

STATUTORY INSTRUMENTS SUPPLEMENT

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

2011 No. 58.

THE PHYSICAL PLANNING REGULATIONS, 2011

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STATUTORY INSTRUMENTS

2011 No. 58.

The Physical Planning Regulations, 2011.

(Under section 60 of the Physical Planning Act, 2010, Act No. 8 of 2010)

IN EXERCISE of the powers conferred upon the Minister responsible for Physical Planning by section 60 of the Physical Planning Act, 2010, these Regulations are made this 27th day of July, 2011.

PART I—PRELIMINARY

1. Title

These Regulations may be cited as the Physical Planning Regulations, 2011.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Physical Planning Act, 2010, Act No.8 of 2010;

“advertisement” means any word, letter, device, model, sign, placard, board, notice or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purpose of public communication and includes any hoarding or similar structure used or adapted for use for the display of the communication but does not include any communication displayed inside a building;

“Board” means the National Physical Planning Board established under section 4 of the Act;

“currency point” has the value assigned to it in the Schedule 1;

“Minister” means the Minister responsible for physical planning;

“qualified planner” means a person with a degree or a post graduate diploma in physical planning, urban planning, regional planning, spatial planning and who is a registered member of the Uganda Institute of Physical Planners.

3. Extent and application of the provisions on advertisement.

(1) The provisions on advertisement shall apply to the display of all advertisements on any land or building within Uganda, except advertisement displayed—

- (a) on enclosed land, and not readily visible from land outside the enclosure in which it is displayed or from any part of the enclosure over which there is a public right of access;
- (b) within a building and not visible from its exterior; or
- (c) on or in a vehicle.

(2) For the purposes of these Regulations—

- (a) "enclosed land" means land wholly enclosed within a hedge, fence, wall or similar screen or structure, but shall not include any public park, public garden or other land held for the use or enjoyment of the public;
- (b) an advertisement shall not be deemed to be displayed within a building unless there is access to the advertisement from inside the building.

PART II—THE NATIONAL PHYSICAL PLANNING BOARD

4. Composition of the Board

(1) The Board shall consist of nine members appointed by the Minister in consultation with the relevant authorities and these shall include—

- (a) the Director of physical planning;
- (b) a representative from the Ministry responsible for local government;

- (c) a representative from the Ministry responsible for works and transport;
- (d) a representative from the National Environment Management Authority;
- (e) two representatives from the private sector;
- (f) a representative from the association of architects;
- (g) a representative from the association of surveyors; and
- (h) a representative of the academia.

(2) The Minister shall appoint the chairperson of the Board from among the members.

(3) In making appointments to the Board, the Minister shall take into consideration gender equity of the appointees.

(4) The members of the Board shall elect one person from among themselves to be the vice chairperson of the Board.

5. Power to co-opt

(1) The Board may invite any person who, in the opinion of the Board, has expert knowledge concerning the functions of the Board, to attend and take part in the proceedings of the Board.

(2) A person attending a meeting of the Board may take part in any discussion at the meeting on which his or her advice is required but shall not have any right to vote at the meeting.

6. Submission of a physical development plan to the Board for approval.

(1) A local physical development plan adopted by the local physical planning committee shall be submitted to the district council or municipal council for approval.

(2) A private physical development plan shall be processed in the same manner as a local physical development plan.

(3) A district physical development plan and urban physical development plan shall be submitted to the Board for approval upon payment of the fees prescribed in Schedule 2.

(4) For avoidance of doubt, the decisions of the district council or urban council shall not be binding on the board.

7. Notice of hearing objections

A notice of hearing objections, representations, subdivision or consolidation of land development shall be made in form 2 of Schedule 3.

PART III—APPEALS

8. Petition of appeal.

(1) A person aggrieved by the decision of a physical planning committee, may within thirty days of the decision, appeal to the Board.

(2) The appeal shall be by way of an ordinary letter, as a petition in writing, submitted in quadruplicate to the secretary of the Board, setting out in concise form the nature of the application made to the physical planning committee, the decision of the physical planning committee and the grounds on which that committee objected to the application of the petitioner.

9. Reply to petition.

The secretary of the Board shall on receipt of the petition forward a copy (of the petition) to the relevant physical planning committee, which shall within fourteen days of its receipt of the petition, submit a reply to the petition, three copies of which shall be forwarded to the secretary of the Board and a copy to the petitioner.

10. Appeal to be heard within thirty days.

The Board shall within thirty days after the expiration of the fourteen days specified in regulation 9 determine the appeal.

11. Procedure on hearing of appeal.

(1) The petitioner and a representative of the physical planning committee shall be entitled to be present at the meeting of the Board when the petition is under consideration.

(2) The petitioner shall be given an opportunity to address the Board on the subject of his or her petition.

(3) The representative of the physical planning committee shall then reply, and the petitioner may thereafter address the Board on any matter raised in the committee's reply.

12. Decision to be notified.

(1) The Board shall within seven days after conclusion of the hearing inform the petitioner and the relevant physical planning committee of its decision on the appeal.

(2) A person aggrieved by the decision of the Board may within thirty days after the decision, appeal to the High Court by the ordinary suit.

PART IV—MISCELLANEOUS

13. Applications and Notices.

Any application or notice made under these Regulations shall be in a form as prescribed in Schedule 3.

14. Fees

The fees payable upon submission and modification of a physical development plan to the Board shall be as prescribed in Schedule 2.

SCHEDULE 1

Regulation 2

Currency point

One currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

Regulation 14

Fees

Fees schedule for submission of district, city, municipality & town council physical development plan.

	Category of Physical Development Plan	Recommended Fees for each plan submitted to the Board (In UGX)
1	District Physical Development Plan	1,000,000/=
2	City Physical Development Plan	2,000,000/=
3	Municipality Physical Development Plan	1,000,000/=
4	Town Council Physical Development Plan	500,000/=

SCHEDULE 3

FORMS

Regulation 13

P.P Form 1

SUBMISSION OF A PHYSICAL DEVELOPMENT PLAN TO THE
NATIONAL PHYSICAL PLANNING BOARD FOR APPROVAL

To: The secretary, National Physical Planning Board.

..... hereby submit the following Physical Development Plan(s) for the Board's consideration.

	Title of the Physical development Plan being submitted	Drawing No
1		
2		
3		

The District/City Council/Municipal Council/Town Council has paid the required submission fees as per the attached receipt No.

Application Submitted by;

Names:

Position:

Address:

Telephone:

Email:

Applicant's Signature & Date:

FOR OFFICIAL USE ONLY:

I acknowledge receipt of the above plan(s)

Amount paid

Mode of payment (Cash/cheque/draft)

Date

.....
For Chief Administrative Officer/Town Clerk/Sub county Chief

NOTICE OF HEARING OBJECTIONS/REPRESENTATIONS FOR
SUBDIVISION/CONSOLIDATION OF LAND/DEVELOPMENT
PUBLIC NOTICE

Plan/Drawing No.....of 20.....

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.....

District/ Urban/Local Physical Planning Committee has received an application to the District Physical Planning Committee/National Physical Planning Board for Subdivision/Consolidation of Land or piece of Land located at.....

.....

State the:

1. Owner's Name and Address
2. Applicants Name and Address
3. Nature of interest in Land (Registered Owner/Lessee/Tenant by Occupancy/Sub Lessee/Customary Tenant)
4. Block Plot Number
Location
5. District.....
City

Municipality
Town
Sub-county
Ward/Parish
Village/Cell
Street/Road

6. Acreage

7. Purpose for which the Land is used.....
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.....
.....

8. Time and Place to Appear

Name and Signature of Secretary to the District/Urban/Local Physical
Planning Committee
.....
.....

Date

APPLICATION FOR CHANGE OF USE

Application No.....of 20.....

To
(Insert name and address of the appropriate Planning Office)

1. Owner's name and address

2. Applicants name and address

3. Nature of interest in land (Registered owner, lessee, tenant by occupancy, sub lessee, customary tenant).....

(a) Block, Plot Number, Street/Road Location

(b) District/Sub-county/City/Municipality/Town Council/Town Board

(c) Area (Ha).....

4. If any application was previously submitted, state the registered number of application

5. The purpose for which land or building is now used. If not used, the purpose for which and date on which they were last used

6. Describe briefly the proposed change of use for which the land or building is to be used

7. Details of any relevant easements affecting the proposed change of use

- 8. State the—
(a) Area affected
(b) Area covered by developments/Buildings (Ha)
(c) Percentage of built up area and area for new proposal (Ha)

Dated this day of 20.....

Signature of Applicant or Agent

.....

If signed by Agent, state:

Name:

Address:

Profession:

Telephone:

E-mail:

Application to be submitted in TRIPLICATE in respect of each transaction and sent to or left at appropriate office of the local physical Planning committee.

Remarks or recommendation of the Local/ Urban/ District Physical Planning Committee

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Names and Signatures of the Local/ Urban/ District Physical Planning Committee

1.
2.
3.
4.
5.
6.
7.

Date

B. Decision of District Physical Planning Committee/ National Physical Planning Board

- I. The application is Approved/Rejected/Deferred
- II. The Application has been approved upon the following terms and conditions.
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III. The Application is not approved due to the following reasons

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IV. Minute Number.....

.....
Official Seal

Name and Signature of Secretary

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Name and Signature of Chairperson

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Copies to be sent to the Controlling Authority and Applicant

SUBMISSION FOR APPROVAL OF MODIFICATION/REVOCATION OF
NATIONAL AND REGIONAL PHYSICAL DEVELOPMENT PLAN

Submission No.....of 20.....

To.....
(Insert name and address of the Minister responsible for Physical Planning)

1. The purpose for which the approved plan is now used. If not used, the purpose for which and date on which they were last used
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2. Describe briefly the proposed modifications/alterations for which the Approved Plan is to be used
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.....
3. Details of any relevant easements affecting the proposed modification
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.....
.....
4. State the—
 - (a) Area affected
 - (b) Area covered by developments/Buildings (Ha)

(c) Percentage of built up area and area for new proposal (Ha).....
.....

Remarks and recommendation of the National Physical Planning Board
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Names and Signatures of the Members of the National Physical Planning Board

1.
2.
3.
4.
5.
6.
7.
8.
9.

Date

Minute Number.....

.....
Official Seal
Name and Signature of Secretary

.....
Name and Signature of Chairperson

B. Decision of the Minister

- I. The application is Approved/Rejected/Deferred

- II. The Application has been approved upon the following terms and conditions.
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- III. The Application is not approved due to the following reasons.....
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Dated this day of20.....

Name and Signature of Minister.....

Application to be submitted in TRIPLICATE in respect of each transaction and sent to or left at appropriate office of the local physical Planning committee.

NOTICE OF GAZZETE /PUBLIC NOTICE FOR
APPROVED NATIONAL/REGIONAL/DISTRICT/URBAN/LOCAL
PHYSICAL DEVELOPMENT PLAN

Plan/Drawing No.....of 20.....

To whom it may Concern

State the—

- 1. Plan Location.....
- 2. Scale.....
- 3. Date and Time of Approval.....
- 4. The purpose for which the plan is Approved.....
.....
.....
- 5. Period to submit comments
.....
.....
- 6. Area affected
- 7. Conditions of the Plan

Signature of Minister

.....

PUBLIC NOTICE

Display of the National (or appropriate title of Regional) Physical
Development Plan
(insert plan title & time period)

Pursuant to Section 20 of the Physical Planning Act 2010, this is to notify the general public that the above plan is on display at the following places;

- 1. Physical Planning Department, Ministry of Lands, Housing & Urban Development, 1st Floor, Century House, Parliament Avenue, PO Box 7096, Kampala.
(Email: mlhud@mlhud.go.ug, or) *(Insert responsible officer's email address)*

2.

3.

4.

(Insert agreed places for display within the planning area. They should be secure places where plan will not be vandalized, preferably District, Urban council or Sub county headquarters)

The plan may be viewed at any time during working hours from (date) to (date). Any interested person who wishes to make any representations/objection(s) to the draft plan should do so in writing to The Secretary, National Physical Planning Board (insert address) or prepare to present them during an open hearing to be announced by Secretary. No representations will be entertained after the (date as above).

Secretary, National Physical Planning Board,
Ministry of Lands Housing and Urban Development.

PUBLIC NOTICE

Display of District/Urban/Local Physical Development Plan
(insert plan title & time period)

Pursuant to Section 27 of the Physical Planning Act 2010, this is to notify the general public that the above plan is on display at the following places;

1. Physical Planning Department, Ministry of Lands, Housing & Urban Development, 1st Floor, Century House, Parliament Avenue, PO Box 7096, Kampala. (email: mlhud@mlhud.go.ug, or) (insert responsible officer's email address)
2.
3.
4.

(insert agreed places for display within the planning area. They should be secure places where plan will not be vandalized, preferably District, Urban council or Sub county headquarters)

The plan may be viewed at any time during working hours from (date) to (date). Any interested person who wishes to make any representations/objection(s) to the draft plan should do so in writing to The Chief Administrative Officer/Town Clerk (insert address) or prepare to present them during an open hearing to be announced by the above. No representations will be entertained after the (date as above).

.....
Chief Administrative Officer/Town Clerk

REQUEST FOR A RECORD OF THE PROCEEDINGS OF A DISTRICT/URBAN/LOCAL PHYSICAL PLANNING COMMITTEE* (*delete what is not applicable)

To: (insert name & address of appropriate planning office)

I/We request for a certified copy of the records of the Physical Planning Committee for the meeting(s) held on (insert dates). We have inspected the records and our interests lie on pages I/We am/are prepared to pay the prescribed fees of Uganda Shillings 500 per page.

Name of applicant (s)..... Address Telephone Email Applicant's Signature & Date:

FOR OFFICIAL USE ONLY:

Number of pages reproduced Amount paid Mode of payment (Cash/cheque/draft)

Signed Date for Chief Administrative Officer/Sub county Chief

DAUDI MIGEREKO, Minister of Lands, Housing and Urban Development.