

THE BUILDING SOCIETIES ACT.

Statutory Instrument 108—1.

The Building Societies Regulations.

Arrangement of Regulations.

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THE BUILDING SOCIETIES ACT.

Statutory Instrument 108—1.

The Building Societies Regulations. *(Under section 70(2) of the Act.)*

1. Citation.

These Regulations may be cited as the Building Societies Regulations.

2. Forms.

The forms in the First Schedule to these Regulations shall be used in all matters to which they refer, or are capable of being applied or adapted, with such alterations and additions, if any, as are necessary or desired and the registrar allows.

3. Requirements for documents.

All applications, returns, notices and other documents required to be sent to the registrar shall be clearly and legibly written, printed or typewritten in the English language upon paper of durable quality.

4. Signing of applications.

(1) Every application for the registration of a building society under section 6 of the Act shall be signed by seven or more of the persons who were present at the general meeting at which the rules of the proposed society were adopted, who shall also sign the copies of the rules accompanying the application.

(2) Every application for the registration of a building society under section 68 of the Act shall be signed by a director or member of the committee of management or Secretary of the society, who shall also sign the documents required to accompany the application.

5. Building societies doing business outside Uganda.

(1) Where a building society incorporated under the Act carries on

business outside Uganda, every annual account and statement of the society prepared under section 29 of the Act shall contain, in addition to the particulars required by Form BS. 6 in the First Schedule to these Regulations, a summary showing the balances under each of the seven accounts contained in that form attributable to its business in each territory, district or place outside Uganda in which the society carries on business, those balances to be shown in the currency of the territory, district or place to which they refer.

(2) Every annual account and statement prepared by a building society incorporated outside Uganda and registered under the Act shall contain, in addition to the particulars required by Form BS. 6 in the First Schedule to these Regulations, a summary showing the balances under each of the seven accounts in that form attributable to its business in Uganda, those balances to be shown in Uganda shillings.

6. Certification of rules and resolutions.

Any copy of the rules of a building society or of a resolution adopted by a building society requiring to be certified and sent to the registrar shall be certified as a true copy of the original by a director or member of the committee of management or by the Secretary of the society.

7. Fees.

The fees set out in the third column of the Second Schedule to these Regulations shall be charged for the several matters set out opposite to the fees in the second column of that Schedule.

SCHEMES

First Schedule.

reg. 2.

Forms.

Form BS. 1.

Application for Registration of a Local Building Society.

The Building Societies Act.

(Under section 6 of the Act.)

Application is made for the registration of a building society to be known as
“_____ Building Society”.

This application is accompanied by two copies of the rules of the proposed society, which were adopted at a general meeting held on _____
at _____ at which we were present.

Dated this _____ day of _____, 20 ____

(Signatures of at least seven applicants).

Form BS. 2.

Certificate of Incorporation.

The Building Societies Act.

(Under section 6 of the Act.)

I certify that _____ Building Society
has this day been incorporated under the provisions of the Building Societies
Act.

Dated this _____ day of _____, 20 ____

Registrar

Form BS. 3.
Application for Registration of a Building Society Incorporated Outside
Uganda.

*The Building Societies Act.
(Under section 68 of the Act.)*

Application is made for the registration in Uganda of the building society known as “ _____ Building Society” which was incorporated in _____.

This application is accompanied by—

- (a) a certified copy of the rules of the society and of its certificate of incorporation;
- (b) a statement of the situation and postal address of the registered or principal office of the society in its country of incorporation;
- (c) a statement of the situation and postal address of the principal office of the society in Uganda;
- (d) a copy of the latest annual statement and account of the society; and
- (e) a statement of the names and addresses of the directors or committee of management of the society.

Dated this _____ day of _____, 20 _____

Signature of Director, Member of
Committee of Management or Secretary

Form BS. 4.
Certificate of Registration.
The Building Societies Act.
(Under section 68 of the Act.)

I certify that _____ Building Society, a society incorporated in _____, has this day been registered under the provisions of the Building Societies Act.

Dated this _____ day of _____, 20 ____

Registrar



Form BS. 5.

Bond.

*The Building Societies Act.
(Under section 15 of the Act.)*

Know all men by these presents that we, _____
of _____, one of the officers of the

Building Society, established
at _____, and _____
of _____ (as surety on his/her behalf),
are jointly and severally held and firmly bound to the society in the sum of
_____ to be paid to the society for which payment
well and truly to be made we jointly and severally bind ourselves, and each
of us by himself or herself, our and each of our heirs, executors, and
administrators, firmly by these presents.

Dated the _____ day of _____ in the year 20 _____

Whereas the above-bound _____ has
been duly appointed to the office of _____ of the

Building Society, established
as aforesaid and he or she, together with the above-bound
_____, as his or her surety, has entered into the
above-written bond, subject to the following condition:

Now, therefore, the condition of the above-written bond is such that if
_____ shall and do render a just and true account of all
monies received and paid by him or her, and shall and do pay over all
the monies remaining in his or her hands, and assign and transfer or
deliver all securities and effects, books, papers, and property of or
belonging to the society in his or her hands or custody, to such person
or persons as the society shall appoint, according to the rules of the
society, together with the proper or legal receipts or vouchers for that
payment, then the above-written bond shall be void and of no effect,
otherwise shall be and remain in full force and virtue.

Form BS. 6.
Annual Statement and Account for the
Year Ended 31st December, 20 ____.
The Building Societies Act.
(Under section 29 of the Act.)

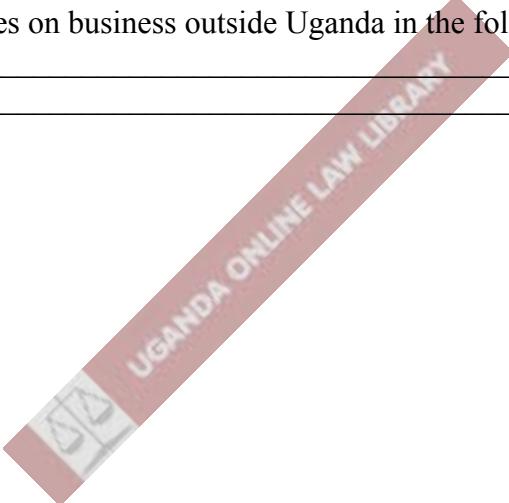
Name of society _____

Registered office _____

Postal address _____

Names of the directors or members of the committee of management—

The society carries on business outside Uganda in the following places—



1. Shares account

Dr.	Shs. Cts.	Cr.	Shs. Cts.
Withdrawals, including interest, dividend and bonus		Subscriptions	
		Interest, dividend and bonus	
Other debits (<i>to be specified</i>)		Other credits (<i>to be specified</i>)	
Due to shareholders at end of year		Due to shareholders at beginning of year	
Total			Total

2. Deposits and loans account¹

Dr.	Shs. Cts.	Cr.	Shs. Cts.
Deposits and loans repaid or withdrawn, including interest		Deposits and loans	
		Interest	
Other debits (<i>to be specified</i>)		Other credits (<i>to be specified</i>)	
Due on deposits and loans at end of year		Due on deposits and loans at beginning of year	
Total			Total
Loans from bank repaid, including interest (<i>or reduction in overdrafts</i>)		Loans from bank (<i>or increase in overdrafts</i>)	
		Interest	
Due to bank on loans and overdrafts at end of year		Due to bank on loans and overdrafts at beginning of year	
Total			Total

¹Transactions in respect of bank loans and overdrafts should be excluded from the figures inserted in the first section of this account.

3. Mortgages account

Dr.	Shs. Cts.		Cr.	Shs. Cts.
Advanced on mortgage— on _____ mortgages where the advance agreed to will not exceed 40,000 shillings		Repayments of advances and interest		
on _____ mortgages where the advance agreed to will exceed 40,000 shillings		Losses on realisation— Charged to A/c. No. 5		
Total		Charged to A/c. No. _____		
Interest		Insurance premiums		
Insurance premiums		Survey fees and expenses ¹		
Survey fees and expenses ¹				
Other debits (<i>to be specified</i>)		Other credits (<i>to be specified</i>)		
Due on mortgages at beginning of year		Due on mortgages at end of year		
Total			Total	

¹These headings do not apply if the items are shown in Account No. 5.

4. Investments account

Dr.	Shs. Cts.		Cr.	Shs. Cts.
Investments made— in Uganda		Investments realised— in Uganda		
outside Uganda		outside Uganda		
Profits on realisation of investments (as per A/c. No. _____)		Losses on realisation of investments (as per A/c. No. _____)		
Interest and dividends (as per A/c. No. 5)		Depreciation of investments (as per A/c No. _____)		
		Interest and dividends received		
Total			Total	
Balance at beginning of year		Balance at end of year		
Total			Total	

5. Profit and loss account

Dr.	Expenditure	Shs. Cts.	Income	Cr.	Shs. Cts.
Management expenses— directors' fees		Interest from borrowers			
remuneration of staff and auditors		Interest and dividends from investments			
rents, rates, insurance, heat, light, cleaning, repairs, etc. (offices)		Bank interest			
printing, stationery and postages		Rents, etc. from letting of office premises			
advertising, commission and agency fees		Survey fees and expenses ¹			

¹These headings do not apply if the items are shown in Account No. 3.

other expenses (<i>to be specified</i>)		Other fees, fines, rules and pass books	
		Commission (fire, life, etc. insurance)	
		Other income (<i>to be specified</i>)	
Total management expenses— survey fees and expenses ¹			
interest on deposits and loans (other than loans from bank)			
interest on loans and overdrafts from bank			
income tax ²			
losses on mortgages as per A/c. No. 3			
Depreciation— office premises, furniture, etc.			
other assets			
Other expenditure (<i>to be specified</i>)			
Balance carried to appropriation account		Balance (loss) carried to appropriation account	
Total			Total

²Excluding tax on directors' fees and remuneration of staff which must be included in the fees and remuneration above.

6. Appropriation account

Dr.	Shs. Cts.	Cr.	Shs. Cts.
Balance (loss) brought forward from last year		Balance brought forward from last year	
Balance (loss) from profit and loss account		Balance from profit and loss account	
Losses on realisation of investments		Profits on realisation of investments	
Other capital losses (<i>to be specified</i>)—		Other capital profits (<i>to be specified</i>)—	
Interest, dividend and bonus to shareholders			
Other appropriations (<i>to be specified</i>)—			
Balance carried forward		Balance (loss) carried forward	
Total		Total	

7. General reserve account

Dr.	Shs. Cts.	Cr.	Shs. Cts.
Debits (<i>to be specified</i>)		Appropriation from A/c. No. 6	
		Other credits (<i>to be specified</i>)—	
Total		Total	
Balance at end of year		Balance at beginning of year	
Total		Total	

Other reserve accounts
7(a) _____ account

Dr.	Shs. Cts.		Cr.	Shs. Cts.
Total			Total	
Balance at end of year		Balance at beginning of year		
Total			Total	

8. Balance sheet

Liabilities	Shs. Cts.	Assets	Shs. Cts.
Due to holders of various classes of shares, viz.—		Balance due or outstanding on mortgages, not including prospective interest ¹ Mortgages from members where the repayments are not upwards of 12 months in arrear and the property has not been upwards of 12 months in possession of the society— on _____ mortgages where the debt does not exceed 10,000 shillings	
Total (as per A/c. No. 1)		on _____ mortgages where the debt exceeds 10,000 shillings and does not exceed 20,000 shillings	

¹The actual amounts due from borrowers, without any deduction by way of provision for anticipated losses, must be shown under this head except in the case of properties included in Part II of the Schedule to this Annual Statement and Account.

Due to creditors for deposits and loans		on _____ mortgages where the debt exceeds 20,000 shillings and does not exceed 60,000 shillings	
Deposits and loans (other than loans from bank) (<i>to be classified according to notice required</i>)		on _____ mortgages where the debt exceeds 60,000 shillings and does not exceed 100,000 shillings	
		on _____ mortgages where the debt exceeds 100,000 shillings and does not exceed 150,000 shillings	
		on _____ mortgages where the debt exceeds 150,000 shillings as shown by Part I of the Schedule	
		Total (A) ²	
		(If the society has any mortgages from nonmembers, the like particulars as above are to be given in full for all such mortgages)	

²The amount shown in the balance sheet against "Total (A)" includes _____ shillings outstanding on mortgages where the payments of interest but not the repayments of principal are upwards of twelve months in arrear. (If there is no amount included in "Total (A)" in respect of such mortgages, this note and the words "Total (A)" in the balance sheet should be struck out.)

		Balance as shown in Parts II and III of the Schedule to this Annual Statement and Account— on _____ mortgages on property of which the society has been upwards of 12 months in possession, as shown by Part II of the Schedule to this Annual Statement and Account (present amount included in assets)	
Total (as per A/c. No. 2)			
Loans and overdrafts from bank (as per A/c. No. 2)		on _____ mortgages where the repayments are upwards of 12 months in arrear, and the property has not been upwards of 12 months in possession of the society, as shown by Part III of the Schedule to this Annual Statement and Account (present debt)	
Total			

Liabilities	Shs. Cts.	Assets	Shs. Cts.
Other liabilities (<i>to be specified</i>)		Total (as per A/c. No. 3)	
		Total number of mortgages	
		Investments—	
		Market value at date of balance sheet	Book value
		Shs. Cts.	Shs.
		Cts.	
		Investments in Uganda	
		Investments outside	
		Uganda	
		Interest accrued	
Provisions (<i>to be specified</i>)— income tax interest, dividend and bonus		Total (as per A/c. No. 4)	
		Other assets (<i>to be specified</i>)— office premises	
		cash at bank and in hand	
Reserves— General reserve (as per A/c. No. 7) _____ reserve (as per A/c. No. 7(a))			
		Total	
Balance carried forward (as per A/c. No. 6)		Balance (loss) carried forward (as per A/c. No. 6)	
		Total	

9. Summary of balances attributable to the business of the society in each territory, district or place outside Uganda in which it carried on business.

Schedule to the Annual Statement and Account.

Part I.

Particulars to be set forth in the case of every mortgage where the repayments are not upwards of twelve months in arrear, and the property has not been upwards of twelve months in the possession of the society, and where the present debt exceeds 150,000 shillings.

Date of advance 1	Whether subject to any prior mortgage or charge. If so, what amount? 2	Whether freehold, leasehold or right of occupancy 3	Original valuation of property 4	Amount of advance 5	Present debt ¹ 6	Amount of payments in advance 7	Amount of payments in arrear 8	Observations 9
			Shs.	Shs.	Shs.	Shs.	Shs.	
		Total						

¹When the mortgagor is not a member of the society, an asterisk is to be placed against the amount of present debt.

Part II.

Particulars to be set forth in the case of property of which the society has been upwards of twelve months in possession.

Roll numbers	Date of advance	Date when possession was taken	Whether subject to any prior mortgage or charge. If so, what amount?	Whether freehold, leasehold or right of occupancy	Amount of advance	Original valuation of property	Debt when possession was taken	Present amount included in assets	Gross income for the year	Out-goings for the year	Observations
1	2	3	4	5	6	7	8	9	10	11	12
				Total	Shs.	Shs.	Shs.	Shs.	Shs.	Shs.	

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Part III.

Particulars to be set forth in the case of every mortgage where the repayments are upwards of twelve months in arrear and the property has not been upwards of twelve months in the possession of the society.

Date of advance 1	Whether subject to any prior mortgage or charge. If so, what amount? 2	Whether freehold, leasehold or right of occupancy 3	Number of months in arrear 4	Original valuation of property 5	Amount of advance 6	Present debt 7	Amount of payments in arrear 8	Observations 9
				Shs. Total	Shs.	Shs.	Shs.	

Number of share investors at end of year _____ Number of depositors and loanholders at end of year _____ Number of borrowers at end of year _____
 Signatures of two directors or two members of the committee of management—

The undersigned, having examined the foregoing annual account and statement, certify that it is correct, duly vouched, and in accordance with law (subject to a special report dated the _____ day of _____, 20 ____)¹

We further certify that we have at this audit actually inspected the mortgage deeds in respect of each of the _____ properties in mortgage to the society and the other securities belonging to the society, referred to in the foregoing account and statement.

Signature of Auditor

Signature of Auditor

Address

Address

I certify that the foregoing is a true copy of the account and statement presented to a general meeting of the society on the _____ day of _____, 20 ____, and adopted.

Signature of Chairperson

¹If no special report is made the words in brackets should be struck out. The auditors must make a special report if in any respect the annual account and statement is incorrect, unvouched or not in accordance with the law. A copy of any such special report must be sent to the registrar with the annual account and statement.

Form BS. 7.

Return as to Sales of Properties and Transfers of Mortgages During the Year Ended 31st December, 20 ____.

*The Building Societies Act.
(Under section 30 of the Act.)*

Name of society _____

Part I—Properties sold.

Roll number 1	If leasehold or right of occupancy, state term at date of advance 2	Valuation of property for purpose of advance 3	Date of advance 4	Amount of advance 5	Was the advance made under a continuing arrangement? 6	Date of completion of sale 7	Debt at date of completion of sale 8	Whether sale was by private treaty or by public auction 9	Sale price 10	Amount otherwise recovered 11	Source of recovery 12	Name and address of purchaser 13	Observations 14
	Years	Shs.		Shs.			Shs.		Shs.	Shs.			

Part II—Mortgages transferred.

Roll number 1	If leasehold or right of occupancy, state term at date of advance 2	Valuation of property for purpose of advance 3	Date of advance 4	Amount of advance 5	Was the advance made under a continuing arrangement? 6	Date of transfer 7	Debt at date of transfer 8	Consideration for transfer 9	Name and address of transferee 10	Observations 11
	Years	Shs.		Shs.						

Dated this _____ day of _____, 20 _____

(Signature of Director, Member of the Committee of Management or Secretary)

Form BS. 8.

Notice.

The Building Societies Act.

(Under section 38 of the Act.)

To _____

Whereas the _____ Building Society is making an advance to you of the sum of _____ shillings for the purpose of its being used in defraying the purchase price of land, take notice that the making of that advance implies no warranty that the purchase price is reasonable.

Dated at _____ this _____ day of _____, 20 _____

Signature of Director, Member of the
Committee of Management or Secretary

Form BS. 9.

Notice to Mortgagor of Sale of Property.

The Building Societies Act.

(Under section 41 of the Act.)

To _____

Notice is given that in exercise of the power of sale by virtue of a mortgage dated the _____ day of _____, 20 ___, the _____ Building Society on the _____ day of _____, 20 ___, agreed to sell the property described in the Schedule to this notice to _____ for the sum of _____ shillings and that the sale was completed on the _____ day of _____, 20 ___. The sum of _____ was paid to the society.

Dated this _____ day of _____, 20 _____

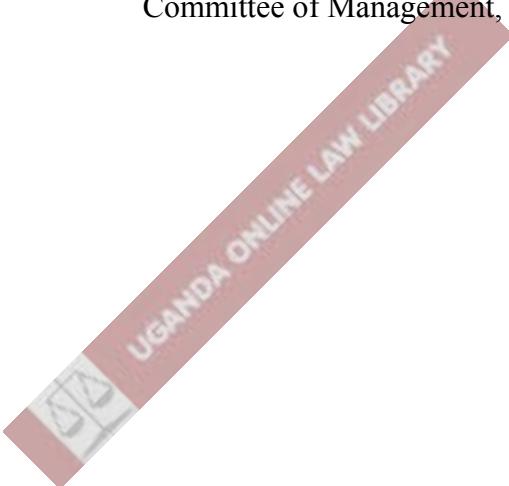
Signature of Director, Member of the
Committee of Management, or Secretary

Form BS. 10.
Notice of Change of Address.
The Building Societies Act.
(Under section 44 of the Act.)

Notice is given that the situation of the registered office and postal address of the building society known as _____ Building Society was on the _____ day of _____, 20____, changed from _____ to _____.

Dated this _____ day of _____, 20 _____

Signature of Director, Member of the
Committee of Management, or Secretary



Form BS. 11.
Notice of Change of Directors.
The Building Societies Act.
(Under section 45 of the Act.)

Building Society

1. The following persons have ceased to be directors or members of the committee of management—

Full names	Date of vacating office
_____	_____
_____	_____

2. The following persons are the present directors or members of the committee of management—

Full names	Date of appointment
_____	_____
_____	_____

Dated this _____ day of _____, 20 ____

Signature of Director, Member of the Committee of Management, or Secretary

Form BS. 12.
Notice of Union.
The Building Societies Act.
(Under section 48 of the Act.)

Notice is given that at a general meeting of the _____ Building Society convened for the purposes and held pursuant to the Building Societies Act on the _____ day of _____, 20____, a resolution was passed by three-fourths of the members (holding not less than two-thirds of the whole number of shares) present at that meeting, that the society unite with the _____ Building Society in accordance with the instrument of union, containing the whole of the terms and conditions of that union, a copy of which signed by the Secretary of each society is annexed to this notice.

And that at a general meeting of the _____ Building Society convened for the purpose and held pursuant to the Building Societies Act on the _____ day of _____, 20____, a resolution was passed by three-fourths of the members (holding not less than two-thirds of the whole number of shares) present at that meeting, that the society unite with the _____ Building Society in accordance with the terms of the instrument of union.

And that it is intended that the united society shall be called the _____ Building Society.

Accompanying this notice is a copy of the rules intended to be adopted by the united society.

The whole number of shares of the _____ Building Society is _____, and the concurrence in writing of the holders of not less than two-thirds of those shares is testified by their signatures to this notice.

The whole number of shares of the _____ Building Society is _____, and the concurrence in writing of the holders of not less than two-thirds of those shares is testified by their signatures to this notice.

Dated this _____ day of _____, 20_____

(*Seal of each building society.*)

Signatures of shareholders of the _____ Building Society—

Name

No. of shares

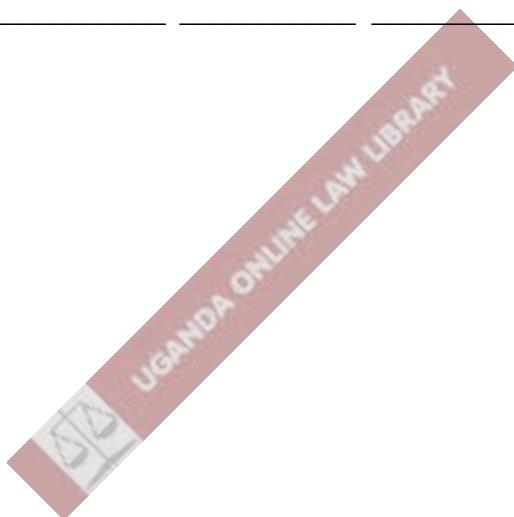
Signature

Signatures of shareholders of the _____ Building Society—

Name

No. of shares

Signature



Form BS. 13.
Notice of Transfer of Engagements.
The Building Societies Act.
(Under section 49 of the Act.)

Notice is given, that at a general meeting of the _____ Building Society held pursuant to the Building Societies Act on the _____ day of _____, 20 ___, a special resolution was passed by not less than three-fourths of the members present and entitled to vote at that meeting of which notice specifying the intention to propose that resolution was duly given according to the rules, that the society transfers its engagements to the _____ Building Society. A copy of the instrument of transfer containing the whole of the terms and conditions of the transfer, signed by the Secretary of each society, is annexed to this notice.

The whole number of shares of the first-named society is _____, and the consent in writing of the holders of not less than two-thirds of those shares is testified by their signatures to this notice.

The second-named society _____ by special resolution passed at a general meeting held pursuant to the Building Societies Act by not less than three-fourths of the members present and entitled to vote at that meeting of which notice specifying the intention to propose that resolution was duly given according to the rules/with the consent of the registrar¹ has undertaken to fulfill the engagements of the first-named society in accordance with the instrument of transfer, as testified by the seal of the second-named society affixed to this notice.

The whole number of shares of the second-named society is _____, and the consent in writing of the holders of not less than two-thirds of those shares is testified by their signatures to this notice.

Dated this _____ day of _____, 20 ____

(Seal of each society)

¹Delete whichever is inappropriate.

Signatures of shareholders of the first-named society—

Name

No. of shares

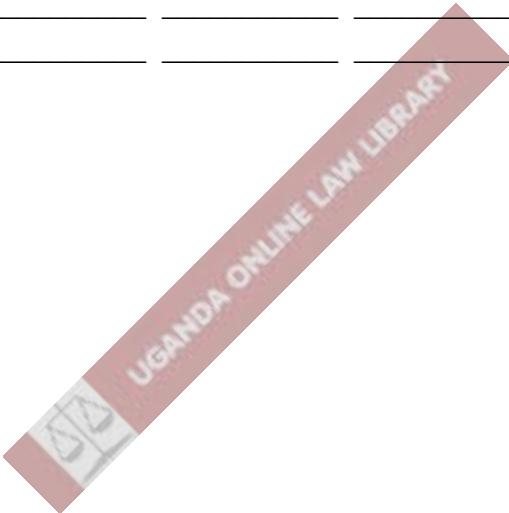
Signature

Signatures of shareholders of the second-named society—

Name

No. of shares

Signature

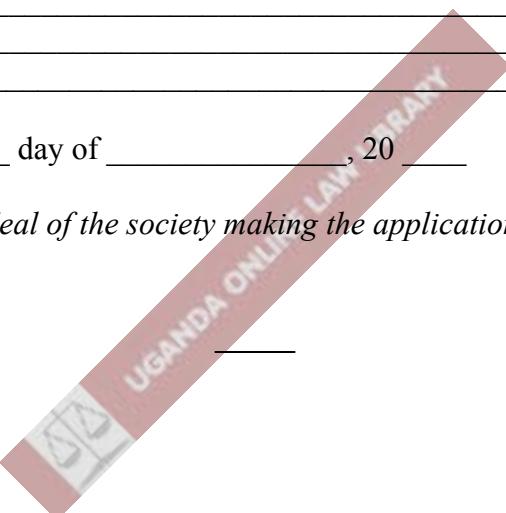


Form BS. 14.
Application for Confirmation of Union or Transfer of Engagements.
The Building Societies Act.
(Under section 50 of the Act.)

1. The _____ Building Society applies to the registrar to confirm the union of that society with¹ the _____ Building Society, notwithstanding that the written concurrence of the holders of two-thirds of the whole number of shares of the society has not been obtained in the manner required by the Building Societies Act.
2. Set out the circumstances making the application necessary.

Dated this _____ day of _____, 20 ____

(Seal of the society making the application.)



¹Substitute “for transfer of engagements to” where appropriate.

Second Schedule.

reg. 7.

Fees.

Item No.	Matter	Fee Shs. Cts.
1.	On application for registration under section 6 or 68 of the Act	200 00
2.	For filing an annual statement and account, a return of sales and transfers, a notice of union, a notice of transfer of engagements or any certified copy of a resolution	40 00
3.	For filing a notice of change of address or a notice of change of directors	10 00
4.	On application for confirmation of a union or transfer of engagements under section 50	100 00
5.	On reference of a dispute to the registrar	100 00
6.	On application for the appointment of a person to inspect the books of a building society under section 57 of the Act or the appointment of an inspector or the calling of a meeting under section 58 of the Act	100 00
7.	For registering a notice of termination or commencement or completion of dissolution or winding up under section 61 of the Act	40 00
8.	For registering an instrument of dissolution or an instrument varying the provisions of an instrument of dissolution under section 62 of the Act	100 00
9.	For filing an account and balance sheet on dissolution under section 66 of the Act	10 00
10.	On application for an award for dissolution under section 67 of the Act	100 00
11.	For inspection of the documents in the custody of the registrar relating to any one building society	10 00
12.	On application for a copy of a certificate or document in the custody of the registrar— (a) where a certified copy is required, for every 100 words or part of that number (b) where an uncertified copy is required, for every 100 words or part of that number	5 00 2 50

History: S.I. 91-1.
