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CHAPTER 310

THE PUBLIC HEALTH ACT

Commencement: 15 October, 1935

An Act to consolidate the law regarding the preservation of public health.

PART I—INTERPRETATION

1. Interpretation

In this Act, and in any rules made under this Act, unless the context otherwise requires—

- “adult” means a person who is eighteen years of age or more;
- “approved” and “prescribed” mean respectively approved or prescribed by the Minister or by the appointed officers or by rules under this Act, as the case may be;
- “Authority” means the Kampala Capital City Authority;
- “building” includes any structure whatsoever whether permanent or temporary for whatsoever purpose used;
- “burial” means burial in the earth, interment or any other form of sepulture, or cremation or any other mode of disposal of a dead body, and “buried” has a corresponding meaning;
- “child” means a person below the age of eighteen years;
- “court” means a court of competent jurisdiction;
- “currency point” has the value assigned to it in the Schedule to this Act;
- “drain” means any drain, together with its appurtenances, used for the drainage of one building only, or of premises within the same curtilage and made merely for the purpose of communicating therefrom with a cesspool or other like receptacle for drainage, or with a sewer into which drainage of two or more buildings or premises occupied by different persons is conveyed and includes any pipe or channel whether opened or closed, used or intended to be used for drainage of land;
- “dwelling” means any house, room, shed, hut, cave, tent, vehicle, vessel or boat or any other structure or place, any portion of which is used by any human being for sleeping or in which any human being dwells;

- “factory” means any premises in which, or within the close or curtilage or precincts of which, steam, water, electricity or other mechanical power is used for the purposes of trade or manufacture;
- “food” means any article used for food or drink other than drugs or water, but includes ice, and any article which ordinarily enters into or is used in the composition or preparation of human food, and includes flavouring matters and condiments; “foodstuffs” has a similar meaning;
- “guardian” means any person having, by reason of the death, illness, absence or inability of the parent or any other cause, the custody of a child;
- “infected” means suffering from, or in the incubation stage of, or contaminated with the infection of, any infectious disease;
- “infectious disease” means any disease which can be communicated directly or indirectly by any person suffering from it to any other person;
- “isolation” means the segregation and the separation from and interdiction of communication with others of persons who are or are suspected of being infected;
- “keeper of a lodging house” means any person keeping a hotel or lodging house;
- “land” includes any right over or in respect of land or any interest in land;
- “latrine” includes privy, urinal, earth closet and water closet;
- “local government” has the meaning assigned to it in the Local Governments Act;
- “lodging house” means a building or part of a house, including its verandah, if any, which is let or sublet in lodgings or otherwise, either by storeys, by flats, by rooms or by portions of rooms;
- “medical observation” means the isolation or detention of persons for the purpose of medical examination;
- “medical officer” means a medical officer in the employment of the Authority, a local government and the Government;
- “medical practitioner” means a person who is registered or licensed as such under any law in force in Uganda governing the registration of medical practitioners;
- “medical surveillance” means the keeping of a person under medical supervision. Persons under the surveillance may be required by the medical officer of health or any duly authorised officer to remain

within a specified area or to attend for medical examination at specified places and times;

“Minister” means the Minister responsible for health;

“municipality” has the meaning assigned to it in the Local Governments Act;

“occupier” includes any person in actual occupation of land or premises

without regard to the title under which the person occupies, and, in case of premises subdivided and let to lodgers or various tenants, the person receiving rent payable by the lodgers or tenants whether on the person’s own account or as an agent for any person entitled to the rent or interested in it;

“owner”, as regards immovable property, includes any person, other than the Government, receiving the rent or profits of any lands or premises from any tenant or occupier of the land or premises or who would receive the rent or profits if the land or premises were let whether on the person’s own account or as agent for any person other than the Government, entitled to the rent or profits or interested in the rent or profits; the term includes any lessee or licensee of public land and any superintendent, overseer or manager of that lessee or licensee residing on the holding;

“parent” means the biological mother or father of a child and includes, a guardian, a person who has lawful custody of a child or an adult person who has parental responsibility for a child;

“parental responsibility” means the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child;

“premises” includes any building or tent together with the land on which it is situated and the adjoining land used in connection with it, and includes any vehicle, conveyance or vessel;

“pre-primary school” means an establishment set up for the purpose of providing education to children below the age of six years;

“primary school” means an establishment set up for the purpose of providing education to children aged six years or more;

“public building” means a building used or constructed or adapted to be

used either ordinarily or occasionally as a place of public worship or as a theatre, public hall, or as a public place of assembly for persons admitted by ticket or otherwise, or used or adapted to be used for any other public purpose;

- “public health” means the art and science of preventing disease, prolonging life and promoting health through the organised efforts of society;
- “public vehicle” means every vehicle which plies or stands for hire, or is from time to time let out for hire or is intended to be let out for hire and includes any railway coach or aircraft;
- “slaughterhouse” means any premises set apart for the purpose of a slaughterhouse by the Authority or a local government;
- “stock” means and includes all domesticated animals of which the flesh or milk is used for human consumption;
- “street” means any highway, road or sanitary lane, and includes any bridge, footway, square, court, alley or passage whether a thoroughfare or a part of one or not;
- “town” has the meaning assigned to it in the Local Governments Act;
- “trade premises” means any premises, other than a factory, used or intended to be used for carrying on any trade or business;
- “vaccination” means the process or act of administering a vaccine to a person;
- “vaccination card” means the document issued by a vaccinator to a parent of a child, showing the record of vaccination of the child;
- “vaccine” means any preparation intended to produce immunity to a disease by stimulating the production of antibodies;
- “vehicle” means every means of conveyance or of transit or parts thereof manufactured for use or capable of being used on land, water or in the air and in whatever way driven or propelled or carried;
- “verandah” includes any stage, platform or portico projecting from the main wall of any building;
- “workshop” means any building or part of a building in which manual labour is exercised for purposes of trade.

PART II—ADMINISTRATION

2. Power to direct inquiries

The Minister may cause to be made such inquiries as he or she may see fit in relation to any matters concerning the public health in any place.

3. Power of persons directed to make inquiries

When the Minister directs an inquiry to be made, the person directed to make the inquiry shall have free access to all books, plans, maps, documents and other things relevant to the inquiry and shall have, in relation to witnesses and their examination and the production of documents, similar powers to those conferred upon commissioners by the Commissions of Inquiry Act, and may enter and inspect any building, premises or place, the entry or inspection of which appears to him or her requisite for the purpose of the inquiry.

4. General duties of Authority or local government councils

(1) The Authority and every local government council shall take all lawful, necessary and reasonably practicable measures for preventing the occurrence of, or for dealing with any outbreak or prevalence of, any infectious, communicable or preventable disease; to safeguard and promote the public health; and to exercise the powers and perform the duties in respect of the public health conferred or imposed by this Act or by any other law.

(2) A medical officer shall immediately inform the Director General of Health Services of the outbreak of any infectious, communicable or preventable disease within the Authority or a local government, as the case may be.

5. Powers and duties of medical officers in the employment of Government

(1) A medical officer in the employment of the Government shall take all lawful, necessary and reasonably practicable measures for preventing the occurrence of, or for dealing with any outbreak or prevalence of, any infectious, communicable or preventable disease.

(2) The actions taken by the medical officer in subsection (1) are for safeguarding, promoting public health; and for the exercise of the powers and performance of the duties in respect of the public health conferred or imposed by this Act or by any other Act.

(3) Where the occurrence of, or outbreak of a disease is within the jurisdiction of a local government, the medical officer shall exercise the

powers and perform the duties in subsection (1) with the authority of the Director General of Health Services.

6. Proceedings on complaint to Minister about municipality or town

(1) If a complaint is made to the Minister that the public health in any municipality or town is endangered by the failure or refusal on the part of the Authority or a local government to exercise the powers or perform the duties devolving upon it under this Act, the Minister, if satisfied after due inquiry that the Authority or the local government is guilty of default, may make an order directing the Authority or the local government to perform its duty in the matter of the complaint and prescribing a time for that performance.

(2) Where the order given under subsection (1) is not obeyed within the time prescribed, the Minister may appoint some person to carry out the order.

7. Powers of person appointed under section 6

A person appointed under section 6 to perform the duty of a defaulting municipality or town shall, in the performance and for the purpose of that duty, have all the powers of the municipality or town other than the powers of levying rates vested in the municipality or town pursuant to the provision of any Act in that behalf; and the Minister may from time to time by order change any person so appointed.

8. Advisory committee of health

(1) The Minister shall, when necessary, establish a committee known as the advisory committee of health comprising the Director General of Health Services or his or her representative as the chairperson and such other members as the Minister may deem fit to appoint.

(2) The tenure of the members of the advisory committee of health shall be on *ad hoc* basis.

(3) The chairperson of the committee shall appoint such person as he or she may deem fit to be the secretary to the committee.

(4) The Minister may vary or terminate the membership of the committee.

(5) The Minister may make rules for the governance of the functions of the committee.

9. Provisions of Act in relation to other Acts

(1) Except as is specially provided in this Act, the provisions of this Act shall be deemed to be in addition to and not in substitution for any provisions of any other Act which are not in conflict or inconsistent with this Act.

(2) Where the provisions of any earlier Act are in conflict or inconsistent with this Act, the provisions of this Act shall prevail.

PART III—NOTIFICATION OF INFECTIOUS DISEASES

10. Minister's power to declare notifiable diseases

The Minister may by statutory order—

- (a) declare that any disease shall be a notifiable disease for the purpose of this Act;
- (b) declare that only such provisions of this Act as are mentioned in the order shall apply to any notifiable disease;
- (c) restrict the provisions of this Act, as regards the notification of any disease, to the Authority or any local government or to any area defined.

11. Power to make rules

(1) The Minister may in respect of the notification of disease make rules as to—

- (a) the duties of medical practitioners called in to visit or in any manner becoming aware of any notifiable disease;
- (b) the duties of heads of families, parents or other persons having the care of or in attendance on any sick person;
- (c) the duties of owners or persons in charge of letting houses, the duties of owners or persons in charge of workplaces and the duties of employers;

- (d) the duties of the person in charge of any school, institution of higher learning, orphanage or similar institution in regard to the reporting of such diseases or any other disease specified in the rules;
 - (e) the circumstances in which notification of particular diseases shall not be required;
 - (f) the forms to be used and the particulars to be furnished by medical practitioners and others when making the notifications to the Authority or a local government or medical officer;
 - (g) the forms to be used and the particulars to be furnished by the Authority or a local government or medical officer when transmitting returns and reports to the Chief Medical Officer;
 - (h) the fees to be paid by the Authority or a local government or the Government to medical practitioners for certificates provided in accordance with the rules,
- and generally for better carrying out the provisions and attaining the object of this Part.

(2) The rules made under this section shall apply to notifiable diseases or to only the notifiable disease specified in the rules.

(3) A person who contravenes any rule made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding one year, or both.

PART IV—PREVENTION AND SUPPRESSION OF INFECTIOUS DISEASES

12. Infectious diseases

This Part shall apply to any disease which the Minister may, by statutory order, declare to be an infectious disease for the purposes of this Part.

13. Powers of medical officer to inspect premises and persons

A medical officer or a person authorised by the medical officer may at any time enter and inspect any premises in which he or she has reason to believe that any person suffering or who has recently suffered from any infectious disease is or has recently been present, or any inmate of which has recently been exposed to the infection of any infectious disease, and may medically

examine any person in the premises for the purpose of ascertaining whether the person is suffering or has recently suffered from or is a carrier of any such disease and may cause a post-mortem examination to be made on any corpse for the purpose of ascertaining if the cause of death has been any infectious disease.

14. Powers of medical officer to cause premises to be decontaminated

(1) Where any medical officer or a person authorised by the medical officer is of opinion that the decontaminating of any building or part of the building, and of any articles in the building likely to retain infection, would tend to prevent or check infectious disease, he or she shall give notice in writing to the owner or occupier of the building or part of the building specifying the steps to be taken to decontaminate the building or part of the building and the articles, within a time specified in the notice.

(2) Where the person to whom notice is so given fails to comply with the notice, that person commits an offence and is liable, on conviction, before a court of competent jurisdiction, to a fine not exceeding five currency points for every day during which the person continues to make default; and the Authority or local government council may cause the building or part of the building and the articles to be decontaminated, and may recover the expenses incurred from the owner or occupier in default as a civil debt.

(3) Where the owner or occupier of any such building or part of the building is from poverty or otherwise unable, in the opinion of the Authority or local government council, effectually to carry out the requirements of this section, the Authority or local government council may, without enforcing the requirements on that owner or occupier, with or without the consent of the owner enter, decontaminate the building or part of the building and the articles, and defray the expenses of decontaminating.

15. Destruction of contaminated beddings, clothing or articles

(1) Where any beddings, clothing or any other articles are contaminated with an infectious disease or are exposed to contamination from any infectious disease and in the opinion of the medical officer the beddings, clothing or articles have to be destroyed, the medical officer shall destroy the beddings, clothing or articles or cause the beddings, clothing or articles to be destroyed.

(2) The Authority or local government shall give reasonable compensation for articles so destroyed.

(3) If a person is aggrieved by the amount of compensation awarded by the Authority or a local government, that person shall have the right, and the Authority or a local government shall agree, to a submission of the matter to arbitration in accordance with the Arbitration and Conciliation Act.

16. Damage to articles during decontamination

When any article is damaged during decontamination no compensation shall be payable if suitable methods of decontamination have been employed and due care and all reasonable precautions have been taken to prevent unnecessary or avoidable damage.

17. No compensation for deprivation during decontamination

Compensation shall not be payable in respect of the deprivation of the occupation or use of any building or part of a building or of the use of any article occasioned by decontamination, if no undue delay has occurred.

18. Provision of means of decontamination

The Authority or a local government council shall provide a proper place, with all necessary apparatus and attendance, for the decontamination of bedding, clothing or other articles which have become contaminated, and shall cause any articles brought for decontamination to be dealt with free of charge.

19. Provision of conveyance for infected person or thing

The Authority or a local government council shall provide and maintain conveyances for the carriage of persons suffering from any infectious disease or for the removal of any contaminated bedding, clothing or other articles and shall pay the expenses of carriage in such conveyance of any person so suffering to a health facility or other place of quarantine.

20. Removal to health facility of infected person

Where a medical officer or a medical practitioner certifies that a person is suffering from an infectious disease, which in order to guard against its spread, can only be treated or managed in a health facility, the medical officer or medical practitioner, as the case may be, shall cause the person—

- (a) to be moved to a health facility or to any other place which, in the opinion of the medical officer or medical practitioner, is suitable for the reception of the person; and
- (b) to be confined in that health facility or place until the medical officer or medical practitioner, as the case may be, is satisfied that the person is free from infection or that the person may be discharged without being a danger to the public.

21. Penalty on exposure of infected persons and things

- (1) Any person who—
 - (a) while suffering from any infectious disease, wilfully exposes himself or herself without proper precautions against spreading the disease in any street, public building or place, shop, inn, hotel or public vehicle without previously notifying its owner, conductor or driver that he or she is so suffering;
 - (b) being in charge of any person so suffering, so exposes the sufferer; or
 - (c) gives, lends, sells, transmits or exposes, without previous decontamination, any bedding, clothing, rags or other things which have, to his or her knowledge, been exposed to infection from any such disease,

commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding three months, or both.

(2) Any person who, while knowingly suffering from any infectious disease, enters any public vehicle without previously notifying the owner, conductor or driver that he or she is so suffering, shall, in addition, be ordered by the court to pay that owner, conductor or driver the amount of any loss and expenses he or she may incur in carrying into effect the provisions of this Act with respect to decontamination of the conveyance.

(3) No proceedings under this section shall be taken against persons transmitting with proper precautions any bedding, clothing, rags or other things for the purposes of having them decontaminated.

22. Penalty on failing to provide for decontamination of public vehicle

Every owner or driver of a public vehicle shall immediately provide for the decontamination of the public vehicle to the satisfaction of the medical officer or a person authorised by the medical officer, after it has, to his or her knowledge, conveyed any person suffering from an infectious disease, and if he or she fails to do so he or she commits an offence and is liable, on conviction, to a fine not exceeding five currency points, but no such owner or driver shall be required to convey any person so suffering until he or she has been paid a sum sufficient to cover any loss or expenses incurred by him or her in carrying into effect the provisions of this section.

23. Penalty for letting infected house

(1) Any person who knowingly lets for hire any dwelling or premises or part of a dwelling or premises in which any person has been suffering from an infectious disease without having it, and all articles in it liable to retain infection, efficiently decontaminated to the satisfaction of the medical officer or a person authorised by the medical officer as testified by a certificate signed by him or her commits an offence and is liable, on conviction, to a fine not exceeding five currency points.

(2) This section shall apply to any owner or keeper of a hotel or boarding house who lets any room or part of a room to any person.

24. Duty of person letting house lately infected to give true information

Any person letting for hire or showing for the purpose of letting for hire any building or part of a building who, on being questioned by any person negotiating for the hire of the house as to the fact of there being or within six weeks previously having been in it any person suffering from any infectious disease, knowingly makes a false answer to the question commits an offence and is liable, on conviction, to a fine not exceeding five currency points.

25. Notification of death and removal of body of person dying of infectious disease

(1) In every case of death from an infectious disease, it shall be the duty of the occupier of the building in which the death has occurred immediately to notify the Authority or a local government council of the death; and on receipt of the notification the Authority or a local government council shall at once transmit the information received to the nearest medical officer or a person authorised by the medical officer and make the best arrangements practicable, pending the removal of the body and the carrying out of thorough decontamination, for preventing the spread of the disease.

(2) It shall be an offence under this Act for the occupier of any premises to keep any dead body in any room in which food is kept or prepared or eaten or to keep any dead body for more than twenty-four hours in any room in which any person lives, sleeps or works, or to keep the body of any person who is known to have died of infectious disease in any place other than a mortuary or other place set apart for the keeping of dead bodies, without first obtaining the sanction of the Authority or a local government council.

(3) Where any person dies of an infectious disease, it shall be an offence under this Act to remove the body, except to a mortuary or for the purpose of immediate burial; and it shall be the duty of any person who removes the body to take it directly to the mortuary or to the place of interment for burial.

(4) Nothing in this section shall be deemed to prevent the removal by due authority of any dead body from a health facility to a mortuary.

26. Removal and burial of body of person who has died of infectious disease

(1) The Authority or the local government council or any administrative or police officer may direct that a dead body of a person who has died from an infectious disease be removed to a mortuary or other suitable place whenever the body—

- (a) is retained in contravention of section 25 in a room in which any person lives, sleeps or works, or in which food is kept or prepared or eaten; or

- (b) is retained in any premises in circumstances which, in the opinion of a medical officer of health, are likely to cause nuisance or endanger health.

(2) Any person who obstructs the execution of any order or direction given under this section commits an offence.

27. Authority or local government to remove and bury unclaimed bodies

The Authority or a local government shall be responsible for the removal and burial of bodies of destitute persons and of unclaimed bodies.

28. Rules

(1) The Minister may make rules applicable to all infectious diseases or only to such infectious diseases as may be specified in the rules, regarding the following matters—

- (a) the closing of any school or any place of public entertainment, where deemed necessary for the purpose of preventing the spread of any infectious disease, and the regulation and restriction of school attendance;
- (b) the duties of parents or guardians of school children who are suffering or have recently suffered from or been exposed to the infection of any infectious disease, and the duties of persons in charge of schools in respect of those children;
- (c) the establishment, maintenance, management and inspection of isolation health facilities, convalescent homes or other institutions for the accommodation or treatment of persons suffering from or who have recently suffered from any infectious disease, the removal of persons to those institutions and their discharge from them, and the classification and control of the patients and staff of those institutions;
- (d) the imposition and enforcement of quarantine or of medical observation and surveillance in respect of persons suffering or suspected to be suffering from infectious disease who are not removed to a health facility or place of isolation, the premises in which those persons are accommodated, those in charge of or in attendance on those persons, and other persons living in or

- visiting the premises or who may otherwise have been exposed to the infection of any such disease;
- (e) the duties in respect of the prevention of infectious disease and in respect of persons suffering or suspected to be suffering from infectious disease, of heads of families, owners or persons in charge of work places and employers;
 - (f) the measures to be taken for the prevention of the spread or eradication of any infectious disease requiring to be dealt with in a special manner;
 - (g) the conveyance of persons suffering from, or bodies of persons who have died of, an infectious disease;
 - (h) the prevention of the spread from any animal or the carcass or product of any animal to any person, of any disease communicable by any animal, or the carcass or product of any animal, to man;
 - (i) the prevention of the spread of disease by flies or other insects and the destruction and the removal of or the abatement of conditions permitting or favouring the prevalence or multiplication of insects;
 - (j) the destruction of rodents and other vermin and the removal or abatement of conditions permitting or favouring the harbourage or multiplication of rodents and other vermin;
 - (k) the prevention of the spread of any disease in any person caused by an animal or vegetable parasite;
 - (l) the prevention of the spread of any infectious disease by the carrying on of any business, trade or occupation;
 - (m) the prevention of the spread of any infectious disease by persons who, though not at the time suffering from the disease, are “carriers” of and liable to disseminate the infection of the disease, and the keeping under medical surveillance and the restriction of the movements of those persons;
 - (n) the prohibition of spitting in public places or in public vehicles;
 - (o) the regulation and restriction of any trade or occupation entailing special danger to the health of those engaged in it, whether from infectious disease or otherwise, and the institution of measures for preventing or limiting those dangers;
 - (p) the decontamination or fumigation of buildings, clothing or other articles which have been exposed to or are believed to be contaminated with the infection of any infectious disease, or which are dirty or verminous, and the prohibition of the carrying out of any fumigation which involves the use of poisonous gas except under licence;

- (q) the disposal of any refuse, waste matter or other matter or thing which has been contaminated with or exposed to the infection of any infectious disease;
- (r) the giving compulsorily of any information or the production compulsorily of any documentary or other evidence required for the purpose of tracing the source or preventing the spread of any infectious disease;
- (s) the giving, compulsorily, by any person, of the telephone number, physical address and other personal details of any person where this is required for the purpose of locating that other person, for purposes of tracing the source or preventing the spread, of any infectious disease; and
- (t) generally for better carrying out the provisions and attaining the object and purposes of this Part.

(2) The rules made under subsection (1)(h) and (k) shall be made in consultation with the Minister responsible for plant and animal health.

(3) A person who contravenes any rule made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding one year, or both.

PART V—SPECIAL PROVISIONS REGARDING CERTAIN EPIDEMIC DISEASES.

29. Administration of Part

The Government shall be responsible for the control and management of epidemics except where the Government delegates the control and management to the Authority or local government or where the Authority or local government requests and is allowed to control and manage an epidemic.

30. Epidemic diseases

The provisions of this Part shall apply to any disease which the Minister may by statutory order declare to be an epidemic disease for purposes of this Part.

31. Power of Minister to make rules for prevention of disease

(1) Whenever any part of Uganda appears to be threatened by any disease declared an epidemic disease under section 30, the Minister may by statutory order declare that part an infected area and may make rules for all or any of the following purposes—

- (a) for the speedy interment of the dead;
- (b) for house to house visitation;
- (c) for the provision of medical aid and accommodation, for the promotion of cleansing, ventilation and decontamination and for guarding against the spread of disease;
- (d) for preventing any person from leaving any infected area without undergoing all or any of the following: medical examination, decontamination, inoculation, vaccination or revaccination or passing a specified period in quarantine centre;
- (e) for the formation of health facilities and quarantine centres, and for placing in them persons who are suffering from or have been in contact with persons suffering from infectious disease;
- (f) for the destruction or decontamination of buildings, furniture, goods or other articles, which have been used by persons suffering from infectious disease, or which are likely to spread the infection;
- (g) for the removal of persons who are suffering from an infectious disease and persons who have been in contact with such persons;
- (h) for the removal of corpses;
- (i) for the destruction of rats, the means and precautions to be taken on shore or on board vessels for preventing them passing between vessels and from vessels to the shore or from the shore to vessels, and the better prevention of the danger of spreading infection by rats;
- (j) for destruction of mosquitoes, the means and precautions to be taken in respect of aircraft arriving at or departing from Uganda and for preventing mosquitoes from passing from aircraft to land or from land to aircraft, and the better prevention of the danger of spreading infection by mosquitoes;
- (k) for the regulation of health facilities used for the reception of persons suffering from an infectious disease and of quarantine centres;
- (l) for the removal and decontamination of articles which have been exposed to infection;

- (m) for prohibiting any person from living in any building or using any building for any purpose if, in the opinion of the medical officer or a person authorised by the medical officer, that use is liable to cause the spread of any infectious disease; any rules made under this section may give a medical officer or a person authorised by the medical officer power to prescribe the conditions on which that building may be used;
- (n) for any other purpose whether of the same kind or nature as the foregoing or not, having for its object the prevention, control or suppression of infectious diseases;
- (o) for the compulsory medical examination of persons suffering or suspected to be suffering from infectious disease;
- (p) for the registration of residents in an infected area;
- (q) for the registration of vehicles in an infected area;
- (r) for the restriction of residence in, immigration to or emigration from, an infected area,

and may, by statutory order, declare all or any of the rules so made to be in force within the whole or any part of the infected area.

(2) A person who contravenes a rule made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding one year, or both.

32. Minister may authorise Authority and local government councils to execute rules

The Minister may request the Authority or a local government council, as may be applicable, to execute the rules made under this Part or to aid in the execution of the rules or to do and provide all such acts, matters and things as may be necessary for mitigating an infectious disease.

33. Power of Authority or local government council to enforce rules

For the purposes of section 32, the Authority or a local government council or any person duly authorised by the Authority or a local government council shall have power of entry on any premises, vehicle or vessel, for the purpose of executing or superintending the execution of any rules so made by the Minister under section 31.

34. Notification of sickness or mortality in animals suspected of any of the diseases notified under this Act

(1) A person who becomes aware of any unusual sickness or mortality among any animals which are susceptible to any of the diseases notified under this Act, shall immediately report the fact to the Authority or to a local government council, as the case may be, or to any person duly authorised by the Authority or a local government council.

(2) A person who fails or neglects to report commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a term not exceeding six months, or both.

35. Report of notification of epidemic diseases

The Authority and a local government council shall immediately report to the Director General of Health Services, particulars of every notification received by the Authority or local government council of every case or suspected case of any epidemic disease, or of any unusual sickness or mortality in animals made under section 34.

PART VI—PREVENTION OF INTRODUCTION OF INFECTIOUS
DISEASES

36. Powers to enforce precautions at borders

(1) For the purpose of preventing the introduction of infectious disease into Uganda, the Minister may by statutory order—

- (a) regulate, restrict or prohibit the entry into Uganda or any part of Uganda, of any person or of persons of any specified class or description or from any specified country, locality or area;
- (b) regulate, restrict or prohibit the introduction into Uganda or any specified part of Uganda of any animal, article or thing and regulate the inspection, isolation, quarantine and decontamination of any animal, article or thing;
- (c) impose requirements or conditions as regards the medical examination, detention, quarantine, decontamination, vaccination, isolation or medical surveillance or otherwise of persons entering, or the examination, detention or decontamination or otherwise of

such persons as aforesaid or of articles or things introduced into Uganda or any part of Uganda.

(2) A person who contravenes any statutory order made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding one year, or both.

(3) Where the offence is committed by a body corporate, the body corporate shall be liable to a fine not exceeding two thousand five hundred currency points.

PART VII—VACCINATION

37. Definition of “vaccinator”

For the purposes of this Part “vaccinator” means the medical officer, and a medical practitioner and includes a person assigned by the Director General of Health Services or a medical officer, to be a vaccinator.

38. Vaccination of children

(1) Subject to subsection (2), a parent of a child who is resident in Uganda, shall have the child vaccinated against any disease declared to be an immunisable disease by the Minister, by statutory instrument and the vaccination under this section shall be conducted at no cost.

(2) Where the vaccinator is of the opinion that a child is not in a fit state to be vaccinated, the vaccinator shall issue in respect of that child, a certificate to that effect and indicate, where applicable, the date at which the child is to be vaccinated.

(3) A vaccinator shall, immediately after the vaccination of the child mentioned in subsection (1), issue to the parent of the child, a vaccination card in the prescribed form which form shall be presented by the parent each time the child is due for vaccination.

(4) The vaccination card issued under subsection (3) shall be signed by the vaccinator every time the child is vaccinated.

(5) A parent of a child to whom a vaccination card has been issued shall keep it for at least fifteen years.

39. Certificate to be given to adult not fit for vaccination

Where a vaccinator is of the opinion that any adult is not in a fit state to be vaccinated or revaccinated, the vaccinator shall issue in respect of that adult, a certificate stating that that adult is not fit for vaccination or revaccination and where applicable, the date at which the adult is to be vaccinated or revaccinated.

40. Certificate to be given for successful vaccination

Every vaccinator or medical practitioner who has vaccinated any adult or child, shall deliver to that adult or to the parent or guardian of that child a certificate in the prescribed form, certifying that the adult or child has been successfully vaccinated.

41. Vaccination of inmates of institutions

Every superintendent or person in charge of a leper asylum, mental health facility, chronic sick health facility, gaol, prison, reformatory or other similar institution shall where practicable, cause to be vaccinated within fourteen days following his or her admission to the institution every inmate of the institution who, being in a fit state of health to undergo vaccination, fails to prove satisfactorily that he or she has been successfully vaccinated within the three years immediately preceding; if that person is at the time unfit to undergo vaccination, he or she shall be vaccinated as soon as he or she is so fit.

42. Admission for education

(1) Subject to subsection (2), a head teacher or any other person responsible for admission of a child to a—

- (a) daycare centre;
- (b) pre-primary school; or
- (c) primary school,

shall not admit a child unless a vaccination card certifying that the required vaccinations were given to the child is produced to him or her by the parent or guardian of that child.

(2) Where a parent of a child produces a certificate signed by a vaccinator certifying that vaccination against any of the immunisable diseases is not advisable on medical grounds, a vaccination card shall be produced by the parent showing that the child has undergone vaccination with respect to other immunisable diseases.

(3) A person responsible for admission of a child under subsection (1) shall keep a copy of a vaccination card of every child who is admitted to daycare centre, pre-primary or primary education.

43. Penalties

A person who contravenes section 38(1) or section 42(1) commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or to imprisonment for a term not exceeding three months, or both.

44. Mass vaccination and revaccination

In the event of the occurrence or threatened outbreak of any disease in Kampala Capital City or any district or where it is necessary to conduct vaccination or revaccination in Kampala Capital City or any district for all the residents of Kampala Capital City or any district or for a specified category of persons—

- (a) the Minister shall by notice in the *Gazette*, a copy of which shall be posted in a newspaper of wide circulation in Kampala Capital City or the affected district, request all persons specified in the notice, to be vaccinated or revaccinated; and
- (b) the Minister shall within seventy-two hours of making the request in paragraph (a), notify the Authority or local government under whose jurisdiction the request has been made.

45. Power to make rules

The Minister may make rules—

- (a) prescribing forms of certificates, notices, returns and books of record to be used in connection with public vaccination, and defining the information to be furnished in them, and requiring the furnishing and prescribing the manner of their use by registrars of births, vaccinators, the Authority or the local government

- councils, medical practitioners, parents or guardians of children, persons in charge of schools, employers of labour and others;
- (b) conferring powers and imposing duties, in connection with the carrying out or enforcement of vaccination, on magistrates, administrative officers, members of a police force, or other Government officers, the Authority or the local government councils, persons in charge of schools, employers of labour, chiefs, headmen of locations and others;
 - (c) prescribing and defining the duties, in connection with vaccination, of medical practitioners and vaccinators employed by the Government;
 - (d) as to the application and enforcement of this Part to persons entering Uganda whether by land, water or air, and for requiring, where deemed necessary, the vaccination or re-vaccination of any person before entering; and
 - (e) generally for better carrying out the provisions and attaining the objects and purposes of this Part.

46. Conditions for vaccination or revaccination

(1) The Minister shall not require any person to be vaccinated or revaccinated unless—

- (a) the vaccine to be administered is approved by the National Drug Authority and is safe for the health of the person required to be vaccinated or revaccinated;
- (b) Government has provided the vaccine and other related services free of charge to the person; and
- (c) Government has ensured that the person required to be vaccinated or revaccinated has access to the vaccines.

(2) The Minister shall, by statutory instrument, issue rules regarding the accessibility to and administration of vaccines for other immunisable diseases of public health interest.

47. Misleading information about vaccines

(1) A person shall not make, cause to be made, or publish any misleading statement or information regarding the use or effect of any vaccine.

(2) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or to imprisonment for a term not exceeding six months, or both.

PART VIII—NON-COMMUNICABLE DISEASES

48. Health promotion and awareness

(1) In the implementation of this Act, the Minister shall adopt a preventive approach to disease control.

(2) The Minister shall, by statutory instrument, make regulations to institutionalise health promotion and awareness in the public domain.

(3) Where applicable, the Government shall make financial provisions for the promotion of national health and wellness programmes.

49. Collaboration with other entities

In the implementation of this Act, the Minister shall have power to require any Ministry, department or agency of Government or any person to institute mechanisms and implement this Act to give full effect to the prevention and control of non-communicable diseases.

PART IX—SANITATION AND HOUSING

50. Nuisances prohibited

No person shall cause a nuisance, or shall suffer to exist on any land or premises owned or occupied by him or her or of which he or she is in charge, any nuisance or other condition liable to be injurious or dangerous to health.

51. Duties of Authority or local government councils to maintain cleanliness and prevent nuisances

The Authority or a local government council shall take all lawful, necessary and reasonably practicable measures for maintaining its area, at all times, in clean and sanitary condition, and for preventing the occurrence in the area of, or for remedying or causing to be remedied, any nuisance or condition liable to be injurious or dangerous to health and to take proceedings at law

against any person causing or responsible for the continuance of any such nuisance or condition.

52. Duty of Authority and local government councils to prevent or remedy danger to health arising from unsuitable dwellings

(1) The Authority or a local government council shall take all lawful, necessary and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions liable to be injurious or dangerous to health arising from the occupation of unhealthy dwellings or premises or from overcrowding or from the condition or manner of use of any factory or trade premises and to take proceedings under the law against any person causing or responsible for the continuance of such condition.

(2) Notwithstanding subsection (1), except with the consent of the inspector appointed under the Occupational Safety and Health Act, no action shall be taken by the Authority or a local government council under this Part in respect of any factory premises if that action is likely to interfere with the condition or manner of use of any machinery or plant.

53. What constitutes nuisance

The following shall be deemed to be nuisances liable to be dealt with in the manner provided in this Part—

- (a) any dwelling or premises or part of the dwelling or premises which is or are in such a state or so situated or so dirty or so verminous or so damp as to be likely to be injurious or dangerous to health or which is or are liable to favour the spread of any infectious disease;
- (b) any street, road or any part thereof, any stream, pool, ditch, gutter, watercourse, sink, water tank, cistern, water closet, earth closet, privy, urinal, cesspool, soakaway pit, septic tank, cesspit, soilpipe, wastepipe, drain, sewer, garbage receptacle, dust bin, dung pit, refuse pit, slop tank, ash pit or manure heap, so foul or in such a state as to be offensive or to be likely to be injurious or dangerous to health;
- (c) any growth of weeds, long grass, trees, undergrowth, hedge, bush or vegetation of any kind which is injurious or dangerous to health, and any vegetable that of itself is dangerous to children

or others either by its effluvia or through its leaves, seeds, fruits or any part of it being eaten;

- (d) any well or other source of water supply or cistern or other receptacle for water, whether public or private, the water from which is used or is likely to be for drinking for human beings or animals or for domestic use or for use in connection with the manufacture or preparation of any article of food intended for human or animal consumption, which is in a condition liable to render any such water injurious or dangerous to human or animal health;
- (e) any noxious matter, or waste water, flowing or discharged from any premises, wherever situated, into any public street, or into the gutter or side channel of any street, or into any gulley, swamp or watercourse, irrigation channel or bed thereof not approved for the reception of the discharge;
- (f) any collections of water, sewage, rubbish, refuse, ordure, or other fluid or solid substances which permit or facilitate the breeding or multiplication of animal or vegetable parasites of persons or domestic animals, or of insects or of other agents, which are known to carry such parasites or which may otherwise cause or facilitate the infection of persons or domestic animals by such parasites;
- (g) any collection of water in any well, pool, gutter, channel, depression, excavation, barrel, tub, bucket, or any other article, and found to contain any of the immature stages of the mosquito;
- (h) any cesspit, latrine, urinal, dung pit, or ash pit found to contain any of the immature stages of the mosquito;
- (i) any stable, cowshed or other building or premises used for keeping of animals or birds which is so situated, used or kept as to be offensive or which is injurious or dangerous to health;
- (j) any animal so kept as to be offensive or injurious to health;
- (k) any accumulation or deposit of refuse, offal, manure or other matter which is offensive or which is injurious or dangerous to health;
- (l) any accumulation of stones, timber or other material of any nature whatever, if such is likely to harbour rats or other vermin;
- (m) any premises in such a state or condition and any building so constructed as to be likely to harbour rats or other vermin;
- (n) any dwelling or premises which is so overcrowded as to be injurious or dangerous to the health of the inmates or is

dilapidated or defective in lighting or ventilation, or is not provided with or is so situated that it cannot be provided with sanitary accommodation to the satisfaction of the Authority or a local government council;

- (o) any public or other building which is so situated, used or kept as to be unsafe or injurious or dangerous to health;
- (p) any occupied dwelling for which such a proper, sufficient and wholesome water supply is not available within a reasonable distance as in the circumstances it is possible to obtain;
- (q) any factory or trade premises not kept in a clean state and free from offensive smell arising from any drain, privy, water closet, earth closet or urinal, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed in the factory or trade premises;
- (r) any factory or trade premises causing or giving rise to smells or effluvia which are injurious or dangerous to health;
- (s) any area of land kept or permitted to remain in such a state as to be offensive, or liable to cause any infectious, communicable or preventable disease or injury or danger to health;
- (t) any chimney sending forth smoke in such quantity or in such manner as to be offensive or injurious or dangerous to health;
- (u) any cemetery, burial place, crematorium or other place of sepulture so situated or so crowded or otherwise so conducted as to be offensive or injurious or dangerous to health;
- (v) any gutter, drain, shoot, stack pipe, downspout, water tank or cistern which by reason of its insufficiency or its defective condition causes damp in any dwelling;
- (w) any deposit of material in or on any building or lane which causes damp in any building so as to be dangerous or injurious to health;
- (x) any dwelling, public building, trade premises, workshop or factory not provided with sufficient and sanitary latrines.

54. Author of nuisance

The author of a nuisance means the person by whose act, default or sufferance the nuisance is caused, exists or is continued, whether the author is the owner or occupier or both owner and occupier or any other person.

55. Notice to remove nuisance

The Authority or a local government council, if satisfied of the existence of a nuisance, may serve a notice on the author of the nuisance, or, if the author cannot be found, then on the occupier or owner of the dwelling or premises on which the nuisance arises or continues, requiring the author to abate it within the time specified in the notice, and, if the Authority or a local government council thinks it desirable, but not otherwise, any work to be executed to abate or prevent a recurrence of the nuisance may be also specified in the notice; except that—

- (a) where the nuisance arises from any want or defect of a structural character, or where the dwelling or premises are unoccupied, the notice shall be served on the owner;
- (b) where the author of the nuisance cannot be found or it is clear that the nuisance does not arise or continue by the act or default or sufferance of the occupier or owner of the dwelling or premises, the Authority or a local government council shall remove the nuisance and may do what is necessary to prevent recurrence of the nuisance.

56. Procedure in case owner fails to comply with notice

(1) If a person on whom a notice to abate a nuisance has been served under section 55 fails to comply with any of the requirements of the notice within the time specified, or if the nuisance although abated since the service of the notice is, in the opinion of the Authority or a local government council, likely to recur on the same premises, the Authority or a local government council may cause a complaint relating to the nuisance to be made before a court of competent jurisdiction; and the court may thereupon issue a summons requiring the person on whom the notice was served to appear before it.

(2) If a court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the court shall make an order on its author, or on the occupier or owner of the dwelling or premises, as the case may be, requiring the author, occupier or owner, as the case may be, to comply with all or any of the requirements of the notice or otherwise to abate the nuisance within a time specified in the order and to do any works necessary for that purpose; or an order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent

the recurrence; or an order both requiring abatement and prohibiting the recurrence of the nuisance.

(3) The court may by the order impose a fine not exceeding two hundred currency points on the person on whom the order is made and may also give directions as to the payment of all costs incurred up to the time of the hearing or making of the order for the removal of the nuisance.

(4) Before making any order, the court may, if it thinks fit, adjourn the hearing or further hearing of the summons until an inspection, investigation or analysis in respect of the nuisance alleged has been made by some competent person.

(5) Where the nuisance proved to exist is such as to render a dwelling unfit, in the judgment of the court, for human habitation, the court may issue a closing order prohibiting its use as a dwelling, until in its judgment, the dwelling is fit for that purpose, and may further order that no rent shall be due or payable by or on behalf of the occupier of that dwelling in respect of the period in which the closing order exists; and on the court being satisfied that it has been rendered fit for use as a dwelling, the court may terminate the closing order and by a further order declare the dwelling habitable, and from the date thereof the dwelling may be let or inhabited.

(6) Notwithstanding an order declaring a dwelling habitable, further proceedings may be taken in accordance with this section in respect of the same dwelling if any nuisance occurs or if the dwelling is again found to be unfit for human habitation.

57. Penalties in relation to nuisances

(1) Any person who fails to obey an order by a court of competent jurisdiction to comply with the requirements of the Authority or a local government council or otherwise to remove the nuisance shall, unless that person satisfies the court that all diligence was used to carry out the order, be liable to a fine not exceeding one hundred currency points for every day during which the default continues.

(2) Any person wilfully acting in contravention of a closing order issued under section 56 is liable to a fine not exceeding one hundred currency points for every day during which the contravention continues.

(3) The Authority or a local government council may in a case under subsection (1) or (2) enter the premises to which the order relates and remove the nuisance and do whatever may be necessary in the execution of the order and recover in any competent court the expenses incurred from the person on whom the order is made.

58. Court may order Authority or local government council to execute works in certain cases

Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or that the owner or occupier of the premises, is not known or cannot be found, the court may at once order the Authority or a local government council to execute the works directed by the order; and the cost of executing the works shall be a charge on the property on which the nuisance exists.

59. Provision in case of two orders for overcrowding relating to same house

Where any court of competent jurisdiction has twice within a period of three months issued an order as specified in section 56(2) relating to overcrowding of the same premises or part of the same premises, the court may, on the application of the Authority or a local government council, order the house to be closed for such period as the court may deem necessary.

60. Persons jointly responsible for nuisances may be proceeded against

(1) Where any nuisance liable to be dealt with in the manner provided in this Part appears to be wholly or partly caused by the acts or defaults of two or more persons, the Authority or a local government council may institute proceedings against any one of the persons or may include all or any two or more of them in one proceeding, and any one or more of the persons may be ordered to abate the nuisance, so far as it appears to be caused by the act or default, of that person or their acts or defaults, or may be prohibited from continuing any acts or defaults which contribute to the nuisance, or may be fined or otherwise dealt with notwithstanding that the acts or defaults of any one of the persons would not separately have caused a nuisance; and the costs may be distributed as may appear to the court fair and reasonable.

(2) Proceedings under subsection (1) against several persons included in one complaint shall not abate by reason of the death of any of the persons so included, but all such proceedings may be carried on as if the deceased person had not been originally so included.

(3) Where only some of the persons by whose act or default any nuisance has been caused or partly caused have been proceeded against under this Part, they shall, without prejudice to any other remedy, be entitled to recover from any other persons who were not so proceeded against and by whose act or default the nuisance was caused or partly caused a proportionate part of the costs of and incidental to the proceedings and abating the nuisance, and of any fine and costs ordered to be paid in such proceedings.

61. Notice to remove nuisance

(1) Where, in the opinion of the Authority or local government, a nuisance exists with respect to premises which, in its opinion, are so dilapidated or so defectively constructed or so situated that repairs to or alterations of the premises are not likely to remove the nuisance, the Authority or local government may apply to the court for a demolition order; and, on the court being satisfied that the nuisance exists, and that repairs to or alterations of the premises are not likely to remove the nuisance, the court may order the owner of the premises to commence to demolish the premises on or before a specified day, being at least one month from the date of issuing the order and to complete the demolition and to remove the materials which comprised the premises from the site before another specified day; but before a demolition order is made, notice of the application for the order shall be served on the owner of the premises who may attend and give evidence at the hearing of the application by the court.

(2) The court shall give notice to the occupier of premises in respect of which a demolition order has been issued requiring the occupier to move from the premises within a time to be specified in the notice, and if any person fails to comply with the notice or enters the premises, without lawful excuse, after the date fixed that person commits an offence.

(3) Where any person fails to comply with an order for demolition, the person commits an offence and is liable to pay the daily fine provided in section 57(2); and the Authority or local government council, as the case may be, may apply to court for an order for demolition and the Authority or

local government council may recover from the owner the expense incurred in doing so, after deducting the net proceeds of the sale of the materials which the Authority or the local government may sell by auction.

(4) No compensation shall be paid by the Authority or local government to the owner or occupier of any premises in respect of its demolition under this section, and from the date of the demolition order no rent shall be due or payable by or on behalf of the occupier in respect of the premises.

62. Cost of execution of provisions relating to nuisances

(1) All reasonable costs and expenses incurred in serving a notice, making a complaint or obtaining a nuisance order, or in carrying the order into effect, shall be deemed to be money paid for the use and at the request of the person on whom the order is made; or, if no order is made but the nuisance is proved to have existed when the notice was served or the complaint made, then of the author of the nuisance.

(2) Such costs and expenses incurred in relation to any such nuisance may be recovered as a civil debt, and the court shall have power to divide the costs and expenses between the authors as to it may seem just.

(3) Where, in accordance with this Act, the Authority or a local government council has itself abated or removed a nuisance or done what is necessary to prevent its recurrence, if no owner or occupier of the premises can be found, or appears or pays the expenses incurred by the abatement or removal within six months after the completion of the removal or abatement of the nuisance, the court may order the premises upon which the work has been done, or any part of the premises, or any movable property found on the premises, to be sold by public auction, and the amount realised by the sale shall be applied in defraying the costs and expenses, and the balance, if any, paid over to the owner or occupier if the owner or occupier establishes claim to it within two years after the date of the sale, failing which the balance shall become part of the public revenue.

63. Examination of premises

The Authority or a local government council may enter any building or premises for the purpose of examining as to the existence of any nuisance in

the building or premises at all reasonable times; and the Authority or a local government council may if necessary open up the ground of the premises and cause the drains to be tested, or such other work to be done as may be necessary for the effectual examination of the premises; but if no nuisance is found to exist, the Authority or a local government council shall restore the premises at its own expense.

64. Power of Minister to make rules

- (1) The Minister may make rules and may confer powers and impose duties in connection with the carrying out and enforcement of the rules on the Authority or the local government councils, owners and others as to—
- (a) the inspection of land, dwellings, buildings, factories and trade premises, and for securing the keeping of them clean and free from nuisance and so as not to endanger the health of the inmates or the public health;
 - (b) the regulation of the cleaning and painting of premises and the maintenance of the land attached to premises and the removal of refuse and waste matters from the premises;
 - (c) the drainage of land, streets or premises, the disposal of offensive liquids and the removal and disposal of rubbish, refuse, manure and waste matters;
 - (d) the keeping of animals or birds and the construction, cleanliness and drainage of places where animals or birds are kept;
 - (e) the factories or trade premises which are liable to cause offensive smells or effluvia, or to discharge liquid or other material liable to cause such smells or effluvia, or to pollute streams, or are otherwise liable to be a nuisance or injurious or dangerous to health, and for prohibiting the establishment or carrying on of such factories or trade premises in unsuitable localities or so as to be a nuisance or injurious or dangerous to health;
 - (f) the inspection by the Authority or a local government council of any land or building within the jurisdiction of the Authority or local government council, as the case may be, with a view to ascertain whether the lands or buildings are in a state injurious or dangerous to health;
 - (g) the general control of trade premises, hotels and other lodging houses, for adequate ventilation and lighting, cleaning and for the provision of adequate sanitary appliances and other requirements, necessary for the protection of the health of the inhabitants,

- tenants or lodgers and the neighbouring inhabitants, as may be applicable;
- (h) the sanitary control of markets and market buildings.

(2) The rules made under subsection (1)(g) shall be made in consultation with the Minister responsible for occupational safety and health and the Minister responsible for the environment.

PART X—SPECIAL PROVISIONS AS TO SEWERAGE AND DRAINAGE

Drainage and latrines of existing buildings

65. Provisions as to drainage, etc. of existing buildings

(1) If it appears to the Authority or a local government that, in the case of any building—

- (a) satisfactory provision has not been, and ought to be, made for drainage;
- (b) any cesspool, private sewer, drain, soil pipe, rain water pipe, spout, sink or other necessary appliance provided for the buildings is defective or insufficient;
- (c) any cesspool or other such work or appliance as aforesaid provided for the building is in such a condition as to be prejudicial to health or a nuisance; or
- (d) any cesspool, private sewer or drain formerly used for the drainage of the building, but no longer used for that drainage, is prejudicial to health or a nuisance,

the Authority or a local government council shall, by notice, require the owner of the building to make satisfactory provision for the drainage of the building, or, as the case may be, require either the owner or the occupier of the building to do such work as may be necessary for renewing, repairing or cleansing the existing cesspool, sewer, drain, pipe, spout, sink or other appliance, or for filling up, removing or otherwise rendering innocuous the disused cesspool, sewer or drain.

(2) Except in cases where the Authority or a local government council is satisfied that in the case of any particular building it may properly dispense with any provision for drainage, for the purposes of subsection (1), “satisfactory provision for drainage” means that the drainage systems and

appliances of the building comply with the requirements of the Building Control Act, relating to drainage and that the drainage systems of the premises discharge into cesspools or other places which the Authority or local government council approves.

66. Buildings having insufficient or defective latrines

If it appears to the Authority or a local government council—

- (a) that any building is without sufficient latrine accommodation; or
- (b) that any latrines provided for or in connection with a building are in such a state as to be prejudicial to health or a nuisance and cannot without reconstruction be put into a satisfactory condition,

the Authority or a local government council shall, by notice to the owner of the building, require the owner of the building to provide the building with such latrines or additional latrines, or such substituted latrines, being in each case either water closets or earth closets of a type approved by the Authority or a local government council and as may be necessary; except that where a sufficient water supply and sewer are available, the Authority or a local government council shall not require the provision of a water-closet except in substitution for an existing water closet.

67. Buildings having defective latrines capable of repair

(1) If it appears to the Authority or a local government that any latrines provided for or in connection with a building are in such a state as to be prejudicial to health or a nuisance, but that they can without reconstruction be put into a satisfactory condition, the Authority or a local government council shall by notice require the owner or the occupier of the building to execute such works, or to take such steps by cleansing the latrines or otherwise, as may be necessary for that purpose.

(2) Where an owner or an occupier fails to comply with the notice served under subsection (1), the owner or the occupier, as the case may be, commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.

(3) In any proceedings under this section—

- (a) the owner, where the owner is the defendant, may question the decision to address the notice to the owner and not to the

- occupant, and the occupant may also question the decision, where the notice is addressed to the occupant and not the owner; and
- (b) the defendant may question the reasonableness of the requirements of the Authority or the local government council, as the case may be.

PART XI—PREVENTION AND DESTRUCTION OF MOSQUITOES

68. Breeding places of mosquitoes to be nuisances

For the purposes of this Part—

- (a) any collection of water, sewage, rubbish, refuse, ordure or other fluid or solid substance, which permits or facilitates the breeding or multiplication of animal or vegetable parasites of human beings or domestic animals, or of insects or of other agents which are known to carry such parasites or which may otherwise cause or facilitate the infection of human beings or domestic animals by such parasites;
- (b) any collection of water in any well, pool, gutter, channel, depression, excavation, barrel, tub, bucket or any other article, found to contain any of the immature stages of the mosquito;
- (c) any cesspit, latrine, urinal, dung-pit or ash-pit found to contain any of the immature stages of the mosquito,

shall be nuisances liable to be dealt with in the manner provided in this Act for the treatment of nuisances.

69. Yards to be kept free from bottles, whole or broken, *etc.*

(1) The occupier or owner of any premises shall keep the premises free from all bottles, whole or broken, whether fixed on walls or not, tins, boxes, calabashes, earthenware vessels, shells or any other articles, and trees, standing or fallen, which are kept so that they are likely to retain water.

(2) Any occupier or owner of any premises failing to comply with subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding ten currency points.

70. Clearance of bush or long grass

(1) No person shall, within a municipality or town, permit any premises or lands owned or occupied by that person or over which that person has control to become so overgrown with bush or long grass as, in the opinion of the municipal council or town council, as the case may be, to be likely to harbour mosquitoes.

(2) An owner or an occupier who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points and to a further fine not exceeding one currency point for each day on which the offence continues after conviction.

71. Wells, *etc.* to be covered

(1) It shall not be lawful for any person to keep, or for the occupier or owner of any premises to allow to be kept on the premises, any collection of water in any well, barrel, tub, bucket, tank, or other vessel intended for the storage of water, unless the well, barrel, tub, bucket, tank or other vessel is fitted with a sufficient cover, the cover to be kept in good repair and properly protected or screened to the satisfaction of the Authority or the local government council so as to prevent the ingress of mosquitoes into the same.

(2) A person who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.

72. Cesspits to be screened or protected

(1) The occupier or owner of any premises upon or attached to which is any cesspit shall cause the cesspit to be properly protected or screened to the satisfaction of the Authority or the local government council so as to prevent the ingress of mosquitoes.

(2) A person who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.

73. Larvae, etc. may be destroyed

Where any of the immature stages of the mosquito are found on any premises in any collection of water in any cesspit, well, pool, channel, barrel, tub, bucket, tank or any other vessel, or any bottle, whole or broken, whether fixed on a wall or not, tin, box, calabash, shell or any other article, or in a tree, fallen or standing, the Authority or a local government council, as the case may be may take immediate steps to destroy the immature stages of the mosquito by the application of oil or larvicide, or otherwise, and to take such action as is necessary to prevent the recurrence of the nuisance and to render any pools or collections of water unfit to become breeding places for mosquitoes.

PART XII—PROTECTION OF FOODSTUFFS**74. Construction and regulation of buildings used for storage of foodstuffs**

(1) A warehouse or building used for, or to be used for, the storage of foodstuffs, for trade or public consumption, shall be constructed with materials and in a manner that renders the warehouse or building verminproof.

(2) Where any warehouse or building intended for the storage of foodstuffs as provided in subsection (1) has fallen into a state of disrepair, or does not afford sufficient protection against rat invasion or contamination by any agent on account of its design or construction by reason of the materials used being defective, the Authority or local government council may by written notice require the owner to effect such repairs and alterations as the notice shall prescribe within a time to be specified in that notice, and if the requirement is not complied with, the Authority or local government council, as the case may be, may seize and seal the premises or enter upon the premises and effect such repairs and alterations, and may recover all costs and expenses incurred from the owner.

(3) Where, in the opinion of a medical officer of health, the foodstuffs within a warehouse or building are insufficiently protected against rats, vermin, or pollution, the owner of the warehouse or building shall observe all written instructions and directions of the Authority or a local government council within a time to be specified in the notice for the better protection of the foodstuffs.

75. No person shall reside or sleep in any room in which foodstuffs are stored, etc.

(1) No person shall reside or sleep in any kitchen or room in which foodstuffs for sale are prepared or stored for sale.

(2) If it appears to a medical officer or a person authorised by the medical officer that any kitchen or room is being used contrary to the provisions of this section, or that any part of the premises adjoining the room in which foodstuffs are stored or exposed for sale is being used as a sleeping apartment under such circumstances that the foodstuffs are likely to be contaminated or made unwholesome, he or she may serve upon the offender or upon the owner of the house or upon both a notice calling for such measures to be taken as shall prevent the improper use of the kitchen and premises within a time to be specified in the notice, and if the notice is not complied with, the party upon whom it was served commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.

PART XIII—WATER AND FOOD SUPPLIES

76. Duty of Authority or local government councils as to polluted water supplies

It shall be the duty of the Authority or a local government council, as the case may be to take all lawful, necessary and reasonably practicable measures—

- (a) for preventing any pollution dangerous to health of any supply of water which the public within its jurisdiction has a right to use and does use for drinking or domestic purposes, whether the supply is derived from sources within or beyond its jurisdiction; and
- (b) for purifying any such supply which has become so polluted, and to take measures, including, if necessary, proceedings at law, against any person so polluting any such supply or polluting any stream so as to be a nuisance or danger to health.

77. Minister may make rules

(1) The Minister may make rules for the preservation of health or the prevention of disease.

(2) Without prejudice to the generality of subsection (1), the Minister may make rules regarding any of the following matters—

- (a) the inspection and examination of, and the regulation, inspection and supervision of, the manufacture, preparation, storage, keeping and transmission of any article of food intended for sale or for export from Uganda and the prohibition of the manufacture, preparation, storage, keeping, transmission, sale or export from Uganda of any such article which is, or contains, an ingredient which is diseased or unsound or unfit for human consumption, or which has been exposed to any infection or contamination;
- (b) the establishment, locality, supervision, equipment, maintenance and management of slaughter-houses and places in which animals awaiting slaughter are kept and the disposal of the waste products of slaughtering and the inspection of slaughter-houses and the animals in them, and prohibiting, restricting or regulating the slaughtering of animals;
- (c) the preparation, manufacture or importation and the storage and sale of or trade in articles of food which are packed in airtight receptacles or are otherwise preserved, and the marking of any such article or receptacle with the date of manufacture or preparation;
- (d) the licensing, regulation and inspection of hotels, restaurants, cafés, eating-houses and lodging houses;
- (e) the regulation of the preparation and sale of food by hawkers;
- (f) the licensing, regulation and inspection of the manufacture, preparation, storage and transmission of any liquid and semi liquid articles of food;
- (g) the licensing, regulation and inspection of the premises of hairdressers;
- (h) the licensing, regulation and inspection of the premises of butchers and retailers of meat;
- (i) the licensing, regulation and inspection of bake-houses and bakeries;
- (j) the licensing, regulation and inspection of laundries, wash-houses and dry cleaners;

- (k) the regulation, inspection, and control of cemeteries and crematoria;
- (l) the disposal and burial of corpses and the licensing, regulation and inspection of mortuaries, funeral homes and services;
- (m) the fixing of fees and the prescribing of forms in regard to any matters prescribed.

78. Powers of medical officer for protection of public health

A medical officer may, if he or she considers it necessary for the protection of the public health

- (a) require the medical examination of any person in any premises in which any article of food which is intended for sale is collected, kept, sold or exposed for sale, or of any person who is or has been engaged in the collection, preparation, keeping, conveyancing or distribution of any article of food; or
- (b) prohibit the employment of any person in connection with the collection, preparation, storage, distribution or sale of any article of food, where that person is proved to be a carrier of an infectious disease.

79. Minister may make orders

The Minister may make a statutory order closing any restaurant, market, wholesale outlet, retail outlet or butcher shop, where any article of food sold at the restaurant, market, wholesale outlet, retail outlet or butcher shop, as the case may be, is believed to have conveyed or to be liable to convey any infectious disease.

PART XIV—CEMETERIES

80. Cemeteries to be appointed

The Minister may select and appoint, by statutory instrument, sufficient and proper places to be the sites of and to be used as cemeteries or crematoria for municipalities and towns; and it shall be an offence, where such cemeteries or crematoria exist, to bury or burn the dead elsewhere within the municipality or town.

81. Authorised cemeteries

(1) All cemeteries now being used as such and such other cemeteries as may be authorised by the Minister shall be deemed authorised cemeteries.

(2) Where a cemetery is authorised under subsection (1), the cemetery shall remain so authorised until the Minister prescribes otherwise.

82. Permit to exhume

(1) Subject to this Act, it shall not be lawful to exhume any body or the remains of any body which may have been interred in any authorised cemetery or in any other cemetery, burial ground or other place without a permit granted in the following manner—

- (a) the permit shall be granted only to the legal personal representative or next of kin of the person buried, or to his or her or their duly authorised agent;
- (b) the permit may be granted by court in respect of any body or the remains of any body interred in any cemetery or burial ground or any other place.

(2) Court may prescribe such precautions as the court may deem fit as the condition of the grant of the permit, and any person who exhumes any body or the remains of any body contrary to this Act, or who neglects to observe the precautions prescribed as the condition of the permit, is liable to a fine not exceeding twenty-five currency points.

(3) Nothing in this section shall be deemed to affect the right of a magistrate to order the exhumation of a body or the remains of any body for the purpose of holding an inquiry into the cause of death of any person.

83. Exhumation needed for execution of public works may be ordered

(1) The Minister may, whenever he or she deems it expedient for the execution of any public work or any public purpose, order removal of any body or the remains of any body from any grave whether in an authorised cemetery or elsewhere, and by order under his or her hand direct the removal to be made in such manner as the Minister shall consider fit.

(2) No such order shall be made in respect of any grave situated in an authorised cemetery until two months' notice of the intention to make it shall have been given by notification in the *Gazette*.

(3) Copies of the notice under subsection (2) shall be posted at or near the grave, and copies shall be sent by post in a registered letter to the legal personal representative or next of kin of the person buried, if his or her or their address can be ascertained.

(4) The copies sent under subsection (3) shall be accompanied by a translation in the language of the race to which the deceased person belonged.

(5) When an order is made under subsection (1) directing a removal from any grave elsewhere than in an authorised cemetery, due notice of the order shall, so far as it is possible to do so, be given to the legal representative or next of kin of the person buried before the work of removal is undertaken and to the Authority or a local government council of the area in which the grave is situated.

(6) The Minister shall cause proper and fitting arrangements to be made for the re-interment of any body or remains of any body removed under this section, and for the removal and re-erection of any monument, all charges in connection therewith being defrayed out of the public revenue.

84. Government's obligation in public health services

The Government shall—

- (a) take all practical measures to ensure the provision of basic medical services to the population;
- (b) ensure that all Ugandans have access to health services;
- (c) provide health facilities and opportunities necessary to enhance the welfare of women to enable the women realise their full potential and advancement;
- (d) ensure that no child is deprived of medical treatment for any reason; and
- (e) take appropriate measures to ensure that persons with disabilities realise their full mental and physical potential.

PART XV—MISCELLANEOUS**85. Authentication of notices, etc.**

(1) Any notice, order, consent, demand, complaint or other document which is required or authorised by or under this Act may be signed or authenticated by an officer so authorised, in writing, by the Authority or a local government, as the case may be, to sign documents of the particular kind or the particular document, as the case may be.

(2) The Minister may by rule prescribe the form of any notice, order, consent, demand or other document to be used for any of the purposes of this Act, and if forms are so prescribed those forms or forms to a like effect may be used in all cases to which those forms are applicable.

86. Service of notices, etc.

Any notice, court summons, order or other document required or authorised to be served or issued under this Act may be served by delivering it at the residence of the person to whom it is addressed, or, where it is addressed to the owner or occupier of premises, by delivering it, or a true copy of it, to some person on the premises, or, if there is no person on the premises who can be served, by fixing it on some conspicuous part of the premises; and where efforts to effect service using these means fail, notice may be served by publication of the notice in a newspaper of wide circulation in Uganda or using the electronic address of the person to be served and in proving that service it shall be sufficient to prove that the notice, court summons, order or other document was properly addressed and served.

87. Defect in form not to invalidate notices, etc.

No defect in the form of any notice or order made under this Act shall invalidate or render unlawful any administrative action taken or be a ground for exception to any legal proceedings which may be taken in the matter to which the notice or order relates, provided the requirements thereof are substantially and intelligibly set forth.

88. Powers of entry and inspection of premises and penalties for obstruction

(1) Any person with powers of entry and inspection of premises under this Act and a person authorised, in writing, by a person with powers of entry and inspection, may, at any hour reasonable for the proper performance of the duty, enter any land or premises to make any inspection or to perform any work or to do anything which is required or authorised by this Act, if the inspection, work or thing is necessary for or incidental to the performance of his or her duties or the exercise of his or her powers.

(2) Any person who fails to give or refuses access to any officer, inspector or person mentioned in or authorised under subsection (1), if he or she requests entrance on any land or premises, or obstructs or hinders him or her in the execution of his or her duties under this Act, or fails or refuses to give information that may lawfully be required to be given to that officer, inspector or person, or gives to that officer, inspector or person false or misleading information knowing it to be false or misleading, or prevents the owner or any of his or her servants or workers from entering any land or dwelling or premises for the purpose of complying with any requirement under this Act, commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points.

89. Closure of premises by local governments

A local government may seal premises that are open in contravention of this Act or rules made under this Act.

90. Appeals against, and enforcement of, notices requiring execution of works

(1) The following provisions of this section shall, subject to any express modifications specified in the section under which the notice is given, apply with respect to appeals against, and the enforcement of, notices requiring the execution of works under this Act.

(2) Any such notice shall indicate the nature of the works to be executed, and state the time within which they are to be executed.

(3) A person served with such a notice as aforesaid may appeal in the manner provided in this section on any of the following grounds which are appropriate in the circumstances of the particular case—

- (a) that the notice or requirement is not justified by the terms of the law under which it purports to have been given or made;
- (b) that there has been some defect or error in, or in connection with, the notice;
- (c) that the works required by the notice to be executed are unreasonable in character or extent;
- (d) that the time within which the works are to be executed is not reasonably sufficient for the purpose;
- (e) that the notice might lawfully have been served on the occupier of the premises in question instead of on the owner, or on the owner instead of on the occupier, and that it would have been equitable for it to have been so served.

(4) If and insofar as an appeal under this section is based on the ground of some informality, defect or error in or in connection with the notice, the appeal shall be dismissed, if it is shown that the informality, defect or error was not a material one.

(5) Where the grounds upon which an appeal under this section is brought include a ground specified in subsection (3)(e), the appellant shall serve a copy of the notice of appeal on each other person referred to, and in the case of any appeal under this section may serve a copy of the notice of appeal on any other person having an estate or interest in the premises in question; and on the hearing of the appeal an order may be made with respect to the person by whom any work is to be executed or as to the proportions in which any expenses which may become recoverable by the authority are to be borne by the appellant and such other person.

(6) In the exercise of the powers conferred by subsection (5), regard shall be had as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of the tenancy and to the nature of the works required.

(7) An appeal under this section shall be preferred in the cases of notices issued by the Authority or a local government council, as the case may be, to a court over which presides a chief magistrate or a magistrate grade I exercising jurisdiction in the place where the premises are situated,

in pursuance of any rules made in that behalf by the Chief Justice with the prior approval of the Minister.

(8) The time within which any such appeal may be brought shall be twenty-one days from the date on which notice requiring the works was served upon the person desiring to appeal.

91. Execution of works

(1) Subject to a right of appeal, if the person required by the notice to execute works fails to execute the works indicated within the time limited by the notice, the Authority or a local government council may itself execute the works and recover from that person the expenses reasonably incurred by it in so doing and, without prejudice to its right to exercise that power, the person commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points, and to a further fine not exceeding fifty currency points for each day on which the default continues after the conviction.

(2) In proceedings by the Authority or a local government council against the person served with the notice for the recovery of any expenses which the Authority or local government council is entitled to recover from that person, it shall not be open to that person to raise any question which could have been raised on an appeal against the notice.

92. Certain expenses recoverable from owners to be charge on premises; power to accept payment by instalments

Where the Authority or a local government council has incurred expenses for the repayment of which the owner of the premises in respect of which the expenses were incurred is liable under this Act or by agreement with the Authority or a local government council, those expenses, together with interest from the date of service of a demand for the expenses, may be recovered by the Authority or a local government council from the person who is the owner of the premises at the date when the works are completed, or, if that person has ceased to be the owner of the premises before the date when a demand for the expenses is served, either from that person or from the person who is the owner at the date when the demand is served; and, as from the date of the completion of the works, the expenses and interest accrued due on the works shall, until recovered, be a charge on the premises and on all estates and interests in the premises.

93. Recovery of expenses, etc.

(1) A sum which the Authority or a local government council is entitled to recover under this Act and with respect to the recovery of which no other provision is made may be recovered either summarily as a civil debt, or as a simple contract debt, in any court of competent jurisdiction.

(2) The time within which summary proceedings may be taken for the recovery of any such sums shall, except where otherwise expressly provided, be reckoned from the date of the service of a demand for the recovery of the sums.

94. Protection of Authority and local governments and employees from personal liability

No matter or thing done by the Authority or a local government or by a member of the council of the Authority or a local government or by any person acting under the direction of the Authority or a local government, shall, if the matter or thing is done in good faith, for the purpose of executing this Act, subject the member of the council or the person acting under the direction of the Authority or a local government to any liability.

95. Penalties where not expressly provided

Any person who commits an offence against or who contravenes, or who defaults in complying with, any provision of this Act or any rules made under this Act, is liable, on conviction, if no penalty is expressly provided for the offence, contravention or default, to a fine not exceeding two hundred currency points, and, if the offence, contravention or default is of a continuing nature, to a further fine not exceeding fifty currency points for each day during which the default continues.

96. Punishment without prosecution

(1) The Minister may, in consultation with the Ministers responsible for internal affairs, the Authority and local governments, make rules for offences created by this Act or under rules made under this Act, for which a person who commits the offence may be given a notice in writing offering that person the opportunity to discharge any liability to conviction for the offence by payment of a fixed penalty.

- (2) The rules made under subsection (1) shall prescribe—
 - (a) the offences to which this section applies;
 - (b) the officers who may issue notice and the information to be supplied to them;
 - (c) the fixed penalty which shall not be more than two hundred currency points; and
 - (d) the form of the notice to be issued under this section.

97. Penalty for subsequent offences and continuing offences

For any subsequent or continuing offence under this Act or rules made under this Act, a person is liable, on conviction, to a fine not exceeding one hundred fifty currency points.

98. Offences committed by body corporate

Where an offence under this Act or rules made under this Act is committed by a body corporate, the body corporate is liable to a fine not exceeding five hundred currency points.

99. Liability of secretary or manager of company

Where a contravention of any of the provisions of this Act or any rules made under it is committed by any company or corporation, the secretary or manager of the company or corporation may be summoned and may be held liable for the contravention and its consequences.

100. Proceedings against several persons

Where proceedings under this Act are competent against several persons in respect of the joint act or default of those persons, it shall be sufficient to proceed against one or more of them without proceeding against the others.

101. General power of Minister to make rules

(1) The Minister may make rules generally for carrying out the purposes of this Act.

(2) The Minister shall make rules under subsection (1) in consultation with other Ministers connected with the promotion of public health.

102. Power to amend Schedule

The Minister responsible for finance may, by statutory instrument, with the approval of Cabinet, amend the Schedule to this Act.

SCHEDULE

Sections 1, 102

Currency Point

A currency point is equivalent to twenty thousand shillings.

History: Cap. 269 (Revised Edition, 1964); Act 13/1970, s. 241; Cap. 281 (Revised Edition, 2000); Act 4/2023; Act 17/2023

Cross References

Arbitration and Conciliation Act, Cap. 5
Building Control Act, Cap. 136
Commissions of Inquiry Act, Cap. 31
Local Governments Act, Cap. 138
Occupational Safety and Health Act, Cap. 231
