

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

2011 No. 42.

The Regulation of Interception of Communications Instrument, 2011.

(Under section 16 of the Regulation of Interception of Communications Act, 2010)

IN EXERCISE of the powers conferred on the Minister by section 16 of the Regulation of Interception of Communications Act, 2010, this Instrument is made this 5th day of May, 2011.

1. Title.

This Instrument may be cited as the Regulation of Interception of Communications Instrument, 2011.

2. Interpretation.

In this Instrument, unless the context otherwise requires—

“Act” means the Regulation of Interception of Communications Act, 2010;

“committee” means the Monitoring Centre Committee constituted under Regulation 4;

“Minister” means the Minister responsible for security or any other Minister to whom the President may from time to time assign the administration of the Act;

“relevant Ministers” means the Cabinet Ministers responsible for—

- (a) defence;
- (b) internal affairs; and

- (c) information and communications technology.

3. Establishment of Monitoring Centre.

(1) There is established a centre to be known as the Monitoring Centre.

(2) The Minister shall, in consultation with the relevant Ministers, at the expense of the State—

- (a) equip, operate and maintain the Monitoring Centre;
- (b) acquire, install and maintain connections between telecommunications systems and the Monitoring Centre; and
- (c) administer the Monitoring Centre.

4. Constitution of board of Monitoring Centre.

For the purposes of administering the Monitoring Centre there is constituted a committee of relevant Ministers to be known as the Monitoring Centre Committee which shall consist of—

- (a) the Minister who shall be the chairperson;
- (b) the Cabinet Minister responsible for defence;
- (c) the Cabinet Minister responsible for internal affairs; and
- (d) the Cabinet Minister responsible for information and communications technology.

5. Duties of committee.

The duties of the committee shall include—

- (a) recommending and implementing policies for the administration of the Monitoring Centre; and
- (b) monitoring and evaluating activities of the Monitoring Centre.

6. Application for warrant of interception.

(1) An application by an authorised person for a warrant of interception to a designated judge under section 4 of the Act shall be made in Form 1 prescribed in the Schedule to these Regulations.

(2) A warrant of interception issued by a designated judge to an authorised person shall be in Form 2 prescribed in the Schedule to these Regulations.

(3) In the case of urgency or existence of exceptional circumstances a designated judge may permit an oral application by an authorised person if the designated judge is of the opinion that it is not reasonably practicable to make a written application, but in such a case a formal application under this Regulation shall be lodged within forty eight hours with the designated judge.

7. Details of persons provided with telecommunications services.

(1) Before a telecommunications service provider enters into a contract with any person for the provision of a telecommunication service it shall obtain the details of that person.

(2) The details required under subregulation (1) shall be obtained using Form 3 prescribed in the Schedule to these regulations.

(3) For the avoidance of doubt every telecommunications service provider shall obtain the details of existing subscribers using Form 3 in the Schedule to these Regulations.

8. Notice of disclosure of protected information.

A notice by an authorised person to any person for the disclosure of information under section 10 of the Act shall be in Form 4 prescribed in the Schedule to these Regulations.

9. Application for retention order

An application for a retention order under section 13 of the Act shall be in Form 5 prescribed in the Schedule to these Regulations.

SCHEDULE

Regulation 6(1)

THE REPUBLIC OF UGANDA.

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
ACT, 2010

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
REGULATIONS, 2011.

FORM1

APPLICATION FOR A WARRANT OF INTERCEPTION.

1. (a) Full name of the authorised person _____

(b) Address of the authorised person _____

2. (a) Name of subject whose communication is sought to be intercepted

(b) Address of interception subject (if known) _____

(c) Any other information on interception subject _____

3. Reason/facts/circumstances/ in support of application for the issuance of a
warrant of interception _____

4. (a) Name of telecommunications service provider required to intercept
communication _____

5. Period for which the warrant of interception is required _____

6. Any other information in support of application for warrant of interception

I declare that the particulars given above are to the best of my knowledge and belief true.

Dated this _____ day of _____, 20 _____

Name and signature of authorised person

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THE REPUBLIC OF UGANDA.
THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
ACT, 2010

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
REGULATIONS, 2011

FORM 2

WARRANT OF INTERCEPTION.

I (name of designated judge)
hereby issue this warrant of interception to.....(name
of authorised person) authorising the interception of communications of
..... (name of
interception subject, (if known) of..... (address
of interception subject, (if known) for a period of.....
The interception shall be carried out by
.....(name of telecommunications service provider)
which is hereby ordered to strictly comply with this warrant of interception.

Dated this _____ day of _____, 20_____

Name and signature of designated Judge

.....

THE REPUBLIC OF UGANDA.

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS ACT, 2010

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS REGULATIONS, 2011.

FORM 3

DETAILS OF PERSON OBTAINING TELECOMMUNICATIONS SERVICE.

1. Full name of the person(in case person is a business organisation then state name of business organisation) _____

2. Residential address of person _____

3. Postal address of person (if any) _____

4. Business address of person (if any) _____

5. Identity document details (Passport/ National Identity Card, Work Permit, Driver's Licence, Student Identity Card/ Certificate of Incorporation etc)____

6. Nature of telecommunications service required (detailed description of service) _____

7. Serial Number of Equipment (Sim Card/ Satellite Phone etc) _____

8. Subscriber Number Equipment _____

9. Any other information _____

Dated this _____ day of _____, 20____

Name and signature of subscriber

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.....

Name and signature of person taking details

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THE REPUBLIC OF UGANDA.

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
ACT, 2010

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
REGULATIONS, 2011.

FORM 4

NOTICE OF DISCLOSURE OF PROTECTED INFORMATION.

1. Full name of the person _____

2. Residential address of person _____

3. Postal address of person (if any) _____

4. Business address of person (if any) _____

5. Nature of protected information or disclosure required _____

6. Manner in which the disclosure is to be made _____

7. Time in which to comply with this Notice by person _____

8. Reason necessitating disclosure of the protected information _____

Dated this _____ day of _____, 20____

Name and signature of authorised person

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REPUBLIC OF UGANDA.

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
ACT, 2010

THE REGULATION OF INTERCEPTION OF COMMUNICATIONS
REGULATIONS, 2011.

FORM 5

APPLICATION FOR A RETENTION ORDER.

1. (a) Full name of the authorised person _____

- (b) Address of the authorised person _____

2. (a) Name of subject whose postal article is sought to be retained _____

- (b) Address of subject whose postal article is sought to be retained (if known)

- (c) Any other information on subject whole postal article is sought to be retained _____

3. Reason/facts/circumstances/ in support of application for the issuance of a retention order _____

4. (a) Name of postal service provider required to retain article _____

- (b) Nature and location of facilities from which, or the place at which, the postal article is to retained (if known) _____

5. Manner of retention _____

6. Period for which the retention order is required _____

7. Any other information in support of application for retention order _____

I declare that the particulars given above are to the best of my knowledge and belief true.

Dated this _____ day of _____, 20__

Name and signature of authorised person

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HON. AMAMA MBABAZI,
Minister in charge of security.