

CHAPTER 101

THE TRADE (LICENSING) ACT.

Arrangement of Sections.

Section

*Interpretation.*

1. Interpretation.

*Trading centres.*

2. Declaration of trading centres.

*Restriction on trade.*

3. Declaration of business areas and trading centres.
4. Declaration of specified goods.
5. Restriction on trading by noncitizens in certain areas and goods.
6. Date of commencement of an order under section 3 or 4.
7. Offences and penalties.

*Trading licence.*

8. Trading prohibited without a trading licence.
9. Licensing authority.
10. Application for trading licence.
11. Grant of trading licence.
12. Disqualifications for holding a trading licence.
13. Duration of trading licence.
14. Exhibition of trading licence.
15. Inspection of trading licence.

*Hawkers licence.*

16. Grant of hawkers licence.
17. Duration of hawkers licence.

18. Hawkers licence not transferable.
19. Production of hawkers licence on demand.

*Travelling wholesalers licence.*

20. Travelling wholesalers licence.
21. Duration of travelling wholesalers licence.
22. Travelling wholesaler's servant.
23. Production of travelling wholesalers licence on demand.

*General.*

24. Issue of duplicate licence.
25. Transfer of licence.
26. Books of account.
27. Endorsement and revocation of licence.
28. General penalty.
29. Regulations.
30. Licence fees.
31. Exemption.
32. Presumptions.
33. Licences required under other Acts.
34. Savings.

**Schedule**

*Schedule*      Licence fees.

CHAPTER 101

THE TRADE (LICENSING) ACT.

*Commencement:* 31 December, 1969.

**An Act to amend and consolidate the law relating to trading and other matters connected therewith.**

*Interpretation.*

**1. Interpretation.**

In this Act, unless the context otherwise requires—

- (a) “general business area” means an area of any city, municipality or town declared under section 3 to be a general business area for the purposes of this Act;
- (b) “hawker” means a person who, whether on his or her own account or as the servant of another person, sells goods by retail other than in trading premises or in a market established under the Markets Act;
- (c) “Minister” means the Minister to whom functions under this Act are assigned;
- (d) “owner” includes occupier;
- (e) “prescribed” means prescribed by regulations made by the Minister under this Act;
- (f) “sell”, with its grammatical variants and cognate expressions, includes to offer for sale and to expose for sale and their grammatical variants and cognate expressions;
- (g) “sell goods wholesale” means to sell goods to a person or the servant of the person who is reasonably believed by the seller to intend to resell the goods by retail;
- (h) “trade” or “trading” means the selling of goods for which a licence under this Act is required, in any trading premises, whether by retail or wholesale;
- (i) “trading premises” includes any structure attached to the land, whether of a permanent or temporary nature, except a market established under the Markets Act, in which trade is carried on;

- (j) “travelling wholesaler” means a person who, whether on his or her own account or as the servant of another person, sells goods by wholesale other than in trading premises.

*Trading centres.*

**2. Declaration of trading centres.**

(1) The Minister responsible for local administrations and urban authorities may, by statutory order—

- (a) declare any specified area in Uganda, other than an area declared a trading centre by an administration of a district, to be a trading centre for the purposes of this Act;
- (b) assign a name to the trading centre;
- (c) define the boundaries of the trading centre;
- (d) alter the boundaries of any trading centre;
- (e) declare that any trading centre shall cease to be a trading centre.

(2) Any trading centre declared by an administration of a district before the coming into operation of this Act which has not ceased to be a trading centre shall be deemed to be a trading centre for the purposes of this Act.

(3) Subject to subsection (4), no person may erect any shop or carry on any trade in a shop in any area within a radius of two miles outside the boundary of any trading centre.

- (4) The prohibition contained in subsection (3) shall not apply—
- (a) to any shop or store which at the commencement of this Act is situated in any area within a radius of two miles outside the boundary of any trading centre; or
  - (b) to any trade specified in section 8(2).

(5) For the avoidance of doubt, it is declared that, notwithstanding any other provision in any written law to the contrary, on and after the coming into force of this Act, the power to declare any area of Uganda to be a trading centre shall be exercised only by the Minister responsible for local administrations and urban authorities.

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