
BILLS**SUPPLEMENT No. 3****21st March, 2025****BILLS SUPPLEMENT***to The Uganda Gazette No. 22, Volume CXVIII, dated 21st March, 2025*Printed by UPPC, Entebbe, by Order of the Government

Bill No. 4 *Building Control (Amendment) Bill* 2025**THE BUILDING CONTROL (AMENDMENT) BILL, 2025****MEMORANDUM****1. Object of the Bill**

The object of the Building Control (Amendment) Bill, 2025 is to amend the Building Control Act, Cap. 136 to provide for the composition of the Board; to provide for the powers of the Board; to provide for the composition of Building Committees; and to streamline the procedure for approval of building permits and occupational permits.

2. Defects in existing legislation

The Bill is designed to address the gaps in the Building Control Act, Cap. 136 relating to the composition of the Board, powers of the Board, composition of Building Committees and the procedure for approval of building permits and occupation permits.

3. Remedies

The Bill therefore seeks to cure the defects by—

- (a) aligning the composition of the Board to constitute of nine members, that is a representative of the ministry responsible for works, the ministry responsible for gender, the ministry responsible for lands, the ministry responsible for local governments, the Attorney General's Chambers, two members of the public nominated by the Minister and

two representatives from selected professions; namely an engineer, an architect, a physical planner, a surveyor, and a lawyer, each nominated for appointment by the relevant professional body or association;

- (b) expanding the functions of the Board to include the function to hear and determine complaints from any person, a Building Control Officer or a Building Committee and to develop and implement a capacity building strategy for Building Committees and other stakeholders involved in building operations;
- (c) providing for the powers of the Board to issue stop or evacuation orders in circumstances where a Building Committee has failed to comply with the recommendations of the Board and safety is compromised at a building, to issue express penalties for certain offences as may be prescribed by the Minister by regulations, to guide Building Committees on procedural matters; to enter onto any land, building or site where a building operation is being carried out to enforce the Act, to make complaints to the police relating to building matters for investigation and to refer complaints concerning professionals to professional bodies for action, as appropriate;
- (d) expounding on the qualifications of the Executive Secretary of the Board as a person with professional qualifications and experience in the built environment and professional qualifications and experience in either law, management or public administration;
- (e) aligning the composition of Building Committees to include the officer responsible for engineering who shall be the Chairperson, the officer responsible for physical planning who shall be the Secretary, the officer responsible for health, the officer responsible for architecture and the officer responsible for environment management;

- (f) increasing the penalty for a person who carries out a building operation without a valid building permit issued by a Building Committee from a fine not exceeding fifty currency points or imprisonment not exceeding two years, or both to a fine of one currency point for every square meter of the built-up area or imprisonment not exceeding two years or both;
- (g) streamlining the procedure for approval of building permits and occupation permits where the Building Committee fails to make a decision on the application for a building permit or occupation permit;
- (h) prescribing the power of Building Committees to demolish or order the evacuation of buildings constructed in contravention of the Act and conditions prescribed by the Minister by regulations; and
- (i) providing for use of unconventional methods, technologies and materials for building.

In particular, the Bill seeks to align the composition of the Board and the Building Committees, increase the penalty for persons who carry out building operations without a valid building permit issued by a Building Committee and streamline the procedure for approval of building permits and occupation permits where the Building Committee fails to make a decision on an application for a building permit or occupation permit.

GEN. EDWARD KATUMBA WAMALA,
Minister of Works and Transport

THE BUILDING CONTROL (AMENDMENT) BILL, 2025

Arrangement of Clauses

Clause

1. Amendment of section 3 of the Building Control Act, Cap. 136
2. Amendment of section 8 of principal Act
3. Insertion of section 8A in principal Act
4. Amendment of section 14 of principal Act
5. Substitution of section 27 of principal Act
6. Insertion of section 28A in principal Act
7. Amendment of section 33 of principal Act
8. Amendment of section 34 of principal Act
9. Amendment of section 35 of principal Act
10. Amendment of section 36 of principal Act
11. Amendment of section 37 of principal Act
12. Amendment of section 40 of principal Act
13. Amendment of section 41 of principal Act
14. Insertion of section 41A in principal Act
15. Amendment of section 43 of principal Act
16. Amendment of section 44 of principal Act
17. Amendment of section 45 of principal Act
18. Amendment of section 46 of principal Act
19. Amendment of section 50 of principal Act
20. Amendment of section 51 of principal Act

A Bill for an Act

ENTITLED

THE BUILDING CONTROL (AMENDMENT) ACT, 2025

An Act to amend the Building Control Act, Cap. 136 to provide for the composition of the Board; to provide for the powers of the Board; to provide for the composition of Building Committees and to streamline the procedure for approval of building permits.

BE IT ENACTED by Parliament as follows:

1. Amendment of section 3 of Building Control Act, Cap. 136

The Building Control Act, Cap. 136, in this Act referred to as the principal Act is amended in section 3 by substituting for subsection (1), the following—

“(1) The Board shall consist of nine members as follows—

- (a) one representative of the ministry responsible for works;
- (b) one representative of the ministry responsible for gender;
- (c) one representative of the ministry responsible for lands;
- (d) one representative of the ministry responsible for local governments;

- (e) one representative from the Attorney General's Chambers;
- (f) two members of the public nominated by the Minister; and
- (g) two representatives from any of the following professions, nominated for appointment by the relevant professional body or association—
 - (i) an engineer;
 - (ii) an architect;
 - (iii) a physical planner;
 - (iv) a surveyor; and
 - (v) a lawyer.”

2. Amendment of section 8 of principal Act

The principal Act is amended in section 8 by inserting immediately after subparagraph (e), the following—

- “(ea) hear and determine complaints from any person, a Building Control Officer or a Building Committee;
- (eb) develop and implement a capacity building strategy for Building Committees and other stakeholders involved in building operations;”

3. Insertion of section 8A in principal Act

The principal Act is amended by inserting immediately after section 8, the following —

“8A. Powers of Board

The Board may, in the performance of its functions, exercise and discharge the following powers—

- (a) issue stop or evacuation orders in circumstances where a Building Committee has failed to comply with the recommendations of the Board and safety is compromised at a building;

- (b) issue express penalties for certain offences as may be prescribed by the Minister by regulations;
- (c) guide Building Committees on procedural matters;
- (d) enter onto any land, building or site where a building operation is being carried out to enforce this Act;
- (e) make complaints to the police relating to building matters for investigation; and
- (f) refer complaints concerning professionals to professional bodies for action, as appropriate.”

4. Amendment of section 14 of principal Act

The principal Act is amended in section 14 by substituting for subsection (2), the following—

“(2) The Executive Secretary shall be a person with professional qualifications and experience in the built environment and professional qualification and experience in either law, management or public administration.”

5. Substitution of section 27 of principal Act

The principal Act is amended by substituting for section 27, the following—

“27. Establishment of Building Committees

(1) There is established, for each District and for each Urban Council, a Building Committee which shall be a Committee of the District or Urban Council respectively.

(2) A District Building Committee or an Urban Council Building Committee established under subsection (1) shall consist of—

- (a) the officer responsible for engineering who shall be the Chairperson;

- (b) the officer responsible for physical planning who shall be the Secretary;
 - (c) the officer responsible for health;
 - (d) the officer responsible for architecture; and
 - (e) the officer responsible for environment management.
- (3) The members of a Building Committee shall—
- (a) in the case of a District, be appointed by the Chief Administrative Officer; and
 - (b) in the case of an Urban Council, be appointed by the Town Clerk.”

6. Insertion of section 28A in principal Act

The principal Act is amended by inserting immediately after section 28, the following—

“28A. Powers of Building Committees

A Building Committee shall, in the performance of its functions, have the power to demolish or order the evacuation of buildings constructed in contravention of this Act and the conditions prescribed by the Minister by regulations.”

7. Amendment of section 33 of principal Act

The principal Act is amended in section 33 by substituting for subsection (2) the following—

“(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine of one currency point for every square meter of the built-up area or imprisonment not exceeding two years or both.”

8. Amendment of section 34 of principal Act

The principal Act is amended in section 34—

- (a) by substituting for subsection (3) (a), the following—

“(3) Where the building is a multi-storied structure or building, the application shall include—

- (a) an engineering design and plans stamped by a registered structural engineer, including the name, registration number of the structural engineer and his or her signature, a copy of the registration certificate of the structural engineer and a copy of the engineering design calculations;” ; and
- (b) by inserting immediately after subsection (3), the following—

“(3a) In this section, multi-storied structure or building means a building of a height of more than six meters.”

9. Amendment of section 35 of principal Act

The principal Act is amended in section 35—

- (a) by inserting immediately after subsection (4), the following—
- “(4a) Where an application is resubmitted under subsection (4), the period for processing the application prescribed in subsection (1) shall commence from the date of resubmission of the application.
- (4b) A Building Committee may defer an application and require the applicant to submit additional information.
- (4c) Where an application is deferred under subsection (4b), the applicant shall submit the additional information within twelve months and shall not be required to make additional payment for that application.”; and

- (b) by inserting immediately after subsection (7), the following-

“(8) Where a Building Committee fails to make a decision on an application for a building permit within the period specified in this section, the applicant may make a complaint to the Chief Administrative Officer in the case of a District or the Town Clerk in the case of an Urban Council.

(9) The Chief Administrative Officer, in the case of a District or the Town Clerk in the case of an Urban Council, shall on receipt of a complaint under subsection (8), direct the Building Committee to make a decision on the application within a specified period of time not being later than thirty days from the receipt of the directive.”

10. Amendment of section 36 of principal Act

The principal Act is amended in section 36 by repealing subsection (3).

11. Amendment of section 37 of principal Act

The principal Act is amended in section 37—

- (a) by inserting immediately after subsection (2), the following—

“(2a) The application referred to in subsection (2) shall be made at least thirty days prior to the expiry of the building permit.”; and

- (b) in subsection (3), by substituting for the words “not exceeding twenty-five currency points” the words “of one currency point per square meter of the built-up area, after the expiry of the building permit”.

12. Amendment of section 40 of principal Act

The principal Act is amended in section 40 by substituting for subsection (1), the following—

“(1) A Building Committee may, where a building—

- (a) is in a state of disrepair;
- (b) is dilapidated;
- (c) is unsafe; or
- (d) is showing signs of disrepair or dilapidation,

by notice in writing, order the owner of the building to demolish the building or cause the building to be demolished at the cost of the owner or take remedial action on the building, as the case may be, to a standard determined by the Building Committee.”

13. Amendment of section 41 of principal Act

The principal Act is amended in section 41(3), by substituting for the words “not exceeding forty-eight currency points”, the words “five currency points per square meter of the area built using a prohibited method or material”

14. Insertion of section 41A in principal Act

The principal Act is amended by inserting immediately after section 41, the following—

“41A. Use of unconventional methods, technologies and materials for building

(1) The Minister may, by notice in the Gazette, on the recommendation of the Board, approve the use of unconventional methods, technologies and materials for building.

(2) The Minister shall, by statutory instrument, prescribe the procedure for the approval under subsection (1).”

15. Amendment of section 43 of principal Act

The principal Act is amended in section 43—

(a) in subsection (2), by substituting for the words “within fourteen days” the words “within thirty days”; and

(b) by inserting immediately after subsection (5), the following—

“(6) Where a Building Committee fails to make a decision on an application for an occupation permit within the period specified in this section, the applicant may make a complaint to the Chief Administrative Officer, in the case of a District, or to the Town Clerk, in the case of an Urban council.

(7) The Chief Administrative Officer, in the case of a District or the Town Clerk, in the case of an Urban Council, shall on receipt of a complaint under subsection (6), direct the Building Committee to make a decision on the application within a specified period of time not being later than fourteen days from the receipt of the directive.”

16. Amendment of section 44 of principal Act

The principal Act is amended in section 44—

(a) by substituting for the headnote, the following-

“44. Liability for causing accidents in buildings or on building construction sites”; and

(b) by substituting for subsection (1), the following-

“(1) Any person whose negligence, commission or omission causes or leads to the occurrence of an accident on a building or a building construction site, which results in the injury or death of another person or the destruction of property, commits an offence and is liable, on conviction, to a fine not exceeding

five hundred currency points or to imprisonment not exceeding twelve years, or both.”

17. Amendment of section 45 of principal Act

Section 45 of the principal Act is amended by inserting immediately after subsection (2), the following—

“(3) A person who undertakes a building operation shall comply with the National Building Code issued under this section.”

18. Amendment of section 46 of principal Act

The principal Act is amended in section 46 by inserting immediately after subsection (2), the following—

“(3) A Building Committee shall submit a report to the Board every quarter, on its activities under this Act.”

19. Amendment of section 50 of principal Act

The principal Act is amended in section 50 by substituting for the word “addressee” the words “owner of the building operation”.

20. Amendment of section 51 of principal Act

The principal Act is amended in section 51—

(a) in subsection (2)(d), by inserting immediately after the words “forty eight currency points” the words “per ten square meters of the area built up in contravention of the regulations”; and

(b) by inserting immediately after subsection (2)(f) the following—

“(fa) prescribe the procedure to be followed by the Building Committee in demolishing buildings under this Act;

(fb) prescribe the procedure for approval of use of unconventional methods, technologies and materials for building;

(fc) prescribe express penalties in respect of strict liability offences under this Act;

(fd) prescribe the procedure for resolving complaints made under this Act;”.