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S T A T U T O R Y I N S T R U M E N T S

2020 No. 3.

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S T A T U T O R Y I N S T R U M E N T S

2020 No. 3.

The Building Control Regulations, 2020

*(Under section 52 of the Building Control Act, 2013,
Act No. 10 of 2013)*

IN EXERCISE of the powers conferred on the Minister responsible for building works by section 52 of the Building Control Act, 2013 and on advice of the National Building Review Board, these Regulations are made this 11th day of November, 2019.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Building Control Regulations, 2020.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Building Control Act, 2013;

“Architect” means a person who is registered by the Architects Registration Board under the Architects Registration Act and is authorised to practice;

“artificial ventilation system” means a system in which air is caused to circulate through a room by means of mechanical apparatus which forces air into or extracts air from such room;

“basement” means any storey of a building, which is under the first storey and any portion, which is below the level of the adjoining pavement or the surrounding ground;

“block” means a walling unit made from stone or wet clay, hardened by heat, either sun baked or fire baked, which exceeds the size of a brick in overall dimensions;

- “brick” means common or standard basic building unit that supports vertical loads made from stone or wet clay, hardened by heat, either sun baked or fire baked;
- “Building control officer” means a Building Control Officer appointed under section 32 of the Act;
- “Building Committee” means a Building Committee established under section 28 of the Act;
- “cesspool” means a covered watertight tank used for receiving and storing sewage from premises which cannot be connected to a public sewer and where ground conditions prevent the use of an on site treatment works including a septic tank;
- “chimney” means a part of a building, which forms part of a flue other than a flue pipe;
- “Code” means National Building Code, 2019 issued under Section 46 of the Act;
- “column” means a vertical member of a structure carrying axial loads and moments whose width is not more than four times its thickness;
- “concrete” means a material formed from a mixture of cement, fine and coarse aggregates and water;
- “currency point” has a value assigned to it in Schedule 1;
- “division” means a portion of a building separated from the remainder of the building by one or more separating elements;
- “drain” means a conduit channel used for the drainage of a building or premises within the same curtilage;
- “drainage work” means the construction or installation, laying, connecting, fixing, repair or removal of any pipe, drain, gully, cesspool, septic tank, soil pipe, trap, urinal, water closet, waste pipe or any other item connected with sewerage work;

“dwelling unit” means a unit containing one or more habitable rooms and provided with adequate sanitary and cooking facilities and is lawfully used or constructed, adapted or designed to be used as a residence for one family;

“emergency route” means the entire path of travel from the farthest point in any room in a building to the nearest escape door;

“Engineer” means a person who is registered by the Engineers Registration Board under the Engineers Registration Act and is authorised to practice;

“escape door” means a door in an escape route, which leads directly to a street or to any approved open space leading to a street or public place;

“escape route” means the entire path of travel from the farthest point in any room in a building to the nearest escape door and may include an emergency route;

“exit door” means any door that is a component of an escape route from any room in a building;

“external wall” means an outer wall of a building, but does not include a party wall or separating wall;

“fire resistance” means the shortest period a building element or component shall comply with the requirements for stability, integrity and insulation when tested to the fire requirements;

“flight” means a part of a stairway, which consists of consecutive steps;

“floor area” means the net area measured on a plan enclosed within the internal surfaces of external walls without finishes;

“flue” means a passage for conveying the discharge of a heat generating appliance to the external air;

“flue pipe” means a pipe forming flue but does not include a pipe built as a lining to a chimney;

“foundation” means member of the structure that distributes loads directly to the ground or that part of a building in direct contact with and intended to transmit loads to the ground;

“garage” means an enclosed area, which is used or intended to be used for the parking, storing, servicing or repairing of motor vehicles;

“habitable room” means a room constructed or adapted to be used as a living or sleeping room or as a place for habitual employment of any person;

“hoarding” means a temporary fence made of light approved material erected around a building site;

“incremental house” means any dwelling house that, for reasons of affordability, is to be constructed in stages in such a manner that in its intermediate stages the house can be occupied by its owner for a specified period of time necessary to complete it;

“industrial effluent” means any liquid whether or not containing matter in solution or suspension which is given off in the course of or as a result of any industrial, trade, manufacturing, mining or chemical process or any laboratory, research or agriculture activity and includes any liquid other than soil water or storm water;

“landing” means a platform between two consecutive flights of a stairway;

“latrine” means place or receptacle for the decomposition of the human excrement and includes a pit privy, urinal, chemical or water closet;

“load” means any force to which a building is or may be subjected and includes dead, imposed, wind, seismic and other loads and forces caused by dimensional changes of materials;

“manhole” means a chamber of a depth greater than 750mm and of such dimensions that allow entry of a person into such chamber for the purpose of inspection of a drain, or sewer;

“member” means a structural component such as a beam, joist, column, slab, or foundation;

“minor building works” has a meaning assigned to it under section 2 of the Act;

“nosing” means the front edge of a tread of a stairway and includes the front edge of the top surface of any landing, which is situated at the top of a flight;

“occupancy” means the particular use or the type of use to which a building or portion of a building is normally put or intended to be put to use;

“party wall or separating wall” means—

- (a) a wall forming part of a building and used or constructed to be used for the separation of adjoining buildings belonging to different owners, constructed or adapted to be occupied by different tenants; or
- (b) a wall forming part of a building and standing on land of different owners;

“Physical Planning Committee” means a Physical Planning Committee established under the Physical Planning Act, 2010;

“plot” means a parcel of land demarcated by definite boundaries and includes all land within the curtilage of the building, out-buildings, yards, courts, open spaces and gardens-attached or intended to be occupied, other than the land used, allotted or set apart for any street, lane, passage or pathway;

“professional body” includes the Engineers Registration Board, the Surveyors Registration Board and Architects Registration Board;

“public building” means a building to which the public have a right of access during all reasonable times for reasons which the building is used in accordance with its prescribed occupancy;

“public place” means any square, park, recreation ground or open space which—

- (a) is vested in the Government;
- (b) the public has the right to use; or
- (c) is designated and shown as such on any development or general plan of an area;

“public sewer” means any sewer vested in the control of a public body;

“reinforced concrete” means concrete containing the specified minimum quantities of steel reinforcement;

“repairs” means operations on a building to restore it to an identical condition as to appearance, structure and occupancy which existed before the operations became necessary whether caused by fair wear and tear or by accident; except that repairs shall not include the complete replacement of a building previously destroyed;

- “retaining wall” means a wall intended to resist the lateral displacement of materials;
- “return form” means a form submitted with building plans as required under the Architects Registration Act;
- “scaffolding” means a temporary frame constructed to provide means of access to high level working areas as well as providing a safe platform from which to work;
- “separating element” means a wall or floor which has a specific fire resistance used between division occupancies or tenancies in a building;
- “septic tank” means a watertight tank designed to receive sewage and to retain it for such a period as to secure adequate decomposition of sewage;
- “sewage” means waste water, soil water, industrial effluent and other liquid waste flowing in separate or combined sewer but does not include storm water;
- “sewer” means a pipe, conduit or drain, which is used for the conveyance of sewage;
- “stability” means resistance of a structure or part of a structure to overturning or overall failure;
- “stairway” means any part of a building, which provides ascending or descending route of travel formed by a single flight or by a combination of two or more flights and one or more intervening landings;
- “storey” means part of a building which is situated between the floor level next below it and the floor of the level above it or, if there is no floor above it, the ceiling;

“storm water drain” means a pipe, conduit or surface channel, which is used solely to convey storm water;

“storm water” means water resulting from natural precipitation and includes rainwater, surface water, sub-soil water or spring water;

“street” means any highway, road, service lane or any land reserved for a highway, road or service lane and includes any bridge, footway, square, court, alley or passage, whether a thoroughfare intended for use by the public or not;

“strength” means, in relation to a member of a structure, resistance to failure by yielding or buckling;

“structural” means relating to or forming part of any structural system;

“structural system” means the system of constructional elements and components of a building, which is provided to resist the loads acting upon it and to transfer the loads to the ground upon which the building is founded;

“surveyor” means a surveyor registered under the Surveyor’s Registration Act;

“temporary building” includes—

- (a) an incremental house in any intermediate stage of erection;
- (b) a building intended to be used for experimental, demonstration, testing or assessment purposes;
- (c) any stall or other similar building to be erected as part of an exhibition;

“tread” means the upper surface of a step;

“wall” means a vertical load-bearing or non-load-bearing member of a structure whose length exceeds four times its thickness;

“water closet” means latrine accommodation used with water borne system of excreta disposal; and

“width” means the distance between opposite plot boundaries, measured at right angles to the direction of the street.

PART II—REMUNERATION OF MEMBERS OF THE BOARD AND BUILDING COMMITTEE

3. Remuneration of members of the Board.

The Chairperson and members of the Board shall be paid remuneration or allowances as the Minister may specify in their instruments of appointment, in consultation with the Minister responsible for finance and the Minister responsible for public service.

4. Remuneration of Building Committee members.

Members of the Building Committee shall be paid remuneration or allowances as the Minister may determine.

PART III—CONTROL OF BUILDING OPERATIONS

Professional Engagement

5. Engagement of professionals.

(1) The Building Committee shall, as a condition in the building permit, require the owner of a building other than a minor building to—

- (a) employ an architect for purposes of architectural design;

- (b) employ an engineer for the purposes of an engineering design;
- (c) employ a surveyor for the purposes of surveying services such as processing boundary reports;
- (d) retain the services of the architect and the engineer for the purpose of supervising the construction of the building;
- (e) retain a health and safety expert on site throughout the construction of a building; and
- (f) retain the services of any other professional necessary to a building operation.

(2) The architectural and engineering drawings, documents and site reports shall be signed by the architect or engineer engaged by the owner of the proposed building.

(3) On completion of the building operations, the architect or the engineer as the case may be, shall submit to the Building Committee a certificate confirming that the work has been carried out in accordance with the approved plans, the Act, these Regulations and the Code.

(4) For the purposes of these Regulations, the Building Committee shall keep a register of qualified architects, structural engineers and surveyors as gazetted from time to time by their respective professional bodies.

6. Design and supervision by professionals.

(1) Where a person engages an architect or engineer to design or supervise a building or a part of a building, the building operations shall be deemed to satisfy the requirements of these Regulations; provided the person retains the services of the architect or engineer until an occupation permit is issued.

(2) The architect and engineer shall certify to the Building Committee, the satisfactory completion of the building before an occupation permit is issued.

(3) Where the owner of a building terminates the services of the architect or engineer at any time before the occupation permit is issued, the owner shall immediately notify the Building Committee, and the Building Committee may—

- (a) stop any further building operations until another architect or engineer is engaged by the owner; or
- (b) assign an architect or engineer from an annually gazetted list of architects and engineers, who shall be retained at the expense of the owner for purposes of ensuring compliance with the Act, these Regulations and the Code, until an occupation permit is issued.

(4) Where an architect or engineer terminates his or her services from the owner under this regulation, the architect or engineer shall immediately notify the Building Committee.

7. **Non-compliant professionals.**

(1) Where an architect, engineer or surveyor fails to perform his or her duty as required by law under the employment of the owner, the owner may report the architect, engineer or surveyor to their respective professional body for disciplinary action and notify the relevant Building Committee and the Board for appropriate action.

(2) Where an architect, engineer or surveyor fails to comply with the Act, these Regulations or the Code, the Building Committee may—

- (a) issue a warning to the engineer, surveyor or architect specifying the provisions contravened;
- (b) report the architect, engineer or surveyor to their respective professional body for appropriate action;
- (c) request a report to be submitted by the professional body to the Building Committee on any action taken under paragraph (b); or

- (d) recommend to the Director of Public Prosecution for prosecution under section 40(3) or section 45 of the Act, where an offence is committed.

Classification of Building Developments

8. Classification of buildings.

Buildings shall be classified according to form, size, complexity, social and environmental impact under Category A, B or C as prescribed in Schedule 2.

Building Plans

9. Architectural plans.

(1) Architectural plans shall consist of the following, where applicable, and to the satisfaction of the Building Committee—

- (a) location plan;
- (b) context or block plan;
- (c) site plan;
- (d) floor plans;
- (e) elevations;
- (f) sections;
- (g) door and window schedules;
- (h) drainage plans; storm, foul and waste water; and
- (i) boundary wall plan and details.

(2) The architectural drawings and diagrams shall be drawn to suitable scales but not smaller than any of the following scales—

- (a) site plans- 1:2500, 1:1250, 1:1000, 1:500, 1:250, 1:200 or 1:100;
- (b) layout drawings, including demolition drawings, if any- 1:100, 1:50 or 1:20; and
- (c) sections and elevations- 1:100 or 1:50.

10. Civil or structural plans.

(1) Civil or structural engineering plans, drawings and diagrams shall contain the following, where applicable—

- (a) excavation details;
- (b) foundation details;
- (c) column details;
- (d) beam details;
- (e) beam-column connections;
- (f) slab details;
- (g) staircases;
- (h) lift wells;
- (i) roof details; and
- (j) retaining structure details.

(2) Civil or structural engineering plans, drawings and diagrams referred to in subregulation (1) shall be drawn to suitable scales but not smaller than 1:100, 1:50, 1:20, 1:10, 1:5, 1:2 or 1:1.

11. Electrical engineering installation plans.

(1) Electrical engineering installation plans, drawings and diagrams shall contain the following, where applicable—

- (a) mains and standby power supply;
- (b) power reticulation;
- (c) lighting layout;
- (d) small power layout;
- (e) fire protection;
- (f) private automatic branch exchange system (PABX);
- (g) local area data network (structured cabling); and
- (h) closed circuit television (CCTV).

(2) The electrical engineering plans, drawings and diagrams referred to in subregulation (1) shall be drawn to suitable scales but not smaller than 1:200, 1:100, 1:50 or 1:20.

12. Mechanical engineering installations plans.

(1) Mechanical engineering installation plans, drawings and diagrams shall contain the following, where applicable—

- (a) water supply;
- (b) water reticulation;
- (c) water storage;
- (d) ventilation and air conditioning;
- (e) drainage; and
- (f) firefighting.

(2) The mechanical engineering plans, drawings and diagrams referred to in subregulation (1) shall be drawn to suitable scales but not smaller than any of the following scales—

- (a) drainage installation drawings-1:200, 1:100 or 1: 50; and
- (b) storm and wastewater disposal- 1: 1250 or 1:2500.

13. General requirements.

(1) The building plans referred to under regulation 9, 10, 11 and 12 shall indicate sections, elevations, calculations and drawings, specifications of materials and such other particulars as the Building Committee may consider necessary.

(2) The Building Committee may require the applicant to submit the building plans as white bond paper, soft copy, blue print or any suitable durable material, scale or format.

(3) Where an applicant submits the building plans in hard copy format, he or she shall submit the documents in quadruplet to the Building Committee.

(4) All building plans, sections and elevations required by the Building Committee shall be prepared by an architect or engineer and shall —

- (a) be clearly and accurately delineated in ink or other suitable permanent manner, on a suitable and durable material to the scales prescribed in regulations 9, 10, 11 and 12;
- (b) describe the class or nature of the building and show clearly the purpose for which every room or part of the building is to be used;
- (c) indicate the stages and method by which it is intended to construct the building, if it is not to be built in one operation;
- (d) indicate the materials of which the building will be constructed; and show clearly and accurately the position, form and dimensions of the foundations, walls, floors, rooms and the other parts of the buildings;
- (e) include a plan of every floor and complete sections of the foundations and of every storey, floor and roof of the building;
- (f) differentiate clearly between new work and existing work, if the building permit applied for is for work on an existing building; and
- (g) any other particulars as the Building Committee may require.

(5) The building plans shall be signed by the architect or engineer who prepared the plans, drawing or other relevant document.

(6) In all cases the scales used shall be stated on the plans, drawings or diagrams and the letters and symbols adopted shall not be less than 2.5m high.

(7) The north point shall be shown at the top right hand corner of the site plan or location plans.

14. Excavations.

(1) A person shall not carry out excavation works exceeding two meters below the original ground level without a permit issued by the Building Committee.

(2) An excavation exceeding 2 meters below the original ground level or in situations where special geotechnical considerations exist, shall be designed by an engineer.

(3) An excavation for a foundation shall be taken down to a firm natural ground and the bottom made horizontal or design the foundation to suit the existing site conditions.

(4) Where an excavation for a foundation is in solid rock, the bottom of the excavation shall be taken into the rock to a depth not less than 300mm or the depth equal to the thickness of the foundation footing, whichever is greater.

(5) Where excavation into solid rock is not practicable under subregulation (4), the Building Committee may evaluate the technical solutions submitted by the engineer.

15. Landscaping and parking.

(1) The Building Committee shall by notice in the Gazette, prescribe the types of building and locations that require proposals for landscaping of the site as part of the building operations.

(2) The landscaping proposal referred to under subregulation (1) shall be designed—

- (a) to enhance the aesthetics of the site and the adjacent area;
- (b) to provide a screen against environmental hazards; or
- (c) to contain hazardous substances or activities within the building curtilage.

(3) The proposal for landscaping shall include indigenous flora and local materials, wherever practicable.

(4) Parking for motor vehicles shall be provided within the boundary of the site in accordance with the Code.

16. Use of unconventional materials or methods.

(1) A person intending to use any building methods or materials for building, for which no provision has been made under the Code, shall submit an application in writing to the Building Committee giving details of the methods and materials intended to be used.

(2) The Building Committee may, with the consent and at the cost of the applicant, appoint a consultant to report on whether the standard of durability and stability of the building to be constructed from the materials or by methods not provided for in the Code are equal to the standard imposed by the Code.

17. Unstable soils or slopes.

(1) Where the Building Committee has reason to believe that there are unstable subsoils or unstable slopes on a building site, it shall advise the applicant accordingly.

(2) Where unstable soil or an unstable slope is evident within the boundaries of the site, the applicant shall submit to the Building Committee particulars of the measure considered necessary to make provision for any differential movements or other effects which may be detrimental to the building irrespective of whether or not the Building Committee informed the applicant about the unstable soils or slopes.

*Building Control Officer and Assistant Building
Control Officer*

18. Building Control Officer and Assistant Building Control Officer.

(1) Every District Service Commission shall in accordance with section 32 of the Act, appoint a Building Control Officer, Urban Building Control Officer and such other Assistant Building Control Officers as are necessary to enable the Building Committee to carry out its functions under the Act.

(2) A Building Control Officer or Urban Building Control Officer shall be a person who—

- (a) has at least a bachelors degree in any of the following disciplines—
 - (i) architecture;
 - (ii) engineering; or
 - (iii) quantity surveyor;
- (b) has a minimum of five years continuous employment in the construction industry; and
- (c) is registered with the relevant professional body.

(3) An Assistant Building Control Officer shall be a person with the following qualifications—

- (a) at least an ordinary diploma or its equivalent and he or she shall belong to a relevant professional association in any of the following disciplines—
 - (i) architecture;
 - (ii) engineering; or
 - (iii) quantity surveyor; and
- (b) a minimum of three years continuous employment in the construction industry.

(4) The Building Control Officer appointed under this regulation shall submit reports on the performance of his or her functions under the Act to the relevant Building Committee at least once every quarter.

Building Permit

19. Application for building permit for minor building works.

(1) A person who intends to erect a minor building shall apply to the Building Control Officer for a building permit in accordance with section 39 of the Act.

(2) The application referred to in subregulation (1) shall be in Form 1 set out in Schedule 3 and shall be accompanied by—

- (a) a letter from the chairperson of the village council of the area;
- (b) proof of ownership of land in accordance with the Land Act, including the certificate of title, power of attorney from the registered proprietor or other satisfactory proof of ownership;
- (c) development permission from the Physical Planning Committee;
- (d) a sketch plan;
- (e) proof of payment of application fees prescribed in Schedule 4; and
- (f) any other document as may be required by the Building Control Officer.

(3) Where the Building Control Officer deems any application to be of such character or magnitude as to have a substantial impact on the neighbourhood or community, he or she shall direct the applicant to place a notice in the Gazette or newspaper of wide circulation inviting representations from the public in writing to the Building Control Officer.

(4) The Building Control Officer shall make copies of the representations from the public available to the applicant within fourteen days and the applicant shall have fourteen days to make a written reply to the representations.

(5) The Building Control Officer shall, within twenty one days from the date of receipt of the application in subregulation (1), give his or her decision in writing—

- (a) approving the application; or
- (b) refusing the application.

(6) A person aggrieved by the decision of the Building Control Officer under this regulation may appeal to the Building Committee within fourteen days from the date of receipt of the decision.

20. Application for a building permit for temporary building operations.

(1) A person who wishes to erect a temporary building shall apply to the Building Committee for a building permit.

(2) The application referred to in subregulation (1) shall be in Form 2 set out in Schedule 3 and shall be accompanied by—

- (a) a site plan;
- (b) detailed architectural drawings to enable the Building Committee to determine the size, form, materials of construction and use of the proposed temporary building;
- (c) where it is intended that the public shall have access to the building, structural details necessary for the Building Committee to determine the structural safety of the proposed building;
- (d) proof of payment of application fee prescribed in Schedule 4; and
- (e) any other document as may be required by the Building Committee.

(3) Notwithstanding subregulation (2), where a stall is to be erected inside an exhibition hall, the owner of the hall shall not be required to submit to the Building Committee any details of the stall but shall submit to the Building Committee a layout plan of all the stalls within the hall showing the location of each individual stall, escape doors and firefighting equipment.

(4) Where the Building Committee is satisfied with an application made under subregulation (1), it may within thirty days from the date of receipt of the application, grant the application subject to conditions as may be specified in the building permit.

(5) A person granted a building permit under subregulation (4) shall commence building operations within twelve months in accordance with section 38(1) of the Act.

(6) The period referred to in subregulation (5) may be extended by the Building Committee upon request of the owner of the temporary building in accordance with section 38 (2) of the Act.

(7) Where it is intended that the public shall have access to the building, the request referred to under subregulation (6) shall be accompanied by a certificate signed by an engineer, indicating that the condition of the structural system is satisfactory for the period of extension.

21. Application for building permit for residential or commercial building operations.

(1) A person intending to carry out a building operation of residential or commercial building shall submit an application for a building permit to the Building Committee in accordance with section 35 of the Act and these Regulations.

(2) An application referred to under subregulation (1) shall, in addition to the requirements prescribed in sections 35(2) and (3) of the Act, be accompanied by the following, where applicable—

- (a) a letter of introduction from the chairperson of the village council of the area;
- (b) a sketch plan of the proposed building;
- (c) proof of ownership of land in accordance with the Land Act, including photocopy of certificate of title, power of attorney from the registered proprietor or other satisfactory proof of ownership;
- (d) development permission from the Physical Planning Committee;
- (e) at least two sets of architectural drawings;

- (f) a boundary opening report from a surveyor;
- (g) at least two sets of electrical drawings;
- (h) at least two sets of mechanical engineering drawings;
- (i) at least two sets of structural engineering drawings and design calculations for both temporary and permanent works, where applicable;
- (j) proof of payment of application fees prescribed in Schedule 4; and
- (k) any other document as may be required by the Building Committee.

(3) The application referred to in subregulation (2) shall be signed by the applicant or his or her representative and shall be in Form 2 set out in Schedule 3.

22. Application for building permit for complex structures or public building operations.

(1) A person intending to carry out a building operation of a complex structure or public building shall submit an application for a building permit in accordance with section 35 of the Act and these Regulations.

(2) An application referred to under subregulation (1) shall, in addition to the requirements prescribed in section 35(2) and (3) of the Act and regulation 21(2), be accompanied by the following, where applicable—

- (a) a geotechnical investigation report;
- (b) a hydrological investigation report;
- (c) a certificate of environmental and social assessment from the National Environment Management Authority;
- (d) an acknowledgement of receipt of the building plans by the Commissioner of Occupational Safety and Health;
- (e) a traffic impact assessment;

- (f) a certificate of energy efficiency assessment from the Ministry responsible for energy;
- (g) proof of payment of application fees prescribed in Schedule 4; and
- (h) any other document as may be required by the Building Committee.

(3) The application referred to in subregulation (2) shall be signed by the applicant or his or her representative and shall be in Form 2 set out in Schedule 3.

23. Receipt of applications for building permits.

(1) The Building Committee may receive applications under these Regulations in hard copy or electronic format.

(2) Where a Building Committee has capacity to receive applications in electronic form, the Committee shall issue guidelines specifying the procedure.

(3) Where an application submitted under this regulation is incomplete, the Building Committee shall return the application to the applicant.

(4) The applicant referred to in subregulation (3) may resubmit the application to the Building Committee where he or she has satisfied the requirements of these Regulations and shall pay re-submission fees prescribed in Schedule 4.

(5) In the case of applications received by the Building Control Officer, the Building Control Officer shall assess and make recommendations to the Building Committee in relation to applications for building permits in accordance with sections 33 and 35 (4) of the Act using Form 3 set out in Schedule 3.

24. Notification of approval, deferral and rejection.

(1) A Building Committee to which the application has been submitted may in the exercise of its power under section 36(1) of the

Act, grant the building permit in Part I of Form 4 specified in Schedule 3 and may attach to the permit any conditions with respect to the proposed building or work consistent with these Regulations.

(2) A Building Committee shall notify the Building Control Officer of its decision in accordance with section 33 (c) using the form in Part II of Form 4 set out in Schedule 3.

(3) Where the Building Committee issues a permit under subregulation (1), the chairperson of the Building Committee shall sign the permit and other documents and issue one endorsed copy of the permit and other documents to the applicant.

(4) The Building Committee shall maintain records of its proceedings as prescribed in Parts I and II of Form 5 set out in Schedule 3.

25. Revocation of a building permit.

In addition to the circumstances set out in section 40 of the Act, a building permit may be revoked where—

- (a) the owner of a building operation uses building methods and materials that have been prohibited under section 42 of the Act;
- (b) the professionals engaged under these Regulations are replaced without notifying the Building Committee;
- (c) the building operation is not in accordance with the approved plans; or
- (d) the building operations have been suspended for more than twelve months.

26. Preliminary building permit enquiries.

(1) A person who intends to carry out complex structures or public building operations may, before applying for a building permit, request the Building Control Officer—

- (a) to examine a preliminary sketch or conceptual drawings or plans of the proposed building operation and furnish in writing his or her comments on the plans or on any particular features of the plans;
- (b) to furnish, in writing, his or her opinion as to whether any material, method or form of construction intended to be used in the erection of the building complies with the Act, these Regulations, the Code and other applicable laws; or
- (c) to advise on the requirements for approval.

(2) Where the Building Control Officer is unable to comply with the request in subregulation (1), the Building Control Officer shall notify the applicant in writing stating the reasons for his or her inability to do so.

Building Site Operation and Management

27. Notice of commencement and completion of certain stages of work.

(1) A person shall not commence a building operation prior to giving a notice in writing to the Building Committee specifying the date on which the building operation shall commence.

(2) The notice referred to under subregulation (1) shall be issued—

- (a) to the Building Committee at least fourteen days in the case of demolition; and
- (b) to the Building Committee at least seven days in the case of erection of a building or regular maintenance of a building including painting, redecoration or replacement of damaged roof covering.

(3) The notice referred to under subregulation (1) shall be signed by the applicant or his or her representative and shall be in Form 6 as set out in Schedule 3.

(4) A copy of the approved drawings and building permit shall be kept on site and shall be readily accessible by the Building Control Officer at all times during the building operation.

(5) A building operation shall not proceed beyond a stipulated stage if the stage has not been inspected and approved by the Building Committee or Building Control Officer, where that is a condition of the building permit.

(6) The owner of a building operation shall use Form 7 set out in Schedule 3 to request for inspection.

(7) Where there is a condition in the building permit requiring the owner to submit quarterly reports of the progress of a building operation, the architect or engineer shall furnish the Building Committee or Building Control Officer a certificate of stability of structure in Form 8 set out in Schedule 3 certifying that the structural work of the building is been carried out in accordance with the structural design and details.

(8) The Building Committee or Building Control Officer may give at least two days' notice to the owner of a building operation prior to inspection.

(9) The stages for inspection referred to under subregulation (5) include—

- (a) for all buildings—
 - (i) setting out of foundations of buildings;
 - (ii) foundations excavated and level pegs for concreting;
 - (iii) foundations concreted;
 - (iv) trenches for drainage work excavated to levels and gradients;
 - (v) drains laid and joined and ready for testing;

- (vi) reinforcing steel fixed in position before concreting;
 - (vii) concrete shuttering ready for striking;
 - (viii) walls completed to wall-plate level;
 - (ix) roof frame-work completed before covering; and
 - (x) practical completion before occupation.
- (b) for reinforced concrete structures, elements or members in all cases after reinforcement is in place, but before concrete is poured for—
- (i) foundations;
 - (ii) retaining walls;
 - (iii) columns; and
 - (iv) beams and slabs;
- (c) for structural steelwork, after erection but before cladding;
- (d) for structural timber, after erection but before cladding; and
- (e) for suspension and resumption of building operations.

(10) Where a person is notified by the Building Committee in writing of any contravention of his or her building permit during the construction and is required to rectify the contravention, he or she shall after completion of the rectification, notify the Building Committee in writing.

(11) If the procedure laid down in subregulation (10) is not followed, the Building Committee may by notice in writing, require the owner to cut into, lay open or pull down as much of the building work as may be necessary to carry out any tests and ascertain whether the provisions of the Act, these Regulations and the Code have been complied with, and at the cost of the owner.

(12) The Building Committee may carry out tests or inspections as may be necessary.

(13) Tests or inspections under subregulation (12) shall be at the expense of the owner of the building operation.

(14) A person shall notify the Building Committee in writing of—

- (a) the erection of a building not more than seven days after completion or if a building or part of a building is occupied before completion, not less than seven days after completion;
- (b) any alteration or extension of a building, not more than seven days after completion; or
- (c) the execution of works or the installation of fittings in connection with a building, not more than seven days after completion.

28. Demolition work.

(1) A person shall not demolish, cause or permit to be demolished any building without approval of the Building Committee.

(2) The Building Committee may impose conditions as are necessary for the safety and health, convenience of the public and safety of any building or installation which may be affected by the demolition.

(3) A person shall not leave a building or demolition site in a dangerous condition.

(4) Where a building is left in a dangerous condition under subregulation (3), the Building Committee shall require the owner of the building to make the site safe and where he or she fails, the Building Committee shall carry out the necessary work at the cost of the owner of the site.

(5) The Building Committee may prohibit the use of any method of demolition of any building where the method is likely to create danger to human life, other building, or property.

29. Site operations.

(1) The Building Committee may require the owner of the site to erect a fence, hoarding or barricade to keep the public out and to protect the public from activities on the site prior to commencement of a building operation.

(2) The fence, hoarding or barricade shall be retained and maintained by the owner in a safe condition until the work is complete.

(3) A person undertaking any building operation on any site shall confine all operations in connection with the work within the boundaries of the site.

(4) The owner shall erect and retain a sign board for the duration of the construction until work is complete, in the most publicly visible position on the site indicating what the project is, together with the name, contact information and registration numbers where applicable.

(5) The sign board referred to in subregulation (4) shall also include—

- (a) the owner;
- (b) project title;
- (c) the person with overall responsibility for the site operations;
- (d) the architect responsible for overseeing the site operations;
- (e) the engineers responsible for overseeing the site operations;
- (f) surveyor responsible for the project; and
- (g) any other information as required by the Building Committee.

(6) The Building Committee may, before or during the erection or demolition of any building, impose any conditions in addition to the conditions or requirements contained in these Regulations for the purpose of safeguarding the interests of the public, and the owner of the building shall observe the conditions.

30. Temporary builders shed.

(1) A person carrying out building operations may erect on the site, temporary builder's sheds as may be necessary.

(2) The construction and location of the sheds shall be to the satisfaction of the Building Committee.

(3) The sheds shall be maintained in good order and condition at all times during the building operations.

(4) The Building Committee may serve a notice on the owner of the sheds requiring him or her within a time specified in the notice, to remove, relocate, reconstruct, repair or improve the condition of the sheds.

(5) Security personnel employed in connection with any building operation may be accommodated in the builder's sheds subject to the requirements and conditions as may be necessary for safeguarding public health, avoidance of any nuisance and inconvenience to persons in the vicinity of the building site.

31. Temporary sanitary facilities.

(1) A person shall not commence any building operations without installing sanitary facilities for personnel at the building site or at a reasonably close location as approved by the Building Committee.

(2) Sanitary facilities shall—

- (a) be placed in such a position so as not to be offensive;
- (b) be maintained in a hygienic condition; and
- (c) be removed by the owner immediately after the completion of the building operations.

(3) Sanitary facilities shall be provided at the rate of not less than one sanitary facility for every thirty people on the building site.

32. Excavations and measures for stability of site.

(1) Where any excavation is carried out or is to be carried out on any site which is likely to be unstable, measures shall be taken by the owner of the site to ensure that stability is maintained.

(2) Where any excavation is likely to impair the stability of any property or where the depth at any point in an excavation is expected to be in excess of 3 metres and is not indicated on the approved architectural and structural engineering plans, the owner of the site shall—

- (a) make an application to the Building Committee, in writing for approval of the required structural temporary works prior to the commencement of excavation;
- (b) take precautionary measures as may be specified by the Building Committee; and
- (c) maintain open excavations in a safe condition at all times to the satisfaction of the Building Committee.

33. Compulsory maintenance.

(1) A Building Committee may, in respect of any building which has in its opinion fallen into a state of disrepair or neglect, and constitutes a safety or health hazard to the public, or for aesthetic purposes, serve a notice in writing on the owner of the building, requiring him or her to carry out repairs or painting within such time as may be specified in the notice.

(2) Where a person notified under subregulation (1) fails or refuses to carry out the repairs or painting within the stipulated period, the Building Committee may carry out the repairs or painting at the cost of the owner of the building.

Occupation Permit

34. Application for occupation permit.

(1) A person intending to occupy a building shall apply for an occupation permit, temporary occupation permit or partial occupation permit in accordance with section 44 of the Act and these Regulations.

(2) An application referred to under subregulation (1) shall be accompanied by the following, where applicable—

- (a) at least two sets of as-built drawings for the building layout;
- (b) at least two sets of as-built electrical drawings;
- (c) at least two sets of as-built mechanical engineering drawings;
- (d) at least two sets of as-built structural engineering drawings;
- (e) a certificate of fitness of the electrical installations issued by an engineer;
- (f) a certificate of fitness of the mechanical installation issued by an engineer;
- (g) a certificate of practical completion; and
- (h) any other document as may be required by the Building Committee.

(3) The application referred to under subregulation (2) shall be signed by the applicant or his or her representative and shall be as set out in Part I or Part II of Form 9 set out in Schedule 3.

(4) Upon receipt of an application for an occupation permit, the Building Control Officer shall inspect the building prior to the issuance of an occupation permit by the Building Committee.

(5) The Building Committee, where satisfied that the application meets the requirements of the Act, these Regulations and the Code, shall issue an occupation permit in Part I or Part II of Form 10 set out in Schedule 3.

35. Revocation of building occupation permit.

An occupation permit may be revoked where—

- (a) an owner of the building fails to take corrective measure required by the Building Committee; or
- (b) the building is used for other purposes other than that for which a permit was issued.

36. Inspections.

(1) The Building Control Officer shall inspect buildings at regular intervals to detect any deterioration or defects in the buildings in accordance with the Act.

(2) The Building Control Officer shall apply Forms A, B and C of Form 11 set out in Schedule 3, as appropriate, to undertake the inspection of building works.

37. Appeals.

(1) A person aggrieved by a decision of the Building Control Officer under these Regulations may appeal to the Building Committee within thirty days after receiving notice of the decision.

(2) A person aggrieved by a decision of the Building Committee under these Regulations may within thirty days after receiving notice of decision, appeal to the Board.

(3) The appeal shall be in writing with a copy to the Building Control Officer or the Building Committee, as the case may be.

(4) The right of appeal to the Board under this regulation does not take away the right of an applicant to appeal to a court of law and the court may confirm, reverse or modify the decision of the Board.

38. Fees.

(1) The fees specified in Schedule 4 shall be paid in respect of the services or activities to which they relate.

(2) All application and permit fees shall be paid by way of electronic transfer or direct deposit into the bank account of the relevant local government.

(3) The prescribed application fees shall be paid on or before the day an application is submitted to the Building Committee and prescribed permit fees shall be paid before the permit is issued.

(4) Subject to paragraph 15 of Schedule 4, the fees prescribed in Schedule 4 are not refundable.

39. Deviation from approved plan.

(1) Where any deviation is found necessary during the course of construction of a building, an owner of a building operation may apply to the Building Committee to continue with the deviation work.

(2) An application under subregulation (1) shall be accompanied by the revised plan, drawing or diagram to cover the deviation, as certified by the responsible registered professional.

(3) Where an owner of a building deviates from an approved plan, drawing or diagram to a substantial degree in terms of plot coverage, height, depth, other dimensions, structural system, or becomes non-compliant with these Regulations, the Building Committee may revoke the building permit for the building operations and require the owner of the building to demolish and remove the building within a specified time at his or her own cost.

40. Non-compliant building operations.

Where the Board is of the opinion that a building operation is in contravention of the Act, these Regulations or the Code or that such building operations may result into public nuisance or risk of accidents, the Board may—

- (a) require the Building Committee to investigate the matter and report to the Board;
- (b) recommend to the Building Committee to stop the building operations; or
- (c) proceed to take any legal action in accordance with the Act and these Regulations.

41. Compliance audits by the Board.

(1) The Board shall conduct periodic inspections of the records and proceedings of the Building Committees to ensure compliance with the Act.

(2) In the exercise of its functions under the Act, the Board may—

- (a) carry out audits during and after building permit approval process, and compliance audit after the completion of the building operation;
- (b) develop a capacity building strategy for Building Committees and other stakeholders involved in building operations;
- (c) require any information, documents, records and reports in respect of any aspect of the building permit approval process where an appeal has been lodged against a decision of a Building Committee;
- (d) summon witnesses, call for the production of plans, documents, and examine witnesses and parties concerned for purposes of determining an appeal against a decision of the Building Committee;
- (e) undertake investigations into a building permit approval process or building related accidents; and
- (f) act upon complaints by Building Control Officers, Building Committees, or any person in respect of any building permit approval process.

42. General offences and penalties.

(1) A person who—

- (a) fails to comply with the terms of a notice or conditions issued under these Regulations;
- (b) deviates in any material degree from the approved plan, drawing or diagram without approval of the Building Committee;
- (c) erects a building in contravention of these Regulations;

- (d) hinders or obstructs a Building Control Officer or any person authorised by the Building Committee in the performance of his or her duties;
- (e) submits a certificate, which is substantially false, incorrect or fraudulent;
- (f) fails to take out worker's insurance as required by the Workers Compensation Act, 2006;
- (g) being the owner of a building, occupies, uses or permits the occupation or use of a building without an occupation permit;
- (h) causes any building to be altered or used for a purpose other than the purpose shown on the approved plans of the building; or
- (i) uses a building for a purpose, which causes a change in the class of occupancy,

commits an offence and is liable on conviction to a fine not exceeding forty eight currency points or imprisonment not exceeding two years or both, and in the case of a continuing contravention, an additional fine not exceeding five currency points for each day during which the contravention continues.

(2) For the avoidance of doubt, a person may proceed under the Workers Compensation Act, 2006 against a person convicted under subregulation (1), where his or her actions result in the injury or death of a person.

SCHEDULES

SCHEDULE 1

Regulation 2

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

Regulation 8

CLASSIFICATION OF BUILDINGS

| Category | Description |
|-----------------|--|
| A | Complex structural forms; public buildings, multi storeyed buildings more than 12m high, building complexes (mixture of all) such as schools, hospitals, shopping malls, buildings of high social impact or to be located in sensitive ecosystem among others. |
| B | Residential or commercial buildings; floor area >30m ² ; single or multi-storeyed of up to 12m high of simple structural form, boundary wall built of bricks, concrete or other solid material of permanent nature. |
| C | Minor and temporary buildings; Floor area <30m ² ; single storey; of simple structural form. |

SCHEDULE 3—FORMS

FORM 1

Regulation 19(2)

**APPLICATION FOR BUILDING PERMIT FOR
MINOR BUILDING WORKS**

To: The Building Control Officer

In accordance with the Building Control Regulations, 2020, I/we hereby make an application for permission to carry out minor building works at

Plot No. _____

Block No. _____

Street/ Road _____

Location _____

District _____

In the position indicated on the accompanying sketch plans.

(a) Name and address of the applicant.

(b) Description of intended use.

Dated this _____ day of _____ 20 _____

.....
Name and signature of applicant

OFFICIAL USE ONLY

In accordance with the Building Control Regulations, 2020, you are hereby authorised to carry out minor building works with the following conditions-

| CONDITIONS | | | |
|----------------------|-------------------------|-------------------|-------------------|
| <i>Architectural</i> | <i>Civil/Structural</i> | <i>Electrical</i> | <i>Mechanical</i> |
| | | | |

Dated this _____ day of _____ 20 _____

.....
Building Control Officer

Attach—

- (a) *a letter of introduction as cover from the chairperson of the village council of the area;*
- (b) *proof of ownership of land in accordance with the Land Act, including the certificate of title, power of attorney from the registered proprietor or other satisfactory proof of ownership;*
- (c) *an approval of development by the Physical Planning Committee;*
- (d) *a sketch plan; and*
- (e) *any other document as may be required by the Building Control Officer.*

FORM 2

Regulations 20(2), 21(3) and 22(3)

APPLICATION FOR BUILDING PERMIT FOR TEMPORARY BUILDING*, RESIDENTIAL/COMMERCIAL BUILDING* OR COMPLEX STRUCTURE /PUBLIC BUILDING*

To: The Building Committee

1. Particulars of applicant:

(a) Name: _____

(b) Physical address: _____

(c) Postal address: _____

(d) Telephone (fixed line): _____

(e) Mobile phone: _____

(f) Fax: _____

(g) E-mail address: _____

(h) Identification number (in case of an individual): _____

(i) Name of contact person (where different from applicant): _____

2. Legal status of applicant

Please indicate legal status of applicant (*Attach certificate of incorporation, memorandum and articles of association, where applicable*).

3. Particulars of directors:

| <i>Name</i> | <i>Address</i> | <i>Nationality</i> | <i>Country of usual residence</i> |
|-------------|----------------|--------------------|-----------------------------------|
|-------------|----------------|--------------------|-----------------------------------|

| | | | |
|-----------|-------|-------|-------|
| (a) _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

(b) _____

3. Description of the proposed building operation

Temporary building.....

Category A.....

Category B.....

4. Description and location of site

| | | | |
|-------------------|----------------|----------------|-------|
| Plot No _____ | Block No _____ | Location _____ | _____ |
| Building Name | _____ | | |
| Owner and address | _____ | _____ | _____ |

5. Statement of the proposed costs and financing _____

6. Accessibility to Services

| S/N | DESCRIPTION | YES | NO | N/A |
|-----|--------------------|-----|----|-----|
| 1 | Access road | | | |
| 2 | Water supply | | | |
| 3 | Sewer connection | | | |
| 4 | Electricity supply | | | |
| 5 | Internet supply | | | |
| 6 | Others _____ | | | |

7. Professionals engaged, where applicable;

(a) Name and address of the Architect: _____

Signature and stamp: _____

(b) Name and address of the Structural Engineer: _____

Signature and stamp: _____

(c) Name and address of the Building Services Engineer: _____

Signature and stamp: _____

(d) Name and address of the Quantity Surveyor: _____

Signature and stamp: _____

8. Is the plot affected by any reservation or road lines? If so, are these correctly and clearly marked on the block plan?

9. What is the actual area available on site: _____

10. If there is any deduction in the original area of the plot on account of road lines or reservation (please state the total area of the deductions) _____

11. If the work is in connection with an industry—

(a) briefly describe the main and ancillary processes _____

(b) state the nature and quantum of industrial waste/effluents and methods of disposal

12. If the plot abuts two or more streets, information for all streets should be given

13. How many parking spaces are proposed? _____

14. Are parking spaces for transport vehicles provided? _____

15. Does any natural water course pass through the land under development?

16. Is the plinth level proposed to be the level of the surrounding ground level?

17. Declaration by the applicant:

I declare that the details stated above are true and correct to the best of my knowledge and belief.

Authorised signature and seal of applicant

Name: _____ Signature: _____ Seal _____

Dated this _____ day of _____, 20_____

Attach the following, where applicable—

- (a) development permission from the Physical Planning Committee;*
- (b) a boundary opening report from a surveyor;*
- (c) a site plan;*
- (d) architectural drawings;*
- (e) services drawings showing locations of proposed and any existing services;*
- (f) electrical and mechanical engineering drawings showing proposed points of connection including lightning protection systems;*
- (g) a site drainage plan;*
- (h) structural engineering drawings and design calculations for both temporary and permanent works;*
- (i) proof of ownership of land in accordance with the Land Act, including the certificate of title, power of attorney from the registered proprietor or other satisfactory proof of ownership;*

- (j) *a certificate of environmental impact assessment from the National Environment Management Authority;*
- (k) *building operations and works engineering construction certificate from the Commissioner of Occupational Safety and Health;*
- (l) *a certificate of approval of electrical or mechanical engineering drawings showing fire detection, protection and fighting by the Police Fire Department;*
- (m) *a certificate of approval of change of development by the Physical Planning Committee;*
- (n) *traffic impact assessment; and*
- (o) *certificate of energy efficiency assessment from the Ministry responsible for energy.*

** Delete whichever is not applicable.*

FORM 3

Regulation 23(5)

RECOMMENDATION TO THE BUILDING COMMITTEE

To: *The Chairperson, Building Committee*

| | | | |
|---|-------------------------|-------------------|-------------------|
| Approval Reference | | | |
| Entity | | | |
| Particulars of the submission* | | | |
| Decision of Building Control Officer | | | |
| COMMENTS | | | |
| Architectural | Civil/Structural | Electrical | Mechanical |
| | | | |

In accordance with the Building Control Regulations 2020, I confirm that the building plans mentioned below have been scrutinised and comments made.

Dated this.....day of.....20.....

Sign _____
Building Control Officer

* Indicate the Plot No., Block No., street/road, district, building classification, building name, owner and address, estimated value of construction in Uganda shillings, and approval fees submitted in Uganda shillings.

FORM 4

PART I

Regulation 24(1)

BUILDING PERMIT

To: The Applicant

In accordance with the Building Control Regulations 2020, we confirm the building plans mentioned below have been approved.

Plot No. _____ Block No. _____

Street/Road _____ Location _____

District _____

Building permit No _____

Building classification: _____

Building name: _____

Owner and address: _____

Estimated value of construction in Ushs _____

Approval fees paid in Ush _____

Name of Architect: _____

Registration No _____

Name of Structural Engineer: _____

Registration No _____

Name of Electrical Engineer: _____

Registration No _____

Name of Mechanical Engineer: _____

Registration No _____

Name of Builder: _____

Name of Owner
Address: _____

Telephone _____

Signature _____ Date _____

NOTE:

1. *The passing of this plan operates as an approval for the purposes of the requirements of the Building Control Act, 2013 and the Building Control Regulations, 2020.*
2. *Where the proposals shown on the plan have not been commenced within twelve (12) months of the date of this approval or are not completed within thirty-six months from the date on which the building operation was commenced, this approval shall be lapse and carrying out of any work after such lapse will constitute a contravention of the Building Control Act, 2013.*

| |
|------------------------|
| CONDITIONS OF APPROVAL |
| |

Dated this.....day of.....20.....

Signed
Chairperson, Building Committee

PART II

Regulation 24(2)

**NOTIFICATION TO BUILDING CONTROL OFFICER OF
DECISION OF BUILDING COMMITTEE**

To: The Building Control Officer

| | | |
|---|---|---------------|
| Approval Ref | | |
| Entity | | |
| Particulars of the submission* | | |
| Date/ reference of Building Committee meeting | | |
| BUILDING COMMITTEE DECISION | | |
| COMMENTS | NOTE: Comments requiring alteration to a plan must be acted upon; a written response only will not be accepted. This comment sheet and the plans to which it refers must be returned and attached to any subsequent submission. | ACTION |

Dated this.....day of.....20.....

Signed
Secretary, Building Committee

* Indicate the Plot No., Block No., street/road, district, building classification, building name, owner and address, estimated value of construction in Uganda shillings, and approval fees paid in Uganda shillings.

FORM 5

Regulation 24(4)

RECORD OF PROCEEDINGS OF BUILDING COMMITTEE

PART I- MINUTES OF BUILDING COMMITTEE MEETINGS

Name of local government/Entity:

| PART A: MEETING DETAILS | | | | | |
|--|-----------------------|--------------------------------|--------------------|-------------------------------|----------------------------------|
| Date of Meeting | | Meeting Reference No: | | | |
| Attendance | | | | | |
| PART B: SUMMARY OF SUBMISSIONS CONSIDERED AND BUILDING COMMITTEE DECISIONS | | | | | |
| Agenda/ Minute No | Approval reference No | Particulars of the submission* | Discussions/ Notes | Decision (Approved/ Rejected) | Conditions/ Reasons for Decision |
| | | | | | |
| | | | | | |

.....
Chairman, Building Committee

.....
Secretary, Building Committee.

Dated this.....day of.....20.....

* Indicate the Plot No., Block No., street/road, district, building classification, building name, owner and address, estimated value of construction in Uganda shillings, and approval fees paid in Uganda shillings.

PART II-MONTHLY RECORD OF APPROVALS/REJECTIONS

Name of local government/Entity:

| | |
|---------------------------|--|
| Month of Reporting | |
| Financial Year | |

| PART A: Plans Approved or Rejected by the Building Committee | | | | | | | | | | | |
|--|-------------|----------------|-----------------|------------------|--------------------|----------------|---------------------|---------|---------|-----------------|--------------|
| Application Ref: | Turn around | Date Submitted | Date of Meeting | Date of Approval | Plot and Block No. | Floor Area (m) | Type of Development | Purpose | Remarks | Estimated Value | Approval Fee |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |

| PART B: Plans Amended and approved or Rejected by the Building Committee | | | | | | | | | | | |
|--|-------------|----------------|-----------------|------------------|--------------------|----------------|---------------|---------|---------|-----------------|--------------|
| Application Ref: | Turn around | Date Submitted | Date of Meeting | Date of Approval | Plot and block No. | Floor Area (m) | Type of Dev't | Purpose | Remarks | Estimated Value | Approval Fee |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

FORM 6

Regulation 27(3)

NOTICE OF COMMENCEMENT OF BUILDING OPERATIONS

To: The Building Control Officer/Building Committee

In accordance with the Building Control Regulations, 2020, I/we hereby give notice of commencement of building operation of demolition*, erection*, extension* of building or part thereof at-

Plot No. _____

Block No. _____

Street/ Road _____

Location _____

District _____

In accordance with building permit No _____

(a) Name and address of the applicant _____

(b) Name and address of Engineer on site _____

(c) Actual date of commencement and estimated date of completion
From: D ___/M ___/Y ___ Until: D ___/M ___/Y ___

Dated: _____

Name of Applicant

For Official Use Only.

Received/Approved _____

Dated this.....day of.....20

Building Committee/Building Control Officer

***delete whichever is not applicable**

FORM 7

Regulation 27(5)

NOTIFICATION OF REQUIREMENT FOR INSPECTION

To: The Building Committee/Building Control Officer

In accordance with the Building Control Regulations, 2020, I/we hereby give notice of the requirement for a building inspection at-

Plot No. _____ Block No. _____ street/Road _____

Location _____ District _____

In accordance with building permit No _____

(a) Name and address of the applicant _____

(b) Name and address of engineer _____

(c) Date inspection required-

Between: D ___/M ___/Y ___ And: D ___/M ___/Y ___

Dated this.....day of.....20.....

Name of owner

For Official Use Only

Received by _____

Date inspection is to be carried out: _____

Dated this.....day of.....20.....

.....
Building Committee/Building Control Officer

FORM 8

Regulation 27(7)

CERTIFICATE OF STABILITY OF STRUCTURE

To: The Building Committee

In accordance with the Building Control Regulations, 2020, I hereby certify that the structural work of the building mentioned below is been carried out as per the structural design and details and that the said structure is safe and stable for the purpose for which is intended.

Plot No. _____ Block No. _____

Street/Road _____ Location _____

District _____

Building permit No. _____

Building classification: _____

Building name: _____

Date: _____

Name and signature of Structural Engineer

FORM 9

Regulation 34(3)

PART 1-APPLICATION FOR TEMPORARY OCCUPATION PERMIT OR PARTIAL OCCUPATION PERMIT

To: The Building Committee

In accordance with the Building Control Act, 2013, I hereby apply for a Temporary Occupation Permit*, Partial Occupation Permit for the building mentioned below for the purposes or, purpose endorsed on plan mentioned below.

I certify that a qualified Engineer called _____ has supervised the erection and completion of the building and that to the best of my knowledge and belief the work is in accordance with the building and structural plan and that I accept full responsibility*.

Plot No. _____ L.R.No. _____

Street/Road _____ Location _____

District _____

Building Permit No. _____

Building Classification: _____

Building Name: _____

Reason for temporary occupation Permit _____

I attach—

- (a) certificate of fitness of the electrical installation issued by an engineer
- (b) certificate of fitness of the mechanical installation issued by an engineer
- (c) certificate of practical completion.

(d) fee for temporary occupation permit or partial permit

Kindly process the application and indicate when the building control officer will inspect the site

Dated this _____ day of _____ 20_____

Signature of Applicant

Name of Applicant

PART II

APPLICATION FOR FULL OCCUPATION PERMIT

Regulation 34(3)

To: The Building Committee

In accordance with the Building Control Act, 2013 and the Building Control Regulations 2020, I hereby apply for an Occupation Permit for the building mentioned below for the purposes or, purpose endorsed on plan mentioned below:

I certify that a qualified engineer/architect called has supervised the erection and completion of the building and that to the best of my knowledge and belief the works are in accordance with the building and structural plan and that I accept full responsibility accordingly.

Plot No. _____ L.R.No. _____

Street/Road _____ Location _____

District _____

Approved Plan No. _____

Building Classification: _____

Building Name: _____

I attach—

- (a) *2No sets of as-built drawings for the building layout;*
- (b) *2No sets of as-built electrical drawings;*
- (c) *2No sets of as-built mechanical engineering drawings;*
- (d) *2No sets of as-built structural engineering drawings;*
- (e) *certificate of fitness of the electrical installation issued by an engineer;*
- (f) *certificate of fitness of the mechanical installation issued by an engineer;*
- (g) *certificate of practical completion;*
- (h) *fee for full occupation permit.*

Kindly process the application and indicate when the building inspectors will inspect on site.

Dated this _____ day of _____ 20_____

Name of Applicant

Signature of Applicant

FORM 10

PART I

Regulation 34(5)

TEMPORARY OR PARTIAL OCCUPATION PERMIT

To: Owner of building

In accordance with the Building Control Act, 2013, I confirm that the building mentioned below may be occupied temporarily* OR part of the building* mentioned below may be occupied for the purpose indicated below and for the time period indicated below* -

Plot No. _____ Block No. _____

Street/Road _____ Location _____

District _____

Building Permit/Approved plan No. _____

Building classification: _____

Building name: _____

Purpose of Temporary Occupation Permit*:-

Details of particular part to be occupied*:- _____

Duration of Temporary Occupation Permit/Partial Occupation Permit*: ----
----- (Maximum twenty-four months, in the case of temporary or part occupation subject to renewal upon application to the Building Committee).

Dated this.....day of.....20.....

Building Committee

*delete whichever is not applicable

PART II

Regulation 34(5)

FULL OCCUPATION PERMIT

To: The owner of building

In accordance with the Building Control Regulations, 2020, we confirm the building mentioned below may be occupied/made use of for the purpose endorsed on the approved plan:

Plot No. _____ Block No. _____

Street/Road _____ Location _____

District _____

Building permit/Approved Plan No. _____

Building Classification: _____

Building Name: _____

Dated this _____ day of _____, 20 _____

Signed: _____

Chairperson, Building Committee

FORM 11—INSPECTION FORMS

Regulation 36(2)

FORM A-NOTICE OF INSPECTION

Ref no: _____

Date _____

The owner

Building name _____

Plot and Block No. _____

Street/road _____

Town _____

District _____

Note

Under the Building Control Act, 2013, it is mandatory of building to be inspected at regular intervals by Building Control Officer to detect any deterioration or defects in the buildings and the surrounding areas.

Take notice that the Building Control Officer shall proceed to inspect the above described building on the _____ day of _____ 20____

Dated this _____ day of _____ 20_____

Signed: _____

Building Committee/Building Control Officer

FORM B—VISUAL INSPECTION CERTIFICATE

Building name _____

Plot and Block No. _____ Street/road _____

Town _____ District _____

1. As required under the Building Control Act, 2013, the Building Control Regulations, 2020 and the Code, I, _____ (Building Control Officer) have carried out a visual inspection of the above building and the surrounding areas from _____ to _____ (date)
2. I hereby certify that:
 - (a) no sign of defects of structural significance were observed*.
 - (b) defects requiring monitoring but not structural investigation and remedial action (if any) were visible to me in the building during my inspection*.
 - (c) signs of possible defects of structural significance are detected in the building during my inspection. A full and immediate investigation to ascertain their effects on the structure is necessary*.
 - (d) the defects are serious and immediate action to prevent danger is necessary*.

Dated this _____ day of _____ 20_____

Signed: _____
Building Control Officer

* delete whichever is not applicable

**FORM C—COMPLETION OF REMEDIAL WORK
CERTIFICATION**

Building name _____

Plot and block No.: _____

Street/road: _____

Town: _____

District : _____

1. I _____ (Building Control Officer) have inspected work carried out on the above building and surrounding areas as set out in the attached report.

2. I hereby certify that defects as identified in the report dated _____ have been fully and satisfactory remedied at the date of my inspection on _____

Dated this _____ day of _____ 20 _____

Signed _____
Building Control Officer

SCHEDULE 4

*Regulations 5(6),10(6),20(2)(d),
21 (2)(j), 22(2)(g),38*

FEES IN CONSIDERATION OF SCRUTINY OF PLANS, PERMITS ETC. AND INSPECTION OF BUILDINGS

1. The fees in consideration of the scrutiny of plans, permits and inspection shall be published from time to time by notice in the Gazette.
2. **New buildings.**
Fees for the consideration of plans submitted for approval in respect of new buildings shall be calculated on the basis of the gross area of the proposed development using a per square meter rate.
3. **Temporary buildings.**
In respect of plans of a building submitted for approval on a temporary year to year basis and tentative sketch plans submitted for approval in principle, fifty percent (50%) of the rate applicable in paragraph 2 shall be payable.
4. **Sheds with open sides**
For plans submitted for approval of a shed type of building having all its sides open, fifty percent (50%) of the rate applicable in paragraph 2 shall be payable.
5. **Open basements**
For plans submitted for approval of a basement exceeding 2.5 metres in height which are open on all sides (except where retaining walls occur) fifty percent (50%) of the rate applicable in paragraph 2 shall be payable.
6. **Buildings of warehouse class**
For every building of a warehouse or go down class of which no part is intended for habitation (other than provision for a watchman) and which is not constructed in reinforced concrete or structural steel, fifty percent (50%) of the rate applicable in paragraph 2 shall be payable.

7. Alterations to existing buildings

- (a) For plans submitted for approval of alterations to existing buildings, one hundred and twenty five percent (125%) of the rate applicable in paragraph 2 shall be payable.
- (b) Where the alterations to an existing building are generally spread over the whole area of the building, then the fee payable shall be computed on the whole area of the building, but if a clear subdivision of the building is not affected by the alteration scheme, such unaffected subdivision shall be excluded from the area on which the fee shall be computed.
- (c) Where a storey of any existing building is not affected by alteration to the building, such storey shall be excluded from the areas on which the fee payable for the alterations shall be computed.
- (d) Where alterations to an existing building involve an alteration to the frontage line or elevation to a street (where such elevation abuts a street) one hundred and fifty percent (150%) of the rate applicable in paragraph 2 shall be payable.
- (e) Where the alterations to an existing building involve only subdivision - of rooms into smaller rooms, the fees payable on submission of plans for such alterations shall be twenty five percent (25%) of the rate applicable in paragraph 2 shall be payable.

8. Wharves, bridges etc.

For plans submitted for approval of wharves, bridges, or other special buildings, four hundred percent (400%) of the rate applicable in paragraph 2 shall be payable.

9. Retaining walls

For plans submitted for approval of a retaining wall, the fee payable shall be twenty five percent (25%) of the rate applicable in paragraph 2 shall be payable.

10. Series or rows of buildings

For a series or rows of buildings of the same plan and materials when plans are submitted for approval at the same time, fees shall be calculated as follows—

- (a) first building full fees as in paragraph 2
- (b) 2nd to 5th building (inclusive) 90% of fees
- (c) 6th to 10th building 85% of fees
- (d) 11th to 25th building 75% of fees
- (e) 26th and above building 60% of fees

11. Amendment plan to an approved plan

- (a) Where an amendment plan to an approved plan is submitted for approval, a composite fee shall be determined by the Building Committee and shall be payable.
- (b) Where an amendment to an approved plan involves an additional area, then such additional area shall be charged on the basis set out in paragraph 2 shall be payable.
- (c) Where the amendments to an approved plan are in the opinion of the Building Committee substantial, a fee equal to fifty percent (50%) of the fee chargeable under paragraph 2 in respect of the approved plan, shall be payable in addition to any fees payable under subparagraphs (a) and (b) of this paragraph.

12. Inspection of plans

- (a) An approved plan may be inspected in the office of the Building Committee subject to the payment of a prescribed fee.
- (b) An approved plan may be copied in the office of the Building Committee subject to the applicant submitting with his or her application to copy such plan with the written consent of the owner of the building.
- (c) The fees shall be payable for the following-
 - (i) for inspecting an approved plan;
 - (ii) for photocopying an approved plan; and
 - (iii) an endorsement by the Building Committee to certify any copy as a true copy.

(d) The fees in this paragraph shall be prescribed by Minister from time to time by Notice in the Gazette.

13. Permits for minor building works

Fees payable for minor erections, alterations and additions are at the rate applicable under paragraph 2.

14. Temporary occupation permits

Fee for issue of a temporary certificate of fitness for occupation under these Regulations shall be charged at the rate of 10% of the fee prescribed in paragraph 2.

15. Refund of plan fees

Fifty percent (50%) of the fees paid on submission of plans shall be refunded on application where a plan is withdrawn before decision is made by the Building Committee within six (6) months of the submission date.

16. Additional copy of notice or permit

A fee will be charged for each additional copy of any notice, certificate or permit as prescribed by the Minister by Notice in the Gazette.

17. Structural plans for plans submitted for approval of structural plans, twenty five percent (25%) of the rate applicable in paragraph 2 shall be payable.

18. Building services plans, for plans submitted for approval of building services plans, twenty five percent (25%) of the rate applicable in paragraph 2 shall be payable.

19. Landscape plans for plans submitted for approval of landscape plans, ten percent (10%) of the rate applicable in paragraph 2 shall be payable.

20. Renewal of plans for plans submitted for approval of renewal of plans, twenty five percent (25%) of the rate applicable in paragraph shall be payable.

Cross References

Architects Registration Act, Cap. 269

Engineers Registration Act, Cap. 271

Land Act, Cap. 227

Physical Planning Act, 2010; Act No. 10 of 2010

Surveyors Registration Act, Cap. 275

Workers Compensation Act, 2006

HON. MONICA AZUBA NTEGE,
Minister of Works and Transport.