

Statutory Instrument Supplement
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STATUTORY INSTRUMENT

2020 No. 73.

The Local Governments (Amendment of Fifth Schedule) Statutory Instrument, 2020

(Under section 175 (2) of the Local Government Act, Cap 243)

IN EXERCISE of the powers conferred upon the Minister responsible for Local Governments with the approval of Cabinet this Instrument is made this 28th day of April, 2020.

1. Title

This Instrument may be cited as the Local Governments (Amendment of Fifth Schedule) Instrument, 2020.

2. Amendment of the Fifth Schedule

The Fifth Schedule to the Local Government Act, Cap 243, is amended by inserting immediately after regulation 17 the following new Part-

PART III A - RATES FOR PARK USER FEES

17A. Interpretation

In this Part, unless the context otherwise requires-

“authorized officer” means a member of staff of Kampala Capital City Authority, District or urban authority or a person assigned by the Council or Executive Director Kampala Capital City Authority, Chief Administrative Officer or Town Clerk to enforce these Regulations;

“heavy omnibus” means a motor vehicle having seating accommodation exceeding sixty passengers excluding the driver;

“Kampala Capital City”; means the territorial boundaries delineated in the Second Schedule of the Kampala Capital City Authority Act, 2010 Act 1 of 2011;

“light omnibus” means a motor vehicle having seating accommodation for more than seven but not exceeding twenty passengers excluding of the driver;

“medium omnibus” means a motor vehicle having seating accommodation for more than twenty but not exceeding sixty passengers excluding the driver;

“park” means any public or private land or area gazetted and physically identified or planned by an urban authority within its territorial boundaries for the purpose of loading or offloading passengers;

“taxicab” means a motorcar used as a passenger vehicle which stands on a rank or plies for hire on a road or a fixed place of business and is licensed to carry passengers for hire or reward under a contract express or implied for the use of the vehicle as a whole at the authorised fee and rates displayed on the vehicle and the sum indicated on the meter;

“year” means twelve calendar months.

17B. Levy of Park User Fees.

- (1) There is charged an annual park user fee on every taxicab, light omnibus, medium omnibus or heavy omnibus licensed as a public service vehicle loading or offloading passengers within a district, urban authority or Kampala Capital City.
- (2) The park user fees in respect of each taxicab, light omnibus, medium omnibus or heavy omnibus shall be levied as follows-
 - (a) a person operating a taxicab or light omnibus within more than one district, urban authority or within and outside Kampala Capital City shall pay eight hundred and forty thousand shillings (840,000/=) per year;

- (b) a person operating a taxicab or light omnibus within one district, urban authority or within Kampala Capital City only shall pay seven hundred twenty thousand shillings (720,000/=) per year; or
- (c) a person operating a medium omnibus or heavy omnibus shall pay two million four hundred thousand shillings (2,400,000/=) per year.

17C. Payment of a Park User Fees.

- (1) The park user fees shall be collected by Uganda Revenue Authority and remitted to the Consolidated Fund.
- (2) For purposes of paying the park user fees, a person shall fill in a bank payment advice form to be provided by Uganda Revenue Authority or complete an online registration, assessment and payment on the Uganda Revenue Authority online platform.
- (3) A person paying the park user fees using a bank payment advice form provided by the Uganda Revenue Authority under sub regulation (2), to deposit the amount assessed in the Bank indicated on the payment advice form.
- (4) A person who has paid the park user fees under this regulation, shall retain the bank slip or receipt as proof of payment of the park user fees.
- (5) A person shall not be issued with a public service vehicle license issued under the Traffic and Road Safety Act unless he or she has proof of payment of the Park User Fees.

17D. Allocation of the Park User Fees

- (1) In accordance with the Public Finance Management Act, 2015 the Accountant General shall allocate the park user fees paid in respect of each taxicab, light omnibus, medium omnibus or heavy

omnibus to a district, urban authority or Kampala Capital City where it operates, on a Monthly basis.

- (2) Where a taxicab, light omnibus, medium omnibus or heavy omnibus operates within more than one district, urban authority or within and outside Kampala Capital City, the Accountant General shall allocate the paid Park User Fees amongst the districts, Urban Authorities or Kampala Capital City Authority as follows-
 - (a) five hundred four thousand shillings (504,000/=) shall be allocated to a district, urban authority or Kampala Capital City Authority where a taxicab or light omnibus originates as indicated on the route chart;
 - (b) three hundred thirty-six thousand shillings (336,000/=) shall be allocated to a district, urban authority or Kampala Capital City Authority where a taxicab or light omnibus destines as indicated on the route chart; or
 - (c) allocate equally the park user fees amongst the districts, urban authority or Kampala Capital City Authority on the route chart in case of medium omnibus or heavy omnibus.

17E. Display of Routes

A driver of a taxicab, light omnibus, medium omnibus or heavy omnibus shall display the routes on the taxicab, light omnibus, medium omnibus or heavy omnibus specified in the route chart, in a position that is clearly visible by any person.

17F. Enforcement

- (1) An Authorized Officer may enforce these Regulations, and in the exercise of that power, he or she may impound any vehicle operating without paying the park user fee, tow and park the vehicle, at the designated parking yard.
- (2) The towing and parking fees where applicable shall be paid by the driver or the owner of the impounded vehicle.

- (3) A person who fails to pay a park user fee or obstructs an authorized officer in exercise of his or her powers under sub regulation (1), commits an offence and is liable on conviction to a fine not exceeding ten currency points or imprisonment for term not exceeding one year or both.

17G. Amendment of SI No. 3 of 2015

The Kampala Capital City (Commercial Road Users) Regulations, 2015 are amended by repealing item 2, 4, 6, 7 and 8 in Schedule 2.

RAPHAEL MAGYEZI (MP)
Minister of Local Government