCE FOR GENERATION AND SALE OF  
ELECTRICITY FROM RIVERS NYAMAGASANI  
AND DUNGULILIO**

The Electricity Regulatory Authority (ERA) has under Section 29 of the Electricity Act 1999, Cap 145 received a Notice of Intended Application for a Licence from LTL Holdings (Private) Limited for generation and sale of electricity from Nyamagasani Kyarumba Hydropower Project in Kasese District.

LTL Holdings (Private) Limited intends to undertake detailed feasibility studies leading to development of the above-mentioned hydropower project, with installed capacity approximated to be 3MW. The Company proposes to construct a diversion weir downstream of the main bridge in Kyarumba after the confluence of Nyamagasani and Dungulilio rivers. The generated power will be sold to Uganda Electricity Transmission Company Limited and fed into the national grid.

Interested persons are invited to obtain details of the project from the addresses below:

1. Electricity Regulatory Authority  
ERA House,  
Plot 15, Shimoni Road, Nakasero,  
Kampala.
2. The LC V Chairman's Office,  
Kasese District.

Under Section 30 of the Electricity Act 1999, Cap. 145, the Electricity Regulatory Authority hereby invites directly affected parties and local authorities in the areas affected by the project to make comments and lodge objections (if any) on the notice to the Authority by 4.00 pm on Wednesday March 30th 2011. Interested parties must submit their written comments, objections or interests by recorded delivery to the reception at ERA House for the attention of:

THE SECRETARY  
ELECTRICITY REGULATORY AUTHORITY,  
ERA HOUSE,  
PLOT 15, SHIMONI ROAD, NAKASERO, KAMPALA.

**NOTE: THE AUTHORITY APPEALS TO ALL  
ELECTRICITY SECTOR STAKEHOLDERS  
TO TAKE NOTE OF THE ABOVE.**

February 25th 2011.

General Notice No. 194 of 2011.

**ELECTRICITY REGULATORY AUTHORITY**  
Plot 15 Shimoni Road, Nakasero,  
P.O. Box 10332, Kampala  
Tel: (041)434 1852/646, Fax (041)434 1624



**OUR MISSION:**

**"REGULATING THE ELECTRICITY INDUSTRY FOR  
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PRICES"**

**NOTICE OF INTENDED APPLICATION FOR A  
LICENCE FOR GENERATION AND SALE OF  
ELECTRICITY FROM RIVER NYAMAGASANI**

The Electricity Regulatory Authority (ERA) has under Section 29 of the Electricity Act 1999, Cap 145 received a Notice of Intended Application for a Licence from Tyax Holding Incorporated for generation and sale of electricity from River Nyamagasani Hydropower Project in Kasese District.

Tyax Holding Incorporated intends to undertake detailed feasibility studies leading to development of the above-mentioned hydropower project, with installed capacity approximated to be 15MW. The proposed project shall utilize the hydro potential of River Nyamagasani before the confluence of the two main tributaries. The generated power will be sold to Uganda Electricity Transmission Company Limited and fed into the national grid.

Interested persons are invited to obtain details of the project from the addresses below:

1. Electricity Regulatory Authority  
ERA House,  
Plot 15, Shimoni Road, Nakasero,  
Kampala.
2. The LC V Chairman's Office,  
Kasese District.

Under Section 30 of the Electricity Act 1999, Cap. 145, the Electricity Regulatory Authority hereby invites directly affected parties and local authorities in the areas affected by the project to make comments and lodge objections (if any) on the notice to the Authority by 4.00 pm on Wednesday March 30th 2011. Interested parties must submit their written comments, objections or interests by recorded delivery to the reception at ERA House for the attention of:

**THE SECRETARY**  
**ELECTRICITY REGULATORY AUTHORITY,**  
ERA HOUSE,  
PLOT 15, SHIMONI ROAD, NAKASERO  
KAMPALA.

**NOTE: THE AUTHORITY APPEALS TO ALL  
ELECTRICITY SECTOR STAKEHOLDERS  
TO TAKE NOTE OF THE ABOVE.**

February 25th 2011.

General Notice No. 195 of 2011.

**ELECTRICITY REGULATORY AUTHORITY**  
Plot 15 Shimoni Road, Nakasero,  
P.O. Box 10332, Kampala  
Tel: (041)434 1852/646, Fax (041)434 1624



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**NOTICE OF APPLICATION FOR A LICENCE FOR  
DISTRIBUTION AND SALE OF ELECTRICITY**

The Electricity Regulatory Authority (ERA) has under Section 33 of the Electricity Act 1999, Cap 145, received an Application for a Licence from Pader-Abim Community Multi-Purpose Electric Co-operative Society Limited for distribution and sale of electricity.

Pader-Abim Community Multi-Purpose Electric Co-operative Society Limited entered into a Lease Agreement with the Government of Uganda, represented by Rural Electrification Agency, to distribute and sell electricity in Pader and Abim Districts.

Interested persons are invited to obtain details of the project from the following addresses:

1. Electricity Regulatory Authority  
ERA House,  
Plot 15, Shimoni Road, Nakasero,  
Kampala.
2. The LCV Chairman's Office  
Pader District.
3. The LCV Chairman's Office  
Abim District.

Under Section 35 of the Electricity Act 1999, Cap. 145, the Electricity Regulatory Authority hereby invites directly affected parties and local authorities in the areas affected by the project to make comments and lodge objections (if any) on the notice to the Authority within thirty (30) days. Interested parties must therefore submit their written comments, objections or interests by recorded delivery to the reception at ERA House by 4.00pm on Wednesday, March 30th 2011 for the attention of:

**THE SECRETARY**  
**ELECTRICITY REGULATORY AUTHORITY,**  
ERA HOUSE,  
PLOT 15, SHIMONI ROAD, NAKASERO  
KAMPALA.

**NOTE: THE AUTHORITY APPEALS TO ALL  
ELECTRICITY SECTOR STAKEHOLDERS TO  
TAKE NOTE OF THE ABOVE.**

February 25th 2011.

General Notice No. 196 of 2011.

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. 2010/41983 IN PART "A".

(52) Class 26.

(54)



(53) hometrends

(59)

(64)

(57) *Nature of goods*— Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

(21) APPLICATION NO. 2010/41982 IN PART "A".

(52) Class 24.

(54)



(53) hometrends

(59)

(64)

(57) *Nature of goods*— Textiles and textile goods, not included in other classes; bed and table covers.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

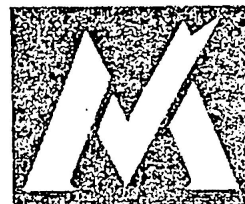
(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

(21) APPLICATION NO. 2010/41780 IN PART "A".

(52) Class 24.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Textiles and textile goods, not included in other classes; bed and table covers.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

(21) APPLICATION NO. 2010/41978 IN PART "A".

(52) Class 8.

(54)



(53)

(59)

(64)

hometrends

(57) *Nature of goods*— Hand tools and implements (hand-operated); cutlery; side arms; razors.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

(21) APPLICATION NO. 2010/41772 IN PART "A".

(52) Class 3.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

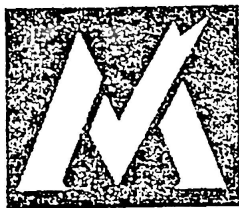
(74) *C/o. Muganwa, Nanteza & Co. Advocates*, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

21) APPLICATION NO. 2010/41776 IN PART "A".

(52) Class 16.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) *C/o. Muganwa, Nanteza & Co. Advocates*, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

21) APPLICATION NO. 2010/41607 IN PART "A".

(52) Class 14.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) *C/o. Muganwa, Nanteza & Co. Advocates*, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

21)

APPLICATION NO. 2010/41608 IN PART "A".

(52)

Class 18.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) *C/o. Muganwa, Nanteza & Co. Advocates*, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

21)

APPLICATION NO. 2010/41872 IN PART "A".

(52)

Class 30.

(54)

## SAM'S CHOICE

(53)

(59)

(64)

(57) *Nature of goods*— Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) *C/o. Muganwa, Nanteza & Co. Advocates*, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

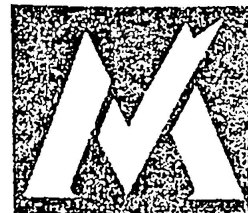
21)

APPLICATION NO. 2010/41777 IN PART "A".

(52)

Class 18.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

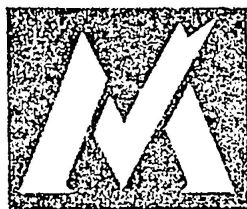
(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) *C/o. Muganwa, Nanteza & Co. Advocates*, P.O. Box 8543, Kampala.

(22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41785 IN PART "A".  
 (52) Class 30.  
 (54)



- (53)  
 (59)  
 (64)
- (57) *Nature of goods*— Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.
- (73) *Name of applicant*— Wal-Mart Stores, Inc.
- (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.
- (74) *C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.*
- (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41871 IN PART "A".  
 (52) Class 29.  
 (54)

## SAM'S CHOICE

- (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*— Wal-Mart Stores, Inc.
- (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.
- (74) *C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.*
- (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41784 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*— Wal-Mart Stores, Inc.
- (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.
- (74) *C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.*
- (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41874 IN PART "A".  
 (52) Class 32.  
 (54)

## SAM'S CHOICE

- (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*— Wal-Mart Stores, Inc.
- (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.
- (74) *C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.*
- (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41787 IN PART "A".  
 (52) Class 32.  
 (54)



- (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*— Wal-Mart Stores, Inc.
- (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.
- (74) *C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.*
- (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41984 IN PART "A".  
 (52) Class 27.  
 (54)



hometrends

- (53)  
 (59)  
 (64)
- (57) *Nature of goods*— Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).
- (73) *Name of applicant*— Wal-Mart Stores, Inc.
- (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.
- (74) *C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.*
- (22) *Date of filing application*— 5th November, 2010.

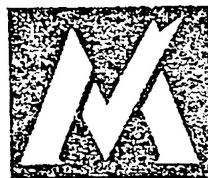


- (21) APPLICATION No. 2010/41782 IN PART "A".  
 (52) Class 27.  
 (54)



- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- 21) APPLICATION No. 2010/41783 IN PART "A".  
 (52) Class 28.  
 (54)



- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION No. 2010/41870 IN PART "A".  
 (52) Class 25.  
 (54)

## SAM'S CHOICE

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Clothing, footwear, headgear.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION No. 2010/41781 IN PART "A".  
 (52) Class 25.  
 (54)



- (53)  
 (59)

- (64)  
 (57) *Nature of goods*— Clothing, footwear, headgear.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION No. 2010/41610 IN PART "A".  
 (52) Class 25.  
 (54)



- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Textiles and textile goods, not included in other classes; bed and table covers.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION No. 2010/41879 IN PART "A".  
 (52) Class 39.  
 (54)

## SAM'S CLUB

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Transport; packaging and storage of goods; travel arrangement.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION No. 2010/41878 IN PART "A".  
 (52) Class 38.  
 (54)

## SAM'S CLUB

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Telecommunications.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41449 IN PART "A".  
 (52) Class 38.  
 (54)

**CISCO**

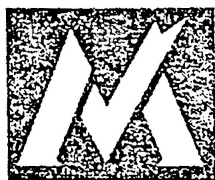
- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Telecommunications.  
 (73) *Name of applicant*— Cisco Technology, Inc.  
 (77) *Address*— 170 West Tasman Drive San Jose,  
 ( California 95134, U.S.A.  
 (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.  
 (22) *Date of filing application*— 28th October, 2010.

- (21) APPLICATION NO. 2010/41981 IN PART "A".  
 (52) Class 21.  
 (54)



**hometrends**

- (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; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.  
 (21) APPLICATION NO. 2010/41779 IN PART "A".  
 (52) Class 21.  
 (54)



- (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; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41980 IN PART "A".  
 (52) Class 20.  
 (54)



**hometrends**

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41778 IN PART "A".  
 (52) Class 20.  
 (54)



- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41976 IN PART "A".  
 (52) Class 6.  
 (54)



**hometrends**

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

(21) APPLICATION No. 2010/41873 IN PART "A".

(52) Class 31.

(54)

## SAM'S CHOICE

(53)

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(64)

(57) *Nature of goods*— Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

(21) APPLICATION No. 2010/41786 IN PART "A".

(52) Class 31.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

(21) APPLICATION No. 2010/41881 IN PART "A".

(52) Class 41.

(54)

## SAM'S CLUB

(53)

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(57) *Nature of goods*— Education; providing of training; entertainment; sporting and cultural activities.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

(21)

APPLICATION No. 2010/41977 IN PART "A".

(52)

Class 7.

(54)



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(57) *Nature of goods*— Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

(21)

APPLICATION No. 2010/41880 IN PART "A".

(52)

Class 40.

(54)

## SAM'S CLUB

(53)

(59)

(64)

(57) *Nature of goods*— Treatment of materials.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

(21)

APPLICATION No. 2010/41882 IN PART "A".

(52)

Class 42.

(54)

## SAM'S CLUB

(53)

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(57) *Nature of goods*— Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.

(73) *Name of applicant*— Wal-Mart Stores, Inc.

(77) Address— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.

(74) C/o. Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.

(22) Date of filing application— 5th November, 2010.

- (21) APPLICATION NO. 2010/41876 IN PART "A".  
 (52) Class 36.  
 (54)

## SAM'S CLUB

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Insurance; financial affairs; monetary affairs; real estate affairs.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41877 IN PART "A".  
 (52) Class 37.  
 (54)

## SAM'S CLUB

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Building construction; repair; installation services.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2010/41883 IN PART "A".  
 (52) Class 43.  
 (54)

## SAM'S CLUB

- (53)  
 (59)  
 (64)  
 (57) *Nature of goods*— Services for providing food and drink; temporary accommodation.  
 (73) *Name of applicant*— Wal-Mart Stores, Inc.  
 (77) *Address*— 702 S.W. 8th Street, Bentonville, Arkansas 72716, U.S.A.  
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.  
 (22) *Date of filing application*— 5th November, 2010.

- (21) APPLICATION NO. 2011/42825 IN PART "A".  
 (52) Class 5.  
 (54)

# FIZZ

- (53)  
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- (57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

- (73) *Name of applicant*— Beta Healthcare International Limited.

- (77) *Address*— P.O. Box 42569, Nairobi, Kenya.

- (74) *C/o.* Sebalu & Lule Advocates, P.O. Box 2255, Kampala.

- (22) *Date of filing application*— 9th March, 2011.

- (21) APPLICATION NO. 2011/42824 IN PART "A".  
 (52) Class 43.  
 (54)



- (53)  
 (59)  
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- (57) *Nature of goods*— Services for providing food and drink; temporary accommodation.

- (73) *Name of applicant*— Uganda Chinese Club.

- (77) *Address*— P.O. Box 8746, Kampala, Uganda.

- (74)

- (22) *Date of filing application*— 9th March, 2011.

- Kampala, JULIET NASSUNA,  
 9th March, 2011. Registrar of Trade Marks.

- (21) APPLICATION NO. 2011/42629 IN PART "A".  
 (52) Class 3.  
 (54)



- (53)  
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- (57) *Nature of goods*— Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

- (73) *Name of applicant*— Garnet International [U] Ltd.

- (77) *Address*— P.O. Box 27812, Kampala, Uganda.

- (74)

- (22) *Date of filing application*— 24th February, 2011.

- (21) APPLICATION NO. 2011/42627 IN PART "A".  
 (52) Class 3.  
 (54)

# Lavita

- (53)  
 (59)  
 (64)

- (57) *Nature of goods*— Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

- (73) *Name of applicant*— Ganapati International Ltd.  
 (77) *Address*— P.O. Box 27812, Kampala, Uganda.  
 (74)  
 (22) *Date of filing application*— 24th February, 2011.

- (21) APPLICATION No. 2011/42628 IN PART "A".  
 (52) Class 3.  
 (54)



(53)  
 (59)  
 (64)

- (57) *Nature of goods*— Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

- (73) *Name of applicant*— Ganapati International Ltd.  
 (77) *Address*— P.O. Box 27812, Kampala, Uganda.  
 (74)  
 (22) *Date of filing application*— 24th February, 2011.

- (21) APPLICATION No. 2011/42678 IN PART "A".  
 (52) Class 1.  
 (54)

**Easygro**

(53)  
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- (57) *Nature of goods*— Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

- (73) *Name of applicant*— Osho Chemical Industries Limited.  
 (77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.  
 (74) C/o. Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.  
 (22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42677 IN PART "A".  
 (52) Class 1.  
 (54)

**AGRO FEED**

(53)  
 (59)  
 (64)

- (57) *Nature of goods*— Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

- (73) *Name of applicant*— Osho Chemical Industries Limited.  
 (77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.  
 (74) C/o. Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.  
 (22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42676 IN PART "A".  
 (52) Class 5.  
 (54)



(53)  
 (59)  
 (64)

- (57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

- (73) *Name of applicant*— Osho Chemical Industries Limited.  
 (77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.  
 (74) C/o. Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.  
 (22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42684 IN PART "A".  
 (52) Class 5.  
 (54)

**WOUND-OUT**

(53)  
 (59)  
 (64)

- (57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

- (73) *Name of applicant*— Osho Chemical Industries Limited.  
 (77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.  
 (74) C/o. Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.  
 (22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42685 IN PART "A".  
 (52) Class 5.  
 (54)

**D-AMINE**

(53)  
 (59)  
 (64)

- (57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

- (73) *Name of applicant*— Osho Chemical Industries Limited.  
 (77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.  
 (74) C/o. Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.  
 (22) *Date of filing application*— 28th February, 2011.



- (21) APPLICATION No. 2011/42683 IN PART "A".  
 (52) Class 5.  
 (54)

**CYCLONE**

- (53)  
 (59)  
 (64)

(57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o. Mugenyi & Co. Advocates*, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42681 IN PART "A".  
 (52) Class 5.  
 (54)

**OSHOTANE**

- (53)  
 (59)  
 (64)

(57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o. Mugenyi & Co. Advocates*, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42680 IN PART "A".  
 (52) Class 5.  
 (54)

**LYZIER**

- (53)  
 (59)  
 (64)

(57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o. Mugenyi & Co. Advocates*, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42682 IN PART "A".  
 (52) Class 5.  
 (54)

**MISTRESS 72**

(53) *Disclaimer*— Registration of this Trademark shall give no right to the exclusive use of the numeral '72' except as represented.

- (59)  
 (64)

(57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o. Mugenyi & Co. Advocates*, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42686 IN PART "A".  
 (52) Class 5.  
 (54)

**MISTER 72**

(53) *Disclaimer*— Registration of this Trademark shall give no right to the exclusive use of the numeral '72' except as represented.

- (59)  
 (64)

(57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o. Mugenyi & Co. Advocates*, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42679 IN PART "A".  
 (52) Class 5.  
 (54)

**osho**  
**Alpha**

(53) *Disclaimer*— Registration of this Trademark shall give no right to the exclusive use of the word 'ALPHA' except as represented.

- (59)  
 (64)

(57) *Nature of goods*— Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for

dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o.* Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

(21) APPLICATION No. 2011/42675 IN PART "A".

(52) Class 16.

(54)



(53)

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(57) *Nature of goods*— Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

(73) *Name of applicant*— Osho Chemical Industries Limited.

(77) *Address*— P.O. Box 49916-00100-GPO, Nairobi, Kenya.

(74) *C/o.* Mugenyi & Co. Advocates, P.O. Box 5600, Kampala.

(22) *Date of filing application*— 28th February, 2011.

Kampala,  
5th March, 2011.

MAUDAH ATUZARIRWE,  
*Registrar of Trade Marks.*

(21) APPLICATION No. 2011/42742 IN PART "A".

(52) Class 12.

(54)



(53) *Disclaimer*— Registration of this Trademark shall give no right to the exclusive use of the words 'THE SYMBOL OF QUALITY' except as represented.

(59)

(64)

(57) *Nature of goods*— All types of bicycles, bicycle spares, motorcycle tubes and tires.

(73) *Name of applicant*— Kesar International Enterprises Ltd.

(77) *Address*— P.O. Box 34730, Kampala, Uganda.

(74)

(22) *Date of filing application*— 4th March, 2011.

Kampala,  
4th March, 2011.

KATUTSI VINCENT,  
*Registrar of Trade Marks.*

(21)

APPLICATION No. 2011/42743 IN PART "A".

(52)

Class 9.

(54)

# HDsee

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(57) *Nature of goods*— Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.

(73) *Name of applicant*— Tecno Telecom Limited

(77) *Address*— P.O. Box 71985, Kampala, Uganda.

(74) *C/o.* M/s. Kiiza & Kwanza Advocates, P.O. Box 71985, Kampala.

(22) *Date of filing application*— 4th March, 2011.

(21)

APPLICATION No. 2011/42819 IN PART "A".

(52)

Class 12.

(54)

# ASPIRE

(53)

(59)

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(57) *Nature of goods*— Vehicles; apparatus for locomotion by land, air or water.

(73) *Name of applicant*— Apollo Tyres A.G.

(77) *Address*— Mellingerstrasse 2a, 5400 Baden, Switzerland.

(74) *C/o.* Synergy Solicitors & Advocates, P.O. Box 24665, Kampala.

(22) *Date of filing application*— 4th March, 2011.

(21)

APPLICATION No. 2011/42821 IN PART "A".

(52)

Class 12.

(54)

# HAWKZ

(53)

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(64)

(57) *Nature of goods*— Vehicles; apparatus for locomotion by land, air or water.

(73) *Name of applicant*— Apollo Tyres A.G.

(77) *Address*— Mellingerstrasse 2a, 5400 Baden, Switzerland.

(74) *C/o.* Synergy Solicitors & Advocates, P.O. Box 24665, Kampala.

(22) *Date of filing application*— 4th March, 2011.

- (21) APPLICATION No. 2011/42820 IN PART "A".  
 (52) Class 12.  
 (54)

# ENDURACE

- (53)  
 (59)  
 (64)

(57) *Nature of goods*— Vehicles; apparatus for locomotion by land, air or water.

(73) *Name of applicant*— Apollo Tyres A.G.

(77) *Address*— Mellingerstrasse 2a, 5400 Baden, Switzerland.

(74) *C/o.* Synergy Solicitors & Advocates, P.O. Box 24665, Kampala.

(22) *Date of filing application*— 4th March, 2011.

- (21) APPLICATION No. 2011/42673 IN PART "A".  
 (52) Class 14.  
 (54)

# tôguna

- (53)  
 (59)  
 (64)

(57) *Nature of goods*— Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

(73) *Name of applicant*— Holistic Limited.

(77) *Address*— P.O. Box 1520, Kampala, Uganda.

(74)

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42672 IN PART "A".  
 (52) Class 3.  
 (54)



- (53)  
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(57) *Nature of goods*— Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

(73) *Name of applicant*— Holistic Limited.

(77) *Address*— P.O. Box 1520, Kampala, Uganda.

(74)

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42671 IN PART "A".  
 (52) Class 38.  
 (54)

# ZEDD

Bringing people closer

(53) *Disclaimer*— Registration of this Trademark shall give no right to the exclusive use of the words 'BRINGING PEOPLE TOGETHER' except as represented.

- (59)  
 (64)

(57) *Nature of goods*— Telecommunications.

(73) *Name of applicant*— Zedd USA LLC.

(77) *Address*— 1220 N. Market Street, Suite 804, in the City of Wilmington, Delaware, 19801, County of New Castle, State of Delaware, U.S.A.

(74) *C/o.* Robert Nakabaale Advocate, P.O. Box 23785, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42670 IN PART "A".  
 (52) Class 38.  
 (54)

# ZEDD

— LET'S TALK —

(53) *Disclaimer*— Registration of this Trademark shall give no right to the exclusive use of the words 'LET'S TALK' except as represented.

- (59)  
 (64)

(57) *Nature of goods*— Telecommunications.

(73) *Name of applicant*— Zedd USA LLC.

(77) *Address*— 1220 N. Market Street, Suite 804, in the City of Wilmington, Delaware, 19801, County of New Castle, State of Delaware, U.S.A.

(74) *C/o.* Robert Nakabaale Advocate, P.O. Box 23785, Kampala.

(22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42674 IN PART "A".  
 (52) Class 43.  
 (54)

# tôguna

- (53)  
 (59)  
 (64)

(57) *Nature of goods*— Services for providing food and drink; temporary accommodatoin.

(73) *Name of applicant*— Holistic Limited.

(77) *Address*— P.O. Box 1520, Kampala, Uganda.

(74)

(22) *Date of filing application*— 28th February, 2011.

Kampala, MERCY KYOMUGASHO K. NDYAHIKAYO,  
 9th March, 2011. Registrar of Trade Marks.

## ADVERTISEMENTS

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 196 Plot 88 Land at Kumamboga.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Maliko Kalule, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, MUHEREZA EDWIN,  
10th March, 2011. *for Commissioner for Land Registration.*

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 282 Plot 30 Land at Gimbo.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Zerubaberi Katerega, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, MUHEREZA EDWIN,  
4th March, 2011. *for Ag. Commissioner for Land Registration.*

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 4 Plot 502 Land at Namirembe.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Zerubaberi Kyamagwa Katerega, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, ROBERT V. NYOMBI,  
11th February, 2011. *for Ag. Commissioner for Land Registration.*

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 1 Plot 681 at Rubaga Measuring Approximately 0.222 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue a special certificate of title of the above description in the name of Harriet Nansikombi Kawalya Kaggwa (Administratrix of the Estate of the Late Erimest Michael Kawalya Kaggwa), the original title that was issued having been lost.

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

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 210 Plots 480 &amp; 493 Land at Kyebando.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of George Matovu of P.O. Box 4331, Kampala, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, ROBERT V. NYOMBI,  
15th February, 2011. *for Ag. Commissioner for Land Registration.*

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 222 Plot 1600 Land at Namugongo.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Joe Moses Okua of P.O. Box 4241, Kampala, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, ROBERT V. NYOMBI,  
4th March, 2011. *for Ag. Commissioner for Land Registration.*

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 592 Plots 108, 128 Land at Lubyra.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Tomasi Mukoli of Lubyra, Sabawali, Busiro, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, ROBERT V. NYOMBI,  
21st February, 2011. *for Ag. Commissioner for Land Registration.*

### THE REGISTRATION OF TITLES ACT.

(Cap. 230).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 82 Plot 21 Land at Kungu.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Erusania Kaye of Watuba Sabawali Kyadondo, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, MUHEREZA EDWIN,  
10th March, 2011. *for Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Mawokota Block 94 Plots 158 &amp; 159 Land at Kiza.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Christopher Mutyaba of C/o. Ruhindi & Co. Advocates, P.O. Box 22820, Kampala, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, ROBERT V. NYOMBI,  
11th March, 2011. *for Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 184 Plot 70 Land at Nsosa.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Paul Ssebbowa, P.O. Box 10, Entebbe, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, ROBERT V. NYOMBI,  
22nd February, 2011. *for Ag. Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Mawokota Block 47 Plot 58 Land at Buyala.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Timotewo Kagwa of Namugongo, Sabaddu, Kyadondo, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, MUHEREZA EDWIN,  
4th March, 2011. *for Ag. Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 177 Plot 4 Land at Kanyike (Musaba).

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Yokana Bazongere (Died 12-8-62) of Kanyike (Musaba), a Special Certificate, the Title, which was originally, issued having been lost.

Kampala, MUHEREZA EDWIN,  
9th March, 2011. *for Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 208 Plot 1747 Land at Kawempe.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue Special Certificate of Title of the above description in the names of Abdu Matovu of P.O. Box 30554, Kampala, the original having been lost.

Kampala, ROBERT V. NYOMBI,  
29th November, 2010. *for Ag. Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 411 Plot 40 Land at Sisa

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue Special Certificate of Title of the above description in the names of Zidolo Muwanga, the original having been lost.

Kampala, ROBERT V. NYOMBI,  
13th August, 2009. *for Ag. Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block No. 522 Plot No. 67 Land at Gulama Measuring 569.66 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Michael Kinalwa & Nabayego Annet of P.O. Box 24336, Kampala, a Special Certificate of Title under the above mentioned block and plot, the Certificate of Title which was originally issued having been lost.

Masaka, GALIWANGO HERMAN NSUBUGA,  
24th August, 2010. *Ag. for Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kabula Block No. 69 Plot No. 3 Land at Katovu Measuring 28.50 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Saulo Kigambe of Katovu Kabula, Masaka District, a Special Certificate of Title under the above mentioned block and plot, the Certificate of Title which was originally issued having been lost.

Masaka, GALIWANGO HERMAN NSUBUGA,  
4th February, 2011. *Ag. for Commissioner for Land Registration.*



## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block No. 722 Plot No. 20 Land at Kasambya  
Measuring 4.50 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Tereza Namazzi of Bukomansimbi Village LC1, Musoole, Buddu, a Special Certificate of Title under the above mentioned block and plot, the Certificate of Title which was originally issued having been lost.

Masaka, GALIWANGO HERMAN NSUBUGA,  
26th October, 2010. *Ag. for Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Singo Block 147 Plot 49, 10.14 Hectares at Danya & Mabindo  
Estate.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the name of Haji Abudu Mukasa of P.O. Box 4 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, JANET NABUUMA,  
1st March, 2011. *for Commissioner Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 192 Plot 678, Area: 0.094 Hectares at Ngandu

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

Mukono, CHRISTINE NAMIREMBE KATENDE,  
18th August, 2009. *for Chief Registrar of Titles.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Bulemezi Block 196 Plot 2, Land at Magwa and Namengo Area:  
40.5 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the name of Walusimbi Edward of Kawempe Ttula, a Special Certificate of Title under the above Block and Plot, the Duplicate Certificate of Title which was originally issued having been lost.

Bukalasa, KAHABURA DENIS,  
10th March, 2011. *Registrar of Titles—Bukalasa.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 432 Block 101 Kyaggwe Area: 0.319 Hectares  
Leasehold/Freehold Register Volume..... Folio.....

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Israeri Lwanga of P.O. Box Seeta, Goma, Mukono, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,  
24th February, 2011. *for Commissioner for Land Registration.*

## THE REGISTRATION OF TITLES ACT.

(Cap. 230).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 32 Busiro Block 415-416 at Bugiri Kisubi, Mpigi  
Leasehold Register Volume 2770 Folio 25.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Paul Kagwa of P.O. Box 8, Entebbe, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, EDWARD KARIBWENDE,  
9th March, 2011. *for Commissioner Land Registration.*

IN THE MATTER OF BIRTHS AND DEATHS  
REGISTRATION ACT CAP 309

## AND

## IN THE MATTER OF CHANGE OF NAME

## DEED POLL

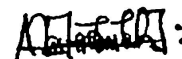
KNOW YE ALL MEN BY THIS Deed poll, that I JEREMIAH DENAYA of C/o P.O. Box 6651, Kampala, formerly known as JEREMIAH MASIKINI, do hereby renounce and abandon the use of my former name and in lieu thereof assume as from ..... day of March, 2011, the name of JEREMIAH DENAYA applied in any order.

For purposes of evidencing such change of name, I hereby declare that at all material times hereinafter in all records, deeds, documents and instruments in writing and in all dealings and transactions upon all occasions whatsoever I will use or subscribe to the use of the name JEREMIAH DENAYA in lieu of the name JEREMIAH MASIKINI abandoned.

AND I hereby expressly authorize and require that all persons whosoever describe and address me at all material times by the name JEREMIAH DENAYA.

IN WITNESS WHEREOF, I have hereunto subscribed my adopted and substituted name of JEREMIAH DENAYA this 4th day of March, 2011.

DATED at KAMPALA this 4th day of March, 2011 by me  
the said JEREMIAH DENAYA



Renouncer.

IN THE HIGH COURT OF UGANDA AT NAKAWA  
 PROBATE/ADMINISTRATION CAUSE NO. 612 OF 2010  
 IN THE MATTER OF THE ESTATE OF THE LATE  
 IBRAHIM KIGULA, FORMERLY OF GOMA,  
 MISINDYE, MUKONO DISTRICT.  
 AND

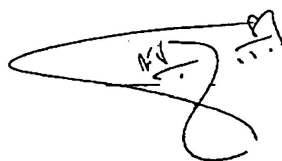
IN THE MATTER OF AN APPLICATION FOR GRANT  
 OF LETTERS OF ADMINISTRATION BY WASSWA  
 PETER WERAGA (HEIR/ GRANDSON)

TO WHOM IT MAY CONCERN:

TAKE NOTICE that an application for grant of LETTERS OF ADMINISTRATION to the estate of the above mentioned deceased has been lodged in this Court by WASSWA PETER WERAGA (HEIR/ EXECUTIONER) of the deceased.

This Court will proceed to grant the same if no caveat is lodged in this Honorable Court within 14 days from the date of publication of this notice, unless cause is shown to the contrary.

Dated at Kampala this 7th day of February the year 2010.



IN THE MATTER OF THE BIRTHS AND DEATHS  
 REGISTRATION ACT CAP. 309

AND

IN THE MATTER OF THE OATH ACT CAP. 19

DEED POLL



Know ye all Men that by this deed made by Moria Charles of C/o P.O. Box 2219, Kampala District, formerly known as Moria Isabella do hereby absolutely renounce, abandon and discard the use of my former name MORIA ISABELLA and in lieu thereof from now onwards assume or adopt and take on the use of the name MORIA CHARLES

and henceforth I shall be known as MORIA CHARLES;

AND IN PURSUANCE of such change of name as aforesaid, I DO HEREBY DECLARE that I shall at all times hereinafter in all records, deeds and instruments in writing and in dealings, transactions and all occasions whatsoever, when my name shall be required or used, sign and style myself by the name of MORIA CHARLES.

However, all documents, instruments and matters preceding this deed poll bearing the above mentioned former name shall remain valid, and be construed to read as MORIA CHARLES instead of my former names hereby renounced.

IN WITNESS WHEREOF, I have hereunder signed and subscribed my name MORIA CHARLES.

DATED at Kampala this 9th day of March, 2011.

MARIA CHARLES,  
*Renouncer.*

IN THE MATTER OF THE BIRTHS AND DEATHS  
 REGISTRATION ACT CAP. 309

DEED POLL



BY THIS DEED POLL, I, ABUBAKER SEMUWEMBA of P.O. Box 30049 Kampala District, formerly known as Twaha Mubazi, do hereby absolutely renounce, abandon and discard the use of my former names TWAHA MUBAZI and in lieu thereof from now onwards adopt and take on the use of the names

ABUBAKER SEMUWEMBA and henceforth I shall be known as ABUBAKER SEMUWEMBA; AND IN PURSUANCE of such change of names as aforesaid, I DO HEREBY DECLARE that I shall at all times hereinafter in all records, deeds and instruments in writing and in dealings, transactions and all occasions whatsoever, when my names shall be required or used, sign and style myself by the names of ABUBAKER SEMUWEMBA.

However, all documents, instruments and matter preceding this deed poll bearing the above mentioned former names shall remain valid, and be construed to read ABUBAKER SEMUWEMBA instead of my former names hereby renounced.

IN WITNESS WHEREOF, I have hereunder signed and subscribed my names ABUBAKER SEMUWEMBA.

DATED at Kampala this 16th day of February, 2011.

ABUBAKER SEMUWEMBA,  
*Renouncer.*

IN THE MATTER OF THE COMMISSIONER FOR  
 OATHS ACT CAP. 5  
 AND

IN THE MATTER OF CHANGE OF NAME BY  
 NTWALI B. RAYMOND

DEED POLL



By this deed, NTWALI B. RAYMOND a male adult Ugandan of sound mind of C/o Geoffrey Nangumya & Co. Advocates Plot 47, Martin Road, Old Kampala, son of MR. BINSOBEDDE LAWRENCE and MRS. ROSEMARY BINSOBEDDE both of Kisoro District, Uganda do hereby absolutely renounce and abandon the use of my former name of BINSOBEDDE and in lieu

thereof do assume as on the 10th day of August 2010 the name NTWALI B. RAYMOND and in pursuance of such change of name as aforesaid.

I hereby declare that at all times hereafter in all rewards, deeds and instruments in writing and in all actions and proceedings and in all dealings and all occasions whatsoever use and sign the same name NTWALI B. RAYMOND as my new name in lieu of the said name of BINSOBEDDE so renounced as aforesaid, I am a Ugandan citizen by birth.

AND hereby authorize and request all persons to designate and address me by such assumed name NTWALI B. RAYMOND.

IN WITNESS WHEREOF I have signed my assumed name NTWALI B. RAYMOND this 10th day of August 2010.

SIGNED and DELIVERED By the said NTWALI B. RAYMOND.



*Renouncer.*

## DEED POLL



By this Deed, I the undersigned Jennifer Aloyocan of Rackoko Parish, Awere Sub-County, Pader District Tel: 0774 322 603, do hereby absolutely renounce, relinquish and abandon the use of my names of JENNIFER ACHAN and in lieu thereof, I have assumed the name of JENNIFER ALOYOCAN and in pursuance of such change aforesaid hereby declare that I shall at all times thereafter in action and proceedings and in dealing and in transactions upon all occasions whatsoever sign and style myself by the names JENNIFER ALOYOCAN and I here by authorise and request all persons to do designate and address me by such names only.

IN WITNESS WHEREOF I have hereunto signed and subscribed by my adopted and substituted name of JENNIFER ALOYOCAN this 14th day of MARCH 2009.

SIGNED, sealed and delivered by the above in the names of:

JENNIFER ALOYOCAN  
*Renouncer.*

## DEED POLL



KNOW all men by these presents that I, PRECIOUS YANSUMULULA the undersigned of P.O. BOX 3746, Kampala a citizen of Uganda DO HEREBY absolutely and entirely renounce, relinquish and abandon the use of the names DIANAH NANKYA AND assume, adopt and determine to use the names PRECIOUS YANSUMULULA.

I shall at all times hereinafter in all records, deeds, documents as well as other writings and actions and proceedings and for all occasions whatsoever use, sign and subscribe the said names of PRECIOUS YANSUMULULA so adopted.

I expressly authorize and require all persons at all times hereafter to designate and address me by the names of PRECIOUS YANSUMULULA accordingly.

In witness whereof I have hereunto subscribed my adopted and substituted name of PRECIOUS YANSUMULULA for the former names of DIANAH NANKYA this 10th day of March 2011.

Signed, sealed and delivered by the above named PRECIOUS YANSUMULULA.

PRECIOUS YANSUMULULA,  
*Renouncer.*

IN THE HIGH COURT OF UGANDA AT KAMPALA  
(CIVIL DIVISION)

IN THE MATTER OF WINDING UP OF USHINDI  
INTERNATIONAL (U) LTD.

AND

IN THE MATTER OF THE COMPANIES ACT CAP 110  
AND

IN THE MATTER OF A PETITION FOR WINDING UP  
USHINDI INTERNATIONAL (U) LTD. FILED BY  
KESACON SERVICES LTD.

COMPANIES CAUSE No. 06 OF 2011

NOTICE OF WINDING UP PETITION:

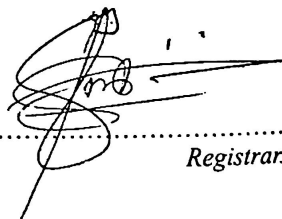
Notice is hereby given that a Petition for the winding up of the above named Company by the High Court held at Kampala was on the 17th day January, 2011 at 10.00 a.m. presented to the court by KESACON SERVICES LTD., "the Petitioner".

And that the petition is directed to be heard before the court sitting at the Law Courts, Kampala, in Uganda on the 21st day of MARCH, 2011 at 12.00 noon and any creditor or contributory of the company desirous to support or oppose the making of an order on the petition may appear at the time of the hearing in person or by his or her advocate for that purpose and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the company requiring the copy on payment of the regulated charge for the copy.

Dated at Kampala this 17th day of January, 2011.

COUNSEL FOR THE PETITIONER  
M/S AYIGIHUGU & CO. ADVOCATES  
PLOT 7, LUWUM STREET  
JAFALI KIBIRIGE HOUSE (MULJI HOUSE)  
P.O. BOX 31, KAMPALA

Given under my hand and the Seal of this Honourable Court,  
this 24th day of January, 2011.

  
.....  
Registrar.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 25 Block 117 Kyaggwe Area: 2.00 Hectares  
Leasehold/Freehold Register Volume..... Folio.....

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

CHRISTINE NAMIREMBE KATENDE,  
6th December, 2010. *for Commissioner for Land Registration.*

**STATUTORY INSTRUMENTS SUPPLEMENT**  
*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011*  
Printed by UPPC, Entebbe, by Order of the Government.

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

**2011 No. 9.**

**The Trade (Licensing) (Restricted Trading Centres) (Revocation)  
Order, 2011.**

*(Under section 3 of the Trade (Licensing) Act, Cap. 101)*

IN EXERCISE of the powers conferred on the Minister by section 3 of the Trade (Licensing) Act, this Order is made this 3rd day of March, 2011.

**1. Title.**

This Order may be cited as the Trade (Licensing) (Restricted Trading Centres) (Revocation) Order, 2011.

**2. Revocation of S.I. 101-1.**

The Trade (Licensing) (Restricted Trading Centres) Order, Statutory Instrument 101-1, is revoked.

**KAHINDA OTAFIIRE (MAJOR GENERAL),**  
*Minister of Tourism, Trade and Industry.*

**STATUTORY INSTRUMENTS SUPPLEMENT**  
*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011*  
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**S T A T U T O R Y   I N S T R U M E N T S**

**2011 No. 10.**

**The Trade (Licensing) (Appointment of Licensing Authority)  
(Amendment) Instrument, 2011.**

*(Under Section 20 (2) of the Trade (Licensing) Act, Cap. 101)*

IN EXERCISE of the powers conferred on the Minister by section 20(2) of the Trade (Licensing) Act, this Instrument is made this 3rd day of March, 2011.

**1. Title.**

This Instrument may be cited as the Trade (Licensing) (Appointment of Licensing Authority) (Amendment) Instrument, 2011.

**2. Amendment of S.I 101- 2.**

The Trade (Licensing) (Appointment of Licensing Authority) Instrument, referred to as the “principal Instrument” is amended by substituting for paragraph 2 the following—

**“2. Appointment of licensing authority for two or more districts.**

The Permanent Secretary of the Ministry responsible for trade is appointed the licensing authority for the purposes of granting a travelling wholesalers licence where the licence is to be issued in



respect of two or more districts.”

### **3. Amendment of Paragraph 3.**

For paragraph 3 of the principal Instrument there is substituted the following—

#### **“3. Appointment of licensing authority in each district.**

The Chief Administrative Officer of every district is appointed a licensing authority for the purposes of granting a travelling wholesalers licence in his or her district where the licence is to be issued in respect of that particular district.”

KAHINDA OTAFIIRE (MAJOR GENERAL),  
*Minister of Tourism, Trade and Industry.*

**STATUTORY INSTRUMENTS SUPPLEMENT**  
*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011*  
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**S T A T U T O R Y   I N S T R U M E N T S**

**2011 No. 11.**

**The Trade (Licensing) Regulations, 2011.**

*(Under Section 29 of the Trade (Licensing) Act, Cap. 101)*

IN EXERCISE of the powers conferred on the Minister by section 29 of the Trade (Licensing) Act, these Regulations are made this 3rd day of March, 2011.

**1. Title.**

These Regulations may be cited as the Trade (Licensing) Regulations, 2011.

**2. Application for licence.**

(1) An application for a trading licence, a hawkers licence or a travelling wholesalers licence shall be made in Form 1 prescribed in the Schedule.

(2) The application form may be obtained from the relevant licensing authority of the area in which the business is or is to be established.

**3. Form of licence.**

(1) A trading licence shall be in Form 2 prescribed in the Schedule.

(2) A hawkers licence shall be in Form 3 prescribed in the Schedule.

(3) A travelling wholesalers licence shall be in Form 4 prescribed in the Schedule.

#### **4. Regulation of hawkers.**

A holder of a hawkers licence shall not offer or expose goods for sale—

- (a) at any crossroads or road junction or any place where his or her presence causes or is likely to cause an obstruction to traffic; or
- (b) outside the area specified within his or her hawkers licence.

#### **5. Duty to obey certain reasonable directions.**

The holder of a hawkers licence shall obey all reasonable directions as a police officer, law enforcement officer, administrative officer or subcounty chief may, in his or her discretion, issue to the hawker.

#### **6. Restriction on erecting or using certain structures.**

A holder of a hawkers licence shall not erect, or expose goods for sale in any tent, booth, stall, stand or similar structure.

#### **7. Revocation of certain statutory instruments.**

The following statutory instruments are revoked—

- (a) the Trade (Licensing) (Forms) Regulations, Statutory Instrument 101- 5;
- (b) the Trade (Licensing) (Prescription of Forms) Regulations, Statutory Instrument 101-6; and
- (c) the Trade (Licensing) (Regulation of Hawkers) Regulations, Statutory Instrument 101-7.

## SCHEDULE

Regulation 2.

THE TRADE (LICENSING) ACT, CAP.101

THE TRADE (LICENSING) REGULATIONS, 2011.

FORM 1

APPLICATION FOR A TRADING LICENCE, HAWKERS LICENCE OR  
TRAVELLING WHOLESALERS LICENCE (delete whichever is inapplicable).

1. (a) Full name of the applicant \_\_\_\_\_  
(b) Address of the applicant \_\_\_\_\_
  2. (a) Nature of the business for which the licence is required \_\_\_\_\_  
(b) Location of the business \_\_\_\_\_
  3. (a) Name of the firm or company (if applicable) \_\_\_\_\_  
(b) Date of first registration or incorporation \_\_\_\_\_
  4. Names of the directors and their nationalities \_\_\_\_\_
  5. (a) Amount of the company's /firm's share capital/partnership property \_\_\_\_  
(b) How much of this is held  
(i) by Ugandans \_\_\_\_\_  
(ii) by Non Ugandans \_\_\_\_\_
  6. If the company or firm was incorporated or registered in Uganda on or before 1st January, 1969, state whether any shares were or partnership property was held by Uganda citizens on that date and the percentage of the total shares or capital so held \_\_\_\_\_
-

7. State whether the proprietor or the company has once been convicted of a criminal offence: Yes/ No.

(a) If yes, give particulars of offence\_\_\_\_\_

(b) When was the conviction and by which court\_\_\_\_\_

8. Has any trading licence, hawkers licence or travelling wholesalers licence (delete whichever is inapplicable) previously held by the owner been endorsed or cancelled? \_\_\_\_\_

If so, when and by which court? \_\_\_\_\_

9. (a) What provisions have been made for the keeping of records or proper books of accounts for the business? \_\_\_\_\_

(b) In what language are the books to be kept? \_\_\_\_\_

I declare that the particulars given above are to the best of my knowledge and belief true.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

(Signature).....

\_\_\_\_\_  
Designation

THE TRADE (LICENSING) ACT, CAP.101

THE TRADE (LICENSING) REGULATIONS, 2011.

FORM 2

TRADING LICENCE

No. \_\_\_\_\_

Station \_\_\_\_\_

Date \_\_\_\_\_, 20 \_\_\_\_\_

Name \_\_\_\_\_ of  
\_\_\_\_\_ (address)

is licensed to carry on trade in \_\_\_\_\_

During the period starting \_\_\_\_\_ and ending \_\_\_\_\_

Fee paid: \_\_\_\_\_

\_\_\_\_\_  
Licensing Officer

\_\_\_\_\_  
For Licensing Authority



THE TRADE (LICENSING) ACT, CAP.101

THE TRADE (LICENSING) REGULATIONS, 2011.

FORM 3

HAWKERS LICENCE

No. \_\_\_\_\_

Station \_\_\_\_\_

Date \_\_\_\_\_, 20\_\_

Name \_\_\_\_\_ of  
\_\_\_\_\_ (address) is

licensed to carry on the business of a hawker in \_\_\_\_\_  
and to hawk the following kind of articles and/ or goods \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

During the period starting from \_\_\_\_\_ and ending \_\_\_\_\_

Fee paid: \_\_\_\_\_

\_\_\_\_\_  
Licensing Officer

\_\_\_\_\_  
For Licensing Authority

THE TRADE (LICENSING) ACT, CAP.101

THE TRADE (LICENSING) REGULATIONS, 2011.

FORM 4

TRAVELLING WHOLESALERS LICENCE

No. \_\_\_\_\_

Station \_\_\_\_\_

Date \_\_\_\_\_, 20\_\_\_\_\_

Name \_\_\_\_\_ of  
\_\_\_\_\_ (address) is  
licensed to act as a travelling wholesaler on his or her own behalf in \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

During the period starting from \_\_\_\_\_ and ending \_\_\_\_\_

Fee paid: Shs. \_\_\_\_\_

\_\_\_\_\_  
Licensing Officer

\_\_\_\_\_  
For Licensing Authority

KAHINDA OTAFIIRE (MAJOR GENERAL),  
*Minister of Tourism, Trade and Industry.*

**ACTS SUPPLEMENT**

*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011.*

Printed by UPPC, Entebbe, by Order of the Government.

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**Act 5**

*Fish (Amendment) Act*

**2011**

**THE FISH (AMENDMENT) ACT, 2011**

**An Act to amend the Fish Act Cap. 197 to provide for the retention by the Department of Fisheries Resources, of fees received from the issue of licences and permits under the Act; to require the Chief Fisheries Officer to establish and maintain a register of all persons issued with licences under the Act; to require a certificate of vessel ownership and a fishing vessel identification plate to be displayed on every licensed fishing vessel; and for related matters.**

DATE OF ASSENT: 17th February, 2011.

*Date of Commencement:* 18th March, 2011.

BE IT ENACTED by Parliament as follows:

**1. Amendment of the Fish Act, Cap. 197**

The Fish Act, in this Act referred to as the principal Act is amended in section 2 by inserting immediately after paragraph (h) the following new paragraph—

“(ha) “currency point” means the value of a currency point specified in Schedule 1.”

**2. Amendment of Section 13**

Section 13 of the principal Act is amended in subsection (4), by deleting the words “and the decision of the Minister shall be final.”

### **3. Amendment of the principal Act to convert shillings into currency points**

The principal Act is amended as follows—

- (a) in section 13(5) by substituting for the words “one thousand shillings” for the words “twelve currency points”;
- (b) in section 16(3) by substituting for the words “one thousand shillings” for the words “twelve currency points”;
- (c) in section 17(3) by substituting for the words “one thousand shillings” for the words “twelve currency points”;
- (d) in section 18 by substituting for the words “one thousand shillings” for the words “twelve currency points”;
- (e) in section 21(2) by substituting for the words “one thousand shillings” for the words “twelve currency points”;
- (f) in section 22 by substituting for the words “ten thousand shillings” for the words “forty eighty currency points”;
- (g) in section 33 by substituting for the words “ten thousand shillings” for the words “forty eighty currency points”.

### **4. Insertion of new sections.**

The principal Act is amended by inserting immediately after section 22 the following new sections—

#### **“22A. Retention of fees**

(1) Any fees received by the Chief Fisheries Officer or an authorised licensing officer from the issue of licences and permits and other fisheries activities under this Act shall be retained by the Department Of Fisheries Resources in a Fund established for the purpose, in accordance with the Public finance and Accountability Act, 2003 for purposes of defraying the expenses of that department and for the effective development and management of the fisheries sector.

(2) For avoidance of any doubt, the Accounting Officer of the Fund established under subsection (1) shall be the Accounting Officer of the Ministry responsible for fisheries.

## **22B. Register of persons issued with licences**

(1) The Chief Fisheries Officer shall establish and maintain a registry of all persons issued with licences under this Act.

(2) The Chief Fisheries Officer shall, by notice in the *Gazette*, appoint a place at which the register is to be located and shall state the hours when the register is to be open for inspection by the public.

## **22C. Certificate of vessel ownership**

(1) A person issued with a fishing vessel licence under this Act shall, together with the licence, be issued with—

- (a) a certificate of vessel ownership relating to that vessel;  
and
- (b) a fishing vessel identification plate.

(2) The fishing vessel identification plate issued under subsection (1) shall be displayed on the licensed vessel at all times.”

## **5. Insertion of Schedule to the principal Act**

The principal Act is amended by inserting the following schedule—

### **“SCHEDULE 1**

### **CURRENCY POINT**

A currency point is equivalent to twenty thousand shillings.”

**ACTS SUPPLEMENT**

*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011.*

Printed by UPPC, Entebbe, by Order of the Government.

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**Act 6** *Institution of Traditional or Cultural  
Leaders Act* **2011**

**THE INSTITUTION OF TRADITIONAL OR CULTURAL LEADERS  
ACT, 2011**

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**ARRANGEMENT OF SECTIONS**

**PART I—PRELIMINARY**

*Section*

1. Commencement.
2. Interpretation.

**PART II—INSTITUTION OF TRADITIONAL  
OR CULTURAL LEADER**

3. Existence of the institution of traditional or cultural leader.
4. Institution of traditional or cultural leader.
5. Installation of traditional or cultural leader.
6. Publication of declaration of traditional or cultural leader.
7. Capacity of institution of traditional or cultural leader.
8. Publication of abdication or cessation of traditional or cultural leaders.

**PART III—ROLE OF TRADITIONAL  
AND CULTURAL LEADERS**

9. Role of a traditional or cultural leader.

**PART IV—PRIVILEGES AND BENEFITS**

10. Privileges and benefits of a traditional or cultural leader.
11. Responsibility of the community where a traditional or cultural leader exists.



*Institution of Traditional or Cultural  
Leaders Act*

**2011**

**Act 6**

*Section*

PART V—RESTRICTIONS ON A TRADITIONAL OR  
CULTURAL LEADER

12. Exercise of administrative, legislative or executive powers.
13. Traditional or cultural leaders not to join or participate in partisan politics.
14. Prohibited customs or traditions.
15. Relationship with foreign governments.

PART VI—RESOLUTION OF DISPUTES

16. Resolution of disputes.

PART VII—MISCELLANEOUS

17. Liability of traditional or cultural leaders.
18. Symbols and seals of institution of traditional or cultural leaders.
19. Power of Minister to amend Schedules.
20. Regulations.

**SCHEDULES**

Schedule 1—Currency Point

Schedule 2—Privileges and Benefits of Traditional or Cultural Leaders

**THE INSTITUTION OF TRADITIONAL OR CULTURAL  
LEADERS ACT, 2011**

**An Act to operationalise article 246 of the Constitution on the institution of traditional or cultural leaders; to provide for the existence of traditional or cultural leaders in any area of Uganda in accordance with the Constitution; to provide for the privileges and benefits of the traditional or cultural leaders; to provide for the resolution of issues relating to traditional or cultural leaders and for related matters.**

DATE OF ASSENT: 26th February, 2011.

*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—

“court” means the High Court of Uganda;

“Constitution” means the Constitution of the Republic of Uganda;

“corporation sole” means a continuous legal personality that is attributed to successive holders of certain monarchical positions such as kings;

“currency point” has the value assigned to it in Schedule 1;

“institution of traditional or cultural leader” means the throne, station, status or other position held by a traditional or cultural leader and “institution” shall be construed accordingly;

“Government” means the Government of Uganda;

“Minister” means the Minister responsible for culture;

“partisan politics” includes—

- (a) promoting, or supporting a political party or political organisation or an individual in respect of political activities;
- (b) making statements against Government or opposition policies or programs;
- (c) making statements or comments on Bills or motions under consideration by Parliament with a view to influencing their outcome;

“privilege” means a right, advantage or immunity, conferred on a traditional or cultural leader;

“traditional or cultural leader” means a king or similar traditional leader or cultural leader by whatever name called who derives allegiance from the fact of birth or descent in accordance with the customs, traditions, usage or consent of the people led by that traditional or cultural leader.

PART II—INSTITUTION OF TRADITIONAL OR CULTURAL LEADER

**3. Existence of the institution of traditional or cultural leader.**

Subject to the Constitution, the institution of traditional or cultural leader may exist in any area of Uganda in accordance with the culture, customs and traditions or wishes and aspirations of the people to whom it applies.

**4. Institution of traditional or cultural leader.**

(1) A traditional or cultural leader may be instituted in the following ways—

- (a) in accordance with the culture, customs and traditions of the people to whom it applies; or
- (b) in accordance with the wishes and aspirations of the people to whom it applies, through a resolution of not less than two thirds of all members of the district local councils and sub county local government councils respectively in the area.

(2) The institution under sub section (1) shall be communicated in writing to the Minister.

**5. Installation of traditional or cultural leader.**

(1) A person may be installed as a traditional or cultural leader in any area of Uganda if that person derives allegiance from—

- (a) birth; or
- (b) descent,

in accordance with the customs, traditions, usage or consent of the people led by that traditional or cultural leader.

(2) A person shall not be installed as a traditional or cultural leader unless the person derives allegiance from birth or descent in accordance with article 246(1) to (6) of the Constitution.

(3) Subject to Article 246(3)(d) of the Constitution, a person shall not be compelled to pay allegiance or contribute to the cost of maintaining a traditional or cultural leader.

(4) A person who compels another person to pay allegiance to a traditional or cultural leader commits an offence and is liable on conviction to a fine not exceeding twenty four currency points or imprisonment not exceeding twelve months or both.

**6. Publication of declaration of traditional or cultural leader.**

Where a traditional or cultural leader has been declared to exist in any area of Uganda in accordance with the culture, customs and traditions or wishes and aspirations of the people, the Minister shall cause the declaration to be published in the Gazette.

**7. Capacity of institution of traditional or cultural leader.**

(1) The institution of a traditional or cultural leader is a corporation sole with perpetual succession and with capacity to sue and be sued and to hold assets or properties in trust for itself and the people concerned.

(2) A traditional or cultural leader may hold any asset or property acquired in a personal capacity.

**8. Publication of abdication or cessation of traditional or cultural leader.**

Where a traditional or cultural leader—

- (a) abdicates the institution of a traditional or cultural leader;  
or
- (b) lawfully ceases to be a traditional or cultural leader,

the Minister shall cause the abdication or cessation to be published in the Gazette.

PART III—ROLE OF TRADITIONAL AND CULTURAL LEADERS

**9. Role of traditional or cultural leader.**

A traditional or cultural leader shall—

- (a) promote and preserve the cultural values, norms and practices which enhance the dignity and well being of the people where he or she is recognised as such; and
- (b) promote the development, preservation and enrichment of all the people in the community where he or she is recognized as such.

PART IV—PRIVILEGES AND BENEFITS

**10. Privileges and benefits of a traditional or cultural leader.**

(1) A traditional or cultural leader shall enjoy the privileges and benefits specified in Schedule 2.

(2) A traditional or cultural leader shall enjoy such privileges and benefits as may be conferred by the Government and local Government or as that leader may be entitled to under culture, custom or traditions which are not inconsistent with the Constitution or this Act or any other law.

(3) Where a traditional or cultural leader exists in more than one regional government, the benefits shall be paid by the regional governments in equal proportions.

(4) The benefits payable under this section shall be free from income tax.

(5) The duties and responsibilities of the traditional or cultural leader may be financed through central government from the Consolidated Fund as a grant.

**11. Responsibility of the community where a traditional or cultural leader exists.**

(1) The community where a traditional or cultural leader is installed shall have the primary responsibility of maintaining the traditional or cultural leader.

(2) Notwithstanding subsection (1), a person shall not be compelled to contribute to the cost of maintaining a traditional or cultural leader or any institution of the traditional or cultural leader.

**PART V—RESTRICTIONS ON A TRADITIONAL OR CULTURAL LEADER**

**12. Exercise of administrative, legislative or executive powers.**

A traditional or cultural leader shall not have or exercise any administrative, legislative or executive powers of Government or a local government.

**13. Traditional or cultural leaders not to join or participate in partisan politics.**

(1) A person shall not, while remaining a traditional or cultural leader, join or participate in partisan politics.

(2) A traditional or cultural leader wishing to take part and seeking elective office shall abdicate his position in the institution not less than ninety days before nomination day in respect of that election.

(3) For the purposes of this section a person joins or participates in partisan politics when that person—

- (a) becomes a registered member or card bearing member of the political party or political organisation;
- (b) allows a member of a political party or political organisation or individual for purposes of political activities to articulate views, aspirations and interests of that political party or political organisation or individual;

- (c) knowingly attends a rally or debate where the views, aspirations or interests of a political party or political organisation are articulated;
- (d) allows a person in the employment of the traditional or cultural institution of which the person is a leader to engage in any of the activities referred to in paragraphs (a) to (c).

(4) A person who knowingly involves a traditional or cultural leader in partisan politics commits an offence and is liable on conviction to a fine not exceeding twenty four currency points or imprisonment not exceeding twelve months or both.

**14. Prohibited customs or traditions.**

A traditional or cultural leader or institution shall not practise any custom, culture, usage or tradition that detracts from the rights of any person as guaranteed under the Constitution or contravenes the Constitution or any other law.

**15. Relationship with foreign governments.**

(1) A traditional or cultural leader shall not deal with foreign governments except with concurrence of the Government.

(2) The Minister responsible for foreign affairs shall develop guidelines for approval to be granted under subsection (1).

**PART VI—RESOLUTION OF DISPUTES**

**16. Resolution of disputes.**

(1) Any conflict or dispute within the traditional or cultural institution or within the community shall be handled by a council of elders or clan leaders or a representative body chosen and approved by the community, in accordance with the traditions, customs and norms of dispute or conflict resolution pertaining to that community.



(2) Where the community fails to resolve the conflict or dispute in accordance with subsection (1), the matter shall be referred to the court.

(3) For the avoidance of doubt, the conflict or dispute referred to in sub section (1) is a conflict or dispute relating to—

- (a) whether or not a community should have a traditional or cultural leader;
- (b) who should be the traditional or cultural leader of the community or area of Uganda; or
- (c) whether or not the proper procedure for installation of a traditional or cultural leader has been followed.

**PART VII—MISCELLANEOUS**

**17. Liability of traditional or cultural leaders.**

(1) A traditional or cultural leader is personally liable for any civil wrongs committed by the traditional or cultural leader or the agents or persons in the employment or acting under the authority of the traditional or cultural leader.

(2) A person who purports to act on behalf of the traditional and cultural leader without authority or knowledge of the traditional and cultural leader is liable for any civil or criminal acts committed by him or her.

**18. Symbols and seals of institution of traditional or cultural leaders.**

(1) Institutions of traditional or cultural leaders may have flags, anthems, seals, royal regalia, motto and logos.

(2) Flags, anthems, seals, royal regalia, motto and logos of traditional or cultural leaders existing before the coming into force of this Act shall continue to be in use.

**19. Power of Minister to amend Schedules.**

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

**20. Regulations.**

(1) The Minister may, with the approval of Parliament, by statutory instrument, make regulations for the better carrying into effect the provisions of this Act.

(2) Regulations made under this section may prescribe in respect of contravention of the regulations, penalties not exceeding a fine of forty eight currency points or imprisonment not exceeding two years or both.

**SCHEDULE 1**

*Section 2*

**CURRENCY POINT**

A currency point is equivalent to twenty thousand shillings.

## SCHEDULE 2

## Section 12

## PART I

## PRIVILEGES AND BENEFITS OF TRADITIONAL OR CULTURAL LEADERS

<i>Official vehicle</i>	<i>Support vehicle</i>	<i>Honorarium</i>	<i>Educational allowance</i>	<i>Travel</i>	<i>Arrangements upon death</i>	<i>Security</i>
Official vehicle: 4165cc, 4 wheel drive, 6 cylinder diesel and 5 speed manual transmission	Support vehicle: 2800cc, 4 cylinder diesel engine, water cooled with OHC, 5 speed manual transmission	Government may provide an annual unconditional honorarium as tax free allowance to be reviewed from time to time by the Ministry responsible for public service.	For two biological children up to university level within Uganda.	A traditional or cultural leader may travel with a spouse by first class once a year.	Contribution by Government for burial arrangements in accordance with existing policy on handling past and present leaders and other dignitaries after their death.	For self and family with training provided by a competent authority determined by Government.

## PART II

## Section 12

## BENEFITS OF INSTITUTIONS OF TRADITIONAL OR CULTURAL LEADERS

<i>Rehabilitation of residence</i>	<i>Maintenance of gazetted cultural sites</i>	<i>Support for research and documentation</i>	<i>Establishment and maintenance of website</i>	<i>Publication of official list of traditional/cultural leaders</i>	<i>Support of co-operation</i>
A contribution by Government towards the cost of rehabilitation of existing institutional or official residence to a standard determined by the Ministry responsible for works, housing and communications.	Maintenance of gazetted cultural sites at the cost of Government to a standard determined by the Ministry responsible for culture.	Support for research and documentation at the cost of Government for the traditional history and cultural heritage through the Ministry responsible for culture.	Establishment and maintenance of website through the Ministry responsible for culture.	Publication through the Ministry responsible for culture.	Government to support cooperation among the traditional or cultural institutions.

**ACTS SUPPLEMENT**

*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011.*

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**Act 7**

***Electronic Signatures Act***

**2011**

**THE ELECTRONIC SIGNATURES ACT, 2011.**

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**THE ELECTRONIC SIGNATURES ACT, 2011.**

**An Act to make provision for and to regulate the use of electronic signatures and to provide for other related matters.**

DATE OF ASSENT: 17th February, 2011.

*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—

“accept a certificate” means—

- (a) to manifest approval of a certificate, while knowing or having notice of its contents; or
- (b) to apply to a certification service provider for a certificate, without revoking the application by delivering notice of the revocation to the licensed certification service provider and obtaining a signed, written receipt from the certification service provider, if the certification service provider subsequently issues a certificate based on the application;

“advanced electronic signature” means an electronic signature, which is—

- (a) uniquely linked to the signatory;
- (b) reliably capable of identifying the signatory;
- (c) created using secure signature creation device that the signatory can maintain; and
- (d) linked to the data to which it relates in such a manner that any subsequent change of the data or the connections between the data and the signature are detectable;

“asymmetric cryptosystem” means an algorithm or series of algorithms, which provide a secure key pair;

“authorised officer” means the Controller or a police officer or a public officer performing any functions under this Act; and includes any public officer authorised by the Minister or by the controller to perform any functions under this Act;

“certificate” means a data message or other records confirming the link between a signatory and a signature creation data;

“certification service provider disclosure record” means an on-line and publicly accessible record that concerns a licensed certification service provider, which is kept by the Controller under subsection 21(5);

“certification practice statement” means a declaration of the practices, which a certification service provider employs in issuing certificates generally or employs in issuing a particular certificate;

“certification service provider” means a person that issues certificates and may provide other services related to electronic signatures;

“certify” means to declare with reference to a certificate, with ample opportunity to reflect and with a duty to apprise oneself of all material facts;

“confirm” means to ascertain through diligent inquiry and investigation;

“Controller” means National Information Technology Authority- Uganda;

“correspond”, with reference to keys, means to belong to the same key pair;

“currency point” has the meaning assigned to it in the Schedule in this Act;

“digital signature” means a transformation of a message using an asymmetric cryptosystem such that a person having the initial message and the signer’s public key can accurately determine—

- (a) whether the transformation was created using the private key that corresponds to the signer’s public key; and
- (b) whether the message has been altered since the transformation was made;

“electronic signature” means data in electronic form affixed to or logically associated with a data message, which may be used to identify the signatory in relation to the data message and indicate the signatory's approval of the information contained in the data message; and includes an advance electronic signature and the secure signature;

“electronic signature product” means configured hardware or software or relevant components of it, which are intended to be used by a certification service provider for the provision of electronic signature services or are intended to be used for the creation or verification of electronic signatures;

“forge a digital signature” means—

- (a) to create a digital signature without the authorisation of the rightful holder of the private key; or
- (b) to create a digital signature verifiable by a certificate listing as subscriber a person who either does not exist or does not hold the private key corresponding to the public key listed in the certificate;

“hold a private key” means to be able to utilise a private key;

“incorporate by reference” means to make one message a part of another message by identifying the message to be incorporated and expressing the intention that it be incorporated;

“issue a certificate” means the act of a certification service provider in creating a certificate and notifying the subscriber listed in the certificate of the contents of the certificate;

“key pair” means a private key and its corresponding public key in an asymmetric cryptosystem, where the public key can verify a digital signature that the private key creates;

“licensed certification service provider” means a certification service provider to whom a licence has been issued by the Controller and whose licence is in effect;

“message” means a digital representation of information;

“Minister” means the Minister responsible for information and communication technology;

“notify” means to communicate a fact to another person in a manner reasonably likely under the circumstances to impart knowledge of the information to the other person;

“person” includes any company or association or body of persons corporate or unincorporate;

“prescribed” means prescribed by or under this Act or any regulations made under this Act;

“private key” means the key of a key pair used to create a digital signature;

“public key” means the key of a key pair used to verify a digital signature and listed in the digital signature certificate;

“public key infrastructure” means a framework for creating a secure method for exchanging information based on public key cryptography;

“publish” means to record or file in a repository;

“qualified certification service provider” means a certification service provider that satisfies the requirements under section 23;

“recipient” means a person who receives or has a digital signature and is in a position to rely on it;

“recognised date or time stamp service” means a date/time stamp service recognised by the Controller under section 79;

“recognised repository” means a repository recognised by the Controller under section 77;

“recommended reliance limit” means the monetary amount recommended for reliance on a certificate under section 76;

“relying party” means a person that may act on the basis of a certificate or an electronic signature;

“repository” means a system for storing and retrieving certificates and other information relevant to digital signatures;

“revoke a certificate” means to make a certificate ineffective permanently from a specified time forward;

“rightfully hold a private key” means to be able to utilise a private key—

- (a) which the holder or the holder's agents have not disclosed to any person in contravention of this act; and
- (b) which the holder has not obtained through theft, deceit, eavesdropping or other unlawful means;

“security procedure” means a procedure for the purpose of—

- (a) verifying that an electronic record is that of a specific person; or
- (b) detecting error or alteration in the communication, content or storage of an electronic record since a specific point in time, which may require the use of algorithms or codes, identifying words or numbers, encryption, answer back or acknowledgement procedures or similar security devices;

“secure signature creation device” means a signature creation device which meets the requirements laid down in section 4;

“signatory” means a person that holds signature creation data and acts either on its own behalf or on behalf of the person it represents

“signature creation device” means configured software or hardware, used by the signatory to create an electronic signature;

“signature verification data” means unique data such as codes or public cryptographic keys, used for the purpose of verifying an electronic signature;

“signature verification device” means configured software or hardware, used for the purpose of verifying an electronic signature;

“signed” or “signature” and its grammatical variations includes any symbol executed or adapted or any methodology or procedure employed or adapted, by a person with the intention of authenticating a record, including an electronic or digital method;

“subscriber” means a person who—

- (a) is the subject listed in a certificate;
- (b) accepts the certificate; and
- (c) holds a private key which corresponds to a public key listed in that certificate;

“suspend a certificate” means to make a certificate ineffective temporarily for a specified time forward;

“this Act” includes any regulations made under this Act;

“time-stamp” means—

- (a) to append or attach to a message, digital signature or certificate a digitally signed notation indicating at least the date, time and identity of the person appending or attaching the notation; or
- (b) the notation appended or attached;

“transactional certificate” means a certificate, incorporating by reference one or more digital signatures, issued and valid for a specific transaction;

“trustworthy system” means computer hardware and software which—

- (a) are reasonably secure from intrusion and misuse;
- (b) provide a reasonable level of availability, reliability and correct operation; and
- (c) are reasonably suited to performing their intended functions;

“valid certificate” means a certificate which—

- (a) a licensed certification service provider has issued;
- (b) has been accepted by the subscriber listed in it;
- (c) has not been revoked or suspended; and
- (d) has not expired,

but a transactional certificate is a valid certificate only in relation to the digital signature incorporated in it by reference;

“verify a digital signature” means, in relation to a given digital signature, message and public key, to determine accurately that—

- (a) the digital signature was created by the private key corresponding to the public key; and
- (b) the message has not been altered since its digital signature was created;

“writing” or “written” includes any handwriting, typewriting, printing, electronic storage or transmission or any other method of recording information or fixing information in a form capable of being preserved.

(2) For the purposes of this Act, a certificate shall be revoked by making a notation to that effect on the certificate or by including the certificate in a set of revoked certificates.

(3) The revocation of a certificate does not mean that it is destroyed or made illegible.

### **3. Equal treatment of signature technologies.**

Nothing in this Act shall be applied so as to exclude, restrict or deprive of legal effect any method of creating an electronic signature that satisfies the requirements for a signature in this Act or otherwise meets with the requirements of any other applicable law.



## PART II—ELECTRONIC SIGNATURES.

**4. Compliance with a requirement for a signature.**

(1) Where the law requires a signature of a person, that requirement is met in relation to a data message if an electronic signature is used which is as reliable as was appropriate for the purpose for which the data message was generated or communicated, in light of all the circumstances, including any relevant agreement.

(2) Subsection (1) applies whether the requirement referred to in that subsection in the form of an obligation or whether the law simply provides consequences for the absence of a signature.

(3) An electronic signature is considered to be reliable for the purpose of satisfying the requirement referred to in subsection (1) if—

- (a) the signature creation data are, within the context in which they are used, linked to the signatory and to no other person;
- (b) the signature creation data were, at the time of signing, under the control of the signatory and of no other person;
- (c) any alteration to the electronic signature, made after the time of signing, is detectable; and
- (d) where a purpose of legal requirement for a signature is to provide assurance as to the integrity of the information to which it relates, any alteration made to that information after the time of signing is detectable.

(4) Subsection (3) does not limit the liability of any person—

- (a) to establish in any other way, for the purpose of satisfying the requirement referred to in subsection (1), the reliability of an electronic signature; or
- (b) to adduce evidence of the non-reliability of an electronic signature.

**5. Conduct of the signatory.**

(1) Where signature creation data can be used to create a signature that has legal effect, each signatory shall—

- (a) exercise reasonable care to avoid unauthorised use of its signature creation data;
- (b) without undue delay, notify any person that may reasonably be expected by the signatory to rely on or to provide services in support of the electronic signature if—
  - (i) the signatory knows that the signature creation data have been compromised; or
  - (ii) the circumstances known to the signatory give rise to a substantial risk that the signature creation data may have been compromised;
- (c) where a certificate is used to support the electronic signature, exercise reasonable care to ensure the accuracy and completeness of all material representations made by the signatory which are relevant to the certificate throughout its life-cycle or which are to be included in the certificate.

**6. Variation by agreement.**

The provisions of this Act may be derogated from or their effect may be varied by agreement unless that agreement would not be valid or effective under any law.

**7. Conduct of the relying party.**

A relying party shall bear the legal consequences of his or her failure to—

- (a) take reasonable steps to verify the reliability of an electronic signature; or
- (b) where an electronic signature is supported by a certificate, take reasonable steps—

- (i) to verify the validity, suspension or revocation of the certificate; and
- (ii) to observe any limitation with respect to the certificate.

## **8. Trustworthiness.**

When determining whether or to what extent any systems procedures and human resources utilised by a certification service provider are trustworthy, regard may be had to the following factors—

- (a) financial and human resources, including existence of assets;
- (b) quality of hardware and software systems;
- (c) procedure for processing of certificates and applications for certificates and retention of records;
- (d) availability of information to signatories identified in certificates and to potential relying parties;
- (e) regularity and extent of audit by an independent body;
- (f) the existence of a declaration by the state, an accreditation body or the certification service provider regarding compliance with or existence of the foregoing; or
- (g) any other relevant factor.

## **9. Conduct of the certification service provider.**

(1) Where a certification service provider provides services to support an electronic signature that may be used for legal effect as a signature, that certification service provider shall—

- (a) act in accordance with representations made by it with respect to its policies and practices;
- (b) exercise reasonable care to ensure the accuracy and completeness of all material representations made by it that are relevant to the certificate throughout its life-cycle or which are included in the certificate;

- (c) provide reasonably accessible means which enable a relying party to ascertain from the certificate—
  - (i) the identity of the certification service provider;
  - (ii) that the signatory that is identified in the certificate had control of the signature creation data at the time when the certificate was issued;
  - (iii) that signature creation data were valid at or before the time when the certificate was issued;
- (d) provide reasonably accessible means which enable a relying party to ascertain, where relevant, from the certificate or otherwise—
  - (i) the method used to identify the signatory;
  - (ii) any limitation on the purpose or value for which the signature creation data or the certificate may be used;
  - (iii) that the signature creation data are valid and have not been compromised;
  - (iv) any limitation on the scope or extent of liability stipulated by the certification service provider;
  - (v) whether means exist for the signatory to give notice under section 4(1);
  - (vi) whether a timely revocation service is offered;
- (e) where services under paragraph (d) (v) are offered, provide a means for a signatory to give notice under section 4(1)(b) and, where services under paragraph d(vi) are offered, ensure the availability of a timely revocation service;
- (f) utilize trustworthy systems, procedures and human resources in performing its services.

(2) A certification service provider shall be liable for its failure to satisfy the requirements of subsection (1).

**10. Advanced signatures.**

(1) An advanced electronic signature, verified with a qualified certificate, is equal to an autographic signature in relation to data in electronic form and has therefore equal legal effectiveness and admissibility as evidence.

(2) The advanced signature verification process shall ensure that—

- (a) the data used for verifying the electronic signature correspond to the data displayed to the verifier;
- (b) the signature is reliably verified and the result of the verification and identity of the certificate holder is correctly displayed to the verifier;
- (c) the verifier can reliably establish the contents of the signed data;
- (d) the authenticity and validity of the certificate required at the time of signature verification are verified;
- (e) the use of a pseudonym is clearly indicated;
- (f) any security-relevant changes can be detected.

**11. Secure electronic signature.**

Where, through the application of a prescribed security procedure or a commercially reasonable security procedure agreed to by the parties involved, an electronic signature is executed in a trustworthy manner, reasonably and in good faith relied upon by the relying party, that signature shall be treated as a secure electronic signature at the time of verification to the extent that it can be verified that the electronic signature satisfied, at the time it was made, the following criteria—

- (a) the signature creation data used for signature creation is unique and its secrecy is reasonably assured;
- (b) it was capable of being used to objectively identify that person;

- (c) it was created in a manner or using a means under the sole control of the person using it, that cannot be readily duplicated or compromised;
- (d) it is linked to the electronic record to which it relates in such a manner that if the record was changed to electronic signature would be invalidated;
- (e) the signatory can reliably protect his or her signature creation data from unauthorised access.

## **12. Presumptions relating to secure and advanced electronic signatures.**

(1) In any civil proceedings involving a secure electronic record, it shall be presumed, unless the contrary is proved, that the secure or advanced electronic record has not been altered since the specific point in time to which the secure status relates.

(2) In any civil proceedings involving a secure or advanced electronic signature, the following shall be presumed unless the contrary is proved—

- (a) the secure or advanced electronic signature is the signature of the person to whom it correlates; and
- (b) the secure or advanced electronic signature was affixed by that person with the intention of signing or approving the electronic record.

(3) In the absence of a secure or advanced electronic signature, nothing in this Part shall create any presumption relating to the authenticity and integrity of the electronic record or an electronic signature.

(4) The effect of presumptions provided in this section is to place on the party challenging the genuineness of a secure or advanced electronic signature both the burden of going forward with evidence to rebut the presumption and the burden of persuading the court of the fact that the non-existence of the presumed fact is more.

## PART III—SECURE DIGITAL SIGNATURES

**13. Secure digital signatures.**

When a portion of an electronic record is signed with a digital signature the digital signature shall be treated as a secure electronic signature in respect of that portion of the record, if—

- (a) the digital signature was created during the operational period of a valid certificate and is verified by reference to a public key listed in the certificate; and
- (b) the certificate is considered trustworthy, in that it is an accurate binding of a public key to a person's identity because—
  - (i) the certificate was issued by a certification service provider operating in compliance with regulations made under this Act;
  - (ii) the certificate was issued by a certification service provider outside Uganda recognised for the purpose by the Controller pursuant to regulations made under this Act;
  - (iii) the certificate was issued by a department or ministry of the Government, an organ of state or statutory corporation approved by the minister to act as a certification service provider on such conditions as the regulations may specify; or
  - (iv) the parties have expressly agreed between themselves to use digital signatures as a security procedure and the digital signature was properly verified by reference to the sender's public key.

**14. Satisfaction of signature requirements.**

(1) Where a rule of law requires a signature or provides for certain consequences in the absence of a signature, that rule shall be satisfied by a digital signature where—

- (a) that digital signature is verified by reference to the public key listed in a valid certificate issued by a licensed certification service provider;
- (b) that digital signature was affixed by the signer with the intention of signing the message; and
- (c) the recipient has no knowledge or notice that the signer—
  - (i) has breached a duty as a subscriber; or
  - (ii) does not rightfully hold the private key used to affix the digital signature.

(2) Notwithstanding any written law to the contrary—

- (a) a document signed with a digital signature in accordance with this Act shall be as legally binding as a document signed with a handwritten signature, an affixed thumbprint or any other mark; and
- (b) a digital signature created in accordance with this Act shall be taken to be a legally binding signature.

(3) Nothing in this Act shall preclude a symbol from being valid as a signature under any other applicable law.

### **15. Unreliable digital signatures.**

(1) Unless otherwise provided by law or contract, the recipient of a digital signature assumes the risk that a digital signature is forged, if reliance on the digital signature is not reasonable under the circumstances.

(2) Where the recipient decides not to rely on a digital signature under this section, the recipient shall promptly notify the signer of its determination not to rely on a digital signature and the grounds for that determination.



**16. Digitally signed document taken to be written document.**

(1) A message shall be as valid, enforceable and effective as if it had been written on paper if—

- (a) it bears in its entirety a digital signature; and
- (b) that digital signature is verified by the public key listed in a certificate which—
  - (i) was issued by a licensed certification service provider; and
  - (ii) was valid at the time the digital signature was created.

(2) Nothing in this Act shall preclude any message, document or record from being considered written or in writing under any other applicable law.

**17. Digitally signed document deemed to be original document.**

A copy of a digitally signed message shall be as valid, enforceable and effective as the original of the message unless it is evident that the signer designated an instance of the digitally signed message to be a unique original, in which case only that instance constitutes the valid, enforceable and effective message.

**18. Authentication of digital signatures.**

A certificate issued by a licensed certification service provider shall be an acknowledgement of a digital signature verified by reference to the public key listed in the certificate, regardless of whether words of an express acknowledgement appear with the digital signature and regardless of whether the signer physically appeared before the licensed certification service provider when the digital signature was created, if that digital signature is—

- (a) verifiable by that certificate; and
- (b) was affixed when that certificate was valid.

**19. Presumptions in adjudicating disputes.**

In adjudicating a dispute involving a digital signature, a court shall presume—

- (a) that a certificate digitally signed by a licensed certification service provider and—
  - (i) published in a recognised repository; or
  - (ii) made available by the issuing licensed certification service provider or by the subscriber listed in the certificate, is issued by the licensed certification service provider which digitally signed it and is accepted by the subscriber listed in it;
- (b) that the information listed in a valid certificate and confirmed by a licensed certification service provider issuing the certificate is accurate;
- (c) that where the public key verifies a digital signature listed in a valid certificate issued by a licensed certification service provider—
  - (i) that digital signature is the digital signature of the subscriber listed in that certificate;
  - (ii) that digital signature was affixed by that subscriber with the intention of signing the message; and
  - (iii) the recipient of that digital signature has no knowledge or notice that the signer—
    - (aa) has breached a duty as a subscriber; or
    - (ab) does not rightfully hold the private key used to affix the digital signature; and
- (d) that a digital signature was created before it was time-stamped by a recognised date or time stamp service utilising a trustworthy system.

## PART IV—PUBLIC KEY INFRASTRUCTURE (PKI)

**20. Sphere of application.**

This Part applies to digital signatures or signatures that are able to use the public key infrastructure (PKI).

**21. Controller.**

(1) The Controller shall, in particular be responsible for monitoring and overseeing the activities of certification service providers and shall perform the functions conferred on the Controller under this Act.

(2) The Controller shall exercise its functions under this Act subject to such directions as to the general policy guidelines as may be given by the Minister.

(3) The Controller shall maintain a publicly accessible database containing a certification service provider disclosure record for each certification service provider, which shall contain all the particulars required under regulations made under this Act.

(4) The Controller shall publish the contents of the database in at least one recognised repository.

**22. Certification service providers to be licensed.**

(1) A person shall not carry on or operate or hold himself out as carrying on or operating, as a certification service provider unless that person has a valid licence issued under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two hundred and forty currency points or imprisonment not exceeding ten years or both; and in the case of a continuing offence is in addition liable to a daily fine not exceeding ten currency points for each day the offence continues.

(3) The Minister may, on an application in writing being made in accordance with this Act, exempt a person operating as a certification service provider within an organisation from the requirement of a licence under this section where certificates and key pairs are issued to members of the organisation for internal use only; but the Minister shall not delegate that power to the Controller.

(4) The liability limits specified in Part IV shall not apply to an exempted certification service provider and Part V shall not apply in relation to a digital signature verified by a certificate issued by an exempted certification service provider.

### **23. Qualifications of certification aservice providers.**

(1) The Minister in consultation with National Information Technology Authority- Uganda shall, by regulations made under this Act, prescribe the qualifications required for certification service providers.

(2) The Minister in consultation with National Information Technology Authority- Uganda may vary or amend the qualifications prescribed under subsection (1) but any such variation or amendment shall not be applied to a certification service provider holding a valid licence under this Act until the expiry of that licence.

### **24. Functions of licensed certification service providers.**

(1) The function of a certification service provider shall be to issue a certificate to a subscriber upon application and upon satisfaction of the certification service providers requirements as to the identity of the subscriber to be listed in the certificate and upon payment of the prescribed fees and charges.

(2) The certification service provider shall, before issuing a certificate under this Act, take all reasonable measures to check for proper identification of the subscriber to be listed in the certificate.

### **25. Application for licence.**

(1) An application for a licence under this Act shall be made in writing to the Controller in such form as may be prescribed.

(2) An application under subsection (1) shall be accompanied by such documents or information as may be prescribed and the Controller may, at any time after receiving the application and before it is determined, require the applicant to provide such additional documents or information as may be considered necessary by the Controller for the purposes of determining the suitability of the applicant for the licence.

(3) Where any additional document or information required under subsection (2) is not provided by the applicant within the time specified in the requirement or any extension granted by the Controller, the application shall be taken to be withdrawn and shall not be further proceeded with, without prejudice to a fresh application being made by the applicant.

## **26. Grant or refusal of licence.**

(1) The Controller shall, on an application having been duly made in accordance with section 25 and after being provided with all the documents and information as he may require, consider the application and when he or she is satisfied that the applicant is a qualified certification service provider and a suitable licensee and upon payment of the prescribed fee, grant the licence with or without conditions or refuse to grant a licence.

(2) A licence granted under subsection (1) shall set out the duration of the licence and the licence number.

(3) The terms and conditions imposed under the licence may at any time be varied for just cause or amended by the Controller but the licensee shall be given a reasonable opportunity of being heard.

(4) The Controller shall notify the applicant in writing of his or her decision to grant or refuse to grant a licence within thirty days of receiving the application.

## **27. Revocation of licence.**

(1) The Controller may revoke a licence granted under section 26 if satisfied that—

- (a) the certification service provider has failed to comply with an obligation imposed upon it by or under this Act;
- (b) the certification service provider has contravened any condition imposed under the licence, any provision of this Act or any other written law;

- (c) the certification service provider has, either in connection with the application for the licence or at any time after the grant of the licence, provided the Controller with false, misleading or inaccurate information or a document or declaration made by or on behalf of the certification service provider or by or on behalf of a person who is or is to be a director, Controller or manager of the licensed certification service provider which is false, misleading or inaccurate;
- (d) the certification service provider is carrying on its business in a manner which is prejudicial to the interest of the public or to the national economy;
- (e) the certification service provider has insufficient assets to meet its liabilities;
- (f) a winding up order has been made against the licensed certification service provider or a resolution for its voluntary winding-up has been passed;
- (g) the certification service provider or its director, Controller or manager has been convicted of an offence under this Act in his or her capacity as; or
- (h) the certification service provider has ceased to be a qualified certification service provider.

(2) Before revoking a licence, the Controller shall give the licensed certification service provider a notice in writing of his or her intention to revoke the licence and require the licensed certification service provider to show cause within thirty days as to why the licence should not be revoked.

(3) Where the Controller decides to revoke the licence, he or she shall notify the certification service provider of his or her decision by a notice in writing within 48 hours of making the decision.

(4) The revocation of a licence shall take effect where there is no appeal against the revocation, on the expiration of thirty days from the date on which the notice of revocation is served on the licensed certification service provider.

(5) Where an appeal has been made against the revocation of a licence, the certification service provider whose licence has been revoked shall not issue any certificates until the appeal has been disposed of and the revocation has been set aside by the Minister but nothing in this subsection shall prevent the certification service provider from fulfilling its other obligations to its subscribers during that period.

(6) A person who contravenes subsection (5) commits an offence and is liable, on conviction, to a fine not exceeding two hundred and forty currency points or to imprisonment not exceeding ten years or both.

(7) Where the revocation of a licence has taken effect, the Controller shall, as soon as practicable, cause the revocation to be published in the certification service provider disclosure record he or she maintains for the certification service provider concerned and advertised in at least two English language national daily newspapers for at least three consecutive days.

## **28. Appeal.**

(1) A person who is aggrieved by—

- (a) the refusal of the Controller to license a certification service provider under section 26 or to renew a licence under section 35; or
- (b) the revocation of a licence under section 27,

may appeal in writing to the Minister within thirty days from the date on which the notice of refusal or revocation is served on that person.

(2) The Minister shall, upon receipt of the appeal respond within thirty days.

(3) A person not satisfied with the Minister's decision may appeal to the High Court.

## **29. Surrender of licence.**

(1) A certification service provider may surrender its licence by forwarding it to the Controller with a written notice of its surrender.

(2) The surrender shall take effect on the date the Controller receives the licence and the notice under subsection (1) or where a later date is specified in the notice, on that date.

(3) The licensed certification service provider shall, not later than fourteen days after the date referred to in subsection (2), cause the surrender to be published in the certification service provider disclosure record of the certification service provider concerned and advertised in at least two English language national daily newspapers for at least three days consecutive.

## **30. Effect of revocation, surrender or expiry of licence.**

(1) Where the revocation of a licence under section 27 or its surrender under section 29 has taken effect or where the licence has expired, the licensed certification service provider shall immediately cease to carry on or operate any business in respect of which the licence was granted.

(2) Notwithstanding subsection (1), the Minister may, on the recommendation of the Controller, authorise the licensed certification service provider in writing to carry on its business for such duration as the Minister may specify in the authorisation for the purpose of winding up its affairs.

(3) Notwithstanding subsection (1), a licensed certification service provider whose licence has expired shall be entitled to carry on its business as if its licence had not expired upon proof being submitted to the Controller that the licensed certification service provider has applied for a renewal of the licence and that such application is pending determination.



(4) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding seventy two currency points or to imprisonment not exceeding ten years or both and in the case of a continuing offence shall in addition be liable to a daily fine not exceeding five currency points for each day the offence continues.

(5) Without prejudice to the Controller's powers under section 26, the revocation of a licence under section 27 or its surrender under section 29 or its expiry shall not affect the validity or effect of any certificate issued by the certification service provider concerned before such revocation, surrender or expiry.

(6) For the purposes of subsection (5), the Controller shall appoint another licensed certification service provider to take over the certificates issued by the certification service provider whose licence has been revoked or surrendered or has expired and the certificate shall, to the extent that they comply with the requirements of the appointed licensed certification service provider, be deemed to have been issued by that licensed certification service provider.

(7) Subsection (6) shall not preclude the appointed licensed certification service provider from requiring the subscriber to comply with its requirements in relation to the issue of certificates or from issuing a new certificate to the subscriber for the unexpired period of the original certificate except that any additional fees or charges to be imposed shall only be imposed with the prior written approval of the Controller.

### **31. Effect of lack of licence.**

(1) The liability limits specified in Part IV shall not apply to unlicensed certification service providers.

(2) Part V shall not apply in relation to an electronic signature, which cannot be verified by a certificate issued by a licensed certification service provider.

(3) In any other case, unless the parties expressly provide otherwise by contract between themselves, the licensing requirements under this Act shall not affect the effectiveness, enforceability or validity of any digital signature.

**32. Return of licence.**

(1) Where the revocation of a licence under section 27 has taken effect or where the licence has expired and no application for its renewal has been submitted within the period specified or where an application for renewal has been refused under section 35, the licensed certification service provider shall within fourteen days return the licence to the Controller.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding seventy two eight currency points or to imprisonment not exceeding three years or to both and in the case of a continuing offence shall in addition be liable to a daily fine not exceeding five currency points for each day the offence continues and the court shall retain the licence and forward it to the Controller.

**33. Restricted licence.**

(1) The Controller may classify licences according to specified limitations including—

- (a) maximum number of outstanding certificates;
- (b) cumulative maximum of recommended reliance limits in certificates issued by the licensed certification service provider; and
- (c) issuance only within a single firm or organisation.

(2) The Controller may issue licences restricted according to the limits of each classification.

(3) A licensed certification service provider that issues a certificate exceeding the restrictions of its licence commits an offence.

(4) Where a licensed certification service provider issues a certificate exceeding the restrictions of its licence, the liability limits specified in Part IV shall not apply to the licensed certification service provider in relation to that certificate.

(5) Nothing in subsection (3) or (4) shall affect the validity or effect of the issued certificate.

**34. Restriction on use of expression “certification service provider”.**

(1) Except with the written consent of the Controller, a person shall not being a licensed certification service provider, assume or use the expressions “certification service provider” or “licensed certification service provider”, as the case may be or any derivative of those expressions in any language or any other words in any language capable of being construed as indicating the carrying on or operation of such business, in relation to the business or any part of the business carried on by that person or make any representation to that effect in any bill head, letter, paper, notice, advertisement or in any other manner.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding one hundred sixty eight currency points or to imprisonment not exceeding seven years or to both.

**35. Renewal of licence.**

(1) A licensed certification service provider shall submit an application to the Controller in such form as may be prescribed for the renewal of its licence at least thirty days before the date of expiry of the licence and the application shall be accompanied by such documents and information as may be required by the Controller.

(2) The prescribed fee shall be payable upon approval of the application.

(3) Where a licensed certification service provider has no intention of renewing its licence, the licensed certification service provider shall, at least thirty days before the expiry of the licence, publish the intention in the certification service provider disclosure record of the certification service provider concerned and advertise such intention in at least two English language national daily newspapers for at least five consecutive days.

(4) Without prejudice to any other grounds, the Controller may refuse to renew a licence where the requirements of subsection (1) have not been complied with.

### **36. Lost license.**

(1) Where a certification service provider has lost its license, it shall immediately notify the Controller in writing of the loss.

(2) The certification service provider shall, as soon as practicable, submit an application for a replacement license accompanied by all such information and documents as may be required by the Controller together with the prescribed fee.

### **37. Recognition of other licenses.**

(1) The Controller may recognise, by order published in the *Gazette*, certification service providers licensed or otherwise authorised by entities outside Uganda that satisfy the prescribed requirements.

(2) Where a license or other authorisation of an entity is recognised under subsection (1)—

- (a) the recommended reliance limit, if any, specified in a certificate issued by the certification service provider licensed or otherwise authorised by such an entity shall have effect in the same manner as a recommended reliance limit specified in a certificate issued by a certification service provider of Uganda; and
- (b) Part IV shall apply to the certificates issued by the certification service provider licensed or otherwise authorised by such entity in the same manner as it applies to a certificate issued by a certification service provider of Uganda.

### **38. Performance audit.**

(1) The operations of a certification service provider shall be audited at least once a year to evaluate its compliance with this Act.

(2) The audit shall be carried out by an internationally recognised computer security professional or a certified public accountant having expertise in the relevant field.

(3) The qualifications of the auditors and the procedure for an audit shall be as may be prescribed by regulations made under this Act.

(4) The Controller shall maintain and publish, the date and result of the audit in the certification service provider disclosure record he or she maintains for the certification service provider concerned.

### **39. Activities of certification service providers.**

(1) A certification service provider shall only carry on such activities as may be specified in its license.

(2) A certification service provider shall carry on its activities in accordance with this Act and any regulations made under this Act.

### **40. Requirement to display license.**

A certification service provider shall at all times display its license in a conspicuous place at its place of business and on its website.

### **41. Requirement to submit information on business operations.**

(1) A licensed certification service provider shall submit to the Controller such information and particulars including financial statements, audited balance sheets and profit and loss accounts relating to its entire business operations as may be required by the Controller within the time he or she may determine.

(2) A person who contravenes subsection (1) 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 and in the case of a continuing offence shall in addition be liable to a daily fine not exceeding two currency points for each day the offence continues.

**42. Notification of change of information.**

(1) A certification service provider shall, before making an amendment or alteration to any of its constituent documents or before any change in its director or chief executive officer, furnish the Controller particulars in writing of any proposed amendment, alteration or change.

(2) A licensed certification service provider shall immediately notify the Controller of any amendment or alteration to any information or document which has been furnished to the Controller in connection with the licence.

**43. Use of trustworthy systems.**

(1) A certification service provider shall only use a trustworthy system—

- (a) to issue, suspend or revoke a certificate;
- (b) to publish or give notice of the issuance, suspension or revocation of a certificate; and
- (c) to create a private key, whether for itself or for a subscriber.

(2) A subscriber shall only use a trustworthy system to create a private key.

**44. Disclosures on inquiry.**

(1) A certification service provider shall, on an inquiry being made to it under this Act, disclose any material certification practice statement and any fact material to either the reliability of a certificate, which it has issued or its ability to perform its services.

(2) A certification service provider may require a signed, written and reasonably specific inquiry from an identified person and payment of the prescribed fee, as conditions precedent to effecting a disclosure required under subsection (1).

**45. Prerequisites to issue of certificate to subscriber.**

(1) A certification service provider may issue a certificate to a subscriber where the following conditions are satisfied—

- (a) the certification service provider has received a request for issuance signed by the prospective subscriber; and
- (b) the certification service provider has confirmed that—
  - (i) the prospective subscriber is the person to be listed in the certificate to be issued;
  - (ii) if the prospective subscriber is acting through one or more agents, the subscriber has duly authorised the agent or agents to have custody of the subscriber's private key and to request issuance of a certificate listing the corresponding public key;
  - (iii) the information in the certificate to be issued is accurate;
  - (iv) the prospective subscriber rightfully holds the private key corresponding to the public key to be listed in the certificate;
  - (v) the prospective subscriber holds a private key capable of creating a digital signature; and
  - (vi) the public key to be listed in the certificate can be used to verify a digital signature affixed by the private key held by the prospective subscriber.

(2) The requirements of subsection (1) shall not be waived or disclaimed by the certification service provider, the subscriber or both.

#### **46. Publication of issued and accepted certificate.**

(1) Where the subscriber accepts the issued certificate, the certification service provider shall publish a signed copy of the certificate in a recognised repository, as the certification service provider and the subscriber named in the certificate may agree, unless a contract between the certification service provider and the subscriber provides otherwise.

(2) Where the subscriber does not accept the certificate, a certification service provider shall not publish it or shall cancel its publication if the certificate has already been published.

**47. Adoption of more rigorous requirements permitted.**

Nothing in sections 31 and 32 shall preclude a certification service provider from conforming to standards, certification practice statements, security plans or contractual requirements more rigorous than, but nevertheless consistent with, this Act.

**48. Suspension or revocation of certificate for faulty issuance.**

(1) Where after issuing a certificate a certification service provider confirms that it was not issued in accordance with sections 31 and 32, the certification service provider shall immediately revoke it.

(2) A certification service provider may suspend a certificate which it has issued for a reasonable period not exceeding forty-eight hours as may be necessary for an investigation to be carried out to confirm the grounds for a revocation under subsection (1).

(3) The certification service provider shall immediately notify the subscriber of a revocation or suspension under this section.

**49. Suspension or revocation of certificate by order.**

(1) The Controller may order the certification service provider to suspend or revoke a certificate where the Controller determines that—

- (a) the certificate was issued without compliance with sections 31 and 32; and
- (b) the non-compliance poses a significant risk to persons reasonably relying on the certificate.

(2) Before making a determination under subsection (1), the Controller shall give the licensed certification service provider and the subscriber a reasonable opportunity of being heard.

(3) Notwithstanding subsections (1) and (2), where in the opinion of the Controller there exists an emergency that requires an immediate remedy, the Controller may, after consultation with the Minister, suspend a certificate for a period not exceeding forty-eight hours.



**50. Warranties to subscriber.**

(1) By issuing a certificate, a certification service provider warrants to the subscriber named in the certificate that—

- (a) the certificate contains no information known to the certification service provider to be false;
- (b) the certificate satisfies all the requirements of this Act; and
- (c) the certification service provider has not exceeded any limits of its licence in issuing the certificate.

(2) A certification service provider shall not disclaim or limit the warranties under subsection (1).

**51. Continuing obligations to subscriber.**

Unless the subscriber and certification service provider otherwise agree, a certification service provider, by issuing a certificate, promises to the subscriber—

- (a) to act promptly to suspend or revoke a certificate in accordance with Part IV; and
- (b) to notify the subscriber within a reasonable time of any facts known to the licensed certification service provider, which significantly affect the validity or reliability of the certificate once it is issued.

**52. Representations upon issuance.**

By issuing a certificate, a certification service provider certifies to all who reasonably rely on the information contained in the certificate that—

- (a) the information in the certificate and listed as confirmed by the licensed certification service provider is accurate;
- (b) all information foreseeable and material to the reliability of the certificate is stated or incorporated by reference within the certificate;

- (c) the subscriber has accepted the certificate; and
- (d) the certification service provider has complied with all applicable laws governing the issue of the certificate.

## **52. Representations upon publication.**

By publishing a certificate, a certification service provider certifies to the repository in which the certificate is published and to all who reasonably rely on the information contained in the certificate that the licensed certification service provider has issued the certificate to the subscriber.

## **54. Implied representations by subscriber.**

By accepting a certificate issued by a certification service provider, the subscriber listed in the certificate certifies to all who reasonably rely on the information contained in the certificate that—

- (a) the subscriber rightfully holds the private key corresponding to the public key listed in the certificate;
- (b) all representations made by the subscriber to the certification service provider and material to information listed in the certificate are true; and
- (c) all material representations made by the subscriber to a certification service provider or made in the certificate and not confirmed by the certification service provider in issuing the certificate are true.

## **55. Representations by agent of subscriber.**

By requesting on behalf of a principal the issue of a certificate naming the principal as subscriber, the requesting person certifies in that person's own right to all who reasonably rely on the information contained in the certificate that the requesting person—

- (a) holds all authority legally required to apply for issuance of a certificate naming the principal as subscriber; and

- (b) has authority to sign digitally on behalf of the principal, and, if that authority is limited in any way, adequate safeguards exist to prevent a digital signature exceeding the bounds of the person's authority.

**56. Disclaimer or indemnity limited.**

A person shall not disclaim or contractually limit the application of this part, nor obtain indemnity for its effects, if the disclaimer, limitation or indemnity restricts liability for misrepresentation as against persons reasonably relying on the certificate.

**57. Indemnification of certification service provider by subscriber.**

(1) By accepting a certificate, a subscriber undertakes to indemnify the issuing licensed certification service provider for any loss or damage caused by issue or publication of the certificate in reliance on—

- (a) a false and material representation of fact by the subscriber;  
or
- (b) the failure by the subscriber to disclose a material fact, if the representation or failure to disclose was made either with intent to deceive the certification service provider or a person relying on the certificate or with negligence.

(2) Where the certification service provider issued the certificate at the request of one or more agents of the subscriber, the agent or agents personally undertake to indemnify the certification service provider under this section, as if they were accepting subscribers in their own right.

(3) The indemnity provided in this section shall not be disclaimed or contractually limited in scope.

**58. Certification of accuracy of information given.**

When obtaining information from a subscriber which is material to the issue of a certificate, the certification service provider may require the subscriber to certify the accuracy of the relevant information under oath or affirmation.

**59. Duty of subscriber to keep private key secure.**

By accepting a certificate issued by a certification service provider, the subscriber named in the certificate assumes a duty to exercise reasonable care to retain control of the private key and prevent its disclosure to any person not authorised to create the subscriber's digital signature.

**60. Property in private key.**

A private key is the personal property of the subscriber who rightfully holds it.

**61. Fiduciary duty of a certification service provider.**

Where a certification service provider holds the private key corresponding to a public key listed in a certificate which it has issued, the certification service provider shall hold the private key as a fiduciary of the subscriber named in the certificate and may use that private key only with the subscriber's prior written approval, unless the subscriber expressly and in writing grants the private key to the licensed certification service provider and expressly and in writing permits the licensed certification service provider to hold the private key according to other terms.

**62. Suspension of certificate by certification service provider.**

(1) Unless the certification service provider and the subscriber agree otherwise, the licensed certification service provider, which issued a certificate, which is not a transactional certificate, shall suspend the certificate for a period not exceeding forty-eight hours—

(a) upon request by a person identifying himself as the subscriber named in the certificate or as a person in a position likely to know of a compromise of the security of a subscriber's private key, such as an agent, business associate, employee or member of the immediate family of the subscriber; or

(b) by order of the Controller under section 35.

(2) The certification service provider shall take reasonable measures to check the identity or agency of the person requesting suspension.

**63. Suspension of certificate by Controller.**

(1) Unless the certificate provides otherwise or the certificate is a transactional certificate, the Controller may suspend a certificate issued by a certification service provider for a period of forty-eight hours, if—

- (a) a person identifying himself or herself as the subscriber named in the certificate or as an agent, business associate, employee or member of the immediate family of the subscriber requests suspension; and
- (b) the requester represents that the certification service provider, which issued the certificate, is unavailable.

(2) The Controller may require the person requesting suspension to provide evidence, including a statement under oath or affirmation regarding his or her identity and authorisation and the unavailability of the issuing licensed certification service provider and may decline to suspend the certificate in his or her discretion.

(3) The Controller or other law enforcement agency may investigate suspensions by the Controller for possible wrongdoing by persons requesting suspension.

**64. Notice of suspension.**

(1) Upon suspension of a certificate by a certification service provider, the certification service provider shall publish a signed notice of the suspension in the repository specified in the certificate for publication of notice of suspension.

(2) Where one or more repositories are specified, the certification service provider shall publish signed notices of the suspension in all those repositories.

(3) Where any repository specified no longer exists or refuses to accept publication or if no such repository is recognised under section 69 the certification service provider shall also publish the notice in a recognised repository.

(4) Where a certificate is suspended by the Controller, the Controller shall give notice as required in this section for a certification service provider if the person requesting suspension pays in advance any prescribed fee required by a repository for publication of the notice of suspension.

**65. Termination of suspension initiated by request.**

A certification service provider shall terminate a suspension initiated by request—

- (a) where the subscriber named in the suspended certificate requests termination of the suspension, only if the certification service provider has confirmed that the person requesting suspension is the subscriber or an agent of the subscriber authorised to terminate the suspension; or
- (b) where the licensed certification service provider discovers and confirms that the request for the suspension was made without authorisation by the subscriber.

**66. Alternate contractual procedures.**

(1) The contract between a subscriber and a licensed certification service provider may limit or preclude requested suspension by the certification service provider or may provide otherwise for termination of a requested suspension.

(2) Where the contract limits or precludes suspension by the Controller when the issuing licensed certification service provider is unavailable, the limitation or preclusion shall be effective only if notice of it is published in the certificate.

**67. Effect of suspension of certificate.**

Nothing in this Part shall release the subscriber from the duty under section 47 to keep the private key secure while a certificate is suspended.

**68. Revocation on request.**

(1) A licensed certification service provider shall revoke a certificate, which it issued but which is not a transactional certificate—

- (a) upon receiving a request for revocation by the subscriber named in the certificate; and
- (b) upon confirming that the person requesting revocation is that subscriber or is an agent of that subscriber with authority to request the revocation.

(2) A certification service provider shall confirm a request for revocation and revoke a certificate within one business day after receiving both a subscriber's written request and evidence reasonably sufficient to confirm the identity of the person requesting the revocation or of the agent.

#### **69. Revocation on subscriber's demise.**

A licensed certification service provider shall revoke a certificate which it issued—

- (a) upon receiving a certified copy of the subscriber's death certificate or upon confirming by other evidence that the subscriber is dead; or
- (b) upon presentation of documents effecting a dissolution of the subscriber or upon confirming by other evidence that the subscriber has been dissolved or has ceased to exist.

#### **70. Revocation of unreliable certificates.**

(1) A licensed certification service provider may revoke one or more certificates, which it issued if the certificates are or become unreliable regardless of whether the subscriber consents to the revocation and notwithstanding any provision to the contrary in a contract between the subscriber and the licensed certification service provider.

(2) Nothing in subsection (1) shall prevent the subscriber from seeking damages or other relief against the licensed certification service provider in the event of wrongful revocation.

**71. Notice of revocation.**

(1) Upon revocation of a certificate by a licensed certification service provider, the licensed certification service provider shall publish a signed notice of the revocation in the repository specified in the certificate for publication of notice of revocation.

(2) Where one or more repositories are specified, the licensed certification service provider shall publish signed notices of the revocation in all such repositories.

(3) Where any repository specified no longer exists or refuses to accept publication or if no such repository is recognised under section 69, the licensed certification service provider shall also publish the notice in a recognised repository.

**72. Effect of revocation request on subscriber.**

Where a subscriber has requested for the revocation of a certificate, the subscriber ceases to certify as provided in Part IV and has no further duty to keep the private key secure as required under section 59—

- (a) when notice of the revocation is published as required under section 71; or
- (b) where forty eight hours have lapsed after the subscriber requests for the revocation in writing, supplies to the issuing licensed certification service provider information reasonably sufficient to confirm the request and pays any prescribed fee, whichever occurs first.

**73. Effect of notification on certification service provider.**

Upon notification as required under section 71, a certification service provider shall be discharged of its warranties based on issue of the revoked certificate and ceases to certify as provided in sections 22 and 24 in relation to the revoked certificate.

**74. Expiration of certificate.**

(1) The date of expiry of a certificate shall be specified in the certificate.



(2) A certificate may be issued for a period not exceeding three years from the date of issue.

(3) When a certificate expires, the subscriber and licensed certification service provider shall cease to certify as provided under this Act and the licensed certification service provider shall be discharged of its duties based on issue in relation to the expired certificate.

(4) The expiry of a certificate shall not affect the duties and obligations of the subscriber and licensed certification service provider incurred under and in relation to the expired certificate.

#### **75. Reliance limit.**

(1) A licensed certification service provider shall, when issuing a certificate to a subscriber, specify a recommended reliance limit in the certificate.

(2) The licensed certification service provider may specify different limits in different certificates as it considers fit.

#### **76. Liability limits for certification service providers.**

Unless a licensed certification service provider waives the application of this section, a licensed certification service provider—

- (a) shall not be liable for any loss caused by reliance on a false or forged digital signature of a subscriber, if, with respect to the false or forged digital signature, the licensed certification service provider complied with the requirements of this Act;
- (b) shall not be liable in excess of the amount specified in the certificate as its recommended reliance limit for either—
  - (i) a loss caused by reliance on a misrepresentation in the certificate of any fact that the licensed certification service provider is required to confirm; or
  - (ii) failure to comply with sections 31 and 32 when issuing the certificate.

**77. Recognition of repositories.**

(1) The Controller may recognise one or more repositories, after determining that a repository to be recognised satisfies the requirements prescribed in the regulations made under this Act.

(2) The procedure for recognition of repositories shall be as prescribed by regulations made under this Act.

(3) The Controller shall publish a list of recognised repositories in such form and manner as he or she may determine.

**78. Liability of repositories.**

(1) Notwithstanding any disclaimer by the repository or a contract to the contrary between the repository and a licensed certification service provider or a subscriber, a repository shall be liable for a loss incurred by a person reasonably relying on an electronic signature verified by the public key listed in a suspended or revoked certificate, if loss was incurred more than one business day after receipt by the repository of a request to publish notice of the suspension or revocation and the repository had failed to publish the notice when the person relied on the digital signature.

(2) Unless waived, a recognised repository or the owner or operator of a recognised repository—

- (a) shall not be liable for failure to record publication of a suspension or revocation, unless the repository has received notice of publication and one business day has elapsed since the notice was received;
- (b) shall not be liable under subsection (1) in excess of the amount specified in the certificate as the recommended reliance limit;
- (c) shall not be liable for misrepresentation in a certificate published by a certification service provider;

- (d) shall not be liable for accurately recording or reporting information which a licensed certification service provider, a court or the Controller has published as required or permitted under this Act, including information about the suspension or revocation of a certificate; and
- (e) shall not be liable for reporting information about a certification service provider, a certificate or a subscriber, if the information is published as required or permitted under this Act or is published by order of the Controller in the performance of his or her licensing and regulatory duties under this Act.

## **79. Recognition of date or time stamp services.**

(1) The Controller may recognise one or more date or time stamp services, after determining that a service to be recognised satisfies the requirements prescribed in the regulations made under this Act.

(2) The procedure for recognising of date or time stamp services shall be as may be prescribed by regulations made under this Act.

(3) The Controller shall publish a list of recognised date or time stamp services in a form and manner as he may determine.

## **PART V—MISCELLANEOUS**

## **80. Prohibition against dangerous activities**

(1) A certification service provider, whether licensed or not, shall not conduct its business in a manner that creates an unreasonable risk of loss to the subscribers of the certification service provider, to persons relying on certificates issued by the certification service provider or to a repository.

(2) The Controller may publish in one or more recognised repositories brief statements advising subscribers, persons relying on digital signatures and repositories about any activities of a certification service provider, whether licensed or not, which create a risk prohibited under subsection (1).

(3) The certification service provider named in a statement as creating or causing a risk may protest the publication of the statement by filing a brief written defence.

(4) On receipt of a protest made under subsection (3), the Controller shall publish a written defence together with the Controller's statement and shall immediately give the protesting certification service provider notice and a reasonable opportunity of being heard.

(5) Where, after a hearing, the Controller determines that the publication of the advisory statement was unwarranted, the Controller shall revoke the advisory statement.

(6) Where, after a hearing, the Controller determines that the advisory statement is no longer warranted, the Controller shall revoke the advisory statement.

(7) Where, after a hearing, the Controller determines that the advisory statement remains warranted, the Controller may continue or amend the advisory statement and may take further legal action to eliminate or reduce the risk prohibited under subsection (1).

(8) The Controller shall publish his decision under subsection (5), (6) or (7), as the case may be, in one or more recognised repositories.

## **81. Obligation of confidentiality**

(1) Except for the purpose of this Act or for any prosecution for an offence under any written law or under an order of court, a person under any powers conferred under this Act, shall not obtain access to any electronic record, book, register, correspondence, information, document, other material or grant access to any other person.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding one hundred twenty currency points or imprisonment for a term not exceeding five years or both.

**82. False information.**

A person who knowingly makes, orally or in writing, signs or furnishes any declaration, return, certificate or other document or information required under this Act which is false or misleading in any particular way commits an offence and is liable, on conviction, to a fine not exceeding one hundred and twenty currency points or imprisonment for a term not exceeding five years or both.

**83. Offences by body corporate.**

(1) Where a body corporate commits an offence under this Act, a person who at the time of the commission of the offence is a director, manager, secretary or other similar officer of the body corporate or was purporting to act in that capacity or was in any manner or to any extent responsible for the management of any of the affairs of the body corporate or was assisting in such management—

- (a) may be charged severally or jointly in the same proceedings with the body corporate; and
- (b) where the body corporate is convicted of the offence, such a person shall be deemed to have committed an offence unless, having regard to the nature of his functions in that capacity and to all circumstances, he proves—
  - (i) that the offence was committed without his knowledge, consent or connivance; and
  - (ii) that he took all reasonable precautions and had exercised due diligence to prevent the commission of the offence.

(2) Where a person is liable under this Act to a punishment or penalty for any act, omission, neglect or default, he or she is liable to the same punishment or penalty for every such act, omission, neglect or default of any employee or agent of his or of the employee of such agent, if the act, omission, neglect or default was committed—

- (a) by his employee in the course of his employment;
- (b) by the agent when acting on his behalf; or
- (c) by the employee of such agent in the course of his employment by such agent or otherwise on behalf of the agent.

**84. Authorised officer.**

An authorised officer may exercise the powers of enforcement under this Act.

**85. Power to investigate.**

(1) The Controller may investigate the activities of a certification service provider material to its compliance with this Act.

(2) For the purposes of subsection (1), the Controller may issue orders to a certification service provider to further its investigation and secure compliance with this Act.

(3) Further, in any case relating to the commission of an offence under this Act, any authorised officer carrying on an investigation may exercise all or any of the special powers in relation to police investigation in all cases given by the Criminal Procedure Code.

**86. Search by warrant.**

(1) If it appears to a Magistrate, upon written information on oath and after such inquiry as he or she considers necessary, that there is reasonable cause to believe that an offence under this Act is being or has been committed on any premises, the Magistrate may issue a warrant authorising any police officer not below the rank of Inspector or any authorised officer named in the warrant, to enter the premises at any reasonable time by day or by night, with or without assistance and if need be by force, to search for and seize—

- (a) copies of any books, accounts or other documents, including computerized data, which contain or are reasonably suspected to contain information as to any offence so suspected to have been committed;

- (b) any signboard, card, letter, pamphlet, leaflet, notice or other device representing or implying that the person is a licensed certification service provider; and
- (c) any other document, article or item that is reasonably believed to furnish evidence of the commission of that offence.

(2) A police officer or an authorised officer conducting a search under subsection (1) may, if in his or her opinion it is reasonably necessary to do so for the purpose of investigating into the offence, search any person who is in or on those premises.

(3) A police officer or an authorised officer making a search of a person under subsection (2) may seize, detain or take possession of any book, accounts, document, computerised data, card, letter, pamphlet, leaflet, notice, device, article or item found on that person for the purpose of the investigation being carried out by that officer.

(4) A female person shall not be searched under this section except by another female person.

(5) Where, by reason of its nature, size or amount, it is not practicable to remove any book, accounts, document, computerised data, signboard, card, letter, pamphlet, leaflet, notice, device, article or item seized under this section, the seizing officer shall, by any means, seal that book, accounts, document, computerised data, signboard, card, letter, pamphlet, leaflet, notice, device, article or item in the premises or container in which it is found.

(6) A person who, without lawful authority, breaks, tampers with or damages the seal referred to in subsection (5) or removes any book, accounts, document, computerised data, signboard, card, letter, pamphlet, leaflet, notice, device, article or item under seal or attempts to do so commits an offence.

**87. Search and seizure without warrant.**

If a police officer not below the rank of Inspector in any of the circumstances referred to in section 86 has reasonable cause to believe that by reason of delay in obtaining a search warrant under that section the investigation would be adversely affected or evidence of the commission of an offence is likely to be tampered with, removed, damaged or destroyed, that officer may enter the premises and exercise in, upon and in respect of the premises all the powers referred to in section 86 in as full and ample a manner as if he or she were authorised to do so by a warrant issued under that section.

**88. Access to computerised data.**

(1) A police officer conducting a search under section 86 or 87 shall be given unlimited access to computerised data whether stored in a computer or otherwise.

(2) For the purposes of this section, “access” includes being provided with the necessary password, encryption code, decryption code, software or hardware and any other means required to enable comprehension of computerised data.

**89. List of things seized.**

(1) Except as provided in subsection (2), where any book, accounts, document, computerised data, signboard, card, letter, pamphlet, leaflet, notice, device, article or item is seized under section 86 or 87, the seizing officer shall prepare a list of the things seized and immediately deliver a copy of the list signed by him or her to the occupier of the premises which have been searched or to his or her agent or servant, at those premises.

(2) Where the premises are unoccupied, the seizing officer shall post a list of things seized conspicuously on the premises and leave a copy with the local authorities.



**90. Obstruction of authorised officer.**

A person who obstructs, impedes, assaults or interferes in any way with any authorised officer in the performance of his functions under this Act commits an offence.

**91. Additional powers.**

An authorised officer may, for the purposes of the execution of this Act, to do all or any of the following—

- (a) require the production of records, accounts, computerised data and documents kept by a licensed certification service provider and to inspect, examine and copy any of them;
- (b) require the production of any identification document from a person in relation to any case or offence under this Act;
- (c) make such inquiry as may be necessary to ascertain whether the provisions of this Act have been complied with.

**92. General penalty.**

(1) A person who commits an offence under this Act for which no penalty is expressly provided is liable, on conviction, to a fine not exceeding seventy two currency points or to imprisonment for a term not exceeding three years or both and in the case of a continuing offence shall in addition be liable to a daily fine not exceeding two currency points for each day the offence continues.

(2) For the purposes of this section, “this Act” does not include the regulations made under this Act.

**93. Institution and conduct of prosecution.**

(1) A prosecution under this Act shall not be instituted except by or with the consent of the Director of Public Prosecution, but a person charged with such an offence may be arrested or a warrant for his or her arrest issued and executed and the person may be detained or released on police bond, notwithstanding that the consent of the Director of Public Prosecution to the institution of a prosecution for the offence has not yet been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

(2) An officer of the Controller duly authorised in writing by the Director of Public Prosecutions may conduct the prosecution for any offence under this Act.

**94. Jurisdiction to try offences.**

Notwithstanding any written law to the contrary, a Magistrate Grade I shall have jurisdiction to try an offence under this Act and to impose the full punishment for the offence.

**95. Protection of officers.**

An action or prosecution shall not be brought, instituted or maintained in a court against the Controller or any officer duly authorised under this Act for or on account of or in respect of any act ordered or done for the purpose of carrying into effect this Act.

**96. Limitation on disclaiming or limiting application of Act.**

Unless it is expressly provided for under this Act, a person shall not disclaim or contractually limit the application of this Act.

**97. Regulations.**

(1) The Minister may on the recommendation of the Controller make regulations for all or any of the following purposes—

- (a) prescribing the qualification requirements for certification service providers;
- (b) prescribing the manner of applying for licences and certificates under this Act, the particulars to be supplied by an applicant, the manner of licensing and certification, the fees payable there for, the conditions or restrictions to be imposed and the form of licences and certificates;
- (c) regulating the operations of licensed certification service provider;

- (d) prescribing the requirements for the content, form and sources of information in certification service provider disclosure records, the updating and timeliness of such information and other practices and policies relating to certification service provider disclosure records;
- (e) prescribing the form of certification practice statements;
- (f) prescribing the qualification requirements for auditors and the procedure for audits;
- (g) prescribing the requirements for repositories and the procedure for recognition of repositories;
- (h) prescribing the requirements for date and time stamp services and the procedure for recognition of date and time stamp services;
- (i) prescribing the procedure for the review of software for use in creating digital signatures and of the applicable standards in relation to digital signatures and certification practice and for the publication of reports on such software and standards;
- (j) prescribing the forms for the purposes of this Act;
- (k) prescribing the fees and charges payable under this Act and the manner for collecting and disbursing the fees and charges;
- (l) providing for such other matters as are contemplated by or necessary for giving full effect to, the provisions of this Act and for their due administration.

(2) Regulations made under subsection (1) may prescribe any act in contravention of the regulations to be an offence and may prescribe in relation to the offence, penalties not exceeding a fine of seventy two currency points or imprisonment for three years or both.

**98. Compensation.**

Where a person is convicted under this Act, the court shall in addition to the punishment provided therein, order such person to pay by way of compensation to the aggrieved party, such sum as is in the opinion of the court just, having regard to the loss suffered by the aggrieved party; and such order shall be a decree under the provisions of the Civil Procedure Act, and shall be executed in the manner provided under that Act.

**99. Power of Minister to amend the Schedule.**

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

**100. Savings and transitional provisions.**

(1) A certification service provider that has been carrying on or operating as a certification service provider before the commencement of this Act shall, not later than three months from the commencement, obtain a licence under this Act.

(2) Where a certification service provider referred to in subsection (1) fails to obtain a licence after the period prescribed in subsection (1), it shall be taken to be an unlicensed certification service provider and the provisions of this Act shall apply to it and a certificate issued by it accordingly.

(3) Where a certification service provider referred to in subsection (1) has obtained a licence in accordance with this Act within the period prescribed in subsection (1), all certificates issued by that certification service provider before the commencement of this Act, to the extent that they are not inconsistent with this Act, shall be taken to have been issued under this Act and shall have effect accordingly.

SCHEDULE

*Section 2*

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings.

**ACTS SUPPLEMENT**

*to The Uganda Gazette No. 19 Volume CIV dated 18th March, 2011.*

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**Act 8**

*Electronic Transactions Act*

**2011**

**THE ELECTRONIC TRANSACTIONS ACT, 2011.**

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**ARRANGEMENT OF SECTIONS.**

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*Section.*

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**THE ELECTRONIC TRANSACTIONS ACT, 2011**

**An Act to provide for the use, security, facilitation and regulation of electronic communications and transactions; to encourage the use of e-Government services and to provide for related matters.**

DATE OF ASSENT: 17th February, 2011.

*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 and different dates may be appointed for the commencement of different provisions.

**2. Interpretation.**

(1) In this Act, unless the context otherwise requires—

“addressee”, in respect of a data message, means a person who is intended by the person originating the data message to receive the data message, but not a person acting as an intermediary in respect of the data message;



“advanced electronic signature” means an electronic signature, which is—

- (a) uniquely linked to the signatory;
- (b) reliably capable of identifying the signatory;
- (c) created using secure signature creation device that the signatory can maintain under his sole control; and
- (d) linked to the data to which it relates in such a manner that any subsequent change of the data or the connections between the data and signature are detectable.

“automated transaction” means an electronic transaction conducted or performed, in whole or in part, by means of a data message in which the conduct or data messages of one or both parties is not reviewed by a natural person in the ordinary course of the natural person’s business or employment;

“computer” means electronic, magnetic, optical, electrochemical, or other data processing device or a group of such interconnected or related devices, performing logical, arithmetic or storage functions; and includes any data storage facility or communications facility directly related to or operating in conjunction with such a device or a group of such interconnected or related devices;

“consumer” means a person who enters or intends to enter into an electronic transaction with a supplier as the end user of the goods or services offered by that supplier;

“currency point” has the value assigned to it in Schedule 1;

“data” means electronic representations of information in any form;

“data message” means data generated, sent, received or stored by computer means and includes—

- (a) voice, where the voice is used in an automated transaction; and

(b) a stored record;

“data subject” means a person from whom or in respect of whom personal information has been requested, collected, collated, processed or stored;

“e-Government services” includes a public service provided by computer means by a public body in Uganda;

“electronic agent” means a computer program or an electronic or other automated means used independently to initiate an action or respond to data messages or performances in whole or in part, in an automated transaction;

“electronic communication” means a communication by means of data messages;

“electronic record” means data which is recorded or stored on any medium in or by a computer system or other similar device, that can be read or perceived by a person or a computer system or other similar device and includes a display, printout or other output of that data;

“electronic records system” includes the computer system or other similar device by or in which data is recorded or stored and the procedure for recording and storing of electronic records;

“electronic signature” means data in electronic form affixed to or logically associated with a data message, which may be used to identify the signatory in relation to the data message and indicates the signatory's approval of the information contained in the data message; and includes an advanced electronic signature as well as secure signature;

“electronic 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;

“information” includes data, text, images, sounds, codes, computer programmes, software and databases;

“information system” means a system for generating, sending, receiving, storing, displaying or otherwise processing data messages and includes the internet or any other information sharing system;

“information system services” includes a provision of connections, operation facilities, for information systems, the provision of access of information systems, the transmission or routing of data messages between or among points specified by a user and the processing and storage of data, at the individual request of the recipient of the service;

“intermediary” means a person who, on behalf of another person, whether as agent or not, sends, receives or stores a particular data message or provides other services with respect to that data message;

“Minister” means the Minister responsible for information and communications technology;

“originator” means a person by whom or on whose behalf, a data message is sent or generated prior to storage, but does not include a person acting as an intermediary in respect of that data message;

“person” includes any company or association or body of persons corporate or unincorporate;

“public body” includes the Government, a department, service or undertaking of the Government, Cabinet, Parliament, a court, local Government administration or a local council and any committee or commission thereof, an urban authority, a municipal council and any committee of any such council, any corporation, committee, board, commission or similar body whether corporate or incorporate established by an Act of Parliament relating to undertakings of public services or such

purpose for the benefit of the public or any section of the public to administer funds or property belonging to or granted by the Government or money raised by public subscription, rates, taxes, cess or charges in pursuance of any written law and any council, board, committee or society established by an Act of Parliament for the benefit, regulation and control of any profession;

“service provider” means—

- (i) any public or private entity that provides to the users of its service the ability to communicate by means of a computer system, and
- (ii) any other entity that processes or stores computer data on behalf of such communication service or users of such service;

“third party”, in relation to a service provider, means a subscriber to a service provided by the service provider or any other user of the service provider’s services or a user of information systems.

(2) This Act shall be construed consistently with what is commercially reasonable under the circumstances as to achieve business sense.

### **3. Application**

(1) This Act does not apply to the list of documents specified in Schedule 2.

(2) Nothing in this Act shall limit the operation of a law which expressly authorises, prohibits or regulates the use of electronic documents.

### **4. Object of the Act**

(1) The object of this Act is to provide a legal and regulatory framework to—

- (a) enable and facilitate electronic communication and transactions;
- (b) remove and eliminate the legal and operational barriers to electronic transactions;
- (c) promote technology neutrality in applying legislation to electronic communications and transactions;
- (d) provide legal certainty and public confidence in the use of electronic communications and transactions;
- (e) promote e-Government services through electronic communications and transactions with the Government, public and statutory bodies;
- (f) ensure that electronic transactions in Uganda conform to the best practices by international standards;
- (g) encourage investment and innovation in information communications and technology to promote electronic transactions;
- (h) develops a safe, secure and effective environment for the consumer, business and the Government to conduct and use electronic transactions;
- (i) promote the development of electronic transactions that are responsive to the needs of users and consumers; and
- (j) foster economic and social prosperity.

## PART II—FACILITATING ELECTRONIC TRANSACTIONS

### **5. Legal effect of electronic records.**

(1) Information shall not be denied legal effect, validity or enforcement solely on the ground that it is wholly or partly in the form of a data message.

(2) Information incorporated into a contract that is not in the public domain is regarded as having been incorporated into a data message if the information is—

- (a) referred to in a way that a reasonable person would have noticed the reference to the information or incorporation in the contract; and
- (b) accessible in a form in which it may be read, stored and retrieved by the other party, whether electronically or as a computer printout as long as the information is reasonably capable of being reduced into electronic form by the party incorporating it.

(3) Where—

- (a) an act;
- (b) a document; or
- (c) information,

is required to be in writing, produced, recorded or retained, it may be written, produced, recorded or retained in electronic form.

(4) For purposes of subsection (3) the requirement for a document or information to be in writing is fulfilled if the document or information is—

- (a) in the form of a data message; and
- (b) accessible in a manner which is usable for subsequent reference.

## **6. Use of electronic signature.**

Where a law requires a signature or provides for consequences where a document is not signed, the requirement is fulfilled if an electronic signature is used.

## **7. Authenticity of data message.**

(1) Where a law requires information to be presented or retained in its original form, the requirement is fulfilled by a data message if—

- (a) the integrity of the information from the time when it was first generated in its final form as a data message or otherwise has passed assessment in terms of subsection (2); and

- (b) that information is capable of being displayed or produced to the person to whom it is to be presented.

(2) For the purposes of subsection 1(a), the authenticity of a data message shall be assessed—

- (a) by considering whether the information has remained complete and unaltered, except for the addition of an endorsement and any change which arises in the normal course of communication, storage or display;
- (b) in light of the purpose for which the information was generated; and
- (c) having regard to all other relevant circumstances.

## **8. Admissibility and evidential weight of a data message or an electronic record**

(1) In legal proceedings, the rules of evidence shall not be applied so as to deny the admissibility of a data message or an electronic record—

- (a) merely on the ground that it is constituted by a data message or an electronic record;
- (b) if it is the best evidence that the person adducing the evidence could reasonably be expected to obtain; or
- (c) merely on the ground that it is not in its original form.

(2) A person seeking to introduce a data message or an electronic record in legal proceeding has the burden of proving its authenticity by evidence capable of supporting a finding that the electronic record is what the person claims it to be.

(3) Subject to subsection (2), where the best evidence rule is applicable in respect of an electronic record, the rule is fulfilled upon proof of the authenticity of the electronic records system in or by which the data was recorded or stored.

(4) When assessing the evidential weight of a data message or an electronic record, the court shall have regard to—

- (a) the reliability of the manner in which the data message was generated, stored or communicated;
- (b) the reliability of the manner in which the authenticity of the data message was maintained;
- (c) the manner in which the originator of the data message or electronic record was identified; and
- (d) any other relevant factor.

(5) The authenticity of the electronic records system in which an electronic record is recorded or stored shall, in the absence of evidence to the contrary, be presumed where—

- (a) there is evidence that supports a finding that at all material times the computer system or other similar device was operating properly or, if it was not, the fact of its not operating properly did not affect the integrity of the electronic record and there are no other reasonable grounds to doubt the integrity of the electronic records system;
- (b) it is established that the electronic record was recorded or stored by a party to the proceedings who is adverse in interest to the party seeking to introduce it; or
- (c) it is established that the electronic record was recorded or stored in the usual and ordinary course of business by a person who is not a party to the proceedings and who did not record or store it under the control of the party seeking to introduce the record.

(6) For the purposes of determining whether an electronic record is admissible under this section, evidence may be presented in respect of set standards, procedure, usage or practice on how electronic records are to be recorded or stored, with regard to the type of business or endeavours that used, recorded or stored the electronic record and the nature and purpose of the electronic record.



(7) This section does not modify the common law or a statutory rule relating to the admissibility of records, except the rules relating to authentication and best evidence.

**9. Retention of information or record.**

(1) Where a law requires that a document, record or information be retained, the requirement is fulfilled by retaining the document, record or information in electronic form if—

- (a) the information contained in the electronic record remains accessible and can be used for subsequent reference;
- (b) the electronic record is retained in the format in which it was originally generated, sent or received or in a format which can be demonstrated to accurately represent the information originally generated, sent or received;
- (c) the information which is retained enables the identification of the origin and destination of an electronic record and the date and time when it was sent or received; and
- (d) the consent of the department or ministry of the Government, or the statutory corporation, which has supervision over the requirement for retaining the record, has been obtained.

(2) The obligation to retain a document, record or information in accordance with subsection (1) (c) shall not extend to information generated solely for the purpose of enabling a document, record or information to be sent or received.

(3) Subsection (1) may be fulfilled by using the services of a person other than the person who originated the document, record or information.

(4) Nothing in this section shall—

- (a) affect a law which expressly provides for the retention of documents, records or information in the form of electronic records;

- (b) preclude a department or ministry of the Government, a statutory corporation from specifying additional requirements for retaining electronic records that are subject to the jurisdiction of the department or ministry of the Government, or statutory corporation.

#### **10. Production of document or information.**

(1) For purposes of section 5(3), a requirement to produce a document or information is fulfilled if a person produces the document or information in electronic form if—

- (a) considering all the relevant circumstances at the time that the data message was sent, the method of generating the electronic form of that document provided a reliable means of assuring the maintenance of the integrity of the information contained in that document; and
- (b) at the time the data message was sent, it was reasonable to expect that the information contained in the data message would be readily accessible so as to be usable for subsequent reference.

(2) For the purposes of subsection (1), the authenticity of the information contained in a document is maintained if the information has remained complete and unaltered, except for—

- (a) the addition of an endorsement; or
- (b) an immaterial change, which arises in the normal course of communication, storage or display.

#### **11. Notarisation, acknowledgement and certification.**

(1) A requirement for a signature, statement or document to be notarised, acknowledged, verified or made under oath, is fulfilled if an advanced or secure electronic signature of a person authorised by law to sign or notarise the document is attached, incorporated or is logically associated with the electronic record.

(2) Where a person is required or permitted to provide a certified copy of a document which is in electronic form, the requirement is fulfilled if the person provides a printout certified to be a true copy of the document or information.

(3) Where a person is required or permitted to provide a certified copy of a document and the document exists in paper or other physical form, that requirement is fulfilled if an electronic copy of the document is certified to be a true copy of the document and the certification is confirmed with an advanced electronic signature.

## **12. Other requirements.**

(1) A requirement for multiple copies of a document to be submitted to a person at the same time is fulfilled by submitting a single data message which is capable of being reproduced by the person to whom the data message is submitted.

(2) Where a document is required to be sealed and the law does not prescribe the method or form in which it is to be the sealed, the document may be sealed by electronic means.

(3) For purposes of subsection (2) a document is sealed by electronic means if the document includes the advanced electronic signature of the person authorised to seal the document.

(4) Where a person is required or permitted to send a document or information by registered or certified mail, that requirement is fulfilled if an electronic copy of the document or information is sent to an authorised service provider and the document, is registered by the service provider and sent to the electronic address provided by the sender provided that such reproduction does not affect the integrity of the document.

## **13. Automated transactions.**

(1) In an automated transaction—

- (a) a contract may be formed where an electronic agent performs an action required by law in order to form a contract; or

- (b) a contract may be formed by a party to the transaction using an electronic agent to enter into the contract.

(2) A party using an electronic agent to enter into a contract shall, subject to subsection (3), be bound by the terms of the contract irrespective of whether the party reviewed the actions of the electronic agent or the terms of the contract.

(3) A party interacting with an electronic agent to form a contract is not bound by the terms of the contract unless the terms are capable of being reviewed by a person representing that party before the formation of the contract.

(4) A contract shall not be formed under subsection (1) where a person interacts directly with the electronic agent of another party and the electronic agent makes a material error when creating a data message unless—

- (a) the other party notifies the natural person of the error as soon as practicable after he or she has learnt of the error;
- (b) the electronic agent provides the natural person with an opportunity to prevent or correct the error;
- (c) the party takes reasonable steps, including steps that conform to the instructions of the natural person to return any performance received, or, if instructed to do so, to destroy that performance; and
- (d) the party has not used or received any material benefit or value from the performance received from the natural person.

#### **14. Formation and validity of a contract.**

(1) A contract shall not be denied legal effect merely because it is concluded partly or wholly by means of a data message.

(2) A contract by means of a data message is concluded at the time when and the place where acceptance of the offer is received by the person making the offer.

**15. Time of dispatch of data message.**

(1) Subject to an agreement to the contrary, where a data message enters a single information system outside the control of the person originating the data message or a person who sent the message on behalf of the person originating the message, the dispatch of the message occurs when the data message enters the information system.

(2) Where a data message successively enters two or more information systems outside the control of the person originating the data message, unless otherwise agreed between the person originating the message and the addressee, the dispatch of the message occurs when the data message enters the first of the information systems.

**16. Time of receipt of data message.**

(1) Unless otherwise agreed between the person originating the data message and the addressee, the time of receipt of a data message is determined where the addressee designates an information system for receiving a data message the receipt of a data message occurs—

- (a) at the time when the data message enters the designated information system; or
- (b) if the data message is sent to an information system of the addressee which is not the designated information system, at the time when the data message is received by the addressee.

(2) Where the addressee has not designated an information system, receipt occurs when the data message enters an information system of the addressee.

(3) Subsections (1) and (2) shall apply notwithstanding that the place where the information system is located is different from the place where the data message is received under section 17.

**17. Place of dispatch or receipt.**

(1) Unless otherwise agreed by the person originating a data message and the addressee, a data message is deemed to have been—

- (a) dispatched at the place of business of the originator; and
- (b) received at the place of business of the addressee.

(2) For the purposes of subsection (1) the person originating the data message or the addressee—

- (a) has more than one place of business—
  - (i) and one of the places can more closely be associated with the transaction, the place of business which can be closely associated with the transaction is presumed to be the place of business;
  - (ii) but paragraph (a) does not apply, the principal place of business of the person originating the data message or the addressee is presumed to be the place of business;
- (b) does not have a place of business, the place where the person originating the data message or the addressee ordinarily resides is presumed to be the place of business.

### **18. Expression of interest.**

An expression of interest may be in the form of a data message and may be without an electronic signature as long as it is possible to infer the interest of the person from the data message.

### **19. Attributing a data message to person originating the message.**

(1) A data message is attributed to the person who originated the data message if the message is sent by—

- (a) the person originating the message;
- (b) an agent of the person originating the message or a person who has the authority to act on behalf of the person originating the data message ; or

- (c) an information system which is programmed by the person originating the message or on behalf of the person originating the message to operate automatically unless it is proved that the information system did not execute the programming properly.

(2) The addressee shall regard a data message as sent by the originator and to act on that assumption if—

- (a) in order to ascertain whether the data message is sent by the person originating the message, the addressee properly applies a method previously agreed to by the person originating the message for that purpose;
- (b) the data message received by the addressee resulted from the action of a person whose relationship with the originator enabled the person to gain access to a method used by the originator to identify electronic records as records of the originator; or
- (c) the data message is sent by an agent of the originator.

(3) Subsection (2) shall not apply where—

- (a) the addressee receives notice from the originator that the originator did not send the data message;
- (b) the addressee knows or ought to have known, had he or she exercised reasonable care or used the agreed method, that the data message was not sent by the originator ;or
- (c) in the circumstances it is unreasonable for the addressee to regard the data message as a message of the originator or to act on the assumption that the data message was sent by the originator.

(4) This section shall not affect the law of agency or the law on formation of contracts.

**20. Acknowledgement of receipt of data message.**

(1) Subject to this section, an acknowledgement of receipt of a data message is not necessary to give legal effect to the data message.

(2) Where the originator specifies that the data message is conditional on receipt of the acknowledgement, the data message is taken as not sent, until the acknowledgement is received by the originator.

(3) Where the originator specifies that the data message is conditional on receipt of an acknowledgement and the acknowledgement is not received by the originator within the time specified or agreed upon or, if no time has been specified or agreed upon, within a reasonable time, the originator may—

- (a) give notice to the addressee stating that an acknowledgement has not been received and specify a reasonable time within which the acknowledgement should be received; and
- (b) upon notice to the addressee, treat the data message as though it has never been sent or exercise any other rights that he or she may have in respect of the data message.

(4) Where the originator does not specify that the acknowledgement is to be given in a particular form or by a particular method, the acknowledgement may be given by—

- (a) any communication from the addressee, automated or otherwise; or
- (b) any conduct of the addressee which is sufficient to indicate to the originator that the addressee received the data message.

(5) Where the originator receives the acknowledgement of receipt from the addressee, unless there is evidence to the contrary it is presumed, that the addressee received the data message.

(6) The presumption in subsection (5) does not imply that the content of the electronic record corresponds to the content of the record received.



(7) Where the acknowledgement states that the related data message fulfilled the technical requirements, either agreed upon or set forth in applicable standards, it is presumed, unless evidence to the contrary is adduced, that those requirements have been met.

(8) Except in so far as it relates to sending or receiving of a data message, this section does not apply to the legal consequences that arise from the data message or from the acknowledgement of its receipt.

## **21. Variation of conditions or requirements by agreement.**

Sections 16, 17, 18, 19 or 20 may be varied by an agreement made between the parties involved in generating, sending, storing or processing a data message.

### **PART III—E-GOVERNMENT SERVICES**

## **22. Electronic filing and issuing of documents.**

Where a law provides that a public body may—

- (a) accept the filing of a document or requires that a document be created or retained;
- (b) issue a permit, licence or an approval; or
- (c) provide for the making of a payment,

the public body may,

- (i) accept the document to be filed, created or retained in the form of a data message;
- (ii) issue the permit, licence or approval in electronic form;  
or
- (iii) make or receive payment by electronic means.

## **23. Specific requirements by public body.**

(1) A public body may for the purposes of section 22 by notice in the *Gazette*, specify—

- (a) the manner and format in which the data message shall be filed, created or retained;
- (b) the manner and format in which the permit, licence or approval shall be issued;
- (c) where the data message has to be signed, the type of electronic signature required;
- (d) the manner and format in which the electronic signature shall be attached to or incorporated into the data message;
- (e) the criteria that shall be met by an authentication service provider used by the person filing the data message or that the authentication service provider shall be a preferred authentication service provider;
- (f) the appropriate control process and the procedure to ensure adequate integrity, security and confidentiality of a data messages or a payment; and
- (g) any other requirements in respect of the data message or payment.

(2) For the purposes of subsection (1) (e) a relevant generic service provider shall be a preferred authentication service provider.

#### PART IV—CONSUMER PROTECTION

### **24. Information to be provided by suppliers or sellers.**

(1) A person offering goods or services for sale, hire or exchange through an electronic transaction shall provide to the consumers on the web site or electronic communication where the goods or services are offered, the following—

- (a) the full name and legal status of the person;
- (b) the physical address and telephone number of the person;
- (c) the web site address or e-mail address of the person;

- (d) membership of any self-regulatory or accreditation bodies to which the person belongs or subscribes and the contact details of that body;
- (e) any code of conduct to which that person subscribes and how the consumer may access that code of conduct electronically;
- (f) in the case of a legal person, the registration number, names of directors and place of registration;
- (g) the physical address where the person may be served with documents;
- (h) a description of the main characteristics of the goods or services offered by the person which is sufficient to enable a consumer to make an informed decision on the proposed electronic transaction;
- (i) the full price of the goods or services, including transport costs, taxes and any other fees or costs;
- (j) the manner of payment;
- (k) any terms or conditions of agreement, including any guarantees, that will apply to the transaction and how those terms may be accessed, stored and reproduced electronically by consumers;
- (l) the time within which the goods will be dispatched or delivered or within which the services will be rendered;
- (m) the manner and period within which consumers may access and maintain a full record of the transaction;
- (n) the return, exchange and refund policy of the person;
- (o) any alternative dispute resolution code to which the person subscribes and how the code may be accessed electronically by the consumer;

- (p) the security procedures and privacy policy of the person in respect of payment, payment information and personal information; and
- (q) where appropriate, the minimum duration of the agreement in the case of agreements for the sale, hire, exchange or supply of products or services to be performed on an ongoing basis or recurrently;

(2) A person offering goods or services for sale, hire or exchange through an electronic transaction shall also provide a consumer with an opportunity—

- (a) to review the entire electronic transaction;
- (b) to correct any mistakes; and
- (c) to withdraw from the transaction before placing an order.

(3) Where a person offering goods or services for sale, hire or exchange through an electronic transaction fails to comply with subsection (1) or (2), a consumer may cancel the transaction within fourteen days after receiving the goods or services under the transaction.

(4) Where a transaction is cancelled under subsection (3)—

- (a) the consumer shall return the goods to the person who offered the goods or, where applicable, cease using the service; and
- (b) the person selling or offering the goods or services shall refund all payments made by the consumer after deducting the direct cost of returning the goods.

(5) For the purposes of subsection (4) (b) the person offering the goods or services shall use a payment system which is secure according to the accepted technological standards at the time of the transaction.

(6) Where a person offering goods or services for sale, hire or exchange by electronic means fails to comply with subsections (4) (b) and (5) he or she is liable for the damage suffered by the consumer

(7) Subsection (3) does not apply to an electronic transaction—

- (a) for financial services, including, investment services, insurance and reinsurance operations, banking services and securities;
- (b) by way of an auction;
- (c) for the supply of foodstuff, beverages or other goods intended for everyday consumption if they are supplied to the home, residence or workplace of the consumer;
- (d) for services which began with the consumer's consent before the end of the seven-day period referred to in section 25(1);
- (e) where the price for the supply of goods or services is dependent on fluctuations in the financial markets and which cannot be controlled by the supplier;
- (f) where the goods—
  - (i) are made to the specifications of the consumer;
  - (ii) are clearly personalised;
  - (iii) by reason of their nature cannot be returned; or
  - (iv) are likely to deteriorate or expire rapidly;
- (g) where audio or video recordings or computer software is unsealed by the consumer;
- (h) for the sale of newspapers, periodicals, magazines and books;
- (i) for the provision of gaming and lottery services; or

- (j) for the provision of accommodation, transport, catering or leisure services and where the supplier undertakes, when the transaction is concluded, to provide these services on a specific date or within a specific period.

**25. Cancelling electronic transaction after receipt of goods or services.**

(1) Subject to sub section (2), a consumer may cancel an electronic transaction and any related credit agreement for the supply of goods or services—

- (a) within seven days after the date of receipt of the goods or services; or
- (b) within seven days after the date of conclusion of the agreement.

(2) A consumer who returns goods after cancelling an electronic transaction under subsection (1) shall not be charged for the returning of the goods other than the direct cost of returning the goods

(3) Where payment for the goods or services has been effected before a consumer exercises the right to cancel the transaction under subsection (1), the consumer is entitled to a full refund of money paid within thirty days of the date of the cancellation.

(4) This section shall not be construed as prejudicing the rights of a consumer which are provided for in any other law.

**26. Unsolicited goods, services or communications.**

(1) A person who sends an unsolicited commercial communication to a consumer, shall provide—

- (a) it at no cost;
- (b) the consumer with the option to cancel his or her subscription to the mailing list of that person at no cost.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction to a fine not exceeding seventy two currency points or to imprisonment not exceeding three years or both.

(3) A person who sends an unsolicited commercial communication to a person who has advised the sender that he or she should not send the communication, commits an offence and is liable on conviction, to a fine not exceeding one hundred and twenty currency points or imprisonment not exceeding five years or both.

## **27. Performance of electronic transaction..**

(1) Where a person makes an order for goods or services by electronic means, unless otherwise agreed by the parties, the supplier shall execute the order within thirty days.

(2) Where the supplier fails to execute the order within thirty days or within the agreed period, the consumer may cancel the order after giving written notice of seven days.

(3) Where the supplier is not able to supply the goods or services, on the ground that the goods or services ordered are not available, he or she shall notify the consumer before the expiry of the agreed time and refund any payment made in respect of the goods or services within thirty days.

## **28. Invalidity of provisions excluding consumer rights.**

A provision in an agreement, which excludes any rights provided for in this Part, is void.

## **PART V—LIMITATION OF LIABILITY OF SERVICE PROVIDERS**

## **29. Liability of a service provider**

(1) A service provider shall not be subject to civil or criminal liability in respect of third-party material which is in the form of electronic records to which he or she merely provides access if the liability is founded on—

- (a) the making, publication, dissemination or distribution of the material or a statement made in the material; or
- (b) the infringement of any rights subsisting in or in relation to the material.

(2) This section shall not affect—

- (a) an obligation in a contract;
- (b) the obligation of a network service provider under a licencing or regulatory framework which is established by law; or
- (c) an obligation which is imposed by law or a court to remove, block or deny access to any material.

(3) For the purposes of this section, provides access, in relation to third-party material, means providing the necessary technical means by which third-party material may be accessed and includes the automatic and temporary storage of the third-party material for the purpose of providing access.

### **30. Information location tools.**

Where a service provider refers or links users to a data message containing an infringing data message or infringing activity, the service provider is not liable for damage incurred by the user if the service provider—

- (a) does not have actual knowledge that the data message or an activity relating to the data message is infringing the rights of the user;
- (b) is not aware of the facts or circumstances from which the infringing activity or the infringing nature of the data message is apparent;
- (c) does not receive a financial benefit directly attributable to the infringing activity; or



- (d) removes or disables access to the reference or link to the data message or activity within a reasonable time after being informed that the data message or the activity relating to the data message infringes the rights of the user.

**31. Notification of infringing data message or activity.**

(1) A person who complains that a data message or an activity relating to the data message is unlawful shall notify the service provider or his or her designated agent in writing and the notification shall include—

- (a) the full name and address of the person complaining;
- (b) the written or electronic signature of the person complaining;
- (c) the right that has allegedly been infringed;
- (d) a description of the material or activity which is alleged to be the subject of infringing activity;
- (e) the remedial action required to be taken by the service provider in respect of the complaint;
- (f) telephone and electronic contact details of the person complaining;
- (g) a declaration that the person complaining is acting in good faith; and
- (h) a declaration that the information in the notification is correct to his or her knowledge.

(2) A person who knowingly makes a false statement on the notification in subsection(1) is liable to the service provider for the loss or damage suffered by the service provider.

**32. Service provider not obliged to monitor data**

(1) For the purposes of complying with this Part, a service provider is not obliged to—

- (a) monitor the data which the service provider transmits or stores; or
- (b) actively seek for facts or circumstances indicating an unlawful activity,

(2) The Minister in consultation with the National Information Technology Authority—Uganda may by statutory instrument, prescribe the procedure for service providers to—

- (a) inform the competent public authorities of any alleged illegal activities undertaken or information provided by recipients of their service; and
- (b) communicate information enabling the identification of a recipient of the service provided by the service provider, at the request of a competent authority

**33. Territorial Jurisdiction.**

(1) Subject to subsection (2), this Act shall have effect, in relation to any person, whatever his or her nationality or citizenship and whether he or she is outside or within Uganda.

(2) Where an offence under this Act, is committed by any person in any place outside Uganda, he or she may be dealt with as if the offence had been committed within Uganda.

**34. Jurisdiction of courts.**

A court presided over by the Chief Magistrate or Magistrate Grade 1 has jurisdiction to hear and determine all offences in this Act and, notwithstanding anything to the contrary in any written law, has power to impose the penalty or punishment in respect of any offence under this Act.

**35. Regulations.**

The Minister may, by statutory instrument make regulations for any—

- (a) matter which is required to be prescribed;
- (b) administrative or procedural matter which is necessary to give effect to this Act; or
- (c) matter which is necessary and expedient to give effect to this Act.

**36. Power of the Minister to amend Schedule**

The Minister in consultation with the National Information Technology Authority- Uganda may, by statutory instrument, with the approval of Cabinet amend the Schedules.

SCHEDULE 1

*Section 2.*

Currency point

One currency point is equivalent to twenty thousand shillings.

**SCHEDULE 2***Section 3***DOCUMENTS NOT COVERED BY THIS ACT:**

- (a) Will or codicil;
- (b) Trust created by a will or codicil;
- (c) Power of attorney;
- (d) Document that creates or transfers an interest in property and requires registration to be effective against third parties; and
- (e) Negotiable instruments, including negotiable documents of title.