New building and construction law imposes stricter penalties

The revised penalties are intended to strengthen compliance, improve accountability, and promote safer construction practices. The amendment took effect on March 19.

BY GEOFFREY OYET OKWERA

Last year in Seeta, Mukono District, a two-storey structure collapsed. The site engineer, Robert Damulira, fled the scene for fear of arrest. For the property owner, Patrick Iga, hopes and aspirations were reduced to rubble as the building he had invested in crumbled before completion. What was meant to be a milestone achievement became a painful reminder of the risks many Ugandans face. This incident is not isolated. It reflects a deeper, systemic ailment plaguing the building and construction industry. Over the years, Uganda has witnessed a troubling pattern of structural failures, unfinished projects, and buildings collapsing either during construction or shortly after completion.

> "Crucial. Proper implementation will not only protect the public but also strengthen investor confidence and improve industry standards. The construction sector is a key driver of employment, infrastructure development, and urban growth, making it a major contributor to Uganda's GDP. Effective regulation will support safer buildings, sustainable growth, and long-term economic development."
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> Blick Obita, a civil engineer and member of the Uganda National Association of Builders, Suppliers and Engineering Contractors.

Experts attribute these tragedies to a combination of factors: the use of substandard and counterfeit materials, poor supervision at construction sites, inadequate professional oversight, and a growing tendency among developers to cut costs at the expense of safety. Weak enforcement of building regulations and corruption within approval processes have further worsened the situation, allowing unqualified contractors and engineers to take on complex projects.

Beyond the financial losses suffered by property owners, such collapses put lives at risk and undermine public confidence in the construction sector. The recurring nature of these incidents points to an urgent need for stricter compliance, stronger accountability, and a renewed commitment to professionalism.

Penalties under the new law

Against this backdrop, developers who embark on construction without approved permits now risk paying up to Shs4m in fines. This is contained in the new Building Control (Amendment) Act 2026, signed by President Yoweri Kaguta Museveni.

According to Blick Obita, a civil engineer and member of the Uganda National Association of Builders, Suppliers and Engineering Contractors, the new law comes at a critical time. Many quack engineers have been exploiting unsuspecting clients, leading to substandard work, financial losses, and dangerous building failures. He notes that stronger enforcement will help restore professionalism and accountability by ensuring that only certified and competent practitioners undertake construction projects.

> **KEY PENALTIES**
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> Under the new law, stricter penalties have been introduced to deter illegal and unsafe construction practices:
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> Constructing without permits: A developer who builds a 100-square-metre residential property without the required permits faces a fine of Shs4m.
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> Prohibited construction methods: Using banned techniques, such as steel-timber-concrete composites, attracts a penalty of Shs100,000 per square metre.
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> Causing an accident on site: Any developer found guilty faces a fine of Shs10m or up to 12 years in prison.
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> Blick Obita, a civil engineer and member of the Uganda National Association of Builders, Suppliers and Engineering Contractors, urges all stakeholders to support government efforts to ensure professionalism across the building sector so that clients receive value for money and projects meet safety standards.
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> The amendment took effect on March 19 and aims to crack down on illegal construction, strengthen accountability, and enhance public safety across Uganda.

Obita adds that proper implementation will not only protect the public but also strengthen investor confidence and improve industry standards. He emphasizes that the construction sector is a key driver of employment, infrastructure development, and urban growth, making it a major contributor to Uganda's Gross Domestic Product (GDP). Effective regulation, he says, will support safer buildings, sustainable growth, and long-term economic development.

Industry voices support the law

Charles Kikomeko, a member of the Engineers Registration Board (ERB), welcomed the fines, describing them as a necessary step toward restoring order and professionalism. He notes that the penalties will act as a strong deterrent to negligence and discourage unqualified practitioners from undertaking projects without proper approvals and supervision.

Kikomeko emphasizes that strict enforcement will improve compliance with engineering standards, enhance public safety, and protect property owners from costly structural failures. He adds that the move will also strengthen accountability across the industry and support government efforts to promote safe, regulated, and sustainable development in Uganda.

Flavia Gutto Bwire, Executive Secretary of the National Building Review Board (NBRB), describes the changes as necessary to align penalties with the scale of the offences and to deter the widespread disregard for building approval procedures. She stresses that the revised penalties are intended to strengthen compliance, improve accountability, and promote safer construction practices.

Previously, constructing without a building permit attracted a fine of Shs1m or up to two years' imprisonment. The new provisions also target developers who continue construction after their permits have expired.

Permit timelines and extensions

According to Bwire, developers who continue building after their permits expire will face similar penalties unless they formally apply for an extension. This measure is intended to enforce proper approval procedures and ensure projects remain compliant throughout the construction process.

Under the new law, the NBRB has introduced clearer procedures for permit extensions:

Construction must commence within 12 months of approval.

Works must be completed within five years.

"If you fail to meet this timeline without extensions, you will be punished, and this could result in huge penalties, especially for high-rise buildings," Bwire warned.

The Building Control Act (Cap 136) provides the legal framework for regulating building operations, standards, and maintenance. It also established the NBRB under the Ministry of Works and Transport to oversee compliance and enforce building regulations.

Concerns and calls for consultation

Civil works engineer Isaac Mugerwa urges authorities to carefully reconsider the clauses generating widespread anxiety among developers, homeowners, and the general public. He notes that while regulation is important for safety and standards, the law should be implemented in a way that does not create fear or unnecessary hardship for those trying to comply.

"I am not against regulation because it is necessary for safety and order in the construction sector. However, the process should involve the consent and meaningful engagement of all stakeholders," Mugerwa says.

Under the new law, any developer found guilty faces a fine of Shs10m or up to 12 years in prison. PHOTO/FILE.