ISSUE 004

ecoconcrete

The CONCRETE CORNER

THE BUILDING CONTROL (AMENDMENT) ACT 2025

UGANDA'S CONSTRUCTION RULES, IN PLAIN TERMS

From the

EDITOR'S DESK

Every law has two lives. The life it lives on paper, and the life it lives on the ground.

Issue 004 of The Concrete Corner sits squarely at that intersection.

The Building Control (Amendment) Act 2025 is now in force ; penalties scaled to square metres, engineers named on drawings, Building Committees empowered to demolish, and occupation permits no longer optional. The framework is tighter, the consequences are real, and enforcement is already visible in cities across Uganda.

But a tighter framework lands differently depending on who you are. For the developer working within a project finance structure, the new rules are demanding but navigable. For the builder whose timeline follows a salary and a harvest, a 12-month start requirement and a five-year completion window tell a different story. If approvals, procurement, and mobilisation can consume several months on their own, how much runway remains before a developer is in breach? And what does any of this mean for the engineer whose name appears in the investigation when something goes wrong?

> ***This issue does not shy away from those questions. It opens with an honest assessment of what the amendment signals and what execution will require.***

One contributor breaks down the new penalty regime in numbers that are hard to ignore. Another examines what the amendment means for structural engineers ; the documents, the liability, and the investigation process. Further in, you will find an analysis of Building Committee powers, a walkthrough of what the National Building Code requires in practice, and a frank field-level look at the occupation permit ; why people ignore it, what that now costs, and what it will take to change. The issue closes with Section 41A: the amendment's quieter but significant provision opening a legal pathway for unconventional materials and technologies.

These articles are less about the law as written and more about the law as lived ; by engineers, developers, committees, and builders who rarely have the luxury of a clean, linear construction schedule.

We hope you find it useful, honest, and worth passing on.

Dr. Apollo Buregyeya, Editor,
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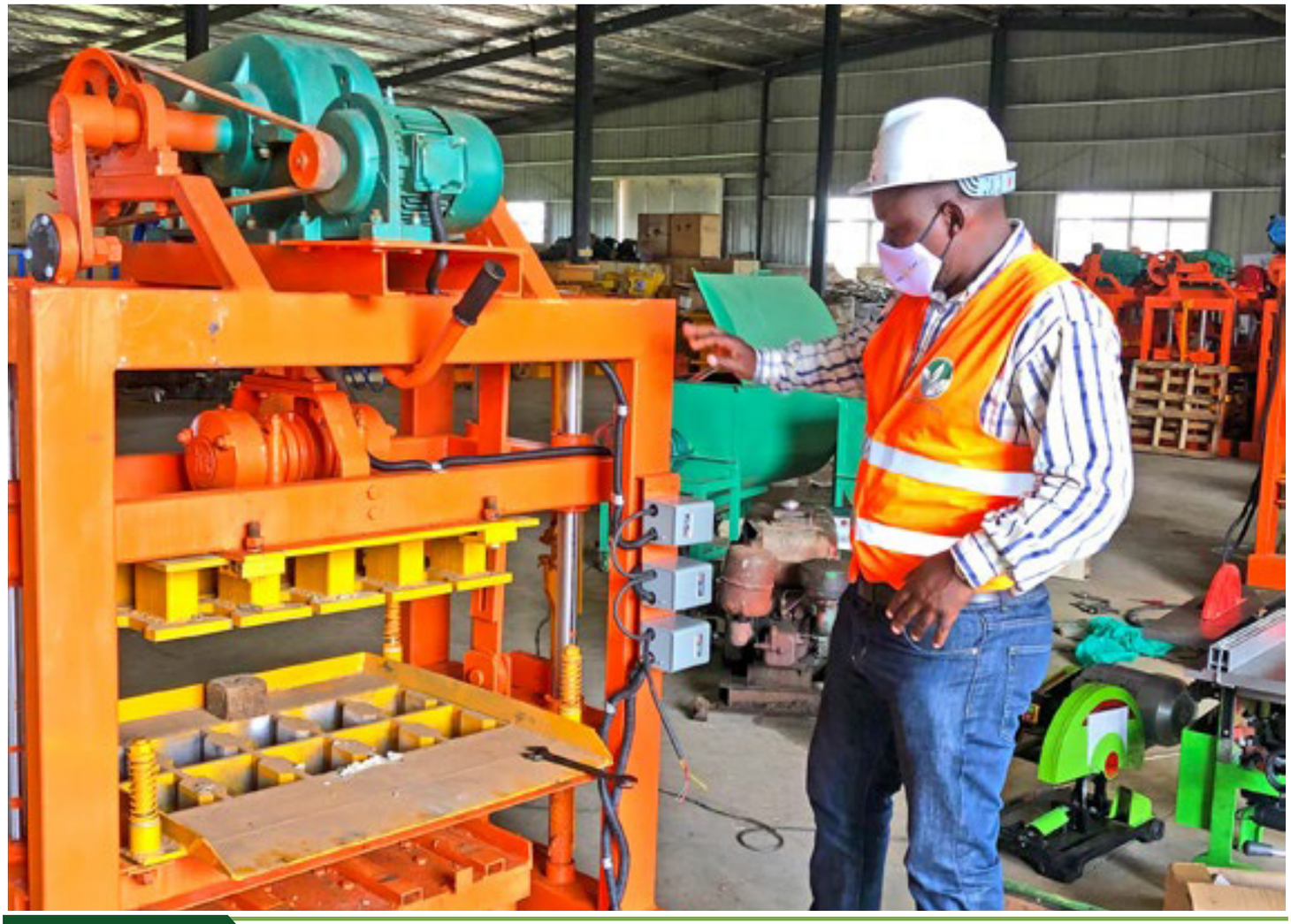
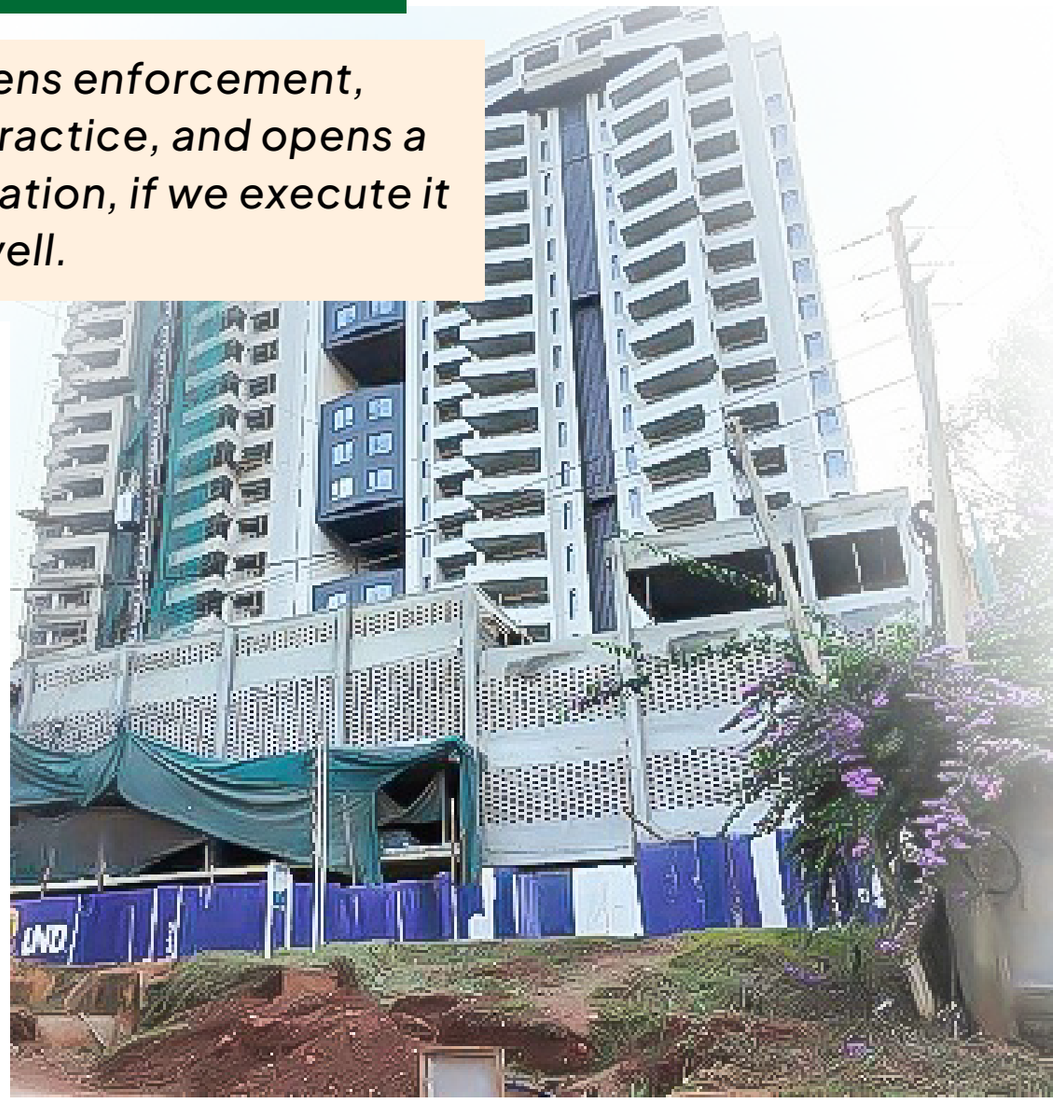


WHAT CHANGED: ?

The Building Control Act 2013 vs the 2025 Amendment.

Apollo Buregyeya

A law that tightens enforcement, professionalizes practice, and opens a door for local innovation, if we execute it well.



Uganda's construction sector has lived for years in a dangerous contradiction. We build bigger, faster, and higher, yet we often behave as if safety is a private choice and compliance is optional paperwork. The Building Control Act 2013 was meant to end that contradiction by creating a national framework for permits, inspections, standards, and accountability. In practice, implementation has been uneven, capacity has been inconsistent across districts, and a large part of the market has continued to operate informally. The 2025 Amendment arrives as a corrective. It is not merely a legal update. It is a signal that Uganda intends to tighten supervision and enforcement, professionalize the industry, and strengthen the credibility of the infrastructure and real estate development market.

This article explains the 2013 baseline, what the amendment changes, and what it means on the ground, especially for professionals, developers, and the future of local construction technologies.

The 2013 law already created the architecture of building control. It established the National Building Review Board, created district and urban Building Committees, and introduced Building Control Officers with inspection powers. It also made building permits and occupation permits legal requirements and linked building operations to the National Building Code. In other words, the law already recognised that construction is not a casual activity. It is a public safety function, and it requires defined procedures, inspection authority, and standards.

So why did the sector still struggle? Because the existence of a framework is not the same as the effectiveness of a framework. Uganda has been building at high speed under conditions that naturally produce shortcuts: informal procurement, cash-based incremental construction, weak documentation culture, uneven local government capacity, and a market where many people only seek professional input when something has already gone wrong. When enforcement is inconsistent, the market trains itself to "gamble." That is how illegal structures rise, how supervision becomes optional, and how professional roles are reduced to ceremonial signatures.

The amendment tries to change that market psychology. It moves building control closer to a system with consequences. It strengthens governance, expands enforcement tools, revises penalties to be more deterrent, and makes professional responsibility harder to dodge. This matters not only for safety, but also for infrastructure development markets. A predictable regulatory environment is one of the ingredients of investor confidence. Investors and serious financiers do not like ambiguous systems. They like clear rules, predictable approvals, traceable compliance, and enforceable accountability. That is how a construction market becomes bankable.

A major practical shift is the restructuring and strengthening of oversight bodies. The amendment reduces and reconfigures the membership of the Board and local committees to be leaner and more technically led. The intention is clear: reduce administrative clutter, reduce indecision, and increase accountability. In a growing country where urban development pressure is high, speed without control is not development. It is risk accumulation. A more functional building control system is therefore not anti-development. It is development discipline.

The second major shift is the penalty regime. The amendment increases penalties substantially and introduces a stronger deterrent logic that scales with the seriousness of the offence. This is where many people feel pain first. But the truth is that chaos has always been expensive, just hidden. Collapses, disputes, demolition, devalued buildings, court battles, and repeated repairs are all costs. They rarely appear as "construction cost" in a neat spreadsheet, but they are real. A stronger penalty regime is intended to change behaviour early so the industry pays less later.

The third major shift is professionalization. The amendment reinforces a principle Uganda has ignored for too long: buildings are not just private property decisions; they are public safety systems. Public safety systems require trained and accountable professionals. In practical terms, the new environment pushes projects toward requiring professional involvement not only in design, but in supervision, documentation, and compliance. This is an important market correction. It supports the long-term maturity of the industry by making professional engineering and architecture a standard expectation rather than an optional add-on.

If implemented well, this professionalization has three benefits. First, it improves quality and safety because technical decisions are made by trained people, and mistakes are detected earlier. Second, it protects asset value because compliant buildings are more bankable, more insurable, and more credible to buyers. Third, it improves efficiency and economy over a building's life because good planning, proper detailing, and proper supervision reduce defects and repeated maintenance. It is expensive to build cheaply and repair forever.

However, professionalization will not happen automatically. Uganda's reality is that there are not enough competent professionals and inspectors distributed evenly across the country, and many projects are executed by small contractors in incremental phases. If the law is enforced in a way that feels arbitrary, opportunistic, or purely punitive, compliance will be avoided rather than adopted. Pragmatism is therefore the make-or-break factor. Enforcement must be predictable and evidence-led. Permit processing must be treated as an engineering workflow, not a political queue. Committees and Building Control Officers must be equipped with tools, standard checklists, and clear procedures. And the public must be educated continuously, because awareness is the first layer of compliance.

One strategically important part of the amendment is the pathway it creates for innovation and local technology. The law introduces an approval pathway for unconventional methods, technologies, and materials. This matters for Uganda and sub-Saharan Africa because we cannot industrialize construction by importing everything. We need local materials, local manufacturing, and context-appropriate technologies. A formal approval pathway is therefore a welcome door. It implies that innovation can move from informal market experimentation into regulated acceptance, provided there is evidence.

But this is also where execution will be hardest. An innovation pathway can fail in two ways. It can be so slow and expensive that innovators remain informal. Or it can be so politically captured that approvals become negotiated privileges rather than evidence-based decisions.

Uganda must guard against both. If we want local materials and technologies to thrive, the approval process must be practical and transparent. It must encourage research partnerships between industry, universities, and regulators. It must define what evidence is required, how pilot projects are reviewed, and how performance verification is done. Without that, the innovation section becomes a good paragraph in a law that never changes practice.

This is where the amendment can either unlock a new market or create a new bottleneck. Uganda already has the raw ingredients for local material innovation: pozzolanic resources, clay-based alternatives, stone technologies, appropriate low-carbon systems, and modular approaches suited to our cost structure. The missing link has often been a clear legitimacy pathway and an institutional appetite to test and approve. If this law is implemented with a research-development mindset, it can create demand for local testing, local standards development, and local industrial growth. That is how infrastructure markets mature: through rules that support safe innovation, not rules that freeze the market into imported dependence.

The practical conclusion is this. The amendment is a strong signal of a maturing construction governance environment. It strengthens enforcement, pushes professional responsibility, and creates a legal door for innovation. But laws do not build buildings. People do. Systems do. The success of this amendment will depend on the daily discipline of committees, inspectors, professionals, contractors, and developers, and on whether the state invests in capacity, efficiency, and fairness.

Uganda's choice is simple. We can treat building control as punishment and fight it, or we can treat it as the overdue foundation of a modern construction economy. If we execute pragmatically, we will get what the country truly needs: safer buildings, stronger asset values, a more bankable development market, and a credible pathway for local materials and construction technologies to compete and scale.

KNOW YOUR BUILDING CLASS

Gloria Atwebembeire

Before a single brick is laid, Ugandan law requires that every building be assigned a class. Under Schedule II of the Building Control Regulations, 2020, all buildings fall into one of three categories – Class A, B, or C and knowing which class your project belongs to affects everything from the professionals you must engage to the fees you pay.

Class A covers complex structural forms: public buildings, multi-storeyed structures exceeding 12 m in height, building complexes such as schools, hospitals, and shopping malls, and any building of high social impact or sited within a sensitive ecosystem. These require the full weight of professional oversight.

Class B covers residential or commercial buildings with a floor area above 30 m², standing up to 12 m high, of simple structural form - including boundary walls built of bricks, concrete, or other solid permanent materials.

Class C captures minor and temporary buildings with a floor area below 30 m² - single-storey structures of simple form, such as kiosks, stalls, and shacks.

The classification also determines your building permit fees. Fees are calculated based on the building's size in square metres, its location (city, municipality, town council, or district), and its class. A Class A building in a city, for example, attracts a fee of UGX 2,200 per square metre, while a Class C building carries a flat rate of UGX 500,000.

Simply put: the more complex and public-facing your building, the higher its class - and the greater the regulatory responsibility that comes with it.

Source: Schedule II, Building Control Regulations, 2020

UGANDA'S NEW BUILDING PENALTIES:

Why the "Cost of Doing Business" Just Skyrocketed

By Earnest Atukunda Beyongyera

For over a decade, the construction industry in Uganda operated under a penalty regime that many developers viewed as a mere "cost of doing business." Under the Building Control Act 2013, the penalty for carrying out a building operation without a valid permit was a flat fine of up to 50 currency points. With one currency point valued at UGX 20,000, the maximum financial penalty was a predictable UGX 1,000,000. For a multi-billion-shilling development, this was a negligible figure that rarely incentivised strict legal compliance.

However, the **Building Control (Amendment) Act, 2025** has fundamentally dismantled this flat-fee structure. In its place is a scale-based penalty system that ties the cost of non-compliance directly to the size of the project.

This shift from a "one-size-fits-all" fine to a **"per square metre" calculation** means that the larger your building, the higher your legal and financial exposure. Critically, the new law sets the penalty at two currency points per **square metre.**

Breaking Down the Square Metre Rule

The 2025 Amendment stipulates that any person who carries out a building operation without a permit is now liable to a fine of **two currency points (UGX 40,000) for every square metre of the built-up area.** In addition to this financial hit, the offender faces the risk of imprisonment for up to five years, or both.

To understand the practical implications, we must look at how these numbers translate across different building scales:

- **Small Residential Building (200 sqm):** Under the old law, a developer building a standard 200 sqm home without a permit faced a maximum fine of UGX 1,000,000. Under the new regime, the fine is calculated as **200 sqm × UGX 40,000 = UGX 8,000,000.** This is an eightfold increase in financial exposure for a relatively small structure.
- **Medium Commercial Structure (500 sqm):** A commercial developer building a 500 sqm warehouse or retail space previously faced the same UGX 1,000,000 ceiling. Today, that same act of non-compliance triggers a fine of **UGX 20,000,000 (500 sqm × UGX 40,000).**

- **Multi-Storey Development (e.g., 2,000 sqm):** The exposure becomes most dramatic for large-scale projects. A multi-storey development covering 2,000 square metres of built-up area would now face a fine of **UGX 80,000,000.** For even larger plazas or apartment blocks, the fine can easily climb into the hundreds of millions.

The Cost of "Running Out of Time"

The 2013 Act required that building operations commence within 12 months and be completed within 60 months of permit issuance. Failing to meet these timelines was previously met with a fine of 25 currency points (UGX 500,000).

The 2025 Amendment aligns the penalty for exceeding permit timelines with the new square metre rule. Once a building permit expires, the developer is liable for a fine of **two currency points per square metre (UGX 40,000 per sqm)** of the area built after the expiry. This means that stalling a project and resuming without a valid extension is no longer a minor administrative oversight; it is a high-stakes financial risk.

Obstructing Officers and Stop Orders

The new regime also reinforces the authority of Building Control Officers and the National Building Review Board. Under the original Act, hindering or obstructing a Building Control Officer in the exercise of their duties, such as conducting site tests or inspections, carried a fine of up to 25 currency points (UGX 500,000) or 13 months' imprisonment.

The 2025 Amendment has significantly increased this penalty. Obstructing an officer now attracts a fine of up to **48 currency points (UGX 960,000)** or imprisonment for up to **two years,** or both.

Furthermore, failing to comply with a stop order issued by a Building Committee remains a serious offence. Under Section 40 of the Principal Act, a stop order can be issued if a building operation is contrary to the Act, the National Building Code, or accessibility standards for persons with disabilities. Non-compliance with such an order carries a fine of up to 75 currency points (UGX 1,500,000) or imprisonment for up to three years.

It is also worth noting that the 2025 Act introduces a massive penalty for negligence leading to accidents on building sites, with fines reaching up to **500 currency points (UGX 10,000,000)** or 12 years' imprisonment.

The central message of the Building Control (Amendment) Act, 2025 is that the era of "building first and asking for forgiveness later" is over. The financial consequences are no longer symbolic; they are designed to be punitive and proportional to the scale of the development.

For developers and contractors, obtaining a permit is no longer just a "legal requirement"; it is an essential part of financial risk management. The cost of the permit is now a fraction of the cost of the fine. As the industry matures, the only safe and profitable way to build in Uganda is to ensure that every square metre is accounted for, approved, and compliant with the law.

BUILDING COMMITTEES:

New Powers, New Responsibilities

Martin Ssemakula

Uganda's building control framework gives Building Committees a far more consequential role than many developers, contractors, and even property owners may assume. Under the National Building (Building Standards) Code, 2019, the Building Committee is not presented as a passive approvals desk. It appears instead as a frontline regulatory authority charged with shaping where buildings go, how they relate to surrounding land, and what happens when structures become unsafe.

One of the clearest signals of this authority is that a building may not be sited except as approved by the Building Committee. That is not a minor administrative step. It means the committee sits at the heart of the decision on whether a proposed building, latrine, drain, or other sanitary installation is acceptably located on a plot. The Code also places site drainage under the committee's oversight, requiring the area and subsoil of a building site to be effectively drained whenever dampness or location makes such precautions necessary, to the satisfaction of the Building Committee. In practice, this turns the committee into a gatekeeper for public health, environmental safety, and long-term building performance.

The committee's powers go further into layout control. It may prescribe building lines for streets, determine whether a road or reserve is to be treated as an access lane or passage, and require paving, drainage, gates, or boundary treatment where conditions demand it. These are not abstract planning powers. They affect density, circulation, sanitation, fire access, and the everyday safety of the built environment. A weak committee can permit confusion and hazard. A competent one can quietly prevent years of disorder before concrete is ever poured.

But the most serious responsibilities emerge when

existing buildings are inspected. After receiving and evaluating inspection reports and recommendations from the Building Control Officer, the Building Committee may accept the report, reject it, accept it in part, or even seek a second opinion. Once satisfied, it may issue a compliance certificate, direct the owner to rectify defects, deformation, or deterioration within a specified period, or, after inquiry, issue a closure or demolition order where the building cannot be repaired to a safe condition for occupants or the surrounding area. In the Building Control (Amendment) Act, 2025, the Building Committee can now cause the demolition of unsafe or non-compliant buildings.

That combination of technical review and enforcement power places a heavy obligation on Building Committees. Their work must be evidence-based, timely, and professionally defensible. Delayed decisions can leave dangerous buildings occupied. Poorly reasoned decisions can trigger unfair costs, disputes, or unsafe precedents.

The committees must therefore do more than sign forms. With the enhanced inspection rights, they can now enter any land or site where building construction is taking place to ensure conformity to the Code. They can also stop construction and issue evacuation orders for unsafe buildings. In addition, they have well defined penalties for offenders, as well as recommending fines for failing to comply with building guidelines.

The real message of the Act is that Building Committees now occupy a pivotal position in Uganda's construction governance. Their powers are stronger than many assume, but so are their responsibilities. Where they act diligently, they can protect life, property, and urban order. Where they act carelessly, the costs are borne by entire communities.

THE NATIONAL BUILDING CODE

What It Actually Requires. S.I. No. 51 of 2019

By Mumbere Davis, Mallenis Engineering and Construction Co. Ltd

For years, Uganda's National Building Code existed in the background recognized, but often treated as guidance rather than strict law.

If you've been involved in construction, you've likely experienced this firsthand. However, with the Building Control Bill 2025 (amendment), that reality has changed. Compliance is no longer optional. The Code is now enforceable, and it directly affects how you design, build, and manage any project.

You may already be seeing this shift in practice. In cities like Mbarara, authorities have begun issuing warnings to developers who proceed without approved plans. This signals a stricter regulatory environment. The conversation has moved beyond whether the Code exists;it is now about whether you truly understand and apply it.

Part I – Preliminary: Understanding Your Responsibility

This is where everything begins. Part I establishes the legal and administrative foundation of the Code. It defines key terms, outlines its scope, and sets clear objectives centered on safety, public health, environmental protection, and structural integrity.

More importantly, it speaks directly to you. It clarifies your role; whether you are a developer, engineer, architect, or contractor; and outlines your responsibilities.

Part II – Building Sites: Getting It Right from the Start

Before construction begins, the Code requires you to evaluate whether your site is suitable.

Building regulations on siting and site development guide you to construct safely, hygienically, and in an organized manner.

Before building, you must obtain approval from the Building Committee and ensure proper sanitation and drainage.

> ***Construction should not occur on contaminated land unless it has been properly treated, and damp sites may require an impermeable layer.***

Your plot must have access to a road at least 10 m wide, and buildings must respect set building lines;6 m from roads between 6-18m wide, and 9 m for roads above 18m. Space planning is essential: you should leave at least 1.5 m at the sides and rear, and maintain adequate open space around the building for light and ventilation. Plot coverage must not exceed 30%, and residential plots should be at least 300 sq.m with 12 m frontage.

In swampy areas, buildings must be at least 10 ft above subsoil water level. Boundary walls should not exceed 1.8 m in height, with at least 50% transparency. Proper drainage, parking, utilities, and environmental care;such as tree preservation; are all required.

Part III – Design and Planning of Buildings: Making Informed Decisions

At this stage, your technical judgment becomes critical. The Code outlines specific requirements depending on the type of building you are working on.

A good design must meet user needs, integrate building systems efficiently, and consider life-cycle costs;from construction to maintenance;while ensuring durability, comfort, and resilience to risks like fire or natural hazards.

Let's talk dimensions, because they matter on site. A habitable room must have a minimum average height of 2.7 m, with no more than 15% dropping below 2.4 m. Workspaces may require 3.0 m height. Room sizes are equally critical; at least 9 m^2 per habitable room, with 3.7 m^2 per person. Kitchens should be ≥7.4 m^2 (or at least 10% of total house area for small dwellings), while bathrooms must be ≥1.5 m^2 with a minimum height of 2.4 m.

Movement elements are tightly controlled. Residential stairs require a minimum width of 900 mm, maximum riser of 175 mm, minimum tread of 230 mm, and headroom of 2.1 m. Public or commercial stairs increase to 1.2 m width, with stricter riser/tread limits. No flight should exceed 14 steps, and proper landings are mandatory.

Projections like balconies or eaves must not exceed 750 mm, and cannot extend below 3 m above ground. Canopies must also maintain ≥3 m clearance and ≤3 m width.

Safety is non-negotiable: buildings above 6 storeys or 17 m height require a second escape staircase. Fire resistance is mandatory in multi-occupancy and public buildings, with clear exit widths (≥1.1 m doors) and evacuation capacity designed for rapid escape.

Finally, ventilation and lighting are essential; windows must equal at least 10% of floor area, with 5% openable for airflow.

In practice, good design is not guesswork;it's compliance, precision, and responsibility.

Part IV – Building Materials: Ensuring Performance and Durability

All materials used in construction shall be of sound quality, free from defects such as decay, deformation, or contamination. For instance, fine aggregates must pass through a 5 mm sieve with less than 3% passing the No. 100 sieve, ensuring proper grading and workability in mortar and concrete mixes.

Concrete composition is controlled by volumetric ratios, where the combined aggregate-to-cement proportion must not exceed 12:1 to achieve adequate compressive strength and minimize voids. Structural masonry units in load-bearing walls are required to withstand a minimum crushing strength of 10.3 N/mm^2, while non-load-bearing units must resist at least 6.9 N/mm^2, ensuring performance under service loads.

Additionally, slenderness ratios for unreinforced walls and piers must not exceed 12, with a minimum thickness of 230 mm, to prevent buckling under axial loads. Damp-proof courses (DPC) must utilize impermeable materials such as 10 mm thick mastic asphalt or bituminous sheets (≥32 N/m^2) to inhibit moisture ingress.

In simple terms, you are accountable for the integrity of every material that goes into your building.

Part V Building Construction: Designing for Real Conditions – Environmental Protection and Energy Efficiency

In today's construction industry, designing buildings based on assumptions rather than actual environmental conditions is no longer acceptable. Rising energy costs, climate variability, and increased regulatory enforcement demand a more responsive approach. The goal is simple but critical: build structures that work with the environment, not against it.

Uganda's diverse climatic zones, with temperatures ranging from 26°C to 36°C and solar radiation of 4.2–7 kWh/m^2/day, require tailored design strategies. The regulations prioritize passive design over mechanical systems unless internal loads exceed 160 Wh/m^2. Proper building orientation (North–South ±30°), optimized surface-to-volume ratios, and climate-responsive forms significantly reduce heat gain. Natural ventilation is mandatory, maintaining 0.35–1 Air Changes per Hour (ACH), while daylighting targets 20–30% of floor area to reduce artificial lighting demand.

The building envelope-walls, roofs, and glazing; serves as the primary control layer for indoor conditions. Compliance involves managing U-values, Solar Heat Gain Coefficient (SHGC), and Window-to-Wall Ratio (WWR), generally limited to 45–60%. Roofs must achieve high solar reflectance (>70%) and low thermal transmittance (≤0.20 W/m^2K) to limit heat ingress. Material selection further supports performance, emphasizing low embodied energy, durability, and locally available resources.

Water and energy efficiency measures are integral. Rainwater harvesting is mandatory for roofs exceeding 100m^2, while solar water heating systems are required for demands above 50L/day, with insulated piping (≥4 cm thickness, λ ≤0.04 W/mK). Mechanical systems must meet strict efficiency thresholds, including fan power ≤0.1 Wh/m^3, lighting efficacy above 40–50 lumens/W, and HVAC

controls with a 3°C dead band to prevent energy waste.

Additional provisions for biogas systems, greywater reuse, stormwater management, and photovoltaic installations (for buildings over 5,000m²) reinforce a shift toward resource efficiency and renewable energy integration.

Designing with climate, efficient systems, and sustainable materials ensures resilient, compliant buildings that reduce energy use and improve long-term performance.

Part VI – Inspection, Survey, and Maintenance: Sustaining the Building

A technically robust building control regime is anchored in systematic inspection, evidence-based diagnostics, and enforceable maintenance protocols. The inspection process begins with a visual survey, which typically captures up to 70–80% of observable defects ;including cracks (>0.3 mm width), differential settlement (>10 mm), corrosion staining, and serviceability failures. This preliminary stage informs whether escalation to a full structural investigation is required.

Where structural integrity is in question, advanced diagnostics are deployed. These include non-destructive testing (NDT) such as rebound hammer tests (estimating concrete compressive strength, e.g., f'c ≈ 20–30 MPa), ultrasonic pulse velocity (UPV) for internal void detection, and core sampling for laboratory verification. Load testing may also be conducted to assess actual load-bearing capacity versus design loads (e.g., comparing imposed loads of 2.0–5.0 kN/m² for residential and commercial floors respectively).

A key technical requirement is the reconstruction and verification of structural drawings where original plans are unavailable.

Engineers must re-establish member sizes (e.g., beam sections like 230×450 mm), reinforcement detailing, and foundation systems to evaluate structural adequacy under current loading conditions.

Equally critical is the inspection of building services systems; electrical installations undergo insulation resistance tests (>1 MΩ acceptable), earth loop impedance checks, and residual current device (RCD) performance validation to ensure electrical safety compliance.

The reporting framework is comprehensive, integrating quantitative analysis, defect classification, and prioritized remedial strategies; ranging from minor repairs to full structural retrofitting. Ultimately, this framework ensures that buildings maintain structural reliability, serviceability, and safety margins throughout their lifecycle.

Compliance Is the New Standard

The National Building Code represents a major shift in Uganda's construction industry with some key changes coming in regarding innovation, innovators will have the liberty to appl to have new building materials, technologies and unconventional methods studied and recognized through an official gazetting process.

The real question is simple ; are you meeting that standard?

THE OCCUPATION PERMIT

WHAT THE LAW SAYS AND WHY PEOPLE IGNORE IT

By Simon J Mone

Recently, Uganda's President, His Excellency Yoweri Kaguta Museveni, assented to the Building Control (Amendment) Act, 2025, into law, to open a new chapter in the safe construction and occupancy of housing in Uganda. The implications of the new legislation will be highlighted in this piece. Did you know that with the Building Control Act, you could easily be arrested? Yes. You could be in trouble for occupying your very own premises illegally! Haahaahaa!! Yes. You read that one correctly. I am not a lawyer, but it has been well stated that "ignorance of the law cannot be used in defence." So, I will still put it out there. The time is very ripe to discuss everything legal about the Building Control Act and its implementation. And to learn a lot more about applicable penalties, like currency points and being thrown in prison for some time to re-socialise. Failure to obey the law attracts some currency points and jail sentences. Having set the stage for this paper, let us delve deeper into the issues in the Building Control Act and the aspects of the occupancy permit. So, it is becoming clear that no building, or part of it, shall be occupied before a building occupancy permit is issued as prescribed. Now, we know that we have been enjoying the occupancy of our buildings without ensuring their compliance with safety and standards requirements. What does it mean? It means that we will strictly follow the steps. Designs will have to be assessed and approved. Construction will now follow approved materials and procedures. An occupancy permit is granted before you can get in. It will be a systematic process, dictated by the Building Control Act and the Building Control regulations that must be promulgated to ease the implementation of the Act. Our prayer is that the serious challenges that we have seen building owners face will be within the control of the appropriate authorities. Otherwise, we face a torturous process that will likely frustrate well-intentioned legislation. When you think about this agonising process of getting building working drawings approved as the first step. The cost of complying with the legal requirements could be more painful. You know the amount of money that one has to give out (to expedite the process). Now you must add the permitting fees and the time to traverse the offices to get your approvals. We will need to have a human heart to serve in those offices well enough. Otherwise, this new development could end up serving the intentions of some officers. I am talking about corruption. We must relearn a thing or two about serving diligently. Let humanity be the winner here.

> *"No amount of money given out through corruption can quench anybody's appetite."*

We will nWe will need to put this legislation to the test and see if we are at the level of maturity to implement such rules. You have buildings that must be brought to levels that qualify to get an occupancy permit. I am talking about the many informal settlements on the outskirts of cities. Shall we introduce an alternative method that meets a similar requirement before granting the occupancy permit? Like authorization of such houses for occupancy? Then there are the many buildings that were already constructed from start to finish, without any sort of permit. They have been occupied forever. Shall we have retrospective permitting and occupancy permitting processes? Will retrospective occupancy approval apply? For the case of breaching the sections of the Act, the stakes of the currency points and related jail terms have been raised really high. They are an appropriate deterrent to violators of the legislation. However, a developer who builds their houses in stages will not be able to pay these fines. They will have to be locked up for the duration of the sentence.

And when they come out of jail, are they able to comply? People do not follow due process to get permits for their facilities for a number of reasons. We already mentioned corruption. There is an intentional delay by approving officers. They prolong the approval process so as to benefit. Transparency has been missing in our approval processes. Not only in building, but throughout the services industry. There is also ignorance of the availability of the requirements to comply with. We need to consider the torturous process that certain approvals take in our part of the world. Let this new law benefit everyone. Let us hope that this new development is the beginning of something that streamlines the safe construction and occupancy process of housing in the country.

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INNOVATION AND THE LAW

SECTION 41A AND UGANDA'S BUILDING FUTURE

By Asasira Naome

Uganda's construction industry has long been built on familiar ingredients: fired clay bricks, reinforced concrete, steel, and ordinary Portland cement. These conventional systems have delivered schools, roads, homes, and commercial buildings. But they have also shaped a regulatory culture that tends to trust what it already knows meaning innovation has often happened quietly, in pilot projects, workshops, and research laboratories, rarely reaching mainstream practice.

The 2025 amendment to the Building Control Act may begin to change that. Section 41A now allows the Minister, on the recommendation of the National Building Review Board, to approve unconventional methods, technologies, and materials for building. Uganda's law has finally recognised that innovation does not always arrive in familiar form.

Until now, many alternative systems existed in a legal grey zone not necessarily unsafe or ineffective, simply unfamiliar. In construction, unfamiliarity is often treated with caution, creating uncertainty for developers, financiers, insurers, and approving authorities. Even when an innovation worked technically, it could fail administratively.

Many engineers understand that sometimes the heaviest load on a project is not dead load or live load, but paperwork. Section 41A signals a shift from a purely prescriptive system toward a more performance-based approach, where the key question becomes: does it work safely and reliably not: did our grandfather use it in 1974?

Uganda does not lack ideas. Compressed earth blocks offer a lower-energy alternative to fired bricks with excellent thermal performance. Bamboo has attracted attention for light structures and engineered applications. Modular and prefabricated systems can shorten construction timelines and improve quality control. There is also growing interest in Volcanic Ash Lime **Gypsum binder systems,** which use locally available volcanic ash to create cementitious materials reducing emissions, lowering costs, and turning a natural resource into a construction advantage.

These innovations have existed. What has held them back is the combination of regulatory uncertainty, the absence of trusted certification benchmarks, market conservatism, and the need for stronger technical evidence covering structural behaviour, durability, and lifecycle performance.

For Section 41A to deliver, the approval process must be practical, credible, and accessible with clear criteria, proportionate pathways that distinguish a wall panel from a structural system, timely decisions,independent technical review, and post-approval monitoring that feeds real-world performance data back into future standards.

Across East Africa, interest in sustainable and climate-responsive construction is growing. Uganda now has an opportunity to lead attracting local manufacturing, supporting research, and reducing dependence on imported inputs. But if the process becomes overly bureaucratic or inaccessible, Section 41A could obstruct the very transition it was meant to enable. The legal door is now open. The next task is ensuring innovation can actually pass through it

THE ENGINEER'S LEGAL EXPOSURE UNDER THE AMENDED ACT

Gloria Atwebembeire

Your stamp used to mean "this design works."

Now, it may also mean "I will answer for this building for the next couple of years - even after the client moves in."

If you are a structural engineer practising in Uganda, the Building Control (Amendment) Act 2025 - which commenced on 19th March 2026 has placed a much heavier weight on your shoulder than most of us are yet talking about. And with the ongoing demolitions of old and unsafe structures in Kampala and other cities, the message from the authorities is clear: compliance is no longer optional.

Let's start with the six meters rule. Before the Amendment, "multi-storied" was vaguely understood. Now, section 35(3a) of the principal Act (as amended) defines **a multi-storied structure or building as anything of a height of more than six metres.** That is roughly two storeys in many residential buildings. A small commercial block. A school with an upper floor. Even some tall single-volume spaces.

If the building exceeds six metres, you are legally required to provide engineering design and plans stamped by a registered structural engineer, including your name, registration number, signature, a copy of your registration certificate, and a copy of the engineering design calculations.. In daily practice, this means no more back-of-the-envelope designs. No more "the architect drew it, I just looked at it." You must now formally document, calculate, and stamp or the application is legally incomplete. And if you stamp without doing the work, that is where exposure begins.

The legal consequences have shifted significantly. First, liability now extends to accidents in buildings, not just on construction sites. Section 44 (renamed) covers negligence that causes injury, death, or property destruction on a building meaning after occupation. If a floor collapses two years later, or a balcony fails during a family gathering, you can be held liable. Second, penalties have increased sharply: a fine up to five hundred currency points (UGX 10 million) or imprisonment up to twelve years, or both –nearly double the previous maximum. Third, section 45(2) explicitly includes "professional negligence" as a criminal offence. You are not just being sued; you can be charged, tried, and imprisoned.

So what does the investigation process look like after a collapse? Under new section 8A, the National Building Review Board (NBRB) can issue stop or evacuation orders

if a Building Committee fails to act. The Board has power to enter any land, building, or site without your permission. It can make complaints to the police for criminal investigation and refer you to your professional body; meaning two parallel tracks: criminal prosecution and possible deregistration. The new complaint process starts with the Accounting Officer (CAO or Town Clerk), who directs the Building Committee to act. Only then does the NBRB step in. But you are the subject of that complaint. Your name, your stamp, your calculations ; all become evidence. And under section 28A, Building Committees now have explicit power to demolish or order evacuation of buildings constructed in contravention of the Act. We are already seeing this in Kampala ;old structures coming down, often to public outcry. As an engineer, if a building you designed is demolished for non-compliance, your reputation is damaged. If it collapses first, your exposure is real.

Now let us be honest about where Ugandan practice stands. The law requires full design calculations, but commonly they are not submitted. A geotechnical report is required for multi-storey, but often skipped. Supervision is required, but often intermittent. Many sites start before a permit is approved. The Amendment adds teeth: building without a permit now costs two currency points per square metre of built-up area ; for a 500 m² building, that's UGX 20 million.

Using prohibited methods costs five currency points per square metre.

Continuing after permit expiry costs two currency points per square metre. These are fines designed to hurt ; and to make clients and contractors pressure you to cut corners. Your job is to resist.

What can you do? Document everything ;keep signed copies of all calculations, correspondence, and site visit records. Do not stamp what you did not design. Insist on compliance before stamping: no geotechnical report, no stamp; no adherence to the National Building Code, no stamp; client rushing you, no stamp. Understand the demolition reality ; some buildings are simply unsafe, and the law now backs that judgement. And keep your registration current; your certificate is now a mandatory attachment.

The Amendment has not created new ethical duties ; it has codified what we already knew: we hold lives in our calculations. But it has added criminal consequences and investigative powers that were not there before. You can no longer rely on "that's how we have always done it." The law now expects you to be the last line of defence between a dangerous building and the public. Design carefully. Stamp honestly. Supervise thoroughly. Every time you sign off on a building over six metres, remember, you are accepting legal responsibility for the lives inside.

Call For ARTICLES Issue 005

THEME: THE MAINTENANCE PARADOX – THE ECONOMICS OF KEEPING YOUR ASSETS ALIVE

THANK YOU for staying with us.
A newsletter is only as useful as the industry it serves ; and this one is fortunate to serve people who take their work seriously. The best conversations are yet to come.

Uganda builds fast. What it does not do well is maintain. Not because anyone set out to neglect, but because the economics seem to make sense – defer the maintenance, collect the rent, and assume the land appreciates enough to cover it all. It is a rational calculation. It is also, slowly and then suddenly, a very expensive one. And Uganda's cities are beginning to reach that breaking point.

ISSUE 005 of The Concrete Corner wants to put honest numbers and clear thinking to that reality. What does neglect actually cost over time? When does a building cross the line from asset to liability? And what would a genuine maintenance culture look like in Uganda's property market .

We are particularly interested in articles that address:

- The true cost of deferred maintenance in buildings and infrastructure
- Lifecycle costing and asset management strategies
- Maintenance planning versus reactive repairs
- Case studies of failure or success linked to maintenance decisions
- Policy and regulatory gaps affecting building upkeep in Uganda
- The role of facility management in extending asset life
- Economic trade-offs between maintenance, rehabilitation, and replacement

We are looking for engineers, valuers, facility managers, quantity surveyors, financiers, and policy thinkers who can speak to this from the inside. Submissions may be technical, analytical, or opinion-based, but should remain accessible to a broad professional audience.

We also welcome advertorials, sponsorships, and advertising partnerships for this issue.

Submission Details
Deadline: 19th May 2026

Word count: 800 – 1,500 words
Send submissions to:
admin@ecoconcrete.co.ug

If you would like guidance on how to frame your contribution, reach out to
Ms. Gloria Atwebembeire on +256 781 994 833

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