

## National News

While the law is tailored for the construction sector by ushering in a new era of stricter regulation and promising tougher penalties and standards, it has triggered a laundry list of issues.

BY PHILIP WAFULA

**A** month after changes to the Building Control Act (2026) took effect, industry experts have weighed in with unfaltering reactions, with some describing it as "an elite framework being applied to a deeply informal reality".

At the core of the reforms is a shift in how penalties are applied. Rather than flat fines, the law now pegs penalties to the size of the building, making non-compliance significantly more expensive.

While the new building law is tailored for the construction sector by ushering in a new era of stricter regulation and promising tougher penalties, faster enforcement, and improved safety standards across the country, it has triggered a laundry list of issues.

Ms Judy Rugasira, the managing director of Knight Frank Uganda, an international property consultancy firm, said: "The new building law is 'an elite framework being applied to a deeply informal reality'."

She added that while the law introduces modern digital tracking and stringent penalties, its success hinges on whether it can dismantle the "facilitation culture" that has allegedly historically governed Ugandan construction.

"If the cost of being legal remains high and the oversight remains underfunded, we risk creating a system where the law is only used to punish, rather than to protect. However, the shift the new law brings is undeniable," Ms Rugasira said yesterday.

She explained that by digitising approvals and extending professional liability for the life of a building, Uganda is finally laying the foundation for a culture of accountability.

"It won't fix the existing illegal 60 percent of Kampala overnight, but it sets a clear, modern standard, the era of the 'unmonitored site' is officially under threat. The real test now is whether authorities at the city councils will use these new powers as a shield for the public or a sword for extortion," Ms Rugasira stated.

The revised law also provides that such an offender, upon conviction, is liable to a fine not exceeding 500 currency points (Shs10m) or imprisonment of up to 12 years and or both, marking a significant increase intended to deter carelessness in the construction sector. A currency point is valued at Shs20,000.

The introduction of express penalties allows authorities to enforce compliance swiftly without going through lengthy court processes, while the amendments target developers who continue construction after their permits have expired.

Beyond permit compliance, the law expands liability for construction-related accidents. Previously limited to building sites, liability now extends to accidents occurring in completed buildings.

Offenders whose negligence leads to injury, death, or destruction of prop-

# Industry experts weigh in on new building law



NBRB EXPLAINS NEW LAW

On Monday, the National Building Review Board (NBRB) Executive Secretary Flavia G. Bwire, told this publication that the Act aims to bring order and create safety.

"If you have a building that has never been planned, we are not sure what is in those columns. We are not sure of anything about this building, are we? So, we will require you to give us an as-built drawing. As-built means this is what is on ground."

"It means someone needs to come and take measurements and reproduce that on a paper and say this is the as-built. In addition to that, we will need a structural integrity assessment to show that, because an education permit is the government's guarantee for you that your building is safe, how do I guarantee what I don't know? I need to be sure that the building is safe, and then I can sign it off for you," Ms Bwire said.

She said in December, an audit report will be published for all Ugandans to know if they are being overcharged or undercharged, but largely let people know what is going on and to hold some (people) accountable. Ms Bwire acknowledged the limited human resource, especially of building inspectors to enforce the law, saying she is hopeful that the Local Governments are going to get the revenue to employ, as allowed by the structures.

"The good thing with this particular task is that it is self-sustaining. People are paying money for inspections and for scrutiny. So, while their budgets are small, this particular activity generates revenue. So we are hopeful that from this revenue that is generated, the respective local governments will put it to good use."

erty face fines of up to 500 currency points (Shs10 million), imprisonment of up to 12 years, and or both. The move is intended to enhance accountability

A building under construction in Kampala. The new building control law prescribes stringent measures and penalties to ensure its provisions such as approval of building plans are complied with. PHOTO/ISAAC KASAMANI

across the entire lifecycle of a building.

At the local level, building committees have been strengthened to improve oversight, with their membership, however, reduced from 11 to five members to enhance efficiency. They also now have powers to order for the demolition of non-compliant structures.

The amendments also introduce stricter controls on construction timelines, which will now see developers commence building within 12 months of receiving approval and complete works within 60 months, unless an extension is granted.

In addition, the law introduces a more structured approach to handling innovations in the construction sector. Previously, new building methods were often banned only after failures were observed; but the new framework shifts towards a preventive approach by requiring approval before new technologies are used.

The law further clarifies the building permit application process, allowing applications to be approved, rejected, or deferred. Applicants whose submissions are deferred have up to 12 months to provide additional information or risk reapplying and paying fresh fees.

To streamline complaint handling, building-related grievances will now be lodged first with Local Government accounting officers, including chief administrative officers and town clerks, whose reforms are intended to create a safer, more regulated construction environment, while encouraging compliance and professionalism within the sector.

Ms Rugasira's comments add to earlier concerns on what prospects the law will be able to correct and at what cost to the authorities, considering that Kampala Capital City Authority (KCCA) has previously run campaigns to convince people to acquire as-built building plans.

There have also been calls for the amended building law to be put into context to shed light on some emerging

challenges, including suggestions that nearly 60 percent of houses in Kampala lack building plans, while almost 95 percent lack occupation permits. It is feared that the situation is worse outside the urban centres.

The other challenge is that there are not enough building inspectors to go around to enforce the law and in many instances when they do, they are reportedly seeking self-gain.

Critics have summarily described the law as "problematic", "working retroactively" and "pathetic", with suggestions that nearly 90 percent of Ugandans being unable to afford plans, added to the alleged bureaucracy or delays in getting them and inspection challenges.

Mr Mong'are Okoro, a director at Lotus Developers Limited, a company that maintains most of the buildings in the Kampala City Centre, including Acacia Mall, Arena Mall, and Garden City, among others, thinks the new building law seems to be heavy on penalties, but very silent on sensitisation.

"There are some people who may not be aware, for example, that they need a permit to make renovations. Why are there penalties per square metre instead of the cost of the building?" Mr Okoro said.

He added: "A factory warehouse costs much less compared to some high-end residential or hotel businesses, which might end up affecting the industrial sector more. Nobody wants to cause accidents; we need to have training of more health and safety officers, and ensure contractors have insurance in place before work starts."

Mr Okoro noted that while these measures might have good intentions, they might end up reducing the number of indigenous contractors who can access high-end contracts.

Mr Albert Lapyem, a senior project manager at Turner & Townsend, a

global project and cost management company, which interacts with Uganda's construction environment, said the law sits at the uncomfortable intersection of a broken historical reality and a necessary future reform.

He noted that a significant proportion of buildings in Kampala were constructed outside the formal regulatory framework and without approved plans or occupation permits.

"This did not happen overnight, and it did not happen because people deliberately chose lawlessness alone. It happened because enforcement was weak, systems were unclear, permits were slow, and penalties were negligible," Mr Lapyem said.

In context, therefore, Mr Lapyem said the perception that the law is "retrospective" is understandable as people fear being criminalised for a system that previously failed them.

From a professional standpoint, however, he does not believe the law was designed to punish the past, but to draw a hard line going forward. "The danger lies not in the law itself, but in how authorities choose to apply it in informal and legacy developments," Mr Lapyem said.

He said the strongest positive of the new law is that it restores seriousness to building control, and does away with compliance, which he says has been the norm for long.

"The absence of real consequences made it difficult for professionals to insist on proper approvals, safe materials, and adequate supervision, especially when clients were under pressure to save time and money."

"The restructuring of institutions such as the NBRB [National Building Review Board] and the clearer mandates for local building committees are also improvements. In theory, decisions should now be more technical, less arbitrary, and easier to escalate when delays occur," he said.

Despite the positives, Mr Lapyem said the law does not sufficiently address how legacy developments should be treated (fairly and pragmatically), how affordability of compliance will be ensured for ordinary homeowners, how enforcement officers will be monitored and held accountable, and how technology can be used to reduce human discretion in approvals and inspections.

"As professionals, regulators, and citizens, the measure of success will not be how many stop orders are issued, but how many unsafe practices are prevented, how many buildings are regularised, and how much confidence is restored in the system. That is where the real work now lies," he stated.

Mr Moses Tiberondwa, the spokesperson of Uganda National Association of Building and Civil Engineering Contractors (Unabcec), the umbrella body for genuine contractors and suppliers in the country's construction industry, said: "The law affects the society; so, what we see shouldn't contravene what is already there. There is a need to read existing bylaws and compare with what is being suggested. Some provisions are new, though."

The NBRB, the government agency responsible for regulating operations to ensure safety and sustainability in the built environment, has been granted broader enforcement powers under the amended law, including: issuing "Stop and evacuation orders", accessing construction sites, and referring offenders to police or professional bodies.

**Shs10m  
FINE FOR  
BREACHING LAW**