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General Notice No. 409 of 2011.

THE COMPANIES ACT (CAP 110)

BUSOGA FORESTRY COMPANY LIMITED

GENERAL NOTICE

Pursuant to Section 19(2) of the Companies Act (Cap. 110) Laws of Uganda, Notice is hereby given that M/S BUSOGA FORESTRY COMPANY LTD never changed named by General Notice No. 220 of 2011 in the Uganda Gazette of 1st April 2011, because the proposed new name of M/S GREEN RESOURCES (U) LTD was NOT AVAILABLE.

M/S BUSOGA FORESTRY COMPANY LTD has therefore never changed name and remains on the Register of companies as registered from the 14th March, 1996.

Dated this 1st day of July, 2011.

BISEREKO KYOMUHENDO,
Registrar of Companies.

General Notice No. 410 of 2011.

IN THE MATTER OF THE COMPANIES ACT CAP. 110 AND

IN THE MATTER OF ESKAY ENTERPRISES (U) LTD (In Members Voluntary Winding-up)

NOTICE FOR VOLUNTARY WINDING UP

Notice is hereby given that at an extra-ordinary general meeting of the members of Eskay Enterprises Ltd, held at Kampala on the 20th day of May, 2011, the following special resolutions were duly passed:

"That the company be wound up voluntarily and that Brian Kalule, Advocate of the High Court, Nsubuga & Company Advocates Kampala is hereby appointed liquidator for the purpose of winding up."

Creditors of the company are required on or before the 30th day of July 2011, to send full particulars of all the claims they may have against the said company to the undersigned, the liquidator of the said company, and if so required by notice in writing from the said liquidator, personally or by their advocate to come in and prove their debts or claims set out in such notice or in default thereof they may be excluded from the benefits of any distribution made before such debts are proved.

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

BRIAN KALULE,

Liquidator,

NSUBUGA & CO. ADVOCATES,

5th Floor Communications House Kampala.

General Notice No. 411 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 Child Care Kitgum Servants Limited has been by special resolution passed on 1st February, 2011 and with the approval of the Registrar of Companies changed in name to Irene Gleeson Foundation Limited and that such new name has been entered in my Register.

Dated at Kampala, this 15th day of March, 2011.

JULIET NASSUNA,
Assistant Registrar of Companies.

General Notice No. 412 of 2010.

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

NOTICE OF GRANT OF EXPLORATION LICENCE

IT IS HEREBY NOTIFIED that Exploration Licence, Number EL 0775 registered as Number 001092 has been granted in accordance with the provisions of Section 27 and Section 29 to M/s Africa Metals Limited of P.O. Box 21217, Kampala, for a period of three (3) years effective from 1st July, 2011.

The Exploration area subject to the Exploration Licence is 29.0 km² and is on Topography Map, Sheet Number 86/3 situated in Isingiro District.

Dated at Entebbe, this 1st day of July, 2011.

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

General Notice No. 413 of 2011.

KABEREBERE TOWN COUNCIL
P.O. Box 1561, MBARARA
The Local Governments (Rating) Act, 2005
Section 14 and 15

**DEPOSIT OF DRAFT MAIN VALUATION LIST FOR
2011 FOR KABEREBERE TOWN COUNCIL**

In exercise of the powers conferred upon the Town Council of Kaberebere by the above mentioned Act, the Public is hereby notified that the Draft Main Valuation List for Kaberebere Town has been completed and was accordingly laid before the Council.

The list will be available for inspection at the Town Council Headquarters between the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday for 30 days with effect from 11th July 2011.

Any person shall be entitled to inspect the said list and take copies or extract there from.

During these 30 days any aggrieved person shall be entitled to lodge an objection in writing (forms are available at the mentioned offices) stating the grounds on which the objection is made.

No person shall be entitled to be heard by the valuation Court unless he/she has lodged a notice of objection within the stipulated time, in accordance with section 15 of this act.

Issued at KABEREBERE; 24th June 2011.

for Town Clerk, Kaberebere Town Council.

General Notice No. 414 of 2011.

THE TRADEMARKS ACT
Section 23(3) & Rule 67
NOTICE

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

No.	Class	Schedule	Name of Proprietor
22599	11	III	PANYAHULULU CO. LTD.

Dated this Tuesday, July 05, 2011.

MERCY KYOMUGASHO K. NDYAHIKAYO,
Asst. Registrar of Trademarks.

General Notice No. 415 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. 2011/42393 IN PART "A".
(52) Class 38.
(54)

EVERYWHERE YOU GO

- (53)
(59)
(64)
(57) *Nature of goods*—Telecommunications.
(73) *Name of applicant*— MTN Group Management Services (Proprietary) Limited.
(77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.
(74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
(22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42565 IN PART "A".
(52) Class 4.
(54)

MOBILGRIND

- (53)
(59)
(64)
(57) *Nature of goods*—Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.
(73) *Name of applicant*— Exxon Mobil Corporation.
(77) *Address*— 5959 Las Collinas Boulevard, Irving, Texas 75039-2298, U.S.A.
(74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
(22) *Date of filing application*— 04th February, 2011.

- (21) APPLICATION NO. 2011/42400 IN PART "A".
(52) Class 38.
(54)

MTN OneWorld

- (53)
(59)
(64)
(57) *Nature of goods*—Telecommunications.

- (73) *Name of applicant* — MTN Group Management Services (Proprietary) Limited.
 (77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42398 IN PART "A".
 (52) Class 38.
 (54)

ME2U

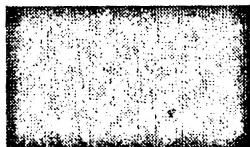
- (53)
 (59)
 (64)
 (57) *Nature of goods*—Telecommunications.
 (73) *Name of applicant* — MTN Group Management Services (Proprietary) Limited.
 (77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42397 IN PART "A".
 (52) Class 38.
 (54)

PAY AS YOU GO

- (53)
 (59)
 (64)
 (57) *Nature of goods*—Telecommunications.
 (73) *Name of applicant* — MTN Group Management Services (Proprietary) Limited.
 (77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42396 IN PART "A".
 (52) Class 38.
 (54)



- (53)
 (59) *Restriction to Colour*—Yellow Pantone 123c.
 (64)
 (57) *Nature of goods*—Telecommunications.
 (73) *Name of applicant* — MTN Group Management Services (Proprietary) Limited.
 (77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42395 IN PART "A".
 (52) Class 9.
 (54)



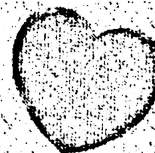
- (53)
 (59) *Restriction to Colour*—Yellow Pantone 123c.
 (64)
 (57) *Nature of goods*—Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, 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* — MTN Group Management Services (Proprietary) Limited.
 (77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42942 IN PART "A".
 (52) Class 5.
 (54)

DIATEC

- (53)
 (59)
 (64)
 (57) *Nature of goods*—Pharmaceutical product for the treatment of diabetes available on prescription only.
 (73) *Name of applicant*— Mepha GmbH.
 (77) *Address*— Dornacherstrasse 114, CH-4147 Aesch, Switzerland.
 (74) *C/o.* MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 22nd March, 2011.

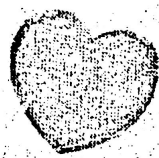
- (21) APPLICATION NO. 2011/42940 IN PART "A".
 (52) Class 5.
 (54)



- (53)
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 (57) *Nature of goods*—Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic foods and substances adapted for medical and clinical use; food and food substances for babies, infants and invalids; foods and food substances for nursing mothers adapted for medical use; nutritional and dietary supplements; vitamin preparations, mineral food preparations; medicated confectionery.

- (73) *Name of applicant*— Societe des Produits Nestle SA.
 (77) *Address*— 1800 Vevey, SWITZERLAND, Switzerland.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 22nd March, 2011.

- (21) APPLICATION NO. 2011/42943 IN PART "A".
 (52) Class 29.



- (53)
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- (57) *Nature of goods*—Vegetables and potatoes (preserved, frozen, dried or cooked), fruits (preserved, frozen, dried or cooked), mushrooms (preserved, dried or cooked), meat, poultry, game, fish and seafood, all these products also in the form of extracts, soups, jellies, pastes, preserves, ready-made dishes, frozen or dehydrated; jams; eggs; milk, cream, butter, cheese and other food preparations having a base of milk; milk substitutes; milk-based beverages; milk-based and cream-based desserts; yoghurts; soya milk (milk substitute), soya-based preparations; edible oils and fats; protein preparations for human food; non-dairy creamers; sausages; charcuterie; peanut butter; soups, soup concentrates, broth, stock cubes, bouillon, consommés.

- (73) *Name of applicant*— Societe des Produits Nestle S.A.
 (77) *Address*— CH-1800, Vevey, SWITZERLAND, Switzerland.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 22nd March, 2011.

- (21) APPLICATION NO. 2011/42949 IN PART "A".
 (52) Class 29.
 (54)



- (53)
 (59) *Restriction to colours*— Blue, white, red and black.
 (64)

- (57) *Nature of goods*—Flours and preparations made from cereals, bread, yeast, pastry, biscuits; cakes, cookies, wafers, toffees, puddings; cereal preparations; rice, pasta, noodles; foodstuffs having a base of rice, of flour or of cereals, also in the form of ready-made dishes; pizzas; sandwiches; mixtures of alimentary paste and oven-ready prepared dough; cake powders; sauces, preparations for making sauces; soya sauces; ketchup; aromatising or seasoning products for food, edible spices, condiments, salad dressings, mayonnaise; mustard; vinegar.

- (73) *Name of applicant*— Societe des Produits Nestle S.A.
 (77) *Address*— CH-1800, Vevey, Switzerland.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42350 IN PART "A".
 (52) Class 29.
 (54)

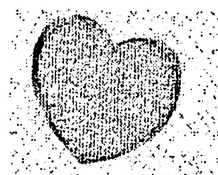


- (53)
 (59) *Restriction to colours*— Blue, white, red and black.
 (64)

- (57) *Nature of goods*— Preserved, frozen, dried or cooked vegetables; preserved, frozen, dried or cooked potatoes, preserved, frozen, dried or cooked fruit, preserved, dried or cooked mushrooms, meat, poultry, game, fish and seafood, all these products also in the form of extracts, soups, jellies, pastes, preserves, ready-made dishes, frozen or dehydrated; jams; eggs; soya-based preparations; edible oils and fats; protein preparations for human food consumption; sausages; charcuterie; peanut butter; soups, soup concentrates, preparations for making soups, broth, stock also in the form of cubes, of tablets or granulated, bouillons, bouillons concentrates, preparations for making bouillons, consommés.

- (73) *Name of applicant*— Societe des Produits Nestle S.A.
 (77) *Address*— CH-1800, Vevey, Switzerland.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 14th January, 2011.

- (21) APPLICATION NO. 2011/42944 IN PART "A".
 (52) Class 30.
 (54)



- (53)
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- (57) *Nature of goods*—Coffee, coffee extracts, coffee-based preparations and beverages; Iced coffee; coffee substitutes, extracts of coffee substitutes, preparations and beverages based on coffee substitutes; chicory; tea, tea extracts, tea-based preparations and beverages; iced tea; malt-based preparations and beverages; cocoa and cocoa-based preparations and beverages; chocolate, chocolate products, chocolate-based preparations and beverages; confectionery, sweets, candies; sugar confectionery; sugar; chewing gum; natural sweeteners; bakery products, bread, yeast, pastry; biscuits, cakes, cookies, wafers, toffees, puddings; ice cream, water ices, sherbets, frozen confections, frozen cakes, soft ices, frozen desserts, frozen yoghurts; binding agents for making ice cream and/or water ices and/or sherbets and/or frozen confections and/or frozen cakes and/or soft ices and/or frozen desserts and/or frozen yoghurts; honey and honey substitutes; breakfast cereals, muesli, corn flakes, cereal bars, ready-to-eat cereals; cereal preparations; rice, pasta, noodles; foodstuffs having a base of rice, of flour or of cereals, also in the form of ready-made dishes; pizzas; sandwiches; mixtures of alimentary paste and oven-ready prepared dough; sauces; soya sauce; ketchup; aromatising or seasoning products for food, edible spices, condiments, salad dressings, mayonnaise; mustard; vinegar.

(73) *Name of applicant*— Societe des Produits Nestle S.A.
 (77) *Address*— CH-1800, Vevey, Switzerland.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 22nd March, 2011.

Kampala, MAUDAH ATUZARIRWE,
 23rd June, 2011. Registrar of Trademarks.

(21) APPLICATION NO. 2011/43404 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*— Longfortune [U] Ltd.
 (77) *Address*— P.O. Box 34774, Kampala, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43405 IN PART "A".
 (52) Class 24.
 (54)



(53)
 (59)
 (64)
 (57) *Nature of services*—Textiles and textile goods, not included in other classes; bed and table covers.
 (73) *Name of applicant*— Longfortune [U] Ltd.
 (77) *Address*— P.O. Box 34774, Kampala, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43419 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*— V.G. Keshwala & Sons Limited.
 (77) *Address*— P.O. Box 17, Jinja, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43416 IN PART "A".
 (52) Class 16.
 (54)

KRISHNA

(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*— V.G. Keshwala & Sons Limited.
 (77) *Address*— P.O. Box 17, Jinja, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43418 IN PART "A".
 (52) Class 32.
 (54)

KRISHNA

(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*— V.G. Keshwala & Sons Limited.
 (77) *Address*— P.O. Box 17, Jinja, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43417 IN PART "A".
 (52) Class 30.
 (54)

KRISHNA

(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*— V.G. Keshwala & Sons Limited.
 (77) *Address*— P.O. Box 17, Jinja, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43453 IN PART "A".
 (52) Class 3.
 (54)

NEW LAZER WEAVES

(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*— SDC (U) Ltd.

(77) *Address*— P.O. Box 29722, Kampala, Uganda.

(74)

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

(21) APPLICATION NO. 2011/43452 IN PART "A".

(52) Class 3.

(54)

CAROL BRIGHT

(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*— SDC (U) Ltd.

(77) *Address*— P.O. Box 29722, Kampala, Uganda.

(74)

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

(21) APPLICATION NO. 2011/43458 IN PART "A".

(52) Class 7.

(54)



(53)

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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*— Bhesania Suhel Ismail.

(77) *Address*— P.O. Box 41026, Dubai, U. Arab Emirates; Plot M217 Nakawa Industrial Area, P.O. Box 6329, Kampala.

(74) C/o. Hellen M. Wenene Advocate, Plot M217 Nakawa Industrial Area, P.O. Box 6329, Kampala.

(22) *Date of filing application*— 30th June, 2011.

(21) APPLICATION NO. 2011/43101 IN PART "A".

(52) Class 6.

(54)



NILE STEEL

(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*— Nile Steel & Plastics Limited.

(77) *Address*— P.O. Box 11549, Kampala, Uganda.

(74)

(22) *Date of filing application*— 19th April, 2011.

(21) APPLICATION NO. 2010/42078 IN PART "A".

(52) Class 10.

(54)



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(57) *Nature of goods*— Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

(73) *Name of applicant*— The Global Fund to Fight AIDS, Tuberculosis and Malaria.

(77) *Address*— Chenim de Blandonnet 8, 1214 Vernier, Geneva, Switzerland.

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

(22) *Date of filing application*— 25th November, 2010.

(21) APPLICATION NO. 2010/42079 IN PART "A".

(52) Class 36.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Insurance; financial affairs; monetary affairs; real estate affairs.

(73) *Name of applicant*— The Global Fund to Fight AIDS, Tuberculosis and Malaria.

(77) *Address*— Chenim de Blandonnet 8, 1214 Vernier, Geneva, Switzerland.

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

(22) *Date of filing application*— 25th November, 2010.

(21) APPLICATION NO. 2010/42080 IN PART "A".

(52) Class 44.

(54)



(53)

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(57) *Nature of goods*— Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

(73) *Name of applicant*— The Global Fund to Fight AIDS, Tuberculosis and Malaria.

(77) *Address*— Chenim de Blandonnet 8, 1214 Vernier, Geneva, Switzerland.

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

(22) *Date of filing application*— 25th November, 2010.

(21) APPLICATION No. 2010/42081 IN PART "A".

(52) Class 5.

(54)



(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*— The Global Fund to Fight AIDS, Tuberculosis and Malaria.

(77) *Address*— Chenim de Blandonnet 8, 1214 Vernier, Geneva, Switzerland.

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

(22) *Date of filing application*— 25th November, 2010.

(21) APPLICATION No. 2011/43428 IN PART "A".

(52) Class 35.

(54)



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(57) *Nature of goods*—Advertising; business management; business administration; office functions.

(73) *Name of applicant*— Starbucks Corporation D/B/A Starbucks Coffee Company.

(77) *Address*— 2401 Utah Avenue South, Seattle, Washington 98134, United States of America, U.S.A.

(74) *C/o.* Synergy Solicitors & Advocates, Kampala.

(22) *Date of filing application*— 27th June, 2011.

(21) APPLICATION No. 2011/43430 IN PART "A".

(52) Class 43.

(54)



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

(73) *Name of applicant*— Starbucks Corporation D/B/A Starbucks Coffee Company.

(77) *Address*— 2401 Utah Avenue South, Seattle, Washington 98134, United States of America, U.S.A.

(74) *C/o.* Synergy Solicitors & Advocates, Kampala.

(22) *Date of filing application*— 27th June, 2011.

(21) APPLICATION No. 2011/43429 IN PART "A".

(52) Class 30.

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(57) *Nature of services*—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*— Starbucks Corporation D/B/A Starbucks Coffee Company.

(77) *Address*— 2401 Utah Avenue South, Seattle, Washington 98134, United States of America, U.S.A.

(74) *C/o.* Synergy Solicitors & Advocates, Kampala.

(22) *Date of filing application*— 27th June, 2011.

(21) APPLICATION No. 43210 IN PART "A".

(52) Class 36.

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(57) *Nature of goods*— Insurance and financial services, including insurance, underwriting, administration and agency services; in the fields of life, property and casualty, disability, long term care; annuities, and asset management services; pension fund and retirement plan management services, namely investment of pension and retirement funds for others, and administration of employee pension and retirement plans; capital investment consultation services; corporate financing services; investment banking services; investment brokerage services, namely private and public sales of loans and loan portfolios; commodities brokerage and underwriting services; mutual fund brokerage distribution and investment services; unit investment trust brokerage, distribution and investment services; financial clearing house services; commercial banking services; credit card and debit card services; investment advisory and management services; loan financing services; mortgage financing services; home equity loans; real estate brokerage; leasing and management services; defined contribution and defined benefit plans; financial real estate planning services; providing financial, insurance, investment and real estate information and research by electronic means; real estate investment services; research services in the fields of finance, insurance and real estate; real estate management services; real estate brokerage and leasing services; administration, underwriting and marketing of commingled, open end equity real estate funds and single client accounts managing real estate investments on behalf of third party investors; real estate brokerage franchise services.

(73) *Name of applicant* — The Prudential Insurance Company of America, a New Jersey Corporation.

(77) *Address*— 751 Broad Street, Newark, New Jersey, 07102, USA.

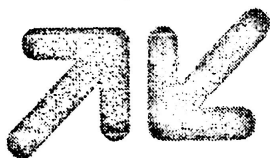
(74) C/o. M/s. Masembe, Makubuya, Adriko, Karugaba & Sekatawa (MMAKS) Advocates, 3rd Floor, Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 11th May, 2011.

(21) APPLICATION NO. 2011/42653 IN PART "A".

(52) Class 9.

(54)



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(59) *Restriction to colours*— This mark is limited to the colours grey and orange as shown on the representation attached to the application.

(64)

(57) *Nature of goods*— Electrical and electronic communications and telecommunications apparatus and instruments; communications and telecommunications apparatus and instruments; electrical and electronic apparatus and instruments all for processing, logging, storing, transmission, retrieval or reception of data; apparatus and instruments for recording, transmission, amplifying or reproduction of sound, images, information or encoded data; cameras; photographic apparatus, instruments and equipment; image processing apparatus, instruments and equipment; television and radio apparatus and instruments; telecommunication, radio and television broadcasting transmitters and receivers; apparatus for access to broadcast or transmitted programmes; holograms; computers; peripheral equipment for computers; programmed-data-carrying electronic circuits; computer programs; computer software; discs, tapes and wires all being magnetic data carriers; blank and pre-recorded magnetic cards; data cards; memory cards; smart cards; cards containing microprocessors; integrated circuit cards; electronic identification cards; telephone cards; telephone credit cards; credit cards; debit cards; cards for electronic games designed for use with telephones; CD ROMs; magnetic, digital and optical data carriers; magnetic, digital and optical data recording and storage media (blank and pre-recorded); computer software supplied from the Internet; electronic publications (downloadable) provided on-line from computer databases or the Internet; computer software and telecommunications apparatus (including modems) to enable connection to databases, local area networks and the Internet; computer software to enable teleconferencing, videoconferencing and videophone services; computer software to enable searching and retrieval of data; computer software for accessing databases, telecommunications services, computer networks and electronic bulletin boards; computer games software; digital music (downloadable) provided from a computer database or the Internet; digital music (downloadable) provided from MP3 Internet websites; devices for playing music received from the Internet; MP3 players; photographs, pictures, graphics, sound bytes, films, videos and audio-visual programmes (downloadable) provided on-line or from computer databases or the Internet or Internet websites; remote monitoring apparatus and instruments; computer software for use in remote monitoring; satellite transmitters and receivers; telecommuni-

cations and broadcasting satellites; radio telephone beacons and telephone masts; electric wires and cables; optical cables; resistance wires; electrodes; telecommunications systems and installations; terminals for telephone networks; telephone switchboards; telecommunications signal input, storage, conversion and processing apparatus; telephone equipment; equipment for fixed, transportable, mobile, hands-free or voice-activated telephones; multimedia terminals; interactive terminals for displaying and ordering goods and services; paging, radio paging and radio-telephone apparatus and instruments; telephones, mobile telephones and telephone handsets; facsimile machines; accessories for telephones and telephone handsets; adapters for use with telephones; battery chargers for use with telephones; desk or car mounted units incorporating a loudspeaker to allow a telephone handset to be used hands-free; in-car telephone handset cradles; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computerised personal organisers; aerials; batteries; micro processors; key boards; modems; calculators; display screens; electronic global positioning systems; electronic navigational, tracking and positioning apparatus and instruments; monitoring (other than in-vivo monitoring) apparatus and instruments; radio apparatus and instruments; electrical control, testing (other than in-vivo testing), signalling, checking (supervision) and teaching apparatus and instruments; optical and electro-optical apparatus and instruments; video films; audio-visual apparatus and equipment; electronic games equipment and apparatus; electrical and electronic accessories and peripheral equipment designed and adapted for use with computers, audio-visual apparatus and electronic games equipment and apparatus; parts and fittings for all the aforesaid goods.

(73) *Name of applicant*— Orange Brand Services Limited, an English and Wales Company.

(77) *Address*— St. James Court, Great Park Road, Almondsbury Park, Bradley Stoke, Bristol, United Kingdom.

(74) C/o. M/s. MMAKS Advocates, 3rd Floor, Diamond Trust Building, P.O. Box 7166, Kampala.

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

(21) APPLICATION NO. 2011/42662 IN PART "A".

(52) Class 9.

(54)



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(57) *Nature of goods*— Electrical and electronic communications and telecommunications apparatus and instruments; communications and telecommunications apparatus and instruments; electrical and electronic apparatus and instruments all for processing, logging, storing, transmission, retrieval or reception of data; apparatus and instruments for recording, transmission, amplifying or reproduction of sound, images, information or encoded data; cameras; photographic apparatus, instruments and equipment; image processing apparatus, instruments and equipment; television and radio apparatus and instruments; telecommunication, radio and television broadcasting transmitters and receivers; apparatus for access to broadcast or transmitted programmes;

holograms; computers; peripheral equipment for computers; programmed-data-carrying electronic circuits; computer programs; computer software; discs, tapes and wires all being magnetic data carriers; blank and pre-recorded magnetic cards; data cards; memory cards; smart cards; cards containing microprocessors; integrated circuit cards; electronic identification cards; telephone cards; telephone credit cards; credit cards; debit cards; cards for electronic games designed for use with telephones; CD ROMs; magnetic, digital and optical data carriers; magnetic, digital and optical data recording and storage media (blank and pre-recorded); computer software supplied from the Internet; electronic publications (downloadable) provided on-line from computer databases or the Internet; computer software and telecommunications apparatus (including modems) to enable connection to databases, local area networks and the Internet; computer software to enable teleconferencing, videoconferencing and videophone services; computer software to enable searching and retrieval of data; computer software for accessing databases, telecommunications services, computer networks and electronic bulletin boards; computer games software; digital music (downloadable) provided from a computer database or the Internet; digital music (downloadable) provided from MP3 Internet websites; devices for playing music received from the Internet; MP3 players; photographs, pictures, graphics, sound bytes, films, videos and audio-visual programmes (downloadable) provided on-line or from computer databases or the Internet or Internet websites; remote monitoring apparatus and instruments; computer software for use in remote monitoring; satellite transmitters and receivers; telecommunications and broadcasting satellites; radio telephone beacons and telephone masts; electric wires and cables; optical cables; resistance wires; electrodes; telecommunications systems and installations; terminals for telephone networks; telephone switchboards; telecommunications signal input, storage, conversion and processing apparatus; telephone equipment; equipment for fixed, transportable, mobile, hands-free or voice-activated telephones; multimedia terminals; interactive terminals for displaying and ordering goods and services; paging, radio paging and radio-telephone apparatus and instruments; telephones, mobile telephones and telephone handsets; facsimile machines; accessories for telephones and telephone handsets; adapters for use with telephones; battery chargers for use with telephones; desk or car mounted units incorporating a loudspeaker to allow a telephone handset to be used hands-free; in-car telephone handset cradles; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computerised personal organisers; aerials; batteries; micro processors; key boards; modems; calculators; display screens; electronic global positioning systems; electronic navigational, tracking and positioning apparatus and instruments; monitoring (other than in-vivo monitoring) apparatus and instruments; radio apparatus and instruments; electrical control, testing (other than in-vivo testing), signaling, checking (supervision) and teaching apparatus and instruments; optical and electro-optical apparatus and instruments; video films; audio-visual apparatus and equipment; electronic games equipment and apparatus; electrical and electronic accessories and peripheral equipment designed and adapted for use with computers, audio-visual apparatus and electronic games equipment and apparatus; parts and fittings for all the aforesaid goods.

(73) *Name of applicant*— Orange Brand Services Limited, an English and Wales Company.

(77) *Address*— St. James Court, Great Park Road, Almondsbury Park, Bradley Stoke, Bristol, United Kingdom.

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

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

(21) APPLICATION No. 2011/42665 IN PART "A".

(52) Class 9.

(54)



(53)

(59) *Restriction to colours*— This mark is limited to the colours black, white and orange as shown on the representation affixed to the application.

(64)

(57) *Nature of goods*— Electrical and electronic communications and telecommunications apparatus and instruments; communications and telecommunications apparatus and instruments; electrical and electronic apparatus and instruments all for processing, logging, storing, transmission, retrieval or reception of data; apparatus and instruments for recording, transmission, amplifying or reproduction of sound, images, information or encoded data; cameras; photographic apparatus, instruments and equipment; image processing apparatus, instruments and equipment; television and radio apparatus and instruments; telecommunication, radio and television broadcasting transmitters and receivers; apparatus for access to broadcast or transmitted programmes; holograms; computers; peripheral equipment for computers; programmed-data-carrying electronic circuits; computer programs; computer software; discs, tapes and wires all being magnetic data carriers; blank and pre-recorded magnetic cards; data cards; memory cards; smart cards; cards containing microprocessors; integrated circuit cards; electronic identification cards; telephone cards; telephone credit cards; credit cards; debit cards; cards for electronic games designed for use with telephones; CD ROMs; magnetic, digital and optical data carriers; magnetic, digital and optical data recording and storage media (blank and pre-recorded); computer software supplied from the Internet; electronic publications (downloadable) provided on-line from computer databases or the Internet; computer software and telecommunications apparatus (including modems) to enable connection to databases, local area networks and the Internet; computer software to enable teleconferencing, videoconferencing and videophone services; computer software to enable searching and retrieval of data; computer software for accessing databases, telecommunications services, computer networks and electronic bulletin boards; computer games software; digital music (downloadable) provided from a computer database or the Internet; digital music (downloadable) provided from MP3 Internet websites; devices for playing music received from the Internet; MP3 players; photographs, pictures, graphics, sound bytes, films, videos and audio-visual programmes (downloadable) provided on-line or from computer databases or the Internet or Internet websites; remote monitoring apparatus and instruments; computer software for use in remote monitoring; satellite transmitters and receivers; telecommunications and broadcasting satellites; radio telephone beacons and telephone masts; electric wires and cables; optical cables; resistance wires; electrodes;

(73) *Name of applicant*— Orange Brand Services Limited, an English and Wales Company.

(77) *Address*— St. James Court, Great Park Road, Almondsbury Park, Bradley Stoke, Bristol, United Kingdom.

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

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

(21) APPLICATION NO. 2011/42660 IN PART "A".

(52) Class 38.

(54)



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(57) *Nature of goods*— Telecommunications services; communications services; telephone, mobile telephone, facsimile, telex, message collection and transmission, radio-paging, call diversion, answer phone, directory enquiries and electronic mail services; transmission, delivery and reception of sound, data, images, music and information; electronic message delivery services; on-line information services relating to telecommunications; data interchange services; transfer of data by telecommunication; satellite communication services; broadcasting services; broadcasting or transmission of radio or television programmes and of films, teleshopping and webshopping programmes; videotext, teletext and view data services; broadcasting and delivery of multimedia content over electronic communications networks; video messaging services; video conferencing services; video telephone services; telecommunication of information (including web pages), computer programs and any other data; providing user access to the Internet; providing telecommunications connections or links to the Internet or databases; providing user access to the Internet (service providers); provision and operation of electronic conferencing, discussion groups and chat rooms; providing access to digital music websites on the Internet; providing access to MP3 websites on the Internet; delivery of digital music by telecommunications; providing access to telecommunications infrastructures for other operators; operating and providing search engines; telecommunication access services; computer aided transmission of messages and images; communication by computer; news agency services; transmission of news and current affairs information; hire, leasing or rental of apparatus, instruments, installations or components for use in the provision of the aforementioned services; advisory, information and consultancy services relating to all the aforementioned.

(73) *Name of applicant*— Orange Brand Services Limited, an English and Wales Company.

(77) *Address*— St. James Court, Great Park Road, Almondsbury Park, Bradley Stoke, Bristol, United Kingdom.

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

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

(21)

(52)

APPLICATION NO. 2011/42658 IN PART "A".

Class 42.

(54)



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(59) *Restriction to colours*— The device part on the left of the mark is a shade of blue being RAL 5015.

(64)

(57) *Nature of goods*— Creating, servicing, repair and maintenance of computer programs and software, in particular multimedia computer software (music, sound, data, video and images), and for the operation of networks; establishment and operation (technical management) of databases for the collating, storage and providing of software, data, images, audio and/or video information; technical consultancy for designing apparatus, equipment and installations for network services, and for designing, including planning and development, of networks; Internet services, namely the creating and installation of Internet presentations; development of electronic programme guides; technical computer consultancy in the field of data processing; franchising, namely technical support and consultancy with regard to the manufacture of plastics; consultancy with regard to the technical construction of workshops for the processing and treatment of plastics; consultancy in the field of medical technology; planning and development in the field of medical technology; planning, development and consultancy in the field of electrical engineering and electronics, including rental of electrotechnical and electronic installations and appliances, apparatus, equipment, instruments and products, namely for household and kitchen appliances, for cosmetic apparatus and implements, for scientific, electric and electronic apparatus, for electronic entertainment devices, instruments, apparatus and equipment, satellite receiver and navigation apparatus, equipment and installations, for broadband communications, information technology, communications, office technology and telecommunications apparatus, equipment and installations, for computers, personal computers and notebook computers, and data processing equipment and all peripheral devices therefor, for network technology apparatus, equipment and installations, for control engineering apparatus, equipment and installations, for monitoring apparatus, equipment and installations, and for remote control transmitters and remote control receiver.

(73) *Name of applicant*— Ed Enterprises Ag, a German Company.

(77) *Address*— Ludwig-Gnaghofer-Strasse 6, D-82031 Grunwald Germany.

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

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

(21)

(52)

APPLICATION NO. 2011/42652 IN PART "A".

Class 42.

(54)



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(57) *Nature of goods*— Application service provider (ASP) services featuring computer software; application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; computer hardware and software consulting services; rental of computer hardware and software apparatus and equipment; multimedia and audio-visual software consulting services; computer programming; support and consultation services for developing computer systems, databases and applications; graphic design for the compilation of web pages on the Internet; information relating to computer hardware or software provided on-line from a global computer network or the Internet; creating and maintaining web-sites; hosting the web-sites of others; providing search engines for obtaining data via communications networks; application service provider (ASP) services featuring software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multimedia content, and software featuring musical sound recordings, entertainment-related audio, video, text and multimedia content; providing temporary internet access to use on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs; providing search engines for obtaining data on a global computer network; information, advisory and consultancy services relating to all the aforesaid; operating search engines; computer consulting and support services for scanning information into computer discs; creating indexes of online information, sites and other resources available on global computer networks for others; providing user access to the Internet (service providers).

(73) *Name of applicant* — Apple, Inc, a California Corporation.

(77) *Address*— 1 Infinite Loop, Cupertino, CA 95014, USA.

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

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

(21) APPLICATION NO. 2011/42647 IN PART "A".

(52) Class 9.

(54)

PING

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(57) *Nature of goods*— Computers, computer peripheral devices, computer terminals; computer hardware; computer gaming machines, microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics,

images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer and electronic games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; mouse pads; batteries; rechargeable batteries; chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video devices; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; digital music and/or video players; radios; video cameras; audio, video, and digital mixers; radio transmitters; car audio apparatus; computer equipment for use with all of the aforesaid goods; electronic apparatus with multimedia functions for use with all of

the aforesaid goods; electronic apparatus with interactive functions for use with all of the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods; covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials.

(73) *Name of applicant* — Apple, Inc, a California Corporation.

(77) *Address*— 1 Infinite Loop, Cupertino, CA 95014, USA.

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

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

(21) APPLICATION NO. 2011/42644 IN PART "A".

(52) Class 35.

(54)



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(57) *Nature of goods*— Advertising services; dissemination of advertising matter; rental of advertising material; rental of advertising space; rental of advertising time on communication media; updating of advertising material; commercial or business management assistance; dissemination of commercial information; door-to-door advertising; consultancy in the field of business organization; market research and analysis; setting up mailing lists; computerized file management; business management services; assistance in negotiating and closing of commercial transactions; assistance with the conducting of statistical studies and analysis; commercial research; organization of exhibitions for commercial and promotional purposes; economical forecast; statistical information; market research studies based on qualitative and quantitative research methods; marketing services; newspaper clipping services; business information and inquiries; opinion polling; public relations; publication of publicity texts; radio and television advertising and commercials.

(73) *Name of applicant* — Aegis Trademarks B.V, a Netherlands Limited Liability Company.

(77) *Address*— Piet Heinkade 55, 1019 GM, Amsterdam, The Netherlands, Netherlands.

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

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

(21) APPLICATION NO. 2011/42646 IN PART "A".

(52) Class 41.

(54)

PING

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(57) *Nature of goods*— Educational and entertainment services; sporting and cultural activities; computer-based and computer-assisted educational, teaching,

and training services; digital imaging services; entertainment and educational services, namely, providing text, video, audio, and multimedia materials; entertainment services, namely, providing computer games; entertainment and educational services, namely, providing electronic books, magazines, newspapers, journals, periodicals, and other publications; entertainment and educational services, namely, providing information, databases, directories, and podcasts in the fields of entertainment, advertising, news, current events, history, sports, games, the media, cultural events and activities, hobbies, publications, technology, and other topics; entertainment and educational services, namely, live performances, sporting events, cultural events, and lectures; entertainment and education services, namely, organizing and conducting exhibitions, displays, exhibits, workshops, seminars, training, and conferences; information, advisory and consultancy services relating to all the aforesaid.

(73) *Name of applicant* — Apple, Inc, a California Corporation.

(77) *Address*— 1 Infinite Loop, Cupertino, CA 95014, USA.

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

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

(21) APPLICATION NO. 2011/42654 IN PART "A".

(52) Class 41.

(54)

NETFLIX



(53)

(59) *Restrictions to colours*— This first mark is limited to the colour black, the second mark is limited to the colours black and white and the third mark is limited to the colours maroon, black and white as shown on the representation affixed to the application.

(64)

(57) *Nature of goods*— Education; providing of training; entertainment; sporting and cultural activities; entertainment services; providing on-line educational and entertainment services; rental of video recordings, pre-recorded videotapes, digital video disks, multimedia recordings; rental of video recordings, pre-recorded videotapes, digital video disks by means of communications networks; providing information, reviews and personalized recommendations in the field of entertainment; providing information, reviews and personalized recommendations in the field of entertainment by means of communications networks.

(73) *Name of applicant*— Netflix, Inc, a Delaware Corporation.

(77) *Address*— 100 Winchester Circle, Los Gatos, California 95032, USA.

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

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

- (21) APPLICATION No. 2011/42655 IN PART "A".
 (52) Class 38.
 (54)

NETFLIX

NETFLIX



- (53)
 (59) *Restrictions to colours*— This first mark is limited to the colour black, the second mark is limited to the colours black and white and the third mark is limited to the colours maroon, black and white as shown on the representation affixed to the application.
 (64)
 (57) *Nature of goods*— Telecommunications; telecommunications access services; streaming services via computer, the Internet and other communications networks, including audio, video, and audiovisual material; video-on-demand transmission services; video broadcasting; transmission of voice, data, images, signals, messages and information; communication by computer; telecommunications connections to electronic communications networks, broadcasting services; providing on-line bulletin boards for the transmission of messages.
 (73) *Name of applicant*— Netflix, Inc, a Delaware Corporation.
 (77) *Address*— 100 Winchester Circle, Los Gatos, California 95032, USA.
 (74) C/o. M/s. MMAKS Advocates, 3rd Floor, Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42656 IN PART "A".
 (52) Class 35.
 (54)

NETFLIX

NETFLIX



- (53)
 (59) *Restrictions to colours*— This first mark is limited to the colour black, the second mark is limited to the colours black and white and the third mark is limited to the colours maroon, black and white as shown on the representation affixed to the application.
 (64)
 (57) *Nature of goods*— Advertising; business management; business administration; office functions; offering for sale and the sale of goods in the retail and wholesale-trade; retail store services and computerized on-line retail services featuring pre-recorded videos.
 (73) *Name of applicant*— Netflix, Inc, a Delaware Corporation.
 (77) *Address*— 100 Winchester Circle, Los Gatos, California 95032, USA.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugire & Ssekatawa Advocates, 3rd Floor, Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 28th February, 2011.

- (21) APPLICATION No. 2011/42657 IN PART "A".
 (52) Class 9.
 (54)

NETFLIX

NETFLIX



- (53)
 (59) *Restrictions to colours*— This first mark is limited to the colour black, the second mark is limited to the colours black and white and the third mark is limited to the colours maroon, black and white as shown on the representation affixed to the application.
 (64)
 (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; computers; streaming devices; software; software for streaming devices; software to provide, recognize and access audio, video, and audiovisual content.
 (73) *Name of applicant*— Netflix, Inc, a Delaware Corporation.
 (77) *Address*— 100 Winchester Circle, Los Gatos, California 95032, USA.
 (74) C/o. M/s. Masembe, Makubuya, Adriko, Karugire & Ssekatawa Advocates, 3rd Floor, Diamond Trust Building, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 28th February, 2011.

Kampala, MERCY KYOMUGASHO K. NDYAHIKAYO,
 23rd June, 2011. *Registrar of Trademarks.*

- (21) APPLICATION No. 2011/43297 IN PART "A".
 (52) Class 18.
 (54)

361°

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Animal skins; purses; backpacks; leather cushions; fur-skins; umbrellas; walking sticks; clothing for pets; gut for making sausages; leather straps; imitation leather; valises; handbags; bags for sports; straps for skates; school bags; shopping bags; briefcases; saddlery; coverings of skins (furs).
 (73) *Name of applicant*— Sanliuyidu [China] Co., Limited.
 (77) *Address*— Wuli Industrial Zone, Jianjiang City, Fujian Province 362200, Peoples China.
 (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 31st May, 2011.

- (21) APPLICATION NO. 2011/43296 IN PART "A".
 (52) Class 28.
 (54)

361°

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Games; toys; board games; balls for games; body-building apparatus; archery implements; machines for physical exercises; wrist guards; tennis player's sweatband; fishing tackle; conjuring apparatus; revolving seats; rackets; swimming pools (play articles); plastic racetrack; ornaments for Christmas trees, except illumination articles and confectionery; camouflage screens (sports articles); knee guards (sports articles); ice skates; shuttlecocks.

- (73) *Name of applicant*— Sanliuyidu [China] Co., Limited.
 (77) *Address*— Wuli Industrial Zone, Jianjiang City, Fujian Province 362200, Peoples China.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 31st May, 2011.

- (21) APPLICATION NO. 2011/43249 IN PART "A".
 (52) Class 36.
 (54)

RMB

- (53)
 (59)
 (64)
 (57) *Nature of goods*— All insurance, financial and assurance services, investment services including the services of insurance and assurance agents, insurance and assurance brokers, insurers, financiers, investment consultants and agents, brokers for bonds and other securities, real estate, valuation, management and development; estate agencies; banking, credit card and bookkeeping services; financial transactions, cheques and savings services; leasing and hire purchase services; automated banking services; management services; all connected with or ancillary to the foregoing and other financial and insurance services.

- (73) *Name of applicant*— Firstrand Bank Limited.
 (77) *Address*— 4th Floor, 4 Merchant Place, Corner Fredman Drive & Rivonia Road, Sandton, Gauteng, Sudafrica.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 16th May, 2011.

- (21) APPLICATION NO. 2011/43248 IN PART "A".
 (52) Class 9.
 (54)

LOGIK SELECT

- (53)
 (59)
 (64)
 (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*— Masstores [Proprietary] Limited.
 (77) *Address*— Massmart House, 16 Peltier Drive, Sunninghill, Ext 6, Sandton, Gauteng, Sudafrica.
 (74)
 (22) *Date of filing application*— 16th May, 2011.

- (21) APPLICATION NO. 2011/43247 IN PART "A".
 (52) Class 9.
 (54)

LOGIK SELECT

- (53)
 (59)
 (64)
 (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*— Masstores [Proprietary] Limited.
 (77) *Address*— Massmart House, 16 Peltier Drive, Sunninghill, Ext 6, Sandton, Gauteng, Sudafrica.
 (74)
 (22) *Date of filing application*— 16th May, 2011.

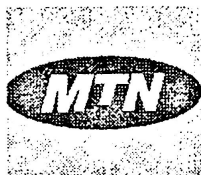
- (21) APPLICATION NO. 2011/43286 IN PART "A".
 (52) Class 41.
 (54)

UNITED METHODIST

- (53)
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 (64)
 (57) *Nature of goods*— Preparing and distributing educational publications and art work, and supplying audio-visual equipment and supplies to congregations, conference, boards and/or other agencies; and indicating membership in the applicant church in International Class 41.
 (73) *Name of applicant*— General Council on Finance & Administration of the United Methodist Church.
 (77) *Address*— 1 Music Circle North, Post Office Box 34009, Nashville, Tennessee 37203-0029, USA.
 (74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.
 (22) *Date of filing application*— 27th May, 2011.

(21) APPLICATION NO. 2011/42392 IN PART "A".

(52) Class 38.
(54)



(53)

(59) *Restriction to Colours*—Yellow, blue, white and red.

(64)

(57) *Nature of goods*—Telecommunications.

(73) *Name of applicant*— MTN Group Management Services (Proprietary) Limited.

(77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.

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

(22) *Date of filing application*— 14th January, 2011.

(21) APPLICATION NO. 2011/42394 IN PART "A".

(52) Class 38.
(54)

Y'ELLO

(53)

(59)

(64)

(57) *Nature of goods*—Telecommunications.

(73) *Name of applicant*— MTN Group Management Services (Proprietary) Limited.

(77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.

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

(22) *Date of filing application*— 14th January, 2011.

(21) APPLICATION NO. 2011/42399 IN PART "A".

(52) Class 38.
(54)

CALLERTUNEZ

(53)

(59)

(64)

(57) *Nature of goods*—Telecommunications.

(73) *Name of applicant*— MTN Group Management Services (Proprietary) Limited.

(77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.

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

(22) *Date of filing application*— 14th January, 2011.

(21) APPLICATION NO. 2011/42391 IN PART "A".

(52) Class 38.
(54)

MTN

(53)

(59)

(64)

(57) *Nature of goods*—Telecommunications.

(73) *Name of applicant*— MTN Group Management Services (Proprietary) Limited.

(77) *Address*— 216-14th Avenue, Fairland, Roodepoort, Gauteng, South Africa.

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

(22) *Date of filing application*— 14th January, 2011.

(21) APPLICATION NO. 2011/43152 IN PART "A".

(52) Class 42.
(54)

VIKELA

(53)

(59)

(64)

(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*— Laboratoire HRA-Pharma, a French Societe Anonyme.

(77) *Address*— 15 rue Beranger-75003, Paris, France.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 29th April, 2011.

(21) APPLICATION NO. 2011/43153 IN PART "A".

(52) Class 44.
(54)

VIKELA

(53)

(59)

(64)

(57) *Nature of services*—Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

(73) *Name of applicant*— Laboratoire HRA-Pharma, a French Societe Anonyme.

(77) *Address*— 15 rue Beranger-75003, Paris, France.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 29th April, 2011.

Kampala,
23rd June, 2011.

JULIET NASSUNA,
Registrar of Trademarks.

(21) APPLICATION NO. 42341 IN PART "A".

(52) Class 9.
(54)

AIRPLAY

(53)

(59)

(64)

(57) *Nature of goods*— Computers, computer peripheral devices, computer terminals; computer hardware; computer gaming machines, microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers;

computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer and electronic games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; mouse pads; batteries; rechargeable batteries; chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video devices;

audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; digital music and/or video players; radios; video cameras; audio, video, and digital mixers; radio transmitters; car audio apparatus; computer equipment for use with all of the aforesaid goods; electronic apparatus with multimedia functions for use with all of the aforesaid goods; electronic apparatus with interactive functions for use with all of the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods; covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials.

(73) *Name of Applicant*—Apple, Inc, a California Corporation.

(77) *Address*—1 Infinite Loop, Cupertino, CA 95014, United States of America.

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

(22) *Date of filing application*— 14th January, 2011.

Kampala,
23rd June, 2011.

KATUTSI VINCENT
Registrar of Trademarks.

ADVERTISEMENTS

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 392 Plot 426 Land at Sekiunga.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Julius Chama of P.O. Box 7178, Kampala, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala,
14th June, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 5 Plot 656 Land at Mulago.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Anne Kasirye Nabachwa (Administrator of the Estate of the Late Peter Kasirye Musitwa Admn. Cause No. 700 of 2002 of the High Court of Uganda) of Mulago, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala,
30th June 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 45 Plot 6 Land at Bukondo.

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

Kampala,
29th June, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 129 Plot 84 Land at Nalusuga.

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

Kampala,
22nd June, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 353 Plot 78 Land at Budo Approx. 2.62 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Stanley Lukwago P.O. Box 2295, Kampala, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
27th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 246 Plots 1440, 1549, 1484, 1837, 1838 Land at Kyeitabya.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Lumanyo William of P.O. Box Bukasa Zone, Kyeitabya Kyadondo, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
14th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 331 Plot 74 Land at Namagoma.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Kyesswa Muhammed Kizza, Fatuma Kironde Sebulondo & Mbowa Moses Musoke (Admn. of the Estate of the Late Kironde K. Abdalah—Adm No. 630/09 of H/C Ug), a Special Certificate, the Title, which was originally issued having been lost.

Kampala,

31st March, 2011. *for Ag. Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 212 Plot 113 Land at Bukoto.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of M/s. Great United Store Limited of P.O. Box 30750, Kampala, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
29th June, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 397 Plot 143 Land at Dundu.

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

Kampala,
14th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 28 Plot 128 Land at Makerere.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Mathias Muwonge (Administrator of the Estate of the Late Bendo Lubega) (Adm No. 257/87), P.O. Box 2836, Kampala, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
29th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 510 Plot 13 Land at Koba Approx. 1.498 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Peter Musisi P.O. Box 5, Mpigi, a Special Certificate of Title under the above folio, the original Title which was originally issued having been lost.

Kampala, DDAMULIRA AHMED,
23rd May, 2005. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 578 Block 98 Kyaggwe Area: 0.326 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 Kasalina Namusisi of Nsambwe Mut. IV Kyaggwe, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
28th June, 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 10 Block 81 Kyaggwe Area: 2.25 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 Banjwa Joseph, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
21st February, 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Bululi Block 115 Plots 51, 58 Land at Sungira Area: 0.40 & 18.37 Hectares respectively.

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

Bukalasa, TAYEBWA SAM,
7th June, 2011. *Registrar of Titles—Bukalasa.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 53B Chorley Crescent, Kampala, Leasehold Register Volume 2138 Folio 9.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Peter Mukwana of P.O. Box 25803, Kampala, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, SARAH KULATA BASANGWA,
20th June, 2011. *Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot Nos. 11A—11B Nakasero Road, Kampala—Unit No. 9
Condominium Plan No. 0022, Freehold Register Volume 405 Folio 24.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Grace Kavuya of P.O. Box 2887, Kampala, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, SARAH KULATA BASANGWA,
28th June, 2011. *Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot M. 146 and M. 147 Njeru Town Council, Mukono,
Freehold Register Volume 689 Folio 6.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Mutasingwa Charles of P.O. Box 11458, Kampala, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, EDWARD KARIBWENDE,
15th June, 2011. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 57 Ayivu Block 1 at Yapi, Arua District, Freehold Register Volume 831 Folio 23.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Ezama Joel of P.O. Box 300, Arua a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, DDAMULIRA AHMED,
29th April, 2011. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plots 1, 3 & 5 South Street (Ben Kiwanuka Street) Kampala
Freehold Register Volume 340 Folio 11.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Amirali Karmali of P.O. Box 2671, Kampala a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala,
29th June, 2011.

SARAH KULATA BASANGWA,
Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 3, Block A, Kyenjojo, Leasehold Register Volume
1990 Folio 21.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Amirali Karmali of P.O. Box 20072, Kampala a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala,
28th June, 2011.

SARAH KULATA BASANGWA,
Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kabula Block 79 Plot 61 at Kagogo Measuring
Approximately 161.56 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 names of Joswa Serunjogi, the original Title that was issued having been lost.

Kampala,
27th June, 2011.

GALIWANGO HERMAN NSUBUGA,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 55 Plot 9 Land at Katete.

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 names of Yosiya Kajubi of Mbugu Sabawali Kyadondo, the original having been lost.

Kampala,
30th June, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 439 Plot 338 Land at Katabi.

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 names of Kayizzi David Stevens P.O. Box 9119, Kampala, the original having been lost.

Kampala,
3rd May, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 553 Plot 41 Land at Buiga.

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 names of Andrew Kato, the original having been lost.

Kampala,
15th June, 2011.

ROBERT V. NYOMBI,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 132 Plots 18 and 15 Land at Nabutiti.

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

Kampala,
29th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 217 Plot 405 Land at Kiwatule.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Hezekiah Mukibi of P.O. Box 3635, Kampala, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
7th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 79 Plot 10 Land at Lugo.

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 names Yonasane Katende of Lugo, the Title that was originally issued having been lost.

Kampala,
23rd June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 397 Plot 947 Land at Bweya.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of George W. Kanyeihamba of P.O. Box 1331, Kampala, a Special Certificate, the Title, which was originally, issued having been lost.

Kampala,
29th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot 150 Block 3 Kashari—Ankole Area: 1.80 Hectares.

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

Mbarara,
10th May, 2011.

J. K. KARUHANGA,
for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot 68 Block 13 Igara—Ankole Area: 7.01 Hectares.

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

Mbarara,
30th May, 2011.

J. K. KARUHANGA,
for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Singo Block 533 Plot 65.

Singo Block 258 Plot 10.

Singo Block 84 Plot 5.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the name Asanasio Budedi of Bitibyamukasa Singo, a Special Certificate of Title under the above Blocks and Plots of the Mailo Register, the Duplicate Certificate of Title which was originally issued having been lost.

Mityana,
19th May, 2011.

JANET NABUUMA,
for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block No. 484 Plot No. 4 Land at Kyalusesa
Measuring 36.45 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of George William Ssemugooma & John Baptist Kyagaba "As Joint Tenants" of P.O. Lukaya Masaka, a Special Certificate of Title under the above mentioned block and plot, the Certificate of Title which was originally issued having been lost.

Masaka,
17th June, 2011.

GALIWANGO HERMAN NSUBUGA,
Ag. for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot Nos. 142, 249, 250, 282, 288, 279, 280 Block 212
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 Nakiwala Margret and Serwano Lutaya, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
19th April, 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot Nos. 2627 Block 111 Kyaggwe Area: 0.75 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 Busulwa Vicent of P.O. Box 7059, Kampala, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

19th April, 2011.

CHRISTINE NAMIREMBE KATENDE,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 1907 Block 107 Kyaggwe Area: 0.189 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 Prossy Kyoma and Kyoma Friday of P.O. Box 12504, Kampala, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
19th April, 2011. *for Commissioner for Land Registration.*

IN THE CHIEF MAGISTRATE'S COURT OF MENGO
AT MENGO

MISCELLANEOUS APPLICATION NO. 109 OF 2011

IN THE MATTER OF THE MONEY LENDER'S
ACT CAP. 273

AND

IN THE MATTER OF AN APPLICATION FOR A
MONEY LENDER'S LICENCE BY CAPITAL
INVESTMENT PARTNERS LIMITED.

NOTICE OF APPLICATION.

(Under S.3 of the Money Lender's Act Cap 273, and S.98
of the CPA Cap 71)

TAKE NOTICE is hereby given that an application for the grant of a Money Lender's Certificate for the above mentioned company was filed in the Chief Magistrate's Court of Mengo at Mengo by M/s Ntambirweki Kandebe & Co. Advocates, Plot 1 Colville Street, P. O. Box 36036 Kampala, legal Counsel for CAPITAL INVESTMENT PARTNERS LIMITED.

AND the said application is directed to be heard before the Court, sitting at the said law Court in Uganda on the 18th day of August, 2011 at 9:00 O'Clock or soon thereafter and therefore, any person desirous to support or oppose the said application may appear at the time of hearing in person or by its Advocate for the purpose.

Any person who intends to appear on the hearing of the said application must serve on or send by post, notice to M/s Ntambirweki Kandebe & Co. Advocates. The notice must state the name and address of the person, or firm of his Advocates (if any) or if posted must be sent by post in sufficient time to reach the above mentioned firm not later than the 18th day of August, 2011 at 5:00 p.m.

GIVEN under my hand and seal of this Court, this 1st day of July 2011.


CHIEF MAGISTRATE/MAGISTRATE

IN THE MATTER OF BIRTH AND DEATH
REGISTRATION ACT CAP. 309

AND

IN THE MATTER OF FORMAL RENUNCIATION OF
NAME FROM SENDOWOZA ABDUL GHAFAR TO
JEFFERY MUKASA KUPPAE

NOTICE OF FORMAL CHANGE OF NAME

DEED POLL



KNOW YE ALL MEN that by this deed poll, I, JEFFREY MUKASA KUPPAE of C/o Kyazze & Co. advocates of P.O Box 3064 Kampala, Uganda, formerly known as SENDOWOZA ABDUL GHAFAR, a name that appears on my UCE, and UACE, DO HEREBY now formerly and absolutely renounce and abandon the use of my former names of SENDOWOZA ABDUL

GAFFAR, as it appears on my UCE and UACE certificate issued by Uganda Examination Board dated, November/December 1982 and March 1985 consecutively.

AND IN PURSUANCE of such change of names as aforesaid, it is hereby declared that at all material times hereafter, in all records, deeds & instruments in writing and in actions and in proceedings and in all dealings and transactions and upon all occasions whatsoever when my name shall be required or used, sign and style myself by the names of JEFFERY MUKASA KUPPAE in lieu of the names of SENDOWOZA ABDU GAFFAR renounced and abandoned as aforesaid.

In witness whereof, JEFFREY MUKASA KUPPAE have here undersigned and subscribed my names of this day of, 2011.

JEFFERY MUKASA KUPPAE,
Renouncer.

IN THE HIGH COURT OF UGANDA AT NAKAWA
ADMINISTRATION CAUSE NO. 421 of 2011IN THE MATTER OF THE ESTATE OF THE LATE
MUSA SERUKWAYA FORMERLY OF MPEGWA,
KAKIRI, WAKISO DISTRICT

AND

IN THE MATTER OF AN APPLICATION FOR
LETTERS OF ADMINISTRATION BY KIKONYOGO
JACKSON (GRANDSON) TO THE DECEASED

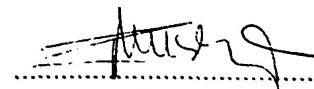
NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN:

TAKE NOTICE that an application for a grant of Letters of Administration to the estate of the late MUSA SERUKWAYA (deceased) has been made to this Court by KIKONYOGO JACKSON as the grandson to the deceased.

This court will proceed to grant the same if no Caveat is lodged with this Hon. Court within a period of fourteen (14) days from the date of publication of this notice, unless cause can be shown to the contrary.

DATED at Nakawa this 30th day of June, 2011.


Registrar/Family.

DEED POLL



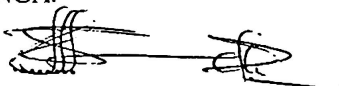
BY this deed, I, NSUBUGA KENNETH SSEBAGAYUNGA a male adult of sound mind of C/o M/s Semuyaba, Yiga & Co. Advocates, Plot 65 Buganda Rd; P.O. Box 12387, Kampala do hereby absolutely renounce and abandon the use of my former name of KENNETH SSEBAGAYUNGA and in lieu thereof do assume as from this 27th day of June, 2011 the name of

NSUBUGA KENNETH SSEBAGAYUNGA 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 transactions and all occasions whatsoever use and sign the same name of NSUBUGA KENNETH SSEBAGAYUNGA as my name in lieu of the said name of KENNETH SSEBAGAYUNGA so renounced as aforesaid.

AND I hereby authorise and request all persons to designate and address me by such assumed name of NSUBUGA KENNETH SSEBAGAYUNGA.

IN WITNESS WHEREOF I have signed my assumed name of NSUBUGA KENNETH SSEBAGAYUNGA this 27th day of June 2011.

SIGNED, and DELIVERED by the said NSUBUGA KENNETH SSEBAGAYUNGA.


Deponent.

IN THE HIGH COURT OF UGANDA AT KABALE
ADMINISTRATION CAUSE NO. 10 OF 2011.

In the matter of the Estate of the Late Nkundwa Fred
(formerly of Kibikura Village, Lower Bugongi Ward,
Northern Division, Kabale District
and

In the matter of Application for Letter of Administration
by Margaret Saturday (Daughter) and Nyirakiiza Joy
(Daughter) to the Deceased


NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN:

TAKE NOTICE that an application for a grant of Letters of Administration to the estate of the late NKUNDWA FRED (deceased) has been made to this Court by MARGARET SATURDAY (DAUGHTER) AND NYIRAKIIZA JOY (DAUGHTER) to the deceased.

This Court will proceed to grant the same if no caveat is lodged with this Hon. Court within a period of fourteen (14) days from the date of publication of this notice, unless cause can be shown to the contrary.

DATED at Mbarara this 22nd day of June, 2011.


Acting Registrar.

IN THE CHIEF MAGISTRATE'S COURT OF NAKAWA
AT NAKAWA

ADMINISTRATION CAUSE No. 043 OF 2011

IN THE MATTER OF THE LATE SALI ANTHONY
SENTONGO (FORMERLY OF KIKUUBO ZONE,
KANYANYA, WAKISO DISTRICT

AND

IN THE MATTER OF AN APPLICATION FOR
LETTERS OF ADMINISTRATION BY NAMAKULA
VICTORIA (WIDOW) AND NAMUDDU CATHERINE
(DAUGHTER) TO THE DECEASED

NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN:

TAKE NOTICE that an application for grant of letters of administration to the estate of the late SALI ANTHONY SENTONGO (Deceased) has been lodged into this Honorable court by NAMAKULA VICTORIA (WIDOW) AND NAMUDDU CATHERINE (DAUGHTER) to the deceased This court will proceed to grant the same if no caveat is lodged in this court within fourteen (14) days from the date of publication of this notice, unless cause be shown to the contrary.

Dated at Nakawa this 8th day of June, 2011.


Magistrate.

DEED POLL

KNOW YE ALL MEN by this Deed Poll, that RABATA LEGEND MPATAMALI, P.O. Box 6746, Kampala, formerly known as ROBERTO RAY WAMALA hereby renounces and abandon the use of my said name ROBERTO RAY WAMALA in lieu thereof, assume the name of RABATA LEGEND MPATAMALI.

AND in pursuance of such change of name as aforesaid. I do hereby declare that I shall at all times thereafter in all records, deeds, documents, instruments and other writings whatsoever when my name shall be required or used, I shall sign and use the name RABATA LEGEND MPATAMALI in lieu of ROBERTO RAY WAMALA now renounced and abandoned.

AND I hereby expressly authorize and require all persons at all times to designate and address me by my adopted name RABATA LEGEND MPATAMALI. In witness whereof I have hereto signed and subscribed my adopted and subscribed my adopted and substituted name of RABATA LEGEND MPATAMALI.

Dated at Kampala this 27th day of May, 2011 by the said.

RABATA LEGEND MPATAMALI.
Renouncer.



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SUPPLEMENT

Statutory Instrument

No. 31—The Universities and Other Tertiary Institutions
(Establishment of Uganda Petroleum Institute, Kigumba)
Instrument, 2011.

General Notice No. 396 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 Mulindwa Musa who is stated to be a holder of a Bachelor of Laws Degree from Makerere University, having been awarded on the 29th day of January, 2008 and a Diploma in Legal Practice awarded by the Law Development Centre on the 3rd day of September, 2010, for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala, MARGARET APINY,
16th June, 2011. *Ag. Secretary, Law Council.*

General Notice No. 397 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 Okiror Phillip who is stated to be a holder of a Bachelor of Laws Degree from Makerere University, having been awarded on the 23rd day of January, 2009 and a Diploma in Legal Practice awarded by the Law Development Centre on the 3rd day of September, 2010, for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala, MARGARET APINY,
15th June, 2011. *Ag. Secretary, Law Council.*

General Notice No. 398 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 Daphne Okama who is stated to be a holder of a Bachelor of Laws Degree from Makerere University, having been awarded on the 23rd day of January, 2009 and a Diploma in Legal Practice awarded by the Law Development Centre on the 3rd day of September, 2010, for the issue of a Certificate of Eligibility for entry of her name on the Roll of Advocates for Uganda.

Kampala, MARGARET APINY,
28th June, 2011. *Ag. Secretary, Law Council.*

General Notice No. 399 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 Ali Moses who is stated to be a holder of a Bachelor of Laws Degree from Makerere University, having been awarded on the 29th day of January, 2008 and a Diploma in Legal Practice awarded by the Law Development Centre on the 3rd day of September, 2010, for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala, MARGARET APINY,
28th June, 2011. *Ag. Secretary, Law Council.*

General Notice No. 400 of 2010.

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

NOTICE OF RENEWAL OF EXPLORATION LICENCE

IT IS HEREBY NOTIFIED that renewal of Exploration Licence, Number EL 0293 registered as Number 001086 has been granted in accordance with the provisions of Section 30 to M/s Picfare Industries Ltd. of P.O. Box 9396, Kampala, for a period of two (2) years effective from 19th March, 2011.

The Exploration area subject to the Exploration Licence is 7.9 km² on Topography Map, Sheet Number 93/1 situated in Kabale District.

Dated at Entebbe, this 21st day of June, 2011.

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

General Notice No. 401 of 2011.



BANK OF UGANDA
STATEMENT OF ASSETS AND LIABILITIES AS AT 31 MARCH, 2011

		31-Mar-2011	30-Jun-2010
		UShs (m)	UShs (m)
Foreign Assets	Cash and Cash equivalents	230,288	110,365
	Investments at fair value through profit or loss	4,064,709	4,559,288
	Investments held-for-trading	1,113,430	607,960
	Investments available-for-sale	1,168	1,080
	Assets held with IMF	1,229,379	1,088,857
Total Foreign Assets		6,638,974	6,367,550
Domestic Assets	Investments in treasury bills	200,000	200,000
	Loans and advances to government	4,649,562	3,188,022
	Loans and advances to commercial banks	78,533	81,955
	Staff loans	18,213	18,039
	Employee benefits	3,048	3,048
	Property, plant and equipment	127,443	128,649
	Leasehold Land	17,636	17,637
	Other assets	305,206	83,352
Total Domestic Assets		5,399,641	3,720,702
Total Assets		12,038,615	10,088,252
Liabilities	Foreign Liabilities		
	IMF Obligations	1,342,202	1,187,786
	Other foreign liabilities	292,017	94
Total Foreign Liabilities		1,634,219	1,187,880
Domestic Liabilities	Currency in circulation	2,065,216	1,738,981
	Government deposits	5,947,945	5,059,200
	Commercial banks' deposits	669,229	863,025
	International Bank for Reconstruction & Dev't (IBRD)	206	876
	Other Liabilities	196,545	148,535
Total Domestic Liabilities		8,879,142	7,810,617
Total Liabilities		10,513,360	8,998,497
Equity	Issued Capital	20,000	20,000
	Reserves	1,487,229	1,048,523
	Earmarked funds	18,026	21,232
Total Equity		1,525,255	1,089,755
Total Liabilities & Equity		12,038,615	10,088,252


PROF. EMMANUEL TUMUSIIME-MUTEBILE
 Governor


LOUIS KASERENDE (PhD)
 Deputy Governor

General Notice No. 402 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 M/s Octa Investments Limited has been by special resolution passed on 21st June, 2011 and with the approval of the Registrar of Companies changed in name to Build - Tech Enterprises Limited and that such new name has been entered in my Register.

Dated at Kampala, this 22nd day of June, 2011.

KATUTSI VINCENT,
Assistant Registrar of Companies.

General Notice No. 403 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 Web Oil (E.A) Limited has been by special resolution passed on 10th May, 2011 and with the approval of the Registrar of Companies changed in name to Noor Uganda Limited and that such new name has been entered in my Register.

Dated at Kampala, this 7th day of June, 2011.

BEN TURYASINGURA,
Assistant Registrar of Companies.

General Notice No. 404 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 343(3) of the Companies Act, (Cap. 110) Laws of Uganda, 1964, notice is hereby given that Cloud 9 Restaurant Limited has been by special resolution passed on 13th day of June, 2011 and with the approval of the Registrar of Companies changed its name to Cloud 9 Limited and that such new name has been entered in my Register.

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

BEN TURYASINGURA,
Registrar of Companies.

General Notice No. 405 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 Prism Trading & Construction Company Ltd has been by special resolution passed on 4th May, 2011 and with the approval of the Registrar of Companies changed in name to Prism Construction Company Ltd and that such new name has been entered in my Register.

Dated at Kampala, this 22nd day of June, 2011.

NABATANZI MIRIAM,
Assistant Registrar of Companies.

General Notice No. 406 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 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.

HOMES AND GARDENS LIMITED

Dated at Kampala, this 8th day of June, 2011.

MERCY KYOMUGASHO K. NDYAHIKAYO,
Assistant Registrar of Companies.

General Notice No. 407 of 2010.

UGANDA REGISTRATION SERVICES BUREAU.

The Copyright and Neighbouring Rights Regulations, 2010.

FORM 2

NOTICE OF APPLICATION FOR REGISTRATION OF
COPYRIGHT OR NEIGHBOURING RIGHT.

TAKE NOTICE THAT Warid Telecom [U] Ltd. of P. O. Box 70665, Kampala, has lodged an application with the Registrar of Copyright for the registration of copyright/neighbouring rights for the following works:—

1. ADVERT TEMPLATE TITLED 'WARID ADVERTISING CONCEPT'.

Any person intending to object to the application for registration of copyright or neighbouring rights may file a letter of objection with this office within 60 days from the date of this notice.

DATED this Wednesday, April 27, 2011.

MERCY KYOMUGASHO K. NDYAHIKAYO,
Registrar of Copyright.

General Notice No. 408 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. 2011/43199 IN PART "A".
 (52) Class 38.
 (54)

CITI

- (53)
 (59)
 (64)

(57) *Nature of services*—Telecommunications; telecommunication and information technology services, namely, electric, digital, cellular and wireless transmission of voice, data, information, images, signals and messages by means of telecommunications networks, wireless communication networks and the internet and transmission of voice, data, images, audio, video and information via telephone; providing telecommunications connections over a global communications network, electronic mail, voice mail and messaging services, namely, the recording and subsequent transmission of voice messages by telephone; personal communications services; pager services; providing online electronic bulletin boards, blogs and chat rooms for transmission of messages among computer users concerning elder care, careers, finances and insurance, credit, taxes, legal services, charitable donations, philanthropic monetary donations, trusts and investment.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o.* MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43193 IN PART "A".
 (52) Class 38.
 (54)



- (53)
 (59)
 (64)

(57) *Nature of services*—Telecommunications; telecommunication and information technology services, namely, electric, digital, cellular and wireless transmission of voice, data, information, images, signals and messages by means of telecommunications networks, wireless communication networks and the internet and transmission of voice, data, images, audio, video and information via telephone; providing telecommunications connections over a global communications network, electronic mail, voice mail and messaging services, namely, the recording and subsequent transmission of voice messages by telephone; personal communications services; pager services; providing online electronic bulletin boards, blogs and chat rooms for transmission of messages among computer users concerning elder care, careers, finances and insurance, credit, taxes, legal services, charitable donations, philanthropic monetary donations, trusts and investment.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o.* MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43197 IN PART "A".
 (52) Class 36.
 (54)

CITIBANK

- (53)
 (59)
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(57) *Nature of services*—Insurance; financial affairs; monetary affairs; real estate affairs; financial services; including, banking; credit card services; electronic credit card transactions; commercial and consumer lending and financing; real estate and mortgage brokerage; trust, estate and fiduciary management, planning and consulting; securities and mutual fund investment, brokerage and trading services; investment advisory and consulting services; securities brokerage and trading services; providing secure financial transactions in the nature of electronic cash transactions, electronic credit card transactions, electronic debit transactions, electronic check processing transactions and electronic transmission of bill payment data via a global computer network; insurance services, namely, underwriting and brokerage of property, casualty and life insurance policies and annuity contracts; providing financial news and information via websites on a global computer network.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o.* MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43202 IN PART "A".
 (52) Class 36.
 (54)

CITI NEVER SLEEPS

- (53)
 (59)
 (64)

(57) *Nature of services*—Insurance; financial affairs; monetary affairs; real estate affairs; insurance services, including, underwriting, brokerage, administration and agency services in connection with life, accident, disability, property and casualty, homeowners, auto, credit, debt protection and fire; financial services, namely, electronic banking services, commercial and consumer lending and financing; banking services; credit card services; securities brokerage, trading, consulting and underwriting services for others; investment management, planning and consulting; investment banking services; real estate and mortgage brokerage; and underwriting and brokerage of property, casualty and life insurance policies and annuity contracts.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o.* MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43200 IN PART "A".
 (52) Class 36.
 (54)

CITI

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(57) *Nature of services*—Insurance; financial affairs; monetary affairs; real estate affairs; financial services, namely, banking; credit card; commercial and consumer lending and financing, and extending consumer and industrial loans to others; factoring services; credit card servicing and the purchasing and servicing of consumer receivables associated therewith; servicing loans and extensions of credit; investment advisory and financial advisory services; providing venture capital to others; real estate and mortgage financing, brokerage; trust, estate, and fiduciary management, planning, consulting and lending; securities and fund investment and investment advisory consulting services; securities brokerage and trading services for others; facilitating secure financial transactions, namely, electronic funds transfers, electronic cash transactions, electronic credit card transactions, electronic bill payment, and electronic debit transactions; and insurance services, namely, underwriting, and brokerage of property, casualty and life insurance policies and annuity contracts; providing online interactive news and information in the banking and financial industries provided via a global computer network; financial sponsorship of film performances and dance, theater, music and performing arts productions.

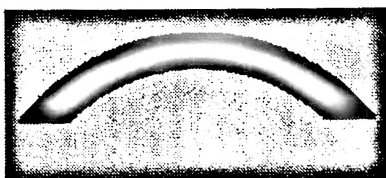
(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43205 IN PART "A".
 (52) Class 36.
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(57) *Nature of services*—Insurance; financial affairs; monetary affairs; real estate affairs; financial services, namely, banking; credit card; commercial and consumer lending and financing, and extending consumer and industrial loans to others; factoring services; credit card servicing and the purchasing and servicing of consumer receivables associated therewith; servicing loans and extensions of credit; investment advisory and financial advisory services; providing venture capital to others; real estate and mortgage financing, brokerage; trust, estate, and fiduciary management, planning,

consulting and lending; securities and fund investment and investment advisory consulting services; securities brokerage and trading services for others; facilitating secure financial transactions, namely, electronic funds transfers, electronic cash transactions, electronic credit card transactions, electronic bill payment, and electronic debit transactions; and insurance services, namely, underwriting, and brokerage of property, casualty and life insurance policies and annuity contracts; providing online interactive news and information in the banking and financial industries provided via a global computer network; financial sponsorship of film performances and dance, theater, music and performing arts productions.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43191 IN PART "A".
 (52) Class 36.
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(57) *Nature of services*—Insurance; financial affairs; monetary affairs; real estate affairs; financial services, namely, banking; credit card; commercial and consumer lending and financing, and extending consumer and industrial loans to others; factoring services; credit card servicing and the purchasing and servicing of consumer receivables associated therewith; servicing loans and extensions of credit; investment advisory and financial advisory services; providing venture capital to others; real estate and mortgage financing, brokerage; trust, estate, and fiduciary management, planning, consulting and lending; securities and fund investment and investment advisory consulting services; securities brokerage and trading services for others; facilitating secure financial transactions, namely, electronic funds transfers, electronic cash transactions, electronic credit card transactions, electronic bill payment, and electronic debit transactions; and insurance services, namely, underwriting, and brokerage of property, casualty and life insurance policies and annuity contracts; providing online interactive news and information in the banking and financial industries provided via a global computer network; financial sponsorship of film performances and dance, theater, music and performing arts productions.

(73) *Name of applicant*— Citigroup Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) *C/o*. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43384 IN PART "A".
 (52) Class 16.
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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*— Uganda Post Limited.
 (77) *Address*— P.O. Box 7106, Kampala, Uganda.
 (74) *C/o. Synergy Solicitors & Advocates, Kampala.*
 (22) *Date of filing application*— 15th June, 2011.

- (21) APPLICATION NO. 2011/43383 IN PART "A".
 (52) Class 16.
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Uganda**

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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*— Uganda Post Limited.
 (77) *Address*— P.O. Box 7106, Kampala, Uganda.
 (74) *C/o. Synergy Solicitors & Advocates, Kampala.*
 (22) *Date of filing application*— 15th June, 2011.

- (21) APPLICATION NO. 2011/43382 IN PART "A".
 (52) Class 36.
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**Posta
Uganda**

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

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(57) *Nature of goods*— Insurance; financial affairs; monetary affairs; real estate affairs.

- (73) *Name of applicant*— Uganda Post Limited.
 (77) *Address*— P.O. Box 7106, Kampala, Uganda.
 (74) *C/o. Synergy Solicitors & Advocates, Kampala.*
 (22) *Date of filing application*— 15th June, 2011.

- (21) APPLICATION NO. 2011/43385 IN PART "A".
 (52) Class 36.
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(57) *Nature of goods*— Insurance; financial affairs; monetary affairs; real estate affairs.

- (73) *Name of applicant*— Uganda Post Limited.
 (77) *Address*— P.O. Box 7106, Kampala, Uganda.
 (74) *C/o. Synergy Solicitors & Advocates, Kampala.*
 (22) *Date of filing application*— 15th June, 2011.

- (21) APPLICATION NO. 2011/43386 IN PART "A".
 (52) Class 39.
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(57) *Nature of goods*— Transport; packaging and storage of goods; travel arrangement.

- (73) *Name of applicant*— Uganda Post Limited.
 (77) *Address*— P.O. Box 7106, Kampala, Uganda.
 (74) *C/o. Synergy Solicitors & Advocates, Kampala.*
 (22) *Date of filing application*— 15th June, 2011.

- (21) APPLICATION NO. 2011/43381 IN PART "A".
 (52) Class 39.
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**Posta
Uganda**

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

- (59)
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(57) *Nature of goods*— Transport; packaging and storage of goods; travel arrangement.

- (73) *Name of applicant*— Uganda Post Limited.
 (77) *Address*— P.O. Box 7106, Kampala, Uganda.
 (74) *C/o. Synergy Solicitors & Advocates, Kampala.*
 (22) *Date of filing application*— 15th June, 2011.

- (21) APPLICATION NO. 2011/43094 IN PART "A".
 (52) Class 38.
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WARID PESA

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(57) *Nature of goods*— Telecommunications.

- (73) *Name of applicant*— Warid Telecom Uganda Limited.
 (77) *Address*— P.O. Box 70665, Kampala, Uganda.
 (74) *C/o. Sipi Law Associates, P.O. Box 4180, Kampala.*
 (22) *Date of filing application*— 19th April, 2011.

(21) APPLICATION NO. 2011/43423 IN PART "A".

(52) Class 26.

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

(73) *Name of applicant*— SCD (U) Ltd.

(77) *Address*— P.O. Box 29722, Kampala, Uganda.

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(22) *Date of filing application*— 23rd June, 2011.

(21) APPLICATION NO. 2011/43422 IN PART "A".

(52) Class 26.

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LOLA

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

(73) *Name of applicant*— SCD (U) Ltd.

(77) *Address*— P.O. Box 29722, Kampala, Uganda.

(74)

(22) *Date of filing application*— 23rd June, 2011.

(21) APPLICATION NO. 2011/43406 IN PART "A".

(52) Class 31.

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

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(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*— Green Nile Agrotech Limited.

(77) *Address*— Block 216, Plot 2900, Kigowa, Kiwatule Road, Ntinda, Kampala, Uganda.

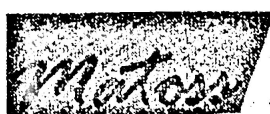
(74)

(22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2011/43415 IN PART "A".

(52) Class 3.

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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*— Neem Cosmetics Ltd.

(77) *Address*— P.O. Box 31694, Kampala, Uganda.

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(22) *Date of filing application*— 20th June, 2011.

(21) APPLICATION NO. 2010/41314 IN PART "A".

(52) Class 41.

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RUSTY & ROSY

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

(73) *Name of applicant*— Waterford Institute, Inc.

(77) *Address*— 55 West 900 South Salt Lake City, Utah 84101, U.S.A.

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

(22) *Date of filing application*— 6th October, 2010.

(21) APPLICATION NO. 2010/41423 IN PART "A".

(52) Class 12.

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VELOSTER

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

(73) *Name of applicant*— Hyundai Motor Company.

(77) *Address*— 231, Yangjae-dong, Seocho-gu, Seoul, Rep. of Korea.

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

(22) *Date of filing application*— 22nd October, 2010.

(21) APPLICATION NO. 2010/41313 IN PART "A".

(52) Class 45.

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SPOOR & FISHER

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(57) *Nature of goods*— Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals.

(73) *Name of applicant*— Spoor & Fisher.

(77) *Address*— Building No. 13, Highgrove Office Park, Corner Oak & Tegal Avenues, Highveld, Centurion, Gauteng, South Africa.

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

(22) *Date of filing application*— 6th October, 2010.

- (21) APPLICATION NO. 2011/43195 IN PART "A".
 (52) Class 36.
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- (57) *Nature of services*— Insurance; financial affairs; monetary affairs; real estate affairs; electronic banking and financial services, including providing a full line of banking and financial services accessed and provided via computer and a global computer network; financial asset management; financial analysis and consultation; financial forecasting; electronic processing and management of credit and debit card transactions and electronic payments; financial information; and financial transaction management services.

- (73) *Name of applicant*— Citigroup, Inc.

- (77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

- (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

- (22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43190 IN PART "A".
 (52) Class 36.
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CITIFX PULSE

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- (57) *Nature of services*— Insurance; financial affairs; monetary affairs; real estate affairs; financial services, including, online trading of foreign exchange, securities, money market deposits, structured deposits and subscription based financial products; financial news and information services relating to foreign exchange, securities, money market deposits, structured deposits and subscription based financial products; financial reporting services.

- (73) *Name of applicant*— Citigroup, Inc.

- (77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

- (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

- (22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43189 IN PART "A".
 (52) Class 36.
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- (57) *Nature of goods*— Insurance; financial affairs; monetary affairs; real estate affairs; consumer finance company services; industrial loan company services; credit card servicing and the purchasing and servicing of consumer receivables associated therewith; commercial lending; servicing loans and extensions of credit; real estate lending; mortgage financing and mortgage servicing; investment advisory and financial advisory services; venture capital investments; making equity and debt investments in corporations or projects designed primarily to promote community welfare.

- (73) *Name of applicant*— Citigroup, Inc.

- (77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

- (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

- (22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43196 IN PART "A".
 (52) Class 36.
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CITICONNECT

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- (57) *Nature of services*— Insurance; financial affairs; monetary affairs; real estate affairs; business to business electronic commerce services, namely, custody services in relation to mutual funds and securities, trade order and selection services; execution services, namely, providing information regarding securities trade execution services and providing information regarding mutual fund execution services; settlement services for financial investments, namely, securities and mutual funds.

- (73) *Name of applicant*— Citigroup, Inc.

- (77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

- (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

- (22) *Date of filing application*— 10th May, 2011.

- (21) APPLICATION NO. 2011/43187 IN PART "A".
 (52) Class 35.
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CITIGROUP

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- (57) *Nature of goods*— Advertising; business management; business administration; office functions.

- (73) *Name of applicant*— Citigroup, Inc.

- (77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

- (74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

- (22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION No. 2011/43192 IN PART "A".

(52) Class 35.

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(57) *Nature of services*— Advertising; business management; business administration; office functions; monitoring consumer credit reports and providing notifications as to changes therein; providing information regarding online retail shopping services via a global computer network; promoting the sale of bank accounts, credit card accounts, bank card usage, and credit card usage through the administration of customer loyalty, incentive award, reward, and redemption programs; providing financial service customer loyalty and incentive rewards programs; providing a website featuring information about and links to on-line retail stores.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION No. 2011/43203 IN PART "A".

(52) Class 35.

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(57) *Nature of services*— Advertising; business management; business administration; office functions; monitoring consumer credit reports and providing notifications as to changes therein; providing information regarding online retail shopping services via a global computer network; promoting the sale of bank accounts, credit card accounts, bank card usage, and credit card usage through the administration of customer loyalty, incentive award, reward, and redemption programs; providing financial service customer loyalty and incentive rewards programs; providing a website featuring information about and links to on-line retail stores.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION No. 2011/43198 IN PART "A".

(52) Class 35.

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CITIBANK

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(57) *Nature of services*— Advertising; business management; business administration; office functions; promoting the sale of bank accounts, credit card accounts, bank card usage, and credit card usage through the administration of customer loyalty, incentive award, reward, and redemption programs; providing financial service customer loyalty and incentive rewards programs; providing a website featuring information about and links to on-line retail stores.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION No. 2011/43194 IN PART "A".

(52) Class 36.

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WORLDLINK

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(57) *Nature of services*— Insurance; financial affairs; monetary affairs; real estate affairs electronic banking services, including multi-currency check processing and funds transfer services.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION No. 2011/43204 IN PART "A".

(52) Class 35.

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(57) *Nature of services*— Advertising; business management; business administration; office functions; monitoring consumer credit reports and providing notifications as to changes therein; providing information regarding online retail shopping services via a global computer network; promoting the sale of bank accounts, credit card accounts, bank card usage, and credit card usage through the administration of customer loyalty, incentive award, reward, and redemption programs; providing financial service customer loyalty and incentive rewards programs; providing a website featuring information about and links to on-line retail stores.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION NO. 2011/43201 IN PART "A".

(52) Class 35.

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(57) *Nature of services*— Advertising; business management; business administration; office functions; monitoring consumer credit reports and providing notifications as to changes therein; providing information regarding online retail shopping services via a global computer network; promoting the sale of bank accounts, credit card accounts, bank card usage, and credit card usage through the administration of customer loyalty, incentive award, reward, and redemption programs; providing financial service customer loyalty and incentive rewards programs; providing a website featuring information about and links to on-line retail stores.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION NO. 2011/43206 IN PART "A".

(52) Class 36.

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BANKERS WITHOUT BORDERS

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(57) *Nature of services*— All insurance, financial and assurance services, investment services including the services of insurance and assurance agents, insurance and assurance brokers, insurers, financiers, investment consultants and agents, brokers for bonds and other securities, real estate, valuation, management and development; estate agencies; banking, credit card and bookkeeping services; financial transactions, cheques and savings services; leasing and hire purchase services; automated banking services; management services; all connected with or ancillary to the foregoing and other financial and insurance services.

(73) *Name of applicant*— Firststrand Bank Limited.

(77) *Address*— 4th Floor 4 Merchant Place, Cnr, Fredman Drive & Rivonia Road, Sandton, Gauteng, South Africa.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION NO. 2011/43188 IN PART "A".

(52) Class 36.

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CITISERVICE

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(57) *Nature of goods*— Insurance; financial affairs; monetary affairs; real estate affairs.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

(21) APPLICATION NO. 2011/43186 IN PART "A".

(52) Class 36.

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CITIGROUP

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(57) *Nature of services*— Insurance; financial affairs; monetary affairs; real estate affairs; full range of insurance and financial services; banking services; credit card services; securities trading, consulting and underwriting services; investment services.

(73) *Name of applicant*— Citigroup, Inc.

(77) *Address*— 399 Park Avenue, New York, New York 10043, U.S.A.

(74) C/o. MMAKS Advocates, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 10th May, 2011.

Kampala, MERCY KYOMUGASHO K. NDYAHIKAYO,
24th June, 2011. Registrar of Trademarks.

(21) APPLICATION NO. 2011/43378 IN PART "A".

(52) Class 21.

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

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(57) *Nature of goods*— Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel-wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

(73) *Name of applicant*— Medilla Ltd.

(77) *Address*— P.O. Box 9642, Kampala, Uganda.

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(22) *Date of filing application*— 15th June, 2011.

(21) APPLICATION NO. 2010/41133 IN PART "A".

(52) Class 10.

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NYCOMED

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(57) *Nature of goods*— Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

- (73) *Name of applicant*— Nycomed Pharma AS.
 (77) *Address*— Drammensveien 852, P.O. Box 205, 1372 Asker, Norway.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 16th August, 2010.
 (21) APPLICATION NO. 2010/41134 IN PART "A".
 (52) Class 5.
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NYCOMED

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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*— Nycomed Pharma AS.
 (77) *Address*— Drammensveien 852, P.O. Box 205, 1372 Asker, Norway.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 16th August, 2010.
 Kampala, JULIET NASSUNA,
 23rd August, 2010. *Registrar of Trademarks.*

- (21) APPLICATION NO. 2011/43044 IN PART "A".
 (52) Class 29.
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SOYOLA

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 (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*— Mount Meru Millers (U) Ltd.
 (77) *Address*— P.O. Box 709, Lira, Uganda.
 (74) *C/o.* Sipi Law Associates, P.O. Box 4180, Kampala.
 (22) *Date of filing application*— 7th April, 2011.

- (21) APPLICATION NO. 2010/42231 IN PART "A".
 (52) Class 36.
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Rabobank

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 (57) *Nature of goods*— Financial affairs and insurance; monetary affairs; banking, including mortgages; financial analysis, estimates and budgets; financial services and consultancy; financing; fiscal valuations, assessments and consultancy; intermediary services and consultancy related to stock, security and bond transactions; issuance of securities; intermediary services and consultancy regarding real estate

transactions; financial management; taking care of the financial interests of others; leasing of data communication apparatus, particularly in relation to financial transactions; management and leasing of real estate; real estate appraisals; financial management by a finance company; financial participation (investment) in companies, enterprises, institutions and organizations; financial affairs for the benefit of daughter companies and participations.

- (73) *Name of applicant*— Cooperatieve Centrale Raiffeisen-Boerenleenbank B.A., ook te noemen Rabobank Nederland.
 (77) *Address*— Croeselaan 18, 3521 CB Utrecht, The Netherlands).

- (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 27th December, 2010.

Kampala, MAUDAH ATUZARIRWE,
 7th May, 2011. *Registrar of Trademarks.*

- (21) APPLICATION NO. 2011/43401 IN PART "A".
 (52) Class 30.
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 (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*— Nilebelt Tropical Harvests Limited.
 (77) *Address*— P.O. Box 2426, Kampala, Uganda.
 (74)
 (22) *Date of filing application*— 20th June, 2011.

- (21) APPLICATION NO. 2010/42244 IN PART "A".
 (52) Class 5.
 (54)

ROTEAS

- (53)
 (59)
 (64)
 (57) *Nature of goods*— Pharmaceutical preparations; and substances.
 (73) *Name of applicant*— Daiichi Sankyo Company, Limited.
 (77) *Address*— 3-5-1, Nihonbashi Honcho, Chuo-ku, Tokyo 103-8426, Japan.
 (74) *C/o.* Muganwa, Nanteza & Co. Advocates, P.O. Box 8543, Kampala.
 (22) *Date of filing application*— 27th December, 2010.

Kampala, KATUTSI VINCENT,
 21st June, 2011. *Registrar of Trademarks.*

ADVERTISEMENTS

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 211 Plot 960 Land at Kikaya.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Kulisitina Nakibuka of Kiwanguzi MT:V Bulemezi, a Special Certificate, the Title, which was originally issued having been lost.

Kampala, ROBERT V. NYOMBI,
27th June 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Mawokota Block 79 Plot 45 Land at Mbale Approx. 25.60 Acres.

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

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

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 189 Plot 88 Land at Busujja.

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

Kampala, MUHEREZA EDWIN,
22nd June 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 197 Plot 42 Land at Kitetika Approx. 9.30 Acres.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Abraham Pellew Nkalubo Waligo, P.O. Box 5996, Kampala, a Special Certificate, the Title, which was originally issued having been lost.

Kampala, MUHEREZA EDWIN,
27th June 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 263 Plot 695 Land at Senge.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Barozi Steven of P.O. Box 35582, Kampala, a Special Certificate, the Title, which was originally issued having been lost.

Kampala, MUHEREZA EDWIN,
21st June 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 479 Plot 4 Land at Nankonge Approx. 33.20 Hectares.

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

Kampala, MUHEREZA EDWIN,
23rd November 2010. *for Ag. Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 397 Plot 901 Land at Bweya.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names The Administrator General (Administrator of the Estate of the Late Bisirikirwa Marita, Adm. Cause No. HCT-00 CV-AC-0776-04 of the High Court of Uganda), a Special Certificate, the Title, which was originally issued having been lost.

Kampala, MUHEREZA EDWIN,
23rd June 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 253 Plots 1347, 1348 & 1350 Land at Lukuli Approx. 1.174 Hectares.

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

Kampala, EDWIN MUHEREZA,
4th October 2010. *for Ag. Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 404 Plot 139 Land at Buzi.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Margret Muwanga & E. Lubega (Administrators of the Estate of the Late Charls Adm. Cause No. 192/04 of the High Court of Uganda) of Buzi, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
30th May, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 82 Plot 757 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 Kopuliyamu Mbuya, Kigogwa, Gomb. Mut II, Gombe Kyadondo, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
7th June, 2011.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 133 Plot 17 Land at Hiremezi.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Bernard Sekitoleko of Nalusuga Gomb:Mut. Kyadondo, a Special Certificate, the Title, which was originally issued having been lost.

Kampala,
11th May, 2010.

MUHEREZA EDWIN,
for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 91 Block 167 Kyaggwe Area: 5.65 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 George Wilson Seguja Wamala of P.O. Box a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
14th June, 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 79 Block 150 Kyaggwe Area: 0.386 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 Edward Sekayala and Sulumani Bukanja of P.O. Box 39, Mukono, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
7th February, 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 141 Block 224 Kyaggwe Area: 2.02 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 Eriya Damulira of P.O. Nyenga, Bujuta, a special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

CHRISTINE NAMIREMBE KATENDE,
17th June, 2011. *for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT:

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 19301 Plot 6 Area: 52.4 Acres at Gaba.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Alifuledi Kiwanuka Byuma of P.O. Box 25800, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mukono,
1st February, 2010.

ARNAITWE OVERSON,
for Chief Registrar of Titles.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 1 Busongora Block 5 Land at Rukoki, Busongora
Kasese - Leasehold Register Volume 2056 Folio 13.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Birego Masereka of P.O. Box 98, Kasese, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, SARAH KULATA BASANGWA,
17th December, 2010. *Ag. Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 35 Kitante Road, Kampala Leasehold Register
Volume 207 Folio 5.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Thomas A. K. Makumbi of P.O. Box 1034, Kampala a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, SARAH KULATA BASANGWA,
22nd June, 2011. *Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 12, Bugangaizi, Ndahura Kisoisiryia, Hoima
Leasehold Register Volume 1800 Folio 21.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Stephen Kanneth Kalenzi Fende and Anne Kalenzi both of P.O. Box 6404, Kampala, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, SARAH KULATA BASANGWA,
27th May, 2011. *Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Plot No. 14, Bugangaizi, Ndahura Kisoisiryia, Hoima
Leasehold Register Volume 1800 Folio 20.

NOTICE IS HEREBY GIVEN that after the expiry of one month from the publication hereof, I intend to issue in the names of Stephen Kanneth Kalenzi Fende and Anne Kalenzi both of P.O. Box 6404, Kampala, a Special Certificate of Title under the above Volume and Folio, the Title which was originally issued having been lost.

Kampala, SARAH KULATA BASANGWA,
27th May, 2011. *Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Bulemezi Block 520 Plot 2, Land at Mboga Area: 168.0
Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Kezironi Kizito of Nangabo, 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 February, 2011. *Registrar of Titles—Bukalasa.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block No. 161 Plot No. 13 Land at Meru Measuring
4.05 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Yeronimu Lubega, 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,
23rd June, 2011. *Ag. for Commissioner for Land Registration.*

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block No. 57 Plot No. 37 Land at Busozi Measuring 4.05 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Ibu Sembajja of Kiwawo, Mut. X, 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, 24th June, 2011. **GALIWANGO HERMAN NSUBUGA,**
Ag. for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buddu Block No. 753 Plot No. 449 Land at Mutukula Measuring 0.077 Hectares.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Ashiraf Kayemba of P.O. Box 168, Kyotera Rakai 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, 22nd March, 2011. **GALIWANGO HERMAN NSUBUGA,**
Ag. for Commissioner for Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Singo Block 567 Plot 9, 204.35 Hectares at Lubengo Estate.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the name Eriya Katula Omuwangulabwanga, 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, 16th June, 2011. **JANET NABUUMA,**
for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Doreen Muhairwe Komukyeya, of P.O. Box 192, Masindi, Block 176 Plot 3, Area: 68.0 Hectares at Nakatete Buyaga.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names Doreen Muhairwe Komukyeya of P.O. Box 192, Masindi, a special Certificate of Title under the above Block and Plot, the Certificate of Title originally issued having been lost.

Fort Portal, 3rd April, 2008. **DIANA BONABANA,**
for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kashari Plot 121 Block 3.

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

Mbarara, 20th May, 2011. **J. K. KARUHANGA,**
for Chief Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT.

(Cap. 230).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 124 Plots 35 and 36 Land at Nabutaka.

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 names Ivani Sempa Ndaula (Allias Yovani Sempa Ndaula) of Nabutaka Kampala, the Title that was originally issued having been lost.

Kampala, 23rd June, 2011. **EDWIN MUHEREZA,**
for Commissioner Land Registration.

IN THE MATTER OF OATHS ACT CAP. 19
IN THE MATTER OF STATUTORY DECLARATION
ACT CAP. 22
AND
IN THE MATTER OF CHANGE OF NAME
DEED POLL

I, TUKWASIIBWE AMANDA LIZ formerly known as BYARUHANGA ELIZABETH, the holder of Ugandan passport No. and resident of Bugolobi, a Kampala suburb have on this 21st day of February, 2011 abandoned and denounced the use of the name BYARUHANGA ELIZABETH.

AND hence adopted and shall use the names TUKWASIIBWE AMANDA LIZ in all records, deeds, documents, instruments, and all other things and hereby expressly authorise and request all persons whomsoever at all to describe and address me by names of TUKWASIIBWE AMANDA LIZ.

I, TUKWASIIBWE AMANDA LIZ, make this solemn declaration consciously believing it to be true in accordance with the Statutory Declaration Act.

SIGNED by the said TUKWASIIBWE AMANDA LIZ.



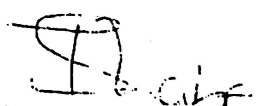
IN THE MATTER OF OATHS ACT CAP. 19
IN THE MATTER OF STATUTORY DECLARATION
CAP. 22
AND
IN THE MATTER OF OF CHANGE OF NAME
DEED POLL

I, TUKWASIIBWE JESSICA TUSHABE formerly known as TUSHABE JESSICA BYARUHANGA, the holder of Ugandan passport No. and resident of Bugolobi, a Kampala suburb have on this 8th day of February, 2011 abandoned and denounced the use of the name TUSHABE JESSICA BYARUHANGA.

AND hence adopted and shall use the names TUKWASIIBWE JESSICA TUSHABE in all records, deeds, documents, instruments, and all other things and hereby expressly authorise and request all persons whomsoever at all to describe and address me by names of TUKWASIIBWE JESSICA TUSHABE.

I, TUKWASIIBWE JESSICA TUSHABE; make this solemn declaration consciously believing it to be true in accordance with the Statutory Declaration Act.

SIGNED by the said TUKWASIIBWE JESSICA TUSHABE.



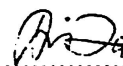
IN THE MATTER OF OATHS ACT, CAP. 19
IN THE MATTER OF STATUTORY DECLARATION
CAP. 22
AND
IN THE MATTER OF CHANGE OF NAME
DEED POLL

I, BYARUHANGA ANITA NICOLE formerly known as BYARUHANGA NICOLE, the holder of Ugandan passport No. and resident of Bugolobi have on this 8th day of February, 2011 abandoned and denounced the use of the name BYARUHANGA NICOLE.

AND hence adopted and shall use the names BYARUHANGA ANITA NICOLE in all records, deeds, documents, instruments, and all other things and hereby expressly authorise and request all persons whomsoever at all to describe and address me by names of BYARUHANGA ANITA NICOLE.

I, BYARUHANGA ANITA NICOLE, make this solemn declaration consciously believing it to be true in accordance with the Statutory Declaration Act.

SIGNED by the said BYARUHANGA ANITA NICOLE.



IN THE HIGH COURT OF UGANDA AT KAMPALA
FAMILY DIVISION
PROBATE AND ADMINISTRATION CAUSE No. 483 of
2011.

IN THE MATTER OF THE ESTATE OF THE LATE
BEIHEHO ERIC JOHN OF KANUNGU (DECEASED)
AND

IN THE MATTER OF AN APPLICATION FOR GRANT
OF LETTERS PROBATE BY ABIDAH TWIKIRIZE
BEIHEHO, WIDOW/EXECUTRIX APPOINTED BY
THE LAST WILL AND TESTAMENT OF THE
DECEASED.

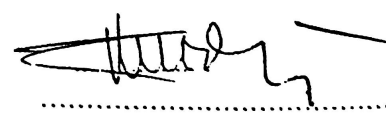
NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN:

TAKE NOTICE that an application for grant of probate in the estate of the Late Beiheho Eric John has been lodged in this court by a one ABIDAH TWIKIRIZE BEIHEHO Widow/Executrix Appointed by the last will and testament of the deceased.)

This court will proceed to grant the same if no caveat is lodged with this court within (14) fourteen days from the date of publication of this notice, unless cause be shown to the contrary.

Dated at Kampala this 23rd day of June, 2011.



D/Registrar.

STATUTORY INSTRUMENTS SUPPLEMENT
to The Uganda Gazette No. 45 Volume CIV dated 8th July, 2011
Printed by UPPC, Entebbe, by Order of the Government.

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

2011 No. 32.

**THE NATIONAL WOMEN'S COUNCIL (COUNCILS AND
COMMITTEES) (ELECTIONS), REGULATIONS, 2011.**

ARRANGEMENT OF REGULATIONS.

Regulation.

PART I—PRELIMINARY.

1. Title.
2. Interpretation.

PART II—CONDUCT OF ELECTIONS.

3. Electoral Commission to conduct elections.
4. Appointment of election officials.
5. Women's council to have one polling station.
6. Eligibility to stand for elections.
7. Electoral Commission to appoint nomination day.
8. Sponsorship of a candidate by a political organization or political party.
9. Electoral Commission to designate campaign period.
10. Electoral Commission to appoint election day.
11. Powers of Electoral Commission.
12. Person to second one candidate.
13. Candidate to reside in the area.
14. Presiding officer to declare nominated candidate.

15. Candidate may withdraw candidature.
16. Presiding officer to declare elected candidate.
17. Presiding officer to order fresh elections.
18. Commencement of elections.
19. Time for holding elections.
20. Presiding officer to keep order.
21. Action to be taken by presiding officer if elections interrupted.
22. Presiding officer to appoint enumerators.
23. Presiding officer to fill in form.
24. Votes to be counted at each polling station.
25. Declaration of winning candidate.
26. Women's councils and committees to be set up only in existing units.
27. Transitional provision.
28. Offences and penalties.
29. Revocation of SI 318 – 1 and 318-2.

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

2011 No. 32.

The National Women’s Council (Councils and Committees) (Elections) Regulations, 2011.

(Made under section 23 of the National Women’s Council Act, Cap. 318)

IN EXERCISE of the powers conferred on the Minister by section 23 of the National Women’s Council Act, Cap. 318 and in consultation with the Council these Regulations are made this 27th day of October, 2010.

PART I—PRELIMINARY.

1. Title.

These Regulations may be cited as the National Women’s (Council and Committees) (Elections) Regulations, 2011.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the National Women’s Council Act;

“women’s council” includes an electoral college assembled for carrying out an election under these Regulations;

“Minister” means the minister responsible for women.

PART II—CONDUCT OF ELECTIONS.

3. Electoral Commission to conduct elections.

(1) Elections of women’s councils and committees under the Act shall be conducted by the Electoral Commission.

(2) All elections under sub regulation (1) shall be by secret ballot using a single ballot box.

4. Appointment of election officials.

All returning officers and presiding officers for the purpose of elections under these Regulations shall be appointed by the Electoral Commission.

5. Women's council to have one polling station.

There shall be one polling station for each women's council at the village, parish or ward, sub country, district and national level.

6. Eligibility to stand for election.

Except where they are election officials, and subject to any other relevant law in force, all women are eligible to stand for elections.

7. Electoral Commission to appoint nomination day.

(1) The Electoral Commission shall publish in the Gazette and the local media a nomination day and the time when candidates who wish to stand for election at women's councils and committees shall be nominated.

(2) The nomination of candidates for election under these Regulations shall be made in writing supported by not less than two persons qualified to stand for election to the relevant women's council or committee.

8. Sponsorship of a candidate by a political organisation or political party.

Nomination of a candidate may be made by a political organisation or political party sponsoring a candidate or by a candidate standing for election as an independent candidate without being sponsored by a political party or political organization.

9. Electoral Commission to designate campaign period.

The Electoral Commission shall designate a period of at least three days after nomination, for candidates nominated under regulation 7 to campaign for the election.

10. Electoral Commission to appoint election day.

The Electoral Commission shall by notice in the Gazette and the local media, appoint a day for elections at the village, parish or ward, sub county, district and national level.

11. Powers of Electoral Commission.

(1) The Electoral Commission may give guidelines as may be necessary for ensuring that the elections are conducted according to the Act and these Regulations.

(2) The Electoral Commission may apply to elections under these Regulations the provisions of any enactment relating to elections.

12. Person to second one candidate.

A person shall not second more than one candidate for the same office.

13. Candidate to reside in the area.

A candidate shall not be nominated for election to a women's council or committee unless she ordinarily resides in that area.

14. Presiding officer to declare nominated candidate.

Where in a women's council or committee election a candidate is nominated in the manner provided for under these Regulations and the presiding officer is satisfied that all the provisions of these Regulations have been complied with, the presiding officer shall declare the candidate as nominated.

15. Candidate may withdraw candidature.

A candidate may, at any time before the commencement of an election, withdraw her candidature by informing the Electoral Commission in writing through the presiding officer.

16. Presiding officer to declare elected candidate.

Where at the close of the nomination only one candidate stands nominated for an office, the presiding officer shall declare the candidate elected unopposed.

17. Presiding officer to order fresh elections.

Where in an election to a women's council or committee no candidate is nominated in accordance with these Regulations, the presiding officer shall order a fresh election to be held by the women's council of committees on the following day between 9.00 a.m. and 6.00 p.m.; and if no candidate is nominated, he or she shall record that fact.

18. Commencement of elections.

The presiding officer shall commence elections only after at least five persons who are entitled to vote are present.

19. Time for holding elections.

An election to a women's council or committee shall be conducted between the hours of 9.00 a.m and 6.00 p.m.

20. Presiding officer to keep order.

(1) The presiding officer or any person acting in his or her place shall keep order at the polling station.

(2) Where a person misconducts himself or herself at a polling station or fails to obey the lawful orders of the presiding officer, that person may, by order of the presiding officer be removed from the polling station immediately by any person authorised by the presiding officer or by the returning officer.

(3) A person removed from the polling station under this regulation shall not be allowed to enter the polling station, unless permitted by the presiding officer.

21. Action to be taken by presiding officer if elections interrupted.

(1) Where the proceedings at a polling station are interrupted or obstructed by a riot, violence or any other unforeseen impediment, the presiding officer shall adjourn the proceedings until the following day and shall notify the returning officer.

(2) Where the poll is adjourned at a polling station, the hours of polling on the day to which it is adjourned shall be the same as on the original day.

22. Presiding officer to appoint enumerators.

The presiding officer in charge of elections to a women's council shall appoint as many persons other than the persons entitled to vote as he or she shall consider necessary to assist in counting the votes, and those persons shall be known as enumerators.

23. Presiding officer to fill in form.

Upon completion of the counting of votes, and after the results have been declared by the presiding officer, the presiding officer shall fill in Forms W.E.1, W.E.2 and W.E.3 set out in the Schedule and submit the forms to the relevant offices as indicated on the forms within two days.

24. Votes to be counted at each polling station.

(1) Votes cast at each polling station shall be counted at the polling station immediately after the presiding officer declares the polling closed and the votes cast in favour of each candidate shall be recorded separately.

(2) Subject to regulation 21, votes shall not stay uncounted overnight and where required, the presiding officer shall provide light for the purposes of counting votes.

25. Declaration of winning candidate.

(1) The presiding officer shall immediately after counting the votes, or after any recount, declare elected the candidate who has obtained the largest number of votes.

(2) Notwithstanding sub regulation (1), the presiding officer may, where he or she receives a complaint from any person entitled to vote at that election and is satisfied that the complaint is not frivolous, order a recount of the votes before making the declaration.

26. Women's councils and committees to be set up only in existing units.

(1) For the avoidance of doubt, all women's councils and committees shall be established in accordance with the existing administrative units.

(2) Where it is necessary to establish a women's council or committee, the district women's council concerned shall submit its recommendation concerning the proposal to establish a women's council to the Minister for approval.

27. Transitional provision.

Every incoming women's committee shall, before taking over, ensure that there is a formal handing-over from the outgoing women's committee, within fourteen days after the election of the new committee.

28. Offences and penalties.

A person who—

- (a) forges, fraudulently defaces or fraudulently destroys any election return, record or an official mark on an election return or record;
- (b) bribes or attempts to bribe an elector in a women's council with the intention of soliciting for his or her vote;
- (c) engages in any sectarian practice with the intention of soliciting for votes;
- (d) corruptly offers to an elector any food, drink, refreshment or provisions for the purpose of corruptly influencing the person to vote in any manner at a youth council election;
- (e) makes use of or threatens to use force, violence or restraint, or inflicts or threatens to inflict physical or psychological injury or harm against any person for the purpose of influencing the person to vote in any manner at any women's council;
- (f) gives or lends or promises to procure any money, gift, loan, benefit or valuable consideration to an elector, or to any person on behalf of any elector in order to induce any elector to vote or refrain from voting;
- (g) accepts any money, gift, loan, benefit or valuable consideration from a candidate for purposes of voting for that candidate or influencing other candidates to vote for that candidate,

commits an offence and is liable on conviction to imprisonment for a term not exceeding two years and, in addition to the imprisonment, to be disqualified for five years from the date of his or her conviction from holding an office on any women's committee or being a member of any women's council, other than a cell or village women's council.

29. Revocation of SI 318 – 1 and 318-2.

The National Women's Council (Women's Council and Committees) (Elections) (No.1) Regulations and the National Women's Councils (Women's Councils and Committees) (Elections) (No. 2) Regulations are revoked.

SCHEDULE

FORM

Form W.E. 1.

Republic of Uganda

Polling Returns.

Women's Councils and Committees Election.

The National Women's Council Act Cap. 318.

The National Women's Council (Councils and Committees) (Elections)

Regulations 2011.

(Fill in triplicate)

District _____

Subcounty/Division _____

Parish/Ward _____

Village _____

Office contested _____

Candidates' names

No. of votes

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Name of presiding officer _____

Designation _____

Date

Signature

Warning—Anyone who gives false information shall be liable to prosecution.

Distribution—

Parish

Original—Electoral Commission.

Duplicate—Sub county headquarters.

Triplicate—Parish headquarters.

Sub county

Original - District headquarters.

Duplicate – Electoral Commission.

Triplicate – Subcounty.

District

Original—Ministry responsible for women.

Duplicate—National Women’s Council Secretariat.

Triplicate—District headquarters.

National Level

Original—Ministry responsible for women.

Duplicate—National Women’s Council Secretariat.

Triplicate—Electoral Commission.

Form W.E.2
 Republic of Uganda
Declaration of Election Results
 Women's Councils and Committees
 The National Women's Council Act Cap. 318
 The National Women's Council (Councils and Committees) (Elections)
 Regulations 2011
(Fill in triplicate)

District _____
 Sub county _____
 Parish/ Ward _____
 Village _____
 Office contested: WC I, II, III, IV, V

Offices	Names of elected candidate
1. Chairperson	_____
2. Vice chairperson	_____
3. General secretary	_____
4. Publicity secretary	_____
5. Secretary for finance	_____

I declare that the above candidate(s) has/have been duly elected in accordance with the established rules and regulations governing women's councils and committees elections.

Names and signatures of candidates' agents present.	Names and signatures of candidates' agents present.
1.	5.
2.	6.
3.	7.
4.	8.

Name and Signature of Presiding Officer _____

 Designation _____

Date

Signature

Note—Distribution at all levels.

Distribution—

Original—National Women's Council Secretariat.

Duplicate—Ministry responsible for women.

Triplicate—Chief Administrative Officer.

Delete as appropriate

Form W.E.3
 Republic of Uganda
Declaration of Election Results
 Women's Councils and Committees
 The National Women's Council Act Cap 318)
 The National Women's Council (Councils and Committees) (Elections)
 Regulations 2011

(Fill in triplicate)

District _____
 Subcounty _____
 Parish _____
 Village _____
 Office contested: _____

Offices	Names of elected candidate
1. Chairperson	_____
2. Vice chairperson	_____
3. General secretary	_____
4. Publicity secretary	_____
5. Secretary for finance	_____

I declare that the above-named candidates have been duly elected in accordance with the established rules and regulations governing women's councils and committees elections.

Names and signatures of candidates' agents present.	Names and signatures of candidates' agents present.
1.	5.
2.	6.
3.	7.
4.	8.

Date	Designation

 Name and Signature of Presiding Officer

 Delete as appropriate.

Note—Distribution at all levels

Distribution—

Original—National Women's Council Secretariat.

Duplicate—Ministry responsible for women.

Triplicate—Electoral Commission.

GABRIEL OPIO,
Minister of Gender, Labour and Social Development.

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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. 33.

**THE NATIONAL YOUTH COUNCIL (COUNCILS AND COMMITTEES)
(ELECTIONS) REGULATIONS, 2011.**

ARRANGEMENT OF REGULATIONS.

Regulation.

PART I—PRELIMINARY.

1. Title.
2. Interpretation.

PART II—CONDUCT OF ELECTIONS.

3. Electoral Commission to conduct elections.
4. Appointment of election officials.
5. Youth council to have one polling station.
6. Eligibility to stand for election.
7. Electoral Commission to appoint nomination day.
8. Sponsorship of a candidate by a political organisation or a political party.
9. Electoral Commission to designate campaign period.
10. Electoral Commission to appoint election day.
11. Powers of Electoral Commission.
12. Person to second one candidate.
13. Representatives of youth in Parliament.
14. Candidate to reside in the area.
15. Presiding officer to declare nominated candidate.
16. Candidate may withdraw candidature.

Regulation.

17. Presiding officer to declare elected candidate.
18. Presiding officer to order fresh elections.
19. Commencement of elections.
20. Elections to Youth Committee be conducted at the same time.
21. Time for holding elections.
22. Presiding officer to keep order.
23. Action to be taken by presiding officer if elections interrupted.
24. Presiding officer to appoint enumerators.
25. Votes to be counted at each polling station.
26. Declaration of winning candidate.
27. Presiding officer to fill in form.
28. Youth councils and committees to be set up only in existing units.
29. Transitional provision.

PART III—MISCELLANEOUS

30. Offences and penalties.
31. Revocation of SI 319-1.

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

2011 No. 33.

The National Youth Council (Councils and Committees) (Elections) Regulations, 2011

(Made under section 27 of the National Youth Council Act, Cap.319)

IN EXERCISE of the powers conferred on the Minister by section 27 of the National Youth Council Act, Cap.319 and in consultation with the Council these Regulations are made this 27th day of October, 2010.

PART I—PRELIMINARY.

1. Title.

These Regulations may be cited as the National Youth Council (Councils and Committees) (Elections) Regulations, 2011.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the National Youth Council Act;

“youth” means a person between the age of eighteen and thirty years;

“youth council” includes an electoral college assembled for carrying out an election under these Regulations;

“Minister” means the minister responsible for youth.

PART II—CONDUCT OF ELECTIONS.

3. Electoral Commission to conduct elections.

(1) Elections of the national youth councils and committees under the Act shall be conducted by the Electoral Commission.

(2) All elections under sub regulation (1) shall be by secret ballot using a single ballot box.

4. Appointment of election officials.

All returning officers and presiding officers shall be appointed by the Electoral Commission.

5. Youth council to have one polling station.

There shall be one polling station for each youth council.

6. Eligibility to stand for election.

Except where they are election officials, and subject to any other relevant law in force, all youth are eligible to stand for elections.

7. Electoral Commission to appoint nomination day.

(1) The Electoral Commission shall publish in the Gazette and the local media a nomination day and the time when candidates who wish to stand for election at youth councils and committees shall be nominated.

(2) The nomination of candidates for election under these Regulations shall be made in writing supported by not less than two persons qualified to stand for election to the relevant youth council or committee.

8. Sponsorship of a candidate by a political organisation or political party.

Nomination of a candidate may be made by a political organisation or political party sponsoring a candidate or by a candidate standing for election as an independent candidate without being sponsored by a political party or political organisation.

9. Electoral Commission to designate campaign period.

The Electoral Commission shall designate a period of at least three days after nomination, for candidates nominated under regulation 7 to campaign for the election.

10. Electoral Commission to appoint election day.

The Electoral Commission shall by notice in the Gazette and the local media, appoint a day for elections at the village, parish or ward, sub county, district and national level.

11. Powers of Electoral Commission.

(1) The Electoral Commission may give guidelines as may be necessary for ensuring that the elections are conducted according to the Act and these Regulations.

(2) The Electoral Commission may apply to elections under these Regulations the provisions of any enactment relating to elections.

12. Person to second one candidate.

A person shall not second more than one candidate for the same office.

13. Representatives of youth in Parliament.

The representatives of the youth to Parliament shall be elected in the manner prescribed by regulations made under section 100 of the Parliamentary Elections Act 2005.

14. Candidate to reside in the area.

A candidate shall not be nominated for election to a youth council or committee unless he or she ordinarily resides in that area.

15. Presiding officer to declare nominated candidate.

Where in a youth council or committee election a candidate is nominated in the manner provided for under these Regulations and the presiding officer is satisfied that all the provisions of these Regulations have been complied with, the presiding officer shall declare the candidate nominated.

16. Candidate may withdraw candidature.

A candidate may, at any time before the commencement of an election, withdraw his or her candidature by informing the Electoral Commission through presiding officer in writing.

17. Presiding officer to declare elected candidate.

Where at the close of the nomination only one candidate stands nominated for an office, the presiding officer shall declare the candidate elected unopposed.

18. Presiding officer to order fresh elections.

Where in an election to a youth council or committee no candidate is nominated in accordance with these Regulations, the presiding officer shall order a fresh election to be held by the youth council or committee on the following day between 9.00 a.m. and 6.00 p.m. and if no candidate is nominated, he or she shall record that fact.

19. Commencement of elections.

The presiding officer shall commence elections only after at least five persons entitled to vote are present.

20. Elections to Youth Committee be conducted at the same time.

(1) Elections for each office of a youth committee shall take place at the same time for the following offices—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a secretary for women youth who shall be a female;
- (f) a secretary for student affairs who shall be a student;
- (g) a secretary for labour affairs;
- (h) a secretary for sports and culture; and
- (i) a secretary for finance.

(2) In the case of the national youth executive committee there shall be included the offices of—

- (a) secretary for external relations; and
- (b) secretary for legal affairs.

21. Time for holding elections.

An election to a youth council or committee shall be conducted between the hours of 9.00 a.m and 6.00 p.m.

22. Presiding officer to keep order.

(1) The presiding officer or any person acting in his or her place shall keep order at the polling station.

(2) Where a person misconducts himself or herself at a polling station or fails to obey the lawful orders of the presiding officer, that person may, by order of the presiding officer be removed from the polling station immediately by any person authorised by the presiding officer or by the returning officer.

(3) A person removed from the polling station under this regulation shall not be allowed to enter the polling station, unless permitted by the presiding officer.

23. Action to be taken by presiding officer if elections interrupted.

(1) Where the proceedings at a polling station are interrupted or obstructed by a riot, violence or any other unforeseen impediment, the presiding officer shall adjourn the proceedings until the following day and shall notify the returning officer.

(2) Where the poll is adjourned at any polling station, the hours of polling on the day to which it is adjourned shall be the same as on the original day.

24. Presiding officer to appoint enumerators.

The presiding officer in charge of a youth council election shall appoint as many persons other than the persons entitled to vote as he or she shall consider necessary to assist in counting the votes, and those persons shall be known as enumerators.

25. Votes to be counted at each polling station.

(1) Votes cast at each polling station shall be counted at the polling station immediately after the presiding officer declares the polling closed and the votes cast in favour of each candidate shall be recorded separately.

(2) Subject to regulation 23, votes shall not stay uncounted overnight and where required, the presiding officer shall provide light for the purposes of counting votes.

26. Declaration of winning candidate.

(1) The Presiding Officer shall immediately after counting the votes, or after any recount, declare elected the candidate who has obtained the largest number of votes.

(2) Notwithstanding sub regulation (1), the presiding officer may, where he or she receives a complaint from any person entitled to vote at that election and is satisfied that the complaint is not frivolous, order a recount of the votes before making the declaration.

27. Presiding officer to fill in form.

Upon completion of the counting of votes, and after the results have been declared by the presiding officer, the presiding officer shall fill in Forms Y.E.1, Y.E.2 and Y.E.3 set out in the Schedule and submit the forms to the relevant offices as indicated on the forms within two days.

28. Youth councils and committees to be set up only in existing units.

(1) For the avoidance of doubt, youth councils and committees shall be established in accordance with the existing administrative units.

(2) In the case of elections for student representatives to the National Youth Council, the procedure to be followed shall be determined by the rules and procedures provided for in the constitution of the Uganda National Students Association.

(3) Sub regulation (2) shall apply in the case of elections of student representatives to the national youth delegates conference.

(4) The youth representative of non governmental organizations to the National Youth Council shall be selected by the National Executive Committee.

PART III—MISCELLANEOUS.

29. Transitional provision.

Every incoming youth council or committee shall, before taking over, ensure that there is a formal handing-over from the outgoing youth council or committee, within fourteen days after the election of the new council or committee.

30. Offences and penalties.

A person who—

- (a) forges, fraudulently defaces or fraudulently destroys any election return, record or an official mark on an election return or record;
- (b) bribes or attempts to bribe an elector in a youth council with the intention of soliciting for his or her vote;
- (c) engages in any sectarian practice with the intention of soliciting for votes;
- (d) corruptly offers to an elector any food, drink, refreshment or provisions for the purpose of corruptly influencing the elector to vote in any manner at a youth council election;
- (e) makes use of or threatens to use force, violence or restraint, or inflicts or threatens to inflict physical or psychological injury or harm against any person for the purpose of influencing the person to vote in any manner at any youth council;
- (f) gives or lends or promises to procure any money, gift, loan, benefit or valuable consideration to an elector, or to any person on behalf of an elector in order to induce any elector to vote or refrain from voting;
- (g) accepts any money, gift, loan, benefit or valuable consideration from a candidate for purposes of voting for that candidate or influencing other candidates to vote for that candidate,

commits an offence and is liable on conviction to a fine not exceeding seventy two currency points or imprisonment for a term not exceeding three years or both and, in addition to the fine or imprisonment, to be disqualified for five years from the date of his or her conviction from holding an office on a youth committee or being a member of a youth council, other than a cell or village youth council.

31. Revocation of SI 319 - 1.

The National Youth Council (Councils and Committees) (Elections) Regulations are revoked.

SCHEDULE

Reg.27

FORMS

Form Y.E. 1.

Republic of Uganda

Polling Returns.

The National Youth Council Act, Cap. 319.

The National Youth Council (Councils and Committees) (Elections)

Regulations, 2011.

(Fill in triplicate)

District _____

Subcounty/Division _____

Parish/Ward _____

Village _____

Office contested _____

Candidates' names

No. of votes

Name of presiding officer _____

Designation _____

Date

Signature

Warning—Anyone who gives false information shall be liable to prosecution.

Distribution—

Parish

Original—Subcounty headquarters.

Duplicate—Electoral commission.

Triplicate—Parish headquarters.

District

Original—Electoral Commission.

Duplicate—National Youth Council.

Triplicate—Ministry Responsible
for Youth.

Subcounty

Original—District headquarters.

Duplicate—Electoral Commission.

Triplicate—Subcounty.

National Youth Council

Original—Ministry responsible for
Youth.

Duplicate—National Youth Council.

Triplicate—Subcounty.

Form Y.E. 2.
 Republic of Uganda
Declaration of Election Results.

The National Youth Council Act, Cap. 319.
 The National Youth Council (Councils and Committees) (Elections)
 Regulations, 2011.

(Fill in triplicate)

District _____

Subcounty _____

Parish _____

Village _____

Office contested: YC I, II, III, V

Offices	Names and sex of elected candidates
1. Chairperson	_____
2. Vice chairperson	_____
3. General secretary	_____
4. Publicity secretary	_____
5. Secretary for women youth	_____
6. Secretary for student affairs	_____
7. Secretary for labour affairs	_____
8. Secretary for sports and culture	_____
9. Secretary for finance	_____
10. Secretary for external relations	_____
11. Secretary for legal affairs	_____

I declare that the above-named candidates have been duly elected in accordance with the established rules and regulations governing youth councils and committees elections.

Names and signatures of candidates' agents present.	Names and signatures of candidates' agents present.
1.	5.
2.	6.
3.	7.
4.	8.

Date

Designation

Name and Signature of Presiding Officer.

Note—Distribution at all levels

Distribution—

Original—National Youth Council.

Duplicate—Ministry responsible for youth.

Triplicate—Electoral Commission.

Delete as appropriate.

Form Y.E. 3.

Declaration of National Youth Council/Committee Election Results.

The National Youth Council Act, Cap. 319.

The National Youth Council (Councils and Committees) (Elections)
Regulations, 2011.

(Fill in triplicate)

District _____

Subcounty _____

Parish _____

Village _____

Office contested:

Offices	Names and sex of elected candidates
1. Chairperson	_____
2. Vice chairperson	_____
3. General secretary	_____
4. Publicity secretary	_____
5. Secretary for women youth	_____
6. Secretary for student affairs	_____
7. Secretary for labour affairs	_____
8. Secretary for sports and culture	_____
9. Secretary for finance	_____
10. Secretary for external relations	_____
11. Secretary for legal affairs	_____

I declare that the above-named candidates have been duly elected in accordance with the established rules and regulations governing youth councils and committees elections.

Names and signatures of candidates' agents present.	Names and signatures of candidates' agents present.
1.	5.
2.	6.
3.	7.
4.	8.

Date

Designation.

Name and Signature of Presiding Officer.

Delete as appropriate.

Note—Distribution at all levels

Distribution—

Original—National Youth Council.

Duplicate—Ministry responsible for youth.

Triplicate—Electoral Commission.

GABRIEL OPIO,
Minister of Gender, Labour and Social Development.

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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. 34.

**The Civil Procedure and Limitation (Miscellaneous Provisions) Act
(Amendment of Third Schedule) Order, 2011.**

(Under section 7 of the Civil Procedure and Limitation (Miscellaneous Provisions) Act, Cap. 72)

IN EXERCISE of the powers conferred upon the Minister by section 7 (c) of the Civil Procedure and Limitation (Miscellaneous Provisions) Act, this Order is made this 4th day of July, 2011.

1. Title.

This Order may be cited as the Civil Procedure and Limitation (Miscellaneous Provisions) Act (Amendment of Third Schedule) Order, 2011.

2. Amendment of Third Schedule.

The Third Schedule to the Civil Procedure and Limitation (Miscellaneous Provisions) Act is amended by inserting at the end, in columns 1 and 2 respectively, the following—

“62. Kampala Capital City Authority - Act No. 1 of 2011”.

MAJ. GEN. KAHINDA OTAFIIRE,
Minister of Justice and Constitutional Affairs.

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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. 35.

The Computer Misuse Act, 2011 (Commencement) Instrument, 2011.

(Under section 1 of the Computer Misuse Act, 2011, Act No.2 of 2011)

IN EXERCISE of the powers conferred on the Minister responsible for information and communications technology by section 1 of the Computer Misuse Act, 2011, this Instrument is made this 13th day of April, 2011.

1. Title.

This Instrument may be cited as the Computer Misuse Act, 2011 (Commencement) Instrument, 2011.

2. Commencement of Act No. 2 of 2011.

The 15th of April, 2011 is appointed as the date on which the Computer Misuse Act, 2011 shall come into force.

AGGREY AWORI,
Minister of Information and Communications Technology.

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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. 36.

The Electronic Transactions Act, 2011 (Commencement)
Instrument, 2011.

(Under section 1 of the Electronic Transactions Act, 2011, Act No.8 of 2011)

IN EXERCISE of the powers conferred on the Minister responsible for information and communications technology by section 1 of the Electronic Transaction Act, 2011, this Instrument is made this 13th day of April, 2011.

1. Title.

This Instrument may be cited as the Electronic Transactions Act, 2011 (Commencement) Instrument, 2011.

2. Commencement of Act No. 8 of 2011.

The 15th of April, 2011 is appointed as the date on which all provisions of the Electronic Transactions Act, 2011 shall come into force.

AGGREY AWORI,
Minister of Information and Communications Technology.

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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. 37.

The Electronic Signatures Act, 2011 (Commencement)
Instrument, 2011.

(Under section 1 of the Electronic Signatures Act, 2011, Act No.7 of 2011)

IN EXERCISE of the powers conferred on the Minister responsible for information and communications technology by section 1 of the Electronic Signatures Act, 2011, this Instrument is made this 13th day of April, 2011.

1. Title.

This Instrument may be cited as the Electronic Signatures Act, 2011 (Commencement) Instrument, 2011.

2. Commencement of Act No. 7 of 2011.

The 15th of April, 2011 is appointed as the date on which the Electronic Signatures Act, 2011 shall come into force.

AGGREY AWORI,
Minister of Information and Communications Technology.

ACTS SUPPLEMENT

to The Uganda Gazette No. 45 Volume CIV dated 8th July, 2011.

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

Act 11 *Public Procurement and Disposal of
Public Assets (Amendment) Act* **2011**

**THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC
ASSETS (AMENDMENT) ACT, 2011**

ARRANGEMENT OF SSECTIONS

Section

PART I—PRELIMINARY

1. Commencement

PART II—AMENDMENTS TO PART I OF THE PRINCIPAL ACT

- 2. Amendment of section 2 of principal Act**
- 3. Amendment of section 3 of principal Act**
- 4. Insertion of new section 4A in principal Act**

PART III—AMENDMENTS TO PART II OF THE PRINCIPAL ACT

- 5. Amendment of section 6 of principal Act**
- 6. Amendment of section 7 of principal Act**
- 7. Amendment of section 8 of principal Act**
- 8. Amendment of section 9 of principal Act**
- 9. Replacement of section 11 of principal Act**
- 10. Insertion of new section 15A in principal Act**
- 11. Insertion of new section 19A in principal Act**
- 12. Amendment of section 21 of principal Act**
- 13. Insertion of new section 23A in principal Act**

PART IV—AMENDMENTS TO PART III OF THE PRINCIPAL ACT

- 14. Amendment of section 25 of principal Act**
- 15. Amendment of section 26 of principal Act**
- 16. Amendment of section 27 of principal Act**
- 17. Amendment of section 28 of principal Act**

*Public Procurement and Disposal of
Public Assets (Amendment) Act*

2011

Act 11

Section

18. Amendment of section 32 of principal Act
19. Amendment of section 34 of principal Act
20. Replacement of section 39 of principal Act
21. Insertion of new section 40A in principal Act
22. Amendment of section 41 of principal Act
23. Amendment of section 42 of principal Act

PART V—AMENDMENTS TO PART IV OF THE PRINCIPAL ACT

24. Replacement of section 43 of principal Act
25. Replacement of section 47 of principal Act
26. Replacement of section 50 of principal Act
27. Repeal of section 54 of principal Act

PART VI—AMENDMENTS TO PART V OF THE PRINCIPAL ACT

28. Amendment of section 56 of principal Act
29. Replacement of section 58 of principal Act
30. Insertion of new section 59A in principal Act
31. Insertion of new section 59 B in principal Act
32. Replacement of section 60 of principal Act
33. Replacement of section 68 of principal Act
34. Amendment of section 71 of principal Act
35. Replacement of section 74 of principal Act

PART VI—AMENDMENT OF PART VI OF THE PRINCIPAL ACT

36. Amendment of section 79 of principal Act
37. Amendment of sections 80, 81, 82 and 83 of principal Act
38. Amendment of section 84 of principal Act
39. Amendment of sections 85 of principal Act
40. Amendment of section 86 of the principal Act
41. Amendment of section 87 of the principal Act
42. Insertion of new section 88A in principal Act

PART VIII—INSERTION OF PART VIA IN THE PRINCIPAL ACT

43. Insertion of Part VIA in principal Act

PART IX—AMENDMENTS TO PART VII OF THE PRINCIPAL ACT

- 44. Amendment of section 89 of principal Act
- 45. Amendment of section 90 of principal Act
- 46. Amendment of section 91 of principal Act

PART X—INSERTION OF PART VII A IN THE PRINCIPAL ACT

- 47. Insertion of Part VIIA in principal Act

PART XI—AMENDMENTS TO PART VIII OF THE PRINCIPAL ACT

- 48. Insertion of section 91U in principal Act
- 49. Replacement of section 94 of principal Act
- 50. Amendment of section 95 of principal Act
- 51. Insertion of new section 95A in principal Act
- 52. Replacement of section 96 of principal Act
- 53. Replacement of section 97 of principal Act

PART XII—AMENDMENTS TO THE SCHEDULES TO THE PRINCIPAL ACT

- 54. Insertion of new Schedule 1 A in principal Act
- 55. Amendment of Fourth Schedule to principal Act
- 56. Amendment of Fifth Schedule to principal Act
- 57. Transitional provisions

**THE PUBLIC PROCUREMENT AND DISPOSAL OF
PUBLIC ASSETS (AMENDMENT) ACT, 2011**

An Act to amend the Public Procurement and Disposal of Public Assets Act; to provide for the entities and activities to which the Act applies; to broaden the definition of the term “accounting officer”; to provide for further functions and powers of the Authority; to provide for the composition of the Board; to provide for further functions of the Contracts Committees; to provide for accreditation for alternative procurement systems; to provide for procurement planning; to provide the different types of contracts to be used for procurement; to provide for the procedure for administrative review; to provide for the limitation of contracts with members of procuring and disposing entities; to provide for the suspension of providers; to establish the Public Procurement and Disposal of Public Assets Tribunal; to create new offences; to provide for the making of regulations for procuring and disposing entities outside Uganda and for related matters.

DATE OF ASSENT: 21st June, 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.

PART II—AMENDMENTS TO PART I OF THE PRINCIPAL ACT

2. Amendment of section 2 of principal Act

Section 2 of the Public Procurement and Disposal of Public Assets Act, in this Act referred to as the principal Act, is amended—

- (a) by substituting for subsection (1) (c) the following—

“(c) procurement and disposal by a procuring and disposing entity, within or outside Uganda;”

- (b) by inserting immediately after subsection (1) (c), the following—

“(d) procurement financed from specific public finances specified in paragraph (a), in the case of an entity not being of Government, except where the Authority confirms in writing, that the procurement system of the entity is satisfactory;

- (e) procurement and disposal by a company registered under the Companies Act, in which a procuring and disposing entity has majority interest.”;

- (c) by inserting immediately after subsection (1), the following—

“(1a) For the avoidance of doubt, the following activities by a procuring and disposing entity are not procurement to which this Act applies—

- (a) the acquisition of an asset or of equipment, where the asset or equipment is being disposed of by another procuring and disposing entity in accordance with section 87;
- (b) the acquisition of a service provided by another procuring and disposing entity, except a service normally offered by that procuring and disposing entity for a fee; and
- (c) the recruitment of the services of an individual as an employee of a procuring and disposing entity in accordance with the administrative policies of the procuring and disposing entity.

(1b) Subject to subsection (1c), this Act shall not apply to the Auditor General in the selection of private audit firms to undertake any assignment under the mandate of the Auditor General.

(1c) The Auditor General shall in exercise of his or her mandate in subsection (1b) apply the principles of transparency and competition in order to ensure value for money.”

3. Amendment of section 3 of principal Act

Section 3 of the principal Act is amended—

- (a) by substituting for the definition of “Accounting Officer” the following—

““accounting officer” means—

- (a) an accounting officer appointed as such by the Secretary to the Treasury;
- (b) a person appointed under an Act of Parliament or under an instrument of appointment made under an Act of Parliament, including the Companies Act, to perform the functions of accounting officer of a procuring and disposing entity; or

- (c) a person appointed to perform the functions of accounting officer of an entity not being of Government, to which section 2 (1) (d) applies;”;
- (b) by substituting for the definition of “procuring and disposing entity” the following—

““procuring and disposing entity” means—

- (a) a Ministry or department of Government;
- (b) a district council or a municipal council;
- (c) a body corporate established under an Act of Parliament other than the Companies Act;
- (d) a company registered under the Companies Act in which Government or a procurement and disposing entity—
 - (i) controls the composition of the board of directors of the company;
 - (ii) is entitled to cast, or controls the casting of more than fifty percent of the maximum number of votes that may be cast at a general meeting of the company; or
 - (iii) controls more than fifty percent of the issued share capital of the company, excluding any part of the issued share capital that does not carry a right to participate beyond a specified amount in the distribution of profits or capital; and
- (e) an entity not being of Government, to which section 2 (1) (d) applies;

and includes—

- (f) a commission established under the Constitution or under an Act of Parliament;
 - (g) a public university and a public tertiary institution established under the Universities and other Tertiary Institutions Act, 2001;
 - (h) Bank of Uganda except in exercise of the functions specified in section 4 of the Bank of Uganda Act; and
 - (i) any other procuring and disposing entity as may be prescribed by the Minister;”
- (c) in the interpretation of “supplies” by inserting immediately after “equipment” the words “ livestock, assets, land”;
- (d) by inserting the following definitions in the appropriate alphabetical order—
- ““authorised officer” means a person appointed as an authorised officer under section 8;
- “competent authority” means a Government office which has the mandate to perform a specified function;
- “consultancy service” means a service of an intellectual or advisory nature, provided by a practitioner who is skilled and qualified in a particular field or profession; and includes, but is not limited to, engineering design or supervision, accountancy, auditing, financial services, procurement services, training and capacity building services, management advice, policy studies and advice and assistance with institutional reform;
- “consultant” means an individual who, or a firm, company, corporation, organisation or partnership which provides consultancy services to a procuring and disposing entity;

“emergency situation” means a circumstance which is urgent or unforeseeable or a situation which is not caused by dilatory conduct where—

- (a) Uganda is seriously threatened by or actually confronted with a disaster, catastrophe, war or an act of God;
- (b) life or the quality of life or environment may be seriously compromised;
- (c) the conditions or quality of goods, equipment, buildings or publicly owned capital goods may seriously deteriorate unless action is urgently and necessarily taken to maintain them in their actual value or usefulness;
- (d) an investment project is seriously delayed for want of minor items; or
- (e) a Government programme would be delayed or seriously compromised unless a procurement is undertaken within the required time frame;

“information” means written, visual, aural and electronic information;

“non-consultancy service” means a service of a skilled or a non-skilled nature, which is not a consultancy service; and includes, cleaning, security and maintenance and repair services;

“procurement and disposal notice board” means the notice board of a procuring and disposing entity, which is used to display notices required to be displayed under this Act and regulations made under this Act and to display any other information relating to the procurement and disposal activities of the procuring and disposing entity;

“procurement specialist” means a person who is engaged in a profession, occupation or calling in which recourse to procurement is directly or indirectly involved and has such knowledge and experience of the practice of procurement or who is certified or registered by a procurement professional body;

“public asset” means any property, tangible or intangible, owned by Government or by a procuring and disposing entity, including physical property, shares, proprietary rights and land, except land held by the Uganda Land Commission or a district land board or land which is compulsorily acquired by Government in accordance with the law;

“urgent” does not include circumstances that—

- (a) should have been foreseen by the procuring and disposing entity;
- (b) are a result of inadequate planning; or
- (c) are a result of delays by or within the procuring and disposing entity;.”

4. Insertion of new section 4A in principal Act

The principal Act is amended by inserting immediately after section 4 the following—

“4A. Procurement procedures under bi-lateral tied loans

(1) Where a bilateral loan or negotiated grant contains a condition that the provider shall originate from the country of the donor, procurement of the provider shall be in accordance with this Act.

(2) Notwithstanding subsection(1), where there is a conflict between this Act, regulations made under this Act or guidelines issued by the Authority and a condition imposed by the donor of the funds, the conditions of the donor shall prevail with respect to the procurement that uses the funds.”

PART III—AMENDMENTS TO PART II OF THE PRINCIPAL ACT

5. Amendment of section 6 of principal Act

Section 6 of the principal Act is amended by substituting for paragraph (b) the following—

“(b) advise Government, local governments and other procuring and disposing entities on procurement and disposal policies, systems and practices and where necessary, on their harmonisation;”.

6. Amendment of section 7 of principal Act

Section 7 of the principal Act is amended—

- (a) by renumbering the existing provision as (1);
- (b) by substituting for “statutory bodies” appearing in paragraph (a), the words “other procuring and disposing entities”;
- (c) by substituting for paragraph (c) the following—

“(c) advise competent authorities on standards for procurement education and training, competence levels and certification requirements;”;

- (d) by substituting for paragraph (m) the following—

“(m) develop a procurement and disposal capacity building strategy for institutional and human resource development;”;

(e) by substituting for paragraph (n) the following—

“(n) where applicable, determine the prices of works, services and supplies which are used in common by two or more procuring and disposing entities and which may be subject to common procurement; and review the prices from time to time;”

(f) by inserting immediately after subsection (1), the following—

“(2) The Authority may contract a third party to carry out procurement audits, investigations and inspections.”

7. Amendment of section 8 of principal Act

Section 8 of the principal Act is amended—

(a) by renumbering the existing provision as (1);

(b) by substituting for paragraph (e) the following—

“(e) act upon complaints by procuring and disposing entities, providers or any other entity or person, in respect of any procurement or disposal activity, following the procedure in section 91;”;

(c) by inserting immediately after paragraph (e), the following—

“(f) suspend a provider from engaging in any public procurement or disposal process, in accordance with section 94.”;

- (d) by inserting immediately after subsection (1) the following—

“(2) For the purpose of conducting procurement and disposal audits, or compliance checks and investigations, the Executive Director may in writing—

(a) authorise an officer of the Authority; or

(b) appoint any person to be an authorised officer, to enter any premises of a procuring and disposing entity, at a reasonable time and inspect the premises and to make any inquiries that may be necessary for the collection of information.

(3) Where an officer of the Authority or an authorised officer is refused entry or is prevented from entering premises, contrary to subsection (2), a magistrate may, on application by the Authority, issue a warrant authorising the Police to enter the premises, using such force as may be reasonably necessary and to conduct the search and obtain the required information.”

8. Amendment of section 9 of principal Act

Section 9 of the principal Act is amended—

- (a) by substituting for subsection (1) the following—

“(1) Where there is persistent or serious breach of this Act or regulations or guidelines made under this Act, the Authority may—

- (a) direct the concerned procuring and disposing entity to take such corrective action as may be necessary in the circumstances, to rectify the breach; or

- (b) recommend to a competent authority—
 - (i) to suspend the officer responsible for the breach;
 - (ii) to replace the head of the procurement and disposal unit or the Chairperson of the Contracts Committee, as the case may be;
 - (iii) to discipline the accounting officer;
 - (iv) to transfer temporarily, the procuring and disposing function of a procuring and disposing entity to a third party procurement agency”;
- (b) in subsections (2) and (3), by substituting for “subsection (1)” the words “subsection (1) (b)”.

9. Replacement of section 11 of principal Act

For section 11 of the principal Act there is substituted, the following—

“11. Composition of the Board

- (1) The Board shall be composed of—
 - (a) a non-executive chairperson, appointed by the Minister in consultation with Cabinet;
 - (b) the following non-executive members—
 - (i) the Secretary to the Treasury or a person nominated by him or her in writing;
 - (ii) not less than three and not more than five other members appointed by the Minister in consultation with Cabinet; and
 - (c) the Executive Director of the Authority who shall be an *ex officio* member and who shall not vote.

(2) The chairperson and the non-executive members to be appointed under subsection (1) (b) (ii) shall—

(a) be from among persons nominated by—

(i) the organisations specified in Schedule 1A, with each organisation nominating two persons;

(ii) any other two professional organisations as the Minister may determine, with each organisation nominating two persons; and

(b) include one person nominated by the Minister, who shall be a procurement specialist.

(3) The chairperson and the non-executive members shall be persons of good standing in society and recognised for their high level of professional competence and integrity.

(4) In making the appointments under this section, the Minister shall take into consideration the principle of equal opportunities.”

10. Insertion of new section 15A in principal Act

The principal Act is amended by inserting immediately after section 15 the following—

“15A. Delegation of functions and powers

(1) The Board may, by instrument of delegation, delegate to the Chairperson, a member of the Board and the Executive Director, any of the functions or powers of the Board, except—

(a) the function of monitoring and reporting on the performance of the public procurement and disposal systems in Uganda and advising on desirable changes;

- (b) the function of advising competent authorities on the development of training standards, competence levels and certification requirements;
- (c) the function of preparing, updating and issuing authorised versions of the standardised bidding documents, procedural forms and any other attendant documents to procuring and disposing entities;
- (d) the function of issuing guidelines;
- (e) the function of instituting—
 - (i) procurement or disposal audits during the preparatory process;
 - (ii) contract audits in the course of the execution of an awarded bid; and
 - (iii) performance audits after the completion of the contract in respect of any procurement or disposal, as may be required;
- (f) the power to act upon complaints by procuring and disposing entities, providers and any other entity or person in respect of any party to a procurement or disposal activity; and
- (g) the power to suspend a provider from engaging in a public procurement or disposal process.

(2) The terms and conditions of delegation of functions and powers under this section shall be in the instrument of delegation.

(3) A person who exercises a delegated function or powers shall comply with the terms and conditions of delegation and with any directives or guidelines the Board may in writing communicate.

(4) A person aggrieved by a decision made under this section may appeal to the Board.”

11. Insertion of new section 19A in principal Act

The principal Act is amended by inserting immediately after section 19 the following—

“19A. Financial year

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

12. Amendment of section 21 of principal Act

Section 21 of the principal Act is amended by substituting for subsection (2) the following—

“(2) The annual accounts of the Authority and the procurement and disposal activities of the Authority shall be audited by the Auditor General.”

13. Insertion of new section 23A in principal Act

The principal Act is amended by inserting immediately after section 23 the following—

“23A. Compliance with the Public Finance and Accountability Act, 2003

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

PART IV—AMENDMENTS TO PART III OF THE PRINCIPAL ACT

14. Amendment of section 25 of principal Act

Section 25 of the principal Act is amended by substituting for subsection (2) the following—

“(2) Notwithstanding subsection (1), the Secretary to the Treasury shall, for each financial year, appoint an agent to carry out the procurement and disposal activities of the Authority, except the micro procurement activities as described in section 86 and the Fourth Schedule to this Act, which shall be carried out by the Authority.”

15. Amendment of section 26 of principal Act

Section 26 of the principal Act is amended—

- (a) by renumbering the existing provision as (1);
- (b) by inserting the following new subsections after subsection (1)—

“(2) Notwithstanding subsection (1) (g), an accounting officer shall not sign a contract before a procurement is approved by the Contracts Committee except where due to an emergency situation, the Contracts Committee cannot meet to approve the procurement.

(3) Where the accounting officer signs a contract for a procurement to be made for the purposes of an emergency situation under subsection (2), the accounting officer shall—

- (a) inform the Contracts Committee of the contract within seven working days of signing the contract; and
- (b) within ten working days after signing the contract, submit in respect of the contract, a report to the Authority.

(4) Prior to the commencement of a procurement process, an accounting officer shall undertake an assessment of the market price of the supplies, services or of the unit costs of the works in respect of which the procurement is to be made by a procuring and disposing entity.

(5) Subject to section 74, an accounting officer shall not sign a contract, where the price quoted by the bidder who is evaluated by a Contracts Committee as the best evaluated bidder is higher than the market price established by the accounting officer in accordance with subsection (4).”

16. Amendment of section 27 of principal Act

Section 27 of the principal Act is amended—

- (a) by inserting immediately after subsection (2) the following—

“(2a) The following officers of a procuring and disposal entity are not eligible for nomination to the Contracts Committee of that procuring and disposal entity—

- (a) the head of the procurement and disposal unit;
- (b) the head of the finance department, but not the head of the accounts department, where the positions are held by different officers; and
- (c) the staff of the department of internal audit.

(2b) Where the Accounting Officer nominates Members of the Contracts Committee, but before the nomination is approved by the Secretary to the Treasury in accordance with subsection (2), there is an emergency situation in respect of which a procurement activity has to be performed, the Accounting Officer shall perform the role of the Contracts Committee.

(2c) Where an Accounting Officer performs the role of the Contracts Committee following subsection (2b), the Accounting Officer shall submit a report of the procurement activity carried out, to the Authority and give a copy to the Secretary to the Treasury.

(2d) The head of the procurement and disposal unit shall attend the meetings of the Contracts Committee to offer clarification on any submissions to be considered by the Contracts Committee.”

- (b) by inserting immediately after subsection (6) the following—

“(7) Where the Secretary to the Treasury is satisfied that it is not practicable to apply subsection (6), the Secretary to the Treasury shall exempt the concerned procuring and disposing entity from the application of the subsection.”

17. Amendment of section 28 of principal Act

Section 28 of the principal Act is amended—

- (a) by renumbering the existing provision as (1);
- (b) by inserting immediately after paragraph (b) the following—

“(ba) approving negotiation teams;

(bb) ensuring that before it is approved, a procurement is in accordance with the procurement plan;”;

- (c) by inserting immediately after paragraph (c) the following—

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“(ca) the following activities, for the purposes of disposal of the public assets of a procuring and disposing entity—

- (i) assessing and verifying the public assets identified by a user department or by the Board of Survey for disposal;
- (ii) causing the assets identified under subparagraph (i) to be valued in accordance with regulations made under this Act; and
- (iii) approving the reserve price for the public assets to be disposed of;”;

(d) by inserting immediately after paragraph (g) the following—

“(2) The Contracts Committee shall make a report in respect of the activities under subsection(1) (ca) and submit the report to the Accounting Officer for approval.”

18. Amendment of section 32 of principal Act

Section 32 of the principal Act is amended by substituting for paragraph (a) following—

“(a) recommend the composition of the evaluation and negotiation committees, for the approval of the Contracts Committee;”

19. Amendment of section 34 of principal Act

Section 34 of the principal Act is amended in subsection (2) by substituting for the subsection (2) the following—

“(2) The User Department shall prepare a procurement plan based on the approved budget, which shall be submitted to the Procurement and Disposal Unit for implementation when required.”

20. Replacement of section 39 of principal Act

For section 39 of the principal Act there is substituted the following—

“39. Delegation of powers by the accounting officer

An accounting officer may—

- (a) delegate certain procurement and disposal functions of the accounting officer, contracts committee or procurement and disposal unit to—
 - (i) a sub-division of the procuring and disposing entity; or
 - (ii) a member of staff of the procuring and disposing entity; and
- (b) contract out certain procurement and disposal functions of the contracts committee, procurement and disposal unit or user department to—
 - (i) any other procuring and disposing entity; or
 - (ii) a third party procurement or disposal provider,

in accordance with the terms and conditions specified in regulations made under this Act.”

21. Insertion of new section 40A in principal Act

The principal Act is amended by inserting immediately after section 40 the following—

“40A. Accreditation for alternative systems

(1) A procuring and disposing entity which is not able to comply with a particular procurement or disposal procedure required under this Act, may apply to the Authority for

accreditation of an alternative system.

(2) The Authority shall permit accreditation of an alternative system—

- (a) where exceptional requirements make it impossible, impractical or uneconomical to comply with this Act;
- (b) where market conditions or behaviour do not allow effective application of this Act; and
- (c) for specialised or particular requirements that are regulated or governed by harmonised international standards or practices.

(3) Notwithstanding subsection (2), the Authority may, on its own initiative, accredit an alternative system for a procuring and disposing entity which is not able to comply with a procurement or disposal procedure required under this Act.

(4) The Authority shall accredit an alternative system where a procuring and disposing entity—

- (a) operates in a specialised field or discipline which requires alternative or additional regulations;
- (b) has a status that requires alternative or additional regulations;
- (c) is required to use an alternative system to comply with the provisions of international or any other agreements; or
- (d) has other valid reasons which necessitate the use of an alternative system.

(5) An application for accreditation shall be made using the procedure provided in regulations made under this Act.

(6) There shall be an alternative system for the procurement

of medicines and other medical supplies.

(7) The Minister shall in consultation with the Minister responsible for health and the Authority, make regulations for the procurement of medicines and other medical supplies.

(8) Without prejudice to the general effect of subsection (7), the regulations made under this section shall—

- (a) provide for the special nature of procurement of medicines and medical supplies;
- (b) provide for the specific attributes of medical supplies;
- (c) define the medical supplies which are subject to this section;
- (d) take into consideration developments, if any, in the procurement, storage and distribution of medicines and medical supplies.”

22. Amendment of section 41 of principal Act

Section 41 of the principal Act is amended—

- (a) by inserting immediately after subsection (1) the following—

“(1a) The records to be maintained by a procuring and disposing entity under subsection (1) shall include a summary report of the procurement procedure used in respect of each contract, which shall indicate—

- (a) a description of the objectives of the respective procurement;
- (b) a list of the participating bidders;
- (c) the bid prices;

- (d) the bid evaluation criteria;
 - (e) a summary of the evaluation and comparison of bids, including the grounds for rejecting any of the bids;
 - (f) where applicable, a summary of the proceedings of the administrative reviews including the decisions taken;
 - (g) a statement of the grounds for cancellation of procurement proceedings; and
 - (h) any other information as may be prescribed by regulations.”;
- (b) by inserting immediately after “Authority” appearing in subsection (2), the words “and a competent authority”.

23. Amendment of section 42 of principal Act

Section 42 of the principal Act is amended by inserting immediately after subsection (4) the following—

“(5) The Defence and National Security Organs shall appoint Contracts Committees to handle the procurement and disposal of their classified items.

(6) The members of the Contracts Committees of the Defence and National Security Organs shall be nominated by the respective accounting officers and approved by the Secretary to the Treasury.”

PART V—AMENDMENTS TO PART IV OF THE PRINCIPAL ACT

24. Replacement of section 43 of principal Act

For section 43 of the principal Act there is substituted the following—

“43. Application of basic principles of public procurement and disposal

All public procurement and disposal shall be conducted in accordance with the following principles—

- (a) non-discrimination;
- (b) transparency, accountability and fairness;
- (c) maximization of competition and ensuring value for money;
- (d) confidentiality;
- (e) economy and efficiency; and
- (f) promotion of ethics.”

25. Replacement of section 47 of principal Act

For section 47 of the principal Act there is substituted the following—

“47. Confidentiality

(1) A procuring and disposing entity shall, upon written request by any person, disclose information regarding any procurement or disposal process.

(2) Notwithstanding subsection (1)—

- (a) a procuring and disposing entity shall not disclose to a bidder or to any other person who is not involved in the preparation of the solicitation documents, the evaluation process or the award decision, any information relating to—
 - (i) solicitation documents, before the solicitation documents are officially issued;
 - (ii) the examination, clarification, evaluation and comparison of bids before the best evaluated

bidder notice is displayed on the procurement and disposal notice board of the procuring and disposing entity; and

(b) information shall not be disclosed where—

(i) the disclosure is likely to prejudice the security or sovereignty of the State;

(ii) the disclosure interferes with the right to the privacy of any person;

(iii) the disclosure would amount to a breach of the law, impede law enforcement or would not be in public interest; or

(iv) the information contains—

(A) proprietary information including information relating to any manufacturing process, trade secret, trademark, copyright, patent or formula protected by law or by international treaty to which Uganda is a party;

(B) scientific or technical information, the disclosure of which is likely to cause harm to the interests of the proper functioning of any procuring and disposal entity; or

(C) information supplied in confidence by a bidder, the disclosure of which could reasonably be expected to put that bidder at a disadvantage in contractual commercial negotiations or to prejudice the bidder in commercial competition.”

26. Replacement of section 50 of principal Act

For section 50 of the principal Act there is substituted, the following—

“50. Preference and reservation

(1) Subject to the economic and social policies of Government and the international obligations of Government, preference shall be given to domestically manufactured goods and Ugandan contractors and Ugandan consultants, in order to promote their development, by giving them a competitive advantage when competing for public procurement contracts, with foreign manufactured goods, foreign contractors or foreign consultants.

(2) To promote particular sectors within specified geographic areas, specified public procurement contracts or parts of a contract shall be subject to reservation schemes.”

27. Repeal of section 54 of the principal Act

Section 54 of the principal Act is repealed.

PART VI—AMENDMENTS TO PART V OF THE PRINCIPAL ACT

28. Amendment of section 56 of the principal Act

Section 56 of the principal Act is amended by repealing subsection(1).

29. Replacement of section 58 of principal Act

For section 58 of the principal Act there is substituted the following—

“58. Procurement and disposal planning

(1) In accordance with the budget preparation procedures issued by the Minister, a procuring and disposing entity shall in each financial year, by a date determined by the Secretary to the Treasury, prepare and submit to the Secretary to the Treasury

and to the Authority, its annual procurement plan for the following financial year.

(2) A procuring and disposing entity shall plan its procurement and disposal in a rational manner and in particular shall—

- (a) aggregate its requirements where possible, both within the procuring and disposal entity and between procuring and disposal entities, to obtain value for money and to reduce procurement costs;
- (b) make use of framework contracts wherever appropriate to provide an efficient, cost effective and flexible means to procure works, services or supplies that are required continuously or repeatedly over a set period of time;
- (c) not split a procurement or a disposal to defeat the use of the appropriate procurement or disposal method;
- (d) integrate its procurement budget with its expenditure programme; and
- (e) integrate the disposal of assets, both listed and unlisted, in its assets register as well as in its income and expenditure budget.

(3) The Authority shall issue guidelines in respect of the format of the procurement plan to be prepared under this section.

(4) A procuring and disposing entity shall, on a quarterly basis and in any other case, wherever necessary, review and update its procurement plan.

(5) A procuring and disposing entity shall notify the Secretary to the Treasury and the Authority of any changes made to its procurement plan and submit the updated and approved plan to the Authority.

(6) A procuring and disposing entity shall display its procurement plan and the updated and approved plan on its procurement and disposal notice board or using any other method as may be prescribed, for not less than twenty working days.

(7) Procurement shall not be carried out outside the procurement plan except in cases of emergency situations.”

30. Insertion of new section 59A in principal Act

The principal Act is amended by inserting immediately after section 59 the following—

“59 A. Preference schemes

(1) Preference schemes shall be applied—

- (a) in respect of goods, works and non-consultancy services, where the open domestic or open international bidding methods are used, with a specified margin of preference being added during the financial comparison stage of the evaluation process to the evaluated price of the bid which does not qualify for preference; and
- (b) in respect of consultancy services, for the quality and cost based selection method and the least cost selection method, where proposals are invited from both national and foreign consultants, with a specified margin of preference being added to the evaluated price of the foreign proposal, during the financial comparison stage of the evaluation process.

(2) The margin of preference specified in subsection (1) shall—

- (a) be based on only the price and shall be added to the evaluated price of a bid which does not qualify for preference or to the evaluated price of a bid of a foreign proposal;
- (b) in respect of goods that qualify as domestically manufactured goods, be related to the percentage of the labour, raw material and components of the goods that originate from Uganda; and
- (c) in respect of works and services—
 - (i) be proportional to the percentage of the share capital of the contractor or consultant, where the consultant is a firm owned by Government or by Ugandans; or
 - (ii) be based on only the price and shall be added to the evaluated price of a bid which does not qualify for preference or to the evaluated price of a bid of a foreign proposal, if the consultant is a Ugandan citizen.

(3) A procuring and disposing entity shall when procuring goods, works or services under this section, grant a margin of preference—

- (a) of fifteen percent, in respect of goods; and
- (b) of seven percent, in respect of works or services.

(4) Goods qualify for preference, as domestically manufactured goods, under subsection (2) (b) where—

- (a) where the labour or value addition to the good is more than thirty percent of the ex-works of the goods; and

- (b) the production facility in which the goods are to be manufactured, assembled or processed is in Uganda and is engaged in the manufacturing, assembling or processing of the goods at the time of submission of the bid.

(5) A contractor and a consultant qualify for preference as a Ugandan contractor or a Ugandan consultant under subsection (2) (c) where—

- (a) the contractor or consultant is incorporated or registered in Uganda;
- (b) the contractor or consultant if an individual, is a Ugandan citizen;
- (c) the contractor or consultant if a company registered in Uganda, more than fifty percent of the capital of the contractor or consultant is owned by Ugandan citizens; and
- (d) the contractor or consultant if a legal entity, more than fifty percent of the capital of the contractor or consultant is owned by the Government or by a procuring and disposing entity.

(6) A contractor or consultant who qualifies as such under section (5) (d) shall be—

- (a) legally and financially autonomous;
- (b) established as a commercial venture; and
- (c) authorised by a competent authority or a professional body to operate as a contractor or to perform services as a consultant.

(7) A procuring and disposing entity shall, when procuring works or services under a joint venture or under an association between a Ugandan contractor and a foreign partner or between a Ugandan consultant and a foreign partner, grant a margin of preference of four percent for the works or services.

(8) A joint venture or an association between a Ugandan contractor and a foreign partner or between a Ugandan consultant and a foreign partner shall be eligible for preference where—

- (a) the joint venture is registered in Uganda;
- (b) the Ugandan contractor or Ugandan consultant in the joint venture qualifies for preference under subsection (5); or
- (c) the Ugandan contractor or Ugandan consultant demonstrates a beneficiary interest of more than fifty percent in the joint venture as demonstrated by the profit and loss sharing provisions of the joint venture agreement.”

31. Insertion of new section 59 B in principal Act

The principal Act is amended by inserting immediately after section 59 A the following—

“59B. Reservation schemes

(1) In accordance with section 50 (2), the Authority shall, in consultation with a competent authority, and the relevant stakeholders, specify the public procurement contracts to be subject to a reservation scheme and shall designate the particular sectors, within a specified geographical area, that are eligible to participate in the reservation scheme.

(2) A public procurement contract shall be subject to a

reservation scheme in order to—

- (a) promote the use of local expertise and materials;
- (b) promote the participation of local communities or local organisations; or
- (c) apply specific technologies.

(3) A procuring and disposing entity that intends to make a procurement under a reservation scheme shall—

- (a) apply to the Authority for permission to use alternative procurement procedures and documents and shall in the application indicate the contract packages, specifications and contracting processes to be included in the bidding documents; and
- (b) deal with only the providers that are eligible to participate in a reservation scheme, in accordance with this section.

(4) The procurement procedures and documents and the contract packages, specifications and contracting processes to be used under subsection (3) shall be in accordance with the basic procurement principles prescribed under Part IV of this Act.”

32. Replacement of section 60 of principal Act

For section 60 of the principal Act there is substituted the following—

“60. Statements of requirements

- (1) A statement of requirements may be in the form of—
 - (a) specifications;
 - (b) terms of reference;

- (c) scope of works;
- (d) drawings;
- (e) bills of quantities; or
- (f) an equivalent of any of the items specified in this subsection, as may be appropriate.

(2) A statement of requirements shall give a correct and complete description of the object of the procurement or disposal activity for the purpose of creating fair and open competition.”

33. Replacement of section 68 of principal Act

For section 68 of the principal Act there is substituted the following—

“68. Modification and withdrawal of bids

A bidder may modify or withdraw his or her bid at any time before the deadline for bid submission, using the method prescribed by regulations made under this Act.”

34. Amendment of section 71 of the principal Act

Section 71 of the principal Act is amended by inserting immediately after subsection (3) the following—

“(4) A procuring and disposing entity shall ensure that the evaluation of bids is done expeditiously in accordance with regulations made under this Act.”

35. Replacement of section 74 of principal Act

For section 74 of the principal Act there is substituted the following—

“74. Prohibition of negotiations

(1) Negotiations shall not be carried out between a procuring and disposing entity and a contractor, in respect of the proposal of the contractor, except where—

- (a) the competitive procurement method was used and only one bid was received in response to the call for bids;
- (b) the direct procurement method was used; or
- (c) the procurement is for consultancy services.

(2) Negotiations under subsection (1) shall only be carried out where the best evaluated bid or proposal exceeds the budget of the procuring and disposing entity.

(3) For the purposes of the negotiations under this section, the procuring and disposing entity shall investigate why the cost of the procurement exceeds the budget of the procuring and disposing entity and may—

- (a) cancel the procurement process and request for new proposals; or
- (b) negotiate with the best evaluated bidder in order to obtain a reduction of the scope or the quantities of the procurement.”

PART VII—AMENDMENT OF PART VI OF THE PRINCIPAL ACT

36. Amendment of section 79 of principal Act

Section 79 of the principal Act is amended—

- (a) by substituting for the words in the marginal note, “Choice of procurement method”;
- (b) by substituting for subsection (1) the following—

“(1) A procuring and disposal entity shall in respect of—

- (a) the procurement of goods, works and non consulting services, use any of the methods

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specified in sections 80, 81, 82, 83, 84, 85 and 86 and the conditions for their use specified in the Fourth Schedule to this Act; and

- (b) the procurement of consulting services, use section 88A and the conditions for procuring consultancy services specified in the Fourth Schedule to this Act.”

37. Amendment of sections 80, 81, 82 and 83 of principal Act

Sections 80, 81, 82 and 83 of the principal Act are amended by repealing the words “or disposal” appearing in each of those sections.

38. Amendment of section 84 of principal Act

Section 84 of the principal Act is amended—

- (a) by substituting for the words in the marginal note, “Quotation method”;
- (b) by substituting for subsection (1) the following—

“(1) The quotation method is a simplified procurement method which compares price quotations obtained from a number of providers.”;

- (c) by repealing the words “and Proposal” appearing in subsection (2);
- (d) by substituting for subsection (3) the following—

“(3) The quotation method shall be used in works and supplies.”

39. Amendment of section 85 of principal Act

Section 85 of the principal Act is amended by repealing the words “or disposal” appearing in the marginal note and in the section.

40. Amendment of section 86 of the principal Act

Section 86 of the principal Act is amended—

- (a) by repealing the words “or disposal” appearing in the marginal note;
- (b) by substituting for subsection (1) the following—

“(1) Micro procurement is a procurement method which shall be used for very low value procurement requirements.”;
- (c) by repealing the words “or disposal” appearing in subsection (2).

41. Amendment of section 87 of the principal Act

Section 87 of the principal Act is amended—

- (a) by substituting for the words in the marginal note, “Methods of disposal of public assets”;
- (b) by substituting for subsection (1) the following—

“(1) Public assets may be disposed of using any of the following methods—

 - (a) public auction;
 - (b) public bidding;
 - (c) direct negotiations;
 - (d) sale to public officers;
 - (e) destruction of the assets;
 - (f) conversion or classification of assets into another

form for disposal by sale;

- (g) trade-in;
 - (h) transfer to another procuring and disposing entity; and
 - (i) donation.”;
- (c) by inserting immediately after subsection (1), the following—

“(1a) Where a public asset is to be donated the procuring and disposing entity shall take into account the following factors—

- (a) national security and public interest issues;
- (b) health and safety issues;
- (c) legal and human rights issues;
- (d) environmental considerations; and
- (e) the asset is obsolete and of minimal value.

(1b) Donation shall only be used where the other methods of disposal cannot be used by the procuring and disposing entity.

(1c) Notwithstanding subsection (1), a procuring and disposing entity shall not dispose of any strategic asset, without the prior approval of the Minister.

(1d) Subsection (1c) shall not apply to the disposal of land by the Uganda Land Commission or by a district land board.

(1e) For the avoidance of doubt, subsection (1c) applies to the disposal of land held by the Uganda Land Commission on behalf of a procuring and disposing entity.

(1f) In this section “strategic asset” means land, a building, a ship, shares and any other asset as may be prescribed, belonging to the Government, situated within or outside Uganda.”

42. Insertion of new section 88A in principal Act

The principal Act is amended by inserting immediately after section 88 the following—

“88A. Procurement of consultancy services

(1) A procuring and disposing entity shall procure a consultancy service by publishing a notice, as specified in the Fourth Schedule to this Act, inviting expression of interest for a required assignment.

(2) The procuring and disposing entity shall, from the expressions received in respect of the notice under subsection (1), prepare a shortlist of consultants, who have the capacity to perform the required assignment.

(3) Notwithstanding subsection (1), a procuring and disposing entity may procure consultancy services using a short list of consultants developed—

- (a) from the register of providers of the Authority;
- (b) on the recommendation of a competent authority;

- (c) using the pre-qualified list of the procuring and disposing entity; or
- (d) using the pre-qualified list of another procuring and disposing entity.

(4) A procuring and disposing entity shall procure consultancy services using subsection (3) where—

- (a) the required consultancy services can only be provided by a limited number of consultants;
- (b) the time and cost required to examine and evaluate a large number of expressions of interest is not proportionate to the value of the assignment to be undertaken; or
- (c) there is an emergency situation.

(5) The selection methods to be used for the selection of consultants shall be prescribed by regulations made under this Act and shall include—

- (a) quality and cost based selection method;
- (b) quality based selection method;
- (c) fixed budget selection method;
- (d) least cost based selection method; and
- (e) the consultants' qualifications selection method.

(6) The procuring and disposing entity may conduct negotiations with the selected consultants but negotiations shall not be held with several consultants simultaneously.

(7) Notwithstanding this section, where exceptional circumstances prevent the use of competitive bidding and where any of the conditions for using the direct procurement method as

specified in the Fourth Schedule to this Act are satisfied, a procuring and disposing entity may source a consultant who has the capacity to perform the required assignment.”

PART VIII—INSERTION OF PART VIA IN PRINCIPAL ACT

43. Insertion of Part VIA in principal Act

There is inserted immediately after Part VI of the principal Act, the following—

“PART VI A—TYPES OF CONTRACT

88B. Choice of contract

A procuring and disposing entity shall in respect of a procurement activity, use any of the contract types specified in this Part or a combination of any of them, using procedures prescribed by regulations made under this Act.

88C. Lump sum contract

A lump sum contract shall be used where the content, duration and outputs of the procurement are well defined.

88D. Time-based contract

A time-based contract shall be used where the scope and duration of the procurement requirement is difficult to define.

88E. Admeasurement contract

An admeasurement contract, including a re-measurement, unit rate and bill of quantities contract may be used for works—

- (a) which are not well defined;
- (b) which are likely to change in quantity or specifications; or
- (c) where difficult or unforeseen site conditions, such as

hidden foundation problems, are likely.

88F. Framework contract

A framework contract, is a schedule of rates or an indefinite delivery contract and shall be used—

- (a) where a requirement is needed “on call” but where the quantity and timing of the requirement cannot be defined in advance; or
- (b) to reduce procurement costs or lead times for a requirement which is needed repeatedly or continuously over a period of time by having them available on a “call off” basis.

88G. Percentage based contract

A percentage based contract shall be used where it is appropriate to relate the fee paid directly to the estimated or actual cost of the subject of the contract.

88H. Cost reimbursable contract

A cost reimbursable contract shall be used—

- (a) for emergency work where there is insufficient time to calculate fully the costs involved;
- (b) for high risk works, where it is more economical for the procuring and disposing entity to bear the risk of price variations than to pay a provider to accept the risk or where the provider does not accept the risk.

88I. Target price contract

A target price contract may be used instead of a cost reimbursable contract where a target price can be agreed and cost savings may be achieved by offering an incentive payment to the provider for any cost savings below the target price.

88J. Retainer contract

A retainer contract shall be used to retain a provider to provide services over a prescribed period of time, without defining the level and actual amounts of services required.

88K. Success fee contract

Success fee contract shall be used to link the fees of a provider to an achieved objective to provide an incentive to the successful completion of a particular task, event or action.

88L. Other types of contracts and contracting arrangements

(1) For any other type of contract or contracting arrangement, other than those specified in sections 88C to 88K, including acquisition by rental, lease, hire purchase, licence, tenancy, franchise or by an arrangement that involves the mobilisation of private sector resources for the purpose of public financing, construction, operation and maintenance of development projects or concessioning, the procuring and disposing entity shall seek guidance from the Authority on the applicable procurement procedures and documents.

(2) In this section “an arrangement that involves the mobilisation of private sector resources for the purpose of public financing, construction, operation and maintenance of development projects or concessioning” includes financing by Build Own Operate (BOO), Build Own Transfer (BOT), Build Own Operate Transfer (BOOT) and Public Private Partnership (PPP).”

PART IX—AMENDMENT TO PART VII OF THE PRINCIPAL ACT**44. Amendment of section 89 of principal Act**

Section 89 of the principal Act is amended—

- (a) by renumbering the existing provision as (1);

- (b) by inserting immediately after subsection (1) the following—

“(2) A procuring and disposing entity shall provide a bidder who seeks administrative review with—

- (a) a summary of the evaluation process;
- (b) a comparison of the tenders, proposals or quotations, including the evaluation criteria used; and
- (c) the reasons for rejecting the concerned bids.

(3) The information provided to a bidder under subsection (2) shall be used only for administrative review purposes.”

45. Amendment of section 90 of principal Act

Section 90 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) A bidder who is aggrieved by a decision of a procuring and disposing entity may make a complaint to the accounting officer of the procuring and disposing entity.”;

- (b) by inserting after subsection (1) the following—

“(1a) A complaint by a bidder against a procuring and disposing entity shall—

- (a) be in writing and shall be submitted to the accounting officer of the procuring and disposing entity with the prescribed fee, and a copy shall be

given to the Authority;

- (b) be made within ten working days from the date the bidder, first becomes aware or ought to have become aware, of the circumstances giving rise to the complaint;
- (c) by substituting for subsection (2), the following—

“(2) On receiving the complaint and the prescribed fee, the accounting officer shall—

- (a) immediately suspend the procurement proceedings; and
 - (b) make a decision in writing, within fifteen working days, indicating the corrective measures to be taken, if any, and giving reasons for his or her decisions and submit a copy of the decision to the Authority.”;
- (d) insert immediately after subsection (3), the following—

“(4) Upon receipt of a copy of the decision of the accounting officer specified in subsection (2) (b), the Authority shall within fifteen working days, review the decision and make a recommendation in writing to the procuring and disposing entity, indicating the corrective measures to be taken, if any, and giving reasons for the recommendation.

(5) Where the Authority fails to make a recommendation within the time prescribed under subsection (4), the accounting officer may implement the corrective measures indicated in the decision made under subsection (2) (b).

(6) The bidder who makes a complaint under this

section has a right to proceed under Part VIIA of this Act, where the Authority fails to make a recommendation as required under subsection (4).”

(7) Subject to Part VIIA of this Act, a contract shall not be entered into by an accounting officer with a provider—

- (a) during the period of administrative review;
- (b) before the Authority makes a final decision in respect of a complaint lodged with the Authority under subsection (3) or before a decision is made in accordance with Part VIIA of this Act.”

46. Amendment of section 91 of principal Act

Section 91 of the principal Act is amended by inserting immediately after subsection (4) the following—

“(5) A bidder who is not satisfied with the decision of the Authority given under subsection (4), may appeal against the decision, in accordance with Part VIIA of this Act.”

PART X—INSERTION OF PART VIIA IN THE PRINCIPAL ACT

47. Insertion of Part VIIA in principal Act

There is inserted immediately after Part VII of the principal Act, the following—

“PART VIIA—REVIEW OF DECISIONS OF THE AUTHORITY

91A. Interpretation

In this Part, unless the context otherwise requires—

“proceedings” means review by the Tribunal of a decision made under Part VII of this Act and includes any application before the Tribunal;

“Tribunal” means the Public Procurement and Disposal of Public Assets Appeals Tribunal.

*Establishment of the Public Procurement and Disposal of
Public Assets Appeals Tribunal***91B. Public Procurement and Disposal of Public Assets
Appeals Tribunal**

(1) There is established the Public Procurement and Disposal of Public Assets Appeals Tribunal which shall consist of a chairman and four other members appointed in accordance with this Part.

(2) A person to be appointed chairperson of the Tribunal shall be a person qualified to be a judge of the High Court.

(3) A person to be appointed a member of the Tribunal shall be a person with knowledge and experience in public procurement, finance, commerce, business, administration or law.

(4) A person does not qualify for appointment as a member of the Tribunal unless the person—

- (a) is of high moral character and proven integrity;
- (b) has not been convicted of an offence of moral integrity;
- (c) is of sound mind; and
- (d) has not been declared bankrupt.

(5) The chairperson shall be appointed by the Minister, in consultation with the chairperson of the Judicial Service Commission.

(6) The members of the Tribunal shall be appointed by the Minister from the private sector.

(7) The members of the Tribunal shall hold office on such

terms and conditions as the Minister may prescribe, including terms and conditions relating to remuneration and allowances.

91C. Tenure of office of members of Tribunal

(1) The members of the Tribunal shall hold office for three years and are eligible for re-appointment for one further term.

(2) Where necessary, the Minister may extend the tenure of a member for a period not exceeding six months from the date of expiry of the period of appointment.

(3) A member of the Tribunal may be removed from office by the Minister for—

- (a) inability to perform the functions of his or her office arising from infirmity of body or mind;
- (b) misbehaviour or misconduct;
- (c) incompetence;
- (d) failure to attend at least three consecutive meetings of the Tribunal without reasonable grounds;
- (e) corruption;
- (f) conviction of an offence involving moral turpitude; or
- (g) being adjudged bankrupt by a court of law.

(4) Any member of the Tribunal may resign his or her office upon giving a notice of one month, in writing to the Minister.

Management of the Tribunal

91D. Arrangement of business

(1) Subject to this Part, the Chairperson is responsible for ensuring the orderly and expeditious discharge of the business of

the Tribunal and shall for that purpose, give directions as to—

- (a) the arrangement of the business of the tribunal;
- (b) the place at which the Tribunal may sit;
- (c) the procedure of the Tribunal generally; and
- (d) the procedure of the Tribunal at a particular place.

(2) The times and places of the hearings of the Tribunal shall be determined by the chairperson with a view to securing a reasonable opportunity for the parties to the proceedings to appear before the Tribunal with as little inconvenience and expense as possible.

(3) In carrying out its lawful writs, processes, orders, rules, decrees or commands, the Tribunal shall have the assistance available to a court in Uganda.

91E. Constitution of the Tribunal

(1) The Tribunal shall be constituted for proceedings by three members.

(2) At a hearing of proceedings before the Tribunal at which the Tribunal is constituted by three members—

- (a) if the chairperson is present, he or she shall preside; or
- (b) in any other case, a member elected by the members present from among their number shall preside.

(3) Where one of the members of the Tribunal ceases to be a member for the purpose of the proceedings, or ceases to be available for the purpose of the proceedings, before the matter to which the proceedings relates is determined—

- (a) if the parties to the proceedings agree, then the proceedings shall be completed by the Tribunal constituted by the remaining two members of the Tribunal; or
- (b) if the parties do not agree, the proceedings shall be adjourned and another member shall replace the member who ceased to be a member for the purpose of the proceedings and the proceedings shall then be reheard.

(4) Where as a result of subsection (3) (a), the members do not agree on the decision to be made, the chairperson shall assign another member to the Tribunal for the purpose of the proceedings, and the proceedings shall then be reheard.

(5) Where the proceedings is reheard by the Tribunal, the Tribunal may, for the purpose of the proceedings, have regard to the record of the proceedings before the Tribunal as previously constituted, including a record of any evidence taken in the proceedings.

91F. Disclosure of interest

(1) Where a member of the Tribunal has any pecuniary or other interest, that may conflict with the proper performance of the functions of the member, the member shall disclose the interest to the parties to the proceedings.

(2) Where a member discloses an interest under subsection (1), the member shall not take part in the proceedings or exercise any powers in relation to the review by the Tribunal of the decision to which the proceedings relate, except where the parties to the proceedings give their consent.

91G. Registrar of the Tribunal

(1) The Tribunal shall have a registrar who shall be a person qualified to be a registrar of the High Court.

(2) The registrar shall be in charge of the registry of the Tribunal and shall be responsible for keeping records and the seal, conducting correspondence and performing such other functions necessary for the purposes of assisting the chairperson under section 91D.

91H. Official seal

(1) The Tribunal shall have a seal which shall be judicially noticed.

(2) The seal of the Tribunal shall be affixed by or with the authority of the Tribunal, to such documents as are required by a direction of the chairperson to be sealed with the seal of the Tribunal.

Review of decisions of the Authority by the Tribunal

91 I. Tribunal to review decisions by the Authority

(1) A bidder who is aggrieved by a decision made by the Authority under section 91 (4), may make an application to the Tribunal for a review of the decision of the Authority.

(2) A bidder who alleges that the Authority has a conflict of interest in respect of a matter before the Authority and who believes that the matter cannot be handled impartially by the Authority, may apply to the Tribunal for a determination of the allegation and where necessary, of the matter that was before the Authority.

(3) In addition to subsections (1) and (2), the Tribunal has power to review a decision of the Authority where an application is properly made to the Tribunal by a procuring and disposing entity or by any person whose rights are adversely affected by a decision made by the Authority.

(4) For the avoidance of doubt, the following matters shall not be subject to review by the Tribunal—

- (a) a decision by a procuring and disposing entity to reject any or all bids prior to award of a contract under Section 75;
- (b) a decision of a procuring and disposing entity to discontinue a procurement process, after receiving submissions from bidders following an expression of interest or a pre-qualification; and
- (c) a decision by a procuring and disposing entity to limit the participation of bidders under a preference scheme or a reservation scheme.

(5) In reviewing a decision before it, the Tribunal may—

- (a) suspend any action by the concerned procuring and disposing entity, until the Tribunal makes a decision on the matter;
- (b) direct the concerned procuring and disposing entity, with respect to anything to be done or redone in the procurement or disposal process;
- (c) order that the procurement or disposal process be terminated; and
- (d) require the payment of compensation for any costs, reasonably incurred by the bidder who is a party to the proceedings, as a result of an unlawful act or decision of the concerned procuring and disposing entity or of the Authority.

(6) For the purposes of reviewing a decision of the Authority, the Tribunal shall make a decision in writing and give

reasons for the decision, including its findings on material questions of fact and reference to the evidence or other material on which those findings were based and may—

- (a) affirm the decision of the Authority;
- (b) vary the decision of the Authority; or
- (c) set aside the decision of the Authority, and
 - (i) make a decision in substitution for the decision so set aside; or
 - (ii) refer the matter to the Authority for reconsideration in accordance with any directions or recommendations of the Tribunal.

(7) The Tribunal shall issue a decision within a period of not more than ten working days after receiving an application for review.

91J. Matters referred to Tribunal by Authority

(1) Where there is persistent or serious breach of this Act or regulations or guidelines made under this Act, the Authority may in addition to the actions provided under section 9 of the principal Act, refer the matter to the Tribunal.

(2) Where the Tribunal establishes that a bidder is involved in a fraudulent practice, the Tribunal shall direct the procuring and disposing entity to cancel the contract of the bidder.

(3) The Authority may also refer a matter to the Tribunal, where as a result of an investigation or a procurement or disposal contract audit or a performance audit carried out in accordance with section 8 (c) of the principal Act, the Authority establishes

that the continuation of a procurement or disposal proceeding may result in an incorrect contract award decision or a worsening of any damage already done to the procurement or disposal proceeding.

(4) Where the Tribunal determines that that the continuation of a procurement or disposal proceeding may result in an incorrect contract award decision or a worsening of any damage already done to the procurement or disposal proceeding, the Tribunal shall suspend the procurement or disposal proceeding.

91K. Powers of the tribunal.

(1) In performing its functions, the Tribunal shall have power to—

- (a) take evidence on oath;
- (b) proceed in the absence of a party who has had reasonable notice of the proceedings;
- (c) adjourn the hearing of the proceedings;
- (d) make an order as to costs against any party, which shall be enforceable like an order of the High Court; and
- (e) request to examine a witness who is outside Uganda.

(2) For the purpose of the hearing of proceedings before the Tribunal, the Tribunal shall have powers of the High Court to summon a person to appear before it—

- (a) to give evidence; or

- (b) to produce books, documents or things mentioned in the summons, that are in the possession, custody or control of the person named in the summons.

(3) Where the Tribunal considers it desirable for the purposes of avoiding expenses or delay, or for any other special reason, it may receive evidence by affidavit and administer interrogations and require the persons to whom interrogations are administered to make a full and true reply to the interrogations.

91L. Application for review by the Tribunal

(1) An application to the Tribunal for review of a decision of the Authority made under section 91I shall—

- (a) be in writing in the prescribed form;
- (b) include a statement of the reasons for the application;
- (c) be lodged with the Tribunal within ten working days of being served by the Authority with its decision.

(2) Where the Authority refers a matter to the Tribunal under section 91J, the Authority shall—

- (a) do so within 10 working days of determining the fact in section 91J (1) and (3); and
- (b) submit to the Tribunal a statement of the justification for the cancellation of the contract or suspension of the proceedings.

91M. Appeals to the High Court from decisions of the Tribunal.

(1) A party to proceedings before the Tribunal who is

aggrieved by the decisions of the Tribunal, may, within thirty days after being notified of the decision of the Tribunal or within such further time as the High Court may allow, lodge a notice of appeal with the registrar of the High Court.

(2) The party who intends to appeal against a decision of the Tribunal shall serve a copy of the notice of appeal on the other party to the proceedings before the Tribunal.

91N. Operation and implementation of a decision subject to review or appeal.

Where an application for review of a decision is lodged with the Tribunal or the Authority refers a matter to the Tribunal under section 91J or an appeal against a decision of the Tribunal is lodged with the High Court, the Tribunal or the High Court, as the case may be, may make an order staying or otherwise affecting the operation or implementation of the decision under review or appeal, or a part of the decision, as the Tribunal or the High Court, considers appropriate for the purposes of securing the effectiveness of the proceedings and for determining the application or appeal.

Finances of the Tribunal

91O. Funds of the Tribunal

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

- (a) monies appropriated by Parliament for the functions of the Tribunal;
- (b) fees and fines levied by the Tribunal to be retained as appropriation in aid;
- (c) grants received by the Tribunal with the approval of

the Minister; and

- (d) any other money as may with the approval of the Minister, be received by or made available to the Tribunal for the purpose of performing its functions.

(2) The funds of the Tribunal shall be administered and controlled by the registrar.

91P. Financial year

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

91Q. Accounts and audit

The Tribunal shall keep proper books of accounts which shall be subject to audit by the Auditor General.

91R. Annual report

The Tribunal shall within three months after the end of each financial year, submit to the Minister a report on the activities of the Tribunal in respect of the financial year, containing such information as the Minister may require.

91S. Compliance with the Public Finance and Accountability Act, 2003

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

91T. Regulations under this Part

The Minister may, on the recommendation of the Tribunal, issue regulations for the better carrying out of the provisions of this Part.”

PART XI—AMENDMENTS TO PART VIII OF THE PRINCIPAL ACT

48. Insertion of section 91U in principal Act

The principal Act is amended by inserting immediately before section 92 the following—

“91U. Limitation on contracts with members of procuring and disposing entities

(1) Except where expressly allowed by regulations, a procuring and disposing entity shall not enter into contract with—

- (a) a member of the Contracts Committee or of the evaluation committee, an employee of the procuring and disposing entity or a member of the Board of Survey;
- (b) a person appointed to politically or administratively control the procuring and disposing entity, including a Minister, the accounting officer or a member of the governing body of the procuring and disposing entity; and
- (c) a company, where a person specified in paragraph (a) or (b) has a controlling interest.

(2) A member of a Contracts Committee, a member of a procurement and disposal unit; a member of the governing body of a procuring and disposing entity, or a member of the Board of Survey, who has a conflict of interest with respect to a procurement or disposal shall not—

- (a) take part in any procurement or disposal proceedings; and
- (b) after a procurement or disposal contract is entered into, take part in any decision relating to the procurement or disposal contract.

(3) “Conflict of interest” in subsection (2), in relation to a

person to whom that subsection applies, includes the personal interest of a relation or business associate which that person has knowledge or would have had knowledge if he or she exercised due diligence having regard to all the circumstances.

(4) “Relation” in subsection (3) means a biological or adopted child, a spouse and a parent.

(5) A person to whom this section applies shall reveal any personal interest that may impinge or which may be deemed to impinge on the business dealings of that person, with the procuring and disposing entity.

(6) A person who contravenes this section commits an offence and is liable on conviction to a fine not exceeding one hundred and twenty currency points or to imprisonment for a term not exceeding five years, or both.”

49. Replacement of section 94 of principal Act

For section 94 of the principal Act there is substituted the following—

“94. Suspension of providers

The Authority may on the recommendation of a procuring and disposing entity or after investigations on its own initiative, suspend a provider from engaging in any public procurement or disposal process for a period determined by the Authority, where—

- (a) the provider breaches the Code of Ethics of providers;
- (b) the provider is debarred from the procurement processes of an international agency of which Uganda is a member;
- (c) after investigations by the Auditor General or an

independent body appointed by the Auditor General, the provider is found to have a record of unsatisfactory performance;

- (d) the provider is convicted of a corrupt practice or a fraudulent practice under this Act;
- (e) the provider fails to substantially perform the obligations specified in the contract;
- (f) the provider is suspended by the professional body of the provider, for professional misconduct; or
- (g) the provider is found to have faulted on the obligations specified under the law.”

50. Amendment of section 95 of principal Act

Section 95 of the principal Act is amended—

- (a) by substituting for subsection (1) (d) the following—

“(d) connives or colludes to commit a corrupt practice or a fraudulent practice,”

- (b) by inserting immediately after subsection (1) the following—

“(1a) An accounting officer, a member of the Contracts Committee, a member of the evaluation committee, an employee of the Authority or of a procuring and disposing entity, who—

- (a) connives or colludes to commit a corrupt practice or a fraudulent practice during a procurement or disposal process;

- (b) engages in a corrupt practice or a fraudulent practice during a procurement or disposal process,

commits an offence and is liable on conviction to a fine not less than two hundred and fifty currency points but not exceeding one thousand currency points or to imprisonment not exceeding five years, or both.

(1b) An accounting officer who signs a contract contrary to—

- (a) section 26 (2), commits an offence and is liable on conviction to a fine not exceeding one thousand currency points or to imprisonment not exceeding five years, or both; and
- (b) section 26 (5), commits an offence and is liable on conviction to a fine not exceeding one thousand currency points or to imprisonment not exceeding five years, or both and in addition to the fine, may be ordered by court to make a refund of an amount equivalent to the difference in price between the price paid for the supplies, services or works and the market price.

(1c) Where it is proved that a provider is involved in a fraudulent practice in any procurement proceeding—

- (a) the provider shall be disqualified by the Contracts Committee from the procurement proceeding; and
- (b) the Contracts Committee shall recommend to the Authority to suspend the provider.

(1d) Where a provider is suspended under section 94,

and there is an existing contract between the provider and the procuring and disposing entity, the contract shall be voidable at the option of the procuring and disposing entity.

(1e) Notwithstanding subsections (1c) and (1d), a procuring and disposing entity may seek any other legal remedy available, against the provider.

(1f) Where a procuring and disposing entity, after appropriate investigations, is satisfied that any bidder to whom a proposal to award a contract is to be made, is engaged in a corrupt practice or a fraudulent practice in competing for the contract in question, the procuring and disposing entity may—

- (a) reject the proposal for award of the contract; or
- (b) recommend to the Authority that the bidder be suspended from participating in any procurement or disposal process.

(1g) Where it is determined after a special audit or by a court that a bidder is engaged in a corrupt practice or a fraudulent practice during the procurement process, the award of a contract or execution of a contract, the Authority shall suspend the bidder from participating in any procurement or disposal process.”

51. Insertion of new section 95A in principal Act

The principal Act is amended by inserting immediately after section 95 the following—

“95A. Force account mechanism

(1) A procuring and disposing entity may, in accordance with regulations made under this Act, undertake works using the force account mechanism.

(2) In this section “force account mechanism” means undertaking the works of a procuring and disposing entity using the personnel and equipment of the procuring and disposing entity or of another procuring and disposing entity.

(3) Where a procuring and disposing entity uses the force account mechanism—

- (a) the supplies to be used for the assignment shall be procured in accordance with the requirements of this Act; and
- (b) the procuring and disposing entity shall determine that the direct, indirect and overhead costs to be incurred are less than would be incurred if the assignment was executed by a contractor.

(4) Where there is an emergency situation or where no contractor is willing to execute the assignment, the force account mechanism may be used, without fulfilling the requirements of subsection (3)(b).

(5) For the purpose of ensuring value for money in the application of the force account mechanism, the accounting officer of a procuring and disposing entity shall—

- (a) make available, materials, employees tools and equipment, adequate for the works;
- (b) ensure that the works are executed in accordance with the applicable technical standards;
- (c) ensure that the works are supervised by a qualified supervisor;

- (d) ensure that the employees and supplies used for the works are commensurate to the works; and
- (e) maintain and manage the records, equipment and supplies of the works in accordance with the Public Finance and Accountability Act, 2003.”

52. Replacement of section 96 of principal Act

For section 96 of the principal Act there is substituted the following—

“96. Regulations

(1) The Minister shall, on the recommendation of the Authority and approval of Parliament, issue regulations for the better carrying out of the objectives and functions of this Act.

(2) Without prejudice to the general effect of subsection (1), the Minister shall, on the recommendation of the Authority, and approval of Parliament, issue regulations for procurement and disposal by a procuring and disposing entity outside Uganda.

(3) Regulations made under this section may prescribe for a contravention of any of the provisions of the regulations or any guidelines issued under this Act, a fine not exceeding two hundred and fifty currency points or imprisonment not exceeding two years or both.”

53. Replacement of section 97 of principal Act

For section 97 of the principal Act there is substituted the following—

“97. Guidelines

For the better carrying out of the objectives of and functions

under this Act, the Authority shall issue and *Gazette* guidelines.”

PART XII—AMENDMENTS TO THE SCHEDULES TO THE PRINCIPAL ACT

54. Insertion of new Schedule 1 A in principal Act

There is inserted immediately after the First Schedule of the principal Act, the following—

“SCHEDULE 1 A

Section 11

**ORGANISATION TO NOMINATE MEMBERS OF THE
BOARD OF DIRECTORS**

1. The Architects Registration Board.
2. The Council of the Institute of Certified Public Accountants of Uganda.
3. The Council of the Uganda Law Society.
4. The Engineers Registration Board.
5. The Surveyors Registration Board
6. The Private Sector Foundation of Uganda.”

55. Amendment of Fourth Schedule to principal Act

The Fourth Schedule to the principal Act is amended—

- (a) by substituting for paragraph 6 (1) (b) the following—

“(b) in the circumstances specified in subparagraph (1) (a) (iii), (iv) and (v), where the value of the new works, services or supplies does not exceed fifteen percent of the value of the original or existing contract and the original or existing contract is awarded through a competitive process.”;

- (b) by inserting immediately after paragraph 6 (1) (b) the following—

“(c) Where direct procurement is used more than once in the circumstances specified in sub paragraph (1) (b), the cumulative value of all new works, services or supplies shall not exceed twenty five percent of the value of the original or existing contract.”;

- (c) by substituting for paragraph 6 (2), the following—

“7. Micro procurement

(1) A procuring and disposing entity shall use the micro procurement method for unforeseen requirements whose estimated value is below the prescribed threshold.”;

- (d) by renumbering paragraph 6 (3) as paragraph 7 (2);
- (e) by inserting immediately after paragraph 7 (2) (b), the following—

“(c) a comparison of at least three quotations shall be made.”;

- (f) by inserting immediately after paragraph 7 (2) (c), the following—

“(3) A procuring and disposing entity shall not use micro procurement—

- (a) to split procurements in order to avoid using the appropriate procurement method; or
- (b) for the procurement of works, services or supplies where they are required continuously or repeatedly over a set period of time or for which

a framework contract is required.”;

- (g) by inserting immediately after paragraph 7 the following—

“8. Notice inviting expression of interests for provision of consultancy services

A notice inviting expression of interests for provision of consultancy services shall—

- (a) contain the name and address of the procuring and disposing entity and a brief description of the required services; and
 - (b) be published in a newspaper of wide circulation and where applicable, in the relevant trade or professional publication;”
- (h) by repealing the words “and disposal” and the words “or disposal” wherever they appear in the Schedule.

56. Amendment of Fifth Schedule to principal Act

The Fifth Schedule to the principal Act is amended by inserting immediately after paragraph 7 the following—

“8. In this Schedule, “employee” means a public officer and an expert.”

57. Transitional provisions

(1) The amendments made by section 9 of this Act shall not apply to the Board in existence immediately before the coming into force of this Act.

(2) The amendment made by section 46 of this Act shall not apply to a decision made by the Authority before the coming into force of this Act.

- (3) A procurement process that had commenced before the

coming into force of this Act shall be continued to completion under the principal Act, as amended by this Act.

CROSS REFERENCE

Bank of Uganda Act, Cap 51.

Companies Act, Cap 110.

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

Universities and other Tertiary Institutions Act, Act No. 7 of 2001.

ACTS SUPPLEMENT

to The Uganda Gazette No. 45 Volume CIV dated 8th July, 2011.

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

Act 12

*Capital Markets Authority
(Amendment) Act*

2011

THE CAPITAL MARKETS AUTHORITY (AMENDMENT) ACT, 2011

ARRANGEMENT OF SECTIONS

Section

1. Amendment of Capital Markets Authority Act, Cap. 84.
2. Amendment of section 6 of principal Act.
3. Insertion of new Part XA in principal Act.
4. Insertion of new section 99A in principal Act.
5. Amendment of principal Act to convert shillings into currency points.
6. Modification of references to shillings in statutory instruments under principal Act.
7. Section 103 of principal Act replaced.
8. Consequential amendment of Cap. 110.
9. Insertion of new Schedule 1 in principal Act.
10. Renumbering of existing Schedule to principal Act as Schedule 2.

**THE CAPITAL MARKETS AUTHORITY (AMENDMENT)
ACT, 2011**

An Act to amend the Capital Markets Authority Act to provide for the conversion of amounts in shillings into currency points; to provide for the offering of securities to the public; to empower the Authority to collect fines; for connected purposes.

DATE OF ASSENT: 24th June, 2011.

Date of Commencement: 8th July, 2011.

BE IT ENACTED by Parliament as follows:

1. Amendment of Capital Markets Authority Act, Cap. 84.

The Capital Markets Authority Act, in this Act referred to as the principal Act is amended in section 1—

- (a) by inserting immediately after paragraph (m) the following—

“(ma) “currency point” has the value assigned to it in Schedule 1 to this Act”; and

- (b) in paragraph (ee) by substituting for “Schedule” the word “Schedule 2”.

2. Amendment to section 6 of the principal Act

The principal Act is amended in section 6(1) by substituting for “each month”, the words “every three months”.

3. Insertion of new Part XA in Cap. 84

The principal Act is amended by inserting immediately after Part X the following—

“PART XA—OFFERING OF SECURITIES TO THE PUBLIC

90A. Interpretation

In this Part, unless the context otherwise requires—

“advertisement” means a form of communication made to a person in Uganda which contains or refers to an invitation or inducement to subscribe for or purchase a form of investment whether that investment constitutes particular securities which are or are to be offered for subscription or purchase or relates generally to investment in some form of securities but does not include—

- (a) a registered prospectus;
- (b) a statement or report made for the purposes of any meeting of shareholders or members of the issuer or the report of the proceedings of the issuer; or
- (c) a notification statement or report made by or on behalf of an issuer relating to the affairs of the issuer made to the Authority or a stock exchange for the purposes of compliance with section 90K or the Listing Rules or with a report of the notification statement or report;

“close relative” means—

- (a) a parent, child, including an adopted child, brother or sister of a person;
- (b) a parent, child, including an adopted child, brother or sister of a spouse of that person; or
- (c) a nominee or trustee of a person referred to in paragraph (a) or (b);

“close business associate” in relation to a person means a person who has had a close working relationship in business with that person during the preceding five years whether as a business partner, co-director or co-trustee on a board of directors or trustees, or an employee or employer in an executive capacity;

“closely held” with reference to a public company means a company the securities of which are held by persons referred to in section 90E (2) (b), (c) or (g) and not more than ten persons who are employees of the company or nominees for such persons;

“debt security” means a security that involves the right to be paid money that is owed by any person whether or not secured by a charge over a property and includes debentures, loan stock, bonds or notes issued by a body corporate or by a government;

“director” means—

- (a) in relation to a company, a person occupying the position of a director of the company by whatever name called;
- (b) in relation to a partnership, other than a limited partnership, a partner;

- (c) in relation to a limited partnership, a general partner;
 - (d) in relation to a body corporate, other than a company or a partnership or a limited partnership, a person occupying a position in the body that is comparable with that of a director of a company; or
 - (e) in relation to a unit trust, the manager of the unit trust and where the manager is a company, every director of that company;
- “equity securities” means shares, including preference shares, convertible equity shares and options, warrants and similar instruments having the right to subscribe for or purchase equity shares attached;
- “information memorandum” means the memorandum required by this Act or by regulations to be furnished by or on behalf of an issuer, the securities of which are accepted for listing on or are the subject of an introduction to a stock exchange licensed by the Authority;
- “introduction” means an offer of securities to the public in respect of a security that is listed on an approved stock exchange of a country specified by the Authority in regulations made under this Act and in respect of which an application for listing in an approved stock exchange in Uganda has been made;
- “issuer”, refers to a company or other body corporate or a government that makes an offering of securities;

“listed company” or “listed issuer” means respectively a company or other issuer—

- (a) which has entered into and is party to a listing undertaking with a stock exchange approved by the Authority under this Act or a stock exchange outside Uganda recognised and approved by the Authority in a country specified by the Authority in regulations made under this Act in relation to cross-border listings any class of whose securities are listed on that stock exchange; or
- (b) which was previously a party to a listing undertaking with a stock exchange referred to in paragraph (a) and any class of whose securities were listed on the stock exchange, in respect of an action or event to which this Act applied while the person was a party to a listing agreement with that stock exchange;

“prior placement” means the organising by the issuer or a promoter of the offering of securities for subscription by either directly, or through a dealer or other licensed person, inviting persons who are professional investors or close business associates of the issuer to subscribe for the securities or, in the case of professional investors, place the securities with selected clients;

“professional investor” means a person whose ordinary business or regular activity involves the buying and selling of securities, as a principal, and includes an underwriter, a bank, and an insurance company, a fund manager, a broker, broker’s representative, a dealer, dealer’s representative, an investment adviser or investment adviser’s representative acting as principal, subject to any exception that may be prescribed by the Authority;

“promoter” means—

- (a) a person who is instrumental in the formulation of a plan or programme under which securities are offered to the public for subscription or purchase;
- (b) where a body corporate is a promoter includes every person who is a director of that body corporate;

but does not include a director or officer of the issuer of the securities or a person acting solely in a professional capacity;

and “promotion” shall have a corresponding meaning;

“prospectus” means a prospectus, notice, circular, advertisement, or other invitation, offering to the public securities for subscription or purchase and includes—

- (a) a prospectus relating to an offer of debt securities to the public; or
- (b) a prospectus in respect of any other offer of securities to the public;

“publicly held” with respect to the holding of securities means the holding of securities of a company that have been the subject of an offer to the public but does not include—

- (a) the holding of securities in a private company; or
- (b) the holding of securities in a public company all the securities of which, by reason of takeover or other acquisition or for some other reason, have become closely held;

“substantial shareholder” means a shareholder entitled to exercise or control the exercise of fifteen percent or more of the voting power at general meetings of the company or one who is in a position to control the composition of a majority of the board of directors of a company or such lesser percentage as may be prescribed.

90B. Territorial Scope

(1) This Part applies to a security offered to a person in Uganda regardless of—

- (a) where a resulting allotment occurs; or
- (b) where the issuer is resident, incorporated or carries on business.

(2) For the purposes of this Part a security is offered to a person in Uganda if an offer of that security for subscription is received by a person in Uganda, unless the issuer took all reasonable steps to ensure that a person in Uganda does not accept the offer.

90C. Exemptions from this Part

(1) Nothing in this Part shall apply in respect of any security the issuer of which is—

- (a) the Government of Uganda; or
- (b) the Bank of Uganda.

(2) This Part shall not apply to an offer of units or shares in a licensed scheme under the Collective Investment Schemes Act 2003.

90D. Authority may grant exemption from this Part

(1) The Authority may, in its discretion, and upon terms and conditions it may think fit, exempt a person or class of persons or a transaction or class of transactions from compliance with any provision of this Part including regulations made under this Act which relate to this Part of the Act.

(2) The Authority shall not grant an exemption under subsection (1) unless it is satisfied that compliance with the requirements of this Part—

- (a) would, in the case of a prospectus, render the prospectus misleading in some particular or would provide a misleading impression material to the prospectus as a whole; or

- (b) is inappropriate to the circumstances in which the securities are being offered and the granting of the exemption will not prejudice persons investing under the prospectus; or
- (c) compliance with the requirement from which exemption is sought would place an unreasonable and excessive burden on the issuer or any officer of the issuer and any benefit that compliance would provide to persons investing in the securities would be minimal.

(3) The Authority shall ensure that an exemption granted by the Authority under this section is immediately published in the Gazette and a daily English newspaper of nationwide circulation.

(4) A person who is exempted by the Authority, subject to a condition, from compliance with a requirement of this Part or of regulations made under this Act which relate to this Part shall not contravene or fail to comply with the condition.

(5) Where a person has contravened or failed to comply with a condition to which an exemption under subsection (1) is subject, the Authority may cancel the exemption.

90E Meaning of “offer to the public”

(1) A reference in this Part to offering securities to the public shall be construed as including—

- (a) offering securities to a section of the public, however selected, whether selected as clients, employees, or a purchaser of goods from the offeror or a promoter of the securities, or being the holder of securities previously issued by the issuer or promoter of the securities;
- (b) offering the securities to individual members of the public selected at random; or

- (c) offering the securities to a person if the person became known to the offeror as a result of an advertisement made by or on behalf of the offeror or that was intended or likely to result in the public seeking further information or advice about an investment opportunity or services.

(2) None of the following offers shall constitute an offer to the public—

- (a) an offer of securities where the amount subscribed for the securities by each person to whom the securities are offered is not less than five hundred currency points or a prescribed amount;
- (b) an offer of securities which is restricted to persons who are directors or executive officers of the corporation making the offer or are close relatives or business partners or close business associates of such director or executive officer;
- (c) an offer of securities which is restricted to persons who are close business associates of persons who are directors or executive officers of the corporation making the offer;
- (d) an offer of securities which is restricted to persons referred to in paragraph (b) and to a body corporate in which an executive officer or a close relative or business partner or associate of the kind referred to in paragraph (c) have a controlling interest;
- (e) an offer of securities where no consideration is paid or provided in respect of the issue or allotment of the securities;
- (f) an offer to enter into an underwriting agreement;

- (g) an issue or allotment of securities to not more than one hundred persons who are professional investors or experienced investors where the securities are allotted as a result of an invitation or offer made personally to that person or those persons; or
- (h) an offer made to acquire all of the shares in a company which provides ownership of the whole of the assets and undertaking of a business enterprise or to acquire the whole of the undertaking and assets of a partnership or trust and which offer is capable of acceptance by and restricted to not more than ten persons and each person has reasonably available to him or her the financial and other information needed by that person to make a reasonably informed investment decision.

(3) Proof of an offer of securities to one person selected as a member of the public shall be *prima facie* evidence of an offer of securities to the public.

90F. Prior placements to be notified

(1) An issuer which intends to make a placement to subscribe for securities to persons referred to in subsection (2)(c) directly or through a dealer inviting persons to subscribe for securities or, in the case of professional investors, place the securities with selected clients, shall, before receiving any subscription under that invitation, or any commitment on the part of any person to subscribe for or take the securities, give notice in writing to the Authority of its intention to receive those subscriptions.

(2) The notice required to be given under subsection (1) shall provide the following information to the Authority—

- (a) a description of the securities to be offered;
- (b) particulars of the terms of sale;

- (c) particulars of all persons to be approached to subscribe for securities under the invitation; and
- (d) a description of the capital structure and a copy of the financial statements of the issuer covering the last financial year of the issuer.

(3) The Authority may, within three working days after receiving the notification, require the issuer to provide the Authority with further information material to the Authority's determination.

(4) The Authority shall promptly determine whether the invitation as notified to it constitutes an offer to the public and requires a prospectus to be issued and if it is determined that the proposed offer may proceed as a private placement that does not require the issue of a prospectus, the Authority may give directions to the issuer on the matters that are to be disclosed to the proposed investors under the placement.

90G. Prohibition on offering securities without a prospectus

(1) A person shall not offer securities to the public for subscription and shall not issue or circulate a form of application for securities unless—

- (a) the form of application is accompanied by a prospectus whose date of publication is a date within six months immediately preceding the date on which the form was issued, circulated or distributed;
- (b) the prospectus complies with the requirements of this section; and
- (c) a copy of the prospectus and particulars of the issue, circulation or distribution have been registered with the Registrar of Companies.

(2) The Registrar of Companies shall not register a prospectus unless—

- (a) the prospectus has been approved by the Authority and the Authority has stated in writing that it has approved the prospectus;
- (b) the prospectus complies with the requirements of this Act and regulations made under this Act;
- (c) the prospectus states at its head the following—

“A copy of this prospectus has been delivered to the Registrar of companies for registration. However, the securities that are the subject of the prospectus have neither been approved nor disapproved by the Capital Market Authority;

Prospective investors should pay due attention to the risk factors outlined in the prospectus.”

- (d) there is also filed with the Registrar of Companies a copy of—
 - (i) every consent required by section 90M (l) (h) to the issue of the prospectus;
 - (ii) every material contract referred to in the prospectus or, in the case of a contract not reduced into writing, a declaration giving full particulars of the contract; and
- (e) where a prospectus relates to securities dealt in on an approved stock exchange or states that the application has been or will be made to an approved stock exchange for permission to deal in the securities to which it relates, the prospectus shall be accompanied by a certificate from the approved stock exchange that the prospectus has been scrutinised by the stock exchange, and that the exchange's requirements relating to its contents have been satisfied.

(3) Every issuer of securities shall—

- (a) cause a copy of every document referred to in subsection (2)(c) to be deposited, not later than three days after the prospectus is registered, at its registered office where it is required to have one or at its principal place of business; and
- (b) keep every copy, for at least six months after the registration of the prospectus, for the inspection by investors, members and creditors.

(4) The Registrar of Companies shall keep and maintain a register of prospectuses on which all prospectuses registered under this section shall be entered.

(5) The Registrar of Companies shall within three days after registering a prospectus of a company send a copy of the prospectus to the Authority.

(6) This section applies so far as companies are concerned, in addition and supplementary to the provisions relating to registration of a prospectus under the Companies Act.

90H. Actions to which section 90G does not apply

A person does not contravene section 90G by sending a draft disclosure document or unregistered prospectus for securities to a person who is a professional investor within a period not exceeding fourteen days prior to the registration of a prospectus offering the securities for subscription.

90I. Material change

(1) Where after the Authority has given approval to the prospectus, but before registration by the Registrar of Companies, or after the registration but before in the case of listed securities, the admission to listing on an approved stock exchange, or in any other case before the closure of the offering

period, a material change occurs in the business of the issuer, or in any other matter which would have the effect of rendering the prospectus or a statement required to be contained in the prospectus or any other matter concerning the issue to the public generally, untrue, incomplete, misleading or non-compliant with any law applicable or any listing rules to the issuer, the issuer shall promptly inform the Authority of the occurrence of the change and the Authority shall give directions as it considers appropriate in the circumstances including the revocation of the approval granted.

(2) Where in the circumstances set out in subsection (1) or in any other circumstances where the Authority considers that the prospectus, before or after registration and before the closing of the offer period or in the case of listed securities before admission of the securities to listing, contains any untrue, incomplete or misleading statement or does not comply with the law or any listing rules applicable to the issuer, the Authority may require the prospectus to be amended or completed or may require that a fresh document be submitted.

90J. Invitations to deposit or lend money

(1) Subject to subsection (3), a company or declared person shall not issue, circulate or distribute an invitation to deposit money with or lend money to a person unless—

- (a) a copy of the prospectus relating to the invitation has been registered under section 90G;
- (b) the prospectus contains an undertaking by the company or declared person or proposed company that it will, within two months after the acceptance of any money as a deposit or loan from any person in response to the invitation, issue to that person a document which acknowledges or evidences or constitutes an acknowledgement of the indebtedness of the company or declared person in respect of that deposit or loan; and

- (c) where the deposits or loans are not to be secured by a charge or charges on the undertaking of the company or declared person or on any of the company or declared person's assets, any statement in the invitation or advertisement relating to documents to be issued evidencing the deposits or loans shall refer to those documents as unsecured deposit notes or unsecured notes, or by some other description that includes the word “unsecured”, and shall not—
 - (i) refer to the documents as debentures; or
 - (ii) refer to them by any description that includes the word “registered”;
- (d) in the case of a company a trust deed is entered into with a trustee for debenture holders with such person as trustee and on such terms as shall be approved by the Authority or is provided for by regulations under this Act; and
- (e) in the case of a declared person a trust deed is entered into providing for the appointment of a trustee for security holders with such person as trustee and on such terms as shall be approved by the Authority or is provided for by regulations under this Act.

(2) Where a company or declared person has accepted any money as a deposit or loan under subsection (1), it shall, within seven days after the acceptance of the money, issue to that person a document which—

- (a) acknowledges or evidences or constitutes an acknowledgement of the indebtedness of the company in respect of that deposit or loan; and
- (b) complies with the other requirements of this section.

(3) In this section, and in section 90O, a “declared person” is a person or class of persons including a body corporate whom the Authority shall by notice in the *Gazette* state to be a declared person for the purposes of this section.

90K. Securities advertisements taken to be prospectus

(1) Where a prospectus is required for an offer of securities, a person shall not—

- (a) advertise the offer to intended offerees; or
- (b) publish a statement that directly or indirectly refers to the offer or intended offer or calls attention to the offer or intended offer or is reasonably likely to induce persons to subscribe for or to purchase securities,

unless the advertisement or statement is authorised by this section.

(2) An advertisement or statement is authorised by this section if it contains no information other than the following—

- (a) the number and description of the securities concerned;
- (b) the name and date of registration of the issuer and in the case of a company the amount of its issued capital;
- (c) a concise statement of the general nature of the main business or proposed main business of the issuer;
- (d) the names, addresses and description of—
 - (i) the directors or proposed directors or members or proposed members of the board of management of the issuer;
 - (ii) the dealers or underwriters to the issue if any; and
 - (iii) in the case of debentures, the trustee for debenture holders;

- (e) the name of the stock exchange if any of which the brokers or underwriters to the issue are members;
- (f) particulars of the opening and closing dates of the offer and the time and place at which copies of the prospectus and forms of application for the securities may be obtained;
- (g) statements with respect to the sale price of securities, or their yield or other benefits received or likely to be received by holders of securities, in relation to an approved investment institution;
- (h) a statement that a prospectus is available or will be made available when the offer is made and the time and place where a prospectus is or will be available;
- (i) a statement of how to arrange to receive a copy of the prospectus; and
- (j) a statement that persons interested in subscribing may consult with a licensed investment adviser or licensed dealer.

(3) The advertisement or statement shall contain a statement that applications for securities will proceed only on one of the forms of application referred to in and attached to a printed copy of the prospectus.

(4) A security advertisement in accordance with this section shall be taken to be prospectus.

(5) A person who contravenes this section and in the case of a corporation every officer who knowingly permits the issue of the advertisement or statement commits an offence, and is liable on conviction, to a fine not exceeding two hundred currency points or imprisonment not exceeding two years or both.

(6) The Authority may exempt a person from this section, subject to conditions and restrictions determined by the Authority.

90L. Document offering for sale deemed to be prospectus

(1) Where a company allots or agrees to allot securities to any person with a view to their being offered for sale to the public, a document by which the offer for sale is made shall be taken to be a prospectus.

(2) For the purposes of this section, an allotment of, or an agreement to allot, a share or debenture shall, unless the contrary is proved, be taken to have been made with a view to the securities being offered for sale to the public if it is shown that—

- (a) an offer of the securities for sale to the public was made within six months after the allotment or agreement to allot; or
- (b) at the date when the offer was made the whole consideration to be received by the company in respect of the securities had not been received.

90M. Form and content of prospectus

(1) Every prospectus shall—

- (a) be printed in a font type of a size approved by the Authority;
- (b) be dated and that date shall, unless the contrary is proved, be taken as the date of issue of the prospectus;
- (c) subject to subsection (4), be signed by every director or person named in the prospectus as a proposed director of the issuer, or by his agent authorised in writing;

- (d) state, the matters specified in section 90G and in regulations under this Act which provide for the content of prospectuses and set out the reports specified in the Regulations and under rules issued by the Authority relating to prospectuses;
- (e) in the case of an offer of a prescribed interest other than an offer falling under paragraph (d) state the matters specified in regulations made under this Act and under rules issued by the Authority relating to prospectuses issued by an issuer of a prescribed interest;
- (f) where the person making a report required to be included in the prospectus has made in the report, or has without giving any reason indicated in it, an adjustment to the report, has endorsed on it or attached to it a statement by that person setting out the adjustment and giving the reason for the stated adjustment;
- (g) contain a statement that no securities shall be allotted on the basis of the prospectus later than six months after its date of issue;
- (h) where it contains a statement made or purporting to have been made by an expert or contains what purports to be a copy of or extract from a report, memorandum or valuation of an expert, state the date on which the statement, report, memorandum or valuation was made and whether or not it was prepared by the expert for incorporation in the prospectus and contains a copy of that person's consent which shall have previously been lodged with the Authority and contains—

- (i) a statement that the expert has given and has not, before delivery of the prospectus for registration, withdrawn his or her written consent to the issue of the prospectus with the statement included in the form and context in which it is included; and
- (ii) a statement that he or she has given and not withdrawn his or her consent as appears in the prospectus;
- (i) not contain the name of a person as a debenture holder's representative or trustee or as an auditor or a banker or a lawyer or share broker of the company or proposed company or for or in relation to the issue or proposed issue of securities, unless that person has consented in writing before the issue of the prospectus to act in that capacity in relation to the prospectus and a copy of the consent has been lodged with the Registrar of Companies; and
- (j) subject to subsection (2) where the prospectus offers shares in or debentures or other securities of a foreign corporation incorporated or to be incorporated, contains particulars with respect to—
 - (i) the instrument constituting the corporation;
 - (ii) the enactment or provisions having the force of an enactment by or under which the incorporation of the corporation was effected or is to be effected;
 - (iii) an address in Uganda where the instrument, enactments or provisions or certified copies may be inspected;
 - (iv) the date on which and the place where the company was or is to be incorporated; and

- (v) whether the corporation has established a place of business in Uganda and, if so the address of its principal office in Uganda.

(2) Subsection (1)(j)(i), (ii) and (iii) shall not apply in the case of a prospectus issued more than two years after the day on which the corporation was entitled to commence business.

(3) A document referred to in section 90L shall, in addition state—

- (a) the net amount of the consideration received or to be received by the company in respect of shares or debentures to which the offer relates; and
- (b) the place and time at which a copy of the contract under which the shares or debentures have been or are to be allotted may be inspected.

(4) Where an offer to which section 90L relates is made, it shall be sufficient if the document referred to in that section is signed on behalf of the issuer by two directors or their authorised agent in writing.

(5) Where after delivery of the prospectus approved by the Authority to the Registrar of Companies for registration but prior to registration the expert referred to in subsection 90M(l)(h) has withdrawn his or her consent, the person who has submitted the prospectus to the Authority for approval shall immediately notify the Authority and the Registrar of Companies.

(6) A condition requiring or binding an applicant for securities to waive compliance with a requirement of this section, or purporting to affect him or her with notice of any contract, document or matter not specifically referred to in the prospectus, is void.

(7) Where a prospectus does not comply with the requirements of this Act or regulations made under this Act, a director or other person shall not incur any liability in respect of the failure to comply if he or she proves that he or she had no knowledge of the matter and that he or she exercised due diligence to ensure that the failure to comply did not occur.

90N. Short form prospectus

Where the intended offer relates to shares or debt securities of a company which are or are intended to be in all respects uniform with shares or debt securities as the case may be previously issued and the offer is made only to existing shareholders or holders of debt securities of a company with or without the right to renounce in favour of other persons, and a copy of the most recent financial statements of the company have been sent to those shareholders or debt security holders, regulations made under this Act may provide for the prospectus to be a Short Form Prospectus which sets out abbreviated matters by way of disclosure as may be prescribed in the regulations.

90O. Over-subscription in issue of debt securities

(1) A company or declared person shall not accept or retain subscriptions to an issue of debt securities issued in excess of the amount of the issue disclosed in the prospectus unless the prospectus specifies—

- (a) that the company or declared person as the case may be expressly reserves the right to accept or retain over subscriptions; and
- (b) a limit expressed as a specific sum of money on the amount of over subscriptions that may be accepted or retained, being an amount not exceeding twenty five percent above the amount of the issue as disclosed in the prospectus.

(2) Where a company or declared person specifies in a prospectus relating to a debenture issue that it reserves the right to accept or retain over-subscriptions—

- (a) the company or declared person shall not make, authorise or permit any statement of, or reference to, the asset backing for the issue to be made or contained in a prospectus relating to the issue, other than a statement or reference to the total tangible assets and the total liabilities of the company or declared person and of its guarantor companies; and
- (b) the prospectus shall contain a statement or reference as to what the total assets and total liabilities of the company or declared person would be if over-subscriptions to the limit specified in the prospectus were accepted or retained.

90P. Supplementary prospectus

(1) Where a prospectus has been approved under this Act in respect of a public offer of securities and, at any time between the opening date and the closing date while an agreement in respect of those securities can be entered into in pursuance of that public offer—

- (a) there is a significant change affecting any matter contained in the prospectus the inclusion of which was required by this Act; or
 - (b) a significant new matter arises the inclusion of information in respect of which would have been so required if it had arisen when the prospectus was prepared; or
 - (c) there is a significant inaccuracy in the prospectus,
- the offeror shall, on its own motion, with the prior consent of the Authority, or if required by the Authority, publish a supplementary prospectus containing particulars of the change

or new matter or, in the case of an inaccuracy, correct it and deliver the supplementary prospectus to the Registrar for registration.

(2) Where a supplementary prospectus has been approved in respect of a public offer of securities, the preceding provisions of this section shall have effect as if any reference to a prospectus were a reference to the prospectus originally registered and that supplementary prospectus, taken together.

(3) In this section “significant” means significant for the purpose of making an informed assessment of the matters mentioned in the Act.

(4) Sections 90G and 90M shall apply to a supplementary prospectus.

90Q. Power to suspend or cancel a prospectus

(1) Where at any time subsequent to the registration of a prospectus, the Authority from information available to it, is satisfied that a registered prospectus is false or misleading in a material particular or omits any material particular whether or not it was false or misleading, or the omission was material, at the time the prospectus was registered, or does not comply with this Act or regulations made under this Act or in the case of a listed issuer with the listing rules, the Authority may, in consultation with any relevant stock exchange, notwithstanding its earlier approval of the prospectus, exercise either or both of the following powers in respect of the registered prospectus—

- (a) where it considers that suspension of the approval of the registered prospectus is necessary, the Authority may suspend the approval of the registered prospectus for a period not exceeding fourteen days; or

- (b) after giving the issuer named in the registered prospectus not less than seven days' written notice, and after considering any written submissions made by the issuer, the Authority may cancel the approval of the registered prospectus.

(2) Where the Authority suspends the approval of a registered prospectus under this section—

- (a) it shall immediately notify the issuer named in it, the relevant stock exchange and, in the case of a company, the Registrar of Companies of the suspension and the reasons for the suspension; and
- (b) the Authority, the relevant stock exchange and the Registrar of Companies shall not, nor any of its or his or her officers or employees, except following cancellation of the registered prospectus under this section or in the course of criminal proceedings, divulge or communicate to any other person the fact of the suspension or any matter relating to the suspension.

(3) Subject to subsection (4), where the approval of a registered prospectus is suspended—

- (a) an allotment shall not be made of any securities subscribed for whether before or after the suspension of the approval of the registered prospectus; and
- (b) all subscriptions received for securities, not being subscriptions for securities which have been allotted before the approval of the registered prospectus is suspended, shall be frozen and shall not be dealt with.

(4) Where the period of suspension of approval of a registered prospectus has not been cancelled under this section, subsection (3) shall cease to apply.

(5) Where the Authority cancels the approval of a registered prospectus under this section—

- (a) it shall immediately notify the issuer named in it, the relevant stock exchange and the Registrar of Companies of the cancellation and the reasons for the cancellation; and
- (b) it may notify any other person of the cancellation and the reasons for the cancellation.

(6) Where the approval of a registered prospectus is cancelled—

- (a) allotment shall not be made of any securities subscribed for whether before or after the cancellation of the approval of the registered prospectus; and
- (b) all subscriptions received for the securities including subscriptions held under subsection (3)(b) shall immediately be repaid to the subscribers entitled to them.

(7) Subject to subsection (8), where any subscriptions which are required to be repaid to the subscribers entitled to them are not repaid within one month after the date of the cancellation of the approval of the registered prospectus, the issuer named in it and all the directors shall be jointly and severally liable to repay the subscriptions with interest at a sum prescribed by regulations made under this Act, from the date the subscriptions were received by or on behalf of the issuer.

(8) A director of an issuer shall not be liable to repay any subscriptions and interest under subsection (7) where that director proves that the default in the repayment of the subscriptions was not due to any misconduct or negligence on his or her part.

90R. Allotment by reference to stock exchange

(1) Where a prospectus states or implies that an application has been or will be made for permission for the securities offered in the prospectus to be listed for quotation on the official list or any other list of an approved stock exchange or of a stock exchange outside Uganda, an allotment on an application made in response to the prospectus is, subject to subsection (3), whenever made, void if the permission is not—

- (a) applied for in the form required by the stock exchange before the third day on which the stock exchange is open after the date of issue of the prospectus; or
- (b) granted before the expiry of forty two days from the date of issue of the prospectus or such longer period not exceeding three months from the date of issue as is, within that period of forty two days, notified to the applicant by or on behalf of the stock exchange.

(2) Where the permission has not been applied for, or has not been granted, the issuer shall, subject to subsection (4), immediately repay without interest any money received from any applicant in response to the prospectus, and if the money is not repaid within fourteen days after the issuer becomes liable to repay it, the directors are, in addition to the liability of the issuer, but subject to subsection (3) jointly and severally liable to repay the money with interest at the ruling bank rate from the expiration of that period of fourteen days.

(3) A director shall not be liable under subsection (2) if he or she proves that the default in the repayment of the money was not due to any misconduct or negligence on his part.

(4) Where, in relation to any securities, the permission is not applied for or granted, the Authority may, on application made by the issuer before any security is purported to be allotted, by public notice, provide that subsections (1) and (2) shall not apply to the allotment of the securities.

(5) Where a stock exchange has, within the time specified in subsection (1) (b), granted permission subject to any condition, permission will be deemed to have been granted by the stock exchange if the directors have given to the stock exchange an undertaking in writing to comply with the condition.

(6) Where a prospectus contains a statement to the effect that the articles of association or constitution or trust deed of an issuer complied or has been drawn up so as to comply with a condition imposed by a stock exchange, the prospectus shall, unless the contrary intention appears, be deemed for the purposes of this section to imply that application has been, or will be, made for permission for the securities offered by the prospectus to be listed for quotation on the official list of a stock exchange.

(7) A condition requiring or binding an applicant for securities to waive compliance with any requirement of this section or purporting to do so shall be void.

(8) The issuer shall, for so long as it may become liable to repay money under subsection (2), keep in a separate bank account all money received in relation to a prospectus.

(9) A person shall not issue a prospectus which includes—

- (a) an untrue statement that permission has been granted for securities to be dealt in or quoted on a stock exchange; or
- (b) a statement in any way referring to—
 - (i) permission referred to in paragraph (a);
 - (ii) any application or intended application for any such permission;
 - (iii) dealing in or quoting the securities on a stock exchange; or

- (iv) a condition imposed by a stock exchange, unless that statement is or is to the effect that permission has been granted or that an application has been or will be made to the stock exchange within three days after the issue of the prospectus or the statement has been approved by the Authority for inclusion in the prospectus.
- (10) This section shall have effect—
 - (a) in relation to shares or debt securities agreed to be taken by a person underwriting an offer contained in a prospectus, as if he or she had applied for them in response to the prospectus; and
 - (b) in relation to a prospectus offering shares for sale as if—
 - (i) a reference to sale were substituted for a reference to allotment; and
 - (ii) the persons by whom the offer is made, and not the company, were liable under subsection (2) to repay money received from applicants, and references to the company's liability under that subsection were construed accordingly.

(11) The reference to any “stock exchange outside Uganda” in this section refers to a stock exchange outside Uganda which has been approved by the Authority for the purpose of offering securities in Uganda.

90S. Interpretation of provisions relating to advertisements and prospectuses

(1) A statement included in an advertisement or prospectus is taken to be untrue if—

- (a) it is misleading in the form and context in which it is included; or
- (b) it is misleading by reason of the omission of a particular which is material to the statement in the form and context in which it is included.

(2) A statement about a future matter, including the doing of, or refusing to do an act, is misleading if the person making the statement does not have reasonable grounds for making the statement.

90T. Civil liability for misstatement in prospectus

(1) Subject to this section, every person who—

- (a) is a director at the time of the issue of a prospectus;
- (b) authorises or causes himself or herself to be named and is named in a prospectus as a director or as having agreed to become a director either immediately or after an interval of time;
- (c) is a promoter; or
- (d) authorises or causes the issue of a prospectus;

is liable to pay compensation to a person who subscribes for or purchases securities on the faith of a prospectus for any loss or damage sustained by reason of—

- (i) an untrue statement in the prospectus; or
- (ii) the willful non-disclosure in the prospectus of a matter of which he or she had knowledge and which he or she knew to be material.

(2) A person shall not be liable under subsection (1) (d) as a person authorising or causing the issue of a prospectus by reason only that—

- (a) in a case where the consent of an expert is required to the issue of a prospectus, he or she has given that consent, except in respect of an untrue statement in the prospectus purporting to be made by him as an expert; or
 - (b) his or her name is included in a prospectus as a trustee for debenture holders, trustee, auditor, banker, barrister, attorney at law or share broker, or as a person performing some other professional or advisory function only.
- (3) Subject to subsection (4) a person shall not be liable under subsection (1) if he or she proves that—
- (a) having consented to become a director, he or she withdrew his or her consent before the issue of the prospectus, and it was issued without his or her authority or consent;
 - (b) the prospectus was issued without his or her knowledge or consent and he or she gave reasonable notice to the public of the fact as soon as possible after he or she became aware of its issue;
 - (c) after the issue of the prospectus and before any allotment or sale under it he or she withdrew his or her consent and gave reasonable notice to the public of the withdrawal as soon as possible after he or she became aware of any untrue statement in the prospectus;
 - (d) in relation to an untrue statement not purporting to be made on the authority of an expert or of a public official document or statement, he or she had reasonable ground to believe, and did up to the time of the allotment or sale of the securities believe, that the statement was true;

- (e) in relation to an untrue statement purporting to be a statement made by an expert or to be based on a statement made by an expert contained in what purports to be a copy of or extract from a report, memorandum or valuation of an expert, it fairly represented the statement, or was a correct and fair copy of or extract from the report, memorandum or valuation, and he or she had reasonable ground to believe and did up to the time of the issue of the prospectus believe that the person making the statement was competent to make it and that that person had given the consent required by section 90M(1)(h) to the issue of the prospectus and had not withdrawn that consent before delivery of a copy of the prospectus for lodging, or, to that person's knowledge, before any allotment or sale under the prospectus; and
- (f) in relation to a statement purporting to be a statement made by a public officer contained in what purports to be a copy of or extract from a public document, it was a correct and fair representation of the statement or copy of or extract from the document.

(4) Subsection (3) shall not apply in the case of a person who is liable under subsection (1)(d), by reason of his or her having given a consent required of him or her by section 90M(1)(h), in respect of an untrue statement purporting to have been made by him or her as an expert.

(5) A person who apart from this subsection would be liable under subsection (1)(d) by reason of his or her having given a consent required of him or her by section 90M(1)(h), in respect of an untrue statement purporting to be made by him or her as an expert shall not be liable if he or she proves that—

- (a) having given his or her consent under section 90M (1) (h), to the issue of the prospectus, he or she withdrew it in writing before a copy of the prospectus was registered by the Authority;
- (b) after a copy of the prospectus was registered by the Registrar of Companies and before allotment or sale of securities, he or she withdrew his or her consent and gave reasonable notice to the public of the withdrawal as soon as possible after he or she became aware of the untrue statement; or
- (c) he or she was competent to make the statement and had reasonable ground to believe and did up to the time of the allotment or sale of shares or debentures believe that the statement was true.

(6) Where—

- (a) a prospectus contains the name of a person as a director, or as having agreed to become a director, and he or she has not consented to become a director, or has withdrawn his or her consent before the issue of the prospectus, and has not authorised or consented to its issue; or
- (b) the consent of a person is required under section 90M(1)(h) to the issue of the prospectus and he or she either has not given that consent or has withdrawn it before the issue of the prospectus,

every director of the company other than a director without whose knowledge or consent the prospectus was issued, and every other person who authorised or caused its issue shall be liable to indemnify the person so named or whose consent was so required against all damages, costs and expenses to which he or she may be made liable by reason of his or her name having

been inserted in the prospectus or of the inclusion in it of a statement purporting to be made by him or her as an expert, or in defending himself or herself against any action or legal proceeding brought against him or her in respect of it.

90U. Offences in respect of untrue statements in prospectus

(1) Where a prospectus contains a statement which is untrue, every person referred to in section 90T(1), subject to subsections (3) and (4), commits an offence and is liable on conviction to a fine not exceeding five hundred currency points or imprisonment not exceeding five years or both.

(2) Where there is published with or as part of a prospectus a report of an expert or an extract from that report and the report or extract contains a statement which is untrue, the expert if, he or she has given his or her consent to the inclusion of that statement in the prospectus in the form and context in which it appears, and subject to subsections (3) and (4), commits an offence, and is liable on conviction to a fine not exceeding three hundred currency points or imprisonment not exceeding three years or both.

(3) In a prosecution under this section it shall be a defence if it is proved that the untrue statement was immaterial or—

- (a) with respect to every such untrue statement not purporting to be made on the authority of an expert or of a public official document or statement, that the person charged had, after reasonable investigation, reasonable ground to believe and did up to the time of the allotment of the securities or acceptance of the offer as the case may be, believe that the statement was true, and that there was no omission to state any material fact necessary to make the statement as set out not misleading; and

- (b) with respect to every untrue statement purporting to be a statement by or contained in what purports to be a copy of or extract from a report or valuation of an expert, that the person charged had reasonable ground to believe and did believe that the person making the report or valuation was competent to make it; and
 - (c) with respect to every untrue statement purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document.
- (4) In a prosecution under this section, it is a defence if a person proves that—
- (a) having consented to become a director of the issuer he or she withdrew his or her consent before the issue of the prospectus, and that it was issued without his or her authority or consent; or
 - (b) the prospectus was issued without his or her knowledge or consent, and that on becoming aware of its issue he or she forthwith gave reasonable public notice that it was issued without his or her knowledge or consent; or
 - (c) after the issue of the prospectus and before allotment or acceptance of any securities under it, he or she, on becoming aware of the untrue statement in the prospectus, withdrew his or her consent to the prospectus and gave reasonable public notice of the withdrawal, and of his or her reason for withdrawing his or her consent.

90V. No diminution of liability under any other law

Nothing in this Part shall limit or diminish liability which a person may incur under this Act apart from this Part, or under any other law.

90W. Time limit as to allotment or acceptance

(1) An issuer shall not allot securities offered to the public for subscription and an offeror shall not accept an offer to purchase shares or debentures offered for sale to the public under section 90L unless the application in question is received by the company or the offeror, as the case may be, before the expiration of six months after the date of registration of the prospectus.

(2) A director or officer of a company or offeror of, if the offeror is a company, a director or officer of that company who knowingly contravenes or permits the contravention of subsection (1) with respect to allotment or acceptance of an offer, commits an offence, and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

90X.No allotment unless minimum subscription received

(1) Securities shall not be allotted on an application made in response to a prospectus for subscription unless the amount stated in that prospectus as the minimum amount which in the opinion of the directors of the issuer concerned must be raised by the issue in order to provide for the matters specified in that respect in regulations under this Act providing for the content of prospectuses has been subscribed and the amount stated has been paid to and received by the issuer.

(2) For the purposes of subsection (1)—

- (a) an amount stated in a cheque received by the issuer shall not be taken to have been paid to and received by it until the amount of the cheque has been unconditionally credited to its account with its banker; and
- (b) an amount paid to and received by the issuer shall be

reduced by the amount of the money, bill, promissory note or cheque which it has at any time delivered to the payer otherwise than in discharge of a debt bona fide due to him or her by the issuer.

(3) The amount stated in the prospectus shall be reckoned exclusively of any amount payable otherwise than in cash and is in this Act referred to as “the minimum subscription”.

(4) The amount paid on application shall be set apart by the directors as a separate fund in an escrow account with a banking institution registered under the Financial Institutions Act 2004, and shall not be available for the purposes of the issuer or for the satisfaction of its debts until the minimum subscription has been made up.

(5) If the requirements prescribed in subsection (1) have not been complied with on the expiration of sixty days after the issue of the prospectus, moneys received from applicants for securities shall immediately be repaid to them without interest, and, if the money is not repaid within eighty days after the issue of the prospectus, the directors and officers of the issuer shall be jointly and severally liable to repay that money with interest at the ruling bank rate reckoned from the expiration of the period of eighty days.

(6) Any director or officer of the issuer who knowingly contravenes or permits the contravention of any provision of this section, in addition to other liability incurred under subsection (5), commits an offence, and is liable on conviction to a fine not exceeding three hundred currency points or imprisonment not exceeding three years or both.

(7) It is a defence to any claim under subsection (5), or any charge under subsection (6), to prove that the default which is the subject of the claim or charge, was not due to any misconduct or negligence on the part of the defendant or the accused.

90Y. No allotment or acceptance if application form not attached to prospectus

(1) An issuer shall not allot any securities if the securities have been offered for subscription, or an invitation to subscribe for the securities has been issued and an offeror shall accept an offer to purchase shares offered for sale to the public under section 90L unless the subscription or offer has been made on an application form which has been attached to or accompanied by a prospectus as required by section 90F or unless it is shown that the applicant, at the time of his or her application, was in possession of a copy of the prospectus or was aware of its contents.

(2) A director or officer of an offeror who knowingly contravenes or permits the contravention of subsection (1), commits an offence and is liable on conviction to a fine not exceeding three hundred currency points or imprisonment for a term not exceeding three years or both.

90Z. Voidable allotment where section 90W, 90X or 90Y contravened

(1) An allotment made by an issuer to an applicant, or the acceptance of an offer made by an applicant, in contravention of section 90W, 90X or 90Y shall be voidable at the instance of the applicant concerned within thirty days after the date of allotment or acceptance, and not later.

(2) Subsection (1) applies notwithstanding that the issuer concerned may be in the course of being wound up.

(3) Where an allotment or an acceptance is declared void under subsection (1), every director and every officer of the issuer concerned or the offeror, is liable to compensate the issuer concerned and the applicant for any loss, damages or costs which the issuer or the applicant may have sustained or incurred owing to the allotment or acceptance.

(4) Proceedings to recover a loss, damages or costs under this section shall not be commenced after the expiration of two years from the date of the relevant allotment or acceptance.

90AA. Waiting period

(1) This section applies to equity and debt prospectuses.

(2) In this section, “waiting period” means, subject to subsection (2), seven days after the first publication of a prospectus which has been lodged or a longer period stated in the prospectus as the period before the expiration of which applications, offers or acceptances in response to the prospectus will not be accepted or treated as binding.

(3) Where the securities to which the invitation relates are dealt in on a stock exchange or where the prospectus states that application has been or will be made for permission to deal in the securities on a stock exchange, and it is necessary to advertise the prospectus in one or more newspapers to comply with the requirements of that stock exchange, the publication of the prospectus shall not be taken to have occurred until the prospectus is advertised.

(4) A binding contract or legally enforceable obligation, other than a bona fide underwriting agreement in respect of any shares or debentures to which this section applies, shall not be entered into in response to an invitation to the public in respect of shares or debentures of a public company until after the expiration of the waiting period, and an application, offer or acceptance by a person in response to the invitation shall be recoverable by that person at any time before the expiration of the waiting period.

90AB. Restriction or alteration of terms mentioned in the prospectus

(1) A company limited by shares or a company limited by guarantee and having a share capital shall not prior to the statutory meeting vary the terms of a contract referred to in the prospectus, except on the condition that it is subject to the approval of the statutory meeting.

(2) This section does not apply to a private company but applies to a company that was a private company before becoming a public company.

90AC. Prohibition of issue of prospectus in respect of private companies

(1) A person shall not issue a prospectus relating to a private company.

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

90AD. Continuous disclosure

(1) Subject in the case of a listed issuer to subsection (10), every issuer of securities that are the subject of a public offer or which are publicly held, in the case of a non listed issuer, shall keep the Authority and in the case of a listed issuer, the stock exchange, informed promptly of any information relating to the issuer and its subsidiaries if any, that—

- (a) is necessary to enable them and the public to appraise the financial position of the issuer and of its subsidiaries;
- (b) might reasonably be expected materially to affect market activity in securities of or otherwise affect its subsidiaries; or

- (c) might reasonably be expected materially to affect market activity in the price of its securities.

(2) An issuer of securities that are not listed on a stock exchange, shall issue promptly press releases informing the public of the matters referred to in subsection (1)(a), (b) and (c).

(3) Notification of the information is not required, where—

- (a) it would be a breach of the law to disclose the information;
- (b) the information concerns an incomplete proposal or negotiations;
- (c) the information comprises matters of supposition or is insufficiently definite such that it would be misleading to the market for it to be disclosed;
- (d) the information is generated solely for the purposes of the internal management of the issuer and its advisers; or
- (e) the information is a trade secret.

(4) The Authority may, in the case of a listed issuer, require the issuer by notice to provide the Authority immediately with a copy of the information notified to the stock exchange.

(5) In addition to the requirements of subsection (1), every issuer shall—

- (a) keep records which shall not be available for inspection by the public or disclosure to any person other than the Authority, of all persons who hold securities of the issuer as nominees or in trust on behalf of other persons;
- (b) comply with further obligations and requirements as may be prescribed by regulations made under this Act.

(6) The Authority may require the issuer to furnish to it the information referred to in subsection (5)(a) and for that purpose the issuer may by notice to the holder of the securities require the holder within seven days to state whether the securities are held as nominee or on trust and if so provide the issuer with the name and address of the beneficial owner of the securities.

(7) For the avoidance of doubt, this section applies to the issuer of securities publicly held prior to the coming into operation of this Act.

(8) An issuer of securities that fails or neglects to comply with this section commits an offence and is liable on conviction to a fine not exceeding two hundred currency points or imprisonment not exceeding eight years or both.

(9) Where a holder of securities fails to provide the issuer with the information required to be provided in response to a notice given under subsection (6) the issuer may seek the assistance of the Authority in obtaining that information.

(10) The requirement to disclose under subsection (1) shall not derogate from any continuous disclosure requirements in the case of listed issuers which are prescribed in listing or other rules of the relevant stock exchange.

(11) It shall be sufficient compliance with the requirements of subsection (1) in the case of a listed issuer, if disclosure in relation to the matters referred to in subsection (1) is made to the stock exchange on which the securities are listed in accordance with the listing rules of the exchange.

(12) In this section, “trade secret”, means information including but not limited to a formula, pattern, compilation, program, method, technique, or process, or information contained or embodied in a product, device or mechanism which—

- (a) is, or may be used in a trade or business;
- (b) is not generally known in that trade or business;
- (c) has economic value from not being generally known; and
- (d) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

90AE. Regulations in relation to Part XA

Without prejudice to the general effect of section 101, the Authority shall make regulations for the purposes of this Part that provide for—

- (a) matters that are to be stated in a prospectus;
- (b) matters that are to be stated in a short-form prospectus;
- (c) requirements or obligations placed on issuers with respect to providing continuous disclosure under section 90AA;
- (d) requirements or obligations in relation to the approval and making of an introduction of securities for offer in Uganda;
- (e) requirements and obligations relating to the listing of securities including the form and contents of any information memorandum to be furnished by or on behalf of an issuer whose securities are accepted for listing;
- (f) requirements or obligations placed on substantial shareholders in relation to disclosure of the acquisition or disposal of a substantial shareholding in an issuer; and
- (g) other matters relevant to the offering, issue and listing of securities that are offered to the public and the restraining or prohibition of misleading or non-complying offers.

4. Insertion of section 99A of principal Act

The principal Act is amended by inserting immediately after section 99 the following—

“99A. Civil penalties

Notwithstanding any other law the Authority may impose and collect civil penalties by way of fines against any person found by the Authority in breach of any requirement of this Act or the regulations made under it”.

5. Amendment of principal Act to convert shillings into currency points

The principal Act is amended as follows—

- (a) in section 13 by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (b) in section 16(2) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (c) in section 18(6) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (d) in section 18(7) by substituting for “six million shillings” the words “three hundred currency points” and for “three years” the words “thirteen years”;
- (e) in section 20(5) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (f) in section 28(2) by substituting for “one million shillings” the words “fifty currency points” and substituting for “fifty thousand shillings” the words “two and half currency points”;

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- (g) in section 29(6) by substituting for “one million shillings” the words “fifty currency points” and substituting for “one hundred thousand shillings” the words “five currency points”;
- (h) in section 37 by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (i) in section 50(5) by substituting for “two hundred thousand shillings” the words “ten currency points” and substituting for “twenty thousand shillings” the words “one currency point”;
- (j) in section 57(11) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (k) in section 59(7) by substituting for “two million shillings” the words “one hundred currency points” and for “one year” the words “four years”;
- (l) in section 60(2) by substituting for two million shillings” the words “one hundred currency points” and for “one year” the words “four years”;
- (m) in section 61(2) by substituting for “two million shillings” the words “one hundred currency points” and for “one year” the words “four years”;
- (n) in section 62(2) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (o) in section 63(2) by substituting for “two million shillings” the words “one hundred currency points” and for “one year” the words “four years”;
- (p) in section 65(2) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;

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- (q) in section 66(5) by substituting for “two million shillings” the words “one hundred currency points” and for “one year” the words “four years”;
- (r) in section 67(7) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (s) in section 67(8) by substituting for “six million shillings” the words “three hundred currency points” and for “three years” the words “thirteen years”;
- (t) in section 68(1) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (u) in section 68(2) by substituting for “six million shillings” the words “three hundred currency points” and for “three years” the words “thirteen years”;
- (v) in section 68(8) by substituting for “six million shillings” the words “three hundred currency points” and for “three years” the words “thirteen years”;
- (w) in section 89(1)(a) by substituting for “ten million shillings” the words “five hundred currency points” and for “five years” the words “twenty one years”;
- (x) in section 89(1)(b) by substituting for “twelve million shillings” the words “six hundred currency points”;
- (y) in section 92(1) by substituting for “two million shillings” the words “one hundred currency points” and for “one year” the words “four years”;
- (z) in section 93 by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;

- (aa) in section 94 by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (bb) in section 97(7) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”;
- (cc) in section 99(2) by substituting for “four million shillings” the words “two hundred currency points” and for “two years” the words “eight years”; and
- (dd) in section 101(4) by substituting for “four million shillings” the words “two hundred currency points” and substituting for “twelve months” the words “eight years” and substituting for “one hundred thousand shillings” the words “five currency points”.

6. Modification of references to shillings in statutory instruments under principal Act

Any statutory instrument made under the principal Act and in existence at the commencement of this Act is amended by substituting for all references to shillings in it, references to currency points converted at the rate of 20,000 shillings to a currency point.

7. Section 103 of principal Act replaced

For section 103 of the principal Act there is substituted the following—

“103. Power of Minister to amend Schedules

(1) The Minister may with the consent of the Cabinet by statutory instrument, amend Schedule 1.

(2) The Minister may with the approval of Parliament by statutory instrument, amend Schedule 2.”

8. Consequential amendment of Cap. 110

The Companies Act, Cap 110 is amended by repealing sections 5(1), 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 50, 51, 52 53, 382, 383, 384, 385 and the Third Schedule.

9. Insertion of new Schedule 1 in principal Act

The principal Act is amended by inserting immediately before the existing Schedule the following new Schedule—

“SCHEDULE 1

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings”.

10. Renumbering of existing Schedule to principal Act as ‘Schedule 2’

The Schedule to the principal Act existing immediately before the commencement of this Act is renumbered as “Schedule 2”.

Cross references

1. The Collective Investment Schemes Act, 2003 Act, No. 4 of 2003
2. The Companies Act, Cap.110
3. The Financial Institutions Act, 2004, Act No. 2 of 2004