

Authority

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General Notice No. 286 of 2004.

MINISTRY OF ENERGY AND MINERAL DEVELOPMENT

GUIDELINES ON LICENSING OF PETROLEUM FACILITIES AND OPERATORS

(General Notice issued under Section 6 of the Petroleum Supply Act, 2003)

#### Introduction

In January 2003 the Ministry of Energy and Mineral Development (the Ministry) wrote to the Kampala City Council (KCC) to stop issuing new licences for construction of petroleum retail stations. Suspension of licences was for purposes of ensuring that development of new petrol stations in Kampala is in accordance-with the new guidelines to be issued by the Ministry. These guidelines are intended to serve that purpose.

#### **Policy Context**

In 1994 Government adopted a policy of free market economy driven by the private sector. Price control and bureaucratic resource allocations were abolished. Government also privatized its interests in the three oilmarketing companies, which were nationalized in the 1970s.

The Energy Policy for Uganda was adopted in 2002. The Policy covers, inter alia, the downstream petroleum ubsector. After adoption of the Policy, the Ministry Simulated a new legal framework to regulate the subsector in the principles of a free market with open access and fair ompetition. Industry regulation is therefore focused mainly n health, safety and environmental (HSE) standards; unless here are elements of unfair competition in the market.

he main goal of the Energy Policy is to meet energy needs f the population in an environmentally sustainable manner. he broad Policy objectives with respect to the downstream stroleum subsector are to:

- (a) establish demand for the resource;
- (b) increase access to modern affordable and reliable energy services;
- (c) improve energy governance and administration;

(d) stimulate economic development; and

(e) manage energy-related environmental impacts.

The strategy for achieving the above broad policy objectives are:

- (i) to prepare database on petroleum resources and build local capacity to acquire, access and evaluate the resource;
- (ii) to attract private capital and management in provision of petroleum services.;
- (iii) to promote and encourage competition;
- (iv) to create a transparent legal and regulatory framework:
- (v) to ensure energy supply security and reliability;
- (vi) to promote petroleum trade within the region; and
- (vii) to strengthen environmental monitoring in the sector.

These guidelines are intended to implement the Energy Policy in the above context.

#### Legal Context

The Petroleum Supply Act, 2003 (the Act) was enacted and came into force in November 2003. The Act repealed the Petroleum Act, Cap 97 of the 1964 Laws of Uganda and the Uganda Oil Board Statute of 1991. The Act also revoked the Petroleum Filling Stations Rules, S.I. 27-29 issued under the Urban Authorities Act, Cap 27 of the 1964 Laws of Uganda. The Act provides for anyone intending to enter the petroleum supply chain to apply to Commissioner of Petroleum the Supply (the Commissioner) for grant of a petroleum construction permit (the Permit) and/or grant of a petroleum operating license (the Licence).

For purposes of these guidelines, the petroleum supply chain covers petroleum import, export, re-export, storage, distribution and sale both at bulk consumer and retail outlets/stations.

#### **Objectives of the Guidelines**

The objective of the guidelines is to provide for a transparent, orderly and non-discriminative treatment of all applications to enter the petroleum supply chain. Existing facilities that currently do not meet the requirements of these guidelines will be required, within a given time frame, to re-align their facilities accordingly or closedown

#### **Procedure** for application

Application for a Permit and/or a Licence will be made in writing addressed to the Commissioner. Application will contain minimum information as listed below but applicants are advised to include any other information they consider will support their application.

#### Information Required

- 1. Name and address of applicant.
- 2. Corporate status of applicant; whether sole proprietorship, partnership, unincorporated business, incorporated private/ public company, association or a cooperative. If registered, a copy of the registration certificate, memorandum & articles of association or constitution, list of directors or of the executive of the company or organisation, as the case may be shall be enclosed.
- 3. Location and ownership of sites where facilities are to be built. For each site, the applicant shall indicate whether local authority approval to construct facilities has been granted. In case where property is (to be) leased or rented from third parties, copy of agreement/contracts shall be availed.
- 4. Intended source/supplier of petroleum products.
- 5. Description of the project's over-all design and layout, type(s) of pumps, product tanks, piping, forecourt, office block, availability and source of power, water supply and communication, sanitation and drainage, and fencing of the facility.
- 6. Project cost estimates including operating capital to be employed. Indication of financial & technical resources available to the applicant including proof of necessary capital.
- 7. Organization structure and qualifications & experience of personnel to be employed to operate the system.
- Undertaking to secure insurance protection against third party liability during both construction and operational phases.
- 9. A project brief giving likely and potential environmental impact of the project.
- 10. Description of surrounding area of the site for petroleum installation.
- 11. Description of safety programes, equipment and plans for protection of occupational health, industrial safety and the environment during construction and operations of the facility.

#### **Evaluation and Site Inspection**

The Commissioner will evaluate the application for suitability of the location, standards of design and safety as a petroleum facility. competence or experience of operator, adequacy of investment resources, and general financial/economic viability. The Commissioner, acting as the lead agency and in consultation with the National Environment Management Authority (NEMA). will evaluate the environmental impact of the project and advise on mitigation measures to be undertaken. The evaluation process will include inspection of the site(s).

#### **Application fees**

Application fees are necessary to facilitate evaluation of the applications for permits and licences. A fee structure will be announced and gazetted in future. For the time being no fee, will be charged or demanded.

#### Lifting of Ban in Kampala

With the issuance of these guidelines, the earlier ban construction of new petrol stations in Kampala is hereby lifted. However, new stations must be constructed in line with these guidelines.

#### Guidelines are Interim

These Guidelines are interim and shall serve unit. Regulations are issued under the Petroleum Supply Ar. 2003. The Guidelines may be amended by the Minister.

SYDA N. M. BBUMBA (MRS), (MP).Minister of Energy and Mineral Development,Amber House.29/33 Kampala RoadP. O. Box 7270, KAMPALA.

May 2004.

General Notice No. 287 of 2004. THE LOCAL GOVERNMENT ACT (Cap. 243) Section 122 NOTICE PUBLICATION OF CAMPAIGN PERIOD FOR THE

#### PUBLICATION OF CAMPAIGN PERIOD FOR THE POST OF CHAIRPERSON, KALIRO TOWN COUNCIL AND KAMULI DISTRICT COUNCILLORS, KAMUL! DISTRICT

NOTICE IS HEREBY GIVEN by the Electoral Commission subject to Section 122 of the Local Government Act (Cap 243) that the period commencing 13th and ending 20th day a September, 2004. is hereby appointed campaign period in the form of joint candidates meetings for Kaliro Town Council Chairperson and Kamuli District Councillors, Kamuli District

Issued at Kampala, this 9th day of September, 2004.

ENG. DR. BADRU M. KIGGUND. Chairman, Electoral Commiss...

General Notice No. 288 of 2004.

THE LOCAL GOVERNMENT ACT. (Cap. 243) Section 122 NOTICE

#### APPOINTMENT OF CAMPAIGN PERIOD FOR KALIRO TOWN COUNCILLORS, KAMULI DISTRUT

Notice is hereby given by the Electoral Commission, subto Section 122 of the Local Governments Act (Cap 1-3) that the period commencing 17th and ending 20th air . September, 2004, is hereby appointed campaign period the form of joint candidates meetings for Town Course Councillors in the newly created Town Council of Kal-Kamuli District.

Issued at Kampala, this 9th day of September, 2004

ENG. DR. BADRU M. KIGGUND Chairman, Electoral Communication General Notic No. 289 of 2004.

#### TH COMPANIES ACT, (Cap. 110). NOTICE.

Pursuant to : ection 20 (3) of the Companies Act notice is hereby given hat Cowiconsult has by Special Resolution pussed on the 1st day of October, 2003 and with the approval of the Registrar of Companies changed its name to Cowi A/S and that such new name has been entered in my register.

DATED at Kampala, this 1st day of October, 2003.

BISEREKO KYOMUHENDO, Assistant Registrar of Companies.

General Notice No. 290 of 2004.

IN THE MATTER OF THE COMPANIES ACT CAP. 110.

AND

#### IN THE MATTER OF AN EXTRA-ORDINARY GENERAL MEETING OF AGRI-INDUSTRIAL MANAGEMENT AGENCY LTD.

#### SPECIAL RESOLUTION

At the company's extra - ordinary General Meeting duly convened and held on 27th August, 2004 at the Company's premises at Kampala and attended by all the shareholders, it was proposed and unanimously resolved as follows;

- That in consideration of the Directors Declaration of Solvency made on 3rd August, 2004 the Company be Wound-up Voluntarily and this resolution be published in the Uganda Gazette within 14 days and circulated in at least one regular Newspaper as required by law.
- 2. That Messrs Kaahwa, Kafuuzi, Bwiruka & Co. Advocates of P.O. Box 804 Fort Portal be appointed liquidators of the Company who should work in close consultation with Mr. Kakyomya Erisa (Chairman Board of Directors Uganda Tea Growers Corporation) and Mr. Turyahebwa Deo (Director Uganda Tea Growers Corporation) in determining the methods of disposing off the Company's assets.
- 3. That the renumeration of the liquidators inclusive of reimbursable expenses shall not exceed 20% of the net proceeds from realisable assets of the Company.
- 4. That the Registrar of Company be notified accordingly and this resolution be published as required by law.

Resolved this 27th day of August, 2004 at Kampala.

ERISA KAKYOMYA, Chairman, Uganda Tea Growers Corporation Shareholder

> W.K. BALISANGA APUULI Shareholder.

KABAGAMBE - KASENENE, Shareholder.

In presence of Bwiruka Richard of Kaahwa, Kafuuzi, Bwiruka & Co. Advocates. General Notice No. 291 of 2004.

#### SWABOTS LIMITED

#### THE COMPANIES ACT CAP 110

A Company Limited By Shares

In The Matter Of SWABOTS Ltd

(In Members' Voluntary Winding Up) And

In The Matter Of The Companies Act [CAP 110]

NOTICE IS HEREBY GIVEN that in pursuance of section 288 of the Act the final general meeting of the above-named company will be held at KPMG Office 1st Floor Rwenzori Courts Plot 2 & 4 Nakasero Road on 14th October 2004 at 9:00 am for the purposes of laying before such meeting the account of the winding up of the above-named company and of giving any explanation of it.

Dated this 10th day of September, 2004.

Signed

JOHN KIRUTHU, Liquidator.

A member entitled to attend and vote at the meeting is entitled to appoint a proxy to attend and vote in his or her place. A proxy need not be a member of the Company.

General Notice No. 292 of 2004.

THE TRADE MARKS ACT. (Cap. 83).

NOTICE.

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

- (21) Application No. 26393 in Part "A".
- (52) Class 11.

(54)

# KERAMAG

(53) (59)

(64)

- (57) Nature of goods— Sanitary ceramics, namely washstands, double washstands, lavatory basins, washstand columns, washstand semi-columns, bidets (wall mounted and standing models), water closets (wall mounted and standing models), flushing boxes, urinals; bath tubs, shower tubs; covers for urinals (as included in class 11); accessories, namely toilet seats; fittings for sanitary ware, including washstand batteries, tub filling- and shower batteries; shut- off and control valves; stink traps; discharge fittings; shower cubicles; shower separations; shower mountings and shower systems; parts of and fittings, components and accessories for all the aforesaid goods; and all other goods included in class 11.
- (73) Name of applicant Keramag Keramische Werke Aktiengesellschaft Kreuzerkamp.
- (77) Address- 11, D-40878, Ratingen, Germany.
- (74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.
- (22) Date of filing application-21st January, 2004.
- (21) APPLICATION NO. 26371 IN PART "A".
- (52) Class 25.
  - (54)



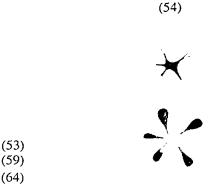
- (53)
- (59)
- (64)(57) *Nature of goods* Clothing; footwear; headgear.
- (73) Name of applicant— Unilever PLC.
- (77) Address— Port Sunlight, Wirral, Merseyside, United Kingdom.
- (74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.
- (22) Date of filing application-15th January, 2004.
- (21) APPLICATION NO. 26089 IN PART "A".
- (52) Class 30.

(54)

# PRANKSTER PEANUT BUTTERSCOTCH

- (53) Disclaimer— Registration of this Trade mark shall give no right to the exclusive use of the words "PEANUT" and "BUTTERSCOTCH" except as represented.
- (59) (64)
- (57) Nature of goods— Ice creams; waters ices; frozen confections, preparations for making the aforesaid goods.
- (73) Name of applicant— Unilever PLC.
- (77) Address- Port Sunlight, Wirral, Merseyside, England.
- (74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.
- (22) Date of filing application- 8th September, 2003.

(21) APPLICATION NO. 26370 IN PART "A".
(52) Class 3.

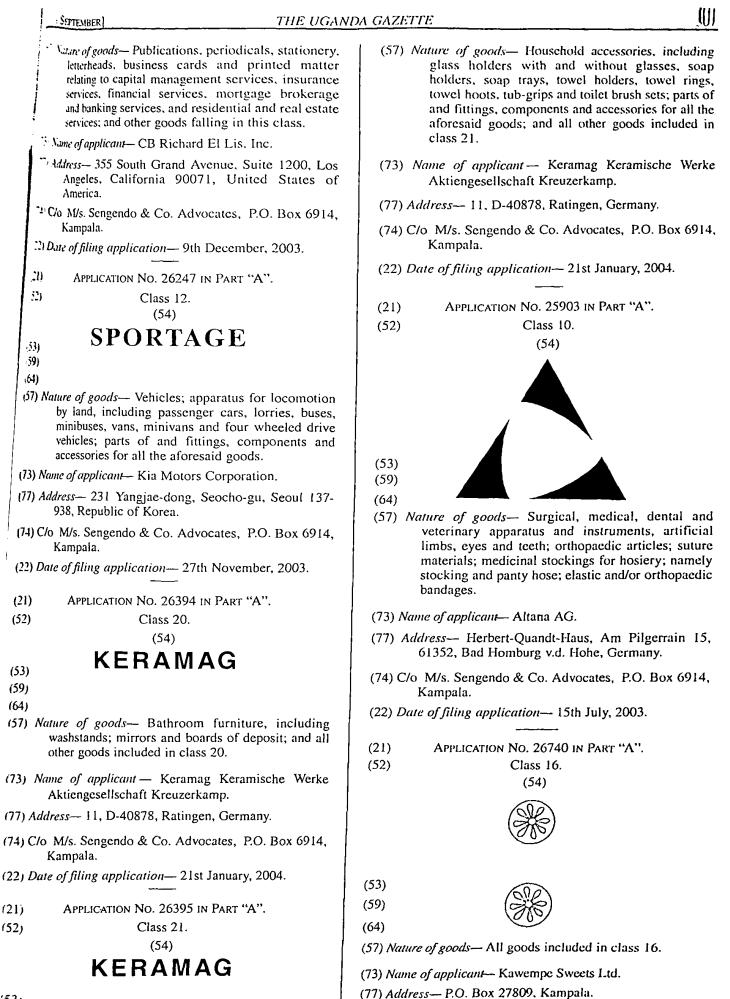


- (57) Nature of goods— Detergents; preparations and substances; all for laundry use; fabric conditioning preparations; fabric softeners; bleaching preparations; stain removing preparations; deodorizing and freshening preparations for use on clothing and textiles; soaps for brightening textiles; hand washing preparations; laundry starch; sachets and sheets for perfuming fabrics; cleaning, polishing, scouring and abrasive preparations; deodorants; scented water not for personal use.
- (73) Name of applicant- Unilever PLC.
- (77) Address- Port Sunlight, Wirral, Merseyside, United Kingdom.
- (74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914. Kampala.
- (22) Date of filing application—15th January, 2004.
- (21) APPLICATION NO. 26270 IN PART "A".
- (52) Class 29. (54)

# SHAKE THE TASTE

- (64)
- (57) Nature of goods— Meat, fish, poultry and game, cooked chicken; frozen chicken; seafood. preserved, dried and cooked fruits and vegetables. jellies, jams, fruit sauces; salads; eggs, milk products; cooking oils; pickles; dried herds potatsbased snack foods.
- (73) Name of applicant Kentucky Fried Chickes International Holdings, Inc.
- (77) Address- 1441 Gardiner Lane, Louisville, Kentuk, 40213, United States of America.
- (74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914. Kampala.
- (22) Date of filing application-4th December, 2003.
- (21) Application No. 26276 in Part "A".
- (52) Class 16. (54)



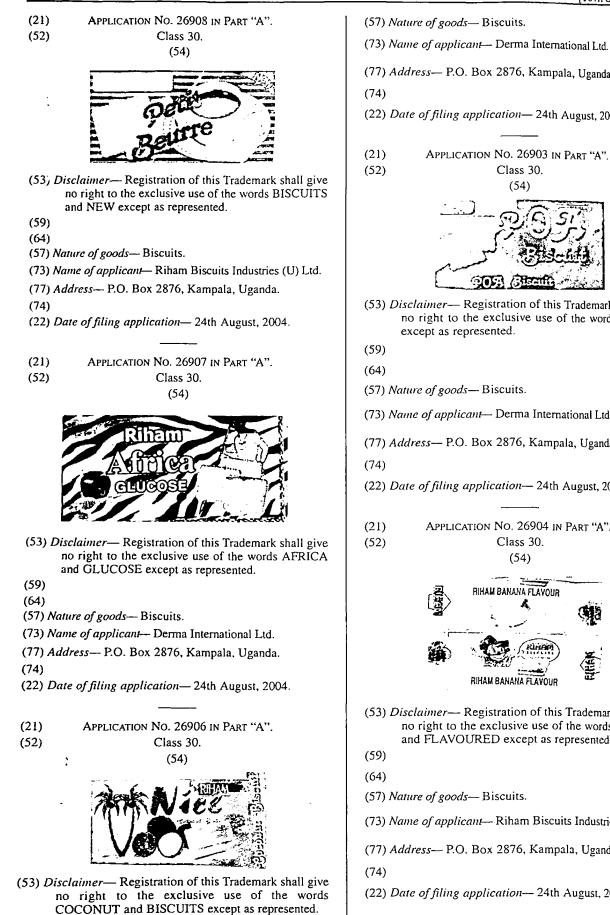


(74) C/o. Hunter & Greig Advocates, P.O. Box 7026,

(22) Date of filing application-24th June, 2004

Kampala.

- '53)
- ′**5**9)
- (64)



- (59)
- (64)

(77) Address- P.O. Box 2876, Kampala, Uganda.

(22) Date of filing application-24th August, 2004.

APPLICATION NO. 26903 IN PART "A".

(53) Disclaimer- Registration of this Trademark shall give no right to the exclusive use of the word BISCUIT

(73) Name of applicant- Derma International Ltd.

(77) Address- P.O. Box 2876, Kampala, Uganda.

(22) Date of filing application-24th August, 2004.

APPLICATION NO. 26904 IN PART "A".



- (53) Disclaimer-Registration of this Trademark shall E: no right to the exclusive use of the words BANANA and FLAVOURED except as represented.

(73) Name of applicant-Riham Biscuits Industries (U) Lin

(77) Address- P.O. Box 2876, Kampala, Uganda.

(22) Date of filing application-24th August, 2004.

Kampala, FIONA BAYIGA 6th September, 2004. Assistant Registrar of Trade Martin

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## ADVERTISEMENTS

ILMBEK]

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

windo Block 265 Plot No. 1052, Area Approx 0.10 Hatars at Bunamwaya.

NOTCE IS HEREBY GIVEN that after the expiration of one with from the publication hereof, I intend to issue in the mass of Charles Mutawe, P.O. Box 15125, Kibuye, a special Certificate of Title under the above Block and Plot, recertificate of Title which was originally issued having wealost.

Kimpala.OPIO ROBERT,Sh March, 2004.for Chief Registrar of Titles.

THE REGISTRATION OF TITLES ACT, 1964.

#### (Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register-Volume 1414 Folio 21, Plot No. 2, Along Fourth Lane, Jinja.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof. I intend to issue in the names of M/s Inja Construction and Joinery Limited of P.O. Box 364, Jinja, 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,2nd May, 2002.for Chief Registrar of Titles.

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register-Volume 148 Folio 1, Plots 18 & 20, Jumabhai Road, Soroti, Teso.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Mohamedhussein Abdulla Manji Dharas of P.O. Box 8. Soroti, 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,10th August, 2004.for Commissioner Land Registration.

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

#### NOTICE. ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Syadondo Block 212 Plot No. 650, Area Approx 0.708 Hectares at Kyebando.

NOTICE IS HEREBY GIVEN that after the expiration of one tonth from the publication hereof, I intend to issue in the ames of B.S.P Wasula Kyazze, P.O. Box 7062, Kampala, a pecial Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having een lost.

ampala, OPIO ROBERT, <sup>3</sup> 9th July, 2004. for Commissioner Land Registration.

#### THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205). NOTICE.

### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 424 Plot No. 374, Area 3.826 Hectares at Mpala.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Solomon Karamagi, P.O. Box 3743, Kampala, a special Certificate of Title under the above Block and Plot, the duplicate Certificate of Title which was originally issued having been lost.

Kampala, OPIO ROBERT, 25th August, 2004. for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kyadondo Block 244 Plot Nos. 1319 and 1321, 0.05 and 0.05 Hectare at Kisugu respectively.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Abuduherí Kawoya, P.O. Box 18002, Kayunga, 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,20th August, 2004.for Commissioner Land Registration.

THE REGISTRATION OF TITLES ACT, 1964

(Cap. 205).

#### NOTICE.

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 1032 Folio 1, Kibuga Block 7 Plot No. 441, at Kampala.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Rogers Nviiri of P.O. Box 15299, Kampala, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala, SARAH KUSIIMA, 31st August, 2004. for Commissioner Land Registration.

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

#### ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Buruli Block 46 Plot 4, Area 300.0 Acres at Zengebe.

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

Bukalasa, 3rd August, 2004. JOMBWE ISAAC. for Chief Registrar of Titles.