National News

New building law: What homeowners must know

The law, which took effect on March 19, is aimed at curbing illegal construction, improving safety standards, and strengthening enforcement mechanisms across the country.

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The construction sector has ushered in more stringent regulations following the implementation of amendments to the Building Control Act, 2026, with the National Building Review Board (NBRB) promising tougher penalties, faster enforcement, and improved safety standards.

The changes, which took effect on March 19, are aimed at curbing illegal construction, improving safety standards, and strengthening enforcement mechanisms across the country.

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

"Any person whose negligence, commission or omission leads to an accident in a building or at a construction site that results in injury, death, or destruction of property will now face stiffer penalties," the law states in part.

The revised law provides that such an offender, upon conviction, is liable to a fine not exceeding 500 currency points (Shs10 million) or imprisonment of up to 12 years or both, marking a significant increase intended to deter carelessness in the construction sector.

A currency point is valued at Shs20,000.

Ms Flavia G Bwire, the NBRB executive secretary, says the revised penalties are designed to match the scale of offences and deter widespread disregard for building regulations.

"Previously, constructing without a building permit attracted a flat fine of 50 currency points (Shs1 million) or one to two years' imprisonment. However, today, the penalty is two currency points (Shs40,000) per square metre," Ms Bwire explains.

She adds: "An average residential building is about 100 square metres; so, if you build without permission, that translates into about Shs4 million. And this fine is now issued as an express penalty, so it is enforced immediately."

Shs 10m FINE FOR ACCIDENTS

Express penalties

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.

Ms Bwire emphasises that such practices will now attract similar penalties unless developers formally apply for extensions.

"We have introduced clear procedures for permit extensions; construction must start within 12 months and end within 60 months. If you fail to meet this timeline without extension, you will be penalised," she says.

"This could result in huge penalties, especially for high-rise buildings. Many developers have used this method, so they need to check their compliance immediately," Ms Bwire adds.

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 property face fines of up to 500 currency points (Shs10 million), imprisonment of up to 12 years, or both. The move is intended to enhance accountability across the entire lifecycle of a building.

The NBRB has also 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.

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.

However, Ms Bwire clarified that such an enforcement action (s) will follow due process, which will be guided by regulations.

The law also 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 now 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.

KEY PENALTIES

- **Negligence causing accidents (injury, death, or property damage):** Up to 500 currency points (about Shs10 million) Or up to 12 years in prison, or both
- **Building without an approved permit:** 2 currency points (Shs40,00) per square metre of built-up area
- **Continuing construction after permit expiry (without extension):** Same penalty as illegal construction; 2 currency points per square metre
- **Use of prohibited or unsafe building methods/materials:** 5 currency points per square metre of built-up area
- **Failure to comply with demolition or repair orders (unsafe buildings):** Building Committee may demolish the structure at the owner's cost

As implementation begins, Ms Bwire urges developers, property owners, and construction professionals to familiarise themselves with the new requirements, warning that failure to comply will not only attract heavier penalties, but lead to "serious legal consequences" under the strengthened law.

In a related provision, Section 40 empowers building committees to take decisive action against unsafe structures. Where a building is found to be in a state of disrepair, dilapidated, or unsafe, the committee may issue a written notice ordering the owner to demolish it or undertake remedial works to meet required standards.

"If the owner fails to comply, the committee can proceed to demolish the structure at the owner's cost," Ms Bwire said.

Other concerns

Immediately after news of the amendments to the Building Control Act, 2026, filtered through, concerns were raised on its viability and implementation strategy, among others.

Key among the issues was that the amended building law needs to be put into context to shed light on some emerging challenges, especially that most likely, nearly 60 percent of houses in Kampala lack building plans, and nearly 95 percent lack occupation permits.

Other questions were what prospects the law will be able to correct and at what cost to the authorities, considering that Kampala Capital City Authority has previously run campaigns to convince people to acquire as-built building plans. Critics are trying to understand what results were yielded by such campaigns and what lessons were learnt.

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 retrospectively" 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.

Ms Bwire, however, says their message reached almost every Ugandan, it was taken out of context, but aims to empower citizens to know what to do, when to do it and how to do it.

She adds that in December, an audit report will be public information 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.

Regarding occupation permits, Ms Bwire says there are two categories, including Ugandans, despite the law requiring that we get approval to build, have never got approval to build and just built, and Ugandans who got approval to build and did not get an occupation permit.

"So, these are two different teams. What we are working out right now is the process by which these Ugandans should be able to get their occupation permits," Ms Bwire explains.

She acknowledges 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."

Workers at a construction site. Instead of flat fines, the law pegs penalties to the size of the building, making non-compliance more expensive. PHOTO/FILE