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CONTENTS	PAGE
The Companies Act—Notices	947
The Mining Act—Notice	947
The Trademarks Act—Registration of Applications	947-948
Advertisements	948-950

SUPPLEMENTS

Ordinance

No. 1—The Local Governments (Kiruhura District) (Control of Milk Collection, Cooling and Processing Centres) Ordinance, 2011.

Statutory Instrument

No. 17—The Access to Information Regulations, 2011.

General Notice No. 265 of 2011.

THE MINING ACT, 2003 (The Mining Regulations, 2004)

NOTICE OF RENEWAL OF AN EXPLORATION LICENCE.

It is hereby notified that Renewal of Exploration Licence, Number EL0027 registered as number 001060 has been granted in accordance with the provisions of Section 30 to M/s Roraima (U) Limited, of P.O. Box 6086, Kampala for a period of two (2) years effective from 22nd April, 2010.

The Exploration area subject to the Exploration Licence is 31.5km² on Topography Map, Sheet Number 73/2, situated in Bugiri District.

Dated at Entebbe this 19th day of April, 2011.

RUDIGIZAH CHRIS,

for Ag. Commissioner, Geological Survey and Mines Department.

General Notice No. 266 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

Pursuant to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Jintech Distributors Limited has been by special resolution passed on 15th February, 2011 and with the approval of the Registrar of Companies changed in name to Pisu & Co. (U) Limited and that such new name has been entered in my Register.

Dated at Kampala, this 8th day of April, 2011.

RUTA DARIUS,

Assistant Registrar of Companies.

General Notice No. 267 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that M/s Suleymann Services Limited has been by special resolution passed on 25th March, 2011 and with the approval of the Registrar of Companies changed in name to M/s Slok Services Limited and that such new name has been entered in my Register.

Dated at Kampala, this 30th day of March, 2011.

MUGABE ROBERT, Assistant Registrar of Companies.

General Notice No. 268 of 2011.

THE TRADE MARKS ACT.

(Cap. 83).

NOTICE.

NOTICE IS HEREBY GIVEN that any person who has grounds to oppose the registration of any of the marks advertised herein may within sixty days from the date of this Gazette, lodge a Notice of opposition on Trade Mark Form No. 6 together with a fee of Shs. 4000 in case of National applicants or US\$ 250 in case of Foreign applicants. The period of lodging Notice of opposition may be extended in suitable cases by the Registrar as he thinks fit upon such terms as he may direct. Formal opposition should not be lodged until after reasonable notice has been given by letter to the applicant so that he may have an opportunity to with draw his application before the expense of opposition proceedings is incurred. Failure to give such notice will be taken into account in considering any application by the opponent for an order for costs if the opposition is uncontested by the applicant. Representations of the marks herein advertised can be inspected at the office of the Registrar of Trade Marks, Amamu House, Plot No. 5B George Street, P.O. Box 6848, Kampala.

(21) APPLICATION No. 2011/43088 IN PART "A".

(52) Class 11.

(54)

EVERYDAY

(53)

(39)

(64)

STATUTORY INSTRUMENTS SUPPLEMENT No. 10

21st April, 2011

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 28 Volume CIV dated 21st April, 2011 Printed by UPPC, Entebbe, by Order of the Government.

STATUTORY INSTRUMENTS

2011 No. 17.

THE ACCESS TO INFORMATION REGULATIONS, 2011

ARRANGEMENT OF REGULATIONS

Regulation

PART I—PRELIMINARY

- 1. Title
- 2. Interpretation

PART II—ACCESS TO RECORDS

- 3. Request
- 4. Electronic requests
- 5. Failure to provide record in electronic form
- 6. Format of record
- 7. Access fee
- 8. Acknowledgement of receipt
- 9. Limitation on production of record
- 10. Retrieval and reproduction costs
- 11. Reproduction of record
- 12. Transfer of request
- 13. Acknowledgement of receipt of transferred request
- 14. Records that cannot be found or do not exist
- 15. Deferral of access

Regulation

- 16. Grant of access to a record
- 17. Denial of access to a record
- 18. Extension of period
- 19. Notice to parties
- 20. Consent by third party
- 21. Representation by third party
- 22. Decision on representation by third party

SCHEDULES

Schedule 1 Currency point
Schedule 2 Forms
Schedule 3 Fees, retrieval and reproduction costs

STATUTORY INSTRUMENTS

2011 No. 17.

The Access to Information Regulations, 2011.

(Made under section 47 of the Access to Information Act, 2005, Act No. 5 of 2005)

IN EXERCISE of the powers conferred on the Minister responsible for Information by section 47 of the Access to Information Act, 2005, these Regulations are made this 10th day of March, 2011.

PART I—PRELIMINARY

1. Title

These Regulations may be cited as the Access to Information Regulations, 2011.

2. Interpretation

In these Regulations, unless the context otherwise requires-

- "Act" means the Access to Information Act, 2005;
- "authorised officer" includes a person who has been empowered to perform a function under these Regulations or to whom functions under the Regulations have been delegated;
- "currency point" has the value assigned to it in Schedule 1;
- "public body" includes a government ministry, department, statutory corporation, authority or commission;
- "requester" means a person who has requested for access to a record from a public body under these Regulations.

PART II—ACCESS TO RECORDS

3. Request

(1) A request for access to a record shall be in Form 1 set out in Schedule 2.

- (2) A public body may provide the form referred to in sub-regulation (1) in electronic format.
- (3) The form referred to in sub-regulation (1), shall be obtained from the public body which is in possession of the record to which a person is seeking access.
- (4) The request shall contain a sufficient description of the record to which a person is requesting access.
- (5) Where the request does not contain a sufficient description of the record, the information officer shall require the person requesting, to provide further details so as to facilitate disclosure of the record.
- (6) Where the requester is unable to provide the details requested in sub-regulation (4), the information officer or an authorised officer shall, so far as possible, assist the requester to provide the necessary details.
- (7) Where the requester shows sufficient reason for failing to submit the request in the prescribed form and provides an oral request, the oral request shall be reduced into writing by the information officer or an authorised officer at the expense of the requester.
- (8) The information officer shall not refuse to grant a request for access to record based solely on the ground that the request was not in the prescribed form.
- (9) For purposes of sub-regulation (7), sufficient reason includes illiteracy or disability.

4. Electronic requests

- (1) Where practicable, the requester may send the request for a record by email or in other electronic form.
- (2) Where the request for a record is made in electronic form, the information officer shall print and file the request.

5. Failure to provide record in electronic form

Where a public body cannot provide access to a record in electronic form—

- (a) the information officer shall give reasons why the record could not be availed in electronic form; and
- (b) the record shall be provided in a format in which it can be utilised by the person requesting it.

6. Format of record

- (1) Where access to a record involves giving a copy of the record to the requester, the copy need not be provided in the requested format if—
 - (a) the record does not exist in that format within the public body; and
 - (b) the head of the public body considers, taking into account the factors described in sub-regulation (3), that the conversion of the record into the requested format is unreasonable.
- (2) Where the head of the public body considers that the conversion of the record into the requested format is unreasonable, a copy of the record shall be provided in an alternative format chosen by the requester—
 - (a) from a format in which the record already exists within the public body; or
 - (b) from a format, the conversion to which the head of the public body considers is reasonable taking into account the factors described in sub-regulation (3).
- (3) The following factors shall be taken into account in determining if the conversion of a document into the requested format is reasonable—
 - (a) the cost to the public body;
 - (b) the potential degradation of the record;
 - (c) if the requester is to be given access to only a part of a record, the facility with which the record may be severed in the format requested;

- (d) the existence of the record within the public body in another format that is useful to the requester;
- (e) the possibility that the record can be converted to another format that is useful to the requester;
- (f) the impact of the conversion on the operations of the public body;
- (g) the availability of the required personnel, and resources, and
- (h) the availability of the necessary technology and equipment.

7. Access fee

- (1) The requester shall pay a non refundable access fee set out in Schedule 3 when requesting for a record from a public body.
- (2) Upon receipt of the access fee, the information officer shall issue to the requester a signed and stamped acknowledgement slip in Form 2 set out in schedule 2.
- (3) Where the information requested for is in the public interest or where the disclosure of the information is likely to benefit a large section of the public, the prescribed access fee shall be waived.

8. Acknowledgement of receipt

- (1) The information officer, to whom a request is made, shall acknowledge receipt of the request by signing a copy of the request.
- (2) The information officer shall deal with the request for access to a record without undue delay.

9. Limitation on production of record

- (1) Where a record does not exist but can be produced from a machine readable record under the control of a government institution, the record need not be produced if the production of the document would unreasonably interfere with the operations of the public body.
- (2) Where a person is granted access to a record, the head of the public body which has control of the record shall, where necessary, inform the person—
 - (a) that the record may be examined by that person in order to save the cost of reproduction of the record;

- (b) that the person may specify that he or she requires only certain parts of the record to be reproduced;
- (c) of any amount required to be paid as a deposit before the search or production of the record is undertaken or the record is prepared for disclosure;
- (d) of the estimated total cost of the search for the record and preparation of the record for disclosure; and
- (e) of any amount required to be paid before access is given to the record including the cost of production or reproduction.

10. Retrieval and reproduction costs

- (1) The requester shall pay to the relevant public body the cost for retrieval and reproduction of the record.
 - (2) The retrieval and reproduction costs are set out in Schedule 3.

11. Reproduction of record

- (1) The record requested for shall be reproduced using the equipment of the public body.
- (2) Where the public body does not have the necessary equipment, the requester may request the information officer or an authorised officer to have the record reproduced using the requester's equipment.
- (3) A person who wants to use his or her own equipment to make a copy of the record shall apply to the information officer in Form 3 set out in Schedule 2.
- (4) The equipment to be used under sub-regulation (3) to reproduce a record shall be subject to approval by the information officer or an authorised officer.
- (5) The information officer or an authorised officer shall, after inspecting the equipment, if satisfied with the equipment, issue a certificate of approval in Form 4 set out in Schedule 2 certifying that the equipment is fit for the purpose.

- (6) The record may be copied in the premises of the person who requested to use his or her own equipment under the supervision of the information officer or an authorised officer where approval is given by the information officer.
- (7) Where the record is reproduced using the equipment of the requester, the reproduction fee shall be waived.

12. Transfer of request

- (1) Where the request for access is transferred to another public body, the information officer shall issue to the requester a notice in Form 5 set out in Schedule 2.
- (2) A request that has been transferred under sub-regulation (1) shall not transferred to a third public body.

13. Acknowledgement of receipt of transferred request

Where a request is transferred under section 13, the information officer in the public body to which the request was transferred shall issue to the requester an acknowledgement of receipt in Form 6 set out in Schedule 2.

14. Records that cannot be found or do exist

Where a request for access is made for a record that cannot be found or does not exist, the information officer shall issue to the requester a notice in Form 7 set out in Schedule 2.

15. Deferral of access

Where the information officer defers access to a document or a record for a specified period, the information officer shall issue to the requester a notice in Form 8 set out in Schedule 2.

16. Grant of access to a record

(1) Where access to a record is granted, the information officer shall issue to the requester a notice in Form 9 set out in Schedule 2 to notify him or her of the decision to grant access.

(2) Where the information officer grants partial access to a record, he or she shall state on the form that the requester has only been granted partial access and he or she shall state the reasons for denying access to part of the record.

17. Denial of access to a record

Where access to a record is denied, the information officer shall issue to the requester a notice in Form 10 set out in Schedule 2 to notify him or her of the denial.

18. Extension of period

The information officer to whom a request for access to a record has been transferred shall issue to the requester a notice in Form 11 set out in Schedule 2 informing him or her of the extension of the period in accordance with Section 17 of the Act.

19. Notice to parties

An information officer who intends to grant access to a record referred to in Section 35 of the Act shall issue a notice to the third party in Form 12 set out in Schedule 2, informing the third party of the intended grant of access.

20. Consent by third party

- (1) A third party to whom notice is given under regulation 19 may consent to the disclosure of a record.
- (2) A third party who consents to disclosure under sub-region (1) shall give the consent in writing to the information officer in Form 13 set out in Schedule 2.
- (3) The information officer shall not refuse the consent merely on the ground that it is not in the prescribed form.

21. Representation by third party

(1) Where a third party is required to make a representation as to why a record should not be disclosed by the information officer, the third party shall make the representation in Form 14 set out in Schedule 2.

(2) The information officer shall not refuse the representations solely on the ground that the third party has not made them in the prescribed form.

22. Decision on representation by third party

Where an information officer intends to disclose a record to which access has been requested and a third party to whom notice is issued according to section 35 of the Act makes a representation to the information officer, the information officer shall give the third party notice of the decision in Form 15 set out in Schedule 2.

SCHEDULES

SCHEDULE 1

Reg. 2

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings

SCHEDULE 2

FORMS

THE ACCESS TO INFORMATION ACT, 2005 $\label{eq:theory}$ THE ACCESS TO INFORMATION REGULATIONS, 2011 $\label{eq:theory}$ REQUEST FORM

(Please use a separate request from for each document requested)

1. Name of public body (Please state the title of the institution from which you are requesting accea record)	
2. Name of requester	
3. Particulars of requester (Please indicate the address to which correspondence related to your regshould be sent)	ques
Postal Address:	
Physical address:	
Plot No.:	
Street:	
Town/City:	
Telephone No:	
Fax No:	
Email address:	
Other:	

(Please state all the processing your request,	information	available	to you	which	will	assist	in
Name/Type of documen (If known)	t						
Reference/File No. (If known)							
					• • • • • •		•••
5. Contents of document (Give brief description)	t						
			• • • • • • • • • • • • • • • • • • • •				
						•••••	•••
6. Other	••••••	••••••	• • • • • • • • • •	•••••		•••••	••
(Please state any other request)	details that	may be re	levant to	o the pr	ocess	ing of	the

(Please c	heck t	he relevant options)
	(a)	Inspect the record
	(b)	Listen to the record
	(c)	View the record
	(d)	Have copies made available to me in the following format:-
		i. Photocopy
		ii. Compact disc
		iii. Diskette
		iv. USB mass drive
		v. Transcript
		vi. Other (please specify); and
	(e) Ot	her (please specify)
0.31 1	C	
8. Numbe	er of c	opies required:
9. Reques	st on b	ehalf of another person
Signature	e of rec	quester:
Date:		

7. I would like to:

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

ACKNOWLEDGEMENT SLIP

TO:	
	name and address of requester)
I	(state name of information
officer and	title of public body) hereby acknowledge receipt of
Date:	20
	Signature of Information Officer
	Signature of Information Officer

THE ACCESS TO INFORMATION ACT, 2005 THE ACCESS TO INFORMATION REGULATIONS, 2011 APPLICATION TO USE REQUESTER'S OWN EQUIPMENT

10:
(Please state name of information officer)
1. I (Please state name and address) apply to use my own equipment to make a copy of the following records:-
(a)
(b)
(c)
(d)
(e)
2. Reasons for using own equipment
(f)
(g)
(h)
(i)
(j)
Date:
Signature of Requester

THE ACCESS TO INFORMATION ACT, 2005 THE ACCESS TO INFORMATION REGULATIONS, 2011 CERTIFICATE OF APPROVAL OF EQUIPMENT

TO:
(Please state name of applicant)
This is to certify that the equipment was inspected on the day of 20 and is fit for the purpose of making copies of records.
Date:
Signature of Information Officer

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

TRANSFER OF REQUEST

TO:	
(Inse	ert name and address of requester)
	XE NOTICE that— record to which you requested access on
(a)	is not in the possession or control of this public body (state name and address of public body)
(b)	is in possession of another public body; or (state name of the public body)
(c)	the subject matter of the record is more closely connected with the functions of another public body. (state name of the public body)
or v	r request has been transferred to the public body in possession of the record which is more closely connected with the subject matter of the record ested for.
	request shall be dealt with in a period of
Date	e: 20
	Signature of Information Officer

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

ACKNOWLEDGEMENT OF RECEIPT OF TRANSFERRED REQUEST

То:	
	hich request was
I (state name of information officer) hereceipt of the request for access to a record which was transformed of public body) on	Ferred from (state
Date:	
Signature of Information Officer	

THE REPUBLIC OF UGANDA THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

ACKNOWLEDGEMENT OF RECEIPT OF TRANSFERRED REQUEST

TO:		
(Plea		ert name and address of requester)
The	record	TICE that— you requested access to from (state name of public body) on(date)
(a)	name	in the possession of or under the control of this public body (state of public body) and the information officer does not know which c body has possession or control of the record; or
(b)	all rea	sonable steps have been taken to find the record requested for; and
	(i)	there are reasonable grounds to believe that the record is in the possession of this public body but cannot be found; or
	(ii)	there are reasonable grounds to believe that the record does not exist.
		ation officer of this public body (state name of public body) took the teps to find the record requested for;
		Signature of Information Officer

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

NOTICE OF DEFERRAL OF ACCESS

TO:	
(Plea	ase insert name of requestor)
	TE NOTICE that— record you requested for from (state name of public body) on
(a)	is to be published within ninety days after the receipt of the request or transfer of the request;
(b)	is required by law to be published but is not yet published, or
(c)	has been prepared for submission to a public body, public office of particular person (state name as relevant) but is yet to be submitted.
	request for access to the record has been deferred for a period or/months (not exceeding twenty one days)
repre	are required within twenty one days after the date of this notice to make esentation to the information officer as to why the record is required before ablication or submission.
Date	20
	Signature of Information Officer

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

NOTICE OF GRANT OF ACCESS

TO:	
(State name o	f requestor)
TAKE NOTIO	CE that—
	record you request from (please state name of the public body)(date) has been granted.
1. Access to (state a	ee payable mount)
	which access shall be given.
the and	requester may lodge an internal appeal or an application with court against the access fee to be paid or form of access granted the procedure, including the period for lodging the internal eal or application as the case may be.
Date:	
	Signature of Information Officer

THE REPUBLIC OF UGANDA THE ACCESS TO INFORMATION ACT, 2005 THE ACCESS TO INFORMATION REGULATIONS, 2011 NOTICE OF REFUSAL OF ACCESS

TO:
(State name of requestor)
TAKE NOTICE that—
Access to the record you requested from (please state name of the public body, on the
1. Reasons for the refusal (Exclude reference to content of the record)
(a)
(b)
(c)
(d)
(e)
2. Provisions of the Act relied upon.
(a)
(b)
(c)
(d)
(e)

Note:	The requester may lodge an internal appeal or an application with the court against the refusal of the request and the procedure, including the period for lodging the internal appeal or application as the case may be.
Date:	
	Signature of Information Officer

THE REPUBLIC OF UGANDA THE ACCESS TO INFORMATION ACT, 2005 THE ACCESS TO INFORMATION REGULATIONS, 2011 NOTICE OF EXTENTION OF PERIOD

TO:		
(Stat	 e nam	e of applicant)
The on	reques	TICE that— t for access that you lodged with (state name of the public body)(date) was transferred to (state name of public body(date)
Note	has l	on 17 of the Act allows the information officer to whom a request been transferred to extend the period prescribed as 21 days under on 16(1) for a further period not exceeding 21 days.
1.		eriod prescribed under section 16(10 has been extended for a further od (not exceeding twenty one days) of
2.	Reaso	ons for extension of period
	(a)	
	(b)	
	(c)	
	(d)	
	(e)	

3.	3. Provisions of the Act relied upon		
	(a)		
	(b)		
	(c)		
	(d)		
	(e)		
Note	:	The requester may lodge an internal appeal or an application with the court as the case may be against the extension and the procedure, including the period, for lodging the internal appeal or application as the case may be.	
Date	:		
		Name of information officer	
		Signature of information officer	

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

NOTICE TO THIRD PARTY UNDER SECTION 35 OF THE ACT

TO:
(State name of third party)
TAKE NOTICE that:—
1. On(date) a request for access to
record) was received from
2. This is to inform you that I intend to grant access to the record to the requester (state name of requester)
3. Description of content of the record
4. You may, within twenty one days after receipt of this notice, make representations as to why the record should not be disclosed.
Date:
Name
Signature of Information Officer

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION REGULATIONS, 2011

CONSENT BY THIRD PARTY TO DISCLOSURE OF RECORD

TO:	
(Sta	tte name of information officer and name of Public body)
Ι	(state name of) third party of
	(state address), having an interest in
	(state name of record), hereby consent to
the	disclosure of the record.
	Signature of third party consenting to disclosure

THE REPUBLIC OF UGANDA THE ACCESS TO INFORMATION ACT,2005 THE ACCESS TO INFORMATION REGULATIONS, 2011 REPRESENTATION BY THIRD PARTY

TO:
(State name of information officer and name of public body)
I
(state interest in the records)
The record should be disclosed because of the following reason (state reasons
Date:
Signature of third party making representation

THE ACCESS TO INFORMATION ACT, 2005

THE ACCESS TO INFORMATION OFFICER UNDER SECTION 35 OF THE ACT

TO: .	
(State	name of third party)
TAKE	E NOTICE that—
	ordance with section 35 of the Act. (date) you made representations
	is notice is given under section 36(1) of the Act. A third party to whom notice is given under section 35 shall ;make representation within the period stated in the notice and the information officer shall within twenty one days of the notice make a decision whether or not to grant access.
3. De	ecisions of the information officer
•••••	
• • • • • • •	
Note:	You may request for a review of the decision within one day after receipt of this notice. Where a review is not requested for the requester shall be granted access to the record.
Date:	20
Name	
Signa	ture of Information Officer

SCHEDULE 3

FEES, RETRIEVAL AND REPRODUCTION COSTS

Reg. 10

		<u> </u>
1.	Access Fee	I currency point
2.	Photocopying	0.005 of a currency point for each A4 Size page.
3.	Photocopying a page of Braille	0.025 of a currency Point for each copy of A4 size.
4.	Photocopying of large paper	0.025 pf a currency point for each page of A4 size.
		0.075 of a currency Point for each page Of A3 size.
		0.25 of a currency point for each page A2 size.
		0.5 of a currency point for each page of A1 size.
		1 currency point for each copy of A0 size.

5.	Recording (audio)	0.5 of currency point per hour.
6.	Recording (video)	1 currency point per each page.
7.	Digital data transfer	0.25 of a currency point per hour.
8.	Digital color printing	A4 size 0.05 of a currency point for each page.
		A3 size 0.15 of a Currency point for each page.
		A2 size 0.5 of a currency point for each page.
		A1 size 1 currency Point for each page.
		A0 size 2 currency points

HON. KABAKUMBA LABWONI MASIKO, *Minister of Information and National Guidance.*

for each page.