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Statutory Instrument

No. 47—The Electoral Commission (Appointment of Date of Completion of Update of Voters' Register in Entebbe Municipality Constituency, Wakiso District) Instrument, 2011.

General Notice No. 521 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Gate 1 Travel Limited has been by special resolution passed on 5th September, 2011 and with the approval of the Registrar of Companies changed in name to Gate 1 Tours and Travel Limited and that such new name has been entered in my Register.

Dated at Kampala, this 6th day of September, 2011.

RUTA DARIUS,
Assistant Registrar of Companies.

General Notice No. 522 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Plastic Recycling Industries (U) Ltd. has been by special resolution passed on 31st May, 2011 and with the approval of the Registrar of Companies changed in name to Snow World Ltd. and that such new name has been entered in my Register.

Dated at Kampala, this 6th day of September, 2011.

JULIET NASSUNA,
Assistant Registrar of Companies.

General Notice No. 523 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Lab Holdings Ltd. has been by special resolution passed on 13th May, 2011 and with the approval of the Registrar of Companies changed in name to BCG Holdings Ltd. and that such new name has been entered in my Register.

Dated at Kampala, this 4th day of July, 2011.

BEN TURYASINGURA,
Assistant Registrar of Companies.

General Notice No. 524 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that MMP Properties Ltd. has been by special resolution passed on 22nd August, 2011 and with the approval of the Registrar of Companies changed in name to MMP Agro Industries Ltd. and that such new name has been entered in my Register.

Dated at Kampala, this 31st day of August, 2011.

JULIET NAGAWA LUGGYA,
Assistant Registrar of Companies.

General Notice No. 525 of 2011.

THE COMPANIES ACT, LAWS OF UGANDA, 2000.

(Cap. 110).

NOTICE.

PURSUANT to Section 19(4) of the Companies Act, (Cap. 110) Laws of Uganda, 2000, notice is hereby given that Stromme Memorial Foundation Ltd. has been by special resolution passed on 2nd August, 2004 and with the approval of the Registrar of Companies changed in name to Stromme Foundation Limited and that such new name has been entered in my Register.

Dated at Kampala, this 20th day of July, 2011.

JULIET NAGAWA LUGGYA,
Assistant Registrar of Companies.

General Notice No. 526 of 2011.

MINISTRY OF FINANCE, PLANNING AND
ECONOMIC DEVELOPMENT

PUBLIC-PRIVATE PARTNERSHIP FRAMEWORK
POLICY

FOREWORD

The Government of Uganda has adopted a policy of Public-Private Partnership ("PPP") as a tool for the provision of public services and public infrastructure. Cabinet approved this Policy on March 10, 2010.

The application of PPP in provision of public services and infrastructure will bring about the following:

- Better utilization and allocation of public funds
- More efficient development and delivery of public infrastructure
- Ensure good quality public services
- Boost economic growth and foreign direct investments

Government will promote and encourage the various forms of PPP in the implementation of the National Development Plan, Medium Term Expenditure Framework and annual budgets. The choice between public and private sector provision of public services and public infrastructure will be based on a rigorous value for money assessment. Where it is determined that private sector provision of the public service, public infrastructure and related services will deliver better value for money, the choice of PPP Partners will be through a consistent, transparent system of competitive tendering.

The adoption of PPP Policy represents Government's commitment to increase private sector investment and participation in public infrastructure and provision of public services. In addition, Public-Private Partnership is an important tool for fiscal moderation and control of public debt as budget commitments in respect of infrastructure and services provided under Public-Private Partnership arrangements are known in advance. In this respect, the authority to decide on a PPP and the determination of any expected outcome of PPP projects in the form of public services, and their implementation, will remain with the relevant Government departments and state enterprises in charge of the provision of the public service or infrastructure in question.

However, PPPs impose a commitment on future budgets. Government therefore requires that any commitment arising from PPP projects be subject to approval by the Ministry of Finance, Planning and Economic Development. This is to ensure that the PPP arrangements are affordable, provide value for money and, commitments arising thereof are within the debt management limits. The Ministry will issue regulations and operating procedures to guide in the engagement of the private sector in PPP arrangements.

The Ministry of Finance, Planning and Economic Development shall set up a unit ("the PPP Unit") to advise Government on PPPs, ensure best practices are widely employed and standardize processes and documentation. The PPP Unit will also support government departments and agencies in assessing projects, choosing the best possible partner, negotiating agreements and monitoring them. Government therefore expects all components of the public sector to make use of resources available at the PPP Unit when implementing PPP.

Formulation of this Policy has been carried out through an extensive consultative process, which has involved the review of policies and PPP frameworks of many countries that are implementing PPP programmes, discussions with Government departments, local authorities and key stakeholders in the private sector.

In order to facilitate PPP implementation, Government will enact PPP legislation to provide for the roles and responsibilities of each stakeholder in the PPP implementation process, the institutional framework that will specify the relationship between the different stakeholders and the duties and responsibilities of the PPP Unit. The law will also provide for the protection of both the private and public sector against indiscriminate application of PPP.

The PPP Unit will develop a communication strategy and plan to consult with, educate and inform the public and all stakeholders on issues of PPP. The PPP Unit will also develop and implement a capacity building programme to provide Government officers with the skills required to develop, implement and monitor PPP projects.

HON. SYDA N.M. BBUMBA (MP).

*Minister of Finance, Planning and Economic
Development.*

1.0 INTRODUCTION

- 1.1 The Government of Uganda has adopted a policy of involving the private sector in the provision of public services including public infrastructure and related services.
- 1.2 It is in this context that I am presenting the Public-Private Partnership ("PPP") Framework Policy, which reflects Government commitment to increasingly use this method/mode of service delivery to carry out projects as other governments have successfully done across the world. The Policy seeks to obtain better quality services at competitive costs, employ private sector expertise and finance when beneficial, reduce costs, delivery times and risks inherent in infrastructure projects and service delivery.
- 1.3 The Policy entails a structured approach for assessing projects with public-private partnership potential. This approach is based on carrying out a detailed feasibility study to show that the public stands to "win" in terms of service, cost and quality as well as insuring that the projects are affordable and will provide value for money.

1.4 This Policy has been developed following the recommendations of a study carried out with the support of the Public Private Infrastructure Advisory Facility (PPIAF), a multi-donor fund managed by the World Bank, and a national consultative conference held in September 2008. It reflects the policy approach of the Uganda Government and takes full account of the views expressed by various stakeholders that participated in the national stakeholders' consultative conference mentioned above as well as the views expressed by Cabinet during the discussion of the draft Policy.

1.5 The principal features of this Policy Framework include clear statements of the scope, principles and aims for the use of Public-Private Partnerships, the identification of key project implementation issues and a clear recognition of the critical role of social partnership and stakeholder consultation in underpinning the success of Public-Private Partnerships. The Policy Framework also makes provision for monitoring and evaluation of PPP projects.

1.6 This policy document provides a high level framework and will be underpinned by detailed guidance material to be developed in consultation with relevant stakeholders and issued from time to time.

2.0 Scope and Application

2.1 This PPP Policy Framework applies to Uganda Government Ministries, autonomous Government Departments, Local Authorities and Statutory Corporations directly responsible for delivering public services. It is to be used when selecting and developing public infrastructure and any related services as potential PPPs in the context of meeting Uganda's overall economic and social development objectives and priorities.

2.2 Public-Private Partnerships will be used alongside conventional public expenditure and funding forms to achieve new investment in our public services. Key drivers for the use of Public-Private Partnerships to deliver quality public infrastructure and services in Uganda will be:

- **Value for money** – improved quality of service and lower whole life costs i.e., the optimum combination of whole life costs and service quality to meet user requirements;
- **Accelerated Investment** – doing more and sooner, resulting in a faster rate of public service improvement;
- **Meeting public needs** – providing quality, reliable public services to meet the needs and expectations of the community and promote social inclusion/or cohesion; and
- **Reform and Change Management** – in some sectors it may be helpful for an alternative provider to play a part so that change and

development can be stimulated, with the effect that new working practices or less bureaucratic procedures can be developed.

3.0 Objective

3.1 This PPP Policy ("Policy") provides a framework that enables public and private sectors to work together to improve public service delivery through private sector provision of public infrastructure and related services.

3.2 The objectives of the Policy are to:

- put in place an enabling environment that will stimulate investment in public infrastructure and related services;
- encourage private sector investment and participation in public infrastructure and related services where value for money for can be clearly demonstrated;
- streamline the PPP procurement process; and
- clearly articulate accountability for outcomes.

3.3 The key objectives to be realised through the use of Public Private Partnerships are summarised in the paragraphs that follow:

- **Cost Effective Delivery** – the net present cost of a service delivered under a Public Private Partnership should be lower than that achieved under traditional procurement, reflecting the benefits of competition, whole life costing, design innovation, improved efficiency and risk transfer;
- **Good Quality Services** – the quality of service delivered under a Public Private Partnership should be equivalent or higher than that achieved under traditional procurement, reflecting the benefits of competition, innovation, performance incentives and planned life cycle maintenance;
- **Clear customer focus** – a Public Private Partnership arrangement should help the public sector to focus more clearly on the services people want, rather than on the management of existing forms of service delivery. The shift in focus from service inputs to outputs can create the scope for innovation in service delivery and enhance customer focus overall;
- **Enhanced service diversity** – by exposing the provision of public services to competition and diversity, Public Private Partnerships should help enable the quality and cost of such services to be benchmarked against market standards, thereby helping to secure productivity improvements within the economy as a whole;
- **Enhanced incentive** – by allocating risk to the party best able to manage it and by linking service payments to performance, Public Private Partnerships should provide a clear