

## THE LAND ACQUISITION BILL, 2018

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#### SCHEDULE 1

Currency Point



A Bill for an Act

ENTITLED

**THE LAND ACQUISITION AND COMPENSATION ACT, 2017**

**An Act to repeal and replace the Land Acquisition Act, Cap. 226; to make provision for the compulsory acquisition of land in accordance with articles 26 and 237 of the Constitution; to provide for procedure for compulsory land acquisition; to provide for compensation, resettlement and relocation, to establish the Land Acquisition Tribunal and to provide for related matters.**

BE IT ENACTED by Parliament as follows:

**PART I – PRELIMINARY**

**1. Commencement.**

This Act shall come into force on a date appointed by the Minister by statutory instrument.

**2. Purpose of Act.**

The purpose of this Act is-

- (a) to reform the law relating to compulsory acquisition of land;
- (b) to provide for expeditious compulsory acquisition of land by the Government; and
- (c) to provide for procedures for compulsory acquisition of land;

**3. Interpretation.**

In this Act, unless the context otherwise requires-

“agent” for purposes of this Act means individual registered valuation surveyor or valuation surveying firm;

“assessment officer” means the Chief Government Valuer, or his or her authorized officer or agent;

“compensation” means cash payment, resettlement or relocation;

“court” means the High Court of Uganda;

“currency point” has the value assigned to it in Schedule 1;

“customary owner” means a person, family or community holding a certificate of customary ownership or owning land under customary tenure in accordance with the Land Act;

“declaration” means a declaration made under section 8;

“fair and adequate compensation” means compensation assessed and awarded by Government in accordance with this Act and the Valuation Act.

“Government” Government includes local government;

“Minister” means the Minister responsible for lands;

“person having an interest” in relation to any land includes all persons claiming an interest in compensation payable for or in respect of the land under this Act and all persons having an interest in an easement affecting the land;

“Register Book” means the Register Book kept in respect of the Registration of Titles Act;

“registered proprietor” in relation to land means a person registered as proprietor of the land under the Registration of Titles Act;

“registrar” means the registrar of titles appointed under the Registration of Titles Act.

“Tribunal” means the Land Acquisition Tribunal established by section 25 of this Act;

“Uganda Land Commission” means the Uganda Land Commission established by article 238(1) of the Constitution;

## PART II- COMPULSORY ACQUISITION OF LAND

### 4. **Compulsory acquisition of land.**

- (1) The Government may acquire land in accordance with articles 26 and 237 of the Constitution.
- (2) Subject to subsection (1), the Government may compulsorily acquire land-
  - (a) for public use or public interest;
  - (b) in the interest of defence;
  - (c) for public safety;
  - (d) for public order;
  - (e) for public morality; or
  - (f) for public health.



- (3) For the purposes of this section, "public use" means use of land by the Government for the benefit of the public for infrastructure and public works including road, railway, airport, airfield, aerodrome, power line, water pipeline, fiber cable, hospitals, public institutions, schools and resettlement due to war, calamities or acts of God;
- (4) The Government in the compulsory acquisition of land under subsection (2) shall make prompt payment of fair and adequate compensation, prior to taking of possession of the land.
- (5) The compensation in subsection (4) shall be effected within six months in case of cash payment or twelve months in case of resettlement or relocation as may be voluntarily agreed by the project affected person, from the date of disclosure of the award in accordance with section 11(4).
- (6) For purposes of this section "prompt payment of compensation" means the payment of compensation within six months in case of cash payment or twelve months in case of resettlement or relocation from the date of the award.

#### **5. Compulsory acquisition of underground land.**

- (1) The Government may compulsorily acquire underground land in any locality in accordance with section 4 for infrastructure and public works.
- (2) The Minister shall, by statutory instrument, make regulations providing for the depth, width, rates for compensation and restrictions on use of surface land for Government acquisition of underground land in subsection (1).

#### **6. Request for compulsory acquisition of land.**

- (1) A Ministry, Department or Agency of Government or local government which wishes to compulsorily acquire land under section 4 of this Act, shall submit a request in writing to the Minister.
- (2) A request under this section shall specify-
  - (a) the purpose for which the land is to be acquired;
  - (b) a map indicating the location of the land to which it relates;
  - (c) whether surface or ground land only or both surface and ground land to be acquired;
  - (d) the approximate area of the land required;
  - (e) the time frame within which the land is required; and
  - (f) a plan of the land if any;



**7. Power to enter and examine land.**

- (1) Subject to section 5, the Minister may authorize a professionally competent person for the purpose, to enter upon any land in order to ascertain the suitability of the land for compulsory acquisition in accordance with the Constitution and this Act.
- (2) A person authorised to enter upon land under subsection (1) may-
  - (a) survey the land;
  - (b) dig or bore into the subsoil and remove samples; and
  - (c) do anything necessary for ascertaining the suitability of the land for compulsory acquisition.
- (3) A person authorized to enter and examine land under this section, shall before entering upon the land, give notice of not less than seven days of the authorization for entry to a registered proprietor or customary owner and any person having interest in land in accordance with the Land Act.
- (4) The Government shall pay compensation to any person who suffers damage as a result of the exercise of the powers conferred by subsection (1).

**\* 8. Declaration that land is needed for compulsory acquisition.**

- (1) Whenever the Minister is satisfied that any land is required by the Government for compulsory acquisition, the Minister shall, by statutory instrument published in the Gazette, make a declaration to that effect.
- (2) An instrument made under subsection (1) shall specify-
  - (a) the purpose for which the land is to be acquired;
  - (b) a map indicating the location of the land to which it relates;
  - (c) whether surface or ground land only or both surface and ground land to be acquired;
  - (d) the approximate area of the land required;
  - (e) the time frame within which the land is required; and
  - (f) if a plan of the land has been made, a place and time at which the plan may be inspected.
- (3) The Minister shall cause to be published, a copy of every declaration made under subsection (1), to at least two newspapers of wide national circulation.
- (4) Upon the declaration by the Minister under this section, the estate and interest of every person having an interest in the land immediately before the declaration,



shall be deemed to have been converted into a claim for compensation under this Act.

- (5) Upon the declaration by the Minister under this section, any development, improvement or transaction on the land or property shall freeze instantly.
- (6) Where a person carries out any development or improvement on the land or property after the declaration by the Minister, the development or improvement shall not be considered in the assessment of compensation for the land or property.
- (7) The process of compulsory land acquisition shall take one year in which assessment report and compensation shall be valid.

#### **9. Land to be marked and measured.**

Upon publication of the declaration under this Act, the assessment officer shall cause the land to be marked out and measured and a plan of the land to be made if a plan of the land has not already been made.

#### **10. Notice to persons having an interest in land.**

- (1) Within fourteen days after the publication of a declaration in respect of any land, the assessment officer shall by notice published in the Gazette and at least two newspapers of national wide circulation and exhibited at convenient places on or near the land, state that Government intends to take possession of the land and that claims for compensation relating to all interests in the land may be made to the assessment officer.
- (2) Without prejudice to subsection (1), the assessment officer may, whenever he or she thinks it convenient or desirable to do so, publish and exhibit two or more notices in respect of the land, each notice relating to a separate part of the land.
- (3) A notice published under subsection (1) shall give the particulars of the land to which the notice relates and shall require all persons having an interest in the land to appear personally or by agent before the assessment officer on a day and at a time and place specified in the notice in order to state-
  - (a) the nature of their respective interest in the land;
  - (b) the amount and particulars of their claim for compensation for the interest;
  - and
  - (c) their objections, if any, to any plan of the land made under section 8.



- (4) The day specified under subsection (3) shall be fourteen days from the date of publication of the notice unless the Minister directs otherwise not later than thirty days after the publication of the notice in which it is specified.
- (5) The assessment officer may require a statement made in respect of subsection (3) to be made in writing and signed by the party making it or his or her agent.
- (6) The assessment officer shall cause a copy of every notice published to be served under this section-
  - (a) to the registered proprietor or customary owner of the land to which the notice relates;
  - (b) where the registered proprietor or customary owner is not in occupation of the land, to every person having interest in land in accordance with the Land Act; and
  - (c) to every person in respect of whom an encumbrance or instrument is registered on the certificate of title or certificate of customary ownership.

#### **11. Inquiry and award.**

- (1) Where a notice is published under section 9 in respect of any land, the assessment officer shall, on the day specified in the notice, hold an inquiry into claims and objections made in respect of the land and shall make an award specifying-
  - (a) the true area of the land;
  - (b) the compensation which in the opinion of the assessment officer is fair and adequate for the land; and
  - (c) the apportionment of the compensation among all the persons ascertained by the assessment officer as having an interest in the land, whether or not they have appeared before him or her.
- (2) For the purposes of an inquiry under this section, where a person who has an interest in land neglects, fails or otherwise deliberately or wantonly refuses to appear as required by notice, the assessment officer shall proceed with the assessment as if such person was in attendance.
- (3) Where an assessment officer makes an award under this section in respect of any land, he or she shall cause a copy of the award to be served on the Minister and the implementing agency.
- (4) Upon receipt of the award copy, the implementing agency shall disclose the award to the project affected persons.
- (5) Subject to subsection (8), the Government shall pay compensation awarded under this section within six months where no contestation of the award is lodged.



- (6) Where the compensation award has not been paid within six months, interest shall begin to accrue at ten percent of the total amount due to be compensated per annum.
- (7) Where the owner of property or a person having an interest in or right over the property has contested the amount of compensation awarded, the owner or that person shall have the right to pursue the claim for the amount of compensation in dispute in accordance with this Act.
- (8) Where-
- (a) a person awarded compensation under this section refuses to accept payment on any ground other than the amount of compensation awarded; or
  - (b) there is dispute on ownership of the land;
  - (c) there is dispute as to who is entitled to receive the compensation; or
  - (d) any other circumstance arises which renders it inexpedient, difficult or impossible to make payment in accordance with the award,
- the implementing agency shall instruct the Attorney General in writing to apply to the High Court seeking direction of the court to deposit the unclaimed compensation amount in a suspense account and the Government shall take possession of the land or property.
- (9) Where the court directs that the money be deposited in the suspense account, that money shall not accrue interest.

## **12. Independent inquiry and award.**

- (1) Where a person is dissatisfied with the compensation awarded under section 10, the person may lodge a claim against the award to the implementing agency within fourteen days from the date of disclosure of the award in section 11(5) in a Form prescribed in Schedule 2.
- (2) The implementing agency shall, after receipt of the claim in subsection (1), communicate the claim in writing to the Chief Government Valuer within fourteen days from the date of receipt of the claim.
- (3) The Chief Government Valuer shall, after receipt of the communication in subsection (2), submit the claim to the Minister within fourteen days from the date of receipt of the claim.



- (4) The Minister shall appoint an independent assessment officer at a Government cost to carry out reassessment of the land of the claimant and make a report of reassessment to the Minister within fourteen days from the date of the appointment.
- (5) Upon receipt of the report in subsection (4), the Minister shall direct the Chief Government Valuer to meet with the independent assessment officer and the claimant to reach a settlement within seven days from the date the direction is issued.
- (6) Where the claimant is dissatisfied with the outcome in subsection (5), the claimant may file a claim with the Land Acquisition Tribunal in accordance with this Act.

### **13. Assessment of compensation award.**

- (1) In assessing compensation under this section, the assessment officer shall take into account, among other factors, the prevailing market value of the land, developments, improvements and activities on that land.
- (2) The rates applicable for assessment under subsection (1), shall be the prevailing rates of compensation referred to in section 59(1)(e) of the Land Act, Cap. 227 used in determining the amount of compensation payable.
- (3) The Minister, shall by statutory instrument, make regulations for the assessment of compensation under this Act.
- (4) Notwithstanding subsections (2) and (3), the compensation rates determined shall be valid for two years.

### **14. Payment of compensation.**

- (1) The Government shall promptly pay to the registered proprietor or customary owner or any other person whose interest in the land has been ascertained by the assessment officer, fair and adequate compensation determined by the assessment officer.
- (2) In addition to compensation assessed under section 13, there shall be paid as a disturbance allowance-
  - (a) fifteen percent where notice to give up vacant possession is six months and above; or
  - (b) thirty percent of any sum assessed, if the notice to give up vacant possession is less than six months.



**15. Resettlement and rehabilitation.**

- (1) The Government may, on voluntary basis resettle and rehabilitate the project affected persons in lieu of cash compensation payment.
- (2) The Minister, may by, statutory instrument make regulations for resettlement and rehabilitation of project affected persons.

**16. Livelihood restoration.**

The Government may, in resettling the project affected persons in section 13, provides means of livelihood and restore the livelihood of the project affected communities to a state they were in before the project.

**17. Taking possession.**

- (1) The Government shall take possession of the land immediately after payment of compensation in accordance with this Act.
- (2) Where the Government takes possession of the land under subsection (1), the land shall immediately vest, free from any encumbrance, in the case of land acquired by-
  - (a) Government, in the Uganda Land Commission; or
  - (b) a local government, in the local government.
- (3) After taking possession, the implementing agency of Government shall forward to the registrar of titles or recorder a copy of the declaration relating to the land endorsed with a certificate signed by the assessment officer, which shall state that the assessment officer has taken possession of the land from the date indicated in the certificate.
- (4) The registrar or recorder shall, notwithstanding any inconsistency with the Registration of Titles Act, Cap.130 or Land Act, enter the Uganda Land Commission or the local government respectively, in the Register Book as the registered proprietor or customary owner of the land.

**18. Declaration relating to part of house, manufactory or other building.**

- (1) Where the Minister makes a declaration which relates to a part only of a house, manufactory, or other building, the Minister shall extend the declaration to include the whole house, manufactory or building on the advice of the assessment officer.
- (2) The registered proprietor, customary owner or occupier, may by application to the Minister, seek to disagree with the advice of the assessment officer under subsection (1) at any time before the assessment officer determines the compensation payable in respect of that house, manufactory or building.



- (3) Any dispute as to whether any land proposed to be acquired under this section does or does not form part of a house, a manufactory or other building may be referred to the Tribunal established by section 21 of this Act.
- (4) In deciding a reference made under subsection (3), the court shall consider whether the land proposed to be acquired is reasonably required for the full and unimpaired use of the house, manufactory or building.

**19. Acquisition of excess portion of land.**

- (1) Where land is acquired by declaration under section 5 and a person having an interest in the land makes a claim for compensation on account of severing the land from his or her other land which is in the opinion of the Minister excessive, the Government may acquire under this Act, the severed portion of the land or the whole of the land of which the land first sought to be acquired forms a part, notwithstanding the fact that only the land first sought to be acquired is needed for public use.
- (2) A person dissatisfied with the decision of the assessment officer under subsection (1), may seek redress from the Tribunal established under this Act.

**20. Temporary occupation of waste or arable land.**

- (1) Whenever the Minister is satisfied that the temporary occupation and use of any waste or arable land are required by the Government for public use, the Minister may appoint a public officer or other person to procure the occupation and use of the land for a specified term, not exceeding three years from the commencement of the occupation.
- (2) The appointed officer shall-
  - (a) give notice in writing to any person who has interest in the land of the purpose and term for which the land is required and of the date on which the term is to commence; and
  - (b) pay to any person for the occupation and use of that land for that term, for the materials, if any, to be taken from the land and for the standing crops on the land, if any, fair and adequate compensation, either in a gross sum of money or by monthly or other periodical payments, as may be agreed in writing between the appointed officer and the person having interest in that land.



- (3) Any dispute as to the compensation payable under subsection (2), shall be referred to the Tribunal established under this Act.
- (4) The Tribunal may order compensation payable under subsection (2), to be paid into a suspense account on such conditions as it deems appropriate, if it is satisfied on the application of the appointed officer that he or she cannot trace the person to whom the compensation is due or where the ownership of the land is in dispute.
- (5) The appointed officer shall enter and take possession of the land after payment of the compensation in accordance with subsection (2) or (4).

### PART III-WITHDRAWAL FROM ACQUISITION OR TEMPORARY OCCUPATION OF LAND

#### **21. Withdrawal from acquisition or vary.**

- (1) Subject to this section, the Minister may revoke or vary a declaration made under section 8 of this Act at any time before the compensation is paid.
- (2) Where the Minister revokes a declaration under subsection (1), the Government shall pay to any person having an interest in the land compensation for any damage suffered by the person as a result of any action already taken under this Act in respect of the acquisition.
- (3) A person dissatisfied with the compensation awarded under subsection (2), may apply to the Tribunal established under this Act for redress.

#### **22. End of temporary occupation.**

- (1) When the temporary occupation of any land comes to an end in accordance with this Act, the Government shall withdraw from the land and-
- (a) shall pay compensation to any person having an interest in the land in accordance with the Land Act for any damage done to the land during the occupation, other than damage for which compensation has already been paid; or
- (b) may, if the land has become permanently unfit to be used for the purpose for which it was used immediately before the occupation and if all the persons having an interest in the land so require, proceed to acquire the land under this Act as if it were required permanently for public use.



- (2) Subsection (1) (b) shall not apply where land occupied under section 18 has become permanently unfit to be used for the purpose for which it was used immediately before the occupation by reason only of the fact that stone, murram or other building or road-making material has been taken from an area which is less than 4 percent of its total area.
- (3) A person aggrieved by a decision in subsection (1) may refer any dispute as to the quantum of compensation payable under this section to the Tribunal under this Act.

#### PART IV- COMPENSATION DISPUTE SETTLEMENT

##### **23. Land Acquisition Tribunal.**

- (1) There is established a Tribunal to be known as the Land Acquisition Tribunal.
- (2) The Tribunal shall consist of a chairperson, a vice chairperson and three other members, appointed by the President with the approval of Parliament.
- (3) The Chairperson and Vice Chairperson of the Tribunal shall be persons who qualify to be appointed Judges of the High Court.
- (4) The members of the Tribunal shall comprise of-
- (a) a registered valuation surveyor;
  - (b) a registered quantity surveyor; and
  - (c) a registered land surveyor.
- (5) At least forty percent of the members of the Tribunal shall be women.

##### **24. Qualifications of members of Tribunal.**

- (1) A person shall not be appointed as a member of the Tribunal unless that person-
- (i) is of sound mind; and
  - (ii) is of high moral character and proven integrity;
- (2) A person holding office as a Member of Parliament or a member of a local government council shall relinquish the office upon appointment as a member of the Tribunal.

##### **25. Tenure of office.**

- (1) The members of the Tribunal shall hold office for a period of five years and shall be eligible for reappointment for one further term.
- (2) Members of the Tribunal shall hold office on a full-time basis.



- (3) A member of the Tribunal may resign from office in writing addressed to the President.

**26. Oath of office.**

A person who is appointed as a member of the Tribunal shall, before assuming the duties of his or her office, take and subscribe the oath of allegiance and the judicial oath in the Fourth Schedule to the Constitution.

**27. Disqualification of member of Tribunal.**

A member of the Tribunal may be removed from office by the President only for-

- (a) inability to perform the functions of his or her office arising from infirmity of body or mind;
- (b) misbehavior or misconduct;
- (c) incompetence;
- (d) if that person has been convicted of an offence involving moral turpitude;
- or
- (e) if that person has been declared bankrupt.

**28. Jurisdiction of Tribunal.**

- (1) The jurisdiction of the Land Acquisition Tribunal shall be to determine any dispute relating to amount of compensation awarded by the Government for land to be acquired and incidental matters thereto under this Act.
- (2) A person dissatisfied with the amount of compensation awarded by the Government, may file a claim against the award to the registry of the Tribunal, upon payment of such fees as shall be prescribed by the Minister by regulations, within fourteen days from the date the disclosure on award was made under this Act.
- (3) On receipt of a claim under subsection (1) filed with the Registrar of the Tribunal, the Tribunal shall hear and determine the claim within thirty days from the date of filing of the claim and after satisfying itself, makes an appropriate order or decision.

**29. Powers of Tribunal.**

- (1) For the purpose of a proceeding before a Tribunal, the Tribunal may—
  - (a) take evidence on oath;
  - (b) proceed in the absence of a party who has had reasonable notice of the proceeding; and
  - (c) adjourn the proceeding only on reasonable ground.

(2) For the purpose of the hearing of a proceeding before the Tribunal, the Tribunal shall have powers of the High Court to summon a person to appear before it—

(a) to give evidence; or

(b) to produce books, documents or things in the possession, custody or control of the person named in the summons that are mentioned in the summons.

(3) Where a Tribunal considers it desirable for the purposes of avoiding expenses or delay, or for any other special reason, it may receive evidence by affidavit and administer interrogations and require the persons to whom interrogations are administered to make a full and true reply to the interrogations.

(4) A Tribunal shall have power to issue a commission or request to examine witnesses abroad.

(5) A Tribunal may make an order as to costs against any party, and the order shall be enforceable in like manner to an order of the High Court.

### **30. Management of administrative affairs of Tribunal.**

(1) The Chairperson is responsible for managing administrative affairs of the Tribunal.

(2) In the management of the administrative affairs of the Tribunal, the Chairperson shall be assisted by the Registrar of the Tribunal and such officers and employees as may be necessary for the efficient discharge of the functions of the Tribunal.

(4) The Registrar and other officers and employees of the Tribunal shall be appointed by the Tribunal in accordance with the Judicial Service Commission regulations.

### **31. Registrar of Tribunal.**

(1) There shall be a Registrar who shall be in charge of the registry of the Tribunal and shall receive claims filed with the Tribunal.

(2) The Registrar of the Tribunal shall be a person qualified to be appointed a Registrar of the High Court.

(3) The Registrar has power to do all things necessary or convenient to be done for the purpose of assisting the Chairperson under section 28.



- (4) The Chairperson may give the registrar directions regarding the exercise of his or her duties under this Part.

### **32. Rules of procedure of Tribunal.**

- (1) The Chief Justice shall, by statutory instrument, make rules of procedure to be applied by the Tribunal and the appellate court provided for in this Act.
- (2) Subject to subsection (1), the Chief Justice shall take into account the need to have rules of evidence with such modifications as are necessary to ensure the expeditious disposal of compensation disputes and related matters under this Act.
- (3) The Chief Justice, shall in making rules of procedure under this section, consider the principles and rules of mediation.

### **33. Remuneration of members of Tribunal.**

The members of the Tribunal shall be paid remunerations and allowances specified in their instrument of appointment.

### **34. Immunity.**

The members and staff of the Tribunal or any person acting on the instructions of the Tribunal, shall not be personally liable for any act or omission done or omitted to be done in good faith in the exercise of his or her duties under this Act.

### **35. Appeal.**

- (1) An appeal shall lie from the decision or award of the Tribunal to the High Court.
- (2) A party to a proceeding before the Tribunal who is dissatisfied with the decision of the Tribunal under this Act, may, within fourteen days after being notified of the decision or award of the Tribunal, lodge a notice of appeal with the registrar of the High Court, and the party so appealing shall serve a copy of the notice of appeal on the other party to the proceedings before the Tribunal.
- (3) The High Court shall hear and determine the appeal under subsection (2), within forty five days from the date of lodging of the notice of appeal and shall make such order as it thinks appropriate by reason of its decision, including an order affirming or setting aside the decision or award of the Tribunal or an order remitting the dispute to the Tribunal for reconsideration.
- (4) The High Court Judge determining appeal from the Tribunal, may require the technical assistance of both the Government valuer and private valuer in arriving at his or her decision or award for any item, part of item or the whole compensation award in dispute.



- (5) The decision of the High Court in exercise of its appellate jurisdiction under subsection (3) shall be final.

## PART V- MISCELLANEOUS

### 36. Offences and penalties.

Any person who-

- (a) willfully obstructs any public officer or other person in the exercise of a power or the performance of a duty conferred or imposed by this Act;
- (b) willfully fills up, destroys, damages or displaces any trench or mark made under section 8,

commits an offence and is liable on conviction to a fine not exceeding twenty four currency points or to imprisonment not exceeding twelve months or both.

### 37. Service of notices.

Without prejudice to any other method of service, any notice, declaration or similar document required to be served for the purposes of this Act may be served by post or, if it relates to land or premises and it is not practicable after using due diligence to serve it on the person on whom it should be served, by delivering it to some person on the land or premises to which it relates or, if there is no person on the land or premises to whom it can be delivered, by affixing it or a copy of it to some conspicuous part of the land or premises.

### 38. Regulations.

- (1) The Minister may, by statutory instrument, make regulations for the better carrying into effect the purposes and intentions of this Act.
- (2) Without prejudice to the general effect of subsection (1), regulations made under this section may provide for-
  - (a) procedure for assessment of compensation;
  - (b) the assessment and payment of compensations under this Act;
  - (c) inquiry and issue of award by assessment officer; and
  - (d) any other matter incidental thereto for the better and effective implementation of this Act.
- (3) Regulations made under this section may, in respect of any contravention of any of the regulations-
  - (a) prescribe a penalty of a fine not exceeding ten thousand currency points or imprisonment not exceeding twelve years or both;



- (b) in the case of a continuing contravention, prescribe an additional penalty not exceeding two thousand currency points in respect of each day on which the offence continues; and
- (c) prescribe a higher penalty not exceeding two hundred currency points or imprisonment not exceeding seven years or both in respect of a second or subsequent contravention.

### **39. Amendment of Schedule.**

The Minister may, with the approval of Cabinet, by statutory instrument, amend Schedule 1.

### **40. Savings and repeal.**

(1) The Land Acquisition Act, Cap.226 is hereby repealed.

(2) Notwithstanding the repeal of the Act, Cap.226-

- (a) all proceedings commenced under the repealed Act and pending before any court immediately before the commencement of the Act, shall be continued and concluded as if they were brought under this Act;
- (b) without prejudice to subsection (2)(a), where any proceedings relating to determination of the amount of compensation is pending before any court otherwise than on appeal from another court, the claim shall, if it has not yet been determined, shall be determined in accordance with the provisions of this Act;
- (c) all orders, notices, directions, appointments and other acts and things lawfully made, issued or done under any provision of the repealed Act immediately before the commencement of this Act, shall be deemed to have been made, issued or done under this Act; and
- (d) any order of court made immediately before the commencement of this Act may be enforced as if it was made under this Act.

(3) Sections 42, 76(1) (b), 77 of the Land Act, Cap. 227 are hereby repealed.

## SCHEDULE 1

### Currency Point

One currency point is equivalent to twenty thousand shillings.



Cross reference

The Constitution of the Republic of Uganda

The Land Acquisition Act, Cap.226

The Land Act, Cap. 227

The Local Government (Rating) Act, 2005