

THE RECONSTRUCTION AND DEVELOPMENT
CORPORATION ACT, 1981.

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**THE RECONSTRUCTION AND DEVELOPMENT
CORPORATION ACT, 1981.**

AN ACT to make provision for the physical reconstruction and development of extensively war-damaged areas of Uganda and of other areas in special need of assistance with their development, to provide for the establishment of a reconstruction and development corporation, and for its functions and management and for other matters connected therewith or incidental thereto.

DATE OF ASSENT: 19th October, 1981.

Date of Commencement: 23rd October, 1981.

BE IT ENACTED by the President and the National Assembly, in this present Parliament assembled, as follows:—

PART I—ESTABLISHMENT AND FUNCTIONS OF CORPORATION.

1. (1) There is hereby established a corporation to be known as the Reconstruction and Development Corporation (hereinafter referred to as the 'Corporation').

Establish-
ment of
Corporation.

(2) The Corporation shall be a body corporate with perpetual succession and a common seal, and may sue or be sued in its corporate name, and may, in connection with the purposes of this Act, purchase, hold, manage and dispose of any property, and enter into such contracts as may be necessary or expedient.

(3) The seal of the Corporation shall be authenticated by the signatures of the Chairman and the Managing Director.

(4) In the absence of the Chairman, two other members of the Board designated in that behalf by the Board shall sign in place of the Chairman and the person performing the functions of the Managing Director may sign in the absence of the Managing Director.

(5) Every document purporting to be an instrument issued by the Corporation and to be sealed with the seal of the Corporation authenticated in the manner provided by this section shall be received and be deemed to be such an instrument without further proof unless the contrary is shown.

Functions
of
Corporation

2. (1) The function of the Corporation shall be to co-operate with existing local authorities in planning for, co-ordinating, stimulating and prosecuting the reconstruction and development of the physical and material resources and facilities within the area of its jurisdiction.

(2) Without prejudice to the generality of subsection (1), it shall be the duty of the Corporation, within the area of its jurisdiction,

(a) to plan and keep under continuous review any plan made for the whole or any part of the area of its jurisdiction;

(b) to guide the development and use of land;

(c) to stimulate and encourage the development and use of land by,

(i) the provision by way of loan and grant of money, materials, equipment and tools for building or other activities on land;

(ii) the provision on payment of a reasonable fee of plans and designs for housing schemes and in particular low-cost housing;

(d) to upgrade and improve any built-up area or part thereof;

(e) to provide and arrange for the provision of temporary reception areas, resettlement areas and urban villages to cater for persons displaced by any improvement, carried out under paragraph (d) or through other methods of population displacement and resettlement needs or

relocated as a result of the implementation of any plan made under paragraph (a);

- (f) to assist the existing local authorities in their administration of the laws controlling and regulating the construction and use of any buildings or other structures;
- (g) to assist the existing local authorities to provide advisory services especially in the field of the machinery for public participation to the inhabitants of their areas for all or any of the following matters,
 - (i) the construction of low-cost housing and other buildings;
 - (ii) the compliance with the laws regulating applications for permission to develop and the construction of any building and its drainage system;
 - (iii) the submission of claims for compensation in respect of the compulsory acquisition of any land or building;
 - (iv) such other matters as may be agreed upon by the Corporation and the local authorities;
- (h) to construct, repair and renovate and arrange for the construction, repair and renovation of public buildings and facilities;
- (i) to do such other things as are necessary or incidental to the effective performance of the foregoing functions of the Corporation.

3. The Corporation shall have powers, for the effective discharge of its functions in the area of its jurisdiction,

**Powers of
Corporation.**

- (a) to enter into contracts for the construction, repair and renovation of buildings and public works;
- (b) to enter into agreement with any person to form a company or a partnership with the object of constructing buildings for sale or rent;
- (c) to engage agents and consultants to assist and advise it in carrying out its functions;

- (d) to delegate, subject to the approval of the Minister, any of its functions to a local authority in the area of its jurisdiction;
- (e) subject to the foregoing provisions of this section, to do such other things as are conducive or necessary for the performance of its functions under this Act.

The Board. 4. (1) The governing body of the Corporation shall be a Board, consisting of the following,

- (a) Chairman;
- (b) the Permanent Secretary of the Ministry responsible for housing and urban development;
- (c) a Managing Director as an ex-officio member;
- (d) not less than six nor more than eight other members,

all of whom shall be appointed by the Minister.

(2) Of the members appointed under paragraph (d) of subsection (1) not more than four shall be persons residing in or working in or representative of the area of jurisdiction of the Corporation.

(3) The Chairman and members of the Board appointed under paragraph (d) of subsection (1) shall be appointed for a period of two years upon such terms and conditions as may be specified in their instruments of appointment.

(4) Any member of the Board may resign his office by writing under his hand to the Minister and the Minister may remove any member from office for inability to perform the functions of his office or for any other sufficient reason.

(5) If the office of a member becomes vacant otherwise than by effluxion of time, the Minister may appoint another person to hold office in his place and the person so appointed shall hold office until the expiration of the term of office of the member in whose place he was appointed.

(6) Any member of any Board ceasing to hold office shall be eligible for reappointment.

5. (1) The Board shall meet for the discharge of its functions under this Act at least once every three months or upon the request in writing to the Chairman by at least three members thereof at such time and place as the Chairman may appoint. Meetings
of the
Board.

(2) The Chairman shall preside at all meetings of the Board and in his absence such member of the Board as the members present shall appoint, shall preside.

(3) The Board may, as it deems fit, invite any number of persons to act as consultants or advisers at any of its meetings.

(4) Questions proposed at a meeting of the Board shall be determined by a simple majority of the members of the Board present and voting and in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(5) Seven members shall form a quorum at every meeting of the Board.

(6) Any member who has a personal interest in any transaction of the Board or any matter before the Board shall disclose the nature of his interest to the Board and shall be disqualified from taking part in the deliberations of the Board with respect to that transaction or matter and the failure to make the disclosure required by this subsection may constitute a sufficient reason for the removal of that member from the Board.

(7) Subject to the foregoing provisions of this section, the Board may regulate its own procedure.

6. (1) There may be such number of committees of the Board as the Board shall determine. Committees
of the
Board.

(2) A committee shall consist of such members of the Board, and such other persons not forming a majority of members of the committee, as the Board may appoint.

(3) The Board may, as it deems fit, invite any number of persons to act as consultants and advisers to any committee.

(4) A committee shall have such functions as may be conferred upon it by the Board.

(5) A committee shall elect one of its members who shall be a member of the Board as chairman of the committee.

Joint
Committees.

7. (1) The Board may join in the establishment of any number of joint committees with local authorities in the area of its jurisdiction.

(2) A joint committee shall have an equal number of members from the Board and from the local authority or all local authorities participating in its establishment.

(3) The Board and the participating bodies mentioned in subsection (1) or which may be necessary from time to time, may invite any number of persons to act as consultants or advisers to any joint committee.

(4) A joint committee shall have such functions as the Board may confer upon it.

Remunera-
tion of
Board
members,
etc.

8. The Chairman and other members of the Board and any other person attending any meeting of the Board, a committee thereof or a joint committee may be paid such remuneration or allowances as the Minister may determine.

Directions
by the
Minister.

9. (1) The Minister may give to the Board such directions as to the exercise and performance by the Board of its functions under this Act as appear to the Minister to be requisite in the public interest and the Board shall give effect to any such directions.

(2) The Minister may give to the Board special directions as to the exercise of its functions under this Act where,

(a) he is concerned to ensure that the Board makes the most effective use of any external funds, resources or materials that may be made available to it; or

(b) he is dissatisfied with the progress of the Corporation in bringing about the reconstruction and development of the war-damaged areas,
and the Board shall give effect to any such special directions.

(3) Any special direction given by the Minister under the provisions of this section may require the Corporation to report on its progress on the matter which is the subject of the special direction to the Minister.

(4) Any special direction given by the Minister under subsection (2) shall be laid before the National Assembly within twenty-one days of its being given to the Corporation.

PART II.—STAFF.

10. (1) The Minister shall appoint a Managing Director of the Corporation for such period and upon such terms and conditions as the Minister may determine. Managing Director.

(2) The Managing Director shall devote his full time to the affairs of the Corporation.

(3) The Managing Director shall be the Chief Executive Officer of the Corporation and shall be responsible to the Board for,

- (a) the implementation of the policies and programmes decided upon by the Board;
- (b) keeping the Board informed of the work of the Corporation;
- (c) ensuring that the Corporation maintains close co-operation with the local authorities within the area of its jurisdiction;
- (d) the management of the funds, property and business of the Corporation;
- (e) the administration and organisation of the Corporation;
- (f) the staff of the Corporation.

(4) The Chairman may, from time to time, in writing, direct the Managing Director to submit a report on any matter affecting the affairs of the Corporation to the Board and the Managing Director shall comply with such directions.

11. (1) The Corporation shall have a Secretary who shall be appointed by the Minister on such terms and conditions as the Minister may determine. Secretary of Corporation.

(2) In addition to any other functions conferred upon him by the Minister, the Secretary shall have the custody of the seal of the Corporation and be responsible for,

(a) the taking of minutes of the meetings of the Board and any of its committees and sub-committees;

(b) the keeping of the records of all transactions of the Corporation;

(c) the provision of legal advice on all its activities to the Corporation.

(3) The Secretary shall also be the Secretary to the Committee.

12. (1) The Board may,

(a) from time to time, appoint or employ at such salaries and upon such terms and conditions as it may think fit, such officers and employees as it may deem necessary for the proper and efficient conduct of its business and operations and may at any time terminate any such appointment or employment;

(b) with the approval of the Minister and on such terms and conditions as it thinks fit fix remuneration, grant pensions, gratuities or other benefits on retirement or termination of service of the officers and employees of the Corporation and require them to contribute to any pension, provident fund or superannuation scheme.

(2) Public officers may be seconded to the Corporation.

(3) Nothing done by an officer or employee of the Corporation or public officer seconded to the Corporation shall, if it was done *bona fide* for the purposes of carrying the provisions of this Act into effect, subject him to any civil liability.

PART III.—FINANCIAL PROVISIONS.

Funds of
the
Corporation.

13. The funds of the Corporation shall consist of,

(a) any annual grant which shall be granted by the Government;

- (b) any grant from any international organisation paid with the approval of the Government;
- (c) any grant from any other source paid with the approval of the Government;
- (d) any loan from the Government or any other person;
- (e) any moneys that may become payable to the Corporation in the performance of its functions under this Act.

14. (1) The Corporation may, subject to the approval of the Minister, in consultation with the Minister responsible for finance borrow sums required by it for meeting any of its obligations or discharging any of its functions under this Act. Borrowing powers.

(2) An approval given under the provisions of subsection (1) may be either general or limited to a particular borrowing or otherwise and may be either unconditional or subject to conditions.

(3) A person lending money to the Corporation shall not be bound to enquire whether the borrowing of money is within the powers of the Corporation.

15. (1) The Government may guarantee by the undertaking of the Minister responsible for finance in such manner and on such conditions as he thinks fit the payment of the principal and interest on any authorised borrowings of the Corporation. Guarantee by Government

(2) Any sums required by the Government for fulfilling any guarantee under this Act of borrowings of the Corporation are hereby charged upon the Consolidated Fund.

16. (1) The Corporation shall, within such period before the end of each financial year as the Minister shall determine, make and submit to the Minister for his approval estimates of its income and its capital, recurrent and other expenditures likely to be incurred by the Corporation for the next ensuing year. Estimates.

(2) No expenditure shall be made out of the funds of the Corporation unless the expenditure has been approved by the Minister under the estimates for the year in which such expenditure is to be made.

(3) In exceptional circumstances the Minister, in consultation with the Minister responsible for finance, may authorise the Corporation to incur expenditure of money appropriated for one purpose in the approved estimates or supplementary estimates on any other purpose therein contained.

Supplemen-
tary
Estimates.

17. (1) The Corporation may, from time to time, make and submit to the Minister for his approval supplementary estimates to provide for unforeseen or urgently required expenditure on matters not provided for in the estimates or necessary additional expenditure on matters provided for in the estimates.

(2) The provisions of subsection (2) of section 16 shall apply to any supplementary estimates submitted under this section as they apply to estimates submitted under section 16.

Accounts
to be
kept.

18. (1) The Corporation shall keep proper books of account and proper records in relation thereto.

(2) For the purposes of this section proper books of account shall be deemed not to have been kept with respect to the business of the Corporation if there are not kept such books as are necessary to give a true and fair view of the affairs of the Corporation and to explain its transactions.

(3) Within two months after the end of each financial year the Board shall cause to be drawn up a report of its operations and a statement of the assets and liabilities of the Corporation on the last day thereof.

Audit.

19. (1) The annual statement of accounts of the Corporation shall be audited by the Auditor-General or an auditor appointed by him who shall be entitled at any time to have access to all books of accounts, vouchers and other financial records of the Corporation and to require such information and explanation thereon as he thinks fit.

(2) The Auditor-General shall submit to the Minister a copy of the audited accounts of the Corporation not later than four months after the end of each financial year to which they relate.

Annual
report and
Accounts.

20. (1) The Corporation shall not later than six months after the end of each financial year make and submit to the Minister a report showing the performance of the Corporation

during that financial year including the extent to which any direction given by the Minister during that financial year has been carried out.

(2) The Minister shall, as soon as possible after receiving the report referred to in subsection (1) and a copy of the audited accounts of the Corporation from the Auditor-General, cause the annual statement of accounts and the annual report of the Corporation to be laid before the National Assembly and may cause the annual report to be published in such manner as he may direct.

PART IV.—RECONSTRUCTION AREAS.

21. (1) The President may, by statutory order, declare any part of Uganda to be a reconstruction area.

Declaration
of Recon-
struction
areas.

(2) In determining whether to declare a reconstruction area the President shall have regard to the following factors,

- (a) whether the area is or has been extensively war-damaged;
- (b) whether the area is or has been hit by a natural disaster;
- (c) whether the area is or has been hit by a man-made disaster;
- (d) whether the area is so undeveloped compared to the rest of Uganda, that it is in special need of assistance with its development;
- (e) whether there has been a sudden influx of population into the area caused by the movement of refugees from another country or another area within Uganda to which paragraphs (a) (b) or (c) apply.

(3) Every reconstruction order shall specify and define clearly the area to which it relates.

(4) A copy of every order made under this section shall be published in the *Gazette* and be posted at such places within the reconstruction area as may be directed.

(5) Any order made under this section shall come into operation upon the date of its publication in the *Gazette* and shall remain in force for sixty days.

(6) If before the end of the period of sixty days referred to in subsection (5) the National Assembly approves a resolution confirming the order, then the order shall remain in force for two years from the date of that resolution.

(7) Within sixty days before or after the end of any period of two years the National Assembly may approve a resolution extending the period for which the order is to remain in force for a further period of two years.

Recon-
struction
Area
Advisory
Committee.

22. (1) There is hereby established for every reconstruction area a Reconstruction Area Advisory Committee (hereinafter referred to as "Committee").

(2) The Committee shall consist of,

- (a) a Chairman who shall be appointed by the Minister;
- (b) the members of the National Assembly representing the reconstruction area;
- (c) such other persons as the Minister shall appoint being not more than ten in total.

Functions
of the
Committee.

23. The functions of the Committee shall be,

- (a) to consider and give its views on any reconstruction area plan that is submitted to it;
- (b) to meet with members of the Corporation having jurisdiction in the area not less than once every three months to review the progress of the Corporation;
- (c) to report to and raise matters at the meetings referred to in paragraph (b) on behalf of the local authorities in the reconstruction area;
- (d) to perform such other duties as the Minister responsible shall require of it.

Sub-
committee
of the
Committee.

24. (1) The Committee may establish sub-committees.

(2) A sub-committee shall consist of such members of the Committee as the Committee shall appoint.

(3) A sub-committee shall have such functions as may be conferred upon it by the Committee.

(4) A sub-committee shall elect one of its members as chairman of the sub-committee.

25. The expenses of the Committee shall be shared between the Corporation and the local authorities in the reconstruction area in such proportion as shall be determined by the Minister in consultation with the Minister responsible for Local Government.

Expenses of the Committee.

26. The powers and duties set out in this Part of the Act shall be exercisable only within a reconstruction area.

Exercise of powers within reconstruction areas.

27. (1) The Corporation shall prepare a plan to be known as a reconstruction area plan for the whole of the reconstruction area within which it has jurisdiction.

Reconstruction area plans.

(2) The purpose of a reconstruction area plan shall be to provide an integrated framework of economic and land use policies within which outline and detailed schemes under the Town and Country Planning Act may be made for parts of the reconstruction area declared to be planning areas and by means of which proposals for specific development within the reconstruction area may be related to each other and assessed as to the benefit they are likely to confer on the area as a whole.

Cap. 30.

(3) In preparing a reconstruction area plan the Corporation shall,

- (a) consider any matters in relation thereto which it is directed by the Minister so to consider;
- (b) maintain a close liason with the Department of Town and Regional Planning;
- (c) consult with the local authorities in the reconstruction area;
- (d) submit a draft of the plan to the Reconstruction Area Advisory Committee and take account of the views of the Committee in preparing the draft of the plan which is to go on deposit.

(4) Where a reconstruction area plan has been prepared, it shall be published, considered, approved and dealt with as if it were an outline scheme proposed under the Town and Country Planning Act and the provisions of sections 12, 13 and 14 of that Act shall apply accordingly save that,

- (a) such sections shall have effect as if for the word "Board" occurring therein, there were substituted the word "Corporation", for the word "plan" and for the words "outline scheme" there were substituted the words "reconstruction area plan";
- (b) subsection (1) of section 14 of the Act shall have effect as if after the word "Minister" there were added the words "responsible after seeking the opinion of the Board"; and
- (c) subsection (3) of section 14 of the Act shall have effect as if for the words "no authority shall pass or approve any plans for building or development that contravene the provisions of the scheme" there were substituted the words "shall be taken into account in the preparation of outline and detailed schemes and in the consideration of proposals for development".

Declaration
of
planning
areas in
recon-
struction
areas.
Cap. 30.

28. (1) In exercising its powers under section 6 of the Town and Country Planning Act, the Board shall take account of and pass on to the Minister any representations made by the Corporation as to the declaration of a planning area and the Minister may, notwithstanding that the Board has not recommended that an area be declared a planning area, declare any area within a reconstruction area to be a planning area if the Corporation has made representation to that effect to the Board.

(2) The powers of the Board under subsection (1) of section 8 of the Town and Country Planning Act shall be exercised, in relation to a reconstruction area, in agreement with the Corporation.

(3) The power of the Board under section 9 of the Town and Country Planning Act to delegate its powers and duties under the Act may be exercised in respect of the Corporation but in such case the Minister shall approve any conditions, exceptions and qualifications the Board may seek to impose on such delegation.

29. Where an outline scheme is to be prepared for a planning area within reconstruction area, the provisions of sections 11, 12, 13 and 14 of the Town and Country Planning Act shall apply accordingly save that,

Outline schemes in Reconstruction areas. Cap. 30.

- (a) such sections shall have effect as if after the word "Board" occurring therein there were added the words "and the Corporation acting jointly";
- (b) paragraph (c) of subsection (3) of section 13 shall have effect as if for the word "it" in line two there were substituted the words "either of them".

30. (1) The Minister may, on the representation of the Corporation that it is necessary for the proper planning of an area so to do and after seeking the advice of the Board, permit the Corporation to prepare in consultation with the local authority or local authorities for the area concerned a detailed scheme for a part of a planning area notwithstanding that an outline scheme has not yet been prepared for that area.

Detailed schemes in reconstruction areas.

(2) The Corporation may prepare in consultation with the local authority or local authorities for the area concerned detailed schemes for any part of a planning area for which an outline scheme has been approved.

(3) Where the Corporation has prepared a detailed scheme, the scheme shall be published, considered, approved and dealt with as if it were an outline scheme and the provisions of sections 12, 13 and 14 of the Town and Country Planning Act shall apply accordingly save that,

Cap. 30.

- (a) such sections shall have effect as if for the word "Board" occurring therein there were substituted the word "Corporation"; and
 - (b) subsection (1) of section 14 shall have effect as if after the word "Minister" there were added the words "after seeking the advice of the Board".
- (4) A committee shall not,
- (a) prepare a detailed scheme for any part of planning area for which the Corporation has prepared a detailed scheme;
 - (b) prepare any other detailed scheme except jointly with the Corporation.

Contents
of schemes.

31. For the purposes of preparing outline and detailed schemes as are referred to under section 29 of this Act in planning areas within a reconstruction area the second Schedule to the Town and Country Planning Act shall be read as follows,

- (a) in Part II, paragraph 8, at the end, the full stop shall be deleted and the words "reception areas for the relocation of people and activities and industrial estates" shall be added;
- (b) in Part II, paragraph 9, after the word "clearance" there shall be added the words "improvement and up-grading";
- (c) in Part II, paragraph 13, the full stop shall be deleted at the end and there shall be added the words "including the provision of a classification of uses under a change of use within the same class of use will not need permission and a provision permitting certain stated minor developments to take place without the need to obtain permission".

Planning
Committees.

32. Within a reconstruction area, section 10 of the Town and Country Planning Act shall be read as if subsections (5), (6) and (7) were deleted therefrom and the following provisions substituted,

- (a) "if an area is partly within two or more local authorities, the planning committee shall be a joint committee constituted in accordance with the provisions of section 21 of the Urban Authorities Act";
- (b) in subsection (8) after the word "Board" wherever occurring there were added the words " and the Corporation".

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Power of
planning
committees
within
recon-
struction
areas

33. (1) A planning committee shall not decide upon any application for permission to develop any land within a planning area in a reconstruction area until it has first obtained the views of the Corporation on that application.

(2) The Corporation may inform a planning committee that it does not wish to be informed of certain classes of or particular types of application for permission to develop and in such case the views and approval of the Corporation shall be deemed to have been obtained in respect of such application.

(3) Where a planning committee is disposed to disagree with the views of the Corporation on an application for permission to develop it shall so inform the Corporation and the Corporation may require the Board to resolve it.

(4) The Board shall deal with an application referred to in accordance with subsection (3) as if an appeal had been made to it under section 27 of the Town and Country Planning Act and the Corporation was a person aggrieved.

Cap. 30.

(5) At any hearing by the Board under subsection (4) the applicant for permission to develop shall be entitled to be heard as if he were a person aggrieved by the decision of the committee.

34. (1) The Corporation shall put before a planning committee any of its proposals for development and the planning committee shall give its views thereon.

Development by the Corporation.

(2) Where the planning committee has no objection to the proposal it shall so inform the Corporation and the Corporation shall be deemed to have been granted permission to develop.

(3) Where a planning committee is disposed to object to the proposal of the Corporation it shall so inform the Corporation and the Corporation shall review its proposals in the light of the views of the planning committee.

(4) Where on re-submission of the proposals to the planning committee, that committee has no objection to the proposals it shall so inform the Corporation and the provisions of subsection (2) shall apply.

(5) Where on re-submission of the proposals to the planning committee that committee is still disposed to object to the proposals it shall so inform the Corporation and the Corporation shall refer the proposals to the Board.

(6) The Board after seeking the views of the Committee may approve with modifications or disallow the proposals.

35. For the purposes of acquisition of land within a reconstruction area, section 17 of the Town and Country Planning Act shall be construed as if,

Acquisition of land.

(a) the following paragraph had been added to subsection (1),

“(b) any land within a planning area required for any of the matters set out in an outline or detailed scheme approved for the area and in particular and without prejudice to the generality of the foregoing for,

- (i) relocation areas, reception areas and urban villages;
- (ii) up-grading and improvement schemes;
- (iii) housing estates and site and service schemes;
- (iv) community farms;
- (v) community centres;
- (vi) public buildings;
- (vii) waterworks and sewerage works;
- (viii) industrial estates;
- (ix) car and lorry parks;
- (x) the reconstruction and re-allocation of plots in extensively war-damaged areas of towns;
- (xi) educational and training institutions;
- (xii) railways and railway works;
- (xiii) outdoors public recreation areas”;

(c) after the word “authority” in line 3 of subsection (3) there were added the words “or the Corporation”.

Improve-
ment up-
grading
and
relocation.

36. (1). Where it is proposed that a scheme shall make provision for the improvement and up-grading of any urban area or the relocation of people and activities within a reconstruction area, the Corporation and the local authority having jurisdiction over the urban area shall jointly,

- (a) inform the residents of the area to be improved or relocated of the proposals and consider any views they may have thereon;
- (b) inform the residents of the areas concerned of the facilities and assistance available to them to improve their houses or, as the case may be, to build houses elsewhere;

(c) prepare a reception area for the rehousing of all those likely to be made homeless by the scheme of improvement or relocation, as the case may be, and for the provisions of public facilities and facilities for work for such persons.

(2) Within an area designated in a scheme as an area for improvement and up-grading the powers of prevention of nuisances, closure of houses and demolition of premises contained in Part IX of the Public Health Act shall only be exercised within the framework and taking account of any programme of improving and up-grading the area and the buildings therein. Cap. 269.

37. (1) In a reconstruction area a copy of every building authority under the Building Rules and a copy of every plan submitted to a local authority under the Drainage and Sanitation Rules shall be made available to the Corporation. Building, etc. control. S.I. 269-13 Vol. XIV p. 3840.

(2) The Corporation shall assist every local authority in a reconstruction area to administer the Building Rules and the Drainage and Sanitation Rules. S.I. 269-11 Vol. XIV p. 3756.

(3) A local authority shall not decide upon any application for a building licence under the Building Rules or any application made under the Drainage and Sanitation Rules until it has first obtained the view of the Corporation. S.I. 269-13 Vol. XIV p. 3840.

(4) The Corporation may inform a local authority that it is not necessary for certain categories and types of building plans or plans in connection with drainage and sanitation to be made available to it and in such cases the views and approval of the Corporation shall be deemed to have been obtained in respect of such plans.

(5) Where a local authority is disposed to disagree with the views of the Corporation on whether to approve or disapprove any plans in connection with drainage and sanitation, it shall so inform the Corporation and the Corporation may require the local authority to refer the plans over which there is disagreement to the Minister.

(6) The Minister after taking such advice as he considers necessary may approve or disapprove of the plans referred to him and his decision shall be deemed to be made under and in accordance with the Building Rules or, as the case may be, the Drainage and Sanitation Rules. S.I. 269-13 Vol. XIV p. 3840.

(7) Any building plans or any plans in connection with drainage and sanitation brought forward by or on behalf of the Corporation shall be governed by the same procedures *mutatis mutandis* as are set out in section 34 of this Act except that for subsection (6) of that section there shall be substituted subsection (6) of this section.

S.I. 269-11
Vol. XIV
p. 3756.

Con-
struction
and repair
of water-
works and
sewerage
works.

38. Where the Corporation proposes to build, repair, renovate, improve, extend or otherwise undertake any works on any waterworks or sewerage and drainage works it shall first consult with and consider the views of the Water and Drainage Department of the Ministry responsible for those matters and where the Corporation and the Department fail to agree on the nature, timing or extent of the works which the Corporation proposes to undertake the Corporation shall refer the matter to the Minister and shall not undertake or let contracts for another person to undertake on its behalf any of the proposed works until the Minister authorises it to do so.

Public
land in a
recon-
struction
area.
Act 13 of
1969.

39. (1) The Uganda Land Commission and any urban authority in a designated urban area which is a controlling authority under the Public Lands Act shall as respects any public land under its jurisdiction within a reconstruction area consult with and consider the views of the Corporation before exercising its powers under section 22 or 32 of that Act.

(2) The Corporation may request any such controlling authority as is referred to in subsection (1) to exercise any of its powers under section 22 or 32 of the Public Lands Act or its power to resume public land and the controlling authority shall consider that request and inform the Corporation of its decision on it.

(3) Where the Uganda Land Commission proposes to exercise its powers under section 36 of the Public Lands Act it shall prior to deciding to give notice of forfeiture under subsection (1) of section 36 or to extend or specify a period under subsection (2) of section 36 consult with and take account of the views of the Corporation on such proposed exercises.

(4) Where the views of the Corporation given under subsections (1) and (3) and the requests of the Corporation made under subsection (2) have not been accepted and acted upon by the bodies to which they were given or made, the Corporation shall report that fact to the Minister.

PART V—LOCAL AUTHORITIES IN RECONSTRUCTION AREAS.

40. (1) Every local authority within a reconstruction area shall be under a duty to co-operate with and carry out its duties so as to facilitate the work of the Reconstruction and Development Corporation.

Co-operation with reconstruction and development corporation.

(2) Every local authority within a reconstruction area shall consider the desirability of exercising its powers under its constituent Act to either,

- (a) appoint a committee on which members or officers of the Corporation would be invited to sit; or
- (b) invite members or officers of the Corporation to sit on such existing committees as may be necessary,

in order to perform its duty under subsection (1).

(3) The Minister having responsibility for local authorities may require a local authority in a reconstruction area to appoint such a committee as is referred to in paragraph (a) of subsection (2) or to issue such invitations as are referred to in paragraph (b) of subsection (2).

(4) Section 21 of the Urban Authorities Act shall apply to all local authorities in a reconstruction area and shall be read as if,

Cap. 27

- (a) after the words "local authorities" wherever occurring there were inserted the words "or the Corporation";
- (b) after the word "purpose" in line 3 of subsection (1) there were inserted the words "including facilitating the work of the Corporation".

41. (1) Prior to exercising any of its powers under sections 37, 38 or 39 of the Urban Authorities Act an urban authority in a reconstruction area shall discuss its proposals with the Corporation and shall take account of the views of the Corporation thereon.

Control and closure of roads, open spaces, etc.
Cap. 27.

(2) The Corporation may request any urban authority in a reconstruction area to exercise any of its powers under sections 37, 38 or 39 of the Urban Authorities Act and the urban authority to which the request is made shall consider and inform the Corporation of its decision on the request.

(3) Where an urban authority declines to accept the views of the Corporation given under subsection (1) or refuses the request made under subsection (2), the Corporation shall inform the Minister of that fact.

Develop-
ment by
a local
authority.

42. (1) Any proposals for development by a local authority in a reconstruction area shall be submitted to the Corporation for its views and the Corporation shall give its views thereon to the local authority.

(2) Where the Corporation objects to the proposed development, the local authority and the Corporation shall jointly refer the proposal to the Minister.

(3) The Minister after seeking the advice of the Board and any other relevant authorities may grant with modifications or refuse permission to the local authority to proceed with the proposed development.

Directions
by the
Minister.

43. The Minister may, of his own motion or at the request of the Corporation, direct any local authority in a reconstruction area to,

- (a) exercise any function which it is empowered to exercise;
- (b) desist from exercising any function which at the time of the direction it is exercising;
- (c) enforce any bye-law or any other law which it is empowered to enforce;
- (d) make a bye-law on any matter specified in the direction;
- (e) generally to so conduct its affairs that it facilitates the work of the Corporation.

PART VI—MISCELLANEOUS.

Legal
Procedures.
Cap. 30.

44. Sections 28, 29 and 31 of the Town and Country Planning Act shall apply to the Corporation exercising powers in a reconstruction area and shall be read in connection therewith as if,

- (a) for the word "Board" wherever occurring there was substituted the word "Corporation";
- (b) for the word "President" in subsection (1) of section 31 there was substituted the word "Chairman".

45. The Corporation may, with the prior approval of the Minister, make bye-laws not inconsistent with the provisions of this Act regulating the conduct of the business of the Corporation and without derogating from the generality of the foregoing such bye-laws may regulate,

Bye-laws
of
Corporation.

- (a) the books and accounts to be kept by the Corporation;
- (b) the rates of charges for any construction or civil engineering work undertaken by the Corporation;
- (c) the appointment, discipline and dismissal of the employees of the Corporation;
- (d) the payment of pensions, gratuities and other like payments on both retirement or termination of office whether by contributory or non-contributory arrangement to employees of the Corporation; and
- (e) procedure at the meetings of the Board of the Corporation and its committees.

(2) Notwithstanding the provisions of the Interpretation Decree it shall not be necessary to publish in the Gazette the bye-laws made by the Corporation but such bye-laws may be published in such manner as the Board, with the approval of the Minister, may think fit.

Decree 18
of 1976.

46. (1) The Minister may make regulation for the better carrying out of the provisions and principles of this Act and without derogating from the generality of the foregoing such regulations may provide for,

Regula-
tions.

- (a) the procedures to be followed by the Reconstruction Area Advisory Committee;
- (b) the manner and extent of the sharing of costs between the Corporation and the local authorities in a reconstruction area in respect of any joint committees that they may establish;
- (c) the preparation, deposit, publication and submission of a reconstruction area plan;
- (d) the procedures to be followed in respect of the implementation of any proposals for improving and up-grading urban areas for relocating people and activities and for providing for reception areas and urban villages;

- (e) the terms and conditions on which building equipment, materials and tools may be made available to any person by way of grant or loan;
- (f) the terms and conditions on which money for building purposes may be made available to any person by way of grant or loan;
- (g) the fees that may be charged by the Corporation for any of its services; and
- (h) the forms that may be used in connection with the Act.

(2) The Board may, either of its own motion or at the request of the Corporation, and shall, if so requested by the Minister, make regulations applicable to a reconstruction area and the powers exercisable therein on any of the matters on which by section 33 of the Town and Country Planning Act the Board is empowered to make regulations.

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Inter-
pretation.

47. In this Act unless the context otherwise requires,

“area of jurisdiction” means the reconstruction area for which the Corporation has been appointed and in which it may exercise its powers;

“Board” means in Parts I, II, and III of this Act the Board of the Corporation and in Parts IV, V and VI of this Act, the Town and Country Planning Board;

“Chairman” means the chairman of the Corporation;

“Commission” means the Uganda Land Commission;

“Committee” means a Reconstruction Area Advisory Committee;

“Corporation” means the Reconstruction and Development Corporation established under section 1;

“development” in relation to land includes any building or re-building operations and any use of the land whether on, under or over it or any building thereon for a purpose which is different from the purpose for which the land or building was last being used;

“Managing Director” means the Managing Director of the Corporation;

“local authority” means,

- (a) in an urban area a municipal or town council;
- (b) in a rural area an administration established under the Local Administrations Act;

Act 18
of 1967.

“Minister” means in relation to,

- (a) matters arising under the Town and Country Planning Act the Minister responsible for Town and Country Planning;
- (b) matters concerned with local authorities the Minister responsible for local authorities;
- (c) all other respects the Minister to whom responsibility under this Act is assigned;

“reception area” means an area of land set aside for the reception and rehousing of people made homeless by any programme of improvement and upgrading of urban areas or by any programme of relocation;

“relocation” means the removal of people from an area where they formerly lived and worked and the placing of them in a planned development in a new area;

“reconstruction area” means an area declared to be a reconstruction area under section 21 of this Act;

“scheme” means an outline or detailed scheme prepared in accordance with the provisions of the Town and Country Planning Act;

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“urban area” means an area under the jurisdiction of an authority constituted under and in accordance with the Urban Authorities Act;

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“urban village” means a collection of houses and other buildings on the edge of or just outside an urban area which is used by or is planned and developed for the use of persons coming to the urban area to live and work therein.