



Published
by
Authority

The Uganda Gazette

LXCVII No. 36

23rd July, 2004

Price: Shs. 1000

CONTENTS	PAGE
Advocates Act—Notice	237
Companies Act—Notice	237
Trade Marks Act—Alteration of a Registered	
Trademark	237
Uganda Communications Act—Notice	238
Trade Marks Act—Registration of applications	238-242
Assessments	242-244

SUPPLEMENTS

- 16—The Copyright and Neighbouring Rights Bill, 2004.
- Statutory Instruments*
- 41—The Uganda Communications (Enforcement Procedures) Regulations, 2004.
- 42—The Capital Markets (Fund Managers) Regulations, 2004.
- 43—The Capital Markets (Cross Border Introductions) Regulations, 2004.
- 44—The Water Statute (General Rates) Instrument, 2004.
- 45—The Electoral Commission (Appointment of Date of Completion of Update of Voters' Register in Kamuli District) Instrument, 2004.

CORRIGENDUM

is to notify that, the specification of goods of trademark 25970 in the name of CARGIL INCORPORATED as published in the *Uganda Gazette* Volume XCVII No. 9 under General Notice No. 68 of 2004 dated 27th February, 2004 was incorrectly put as: Maize, poultry, eggs, edible oils and fats.

The correct specification reads: Meat, poultry, eggs, edible oils and fats.

Dated 12th July, 2004

FIONA BAYIGA,
Assistant Registrar of Trademarks.

General Notice No. 238 of 2004.

THE ADVOCATES ACT.

NOTICE.

NOTIFICATION FOR A CERTIFICATE OF ELIGIBILITY.

WHEREBY NOTIFIED that an application has been presented to the Law Council by Kabagambe Peter Kaganzi who is stated to be a holder of Bachelor of Laws of Makerere University having been awarded a Degree on the 5th day of May 2002 and to have been awarded a Diploma in Legal Studies by the Law Development Centre on the 16th day of May 2004 for the issue of a Certificate of Eligibility for entry on the Roll of Advocates for Uganda.

HELLEN OBURA (MRS.),
Acting Secretary, Law Council.

General Notice No. 239 of 2004.

THE COMPANIES ACT, LAWS OF UGANDA 2000.

(Cap. 110).

NOTICE.

Pursuant to section 19 (1) of the Companies Act notice is hereby given that Liberty Insurance Brokers Limited has by Special Resolution passed on the 28th day of June, 2004 and with the approval of the Registrar of Companies changed its name to Alexander Forbes Limited and that such new name has been entered in my register.

DATED at Kampala, this 12th day of July, 2004.

AGNES WANDIRA NTENDE,
Assistant Registrar of Companies.

General Notice No. 240 of 2004.

THE TRADEMARKS ACT

Section 38.

ALTERATION OF A REGISTERED TRADEMARK

No. 17257

TO WHOM IT MAY CONCERN

Take notice that the Trademark No. 17257 Class 32 Schedule III in the name of BRAUEREI BECK GMBH & CO. of Am Delch 18/19, 28199 Bremen, Germany in respect of Beer, ale, and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages advertised in the *Uganda Gazette* under General Notice No. 63/1991 dated 31st day of May, 1991 in the name of BRAUEREI BECK GMBH & CO. has been altered under section 38 of the Trademarks Act as under:-



Dated at Kampala this 2nd day of November, 2001.

RITA BBANGA-BUKENYA (MRS.),
Assistant Registrar of Trademarks.

General Notice No. 241 of 2004.

GUIDELINES FOR THE SETTING OF FINES.

(In relation to the imposition of fines pursuant to s. 5(f) of the Uganda Communications Act, Cap. 106)

In accordance with section 5(1)(f) of the Uganda Communications Act, the Commission has power to impose a fine on any person who unlawfully possesses, installs, connects or operates any communications equipment or apparatus or unlawfully provides or performs and communications services. The power to impose fines is a means of enforcing compliance with the Act.

Section 36 of the Uganda Communications Act proposes a fine not exceeding the equivalent of 10% of the Operators gross annual revenue, for serious and repeated breach of licence conditions.

In every case of infringement, the Commission will take into account the following:

- The seriousness of the infringement
- The duration of the infringement
- A fine must be sufficiently dissuasive to discourage offences and repeat offences.
- A fine must be higher than the cost of complying with the law, particularly with respect to economic regulation.
- Repeat offenders must be severely punished.

Below is the schedule of the proposed fines, which may be varied by the Commission from time to time.

Schedule for section 5(1)(f) fines

<i>Violation</i>	<i>Amount</i>
False Advertisement	Shs. 500,000
Operation without a licence issued under the Uganda Communications Act	Shs. 2,000,000
Failure to furnish to the Commission required information	Shs. 500,000
Failure to maintain required records	Shs. 500,000
Unauthorised discontinuance of service (Ceasing operations without notice to the Commission)	Shs. 1,000,000
Importation or marketing of unauthorised communications equipment	Shs. 5,000,000
Construction or operation at unauthorised location	Shs. 1,000,000
Sending false distress signals	Shs. 1,000,000
Use of unauthorised equipment (For each piece of equipment seized)	Shs. 2,000,000
Exceeding power limits	Shs. 10,000,000
Exceeding of authorised antenna height	Shs. 2,500,000
Using unauthorised frequency	Shs. 10,000,000
Failure to engage in required frequency coordination	Shs. 10,000,000
Interference	Shs. 10,000,000
Failure to respond to commission communications	Shs. 500,000

N.B In cases of continuous offences, the offender is liable to pay a further fine of Shs. 100,000 for each day or part of a day during which the offence continues after the first fine.

MANAGEMENT.

General Notice No. 242 of 2004.

THE TRADE MARKS ACT.

(Cap. 83).

NOTICE.

NOTICE IS HEREBY GIVEN that any person who has opposed the registration of any of the marks advertised may within sixty days from the date of this *Gazette*, lodge Notice of opposition on Trade Mark Form No. 6 together with fee of Shs. 4000 in case of National applicants or US\$ 25 in case of Foreign applicants. The period of lodging Notice of opposition may be extended in suitable cases by the Registrar, if he thinks fit upon such terms as he may direct. For opposition should not be lodged until after reasonable notice has been given by letter to the applicant so that he may have 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 an opponent for an order for costs if the opposition is unsuccessful by the applicant. Representations of the marks herein advertised can be inspected at the office of the Registrar of Trade Marks, Crane Chambers, P.O. Box 6848, Kampala.

(21) APPLICATION NO. 26805 IN PART "A".

(52) Class 5.

(54)

ACTIZINE

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medical preparations and substances for human use.

(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.

(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

(22) *Date of filing application*— 15th July, 2004.

(21) APPLICATION NO. 26806 IN PART "A".

(52) Class 5.

(54)

AMTECID

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medical preparations and substances for human use.

(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.

(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

(22) *Date of filing application*— 15th July, 2004.

(21) APPLICATION NO. 26807 IN PART "A".

(52) Class 5.

(54)

CARDIPINE

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medical preparations and substances for human use.

(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.

(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

(22) *Date of filing application*— 15th July, 2004.

APPLICATION NO. 26808 IN PART "A".

Class 5.

(54)

COMBA-ACT*Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.*Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.*Address*— P.O. Box 7551, Ntinda-Kampala.*Date of filing application*— 15th July, 2004.

APPLICATION NO. 26809 IN PART "A".

Class 5.

(54)

DUACT*Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.*Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.*Address*— P.O. Box 7551, Ntinda-Kampala.*Date of filing application*— 15th July, 2004.

APPLICATION NO. 26810 IN PART "A".

Class 5.

(54)

FLURID*Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.*Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.*Address*— P.O. Box 7551, Ntinda-Kampala.*Date of filing application*— 15th July, 2004.

APPLICATION NO. 26811 IN PART "A".

Class 5.

(54)

GLUCONIL*Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.*Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.*Address*— P.O. Box 7551, Ntinda-Kampala.*Date of filing application*— 15th July, 2004.

(21)

APPLICATION NO. 26812 IN PART "A".

(52)

Class 5.

(54)

ODIPRIL

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

(22) *Date of filing application*— 15th July, 2004.

(21)

APPLICATION NO. 26813 IN PART "A".

(52)

Class 5.

(54)

TMC

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

(22) *Date of filing application*— 15th July, 2004.

(21)

APPLICATION NO. 26814 IN PART "A".

(52)

Class 5.

(54)

ULSEC

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

(22) *Date of filing application*— 15th July, 2004.

(21)

APPLICATION NO. 26815 IN PART "A".

(52)

Class 5.

(54)

ZITHROCIN

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical and medicinal preparations and substances for human use.(73) *Name of applicant*— Kampala Pharmaceutical Industries (1996) Ltd.(77) *Address*— P.O. Box 7551, Ntinda-Kampala.

(74)

Date of filing application— 15th July, 2004.

(21) APPLICATION NO. 26704 IN PART "A".

(52) Class 30.

(54)

AZURE

(53)

(59)

(64)

(57) *Nature of goods*— All goods in class 30.

(73) *Name of applicant*— House of Eden (U) Ltd.

(77) *Address*— P.O. Box 11255, Kampala.

(74)C/o M/s. Katende, Ssempebwa & Co. Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 26th May, 2004.

(21) APPLICATION NO. 26705 IN PART "A".

(52) Class 32.

(54)

AZURE

(53)

(59)

(64)

(57) *Nature of goods*— All goods in class 32.

(73) *Name of applicant*— House of Eden (U) Ltd.

(77) *Address*— P.O. Box 11255, Kampala.

(74)C/o M/s. Katende, Ssempebwa & Co. Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 26th May, 2004.

(21) APPLICATION NO. 26706 IN PART "A".

(52) Class 33.

(54)

AZURE

(53)

(59)

(64)

(57) *Nature of goods*— All goods in class 33.

(73) *Name of applicant*— House of Eden (U) Ltd.

(77) *Address*— P.O. Box 11255, Kampala.

(74)C/o M/s. Katende, Ssempebwa & Co. Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 26th May, 2004.

(21) APPLICATION NO. 26707 IN PART "A".

(52) Class 30.

(54)

Fritz

(53)

(59)

(64)

(57) *Nature of goods*— All goods in class 30.

(73) *Name of applicant*— House of Eden (U) Ltd.

(77) *Address*— P.O. Box 11255, Kampala.

(74)C/o M/s. Katende, Ssempebwa & Co. Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 26th May, 2004.

(21) APPLICATION NO. 26708 IN PART "A".

(52) Class 32.

(54)

Fritz

(53)

(59)

(64)

(57) *Nature of goods*— All goods in class 32.

(73) *Name of applicant*— House of Eden (U) Ltd.

(77) *Address*— P.O. Box 11255, Kampala.

(74)C/o M/s. Katende, Ssempebwa & Co. Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 26th May, 2004.

(21) APPLICATION NO. 26709 IN PART "A".

(52) Class 33.

(54)

Fritz

(53)

(59)

(64)

(57) *Nature of goods*— All goods in class 33.

(73) *Name of applicant*— House of Eden (U) Ltd.

(77) *Address*— P.O. Box 11255, Kampala.

(74)C/o M/s. Katende, Ssempebwa & Co. Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 26th May, 2004.

(21) APPLICATION NO. 26738 IN PART "A".

(52) Class 5.

(54)

ARSUMIREX

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical products.

(73) *Name of applicant*— Sanofi-Synthelabo.

(77) *Address*— 174 Avenue De France, 75013 Paris, France.

(74)C/o M/s. Hunter & Greig Advocates, P.O. Box 2344, Kampala.

(22) *Date of filing application*— 23rd June, 2004.

(21) APPLICATION NO. 26642 IN PART "A".

(52) Class 5.

(54)

LONSY S

(53)

(59)

(64)

(57) *Nature of goods*— Human Pharmaceuticals, namely analgesics.

(73) *Name of applicant*— Johnson & Johnson.

(77) *Address*— One Johnson & Johnson Plaza, New Brunswick New Jersey, U.S.A.

(74) C/o M/s. Hunter & Greig Advocates, P.O. Box 7026, Kampala.

(22) *Date of filing application*— 12th May, 2004.

(21) APPLICATION NO. 26472 IN PART "A".

(52) Class 10.

(54)

LIFE INSPIRING IDEAS

(53)

(59)

(64)

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

(73) *Name of applicant*— Astrazeneca AB.

(77) *Address*— SE-151 85 Sodertalje, Sweden.

(74) C/o M/s. Hunter & Greig Advocates, P.O. Box 7026, Kampala.

(22) *Date of filing application*— 26th February, 2004.

(21) APPLICATION NO. 26644 IN PART "A".

(52) Class 5.

(54)

INTEON

(53)

(59)

(64)

(57) *Nature of goods*— Pesticides, herbicides, insecticides, fungicides, rodenticides, preparations for destroying vermin.

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

(77) *Address*— Syngenta European Region Al Centre, Priestley Road, Surrey Research Park, Guildford, Surrey GU2 7YH, United Kingdom.

(74) C/o M/s. Hunter & Greig Advocates, P.O. Box 7026, Kampala.

(22) *Date of filing application*— 12th May, 2004.

(21) APPLICATION NO. 26798 IN PART "A".

(52) Class 33.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Alcoholic beverages.

(73) *Name of applicant*— Kampala Breweries Ltd.

(77) *Address*— P.O. Box 10545, Kampala.

(74)

(22) *Date of filing application*— 12th July, 2004.

(21) APPLICATION NO. 26797 IN PART "A".

(52) Class 33.

(54)



(53)

(59)

(64)

(57) *Nature of goods*— Alcoholic beverages.

(73) *Name of applicant*— Kampala Breweries Ltd.

(77) *Address*— P.O. Box 10545, Kampala.

(74)

(22) *Date of filing application*— 12th July, 2004.

(21) APPLICATION NO. 26799 IN PART "A".

(52) Class 33.

(54)



(53)

(59)

(54)

(57) *Nature of goods*— Alcoholic beverages.(73) *Name of applicant*— Kampala Breweries Ltd.(77) *Address*— P.O. Box 10545, Kampala.

(74)

(22) *Date of filing application*— 12th July, 2004.

(21) APPLICATION NO. 23642 IN PART "A".

(52) Class 3.

(54)



BRYLCREEM

(53)

(59)

(64) *Association*— To be associated with T.M No. 1022.(57) *Nature of goods*— Soaps; cosmetics; perfumery; hair care preparations, hair creams, hair gel, brilliantines, hair shampoo, hair lotions, hair conditioners; essential oils; dentifrices; non-medicated toilet preparations; deodorants and anti-perspirants for personal use.(73) *Name of applicant*— Buttress B.V.(77) *Address*— Vleutensevaart 100, 3532 Ad Utrecht, The Netherlands.(74) *C/o M/s. Hunter & Greig Advocates*, P.O. Box 7026, Kampala.(22) *Date of filing application*— 6th September, 2000.

(21) APPLICATION NO. 26471 IN PART "A".

(52) Class 5.

(54)

LIFE INSPIRING IDEAS

(53)

(59)

(54)

(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*— Astrazeneca AB.(77) *Address*— SE-151 85 Sodertalje, Sweden.(74) *C/o M/s. Hunter & Greig Advocates*, P.O. Box 7026, Kampala.(22) *Date of filing application*— 26th February, 2004.

(21) APPLICATION NO. 26736 IN PART "A".

(52) Class 3.

(54)

TAKKIE BRITE

(59)

(64)

(57) *Nature of goods*— Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; cleaning powder, cleaning tablets, cleaning gel and cleaning liquid for shoes.(73) *Name of applicant*— Kiwi European Holdings B.V.(77) *Address*— Vleutensevaart 100, 3532 AD Utrecht, The Netherlands.(74) *C/o M/s. Hunter & Greig Advocates*, P.O. Box 7026, Kampala.(22) *Date of filing application*— 23rd June, 2004.

(21) APPLICATION NO. 26739 IN PART "A".

(52) Class 9.

(54)

DURATA

(53)

(59)

(64)

(57) *Nature of goods*— Batteries; batteries for lighting; solar batteries; batteries; mobile phone; storage batteries; battery chargers; computer sockets and other contact (electric connections); electric loudspeaker cabinets; all included in class 9.(73) *Name of applicant*— Sichuan Huajing Guomao Industrial Co. Ltd.(77) *Address*— No. 3 Sandonqiao Road, Jinniu District, Chengdu, Sichuan, China.(74) *C/o M/s. Hunter & Greig Advocates*, P.O. Box 7026, Kampala.(22) *Date of filing application*— 23rd June, 2004.Kampala,
19th July, 2004.MAUDAH ATUZARIRWE,
Assistant Registrar of Trade Marks.

ADVERTISEMENTS

THE REGISTRATION OF TITLES ACT, 1964.
(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 11 Plot No. 227 at Kabowa.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Edith Kamese Namirembe & Livingstone Kantinti (administrators of the estate of the late Samuel Bulayi A/c 259/96 Magistrate's Court), a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,
19th July, 2004.OPIO ROBERT,
for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 209 Plot 56 Approximately 1.0 Acre at Bwaise.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Ivan Kafero Mayanja Mambule of P.O. Box 95, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala, OPIO ROBERT,
22nd July, 2004. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyaggwe Block 39 Plot 11 Area 44.40 Acres at Kabawala.

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

Mukono, CHRISTINE NAMIREMBE KATENDE,
20th July, 2004. *for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Bugerere Block 129 Plot 275, Area 14.0 Acres at Nazigo Estate.

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

Mukono, CHRISTINE NAMIREMBE KATENDE,
27th May, 2004. *for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 471 Folio 9 Plot 36, Gabula Road, Jinja.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Mohamed Al-Harazi of P.O. Box 124, Jinja, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala, SARAH KUSHIMA,
28 July, 2004. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 922 Folio 2, Land at Adropi, Adjumani.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Tobias Urri of P.O. Box 56, Adjumani, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala, KUSHIMA SARAH,
16th July, 2004. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 366 Folio 1, Plot No. 322 Kampala.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Judith Engweddu of P.O. Box 14148, Kampala, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala, ROBERT V. NYOMBI,
15th July, 2004. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 221 Plot No. 1562 at Nalyako.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Deogratius Sserwanga Kaliisa of P.O. Box 9610, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala, OPIO ROBERT,
21st July, 2004. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 2921 Folio 12, Plot No. 4 Anyiri Road, Nebbi.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of John Kayompatho of P.O. Box 13, Nebbi, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala, SARAH KUSHIMA,
28 July, 2004. *for Commissioner Land Registration.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Block 8 Plot 62 at Kanyinya.

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

Kukungiri,
1st March, 2004.

J.K KARUHANGA,
for Chief Registrar of Titles.

THE COMPANIES ACT [CAP 110] LAWS OF UGANDA
IN THE MATTER OF WINDING UP OF
MUDDU AWULIRA ENTERPRISES LIMITED

COMPANIES CAUSE NO. 14 OF 2004

PLEXUS COTTON LIMITEDPetitioner

Versus

MUDDU AWULIRA ENTERPRISES
LIMITED.....Respondent

NOTICE OF APPOINTMENT OF INTERIM RECEIVER

NOTICE IS HEREBY given to the general public that upon petition of M/s Plexus Cotton Limited preferred upon court and upon hearing Mr. Charles Odere and Mr. Edmund Wakida counsel for the petitioner, Mr. Nester Byamugisha counsel for Uganda Ginners and Exporters Association Limited [UGCEA] and Mr. Sam Mayanja counsel for Opecot [E.A], Mr. William Kasozi for M/s Stanbic Bank [U] Limited and in the presence of Mr. James Nangwala, court by order dated the 14th day of July, 2004 appointed the Official Receiver the provisional liquidator of the respondent company under Section 238 of the Companies Act.

The public is notified that no director, employee or person is authorized to act in any way on behalf of the company without written authority from the Interim Liquidator.

Address:

Crane Chambers
2nd Floor- Room A8
Tel: 345727

Samanya Tweaze
for: Official Receiver/Interim Liquidator
MUDDU AWULIRA ENTERPRISES LIMITED

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 401 Plot 272 at Bwebajja.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of John Johnson Kamulegeya of P.O. Box 189, Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,
28th April, 2004.

OPIO ROBERT,
for Commissioner Land Registration.

IN THE HIGH COURT OF UGANDA AT KAMPALA

ADMINISTRATION CAUSE NO. 840 OF 2004

IN THE MATTER OF THE LATE NAMAGANDA AIDA
MEEME TAYEBUUZA OF KISIMBIRI CENTRAL
ZONE WAKISO DISTRICT

AND

IN THE MATTER OF THE PETITION FOR A GRANT
OF LETTERS OF ADMINISTRATION BY ANNET
NANTUME (DAUGHTER) OF THE DECEASED

TO WHOM IT MAY CONCERN

TAKE NOTICE that an application for a grant of letters of administration of the estate of the late NAMAGANDA AIDA MEEME TAYEBUUZA has been lodged in the Honourable Court by ANNET NANTUME (Daughter) for a grant of letters of administration of the estate of the deceased.

This court will proceed to grant letters of Administration to the applicant if no caveat is lodged in this court within 14 days from the date of publication of this notice unless cause be shown to the contrary.

Dated at Kampala this 15th day of July, 2004.

ROY BYARUHANGA,
Deputy Registrar Family.

STATUTORY INSTRUMENTS SUPPLEMENT
to The Uganda Gazette No. 36 Volume XCVII dated 23rd July, 2004.

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

STATUTORY INSTRUMENTS.

2004 No. 41.

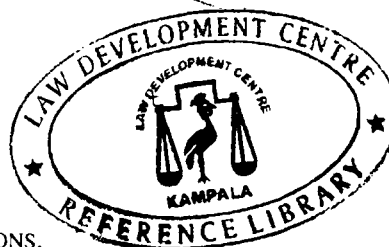
THE UGANDA COMMUNICATIONS (ENFORCEMENT
PROCEDURES) REGULATIONS, 2004.

ARRANGEMENT OF REGULATIONS.

Regulation.

PRELIMINARY.

1. Citation.
2. Interpretation.
3. Purpose.



INVESTIGATION OF VIOLATIONS.

4. Duty of Commission to ensure compliance.
5. Investigations.

ENFORCEMENT.

6. Complaints.
7. Action by Commission.
8. Revocation of licence.
9. Confiscation of equipment, etc.
10. Return of seized equipment.

PENALTIES.

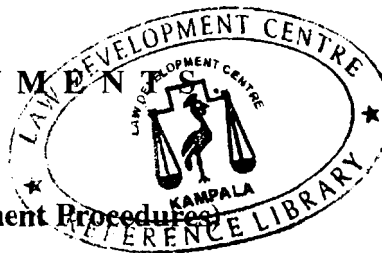
11. Minor violations.
12. Major violations.
13. Serious violations.

STATUTORY INSTRUMENTS

2004 No. 41.

**The Uganda Communications (Enforcement Procedures)
Regulations, 2004.**

*(Under sections 5(1) (f) and 94 (1) of the Uganda Communications
Act Cap. 106)*



IN EXERCISE of the powers conferred on the Uganda Communications Commission by sections 5(1) (f) and 94 (1) of the Uganda Communications Act, these Regulations are made this 17th day of May, 2004.

PRELIMINARY.

1. These Regulations may be cited as the Uganda Communications (Enforcement Procedures) Regulations, 2004. Citation.

2. In these Regulations, unless the context otherwise requires— Inter-pretation.

“Act” means the Uganda Communications Act;

“Commission” means the Uganda Communications Commission established by the Act;

“Court” means a court of competent jurisdiction;

“Executive Director” means the Executive Director of the Commission;

“guidelines” means guidelines published from time to time by the Commission in the *Gazette*;

“licence” means a licence issued under the Act;

“licensee” means a holder of a licence issued under the Act;

“regulations” means regulations made under the Act.

Purpose.

3. The purpose of these Regulations is to ensure compliance in the communications sector by all people in Uganda, to spell out the tools for investigations of violations and to prescribe the penalties for non-compliance with these Regulations.

INVESTIGATION OF VIOLATIONS.

Duty of
Commission
to ensure
compliance.

4. It is the duty of the Commission to use the best practicable means to ensure that the provisions of the Act, regulations and licences are complied with.

Investig-
ations.

5. (1) In carrying out investigations in respect of non-compliance under the Act, regulations and licences, the Commission shall employ the following tools—

(a) letters of inquiry to initiate an investigation into a matter or to gather more information during the course of an ongoing investigation;

(b) initiated surveillance, field inspection and investigations by the Commission which shall be carried out in response to a complaint or at the Commission's own motion.

(2) The recipient of a letter of inquiry under subregulation (1) (a) shall be required to respond to the inquiry within ten working days after receipt of that letter.

(3) The results of an investigation under subregulation (1) (b) shall lead to any of the following actions—

(a) no further action but advice to the owner of the inspected facilities;

(b) issuing a further letter of inquiry requesting for additional information;

(c) issuing a notice of violation requiring an explanation in respect of the violation; or

(d) imposition of monetary fines under section 5(1) of the Act.

ENFORCEMENT.

6. (1) Any person may lodge a complaint with the Executive Director on grounds that a licensee, competitor, consumer or other interested party has violated the provisions of the Act, the regulations or a licence. Complaints.

(2) When lodging a complaint under subregulation (1), it shall not be necessary for the complainant to show or prove any personal loss or injury or discomfort caused by the violation.

(3) On receiving a complaint under subregulation (1), the Executive Director shall take all reasonable steps to ensure that the violation is abated or controlled, and that these Regulations are complied.

7. Where the Commission has established that a violation of the provisions of the Act, regulations or a licence has occurred, the Commission shall do all or any of the following— Action by
Commission.

(a) issue a warning where the violation warrants a warning, informing the party to take steps to ensure compliance in future, failure of which may lead to a more severe enforcement action;

(b) impose monetary fines under section 5(1) (f) of the Act for violations according to the guidelines and the party concerned shall be notified of the fine and be required to pay the fine within thirty days from the date of the order requiring the party to pay the fine;

(c) enter into a consent agreement in lieu of a fine, under which the offending party shall take steps to ensure compliance;

(d) issue an order requiring a party to cease any act of non-compliance with the Act, regulations and licence provisions.

Revocation
of licence.

8. The Executive Director may at any time, commence proceedings to revoke the licence of a licensee that has violated the provisions of the Act, regulations or a licence if he or she is satisfied that those provisions have not been complied with, or where, despite warnings, the offending licensee continues to violate the Act, regulations or relevant provision of the licence.

Confiscation
of
equipment,
etc.

9. (1) The Executive Director may seize, impound or confiscate any property, tool, equipment or other instrument that is unlawfully possessed, installed, connected or operated in accordance with the Act.

(2) The owner of any property seized, impounded or confiscated under these Regulations shall be responsible for the costs incurred in the confiscation.

Return of
seized
equipment.

10. (1) Where any property, tool, equipment or other instrument is seized, impounded or confiscated under regulation 9, the owner or person using that property, tool, equipment or other instrument may at any time, in writing, apply to the Executive Director requesting for the return of the property, tool, equipment or other instrument to him or her.

(2) Upon receipt of an application under subregulation (1), the Executive Director may return the property, tool, equipment or other instrument or part of it upon being satisfied that the prescribed fine has been paid to the Commission and the return of the equipment is not likely to lead to a further violation of the provisions of the Act, regulations or licence.

(3) Nothing in this regulation prevents the Executive Director from returning the property, tool, equipment or other instrument to which this regulation applies without being requested to do so.

PENALTIES.

Minor
violations.

11. For the purposes of imposing fines under section 5(1) (f) of the Act and the guidelines, the following constitute minor violations—

- (a) failing to furnish the Commission with the required records or information;
- (b) failing to keep proper accounting records;
- (c) ceasing operations without notice to the Commission.

12. For the purposes of imposing fines under section 5(1) (f) of the Act and the guidelines, the following constitute major violations—

Major violations.

- (a) exceeding the authorized antennae height;
- (b) exceeding the authorized power limits;
- (c) failing to engage in the required frequency coordination.

13. For the purposes of imposing fines under section 5(1) (f), of the Act and the guidelines, the following constitute serious violations—

Serious violations.

- (a) operating any communications services without a licence;
- (b) advertising or placing a notice, mark or word which may reasonably lead the public to believe that the advertiser is the holder of a licence;
- (c) violating the provisions of the Act relating to equality of treatment and non denial of service;
- (d) using unauthorized frequencies or equipment; and
- (e) importing or marketing unauthorized communications equipment.

ABEL KATAHOIRE,
Chairperson,
Uganda Communications Commission.

STATUTORY INSTRUMENTS SUPPLEMENT
to *The Uganda Gazette No. 36 Volume XCVII dated 23rd July, 2004.*
Printed by UPPC, Entebbe, by Order of the Government.

STATUTORY INSTRUMENTS.

2004 No. 42.

THE CAPITAL MARKETS (FUND MANAGERS)
REGULATIONS, 2004.

ARRANGEMENT OF REGULATIONS

Regulation.

PART I—PRELIMINARY.

1. Citation.
2. Application.
3. Interpretation.

PART II—FINANCIAL REQUIREMENTS AND
RECORDS OF BUSINESS.

4. Financial requirements
5. Records to be maintained and preserved.
6. Reporting obligations.

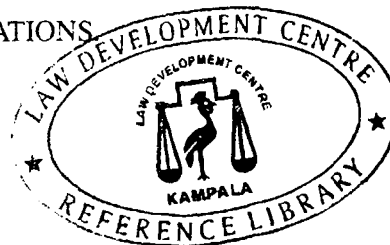
PART III—CONDUCT OF FUND MANAGEMENT BUSINESS.

7. Conduct of fund management business.
8. Custodian of investment funds.
9. Duties of a custodian.
10. Retirement of a custodian.
11. Removal of a custodian.

SCHEDULES.

FIRST SCHEDULE—Contents of Financial Statements to be
submitted by Fund Managers.

SECOND SCHEDULE—Form of a Fund Management Contract.



STATUTORY INSTRUMENTS .

2004 No. 42.

The Capital Markets (Fund Managers) Regulations, 2004.

(Under section 101 of the Capital Markets Authority Act, Cap. 84)

IN EXERCISE of the powers conferred on the Capital Markets Authority by section 101 of the Capital Markets Authority Act, these Regulations are made this 13th day of May, 2004. Cap. 84.

PART I—PRELIMINARY.

1. These Regulations may be cited as the Capital Markets (Fund Managers) Regulations, 2004. Citation.

2. These Regulations apply to fund managers licensed under the Capital Markets Authority Act and who are permitted by the Authority, as part of their business, under a contract or arrangement with a client to undertake on behalf of the client, whether on a discretionary authority granted by the client or otherwise, the management of a portfolio of securities for the purpose of investment. Application.

3. (1) In these Regulations, unless the context otherwise requires— Inter-pretation.

“Act” means the Capital Markets Authority Act, Cap. 84;

“financial year” means the period of twelve months from January to December, unless otherwise approved by the Authority upon the application of the fund manager;

“fund manager” means an investment adviser licensed under the Act that is permitted by the Authority, as part of its business under a contract or arrangement with a client to undertake on behalf of the client, whether on a discretionary authority granted by the client or otherwise, the management of a portfolio of securities for the purpose of investment;

“management of a portfolio for the purposes of investment” means—

- (a) the buying, selling or otherwise dealing in securities on behalf of another person;
- (b) an offer or an agreement regarding the buying, selling or dealing in securities on behalf of another person, irrespective of whether a fund manager is required to exercise its discretion; or
- (c) the implementation on behalf of another person of a decision to buy, sell or deal in securities; but not performance of any function as a manager of a collective investment scheme licensed under the Collective Investment Schemes Act, 2002;

“portfolio of securities” includes—

- (a) securities listed on a stock exchange outside Uganda;
- (b) units in a collective investment scheme approved by the Authority;
- (c) units in a foreign collective investment scheme;
- (d) funds intended to be invested or which are in any way whether directly or indirectly invested in any of the financial instruments referred to in paragraphs (a), (b) and (c);
- (e) any other instruments that the Authority may prescribe from time to time as being securities;

“working capital” means the difference between the current assets and current liabilities of the fund manager, excluding clients’ accounts.

(2) Any word, term or expression used in these Regulations, and which has been defined in the Act, has the meaning assigned to it by the Act.

PART II—FINANCIAL REQUIREMENTS AND ACCOUNTING RECORDS.

4. (1) The level of shareholders' funds (paid up share capital and reserves) of the fund manager shall not fall below one hundred and fifty million shillings at any time during the licence period.

Financial
require-
ments.

(2) The paid up share capital of a fund manager shall always be unimpaired and shall not be advanced to the directors or associates of the fund manager.

(3) The working capital of a fund manager shall not fall below twenty percent of the required minimum share capital or three times the average monthly operating costs, whichever is higher.

(4) Unsecured advances, loans and other financial facility to directors or associates of a fund manager shall be made out of shareholders' funds that are in excess of the prescribed minimum shareholders' funds: except that such loans shall not exceed ten percent of the shareholders' funds at any time.

(5) The ratio of a fund manager's bank overdraft to the paid-up capital shall not exceed twenty percent at any time.

5. (1) Every fund manager shall maintain and preserve for a period of seven years. the following records—

Records to
be
maintained
and
preserved.

(a) journals, including cash receipts and disbursement records, and any other records or original entry forming the basis of entries in any ledger;

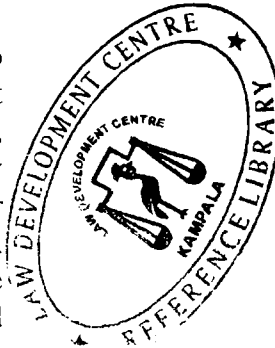
(b) general and auxiliary ledgers, or other comparable records reflecting assets, liabilities, reserves, capital, income and expense accounts;

(c) a record or memorandum of each order given by a fund manager for the purchase or sale of securities, or any instruction received by a fund

manager from a client concerning the purchase, sale, receipt or delivery of a particular security, and of any modification or cancellation of any such order or instruction; and the record shall—

- (i) show the terms and conditions of the order, instruction, modification or cancellation;
 - (ii) identify the person connected with the fund manager who recommended the transaction to the client and the person who placed the order;
 - (iii) show the account for which the order was entered, the date of entry, and the broker by or through whom the order was executed, where appropriate; and
 - (iv) show orders entered pursuant to the exercise of a discretionary power on account of management of investment portfolios, in which case a record of details of the contract giving such power entered into with clients and constituents of the portfolio, transaction fees agreed with the client and the value of the portfolio shall be included;
- (d) all cheque books, folios, bank statements, cancelled cheques and cash reconciliations of the fund manager;
- (e) all bills, statements, or copies of such statements or copies, paid or unpaid relating to the business of the fund manager;
- (f) originals of all written communication received from clients and copies of all written communication sent by the fund manager relating to—
- (i) any recommendations made or proposed to be given;

- (ii) any receipts, disbursement or delivery of funds or securities; and
- (iii) the placing or execution of any order to purchase or sell any security; except that where a fund manager sends any notice, circular or other advertisement offering any report, analysis, publication or other investment advisory services to more than ten persons, the fund manager shall not be required to keep a record of the names and addresses of the persons to whom any such notice, circular or other advertisement was sent; and where such notice, circular or advertisement is distributed to persons named on any list, the fund manager shall retain a copy of the notice, circular or advertisement, record or memorandum describing the list and the source of the list;
- (g) a list or other record of all accounts in relation to which the fund manager is vested with any discretionary power with respect to the funds, securities or transactions of any client;
- (h) all evidence of the granting of any discretionary authority by any client to the fund manager, or copies of such evidence;
- (i) all written agreements or copies of such agreements entered into by the investment manager with any client or otherwise relating to the investment manager's business;
- (j) a copy of each notice, circular, advertisement, newspaper article, investment letter, bulletin or other communication recommending the purchase or sale of a specific security that the fund manager circulates or distributes, directly or indirectly, to ten or more persons, and where such



notice, circular, advertisement, newspaper article, investment letter, bulletin or other communication does not state the reasons for the recommendation, a memorandum from the fund manager indicating the reasons;

(k) all advertisements by the fund manager and all records, worksheets and calculations necessary to form the basis for performance data in such advertisements;

(l) a record of every transaction in a security in which the fund manager or any of the fund manager's employees acquire any direct or indirect beneficial ownership, stating the title and amount of the security involved, the date, whether the transaction was a purchase or sale or other acquisition or disposition, the price at which it was effected, and the name of the broker with or through whom the transaction was effected;

(m) a copy of each written statement, any amendment or revision of such statement given or sent to any client or prospective client of the fund manager and a record of the date that the statement was given or offered to be given; and

(n) such other records as may be determined by the Authority.

(2) The records specified in subregulation (1) shall be subject to inspection from time to time and without notice, by the Authority.

(3) Every fund manager shall preserve and maintain clients' records of securities or funds and, where required, produce for inspection by the Authority such books, records and ledgers, or other accepted accounting and additional records as may be required by the Authority.

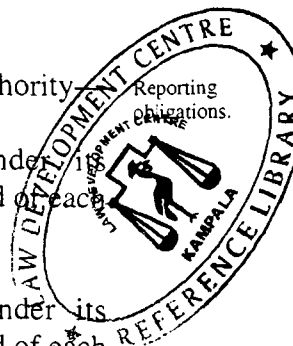
(4) Every fund manager shall segregate the securities of each client and mark the securities to identify the particular client having the beneficial interest in such securities.

6. (1) Every fund manager shall submit to the Authority

- (a) quarterly reports of the portfolio under its management within thirty days of the end of each calendar quarter;
- (b) half yearly reports of the portfolio under its management within thirty days of the end of each half-year, including reports of its own financial performance;
- (c) annual reports of the total value of the portfolio under its management including the number of clients; and
- (d) audited annual financial statements for its operations including the information prescribed in the First Schedule to these Regulations.

(2) The financial statements submitted under this part, shall be accompanied by an auditor's report on the accounts addressed to the Authority and shall state whether—

- (a) the annual financial statements of the fund manager have been prepared and audited in accordance with international financial reporting standards;
- (b) the respective annual financial statements have been properly prepared in accordance with the Act and these Regulations;
- (c) in the case of the balance sheet, a true and fair view of the financial affairs of the fund manager is provided as at the end of the financial year;



- (d) in the case of the income and expenditure statements, a true and fair view of the income and expenditure for the financial year, of the fund manager is given;
- (e) the fund manager has, throughout the financial year, kept proper accounting records in accordance with the requirements of the Act and these Regulations;
- (f) the fund manager has, throughout the financial year, kept customers money properly segregated in accordance with the Act and these Regulations;
- (g) the balance sheet and the income and expenditure statement are in agreement with the accounting records of the fund manager;
- (h) the auditor has obtained all the information and explanations that, to the best of the auditor's knowledge and belief, are necessary for the purposes of the audit; and
- (i) the fund manager has maintained throughout the financial year, systems adequate for the safekeeping of documents of title, or documents evidencing title, to securities of its customers in accordance with the Act, these Regulations and any guidelines that may be issued by the Authority from time to time.

(3) Notwithstanding the provisions of subregulation (1), the Authority may require such other form of financial statements as it may from time to time specify.

PART III—CONDUCT OF FUND MANAGEMENT BUSINESS.

Conduct of
fund
management
business.

7. (1) No fund manager shall—

- (a) recommend to a client to whom investment, supervisory, management or consulting services are provided, the purchase or sale of any security without reasonable grounds to believe that the recommendation is suitable for the client on the basis of information furnished by the client after reasonable inquiry concerning the client's investment objectives, financial situation and needs, and any other information known or acquired by the fund manager after reasonable examination of the client's financial records;
- (b) place an order to purchase or sell a security for the account of a client without written authority to do so;
- (c) place an order to purchase or sell a security for the account of a client upon instruction of a third party without first having obtained a written third-party authorization from the client;
- (d) exercise any discretionary power in placing an order for the purchase or sale of securities for a client without obtaining written discretionary authority from the client;
- (e) induce trading in a client's account that is excessive in size or frequency in view of the financial resources, investment objectives and character of the account;
- (f) misrepresent to any client, or prospective client, its qualifications or misrepresent the nature of the advisory services being offered or fees to be charged for such service, or omit to state a material fact necessary to make the statements regarding qualifications, services or fees, in light of the circumstances under which they are made, not misleading;

- (g) provide a report or recommendation to any client prepared by someone other than the fund manager without disclosing that fact;
- (h) fail to disclose to clients in writing before any advice is rendered, any material conflict of interest relating to the fund manager or any of the fund manager's employees that could reasonably be expected to impair the rendering of unbiased and objective advice, including—
 - (i) compensation arrangements connected with advisory services to clients that are in addition to compensation from those clients for such services; or
 - (ii) charging a client an advisory fee for rendering advice where a commission for executing securities transactions pursuant to such advice will be received by the fund manager or his or her employees;
- (i) guarantee a client that a specific result will be achieved arising from the advice that will be rendered, except in the case of fixed income securities;
- (j) publish, circulate or distribute any advertisement which does not comply with the Act;
- (k) disclose the identity, affairs or investment of any client to any third party unless required by any written law, a court order or the authority to do so, or unless consented to by the client;
- (l) enter into, extend or renew any fund management contract unless the contract contains the information set out in the Second Schedule to these Regulations and discloses in substance, the services to be provided, the term or duration of the contract, the advisory fee, the formula for computing the fee, the amount of the prepaid fee

to be returned in the event of contract termination or non-performance, whether the contract grants discretionary power to the fund manager and that no assignment of the contract shall be made to the fund manager without the consent of the other party to the contract;

(m) fail to register all securities marketed and offered to clients by the fund manager or otherwise inform the client that the securities offered to them have not been approved by the Authority.

(2) Any information provided by fund managers to clients through newsletters and advertisements shall be factual and accurate.

(3) No fund manager shall loan money to a client unless the client is an affiliate of the fund manager.

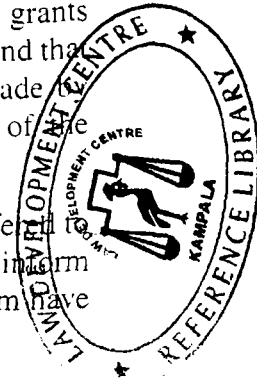
(4) A fund manager may not contract or engage any advisory or management services on behalf of an investment portfolio without prior written approval of the client concerned; and fund manager shall remain liable for—

(a) any act or omission of the sub-contracted fund manager;

(b) the fees and expenses of any such person, which expenses shall not be payable out of the fund of the portfolio investments; and

(c) any expenses incurred by any such person, which if incurred by the fund manager, would have been payable out of the fund of the investment portfolio.

(5) When accepting an order from a client, the fund manager shall inform the client of all constituent parts of the relevant service agreement prior to executing the order, and shall cause the client to give the fund manager a written declaration to confirm the order.



(6) The fund manager shall be fair and equitable in the event of any conflict of interest that may arise in the course of the fund manager's duties.

Custodian
of
investment
funds.

8. (1) A fund manager that manages funds, over which its client has not appointed a custodian, shall appoint a custodian approved by the Authority for the assets of the fund.

(2) A custodian of an investment portfolio may, in relation to a fund manager, be a holding company or a subsidiary company within the meaning of those terms as defined in the Companies Act, Cap 110, or be an entity deemed by the Authority to be otherwise under the control of substantially the same persons or consist substantially of the same shareholders; except that the investment in a related company shall be limited to ten percent of the total funds managed by the fund manager.

(3) The Authority may direct a fund manager to revoke the appointment of a custodian if the custodian at any time after its appointment ceases to carry out its functions honestly, efficiently or fairly.

Duties of a
custodian

9. (1) A custodian shall render custodial services to the investment portfolio managed by the fund manager in accordance with a written service agreement between the custodian and the fund manager; and the custodial services shall include—

- (a) taking into its custody or under its control all the property of the clients of the fund manager and holding the property in trust for the clients in accordance with the provisions of the written service agreement; except that cash and registerable assets shall be registered in the name of or to the order of the clients by the custodian;
- (b) receiving and keeping in safe custody, title documents, securities and cash amounts of the investment portfolio;

- (c) opening an account in the name of each client for the exclusive benefit of the relevant investment portfolio;
- (d) transferring, exchanging or delivering in the required form and manner, securities held by the custodian upon receipt of proper instructions from the fund manager;
- (e) requiring from the fund manager, such information as the custodian deems necessary for the performance of its functions as a custodian;
- (f) promptly delivering to the fund manager or to such other persons as the fund manager may authorise, copies of all notices, proxies, proxy soliciting materials received by the custodian in relation to the securities held in the fund account, all public information, financial reports and investor communications the custodian may receive from the issuers of securities and all other information the custodian may receive, as may be agreed between the custodian and the fund manager;
- (g) exercising subscription, purchase or other similar rights represented by the securities subject to receipt of proper instructions from the fund manager;
- (h) exercising the same standard of care that it exercises over its own assets in holding, maintaining, servicing and disposing of property and in fulfilling obligations in the agreement;
- (i) where title to investments are recorded electronically, ensuring that entitlements of the clients of the fund manager are separately identified in the records of entitlement maintained by the custodian.

(2) A custodian shall, in executing its duties under subregulation (1), exercise the degree of care expected of a prudent professional custodian for hire.

(3) A custodian discharging its contractual duties to a fund manager shall not contract agents to discharge those functions except where a portion of the investment portfolio is invested in offshore investments, in which case the custodian may engage the services of an overseas sub-custodian approved by the fund manager with notification of the appointment to the Authority.

(4) The agreement referred to in subregulation (1) between the custodian and the fund manager shall provide for the computation of the fee in respect of custodial services and such provision shall be disclosed to the clients by the fund manager in the annual report.

Retirement
of a
custodian.

10. (1) A custodian shall not retire voluntarily except upon the appointment of a successor approved by the Authority.

(2) Where a custodian desires to retire or ceases to be approved as a custodian by the Authority, the fund manager may, with the approval of the Authority, appoint another eligible person to be a custodian in its place.

Removal of
a custodian.

11. (1) A custodian may be removed by the fund manager by notice in writing addressed to the custodian where -

- (a) the custodian goes into liquidation, other than a voluntary liquidation, for the purpose of reconstruction or amalgamation or where a statutory manager or a receiver is appointed over any of its assets;
- (b) the custodian ceases to carry on the business of a custodian;
- (c) the custodian fails or neglects, after reasonable notice from the fund manager, to carry out or satisfy any duty imposed on the custodian in accordance with the service agreement; or

- (d) the directors of the fund manager, by resolution, duly resolve that such notice be given, and the fund manager with the approval of the Authority appoints as custodian some other approved custodian.

(2) On receipt by the custodian of the notice referred to in subregulation (1), the service agreement between the fund manager and the custodian shall be deemed to have been terminated.

(3) Upon the termination of a service agreement under subregulation (2), or from the date of a winding up order issued by a court against the custodian, the custodian shall hand over all assets, documents and funds, including funds from bank accounts of the fund manager held by the custodian, to the custodian appointed in writing by the fund manager and approved by the Authority within thirty days from the date of such termination.

(4) The custodian shall submit to the Authority an audit report indicating the assets and liabilities and an inventory of the investment portfolio, securities and title documents of the assets which have been handed over, transferred and delivered to the newly appointed custodian within twenty days from the termination of the service agreement in accordance with subregulation (2).

SCHEDULES.

FIRST SCHEDULE

CONTENTS OF FINANCIAL STATEMENTS TO BE SUBMITTED BY FUND MANAGERS

Regulation 6(1) (d)

1. The following information shall be disclosed in the income statement where applicable—

(a) income, including—

- (i) commissions;
- (ii) consultancy income;
- (iii) dealing income;
- (iv) advisory income, including restructuring and corporate finance;
- (v) asset management fees;
- (vi) underwriting fees;
- (vii) income from other services; and
- (viii) finance income;

(b) expenditure, including—

- (i) directors' emoluments;
- (ii) staff costs;
- (iii) rent and maintenance;
- (iv) depreciation;
- (v) audit fees;
- (vi) administrative expenses; and
- (vii) finance expenses.

2. The following shall be disclosed in the balance sheet—

- (a) property, plant and equipment;
- (b) motor vehicles;
- (c) investments;
- (d) deposits and prepayments;

- (e) share capital;
- (f) revenue reserves;
- (g) directors' loans;
- (h) shareholders' loans; and
- (i) amounts due to clients.

SECOND SCHEDULE.

FORM OF INVESTMENT MANAGEMENT CONTRACT

Regulation 7(1) (l)

Basic Information to be contained in every fund management contract.

1. Every fund management contract entered into between a fund manager and a customer shall contain information about each of the following—

- (a) that the fund manager is regulated in its fund management business by the Capital Markets Authority;
- (b) the nature of services that the fund manager proposes to provide;
- (c) in respect of any remuneration payable to the fund manager—
 - (i) the basis of the calculation;
 - (ii) how it is to be paid and collected;
 - (iii) how frequently it is to be paid; and
 - (iv) whether or not any fees, commissions or remunerations are receivable by the fund manager (or to its knowledge by its associate) in connection with any transaction effected by the fund manager with or for the customer;
- (d) when and how the contract is to enter into force;
- (e) with respect to services under the contract the arrangement for—
 - (i) the giving of instructions to the fund manager;
 - (ii) acknowledging those instructions;
- (f) the arrangements for accounting to the customer for any transactions affected on his or her behalf;
- (g) how the contract may be terminated including a statement that—

- (i) the termination will be without prejudice to the completion of transactions already initiated; and
 - (ii) the customer may terminate contract by written notice to the fund manager, which may take effect immediately upon receipt or upon the expiry of a stated minimum period;
 - (iii) the fund manager has a right to terminate the contract upon the giving of a period of notice, and stating the minimum period, if any, of the notice;
 - (iv) the fund manager has a right to terminate the contract after an agreed period of time, or upon the happening of specified event;
- (h) that upon termination—
- (i) the manner in which transactions already in progress are to be dealt with;
 - (ii) a statement that no additional payment will be required to be made to the fund manager in respect of the termination; except that the fund manager may charge the customer with respect to periodic fees accrued and due, any additional expenses incurred by the fund manager on termination of the contract and any losses directly incurred in settling or concluding outstanding obligations;
- (i) guidance on the procedure to be followed in the event that a customer wishes to complain to the fund manager; including a statement that the customer has a right to complain directly to the Authority;
- (j) the customer's rights to compensation in the event that a fund manager is unable to meet any of its liabilities to the customer, or a reference to the availability of a statement describing those rights;
- (k) the customer's investment objectives;
- (l) any restrictions that may be applicable, where relevant, on—

- (i) the types of investments in which the customer wishes to invest;
 - (ii) the markets on which the customer wishes transactions to be effected; or
 - (iii) a statement that there are no such restrictions;
- (m) the manner in which advice is to be given;
- (n) a warning in respect of any service relating to investments—
- (i) that are not readily realisable;
 - (ii) for which there is no recognised market; and
 - (iii) which it may be difficult to deal in; or
 - (iv) in respect of which it may be difficult to obtain reliable information about their value or the extent of the risk associated with such investments;
- (o) where any of the services or investments to be entered into by the customer is in a currency other than the currency of the customer's assets, a warning that a movement of exchange rates may have a separate effect, unfavorable as well as favorable, on the gain or loss otherwise experienced by the customer;
- (p) a statement that the fund manager will disclose to the customer any transactions in which it has an interest or in respect of which there may be a conflict of interest in acting for the customer and the nature of the relationship or interest;
- (q) where the fund manager is to manage a portfolio—
- (i) the initial value of the portfolio;
 - (ii) the initial composition of the managed portfolio; and
 - (iii) the period of account for which statements are to be provided in accordance with these Regulations.

**Additional information to be contained in every fund
management contract that confers discretionary powers on the
fund manager (discretionary contract).**

2. Every discretionary contract must in addition to the relevant provisions stated in paragraph 1, contain information on each of the following—

(a) the restrictions, if any, on—

(i) the amount of any one investment; and

(ii) the proportion of a portfolio which any one investment or any particular kind of investment may constitute;

(b) whether—

(i) the fund manager may for a portfolio acquire or dispose of units in a collective investment scheme either operated or advised by the fund manager or an associate of the fund manager; and

(ii) the portfolio may include securities of which an issue or offer for their sale was underwritten, managed or arranged by the fund manager or an associate of the fund manager during the preceding twelve months;

(c) the frequency of any periodic statements of the contents and valuation of a portfolio (which in any case should not be less than once every twelve months), and whether those statements will include some measure of performance of the portfolio, and if so, what the basis of that measure will be;

(d) the basis on which the assets comprised in the portfolio is to be valued;

(e) whether the fund manager may commit the customer to supplement the funds in the portfolio, including borrowing on its behalf, provided such borrowing does not contravene regulation 4 (3) and—

(i) the circumstances in which the fund manager may do so;

(ii) whether there are any limits on the extent to which the fund manager may do so and if so, what those limits are; and

(iii) any circumstances in which those limits may be exceeded;

(f) whether the fund manager may commit the customer to any obligation to underwrite any issue or offer for sale of securities, and if it may do so—

(i) whether there are any restrictions on the categories of securities which may be so underwritten, and if so, what those restrictions are; and

(ii) whether there are any financial limits on the extent of such underwriting, and if so, what those limits are.

LEO KIBIRANGO,
Chairman, Capital Markets Authority.

**STATUTORY INSTRUMENTS
SUPPLEMENT No. 23**

23rd July, 2004

STATUTORY INSTRUMENTS SUPPLEMENT
to The Uganda Gazette No. 36 Volume XCVII dated 23rd July, 2004.
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 .

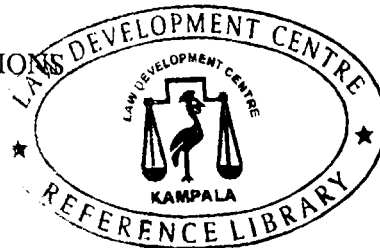
2004 No. 43.

**THE CAPITAL MARKETS (CROSS BORDER INTRODUCTIONS)
REGULATIONS, 2004.**

ARRANGEMENT OF REGULATIONS

Regulation.

1. Citation.
2. Interpretation.
3. Application for approval of an Introduction.
4. Contents of Information Memorandum.
5. Fees not refundable.
6. Repeal of S. I. No.17 of 2001.



SCHEDULES.

FIRST SCHEDULE—Eligibility Criteria for Applicants.

SECOND SCHEDULE—Contents of Information Memorandum.

THIRD SCHEDULE—Fees.

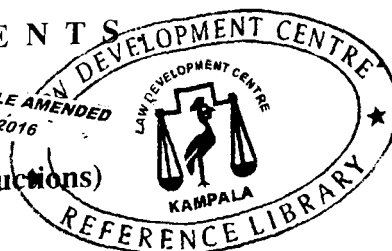
**THIRD SCHEDULE AMENDED
BY S.I. 24/2010**

STATUTORY INSTRUMENTS

2004 No. 43.

3RD SCHEDULE AMENDED
SEE S.I No. 3/2016

The Capital Markets (Cross Border Introductions) Regulations, 2004



(Under section 101 of the Capital Markets Authority Act, Cap. 84)

IN EXERCISE of the powers conferred on the Capital Markets Authority by section 101 of the Capital Markets Authority Act, Cap. 84, these Regulations are made this 13th day of May, 2004.

1. These Regulations may be cited as the Capital Markets (Cross Border Introductions) Regulations, 2004. Citation.

2. (1) In these Regulations, unless the context otherwise requires— Inter-pretation.

“Act” means the Capital Markets Authority Act, Cap. 84;

“eligible applicant” means a body corporate, which satisfies the criteria for eligibility specified in the First Schedule;

“Information Memorandum” means a document accompanying an application for approval of an Introduction, and containing the information outlined in the Second Schedule;

“Introduction” means the listing of securities, which are already listed and trading on a stock exchange in another jurisdiction;

“primary exchange” means the stock exchange in the jurisdiction where the applicant’s shares were first listed;

“primary jurisdiction” means the jurisdiction in which the applicant first listed its securities on a stock exchange;

“primary regulator” means the securities regulator in the primary jurisdiction.

(2) Any word, term or expression used in these Regulations, and which has been defined in the Act, has the meaning assigned to it by the Act.

Application
for approval
of an
Introduction.

3. (1) An eligible applicant may apply to the Authority for the approval of an Introduction.

(2) An application under subregulation (1) shall be accompanied by—

- (a) an Information Memorandum;
- (b) a letter of “No Objection” from the applicant’s primary regulator;
- (c) a letter of “No Objection” from the applicant’s primary exchange;
- (d) in the case where the applicant is a bank or an insurance company or any other regulated corporate body, a letter of “No Objection” from the relevant regulatory authority; and
- (e) the fees specified in the Third Schedule.

Contents of
Information
Memo-
randum.

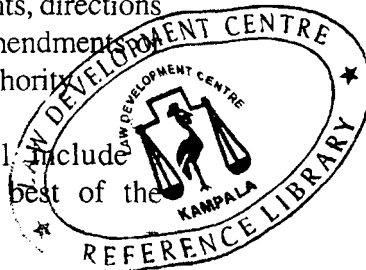
4. (1) An Information Memorandum submitted to the Authority for approval of an Introduction shall contain the information specified in the Second Schedule.

(2) The Authority may, in its discretion, waive, modify or dispense with any criterion specified in the First Schedule or any requirement to disclose any of the information specified in the Second Schedule.

(3) The Authority may require an applicant to furnish such further information or documentation, as the Authority may deem necessary for purposes of the application for an Introduction.

(4) An Information Memorandum shall not be published or distributed without compliance with any amendments, directions made or issued by the Authority, unless any such amendments or directions have been withdrawn in writing by the Authority.

(5) An Information Memorandum shall include a declaration by the applicant stating that to the best of the applicant's knowledge and belief—



(a) all the information required to be included in the Information Memorandum under these Regulations or by an amendment or directive made or issued by the Authority has been so included; and

(b) there are no other facts bearing on the application, which in the applicant's knowledge and belief should be disclosed to the Authority.

5. (1) The Authority shall not receive an application for approval of an Information Memorandum unless it is accompanied by the prescribed fees. Fees not refundable.

(2) Any fees paid under these Regulations are non refundable notwithstanding that—

(a) the Authority does not approve the Information Memorandum; or

(b) the applicant withdraws the Information Memorandum before it is approved.

6. The Capital Markets (Prospectus Requirements) (Amendment) Regulations, 2001, is repealed. Repeal of S. I. No.17 of 2001.

FIRST SCHEDULE
ELIGIBILITY CRITERIA FOR APPLICANTS

Regulation 2, 3(1)

An applicant for the approval of an Introduction shall meet the following criteria—

Incorporation.

1. The applicant must either be—

(a) a company limited by shares and registered as a public company under the companies law of its primary jurisdiction; or

(b) a foreign company registered as operating in Uganda in accordance with the Companies Act, Cap 110.

Size.

2. The applicant must have—

(a) a minimum authorized, issued and fully paid up capital of not less than Uganda Shillings One Billion upon currency conversion at the prevailing exchange rate;

(b) net assets of not less than Uganda Shillings Two Billion upon currency conversion at the prevailing exchange rate; and

(c) at least one hundred thousand shareholders comprising at least 20% of the total shareholding.

Transferability of shares.

3. The applicant's shares must be freely transferable and subject to any restrictions on marketability of pre-emption rights.

Financial records.

4. (1) The applicant must have published audited financial statements complying with International Financial Reporting Standards for an accounting period of at least five years ending on a date not longer than three months prior to the proposed introduction.

(2) If more than three months have elapsed since the end of the applicant's last accounting period for which financial statements have been prepared, the applicant must prepare unaudited interim financial statements from the end of the last accounting period.

(3) The period covered by the unaudited interim financial statements should not exceed six months.

(4) The applicant must have prepared audited financial statements for the latest accounting period on a going concern basis and the accompanying audit report must not contain any emphasis of matter or qualifications.

(5) At the date of the application, the applicant must not be in breach of any loan covenants (if it has any).

5. As at the date of the application and for a period of at least two years prior to the date of the application, none of the directors of the applicant should have—

Suitability
of directors.

(a) any petition under bankruptcy laws filed against him or her (for individual directors) or any winding up petition pending (for corporate directors);

(b) any criminal proceedings in which he or she has been convicted of fraud or any felony;

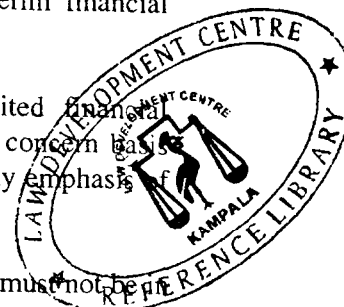
(c) been a subject of any ruling of a court of competent jurisdiction or any governmental body, the effect of which is to permanently or temporarily prohibit him or her from acting as a fund manager, director, broker, dealer or employee of any financial institution or engaging in any business practice or activity.

6. The applicant must have declared profits after tax attributable to shareholders in at least three of the last five completed accounting periods prior to the proposed date of the introduction.

Profitability
and future
prospects.

7. The applicant must not be insolvent.

Solvency
and
adequacy of
working
capital.



SECOND SCHEDULE

Regulation 2, 4(1), 4 (2)

CONTENTS OF INFORMATION MEMORANDUM.

Caution
statement.

1. An Information Memorandum shall contain, on its first page, a caution statement to the effect that—

- (a) the Information Memorandum has been delivered to the Capital Market Authority for approval, but that the securities that are the subject of the Information Memorandum have neither been approved nor disapproved by the Authority;
- (b) the information Memorandum has been delivered to the Registrar of Companies for registration;
- (c) permission has been granted by the Authority to introduce the securities which are the subject of the Information Memorandum, through the listing on an approved stock exchange;
- (d) approval of the Information Memorandum by the Authority is not an indication of the merits of the Company nor its shares;
- (e) the directors of the applicant have taken reasonable care to ensure that the information contained in the Information Memorandum is in accordance with the Regulations issued by the Authority and that there are no other facts bearing on the application, which, in the directors' knowledge and belief, should be included in the Information Memorandum; and that the directors take responsibility for the information in the Information Memorandum;
- (f) that the Information Memorandum does not constitute an offer or invitation to any person to subscribe for or purchase any new shares in the applicant;
- (g) that the Information Memorandum is not marketing any new shares held by the applicant;

(h) that prospective investors must pay due attention to the risk factors outlined in the Information Memorandum.

- | | |
|---|---|
| 2. An Information Memorandum must contain an accurate executive summary of all its key contents and information. | Executive summary. |
| 3. An Information Memorandum must contain key information pertaining to the applicant's share and capital structure including—
(a) the authorised share capital;
(b) the extent to which the authorised share capital is fully paid up;
(c) the registered number of shareholders in the primary market;
(d) the par value and classes of the shares;
(e) the form in which the shares are evidenced, whether by bearer certificate or otherwise. | Key information. |
| 4. An Information Memorandum must contain a clear summary of the applicant's business, its corporate structure, details of its key products and services and those of its subsidiaries if any, as well as alliances and joint ventures. | Business of the applicant. |
| 5. An Information Memorandum must contain all the risks pertaining to the business of the applicant and to any of its subsidiaries. | Risk factors. |
| 6. (1) An Information Memorandum must contain a summary of the rights attaching to the shares of the applicant, and in particular—
(a) the extent of voting rights, entitlement to share in profits of the applicant, and, in the event of liquidation, rights to surpluses and other special rights as well as any shareholder obligations;
(b) any material limitation or qualifications on the rights of the applicant's shares and details of such limitation or qualification;
(c) in the event of more than one class of shares, information required under paragraph 3 shall be given for each class. | Rights and obligations of shareholders. |

Mergers and
acquisitions.

7. (1) An Information Memorandum must include details of any mergers and acquisitions agreed upon but not concluded or not reflected in the accounts of the issuer.

(2) In the case of subparagraph (1), the applicant shall include the following details—

- (a) the date of the acquisition or agreement;
- (b) the consideration and payment terms;
- (c) any outstanding payments;
- (d) details of the value of the property and valuation methods employed;
- (e) any goodwill paid and how the goodwill was accounted for;
- (f) the nature and title of interest acquired or to be acquired; and
- (g) details of the vendors.

Information
on bankers
and other
advisers.

8. An Information Memorandum must include details of the bankers of the applicant and the names of advisors of the applicant.

Information
on service
providers.

9. An Information Memorandum must include details of custodians, registrars and paying agents in the jurisdiction of primary listing, in Uganda and in any other jurisdiction where the applicant is seeking admission on a stock exchange.

Legal
opinion.

10. An Information Memorandum must include a legal opinion on the status and operations of the applicant, including—

- (a) any bankruptcies, receiverships or similar proceedings in the preceding three years;
- (b) the nature and results of any mergers and acquisitions in the preceding three years;
- (c) a summary of the relevant provisions of the memorandum and articles of association;
- (d) an opinion on major licenses and consents;
- (e) an opinion on the validity of ownership of any land, plant and equipment;

(f) any material litigation within and outside Uganda;

11. An Information Memorandum must include details of the modalities and procedures of trading and settlement of the applicant's shares in the Ugandan market.

Trading and settlement procedures.

12. An Information Memorandum must include details of all the applicant's directors and members of senior management, including their qualifications, business experience, expertise and number of shares held in the applicant.

Information relating to directors and senior management.

13. An Information Memorandum must include details of the applicant's authorised capital, including a statement of opinion by its directors on whether the capital is adequate for the purposes of the business of the applicant and its subsidiaries, any extent of inadequacy and the proposed manner in which those inadequacies are to be financed.

Capital of the applicant.

14. An Information Memorandum shall include details of the applicant's borrowing powers including—

Borrowing powers of the applicant.

(a) the borrowing powers of its parent and that of its subsidiaries exercisable by its directors;

(b) the manner in which such borrowing powers may be varied;

(c) the circumstances under which the borrowing powers have been exceeded in the preceding three years, if applicable;

(d) any exchange controls or other restrictions on the borrowing powers of the applicant or any of its subsidiaries.

15. (1) The Information Memorandum must include the debt profile of the applicant including—

Debt of the applicant.

(a) the total amount of loan capital outstanding in all members of the group,

(b) that amount of loan capital created but unissued;

- (c) details of term loans distinguishing between guaranteed and unguaranteed, secured or unsecured loans;
 - (d) all off-balance sheet financing by the applicant and any of its subsidiaries;
 - (e) details of any bank overdrafts, liabilities under acceptances (other than normal trade bills) acceptance credits, hire purchase commitments and finance leases;
 - (f) details of any loans made for the benefit of any of the applicant's directors, chief executive or senior management; and
 - (g) the details of all material loans extended by the applicant or any of its subsidiaries.
- (2) In the case of the debt profile, the applicant must include—
- (a) names of the lenders, not being debenture holders;
 - (b) amounts, terms and conditions of repayment or renewal;
 - (c) rates of interest payable on each item;
 - (d) details of security if any;
 - (e) details of conversion rights if any; and
 - (f) in the case of debts payable within twelve months, details of how payments will be financed.
- (3) In the case of material loans, the applicant must include—
- (a) the date of the loan;
 - (b) the borrower;
 - (c) the rate of interest payable;
 - (d) details of any interest in arrears;
 - (e) the period of the loan;
 - (f) any security held;
 - (g) if the loan is unsecured, the reasons why it is unsecured;
 - (h) the value of the security and valuation methods employed; and
 - (i) in the case where the loan is extended to another company, the details of the directors of that company.

(2) For the avoidance of doubt, where any of the details required in this paragraph do not apply to the applicant, an appropriate negative statement to the that effect should be included in the Information Memorandum.

16. (1) An Information Memorandum shall include details of any land, estates, plants, machinery and fixed assets owned by the applicant and the applicant must give details of any land, estates, plant, machinery and fixed assets disposed of by it or any of its subsidiaries during the last 5 years.

Land and
fixed assets.

(2) In the case of disposals, the applicant must state—

- (a) the consideration paid;
- (b) any outstanding consideration payable;
- (c) any goodwill paid and how it is to be accounted for;
- (d) the valuation of the property and the valuation methods employed.

17. An Information Memorandum shall include details of any material contract entered into in the last preceding two years, not being a contract in the ordinary course of business.

Material
contracts.

18. (1) An Information Memorandum shall include the audited financial statements five accounting periods preceding the proposed date of the Introduction.

Financial
statement
for the
preceding
five
accounting
periods.

(2) Where the financial statements are prepared in a currency other than the Uganda shilling, the applicant should give details of the exchange rate between the financial reporting currency and the Uganda shilling, as follows—

- (a) the latest practicable rate;
- (b) the high and low exchange rates for each month during the previous six months;
- (c) for the five financial years and any subsequent interim accounting period, the average rates for each period calculated by using the average of the exchange rates on the last day of each month during the period.

Share
performance.

19. An Information Memorandum shall include details of the market price history of the applicants shares in the last five preceding years in all the exchanges in which it is listed at the time of the application, including—

- (a) the annual high and low prices for each of the five years;
- (b) the high and low market prices for each financial quarter of the most recent two years; and
- (c) the high and low market prices for each of the most recent six months.

Dividend
policy and
modalities
of payment.

20. An Information Memorandum shall include details of the applicant's dividend policy, the modalities of payment, and the time limit after which entitlement to dividends lapses and any arrangements under which future dividends are waived or have been agreed to be waived.

Listing.

21. An Information Memorandum shall include details of other stock exchanges where the applicant's shares are already listed, information on whether admission to list will or is being sought; including, if known, the date on which the shares will be admitted to the stock exchange and on which dealings will commence.

Governing
law.

22. An Information Memorandum shall state that the Laws of Uganda shall be applicable to the application for Introduction.

Tax policy.

23. An Information Memorandum must include a statement of the tax payable on income from the transfer of shares, both in the primary jurisdiction and in Uganda, including whether the applicant assumes the responsibility for withholding of tax at source.

Accomp-
anying
documents.

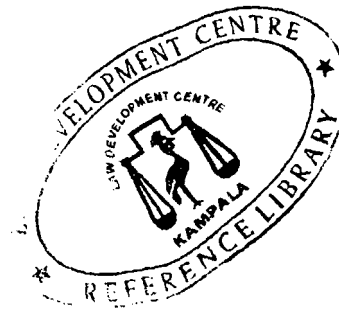
24. An Information Memorandum shall be accompanied by the following documents—

- (a) certified copies of the applicant's Certificate of Incorporation;
- (b) certified copies of the Memorandum and Articles of Association;
- (c) copies of material contracts if any; and

(d) copies of all required authorisations from professional advisors.

25. An Information Memorandum must contain any other additional information as may be required or directed to be included by the Authority, including any proposed amendments or clarifications.

Additional
information
required by
the
Authority.



THIRD SCHEDULE

* THIRD SCHEDULE AMENDED
BY S.I. 24/2010

FEEs

Regulation 3 (e)

Amount

For the lodgement of an Information
Memorandum for an Introduction

U.Shs. 25,000,000

3rd SCHEDULE AMENDED
SEE S.I. No. 3/2016

LEO KIBIRANGO,
Chairman, Capital Markets Authority.

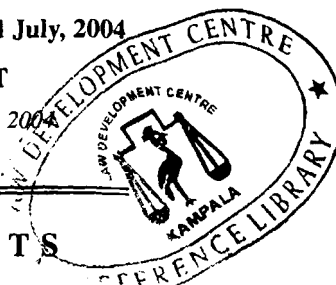
**STATUTORY INSTRUMENTS
SUPPLEMENT No. 23**

23rd July, 2004

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 36 Volume XCVII dated 23rd July, 2004

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



STATUTORY INSTRUMENTS

2004 No. 44.

The Water Statute (General Rates) Instrument, 2004

(Under the Water Statute, Statute 9, 1995)

IN EXERCISE of the powers conferred upon the Minister by section 107(2)(q) of the Water Statute, this instrument is made this 8th day of July, 2004. Statute 9 of 1995.

1. This instrument may be cited as the Water Statute (General Rates) Instrument, 2004 and shall be deemed to have come into force on the 1st day of July, 2004 Title and commencement date.

2. The rates specified in the second column of the First Schedule hereto shall be the rates payable in respect of consumers specified in the first column thereof, in the towns in which National Water and Sewerage Corporation supplies water and provides sewerage services as specified in the Second Schedule hereto.

3. The above mentioned rates will be subject to annual indexation against the domestic price index, exchange rate, foreign price index and the electricity tariff. Indexation of the NWSC Tariff.

The indexation will be carried out on a financial year basis and will apply on the 1st July of each year. The indexation will be based upon the following formular.

$$T_0 (a\Delta I + b\Delta F I \Delta F X + c\Delta K) = T_1$$

Whereby

- T_0 = Tariff level at end of year zero.
a = Proportion of tariff associated with local salaries, and locally sourced goods based on the previous years audited financial Accounts.
 Δ = Change.
I = Domestic retail price index as published by the Bureau of Statistics and based on the underlying inflation rate.
b = the proportion of the tariff associated with foreign costs, i.e. foreign inputs in the production process based on the previous years audited financial accounts.
FI = Foreign retail price index based on the US Bureau of Labour Statistics.
FX = US Dollar to shilling exchange rate based on the Bank of Uganda mid exchange rate as at the 30th June of each financial year.
c = Proportion of tariff associated with electrical power based on % of electricity cost to total cost as a proxy. (Audited financial Accounts).
K = Price of electrical power per unit.
 T_1 = Indexed Tariff at beginning of year one.

Service
Lines.

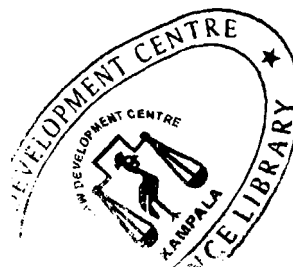
4. Effective July 2004, the NWSC will provide and maintain all water service lines to its customers. To enable the Corporation do this, all service lines shall belong to the NWSC. Accordingly, in order to defray the costs of this additional service to customers, the rates will be adjusted by an average of 10% for all customer categories except those consuming over 500 cu.m of water per month.

S.I. No. 23
of 2002.

5. The Water (General Rates) Regulations, 2002 is hereby amended accordingly.

SCHEDULES

FIRST SCHEDULE



1. WATER SUPPLY

CONSUMER CATEGORY	RATE
-------------------	------

1.1 PUBLIC STAND PIPES

(a) Unmetered	Shs. 39,075 per month
(b) Metered	Shs. 521 per cubic meter
(c) Service charges	Shs. 2,000 per month

1.2 RESIDENTIAL BUILDINGS

(a) Unmetered	
1 tap	Shs. 4,836 per month
2-4 taps	Shs. 14,508 per month
5-8 taps	Shs. 24,180 per month
Over 8 taps	Shs. 36,270 per month
(b) Metered	Shs. 806 per cubic meter
(c) Service Charges	
1/2"	Shs. 1500 per month
3/4"	Shs. 2000 per month
1"	Shs. 5000 per month
Yard tap	Shs. 2000 per month

1.3 INSTITUTIONS AND GOVERNMENT

(a) Unmetered	Shs. Assessed on estimated Consumption at metered rates
(b) Metered	Shs. 993 per cubic meter
(c) Service Charges	
1/2"	Shs. 2,000
3/4"	Shs. 3,000
1"	Shs. 5,000
2"	Shs. 8,000
3"	Shs. 10,000
4"	Shs. 15,000
6"	Shs. 20,000

1.4 MAJOR INDUSTRIAL AND COMMERCIAL

(a) Metered

First 500 cubic meters per month	...	Shs. 1,379 per cu meter
501 – 1500 cubic meters per month	...	Shs. 1,421 per cu meter
Over 1500 cubic meters per month	...	Shs. 1,324 per cu meter

(b) Unmetered	Assessed on estimated consumption at metered rates.
---------------	-------	---

(c) Service Charges		Shs.
1/2"	.....	2,000
3/4"	.....	5,000
1"	.....	7,500
2"	.....	10,000
3"	.....	15,000
4"	.....	20,000
6"	.....	30,000

1.5 MINOR INDUSTRIAL AND COMMERCIAL

(a) Metered	Shs. 1,379 per cu meter
-------------	-------	-------------------------

(b) Unmetered	Assessed on estimated consumption at metered rates.
---------------	-------	--

(c) Service charges		Shs.
1/2"	.....	2,000
3/4"	.....	5,000
1"	.....	7,500
2"	.....	10,000
3"	.....	15,000
4"	.....	20,000
6"	.....	30,000

1.6 MIXED COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND/OR DOMESTIC

Where water is supplied on a common connection to mixed commercial, industrial, institutional and/or domestic premises, all water will be charged at the highest tariff rate applicable.

2.0 CONNECTION FEES

(Up to 50 meters from the NWSC service point, all materials and other costs including road reinstatement to be met by the Corporation. The cost in excess of 50 meters to be met by applicant).

1/2"	supply	.....Shs.	50,000
3/4"	supply	.....Shs.	100,000

CONSUMER CATEGORY

1"	supply	.....	Shs.	200,000
2"	supply	.....	Shs.	750,000
Above 2"	supply	.....	Shs.	1,500,000

3.0 RECONNECTION FEES

After disconnection for non-payment of water charges

All connections below 2"	.....	Shs.	10,000
Connections 2" and above	.....	Shs.	20,000

4.0 PENALTIES

(a) Where a consumer makes an illegal connection, removes or by passes a meter Shs. 400,000
plus a charge for water consumed during the last 24 months.

(b) Damage of installed water meter

1/2"	.....	Shs.	50,000
3/4"	.....	Shs.	70,000
1"	.....	Shs.	115,000
1 1/2"	.....	Shs.	258,000
2"	.....	Shs.	287,000
3"	.....	Shs.	300,000
4"	.....	Shs.	418,000
6"	.....	Shs.	485,000

(c) Destruction of water meter.....Actual cost of replacement.

5.0 DEPOSITS

The Corporation is empowered to take deposits for water and sewerage services calculated at six months estimated charges.

6.0 BULK WATER RATES

The Bulk Water Supply tariff shall be levied on authorised operators who will re-sell the water to consumers through a piped water distribution net work. It shall be determined by the Corporation depending on the area of supply but shall not exceed 800 shillings per cubic meter.

CONSUMER CATEGORY

7.0 SEWERAGE SERVICES

7.1 Sewerage charges for all properties connected to sewers.

(a) Domestic	75% of water charge
(b) Other categories	100% of water charge

7.2 Connection Fees

(All materials and other costs including road reinstatement to be met by applicant).

	Shs.
4"	100,000
6"	125,000
over 6"	167,000

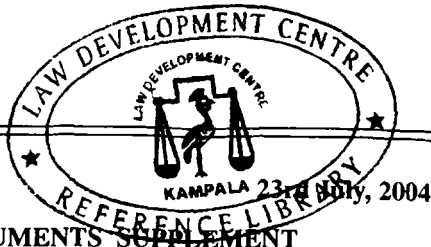
SECOND SCHEDULE

TOWNS IN WHICH NWSC SUPPLIES
WATER AND PROVIDES SEWERAGE SERVICES

1. Kampala (including Kajjansi and Nansana)
2. Jinja/Njeru
3. Entebbe
4. Mbarara
5. Tororo
6. Mbale
7. Masaka
8. Lira
9. Gulu
10. Fort Portal
11. Kasese
12. Kabale
13. Bushenyi/Ishaka
14. Arua
15. Soroti
16. Mukono
17. Lugazi
18. Iganga
19. Malaba

COL. KAHINDA OTAFIIRE,
Minister of Water, Lands and Environment.

STATUTORY INSTRUMENTS
SUPPLEMENT No. 23



STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 36 Volume XCVII dated 23rd July, 2004.

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

STATUTORY INSTRUMENTS

2004 No. 45.

The Electoral Commission (Appointment of Date of Completion of Update of Voters' Register in Kamuli District) Instrument, 2004.

Under section 19 (7) and (8)(a) of the Electoral Commission Act, Cap 140 (as amended).

IN EXERCISE of the powers conferred upon the Commission by section 19 (7) and (8)(a) of the Electoral Commission Act, 1997 (as amended), this Instrument is made this 14th day of July, 2004.

Act No. 4
of 2002.

1. This Instrument may be cited as the Electoral Commission (Appointment of Date of Completion of Update of Voters' Register in Kamuli District) Instrument, 2004.

Citation.

2. The 26th day of July, 2004 is hereby appointed as the date upon which the Commission shall complete the exercise of updating the Voters' Register for purposes of the Local Government council election/by-election in Kamuli District.

Appoint-
ment of date
of
completion.

3. For purposes of paragraph 2 of this Instrument, after the appointed date no application form in Kamuli District shall be accepted by the Electoral Commission, seeking—

No
application
accepted
after
appointed
date.

(a) to register as a voter; or

(b) to transfer to a new voting location.

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