

THE FREE ZONES (GENERAL) REGULATIONS, 2016

Regulation

PART I – PRELIMINARY

1. Title
2. Interpretation
3. Forms.

PART II – DECLARATION OF FREE ZONES

4. Declaration of free zone

PART III - ESTABLISHMENT OF FREE ZONES

Establishment of a free zone

5. Establishment of a free zone
6. Application to establish a free zone

Procedure for considering application

7. Procedure for considering the application.

Form of developer's licence and time to commence activities in a free zone

8. Developer's licence.
9. Commencement of activities in a free zone by the developer
10. Development activities in free zone
11. Rules for utilisation of free zone.

Changes to a free zone

12. Changes to free zone

Withdrawal of approval or cancellation of developer's licence

13. Withdrawal of approval or cancellation of a developer's licence

PART IV- BUSINESS ENTERPRISE IN FREE ZONE

Free zone operator's licence or manager's licence

14. Business enterprises operating in free zone to obtain licence
15. Application for free zone operator's licence or manager's licence

Procedure for considering application for free zone operator's licence or manager's licence

16. Procedure for considering application for a free zone operator's licence or manager's licence.
17. Notice to Authority of changes to a licence.

Transfer of activities to which a free zone operator's licence or manager's licence relates

18. Application to transfer activities to which licence relates.
19. Revocation of operator's licence or manager's licence.

PART V - EXPORT PROCESSING ZONES

Export processing zones

20. Taking goods out of an export processing zone

Warehousing of domestic goods in export processing zone

21. Warehousing

PART VI - FREE PORT ZONE

Removal of goods from export processing zone

22. Transfer of goods from premises in a free port zone
23. Removal of goods from a free port zone.

Retail trade

24. Retail trade.

PART VI - CUSTOMS SUPERVISION

Certificate of fulfillment of the conditions for carrying out customs supervision

25. Inspection by Commissioner General and issue of certificates.
26. Altering of certificate

Taking plant, machinery and any other equipment out of free zone

27. Taking plant, machinery and equipment out of free zone

PART VII - REGISTER OF LICENCES

28. Form of register of licences
29. Application for a search.

PART VII - GENERAL

30. Review and appeals

STATUTORY INSTRUMENTS

2016 No....

THE FREE ZONES (GENERAL) REGULATIONS, 2016 *(Under section 81 of the Free Zones Act, 2014, Act No. 5 of 2014)*

IN EXERCISE of the powers conferred upon the Minister responsible for finance by section 81 of the Free Zones Act, 2014, these Regulations are made thisday of, 2016 .

PART I - PRELIMINARY

1. Title

These Regulations may be cited as the Free Zones (General) Regulations, 2016

2. Interpretation

In these Regulations, unless the context otherwise requires-

“Act” means the Free Zones Act, 2014;

“just cause” includes force majeure, political instability, global economic crises;

“retail trade” means the resale of new and used goods to the general public for personal or household use.

3. Forms.

- (1) The Forms for use under the Act and these Regulations shall be those set out in the Schedule.
- (2) The Forms set out in the Schedule shall be used in all cases to which they are applicable and may be modified as directed by the Authority to meet any other case.
- (3) The Authority may waive the use of any prescribed Form in respect of any application if it receives from the applicant in writing all the particulars required if the prescribed Form had been used.

PART II - DECLARATION OF FREE ZONES

4. Declaration of free zone

- (1) In accordance with section 3(1) of the Act, the Minister may, on the recommendation of the Authority, by statutory instrument, declare any building or area of land in Uganda to be a free zone.

- (2) A person who wishes to operate a free zone shall, upon the recommendation of the Authority, apply to the Minister to declare a particular building or area of land in Uganda a free zone.
- (3) An instrument under this Regulation shall state the name and boundary description of the free zone.
- (4) In the case of an application under subregulation (2), the Authority shall provide the applicant with all the necessary assistance to process the application.

PART III - ESTABLISHMENT OF FREE ZONES

Establishment of a free zone

5. Establishment of a free zone

- (1) A free zone may only be established in a building or area declared by the Minister in accordance with Regulation 4.
- (2) A free zone may be established by one or more domestic or foreign developers.
- (3) For purposes of sub regulation (2), a developer shall be a company incorporated or registered in Uganda for the sole purpose of developing and operating a free zone.
- (4) Where several developers establish a free zone, the developers shall sign an agreement for the establishment of the free zone.
- (5) An agreement under subregulation (4) shall contain the following particulars-
 - (a) the activities to be conducted in the free zone;
 - (b) the shareholding details of the developers;
 - (c) the project description;
 - (d) the funding proposals; and
 - (e) any other particulars the Authority may direct.

6. Application to establish a free zone

- (1) A developer intending to establish a free zone shall apply to the Authority for a licence to establish a free zone, in these Regulations referred to as a “developer’s licence”.
- (2) An applicant for a developer’s licence shall provide the following-
 - (a) a business plan which shall include proof of technical ability and financial capacity to develop and manage the free zone;
 - (b) any information the Authority considers necessary.
- (3) An application for a developer’s licence shall be in Form 1 specified in the Schedule.

- (4) Form 1 shall be accompanied with the following-
 - (a) a duplicate copy of Form 1;
 - (b) a certified copy of the certificate of incorporation of the applicant;
 - (c) a certified copy of the memorandum and articles of association of the applicant;
 - (d) a tax clearance certificate of the applicant, where applicable;
 - (e) a performance bond in a form prescribed by the Authority;
 - (f) a copy of the agreement establishing the free zone, where applicable;
 - (g) the prescribed fee; and
 - (h) any other document the Authority may require.

Procedure for considering application

7. Procedure for considering the application.

- (1) Upon receipt of an application, the Authority shall review the application to ensure that all the relevant documents are available to enable the processing of the application.
- (2) Where, upon review of an application under subregulation (1), the Authority finds that the application is incomplete, the Authority shall request the applicant to provide additional information or clarify the information provided.
- (3) The Authority shall, within three months after receipt of an application or additional information, investigate and prepare a detailed report in respect of the application to enable the processing of the application.
- (4) The Authority shall in considering an application under this regulation have regard to the following-
 - (a) the nature of the activities to be carried out in the free zone and their impact on employment;
 - (b) the promotion of technology transfer;
 - (c) the promotion of investment for export-led industrialisation;
 - (d) the linkages of the domestic market with the international market; and
 - (e) the promotion of processing of domestic raw materials for export and value addition.
- (5) After considering the application and the report, the Authority may grant the applicant a licence or refuse to grant a licence.
- (6) The decision to grant a licence or not shall be made within 15 days after the report is made.
- (7) The notification of the decision of the Authority under subregulation (5) shall be in Form 2 in the Schedule.

- (8) Where the Authority refuses to grant a licence, the notification under subregulation (7), shall include the reasons for the refusal.
- (9) A person dissatisfied with the decision of the Authority may apply to the Minister in accordance with the review procedure specified in these Regulations.

Form of developer's licence and time to commence activities in a free zone

8. Developer's licence

- (1) A developer's licence shall be in **Form 3** in the Schedule.
- (2) A licence granted to a developer may be subject to conditions the Authority may consider appropriate.
- (3) The conditions, if any, shall be endorsed on the licence and shall form part of the licence.
- (4) The licence shall state the date on which the developer is to commence development activities, which in any case must not be later than twelve months after receipt of the licence.

9. Commencement of activities in a free zone by the developer

- (1) **A licensed developer shall not commence activities unless the developer takes out a bank guarantee to secure against non-compliance with the conditions of the licence.**
- (2) Notwithstanding subregulation (1), a licensed developer shall commence development activities within twelve months after the grant of the licence.
- (3) Where a licensed developer is unable to commence development activities in the free zone within twelve months, the developer shall apply to the Authority for extension of time to commence development activities.
- (4) An application for extension of time under subregulation (2) shall be in **Form 4** in the Schedule.
- (5) The Authority shall, in writing, within thirty days after receipt of the application under subregulation (2), grant the application for extension or refuse the application.
- (6) An application for extension of time to commence development activities shall only be granted by the Authority for just cause for a further period of twelve months.

10. Development activities in free zone

A licensed developer shall for the purpose of commencing development activities in the free zone-

- (a) erect a strong perimeter wall or fence to provide adequate security for the goods in the free zone;
- (b) erect enclosures and provide markings that define for customs and security

- purposes, the area of the free zone which is under its management and control;
- (c) designate places approved by customs for persons, goods and vehicles entering or leaving the free zone;
 - (d) provide office accommodation, signs, notices and other facilities the Authority considers necessary to enable officers of the developer to carry out their duties;
 - (e) contract persons to provide utilities or services such as water, electric power, telecommunications, sewerage and other facilities that may be incidental; and
 - (f) perform any other activity the Authority may direct.

11. Rules for utilisation of free zone

The rules made under section 32 of the Act shall be subject to the approval of the Authority and the Attorney General.

Changes to a free zone

12. Changes to free zone

- (1) A developer who wishes to make changes to a free zone may apply to the Authority in **Form 5** in the Schedule.
- (2) The Authority shall within thirty days after receipt of an application under subregulation (1) grant or reject the application.
- (3) The decision of the Authority shall be in **Form 6** in the Schedule and where the application is rejected, the Authority shall state the reasons for the rejection.
- (4) For the purposes of this regulation “change” means-
 - (a) an enlargement of the approved free zone area;
 - (b) a change in the location of the free zone area;
 - (c) establishing new activities that are to be conducted in the free zone;
 - (d) any change of the developer’s status including-
 - (i) the admission of a new developer;
 - (ii) change in the capital ownership structure;
 - (iii) take-over of the free zone by another developer and buy-out;
 - (e) change of the duration for which the free zone is established;
 - (f) ceasing to carry on the activities to which the licence relates; or
 - (g) change in particulars which are required to be entered in the register.

Withdrawal of approval or cancellation of developer’s licence

13. Withdrawal of approval or cancellation of a developer’s licence

- (1) In accordance with section 37 of the Act, the Authority may, at any time, withdraw approval given to a developer or cancel the licence.
- (2) The Authority shall not withdraw approval or cancel a developer’s licence unless

the Authority has given the developer at least ninety days' notice of the intention to withdraw approval or cancel the licence.

- (3) The notice under subregulation (2) shall include the reasons for the intended withdrawal of approval or cancellation of the licence.
- (4) The Authority shall offer the developer an opportunity to make representations in writing to the Authority or in person in relation to the proposed withdrawal of approval or cancellation of the licence.
- (5) The Authority shall notify the developer of its decision to withdraw approval or cancel the licence.
- (6) Where the Authority closes a free zone, the notification under subregulation (5) shall state the time within which the developer is to remove the goods to another free zone or to place them under customs procedure or any relevant procedure directed by the Authority.
- (7) A developer dissatisfied with the decision of the Authority may apply to review the decision in accordance with the review procedure specified in these Regulations.

PART IV- BUSINESS ENTERPRISE IN FREE ZONE

Free zone operator's licence or manager's licence

14. Business enterprises operating in free zone to obtain licence

- (1) A person shall not carry on business as an operator in a free zone unless that person is granted by the Authority a free zone operator's licence or free zone manager's licence.
- (2) A person who wishes to carry on business as an operator in a free zone shall apply to the Authority for a free zone operator's licence or free zone manager's licence.
- (3) A person who carries on business as a free zone operator or free zone manager without a licence commits an offence and shall on conviction be liable to a fine not exceeding forty eight currency points or imprisonment not exceeding two years or both.

15. Application for free zone operator's licence or manager's licence

- (1) An application for a free zone operator's licence or manager's licence shall be in **Form 7** specified in the Schedule and shall be accompanied with the prescribed fee.
- (2) The Form under sub regulation (1) shall also be accompanied by the following

documents-

- (a) a duly filled duplicate copy of Form 7;
- (b) a copy of the certificate of incorporation or registration, in the case of a foreign company;
- (c) a copy of the memorandum and articles of association of the business enterprise;
- (d) a business plan which shall include an executive summary, products and services subject to the licence, a market analysis summary, a strategy and implementation summary, a company and management strategy, a financial plan and any information the Authority considers necessary; and
- (e) any other document the Authority may direct.

Procedure for considering application for free zone operator's licence or manager's licence

16. Procedure for considering application for a free zone operator's licence or manager's licence.

- (1) Upon receipt of the application, the Authority shall review the application to ensure that all the relevant documents are available to enable the processing of the application.
- (2) Where, upon review of the application under subregulation (1), the Authority finds that the application is incomplete, the Authority shall request the applicant to provide additional information or clarify the information provided.
- (3) The Authority shall, within three months after receipt of an application or additional information investigate and prepare a detailed report in respect of the application to enable the processing of the application.
- (4) The Authority shall in considering an application under this regulation have regard to -
 - (a) whether the commercial activities the applicant intends to engage in are commercially viable and are based on a suitable and credible business plan;
 - (b) whether the applicant has an adequate equity base or access to capital;
 - (c) the opinion of the Commissioner General and such other relevant bodies as may appear to the Authority to be appropriate; and
 - (d) whether the applicant has executed a bank guarantee to indemnify the Authority in case of non-compliance with the conditions of the licence.
- (5) After considering the application, the Authority may grant the applicant a licence or refuse to grant a licence.
- (6) The decision of the Authority under subregulation (5) shall be in **Form 8** in the Schedule.
- (7) The licence shall be in **Form 9** of the Schedule and shall state the commercial

activities to be carried out by the licensed person.

- (8) Where the Authority refuses to grant a licence the decision under subregulation (6) shall include the reasons for the refusal.
- (9) A person dissatisfied with the decision of the Authority may apply to the Minister to review the decision in accordance with the review procedure specified in these Regulations.

17. Notice to Authority of changes to a licence.

- (1) In accordance with section 42 of the Act-
 - (a) where an operator ceases to carry on the activities to which its licence relates;
 - (b) where a change occurs in any particulars which are required to be entered in the register;
 - (c) where a change occurs in the directors of an enterprise; or
 - (d) a change occurs in the control of an enterprise,

the licensee of the business shall, within fourteen days after the occurrence of the event concerned, give particulars to the Authority in writing and the Authority shall consider the change and amend or revoke the licence or conditions attached to the licence accordingly.

- (2) The particulars referred to in subregulation (1) shall be given by notice in **Form 10** in the Schedule.
- (3) The Authority shall consider the application and may change, amend or revoke the licence or conditions attached to the licence accordingly.
- (4) Where a licence is changed or amended under subregulation (4), the Authority shall issue a new licence stating the changes or amendments to the licence.
- (5) Where the opinion of the Authority is that the licence is revoked, the Authority shall give at least fourteen working days' notice to the holder of the licence of the intention to revoke the licence and the reasons for the intended revocation.
- (6) The holder of the licence shall be given the opportunity to make representations in writing to the Authority.
- (7) The Authority shall notify the holder of the licence of the decision within thirty days from the date of receipt of notification.

Transfer of activities to which a free zone operator's licence or manager's licence relates

18. Application to transfer activities to which licence relates.

- (1) The person intending to be the transferee of a licence granted under this Act shall apply to the Authority using **Form 11** in the Schedule.

- (2) Every application shall be accompanied by the prescribed fee.
- (3) In considering the application, the Authority shall determine whether the intended transferee complies with the relevant conditions prescribed by the Act and these Regulations.
- (4) Upon approval of an application under this Regulation, the Authority shall issue a licence to the applicant in **Form 9** in the Schedule with the necessary modifications.

19. Revocation of operator's licence or manager's licence.

- (1) The Authority may revoke an operator's licence or manager's licence where it is satisfied-
 - (a) that there has been a breach of a term or condition of the licence;
 - (b) that the operator or manager has been convicted of an offence under the Act or these Regulations.
- (2) Before the licence is revoked, the Authority shall give the holder of the licence notice of the intended revocation in Form 12 in the Schedule.
- (3) The notice of revocation under subregulation (2), shall give the holder of the licence thirty days' notice of the intended revocation and offer the holder the opportunity to make representations.
- (4) The representations must be received by the Authority within fourteen days after the Authority gives notice to the licensed person.
- (5) Where the Authority is not satisfied with the representations made, the Authority may revoke the licence.
- (6) The revocation of the licence shall be in Form 13 in the Schedule.
- (7) A person dissatisfied with the decision of the Authority may apply to the Minister to review the decision in accordance with the review procedure prescribed by these Regulations.

PART V - EXPORT PROCESSING ZONES

Export processing zones

20. Taking goods out of an export processing zone.

- (1) Subject to subregulation (2), a person shall not take goods out of an export processing zone or bring goods into an export processing zone without the prior approval of the Commissioner General.

- (2) Goods may only be taken out of an export processing zone or brought into an export processing zone for the purposes specified in the Act under the supervision of the Commissioner General.
- (3) An application to take goods out of an export processing zone or bring goods into an export processing zone shall be in **Form 14** in the Schedule.
- (4) The approval by the Commissioner General to take goods out of an export processing zone or bring goods into an export processing zone shall be in **Form 15** in the Schedule.

Warehousing of domestic goods in export processing zone

21. Warehousing

- (1) Domestic goods not intended for export may be warehoused in an export processing zone in accordance with section 49 of the Act and the East African Customs Management Act.
- (2) An application for consent to warehouse domestic goods in an export processing zone shall be made to the Commissioner General in **Form 16**.
- (3) *After reviewing the application the Commissioner General may, in writing, grant consent or refuse consent to warehouse domestic goods in an export processing zone.*
- (4) The Commissioner General shall not unreasonably withhold consent under this regulation.
- (5) Where a person granted consent to warehouse domestic goods in an export processing zone requires additional time to warehouse the goods in the export processing zone, the person may apply to the Commissioner General for extension of time.
- (6) An application for extension of time under subregulation (5) shall be in Form 17 in the Schedule.
- (7) A person dissatisfied with the decision of the Commissioner General under this regulation may apply to the Minister to review the decision of the Minister in accordance with the review procedure specified in these Regulations.

PART VI - FREE PORT ZONE

Removal of goods from export processing zone

22. Transfer of goods from premises in a free port zone

- (1) Goods shall not be transferred from one premise to another within a free port zone without the approval of the developer or its authorised officer.
- (2) An application for approval to transfer goods from one premise to another within a free port zone in accordance with section 55(2) of the Act shall be in Form 18 in the Schedule.

23. Removal of goods from a free port zone.

- (1) A free port zone operator may remove goods from a free port zone in accordance with sections 57 or 58 of the Act.
- (2) A free port zone operator who intends to remove goods from a free port zone shall apply to the Commissioner General in **Form 19** in the Schedule.
- (3) The Commissioner General may, within fourteen days after receipt of the application under subregulation (1), grant the application for removal of goods or refuse the application.
- (4) The Commissioner General shall notify the operator of his or her decision in writing and where the Commissioner General refuses the application, the Commissioner General shall give reasons for the refusal.
- (5) A person dissatisfied with the decision of the Commissioner General may apply to the Minister to review the decision in accordance with the review appeal procedure prescribed by these Regulations.

Retail trade

24. Retail trade.

- (1) A person who wishes to carry on retail trade in a free port zone shall apply to the Executive Director of the Authority for permission to carry on retail trade.
- (2) An application for permission under subregulation (1) shall be in **Form 20** in the Schedule.
- (3) An application shall be accompanied with the prescribed fee.
- (4) After considering the application the Authority shall, within ten days after receipt of the application, grant permission or refuse permission.
- (5) **The grant of permission to carry on retail trade shall be in Form 21 prescribed in the Schedule.**
- (6) A person dissatisfied with the decision of the Authority may apply to the Minister to review the decision in accordance with the review procedure prescribed by these Regulations.

PART VI - CUSTOMS SUPERVISION

Certificate of fulfillment of the conditions for carrying out customs supervision

25. Inspection by Commissioner General and issue of certificates.

- (1) A developer shall apply to the Commissioner General for a certificate of fulfillment of the conditions for carrying out customs supervision.
- (2) An application under this regulation shall be in **Form 22** in the Schedule and accompanied by the prescribed fee.
- (3) In order to facilitate the issuing of the certificate, the Commissioner General shall inspect the buildings and premises in a free zone to ensure that the conditions for carrying out customs supervision are being fulfilled.
- (4) For the purposes of subregulation (2), the Commissioner General may appoint an officer to inspect the buildings and premises in the free zone.
- (5) The officer appointed under subregulation (4) shall within thirty days from the day of receipt of the application inspect the buildings and premises in the free zone in the presence of the developer.
- (6) After inspecting the buildings and premises in the free zone, the officer shall prepare a report containing his or her findings.
- (7) After considering the application and report of the officer, the Commissioner General shall issue a certificate of fulfillment of the conditions for performing customs supervision in the free zone or refuse to grant a certificate.
- (8) The certificate of fulfillment of the conditions for performing customs supervision in the free zone shall be in **Form 23** in the Schedule.
- (9) Where the Commissioner General refuses to grant a certificate, the Commissioner shall give reasons for the refusal.
- (10) A developer dissatisfied with a decision of the Commissioner General may apply to the Minister to review the decision in accordance with the review procedure specified in these Regulations.

26. Altering of certificate

- (1) Where, in accordance with section 65 of the Act-
 - (a) a developer enlarges the approved free zone;
 - (b) a developer changes the free zone;
 - (c) a developer determines new activities to be conducted in the approved free zone;

- (d) a developer is joined by a new partner or a free zone is taken over by another developer,
the developer shall apply to the Commissioner to alter the decision of the Commissioner General contained in the certificate in respect of fulfillment of the conditions for carrying out customs supervision.
- (2) The application under subregulation (1) shall be in Form 24 in the Schedule and shall be accompanied by data on the activities conducted in the free zone.
- (3) The application shall be made within fifteen days of the alteration.
- (4) In the case of an application in respect of an alteration specified in subregulations (1)(d) and (e), the developer shall make the application for alteration of the certificate within ten days from the date of concluding the agreement for admission of a new co-developer or for the take-over by the new developer.
- (5) The Commissioner General shall make a decision on the application within thirty days after receipt of the application and communicate the decision to the applicant immediately.
- (6) Where the Commissioner permits alteration of the certificate, the Commissioner shall recall the earlier certificate issued to the applicant and issue the applicant a new certificate in terms of the alteration.
- (7) A developer dissatisfied with the decision of the Commissioner General may appeal the decision in accordance with the appeal procedure specified in these Regulations.

Taking plant, machinery and any other equipment out of free zone

27. Taking plant, machinery and equipment out of free zone

- (1) A person who wishes to take plant, machinery or any other equipment out of free zone shall apply to the Commissioner General for approval in accordance with section 69 of the Act.
- (2) An application under subregulation (1) shall be in **Form 25** in the Schedule.
- (3) After assessing an application the Commissioner General may grant or refuse approval.
- (4) Where the Commissioner refuses to grant approval, the Commissioner shall, in writing give reasons for the refusal

PART VII - REGISTER OF LICENCES

28. Form of register of licences

- (1) The register of licences granted under the Act and these Regulations shall be in a form determined by the Authority and shall be maintained as an electronic database.
- (2) For the avoidance of doubt, the register of licences shall contain details on the following licences-
 - (a) developer's licences;
 - (b) free zone operator's licences; and
 - (c) manager's licences.

29. Application for a search.

- (1) A person may, after payment of the prescribed fee, search the register of licences.
- (2) An application to search the register shall be in **Form 26** in the Schedule.

PART VII - GENERAL

30. Review and appeals

- (1) A person dissatisfied with any decision made under these Regulations may apply to the Minister to review the decision.
- (2) An application for review shall be lodged with the Minister within thirty days after the receipt of the decision unless the Act or these Regulations provide a different time for lodging the application.
- (3) An application for review shall be in Form 27 in the Schedule.
- (4) Without limiting the general effect of subregulation (1), an application for review may be lodged in respect of the following matters-
 - (a) the refusal of the Authority to grant any licence;
 - (b) the attaching of a condition to a licence;
 - (c) the revocation of approval or a licence;
 - (d) the refusal to grant any approval by the Commissioner General;
 - (e) the refusal by the Authority to grant any permission; or
 - (f) any decision of the Authority or Commissioner General in respect of which an application for review is provided for under the Act and these Regulations.
- (5) After considering an application for review , the Minister may-
 - (a) dismiss the application;
 - (b) require the Authority to issue a licence;
 - (c) quash any revocation of a licence;
 - (d) require the Commissioner General to issue an approval;
 - (e) require the Authority to grant permission;
 - (f) permit the appellant to make a fresh application for a licence notwithstanding that the period prescribed for applications has expired and the Authority

shall give effect to the determination of the Minister; or
(g) grant any remedy that the Minister considers necessary.

- (6) The decision of the Minister shall be communicated to the applicant within fifteen days after the Minister makes the decision.
- (7) A person dissatisfied with the decision of the Minister may apply to court.

- (c) The period for which the free zone will operate-----

- (d) The authorisation and operational methods of the free zone-----

- (e) The free zone construction terms with an excerpt of the spatial or urban planning documentation -----

- (f) The technological and other conditions for operating the free zone-----

CUSTOMS

Details of working conditions for the free zone customs office

FINANCIAL CONDITIONS

- 1. Estimated total amount of capital for the Project (US\$)-----

- 2. Funding
 - (a) Local Equity _ US\$-----
 - (b) Foreign Equity _ US\$-----
 - (c) Local Loan _ US\$-----
 - (d) Foreign Loan _ US\$-----
 - (e) Suppliers Credit _ US\$-----

(f) Others (Specify) _ US\$-----

(g) TOTAL _ US\$-----

3. Please indicate status of commitment of loan capital by proposed source-----

DOCUMENTS TO BE ATTACHED TO APPLICATION

The application shall be accompanied by the following –

- (a) an agreement establishing a free zone, where applicable
- (b) the feasibility study or business plan
- (c) the master plan and marketing plan
- (d) the environment impact assessment
- (e) the project plan for establishing the free zone with clear indicators and timelines
- (f) Memorandum and articles of association
- (g) Certificate of Incorporation/ Registration
- (h) tax clearance certificate, where applicable;
- (i) performance bond in case of a free zone not established by government;
- (j) other documents that the Authority may consider necessary .

DECLARATION

I,hereby declare that to the best of my knowledge and belief, all the particulars furnished in this application are true and indemnify the Authority for any misrepresentation, omissions or any information that may in future prove to be false.

Date_____

Name and seal of the applicant.

THE REPUBLIC OF UGANDA

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 2

Reg 7(6)

NOTIFICATION OF DECISION OF AUTHORITY.

This to notify _____ (applicant) of _____ (state full name and address, or if an agent, the name of the agent and address) that the application for a Developer's Licence concerning _____ (insert the project description) has been granted/rejected*(choose whichever is applicable).

The application has been granted subject to the following conditions, if any -

(only applicable where licence granted)

The application has been refused for the following reasons

(give detailed reasons for the refusal) (only applicable where application is refused)

Dated this _____ day of _____, 20 ____

.....

Executive Director

**delete whichever is not applicable*

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 3

s. 27, Reg. 8(1).

DEVELOPER'S LICENCE

In accordance with the Free Zones Act, this is to certify that a Developer's License to carry on business in _____ (name and location of a free zone) has been granted to ----- (insert the name of the Applicant(s)) of -----(insert the address) on the _____ day of _____, 20 _____

The licence shall be subject to the following conditions-----

Dated at _____ this _____ day of _____, 20 _____

Executive Director

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 4

s. 31(2), Reg. 9

APPLICATION FOR EXTENSION OF TIME

Name and address of applicant(s)	
Name and address of agent (if any)	
Application or licence number	

I/We.....the applicant(s) identified above, apply for an extension of time to commence development activities in the free zone.

The reasons for inability to commence development activities within the prescribed period are
(Give detailed reasons for the inability to commence development activities. Use additional paper if necessary)

The period of the requested extension is -----

The grounds or reasons for the request are as below (use additional paper if necessary):

Dated thisday of 20.....

.....
Seal and signature of the applicant

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 5

s. 35, Reg. 12(1).

APPLICATION TO MAKE CHANGES IN FREE ZONE

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Nationality _____
- (d) Country _____
- (e) Country of residence or principal place of business _____
- (f) Date of Incorporation of company: _____

AGENT/ REPRESENTATIVE

- (a) Name _____
- (b) Address _____

PARTICULARS OF FREE ZONE

- (d) Name of free zone _____
- (e) Location of a free Zone _____
- (f) Size of free zone _____

CHANGES PROPOSED TO MADE TO THE FREE ZONE

The following are the changes proposed to be made to the Free Zone.....
.....(
give description of changes to be made in detail including supporting documents, if any. Use additional paper if necessary)

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Uganda Free Zone Authority for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 6

section 35, Reg 12(3)

NOTIFICATION OF THE DECISION OF THE AUTHORITY.

This to notify _____ (*Applicant*) of _____ (*state full name and address, or if an agent, the name of the agent and address*) that the application for changes in a free zone, concerning _____ (*insert the project description*) has been granted or rejected.

The said application has been rejected or granted on the following grounds -

Dated this _____ day of _____, 20 ____

.....

Executive Director

**delete whichever is not applicable*

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 7

section 38, Reg 15(1)

APPLICATION FOR FREE ZONE OPERATOR'S LICENCE OR MANAGER'S LICENCE.

I/We (*applicant*) hereby apply for a Free Zone operator's licence/Manager's licence (*choose whichever is appropriate*).

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Nationality _____
- (d) Country _____
- (e) Country of residence or principal place of business _____
- (f) Date of Incorporation of Company: _____

AGENT/ REPRESENTATIVE –

- (a) Name _____
- (b) Address _____

PARTICULARS OF A FREE ZONE

- (a) Name of Free Zone _____
- (b) Location of a free Zone _____
- (c) Size of Free Zone _____

The application shall be accompanied by the following:

- (a) details of commercial activities the applicant intends to engage;
- (b) business plan and marketing plan;
- (c) the project plan for operating/managing a free zone with clear indicators and timelines;
- (d) details of equity base or access to capital;
- (e) memorandum and Articles of association;
- (f) certificate of Incorporation/ Registration;
- (g) certified copy of company resolution or company form of directors and company secretary including the nationality of directors and company secretary;

- (h) details of information relating to the principal place of business of the directors;
- (i) tax clearance certificate, where applicable;
- (j) bank guarantee; and
- (k) any other information or documents that the Authority may consider necessary.

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Uganda Free Zone Authority for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date_____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 8

section 38(5), Reg. 16(6)

DECISION OF THE AUTHORITY IN RESPECT OF APPLICATION FOR FREE ZONE OPERATOR'S LICENCE/MANAGER'S LICENCE.

This to notify _____ (Applicant) of _____ (state full name and address, or if an agent, the name of the agent and address) that the application for free zone operator's licence or manager's licence in a free zone, concerning _____ (insert the project description) has been granted or rejected.

The said application has been rejected/ granted (choose whichever is applicable) on the following grounds -

Dated this _____ day of _____, 20 _____

.....
Executive Director

**delete whichever is not applicable*

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 9

section 38 (5), Reg. 16(7) 18 (4).

FREE ZONE OPERATOR'S/MANAGER'S LICENCE (*choose whichever is applicable*)

In accordance with the Free Zones Act, a free zone operator's licence/manager's licence (*choose whichever is applicable*) to carry on business in _____ (*name and location of a free zone*) has been granted to ----- (*insert the name of the applicant(s)*) of ----- (*insert the address*) on the _____ day of _____, 20 ____

The licence shall be subject to the following conditions-----

Dated at _____ this _____ day of _____, 20 ____

Executive Director

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 10

Section 42, Reg. 17(3).

NOTICE TO AUTHORITY OF INTENDED CHANGES/AMENDMENTS (*choose whichever is applicable*) TO A LICENCE.

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Nationality _____
- (d) Country _____
- (e) Country of residence or principal place of business _____
- (f) Date of Incorporation of Company: _____
- (g) Type of licence _____
- (h) Licence Number _____

I/We, the applicant(s)/owners of licence identified above request to change or amend the following, in the register and licence.

The reasons for the application to change/amend/ the licence are:

The details of the requested changes/amendment/ are attached.

Dated at this day of, 20.....

.....
Signature and seal of applicant

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 11

section 42 (2), Reg, 18(1)

**APPLICATION TO TRANSFER ACTIVITIES TO WHICH A LICENCE
RELATES.**

I/We (*name of applicant*) being the intended transferee
of the (*details of licence to be transferred*) hereby
apply make an application to transfer the licence:

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Nationality _____
- (d) Country _____
- (e) Country of residence or principal place of business _____
- (f) Date of Incorporation of Company: _____
- (g) Type of licence _____
- (h) Licence Number _____

The reasons for the intended transfer are:

.....
.....
.....
..... (use additional paper if necessary)

The application must be accompanied by the following:

- (a) the feasibility study or business plan;
- (b) the marketing plan;
- (c) the project plan for operating or managing a free zone with clear indicators and timelines;
- (d) memorandum and Articles of association;
- (e) certificate of Incorporation/ Registration;
- (f) certified copy of company resolution or company form of Directors and Company secretary;
- (g) tax clearance certificate, where applicable;
- (h) bank guarantee in case of a free zone established by government;
- (i) other documents that the Authority may consider necessary.

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Uganda Free Zone Authority for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date_____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 12

section 43, Reg. 19(2)

NOTICE OF INTENDED REVOCATION OF LICENCE

This to notify _____ (licensee) of _____ (state full name and address, or if an agent, the name of the agent and address) that the Uganda Free Zones Authority intends to revoke the licence granted to the licensee, concerning _____ (insert the description to which the licence relates).

The reasons for the intended revocation are:

The licensee _____ (state the name) is hereby required to file written representations showing cause why the licence should not be revoked within fourteen days from the date of the notice.

Dated this _____ day of _____, 20 _____

.....

Executive Director

**delete whichever is not applicable*

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 13

section 43, Reg. 19(6)

REVOCAATION OF LICENCE

This to notify _____ (licensee) of _____ (state full name and address, or if an agent, the name of the agent and address) that the Uganda Free Zones Authority revokes the licence granted to the licensee concerning _____ (insert the description to which the licence relates).

This grounds for the revocation are:

You are informed that you are dissatisfied with this decision, you have the right to apply for review of the decision in accordance with the Free Zones Regulations, 2016.

Dated this _____ day of _____, 20 ____

.....

Executive Director

**delete whichever is not applicable*

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 14

section 47(2)(c), Reg. 20(3)

**APPLICATION TO TAKE GOODS OUT OF AN EXPORT PROCESSING ZONE/
BRING GOODS INTO AN EXPORT PROCESSING ZONE**

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Type of licence _____
- (d) Licence Number _____
- (e) Name of the export processing free zone _____

I/We the applicant(s) apply to the Commissioner General for approval to take goods out of the export processing zone/ brought into the export processing zone (*choose the appropriate action being taken*) for the following purposes (*describe the purpose for which the goods a being taken out of the export processing zone in accordance with the Act*) _____

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Commissioner General for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE FREE ZONES ACT, 2014.

FORM 15

Reg 20(4)

**APPROVAL TO TAKE GOODS OUT OF AN EXPORT PROCESSING ZONE OR
BRING GOODS INTO AN EXPORT PROCESSING ZONE SHALL BE IN FORM**

I, hereby grant approval to _____ (*give details of the applicant*) take the following goods out of an export processing zone or bring the following goods into an export processing zone (*choose the appropriate action*) in accordance with section 50 of the Act and these Regulations.

The goods to be taken out or brought into the export processing zone are-----

----- (*describe precisely the goods to be taken out or brought into the export processing zone*)

COMMISSIONER GENERAL.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 16

section 49, Reg. 21(2)

APPLICATION FOR CONSENT TO WAREHOUSE GOODS IN AN EXPORT PROCESSING ZONE

I/We _____

_____ (description of the applicant(s) by name and address) being the owners of domestic goods not intended for export do apply to warehouse the goods in an export processing zone.

The domestic goods will be warehoused at export processing zone at-----

(briefly describe the name and address of the export processing zone)

The domestic goods to be warehoused in an export processing zone include-----

(description of the goods to be warehoused in an export processing zone)

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Commissioner General for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 17

section 49, Reg. 21(6)

APPLICATION FOR EXTENSION OF TIME TO WAREHOUSE GOODS IN AN EXPORT PROCESSING ZONE.

I/We _____

(description of the applicant(s) by name and address) being the owners of domestic goods not intended for export having been granted consent to warehouse goods in an export processing zone on theday of20.....for a period of(days/months/years) do hereby apply for extension of time to continue warehousing the goods in an export processing zone.

The domestic goods will be warehoused at export processing zone at-----

(briefly describe the name and address of the export processing zone)

The domestic goods to be warehoused in an export processing zone include-----

(description of the goods to be warehoused in an export processing zone)

The grounds for the application of the extension of time are:
.....
.....

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Commissioner General for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 18

section 57(1) (c), Reg. 22(2)

**APPLICATION TO TRANSFER GOODS FROM ONE PREMISE TO ANOTHER
PREMISE IN A FREE PORT ZONE.**

I/We the applicant(s)(describe nature of business of applicant) apply to(operator of the free port zone or authorized officer) to transfer goods from the following premises(describe premises) to the following premises(describe premises) in the free port zone

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Type of licence _____
- (d) Licence Number _____
- (e) Name of a free port zone _____

I/We the applicant(s) apply to the operator/authorised officer to transfer the goods from one premise to another premise in the free port zone because of the following reasons:

The goods to be transferred include:

(give detailed description of goods to be transferred. Use additional paper if necessary)

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the operator/authorized officer for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 19

section 57(1)(c), Reg. 23(2)

APPLICATION TO REMOVE GOODS FROM A FREE PORT ZONE.

I/We the applicant(s) being the operator of a free port zone apply to the commissioner General to remove goods from a free port zone in respect of the following particulars –

PARTICULARS OF THE APPLICANT(S)

- (f) Name _____
- (g) Address _____
- (h) Type of licence _____
- (i) Licence Number _____
- (j) Name of a free port zone _____

I/We the applicant(s) apply to the Commissioner General to remove the goods from a free port zone because of the following reasons:

The goods to be removed from the free port zone include:

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Commissioner General for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

Reg

FORM 21

PERMISSION TO CARRY ON RETAIL TRADE

I, hereby grant permission to _____ (*give details of the applicant*) to carry out retail trade as follows :.....(*give details of permission*).

EXECUTIVE DIRECTOR.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 19

Reg 25(2)

**APPLICATION FOR A CERTIFICATE OF FULFILLMENT OF THE
CONDITIONS FOR CARRYING OUT CUSTOMS SUPERVISION.**

I/We..... (*name of applicant*) hereby apply have our premises inspected after fulfilment of the conditions of the conditions for carrying out customs supervision and for the issuance of a certificate of fulfillment of the conditions for carrying out customs supervision.

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Nationality _____
- (d) Country _____
- (e) Country of residence or principal place of business _____
- (f) Type of licence _____
- (g) Licence Number _____

PARTICULARS OF FREE ZONE

- (a) Name of Free Zone _____
- (b) Location of a free Zone _____
- (c) Size of Free Zone _____

**DETAILS OF FULFILLMENT OF CONDITIONS FOR CARRYING OUT
CUSTOMS SUPERVISION**

(use additional paper if necessary)

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 23

Reg. 25 (8).

A CERTIFICATE OF FULFILLMENT OF THE CONDITIONS FOR CARRYING OUT CUSTOMS SUPERVISION

In accordance with the Free Zones Act and customs laws, this is to certify that a certificate of fulfillment of the conditions for carrying out customs supervision in _____ (name and location of a free zone) has been granted to _____ (insert the name of the Applicant(s) of _____ (insert the address) on the _____ day of _____, 20 _____

This certificate shall be subject to the following conditions that the developer has to provide for the commissioner General's operation in the free zone _____

The developer shall also perform the following duties as regards the customs supervision in the free zone _____

Dated at _____ this _____ day of _____, 20 _____

COMMISSIONER GENERAL

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

Reg 26(2)

FORM 24

APPLICATION FOR ALTERATION OF CERTIFICATE

I/We (*name of applicant*) do apply to alter the certificate as follows.....
..... (*give details of alteration sought*)

Alterations effected to the zone in accordance with section 65 of the Act
.....
.....

The reasons for the request to alter the decision of the Commissioner General contained in the certificate:
.....
..... (*give detailed reasons for the request to alter the decision of the Commissioner General*)

Signature and seal of applicant

.....

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

FORM 25

section 69 (3), Reg 27(2)

APPLICATION TO TAKE PLANT/MACHINERY/EQUIPMENT OUT OF FREE ZONE.

I/We (*applicant*) apply to take plant, machinery or equipment (*choose whichever is applicable*) out of the free zone.

PARTICULARS OF THE APPLICANT(S)

- (a) Name _____
- (b) Address _____
- (c) Type of licence _____
- (d) Licence Number _____
- (e) Name of a free zone _____

PARTICULARS OF PLANT, MACHINERY OR EQUIPMENT TO BE TAKEN OUT OF FREE ZONE

(describe plant, machinery or equipment to be taken out of free zone)

DECLARATION

I hereby declare that to the best of my knowledge and belief all the particulars furnished in this application are true and indemnify the Commissioner General for any misrepresentation, omissions and/or any information that may in future prove to be false.

Date _____

Name and seal of the Applicant.

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

Reg. 29(2)

FORM 26

APPLICATION FOR SEARCH OF REGISTER OF LICENCE

Applicant's or agent's reference		
Name and address of applicant for search		
Telephone	Fax	E-mail
Name and address of agent (if any)		
Brief description, giving particulars of the subject matter of the information sought. (A detailed description, if applicable, should be given on a separate sheet)		

Dated at.....this.....day of....., 20.....

Signature of applicant

.....

THE REPUBLIC OF UGANDA

THE FREE ZONES ACT, 2014.

Reg 30 (3)

FORM 27

APPLICATION FOR REVIEW OF DECISION OF AUTHORITY.

1. I/We (*applicant*) apply to the Minister to review the decision of the Authority.
2. The decision of the Authority for which review is sought is as follows:
..... (*set out decision of the Authority and attach copy of the decision*).
3. The reasons for the application for review are as follows:
..... (*clearly set out the reasons for seeking review*).
4. The remedy we seek is as follows:.....(*set out remedy sought after review and the reasons for seeking that particular remedy*)

Dated at.....this.....day of....., 20.....

.....
Signature of the applicant

.....
MATIA KASAIJA (MP)
Minister of Finance Planning and Economic Development