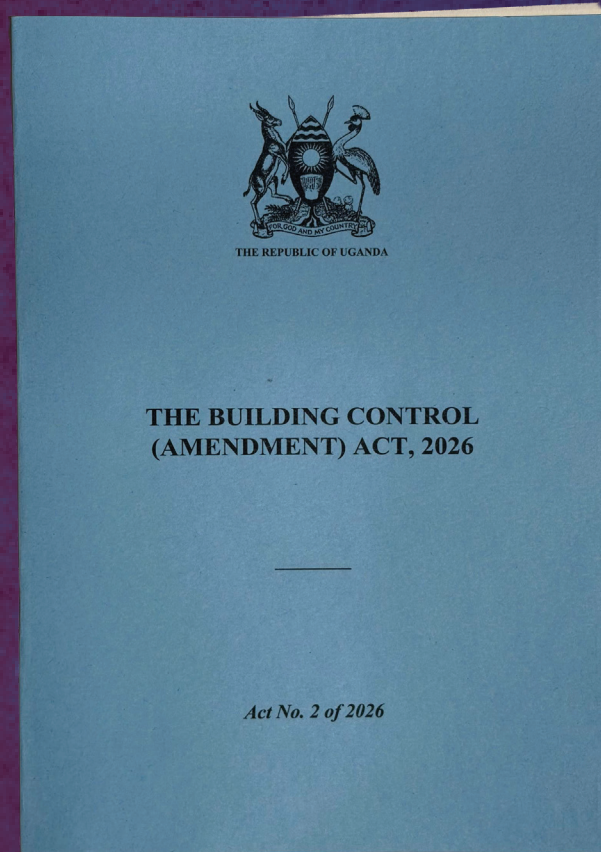


Legal Alert!

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HOW THE VALUATION ACT 2026 AND THE BUILDING CONTROL (AMENDMENT) ACT 2026 WILL AFFECT THE BUILT ENVIRONMENT.

Overview

Parliament has recently passed two landmark laws; the **BUILDING CONTROL (AMENDMENT) ACT, 2026** and **VALUATION ACT, 2026** that together reshape regulatory oversight, professional accountability, and the penalty regime across Uganda's construction and valuation sectors. Both laws were assented to by the President on 19th February, 2026 and came into force on 19th March 2026.

This alert summarizes the key provisions and what they mean for developers, engineers, architects and valuers operating in Uganda.

PART I

BUILDING CONTROL (AMENDMENT) ACT, 2026

Parliament has introduced the Building Control (Amendment) Act, 2026 to close longstanding regulatory deficiencies in the Building Control Act, Cap. 136.

The Act restructures oversight institutions, tightens the permitting regime, and imposes substantially harsher penalties signaling a decisive legislative shift toward structural safety and professional accountability.

I. INSTITUTIONAL AND GOVERNANCE REFORMS

1. The Act effects four discrete amendments to the governance architecture of the built environment. Each amendment targets a specific institutional deficiency that has been in existence under the principal Act.

(a) Reconstitution of the National Building Review Board

2. Section 1 of the Act substitutes section 3 of the Act, reconstituting the National Building Review Board for nine members. The reconstituted Board incorporates designated one representative from Ministry of Works and Transport, one representative from Ministry of gender, one representative from Ministry of housing, one representative from Ministry for Local governments, a representative from the Attorney General's Chambers alongside one representative nominated by the relevant body for appointment from each of the following professions: engineering, architecture, physical planning and surveying. The enlargement is intended to introduce greater technical competence at the apex of regulatory oversight.

(b) New Enforcement Powers of the Board

3. Section 4 inserts a new section 8A, conferring on the Board expresses statutory power to issue stop and evacuation orders where a Building Committee has failed to comply with the recommendations of the Board and safety is compromised at a building; to issue express penalties for certain offences, guide Building Committees on procedural matters; , to enter and inspect sites in furtherance of the Act; make complaints to the police relating to building matters for investigation to refer professional misconduct to the relevant regulatory body. This is a material and long overdue expansion of the Board's enforcement authority. Hitherto, the Board lacked any direct coercive power; that lacuna is now closed.

(c) Qualifications of the Executive Secretary

4. Section 5 amends section 14 by substituting for subsection(2) of the principal Act to require that the Executive Secretary hold professional qualifications in the **built environment**, supplemented by demonstrable professional qualifications and experience in either law, management or public administration. The amendment raises the technical threshold for the office and signals Parliament's intent that the secretariat be led by a person of genuine professional standing.

(d) Establishment and change in the composition of Building Committees

5. Section 6 substitutes section 27, by establishing and standardizing the composition of District and Urban Council Building Committees across the country. The officer responsible for engineering is designated as Chairperson; the physical planning officer serves as secretary. The other officers on the committee include; the officer responsible for health; the officer responsible for architecture; the officer responsible for environment management.

The Chief Administrative Officer and the Town Clerk, for both the District and the Town Council, have been removed from membership of the respective committees and have instead been designated as the appointing authorities responsible for the establishment of those committees at District and Town Council level, respectively.

II. PERMITTING AND TECHNICAL STANDARDS

(a) Redress for Administrative Delay

6. Sections 10 and 16 amend sections 35 and 43 of the principal Act respectively, introducing a statutory remedy for applicants aggrieved by a committee's failure to determine a permit application. The section is to the effect that where a committee fails to make a decision within the prescribed timelines, the applicant may now complain to the Chief Administrative Officer or to the Town Clerk in case of an urban Council. The officer so addressed must direct a decision within:
 - (i) thirty days, in the case of a building permit; and
 - (ii) fourteen days, in the case of an occupation permit.

Two policy objectives underlie the provision. First, it addresses the administrative inertia that has long afflicted the permitting process, placing a time-bound obligation on the appointing authority

to compel a decision from the committee it constituted.

Second, it effects a deliberate decentralization of dispute resolution: complaints that were previously handled at Board level are now to be resolved locally, by the District and Town Council Building Committees. This shift places accountability squarely within the local government structures closest to the development activity in question. Its practical value will, however, depend on enforcement discipline within those structures.

(b) Multi-Storied Structures

7. Section 9 amends section 34 of the principal Act, introducing a statutory definition of 'multi-storied building' as any structure exceeding six metres in height. Applications in respect of such structures must now be accompanied by engineering designs and plans stamped by a registered structural engineer. The stamp must disclose:

- (i) the full name and registration number of the engineer;
- (ii) the engineer's signature;
- (iii) a copy of the engineer's registration certificate; and
- (iv) the engineering designs and supporting calculations

The requirement addresses a serious regulatory gap. Structural failures in multi-storied construction have in the past been attributed, in part, to the absence of mandatory professional certification at the design stage.

(c) The National Building Code

8. Section 18 inserts a new subsection (3) into section 45, elevating compliance with the National Building Code from a recommended standard to a mandatory statutory duty. Any person undertaking building operations is henceforth bound by the Code's requirements as a matter of law, not merely of professional practice.

III. ENFORCEMENT, LIABILITY, AND PENALTIES

9. The Act replaces the existing fixed-sum penalty regime, long rendered derisory by inflation with a proportional, area-based model calibrated to the scale of non-compliance.

The amendments to personal liability are, in certain respects, severe.

(a) Area-Based Fines for Unpermitted Construction

10. Sections 8 and 12, amending sections 33 and 37 of the principal Act respectively, section 8 of the Amendment amends section 33 by substituting subsection (2) by prescribing a fine of two currency points for every square metre of built-up area or imprisonment for a term not exceeding five years or both for any person who constructs without a valid permit or who continues to build after a permit has expired. The penalty is expressly area-based: the greater the construction, the greater the fine. This is also depicted in section 12 of the amendment which amends 37(3) by substituting for the previous penalty of twenty-five (25) currency points for two currency points per a square meter of the built-up area.

(b) Strict Liability for Site Accident

11. Section 17 amends section 44 of the principal Act to establish strict liability for negligent omissions that result in injury, death, or destruction of property at a building site. This is the Act's most consequential provision.

(i) The fine has increased from 200 currency points equivalent to UGX 4,000,000/= (Uganda Shillings Four Million Only) to 500 currency points equivalent to UGX 10,000,000 (Uganda Shillings Ten Million Only); and/or

(ii) imprisonment for a term not exceeding twelve years, or both

The strict liability standard is notable: no proof of intent is required. Developers, engineers, and site supervisors should take particular note. The duty to ensure safe site conditions is absolute, and ignorance of a hazard will not, of itself, constitute a defence.

(c) Demolition and Evacuation Orders

12. Sections 7 and 13, inserting section 28A and substituting section 40 respectively, empower building committees to order the evacuation or demolition of any structure that is unsafe, dilapidated, or constructed in contravention of the Act. The costs of demolition fall upon the owner. This authority, previously available only in limited circumstances, is now expressed in broader and more operational terms. Section 28A, however, does not prescribe the criteria upon which these powers are to be exercised, thereby creating a lacuna in the law.



PART II

THE VALUATION ACT, 2026

Parliament has introduced the Valuation Act, 2026, to remedy a long-standing absence of regulatory structure in Uganda's valuation profession.

The Act establishes the Institute of Certified Valuers of Uganda; entrenches the Office of the Chief Government Valuer as the statutory valuation authority; creates a mandatory licensing regime; codifies professional ethics and disciplinary processes; prescribes general rules of valuation and reporting; and amends the Surveyors Registration Act, Cap. 303. The Act comprises 45 clauses and 2 Schedules.

The Act is timely, as underscored by the recent decision in **Centenary Rural Development Bank Limited v Namulondo Hasifa & Others (HCCS No. 0355 of 2023, Commercial Court, 2 March 2026)**, in which valuers were found jointly and severally liable for professional negligence after presenting a report overstating the value of a mortgaged property that turned out to be vacant land.

The Court ordered payment of UGX 471,963,606/=, general damages of UGX 50,000,000/=, and interest at 20% per annum a stark reminder of the consequences of unregulated valuation practice and the urgent need for the statutory accountability framework the Act now introduces.

I. THE CHIEF GOVERNMENT VALUER

1. Clause 2 formally defines statutory valuation as valuation undertaken for any Ministry, department or agency of Government, on Government's instructions, or upon a court order. The Office bears exclusive responsibility for

all such valuations and the Chief Government Valuer is the designated assessment officer for compulsory land acquisition under the Land Acquisition Act, Cap. 226.

2. Where the Office lacks capacity, a practicing valuer may be engaged with the Chief Government Valuer's approval and subject to public procurement rules. Any report produced must be submitted to the Chief Government Valuer, who may approve or reject it. An approved report is deemed to be the Chief Government Valuer's own. Practitioners engaged on this basis should note that deeming: once approved, the report is no longer theirs.
3. Clause 3 establishes a National Valuation Information System within the Ministry, managed by the Chief Government Valuer. Its architecture and data scope will be prescribed by regulations.

II. THE INSTITUTE AND ITS COUNCIL

4. Clauses 4 to 19 establish the Institute of Certified Valuers of Uganda as a body corporate. Its mandate spans professional standard-setting, continuous education, public protection, member representation, and valuation research. The Council of seven members comprising a president, vice president, four elected practicing valuers, and three ex officio nominees is the governing body. At least one third of the Council must be women: a statutory floor. Members serve three-year terms, renewable once.
5. The Registrar is the chief executive officer, the secretary to the Council, and the keeper of all rolls and registers. Removal is governed by an exhaustive list in Clause 14(5), covering misconduct, incompetence, insolvency, and a custodial sentence of six months or more.

III. MEMBERSHIP, CERTIFICATION, AND PRACTICE

(a) Enrolment

- Three routes to enrolment as a Certified Valuer of Uganda ("CVU") exist under Clause 20. First, people who have already registered as valuation surveyors under the Surveyors Registration Act at commencement are enrolled automatically. Second, all valuers in the Office of the Chief Government Valuer are enrolled as members. Third, applicants with a recognized valuation degree, or membership of a comparable foreign professional body, may apply, but must complete one year of supervised practice and pass the Institute's professional qualification examinations before enrolment. The Council may grant examination exemptions on merit.

(b) Practicing Certificates and Licenses

- Registration as a practicing valuer, governed by Clauses 23 to 27, is a step separate from enrolment. It requires a recommendation from a practicing valuer and proof of passing the examinations. Annual certificates of practice are issued to sole practitioners; annual licenses of practice to valuation firms, which must be constituted as partnerships under the Partnership Act, Cap. 110. All certificates and licenses expire on 31st December and must be renewed by 31st October. Renewal requires prescribed hours of continuous professional development.
- Foreign valuers engaged for specific work in Uganda must apply for a temporary certificate of practice within four months before arrival. The obligation falls also on the employer: any firm or organization recruiting a foreign valuer is statutorily required to ensure compliance. Unlicensed practice is a criminal offence, attracting a fine of up to 500 currency points (UGX 10,000,000) or two years' imprisonment, or both.

IV. ETHICS, DISCIPLINE, AND RECONCILIATION

- Clause 28 requires the Institute to maintain a Professional Code of Ethics, issued by the Minister in consultation with the Council. Compliance with the Code and the National Valuation Standards is mandatory for all certified and practising valuers under Clause 29. Contravention constitutes both professional misconduct and a criminal offence – a dual exposure that is unprecedented in Ugandan valuation regulation.
- The disciplinary committee, established under Clause 30, hears complaints brought by the Council or any third party. Its quorum is three members, two of whom must be practising valuers. Separately, Clause 31 empowers the Council to appoint a value reconciliation committee comprising three senior Institute members of at least seven years' standing where independently conducted valuations of the same property produce materially divergent conclusions. The committee's advice is not binding, but its authority will carry significant weight in disputed proceedings.

PART III.

CONCLUSION

The laws represent a shift towards structural safety, professional accountability, and regulatory competence in Uganda's built environment. These Acts establish strengthened institutional frameworks and impose substantially elevated penalties.

It is important that the affected stakeholders must immediately familiarize themselves with these provisions and seek personalized legal counsel to assess their obligations and implement compliance protocols without delay.

The responsible Ministry should further ensure that subsidiary regulations are enacted in a timely manner to operationalise and give full effect and meaning to some of the sections in the Acts, particularly the Building Control (Amendment) Act, 2026.

Disclaimer

This legal alert provides general information only and does not constitute legal advice. KTA Advocates has made every effort to ensure the accuracy of the information presented.

However, the final printed laws might have some changes, therefore this alert should not be taken as a substitute for personalized legal counsel. For specific guidance regarding the implications of these Acts, we strongly encourage you to contact a qualified Ugandan attorney.

Please feel free to reach out to KTA Advocates at corporate@ktaadvocates.com to discuss your specific needs.