
BILLS**SUPPLEMENT No. 10****27th September, 2024****BILLS SUPPLEMENT***to The Uganda Gazette No. 63, Volume CXVII, dated 27th September, 2024*Printed by UPPC, Entebbe, by Order of the Government

Bill No. 76 *Energy Efficiency and Conservation Bill* **2024****THE ENERGY EFFICIENCY AND CONSERVATION
BILL, 2024****MEMORANDUM****1. POLICY AND PRINCIPLES**

The object of this Bill is to establish a legal, institutional and regulatory framework to enhance energy efficiency and conservation in Uganda. Energy efficiency entails the use of technology that requires less energy to perform the same function. Currently, energy efficiency initiatives are voluntary and lack regulation, making Uganda susceptible to becoming a dumping ground for outdated technologies, resulting in significant energy waste.

The absence of a clear regulatory framework hampers the adoption of energy-efficient technologies and practices across various sectors. Widespread use of outdated and inefficient equipment coupled with inadequate financing mechanisms restrict access to necessary funds for upgrading equipment at industrial, commercial and household level.

The unregulated use of energy-consuming technologies exacerbates the problem, driven by gaps in the existing legal frameworks that facilitate illegal energy usage. Poor operation and maintenance practices increase energy waste, while non-compliance with established

procedures and guidelines perpetuates inefficiency. Weak enforcement mechanisms and inadequate standardisation also hinder progress, as does the lack of necessary testing equipment. The lack of integration of energy management in organisational structures further contributes to this issue. The Bill seeks to address these challenges by providing a comprehensive legal framework to promote energy efficiency and conservation, ensuring the adoption of efficient technologies and practices and improving overall energy management in Uganda.

2. DEFECTS IN THE EXISTING LAW

Issues of energy management at the end user level are currently not addressed or regulated under the law. The existing legal framework does not explicitly address energy efficiency and conservation issues. For example, the Electricity Act addresses issues of energy management and supply among the utility companies licensed by the Electricity Regulatory Authority but does not address demand side management among the consumers.

The Uganda National Bureau of Standards Act, Cap. 210 does not cater to minimum energy performance standards for appliances and energy management in industries and other high energy consuming facilities. This leads to higher energy consumption in the households, commercial and industrial sectors.

With regard to the biomass sub-sector, the National Forestry and Tree Planting Act, Cap.160 focuses on the supply side of wood fuel but does not address the issue of the demand side. Currently, there are no regulations governing the manufacture, distribution and use of clean cooking efficient technologies.

In the transport sector, the Traffic and Road Safety Act, Cap. 347 does not provide for efficient utilisation of energy in the transport sector. Furthermore, the Petroleum Supply Act, Cap. 163 which regulates the

supply of fuels for transport does not cater for advancing towards a more sustainable and energy efficient future that electric vehicles offer. The absence of provisions for electric vehicles and electricity charging infrastructure hampers the widespread adoption of electric vehicles. The Bill seeks to address the current lacuna existing in the regulation of energy efficiency and to provide the institutional and legal framework for energy efficiency improvements, thus increasing adoption and compliance levels.

3. REMEDIES PROPOSED TO DEAL WITH THE DEFECTS

The Energy Efficiency and Conservation Bill, 2024 seeks to regulate the efficient and rational use of energy in Uganda, enhance energy efficiency and conservation, and prevent wasteful energy use to reduce economic and environmental burdens in Uganda.

The Bill seeks to provide remedies to the defects in the law by providing for the—

- (a) legal, institutional and regulatory framework for energy efficiency and conservation in Uganda;
- (b) regulation of the efficient and rational use of energy in Uganda;
- (c) regulatory functions of the Commissioner responsible for energy efficiency and conservation, and the Minister in relation to energy efficiency and conservation;
- (d) efficient utilisation of energy and for energy conservation in all sectors;
- (e) regulated use of specified energy consuming technologies;

- (f) financing of energy efficiency and conservation schemes;
- (g) public awareness about energy efficiency and conservation; and
- (h) enhancement and promotion of energy efficiency and conservation in Uganda.

HON. RUTH NANKABIRWA SSENTAMU,
Minister of Energy and Mineral Development.

THE ENERGY EFFICIENCY AND CONSERVATION
BILL, 2024

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SCHEDULE—CURRENCY POINT

A BILL for an Act

ENTITLED

**THE ENERGY EFFICIENCY AND CONSERVATION ACT,
2024**

An Act to provide for the legal, institutional and regulatory framework for energy efficiency and conservation in Uganda; to provide for the regulatory functions of the Minister in relation to energy efficiency and conservation; to provide for the efficient utilisation of energy and for energy conservation in all sectors; to provide for the regulated use of specified energy consuming technologies; to provide for the financing of energy efficiency and conservation schemes; to provide for public awareness about energy efficiency and conservation and for related matters.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Commencement

This Act shall come into force on a day appointed by the Minister by statutory instrument, and different days may be appointed for the commencement of different provisions.

2. Purpose and application of Act

(1) The purpose of this Act is—

- (a) to regulate the efficient and rational use of energy in Uganda;
- (b) to enhance and promote energy efficiency and conservation in Uganda; and
- (c) to avoid wasteful use of energy and ease the burden of energy costs on the economy and the environment.

(2) This Act applies to the efficient utilisation of energy in all sectors of the economy.

3. Interpretation

In this Act, unless the context otherwise requires—

“appliance” means a domestic or commercial device designed to perform specific functions, such as cooking, cooling, heating or cleaning;

“biomass” means organic materials derived from plants, animals and microorganisms, including agricultural residues, forestry waste, dedicated energy crops and organic municipal waste;

“biomass energy” means the energy derived from the combustion, biochemical conversion, or thermochemical conversion of biomass resources;

“charging infrastructure” means the network of facilities, equipment and technologies that enable the charging of electric vehicles;

- “charging point” means the physical interface where an electric vehicle is connected to an electricity supply for the purpose of recharging its battery;
- “charging station” means the physical charging points and the associated infrastructure and equipment that enable electric vehicles to be charged;
- “clean cooking” means the use of modern, efficient and environmentally friendly cooking technologies and fuels that reduce indoor air pollution and the environmental impact of traditional cooking methods;
- “clean cooking technologies” means technologies, appliances and practices that reduce indoor air pollution, promote energy efficiency and minimises environmental impact in cooking processes;
- “Commissioner” means the Commissioner responsible for energy efficiency and conservation;
- “committee” means a committee appointed by the Minister under section 6;
- “complex structure” means a building or facility with intricate architectural design, multiple systems and specialised features that may impact energy performance and efficiency;
- “consumer” means a person supplied with or to be supplied with energy for domestic, commercial, industrial, agricultural, transportation, mining or petroleum processes;
- “currency point” has the value assigned to it in the Schedule to this Act;

“dealer” means a person engaged in the business of manufacturing, importing or selling specified energy consuming products in Uganda,

“designated energy consumer” means an energy consumer or class of energy consumers with an energy consumption threshold determined by the Minister under section 10 and falling under the energy intensive sector and industries;

“electric vehicle” means a mode of transportation powered by one or more electric motors, utilising electricity stored in batteries or other energy storage systems;

“energy” means any form of energy including electrical, thermal, chemical and mechanical energy generated from water, fossil fuels, solar, wind, nuclear substance, biomass or any other source;

“energy audit” means a systematic process of evaluating and analysing the energy usage and efficiency of a building, facility or system to identify areas where energy is being wasted or inefficiently utilised and to recommend improvements that can lead to energy savings, reduced operational costs and a more environmentally friendly operation;

“energy auditor” means a person granted a permit to undertake energy audits under this Act;

“energy baseline” means the initial reference point used to compare and measure energy performance improvements over time;

“energy conservation” means minimising energy use through behavioral changes, technological advancements and efficient practices, leading to reduction of energy consumption;

- “energy consuming product” means an item that uses energy;
- “energy efficiency” means the effective utilisation of energy resources to achieve desired outputs while minimising energy waste and reducing adverse environmental impacts;
- “energy efficiency measures” means actions, practices, technologies and strategies designed to reduce the amount of energy required to perform a specific task or achieve a desired outcome;
- “energy efficiency services” includes energy audits, retrofitting, energy management, equipment upgrades, and other services aimed at improving energy efficiency;
- “energy manager” means an individual with the requisite qualifications appointed in a facility to be in charge of energy aspects;
- “energy management system” means a set of interrelated or interacting elements of the designated energy consumer to establish an energy policy, energy objectives, energy targets, action plans and processes to achieve the energy objectives and energy targets;
- “energy performance” means the effectiveness of energy use in achieving specific desired outcomes, often measured by the amount of energy consumed to produce a given level of output;
- “energy performance indicators” means measurable parameters used to assess and quantify energy performance, efficiency, and progress towards energy goals;
- “energy-saving measures” means actions, practices or interventions designed to reduce energy consumption and enhance energy efficiency;
- “energy service company” means a business that develops, installs and arranges financing for projects designed to

improve energy efficiency and maintenance costs for facilities over a period of time;

“energy systems” means an integrated network of components, processes and technologies involved in the production, distribution and consumption of energy;

“equipment” means device, machinery or system used to perform a specific task or function, consuming energy in the process;

“facility” means a physical structure, building or installation where energy-consuming activities take place;

“fuel economy” means the efficiency of a vehicle or system in terms of the distance traveled per unit of fuel consumed;

“fuel efficiency” means the amount of energy converted into useful work or movement in a vehicle or system, often expressed as distance covered per unit of fuel consumed;

“greenhouse gas emissions” means the release of gases, such as carbon dioxide, methane and nitrous oxide, into the atmosphere, contributing to the greenhouse effect and global warming;

“industry” means a company involved in activities and processes of producing goods for sale, especially in a factory, through the processing of raw materials or manufacture;

“inspector” means a person designated and authorised to check, verify and ensure compliance with this Act and regulations made under this Act;

“label” means a visual representation, often in the form of a tag or sticker, providing information about the energy efficiency, environmental impact or other attributes of a product, equipment or appliance;

“local government” means a local council established under section 3(2) to (5) of the Local Governments Act;

“manufacture” means the process of producing, fabricating, assembling or modifying an energy consuming product in order to complete that product for sale;

“minimum energy performance standard” means a standard for specified energy consuming products established or adopted by the Uganda National Bureau of Standards in consultation with the Minister;

“Minister” means the Minister responsible for energy efficiency and conservation;

“motor vehicle” means any self-propelled vehicle intended or adapted for use on the road;

“parking facility” means any designated area or structure intended for the parking of vehicles, including surface parking lots, parking garages, underground parking, commercial parking and municipal parking;

“product” means any tangible item or commodity that is manufactured, sold, or consumed, including appliances, equipment and goods;

“public area” means a space that is accessible to the general public and which is designed for public use, and includes parks and recreational areas, streets and roadways, public buildings, transport hubs, shopping and business districts, public squares and plazas;

“public building” means a structure owned, operated or funded by a Government entity and intended for public use, and includes Government offices, schools, hospitals, and libraries;

“residential building” means a structure primarily used for housing individuals or families, such as houses, apartments and condominiums;

“specific energy consuming product, equipment or appliance” means a product, equipment or appliance specified by the Minister, by statutory instrument, for purposes of this Act;

“sustainable public procurement” means the process of acquiring goods, services and works by public entities in a manner that considers social, environmental, and economic sustainability factors;

“vehicle” includes a machine or implement of any kind drawn or propelled along roads whether by animal, mechanical, electrical or any other motive power;

“vehicular emissions” means pollutants released into the environment from vehicles, including exhaust gases and particles that can contribute to air pollution and environmental degradation.

PART II—ADMINISTRATION

4. Functions of Minister

The functions of the Minister under this Act are—

- (a) to issue policy guidance relating to energy efficiency and conservation;
- (b) to designate energy consumers;
- (c) to designate inspectors;
- (d) to issue permits to energy auditors;
- (e) to prescribe qualification requirements for energy managers and energy auditors;
- (f) to recommend to the Minister responsible for finance, economic, fiscal, financial and regulatory incentives or disincentives to facilitate efficient use of energy in Uganda;

- (g) to put in place measures to promote efficient use of energy in all sectors; and
- (h) to carry out any other functions that he or she deems necessary for energy efficiency and conservation.

5. Functions of Commissioner

The functions of the Commissioner under this Act are—

- (a) to prepare and periodically update the National Energy Efficiency and Conservation Plan;
- (b) to prepare and periodically update the National Energy Efficiency and Conservation Strategy;
- (c) to develop mechanisms for providing incentives and innovative financing mechanisms for energy efficiency and conservation programmes;
- (d) to keep and update a list of energy auditors and inspectors;
- (e) to recommend to the Uganda National Bureau of Standards the minimum energy performance standards and energy management standards required for the efficient use of energy and its conservation; and
- (f) to carry out any other functions that he or she deems necessary for energy efficiency and conservation.

6. Establishment of Committees

(1) The Minister may, where necessary, establish Committees to assist in the implementation and monitoring of energy efficiency and conservation measures under this Act.

(2) A Committee established under subsection (1) shall be composed of experts, stakeholders and representatives from relevant Government ministries, departments or agencies, non-governmental organizations, industry associations, academia and other relevant entities as the Minister may determine.

(3) The Minister shall provide necessary resources, administrative support and budget allocation to enable the effective functioning of the Committees.

(4) A Committee established under subsection (1) may collaborate and consult with relevant stakeholders, including Government agencies, private sector entities, civil society organisations and the public, to ensure comprehensive and inclusive decision-making.

(5) The Minister may review and amend the composition, functions and procedures of the Committees as necessary, ensuring alignment with evolving energy efficiency goals and national priorities.

7. Functions of Committees

(1) The Minister shall specify, in writing, the terms of reference of a Committee established under section 6.

(2) The terms of reference may specify the following functions—

- (a) to advise the Minister on matters related to energy efficiency and conservation policies, strategies and programs;
- (b) to review and recommend updates to energy management standards;
- (c) to review compliance reports from designated energy consumers;
- (d) to support the Minister in the development and review of regulations;
- (e) to review and recommend incentives, rebates and other measures to promote the adoption of energy-efficient technologies; and
- (f) carry out any other duties the Minister may deem necessary.

(3) Subject to this Act, a Committee established under section 6 may adopt its own rules of procedure.

8. Role of local governments

A local government shall, within its jurisdiction—

- (a) develop by-laws and ordinances relating to energy efficiency and conservation;
- (b) supervise and monitor the implementation of this Act;
- (c) promote the implementation of Government energy efficiency programmes;
- (d) coordinate and supervise all energy utilities in the local government area to ensure good service delivery to communities; and
- (e) designate an energy officer at the local government offices to coordinate and supervise all energy-related projects in the area.

9. Incentives for energy saving measures

(1) The Minister may, in consultation with the Minister responsible for finance, provide incentives to persons engaged in implementing energy saving measures.

(2) The Minister may, for the purposes of subsection (1), make regulations prescribing the nature of incentives, the conditions for the grant or withdrawal of incentives and such other matters related to incentives, as may be necessary.

PART III—DESIGNATED ENERGY CONSUMERS

10. Designation of energy consumers

(1) The Minister shall, by statutory instrument, designate energy consumers for the purposes of this Act.

(2) A designated energy consumer shall—

- (a) put in place an energy management system in a manner prescribed by regulations;

- (b) designate a technical officer as an energy manager;
- (c) ensure that an energy audit is conducted at the facility of the designated energy consumer by an energy auditor to assess the energy consumption and identify areas for improvement;
- (d) implement energy-saving measures identified in the energy audit to improve energy efficiency;
- (e) provide training to the employees on energy-efficient practices and the importance of energy conservation;
- (f) participate in energy efficiency programs or initiatives organised by Government;
- (g) monitor and verify the effectiveness of the energy-saving measures undertaken to ensure that the measures meet the required standards;
- (h) submit regular compliance reports to the Minister to demonstrate adherence to this Act and regulations made under this Act; and
- (i) take into account the requirements of other applicable laws including the National Environment Act, the Occupational Health and Safety Act and the Uganda National Bureau of Standards Act.

11. Appointment of energy managers

(1) A designated energy consumer shall appoint or designate a qualified energy manager.

(2) The qualifications and duties of an energy manager shall be prescribed by the Minister by regulations.

12. Energy efficiency action plan

(1) A designated energy consumer shall develop and implement an energy efficiency action plan based on the results of energy audits.

(2) The efficiency action plan developed under subsection (1) shall outline strategies, measures and targets for reducing energy consumption and improving energy efficiency within a specified timeframe.

13. Energy management systems

(1) A designated energy consumer shall establish, maintain and implement an energy management system in a manner prescribed by regulations.

(2) Notwithstanding subsection (1), the Minister may require any other person to establish, maintain and implement an energy management system.

(3) An energy management system shall—

(a) provide for the conduct of an energy audit;

(b) establish energy performance indicators for measuring and monitoring energy performance and enabling the designated energy consumer or any person referred to in subsection (2) to demonstrate energy performance improvement;

(c) establish an energy baseline using information from the energy audits, taking into account a suitable period of time;

(d) ensure that the key characteristics of the operations of a designated energy consumer affecting energy performance are identified, measured, monitored and analysed at planned intervals; and

- (e) improve energy performance and reduce energy-related costs and environmental impacts.

14. Energy audits

(1) A designated energy consumer shall undertake energy audits to identify areas where energy is used inefficiently or where energy-saving measures can be implemented.

(2) The energy audits shall be conducted in a manner prescribed by regulations.

(3) A report of the energy audit undertaken under this section shall be submitted to the Minister together with the plans for implementing the energy audit, within a period prescribed by regulations.

(4) Energy audits shall include an assessment of energy consumption, energy efficiency measures, potential cost savings and recommendations for improvements.

(5) Energy audits shall be conducted by energy auditors licensed by the Minister.

(6) The Minister shall, by regulations, establish a criterion and procedure for licensing energy auditors, including educational qualifications, training and experience requirements.

(7) A designated energy consumer shall submit an energy audit report to the Minister within a period specified by regulations made under this Act.

(8) A designated energy consumer shall implement energy efficiency measures recommended in the energy audit report within a period as determined by regulations.

(9) Subject to the Access to Information Act and the Data Protection and Privacy Act, energy consumption data collected during energy audits shall be kept confidential.

15. Reporting

(1) A designated energy consumer shall submit periodic reports to the Minister detailing the progress made in implementing energy efficiency measures, achieving targets and any challenges faced.

(2) The reports referred to in subsection (1) shall be submitted to the Minister at intervals determined by regulations made under this Act.

16. Recognition and certification

(1) The Minister may recognise designated energy consumers that comply with the requirements of energy efficiency and conservation under this Act.

(2) The Minister shall issue a certificate of recognition to a designated energy consumer referred to in subsection (1).

PART IV—ENERGY EFFICIENCY AND CONSERVATION MEASURES

17. National Energy Efficiency and Conservation Plan

(1) The Minister shall, within one year after the commencement of this Act, prepare a five-year National Energy Efficiency and Conservation Plan.

(2) The Plan prepared under subsection (1) shall serve as a roadmap for achieving energy efficiency and conservation in the different sectors of the economy.

(3) The Energy Efficiency and Conservation Plan shall indicate—

- (a) the energy efficiency and conservation goals and objectives;
- (b) the specific energy intensity or consumption reduction targets for different sectors and industries;
- (c) the detailed description of action plans, initiatives and programs to achieve energy efficiency targets and timeline for the implementation of the initiatives;
- (d) the specific energy efficiency measures and technologies to be promoted or adopted;
- (e) the incentives and other mechanisms to encourage investment in energy efficiency projects;
- (f) a robust monitoring and evaluation framework to track progress against targets and milestones; and
- (g) the procedures for regular reporting on the progress of the Plan to relevant stakeholders.

(4) The National Energy Efficiency and Conservation Plan shall be subject to periodic review and update at least once in every thirty months.

18. Energy efficiency in cooking technologies

(1) The Minister shall develop and implement a national cooking strategy that promotes clean and efficient cooking.

(2) The national cooking strategy developed under subsection (1) shall address significant health, environmental, social and economic challenges associated with traditional cooking practices that rely on inefficient and polluting fuels, such as wood, charcoal and crop residues.

(3) The national cooking strategy developed under subsection (1) shall—

- (a) define specific objectives and targets for transitioning to clean and efficient cooking solutions, that reduce indoor air pollution, improve health outcomes, minimise environmental impacts and promote social and economic development;
- (b) promote the development, dissemination and adoption of appropriate and affordable clean cooking technologies, such as improved cook stoves, biogas systems, electric cookers, and solar cookers;
- (c) enhance availability and affordability of clean cooking fuels, such as liquefied petroleum gas, ethanol, biogas and electricity, especially in remote and underserved areas;
- (d) provide training and capacity building programs to local communities, technicians, and entrepreneurs to ensure proper installation, operation and maintenance of clean cooking technologies; and
- (e) provide for financial mechanisms, incentives and subsidies to make efficient clean cooking technologies and fuels more affordable for low-income households.

(4) The Minister may, by statutory instrument, make regulations for the efficient and sustainable utilisation of biomass resources for cooking and heating.

19. Energy efficiency and conservation in transport sector

(1) The Minister responsible for transport shall, in consultation with the relevant authorities, establish energy efficiency standards and targets for, vehicles, including passenger cars, trucks, buses and other modes of transport.

(2) The energy efficiency and conservation standards established under subsection (1) shall—

- (a) promote energy efficiency, reduce greenhouse gas emissions and enhance sustainable transportation practices within the transport sector; and
- (b) incentivise the adoption of energy-efficient vehicles, electric mobility, improving fuel efficiency and encourage the use of alternative fuels and transportation modes.

(3) The energy efficiency and conservation standards in subsection (2) shall be based on internationally recognised benchmarks, taking into account technological feasibility, consumer preferences and potential energy savings.

(4) The Minister responsible for transport may, in liaison with the Minister, by statutory instrument, declare any class, description or type of motor vehicle to be subject to the requirements of fuel economy and vehicular emissions from a date specified in the statutory instrument.

(5) The Minister shall in, declaring a vehicle under subsection (4), take into account—

- (a) the applicable fuel economy standard; and
- (b) the class of the motor vehicle.

20. Fuel economy and vehicular emissions certificate, data and testing

(1) Subject to the Traffic and Road Safety Act, a person shall not import into or sell a motor vehicle, trailer or engineering plant in Uganda unless the motor vehicle, trailer or engineering plant complies with the fuel economy standards issued by the Uganda National Bureau of Standards in consultation with the Minister.

(2) A person intending to sell or offer for sale any motor vehicle of a class, description or type specified under subsection (1) or after

the fuel economy label effective date prescribed under section 19(4) in respect of that motor vehicle, shall submit to the Chief Licensing Officer the following documents relating to the class, description or type of motor vehicle—

- (a) a certificate relating to fuel economy issued by the manufacturer or an agency appointed by the Uganda National Bureau of Standards;
- (b) data on fuel consumption and vehicular emissions, including vehicular emissions levels, measured or determined in accordance with such method or any method prescribed by the Minister by regulations; and
- (c) such other information and documents relating to fuel economy and vehicular emissions as may be prescribed by the Minister by regulations.

(3) The Chief Licensing Officer may share with the Minister, in the form and manner deemed appropriate, the data obtained under this section.

21. Labelling of fuel economy and vehicular emissions

(1) A person shall not, in the course of any trade or business, sell or offer for sale any motor vehicle of a class, description or type specified in a statutory instrument made under section 19(4) after the fuel efficiency label effective date for that motor vehicle, unless—

- (a) throughout the period that the motor vehicle is displayed for sale, the motor vehicle bears the label on fuel economy and vehicular emissions; and
- (b) any printed promotional material or advertisement distributed by the person relating to the class, description or type of motor vehicle contains information on fuel economy and vehicular emissions of the motor vehicle.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or imprisonment for a term not exceeding two years, or both.

22. Charging infrastructure development for electric vehicles

(1) The Minister shall promote the establishment of electric charging stations through incentives, piloting and demonstrations.

(2) The Minister shall collaborate with the relevant Government ministries, departments and agencies and other stakeholders to ensure that electric charging stations are established throughout the country

(3) Every local government and every road authority shall plan and establish electric charging stations within its jurisdiction to enable the charging of electric vehicles and motorcycles.

(4) Every commercial building, every parking facility and every public area shall have a percentage of parking space equipped with electric vehicle charging stations.

(5) The Government may provide incentives, grants or low-interest loans to businesses, local governments and road authorities for the installation and maintenance of charging infrastructure throughout the country.

(6) The Electricity Regulatory Authority shall prescribe different tariffs and terms of supply for electric vehicle charging stations, in accordance with section 75(5) of the Electricity Act.

(7) A person who establishes a charging station shall charge a fee using the criteria prescribed by the Minister by regulations.

(8) An electric charging station established under this section shall be in a manner prescribed by regulations and shall conform to standards issued by the Uganda National Bureau of Standards in consultation with the Minister.

23. Licensing of operators of commercial charging stations

(1) A person shall not operate a commercial electric charging station without a licence issued by the Minister.

(2) The Minister shall by regulations prescribe the procedure for obtaining a licence referred to under subsection (1).

(3) An operator of a public charging station shall make available, information relating to the station including information on—

- (a) the location of the charging station and its operating hours;
- (b) available charging options;
- (c) the cost of obtaining access to the use of the charging point;
- (d) the method of payment or other means by which access to the use of the charging point may be obtained;
- (e) the means of connection to the charging point; and
- (f) whether the charging point is in working order or in use.

24. Energy efficiency and conservation in buildings

(1) A person intending to carry out a building operation of a complex structure or a public building shall ensure that the building is energy efficient and complies with the Building Control Act, the National Building (Building Standards) Code, 2019 and the applicable energy efficiency standards.

(2) A person referred to under subsection (1) shall design, construct, operate and maintain the building in a manner that ensures efficient and sustainable use of energy resources.

(3) The Minister may, by regulations, prescribe additional energy efficiency requirements for buildings.

(4) The Minister shall issue a certificate of energy efficiency to the owner of a building which is compliant with this section.

(5) In this section, “building operation” means—

- (a) the erection of a building;
- (b) the demolition of a building;
- (c) any temporary work on a permanent building;
- (d) plumbing works;
- (e) drainage works;
- (f) repairs, renovations, alterations and extension of a building;
- (g) erosion control works; or
- (h) installation of utilities; including electricity and gas.

25. Public transportation

The Government shall—

- (a) provide incentives to the private sector to invest in public transportation infrastructure, such as buses and trains in order to provide citizens with convenient and energy-efficient alternatives to private vehicles; and
- (b) promote the integration and coordination of various transportation modes to encourage multimodal transportation networks.

26. Energy efficiency in agriculture sector

(1) The Uganda National Bureau of Standards shall, in consultation with the Minister responsible for agriculture and the Minister, establish energy efficiency standards for agricultural machinery and equipment, including tractors, irrigation systems and other relevant tools.

(2) The energy efficiency standards for the agricultural sector issued under subsection (1) shall aim—

- (a) to promote energy efficiency, reduce energy consumption and enhance sustainable practices within the agriculture sector; and
- (b) to encourage the adoption of energy-efficient technologies, practices and systems in agricultural operations to reduce greenhouse gas emissions.

(3) The energy efficiency standards for the agricultural sector shall be based on technological feasibility and aim to promote the use of energy-efficient equipment.

27. Energy service company

(1) A person shall not operate an energy service company unless the company is registered by the Minister.

(2) The Minister shall, by regulations, establish procedures for the registration of energy service companies and for the renewal and revocation of the registration.

(3) A registered energy service company shall provide a range of energy efficiency services, including conducting energy audits, retrofitting, energy-efficient equipment installation, energy management and consulting.

(4) A registered energy service company shall enter into written contracts with customers for the provision of energy efficiency services as may be specified in regulations.

(5) A registered energy service company shall provide periodic reports to the Minister on its activities, performance and customer outcomes.

(6) A registered energy service company shall handle customer data and confidential information in accordance with the Access to Information Act and the Data Protection and Privacy Act.

(7) A company shall not be registered under this section unless—

- (a) the company is a registered or incorporated business under the laws of Uganda;
- (b) the company employs, on a full-time basis, an energy auditor, energy manager, and a measurement and verification professional;
- (c) the company has access to measurement and testing equipment and instruments;
- (d) the company has demonstrated financial capacity or ability to access financial resources; and
- (e) the company has satisfactorily met all the requirements for registration prescribed by the Minister by regulations.

28. Efficient and sustainable utilisation of biomass energy resources

(1) The Minister shall promote the efficient and sustainable utilisation of biomass resources for energy generation and other productive purposes.

(2) Biomass utilisation processes shall be designed and operated to maximise energy efficiency, minimise waste and reduce emissions.

(3) A person sourcing for biomass shall follow sustainable practices, considering ecological, social and economic impacts.

(4) The Minister shall promote the implementation of co-generation systems in biomass energy generation to maximise the overall energy output and utilisation of waste heat.

(5) The Minister shall promote research and development in biomass conversion technologies to improve overall efficiency and reduce environmental impacts.

(6) The Minister shall develop and update standards and make regulations to incorporate technological advancements, scientific findings and changing environmental and economic contexts.

PART V—MINIMUM ENERGY PERFORMANCE STANDARDS

29. Minimum energy performance standards

(1) The Minister shall, by statutory instrument, designate appliances and equipment for which minimum energy performance standards apply.

(2) The Minister shall, in consultation with the Uganda National Bureau of Standards establish and update minimum energy performance standards for the appliances and equipment designated under subsection (1).

(3) The minimum energy performance standards shall be based on technologically feasible and economically justified levels of energy efficiency that result in energy savings.

30. Labelling of appliances

The appliances and equipment designated under section 27 shall be labelled with information relating to their energy efficiency in the manner prescribed by regulations.

**PART VI—ESTABLISHMENT OF ENERGY MANAGEMENT
STANDARDS**

31. Adoption of energy management standards

(1) The Minister shall, in consultation with the Uganda National Bureau of Standards and other relevant stakeholders and experts in the field of energy efficiency, establish and adopt energy management standards for various sectors and industries across Uganda.

(2) The energy management standards referred to in subsection (1) shall comprise guidelines, best practices and procedures that aim to optimise energy use, reduce energy waste and promote sustainable energy production and consumption.

32. Scope of energy management standards

(1) The energy management standards established or adopted under section 31, shall cover a wide range of sectors, including residential and industrial buildings, agriculture and transport sectors; and small and medium enterprises.

(2) The standards shall address energy management practices, including energy audits, monitoring and reporting, energy-efficient equipment and technologies, energy performance indicators and employee training.

33. Implementation and compliance

(1) An entity or sector referred to in section 31 shall implement energy management practices in accordance with the established standards.

(2) An entity referred to in subsection (1) shall develop and implement an energy management plan in line with the prescribed standards, within twelve months from commencement of this Act.

(3) The Commissioner shall oversee the compliance with energy management standards and shall collaborate with the Uganda National Bureau of Standards to enforce the standards.

34. Reporting and documentation

(1) An entity to which the standards established or adopted under section 31 apply, shall maintain accurate and up-to-date records related to energy consumption, energy management activities and any improvements made in energy efficiency.

(2) The records maintained under subsection (1) shall be available to the Minister, upon request.

PART VII—ENFORCEMENT

35. Designation of inspectors

(1) The Minister shall, by notice in the Gazette, designate officers from among duly qualified public officers, by name and title of office, as inspectors for purposes of ensuring compliance with this Act and regulations made under this Act.

(2) The Minister shall de-gazette an inspector gazetted under subsection (1) for—

- (a) misconduct;
- (b) corruption;
- (c) inability to perform his or her duties as a result of mental or other health related incapability; or
- (d) violation of this Act, or regulations made under this Act.

36. Powers and duties of inspectors

An inspector may, in the performance of his or her duties or the exercise of his or her powers under this Act or regulations made under this Act—

- (a) require the production of, inspect, examine and copy licences, registers, records and other documents required under this Act or any other written law relating to energy efficiency and conservation;
- (b) make examinations and inquiries to establish whether this Act and regulations made under this Act are being complied with;
- (c) take samples of any article or substance to which this Act relates and submit the samples for tests and analyses in a manner prescribed by regulations;
- (d) carry out periodic inspections of facilities and other establishments within the local limits of his or her jurisdiction which manufacture, produce as by-products, import, export, store, sell, distribute or use any equipment or appliance to ensure that the provisions of this Act are complied with;
- (e) enter on any land, water, facilities, premises, vehicle or vessels—
 - (i) to conduct a search and to determine whether the provisions of this Act are being complied with;
 - (ii) to inspect any equipment or appliance which may be available at such place as the inspector may require;
 - (iii) to inspect any production process to ascertain compliance with the energy consumption norms and standards;

- (iv) to make an inventory of stock of any equipment or appliance; or
- (v) to record a statement of any person which may be useful or relevant for the enforcement of this Act;
- (f) seize any product, equipment, substance or any other thing which he or she believes has been used in the commission of a violation of this Act or regulations made under this Act;
- (g) cause a police officer to arrest any person whom he or she believes has violated, aided or abetted a violation of this Act or regulations made under this Act; or
- (h) carry out such other inspections as may be necessary to ensure that the provisions of this Act and regulations made under this Act are complied with.

37. Collection of data related to energy usage, efficiency improvement and compliance rate

(1) An inspector shall, at any time, with the approval of the Minister, install any equipment including a seal on any land, structure, facility, premises, vehicle or vessel for the purpose of monitoring compliance with this Act.

(2) The owner or person attending any premises shall give reasonable assistance to an inspector to enable the inspector, carry out the requisite inspection.

(3) A person who obstructs or hinders an inspector or makes any false or misleading statement orally or in writing to an inspector engaged in carrying out inspection duties or functions under this Act or regulations commits an offence.

(4) An inspector shall, upon completion of an inspection, prepare a report of findings.

(5) The inspector shall submit to the Minister a copy of the report prepared under subsection (4) and shall, upon request, avail a copy of the report to the owner of the premises, vehicle or vessel that was inspected.

(6) An inspector shall, in exercising his or her powers under this section, identify himself or herself.

38. Performance of certain activities by Minister

(1) Where a person required to comply with this Act or regulations made under this Act fails to comply and the non-compliance constitutes a material and immediate threat to the safety of any person or property, the Minister or a person authorised by the Minister shall perform any or all the activities required to assure compliance at the cost of that person.

(2) The Minister shall perform the activities under subsection (1) after serving upon the person concerned a written notice requiring the person to comply with the provisions of this Act within the period specified in the notice and stating the consequences of non-compliance.

**PART VIII—INFORMATION, DOCUMENTATION
AND CONFIDENTIALITY**

39. Management of information

(1) The Minister may—

- (a) gather, document, evaluate and disseminate information on energy efficiency and conservation;
- (b) carry out public education and awareness on energy efficiency and conservation;
- (c) foster information exchange on energy efficiency and conservation with other Ugandan, foreign, interactional and non-governmental agencies;

- (d) coordinate and support Government ministries, departments and agencies in the management of energy efficiency and conservation information;
- (e) advise Government on energy efficiency and conservation information gaps and needs;
- (f) in consultation with the relevant Government ministries, departments and agencies, establish guidelines and principles for the gathering, documentation, evaluation and dissemination of energy efficiency and conservation information; or
- (g) require a relevant Government Ministry, department, agency or any other person to submit energy efficiency and conservation information to the Minister.

(2) The Minister shall cause the establishment of a National Energy Efficiency and Conservation Database to standardise information and data relating to energy efficiency and conservation and to act as the central depository for information relating to energy efficiency and conservation.

(3) The Minister may publish such other energy efficiency and conservation information as he or she considers necessary for public education and awareness.

40. Request for information and documents

(1) The Minister may, in writing, require any person to produce copies of any information or documentation regarding the activities of the person relating to energy consumption.

(2) The information or documents referred to under subsection (1) may include reports, invoices, ledgers, certificates or other documents as the Minister may determine.

(3) Where applicable, the Minister shall return the documents submitted under subsection (1) to the person from whom they were taken, within thirty days from the date they were received, unless they are required as evidence in court proceedings arising from non-compliance with this Act.

(4) All documents referred to or described in an inspection report made by an inspector after an inspection shall be kept in original or certified copies on the premises where the documents were found and the registered office of the person that was inspected, if these are at different locations.

(5) A dealer or designated energy consumer required to provide to the Minister information and documents under this section shall keep, at the dealer or designated consumer's place of business or other prescribed place in Uganda, documents and records sufficient to enable the Minister to verify the accuracy and completeness of the information provided.

(6) A dealer or designated consumer required to keep documents and records under this Act shall, unless authorised by the Minister, retain the documents or records for at least six years after the date on which the Minister is provided with the information.

41. Confidentiality

Subject to the Constitution and the Access to Information Act, all data submitted to the Minister under this Act and regulations made under this Act shall be kept confidential and shall not be reproduced or disclosed to third parties by any party under this Act except with the consent of the person from whom the information, document or report was obtained or the disclosure is mandated by a court order.

**PART IX—TRADE IN SPECIFIED ENERGY CONSUMING
PRODUCTS**

42 Dealing in specified energy-consuming products

(1) A dealer shall not sale or lease, import, manufacture or trade in specified energy consuming products prescribed by regulations in Uganda, unless—

- (a) the product complies with the energy performance standards issued by the Uganda National Bureau of Standards; and
- (b) the product and its package is labelled for energy performance in a manner prescribed by regulations made under this Act.

(2) A person shall not remove, deface, obscure or alter any energy label put on a product or its package before selling the specified energy consuming product to the consumer.

(3) The Minister shall require any dealer who imports or manufactures a specified energy- consuming products to submit, at such place as the Minister may specify, samples of the products as the Minister considers necessary, for examination or testing.

(4) The Minister may dismantle and examine any specified energy consuming product submitted under subsection (3), and may conduct tests on it as the Minister considers reasonably necessary to determine the product's compliance with energy performance standards.

(5) The Minister shall not retain any specified energy consuming product submitted under subsection (3) for a period longer than three months unless—

- (a) the dealer consents to the further retention; or

- (b) the specified energy consuming product has been seized or forfeited in accordance with this Act.

PART X—OFFENCES AND PENALTIES

43. General offences

- (1) A person commits an offence who—
 - (a) being a designated energy consumer or dealer, uses or sells equipment that does not conform to the prescribed standards under this Act;
 - (b) being a designated energy consumer or dealer, fails to submit documents and information required under this Act;
 - (c) being a designated consumer—
 - (i) fails to conduct energy audits;
 - (ii) obstructs an inspector;
 - (iii) fails to submit samples for testing; places a false label on specified energy consuming equipment, appliance or material; or
 - (iv) removes a label from a specified energy consuming equipment, appliance or material.

(2) A person who commits an offence under subsection (1) is liable—

- (a) on a first conviction, to a fine not exceeding ten thousand currency points or imprisonment for a term not exceeding four years, or both; and
- (b) on a second or subsequent conviction, to a fine not exceeding twenty thousand currency points or imprisonment for a term not exceeding four years, or both.

44. Breach of confidentiality

A person who breaches confidentiality contrary to section 40 commits an offence and is liable, on conviction, to a fine not exceeding two thousand currency points or imprisonment for a term not exceeding one year, or both.

45. False information

A person who furnishes any document or information to the Minister or an inspector which is false or misleading in any material particular whether upon demand or otherwise, commits an offence and is liable, on conviction, to a fine not exceeding five thousand currency points or imprisonment for a term not exceeding two years, or both.

46. Illegal importation of specified energy consuming products

(1) A person who imports specified energy consuming products in contravention of this Act or regulations made under this Act commits an offence and is liable, on conviction, to a fine not exceeding ten thousand currency points or imprisonment for a term not exceeding four years or both; and in the case of a continuing contravention, is liable to an additional fine not exceeding five hundred currency points in respect of each day on which the offence continues.

(2) A person who commits a second or subsequent offence under subsection (1) is liable, on conviction, to a fine not exceeding twenty thousand currency points or imprisonment for a term not exceeding seven years or both.

(3) The court convicting a person of an offence under this section may, in addition to any penalty provided for under subsection (1) or (2), order that any equipment or appliance related to the perpetration of the offence, be forfeited or require the person to remove the energy consuming product from Uganda within the period specified in the order.

(4) Where a specified energy consuming product is not removed from Uganda within the period specified in subsection (2), the product shall be forfeited to the Government.

47. Offences by corporations

Where an offence under this Act is committed by a body corporate, an officer, director or agent of the body corporate who directed, authorised, assented to, acquiesced in or participated in the commission of the offence is a party to and commits the offence, and is liable, on conviction, to the penalty provided for the offence under this Act.

48. Forfeiture and destruction

(1) Where an inspector has seized an item, product or equipment under this Act and the owner of the item, product or equipment or the person who was in lawful possession at the time of the seizure, consents in writing, at the request of the inspector, to the forfeiture of the item, product or equipment, it shall be forfeited to the Government.

(2) The Minister shall dispose of or destroy an item, product or equipment forfeited under subsection (1), and the costs of the disposal or destruction shall be borne by the owner of the item, product or equipment, or the person who was in lawful possession of it at the time of the seizure.

(3) The destruction and disposal of items, products or equipment under this Act shall be done in an environmentally safe manner in accordance with the National Environment Act and any other written law.

49. Forfeiture by order of court

Where a person is convicted of an offence under this Act and an item, product or equipment that was seized is being detained by the Minister—

- (a) the item, product or equipment shall, if the court so directs on the conviction, and in addition to any punishment imposed for the offence, be forfeited to Government; or
- (b) the item, product or equipment shall, on the expiration of the time for filing an appeal from the conviction or on the final conclusion of the proceedings, as the case may be—
 - (i) be returned to the person from whom it was seized or to any other person entitled to possession of it, on such conditions, if any, as may be imposed by order of the court and as, in the opinion of court, are necessary to avoid the commission of any further offence, under this Act; or
 - (ii) be destroyed by order of the court.

PART XI—MISCELLANEOUS

50. Integration of energy efficiency and conservation into educational curricula and programmes

(1) The Minister may, in collaboration with the Ministry responsible for education, ensure that energy efficiency and conservation concerns are integrated into the national education curriculum, including in academic and non-academic programmes.

(2) The Minister shall provide technical support to the government ministry, department or agency responsible for educational curriculum development to mainstream energy efficiency and conservation concerns into the national curricula.

(3) The Minister shall, in collaboration with the relevant Government Ministry, department or agency, initiate, promote and support nationwide energy efficiency and conservation campaigns through education, training and other forms of community engagement in a manner prescribed by regulations issued by the Minister.

51. Energy efficiency inclusion in sustainable public procurement

(1) A procuring and disposing entity shall consider energy efficiency as a primary criterion when making procurement decisions for goods, services and construction projects.

(2) A procuring and disposing entity shall establish clear and measurable energy efficiency criteria for each procurement category, taking into account internationally recognised energy efficiency standards and best practices.

(3) Prior to making a procurement decision, a procuring and disposing entity shall conduct a lifecycle cost analyses for goods and services being procured.

(4) Life-cycle cost analyses shall compare the long-term costs, including energy consumption and maintenance, of various options.

(5) The Minister shall, in consultation with the Minister responsible for finance, make regulations on inclusion of energy efficiency in sustainable public procurement for products related to the consumption of energy.

(6) For the purposes of this section, “procuring and disposing entity” means a statutory body, department of the central government, local government and any other body or unit established and mandated by government to carry out public functions.

52. Integration of energy efficiency in energy systems

(1) The Minister shall, in consultation with relevant Government ministries, departments or agencies make regulations for the integration in all aspects of energy system design, operation and maintenance.

(2) The integration may cover—

(a) developers adopting an integrated system design approach that considers the interplay of various components within

energy systems to maximise efficiency and minimise waste; and

- (b) using efficient energy storage solutions that minimise losses during energy storage and retrieval processes.

53. Research and development

(1) The Minister shall, collaborate with the Minister responsible for science, technology and innovation, research institutions, universities, private sector companies and international organisations to promote joint research and development initiatives in the field of energy efficiency.

(2) The collaborations referred to in subsection (1) shall focus on technology development, testing, validation and knowledge exchange to accelerate the deployment of innovative energy-efficient solutions.

(3) The Minister may give incentives to manufacturers and researchers engaged in developing energy-efficient technologies.

54. Regulations

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

(2) Without prejudice to the general effect of subsection (1), regulations made under this section may provide for—

- (a) minimum energy performance standards for specified energy consuming equipment, appliances or vehicles;
- (b) introduction and integration of energy management systems;
- (c) training and qualifications of energy managers and licensed energy auditors;

- (d) energy audits by designated energy consumers;
- (e) labelling of equipment and appliances for energy performance;
- (f) restrictions on the import, manufacture or sale of specified equipment, appliances or materials which do not conform to regulations regarding their energy performance;
- (g) information and documentation;
- (h) the energy efficiency and conservation database;
- (i) a register of specified energy consuming products and appliances;
- (j) laboratories and testing facilities and equipment;
- (k) procedures for designating inspectors, inspection and seizures;
- (l) reporting of energy consumption data by consumers;
- (m) submission of information by designated entities with regard to energy consumption;
- (n) criteria and requirements for designation of energy consumers;
- (o) integration of energy efficiency in procurements;
- (p) efficient and sustainable utilisation of biomass resources;
- (q) energy efficiency standards for agricultural equipment;
- (r) transportation efficiency;
- (s) operation of charging stations for electric vehicles;
- (t) integration of energy efficiency into energy systems;
- (u) registering and regulation of energy service companies;

- (v) incentives for energy efficiency and conservation; and
- (w) any other matter which is necessary and expedient to give effect to this Act.

(3) Regulations made under this section shall, in respect of any contravention of the regulations—

- (a) prescribe a penalty of a fine not exceeding five thousand currency points or imprisonment for a term not exceeding four years or both;
- (b) in the case of a continuing contravention, prescribe an additional penalty not exceeding five hundred currency points in respect of each day on which the offence continues; and
- (c) prescribe a higher penalty not exceeding seven thousand currency points or imprisonment for a term not exceeding five years or both in respect of a second or subsequent contravention.

55. Amendment of Schedule

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

56. Transitional

Notwithstanding any provision of this Act, any person using specified energy consuming technology before the commencement of this Act, shall, within one year from the date of commencement of this Act, ensure that the energy consuming technology complies with this Act.

SCHEDULE

Sections 3, 43, 44, 45, 46 and 54

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings

Cross References

Constitution

Access to Information Act, Cap. 95

Building Control Act, 2013, Cap. 136

Data Protection and Privacy Act, Cap. 97

Electricity Act, Cap. 157

National Building (Building Standards) Code, 2019, S.I. No.51 of 2019

National Environment Act, Cap. 181

Occupational Safety and Health Act, Cap. 231

Traffic and Road Safety Act, Cap. 347

Uganda National Bureau of Standards Act, Cap. 210