



LEGAL ALERT

The Building Control (Amendment) Act 2026

What Everyone Needs To Know

August 2026

The building sector or often referred to as the built environment has for a long term had several gaps attributed to deficiencies with the existing laws. On 19th February 2026, the President of the Republic of Uganda assented to a very significant legislation within the built environment, the Building Control (Amendment) Act 2026, which later came into force 19th March 2026. The legislation which amends the Building Control Act Cap. 136 enacted in 2013, introduces significant changes which are highlighted in this article. The article goes further to point out the missed opportunities that the amendment should have resolved but never did.

1. KEY CHANGES INTRODUCED BY THE AMENDMENT

a. Membership of the Board

The amendment creates a significant reconstitution of the membership to the National Building Review Board (NBRB), reducing it from 16 to 9 members. The board membership is now including a representative from the Ministry of Works and Transport, the Ministry of Gender, Labour and Social Development, the Ministry of Lands and Urban Development, the Ministry of Local Government, Attorney General's chambers and four representatives from the professional bodies of Engineers, Architects, Physical Planners and Surveyors.¹ The restructure is expected to improve efficiency of the board and reduce its operational costs.

b. Introduction of Stronger Board Functions and Powers

The amendment has expanded the functions and powers of the Board under Section 8 of the original Act to include hearing and determining complaints from any person, a Building Control Officer or a Building Committee.² The NBRB's powers were previously limited only to complaints about building permit approval processes. These have now been expanded to any complaints in relation to a building or its operation. This is in addition to the functions provided in the original Act including monitoring building development, ensuring that the design and construction of buildings and utilities to which the public is to have access cater for persons with disabilities, overseeing, inspecting and monitoring the operation of Building Committees, determining appeals from these committees, determining the fees to be charged by urban and district building committees for approval of plans, and issuing of building and occupation permits.

The amendment has also bestowed onto the NBRB powers to issue stop or evacuation orders in circumstances where a Building Committee has failed to comply with recommendations of the Board and safety is compromised at a building. The Board can also issue express penalties for certain offences as may be prescribed by the Minister by regulations, enter onto any land, building or site where a building operation is being carried out to enforce the Act, guide Building Committees on procedural matters, make complaints to the police relating to building matters for investigation and refer complaints concerning professionals to professional bodies as may be appropriate.³

1. Sect. 2 of the Building Control (Amendment) Act 2026
2. Sect. 3 of the Building Control (Amendment) Act 2026

3. Sect. 4 of the Building Control (Amendment) Act 2026

c. Membership and Powers of Building Committees

The amendment revises the membership of the Building Committees at the district, city council and municipal council from 11 to 5 members. It also designates a Chairperson and Secretary, with the committees to be constituted of the officer responsible for engineering who shall be the Chairperson, the officer responsible for physical planning who shall be the secretary, and the officers responsible for health, architecture and environment management as the other members. The members of the committee are to be appointed by the Chief Administrative Officer(CAO) in case of a district and by a Town Clerk in case of an urban council (city or municipal council).⁴

The amendment also expanded enforcement powers of the Committees to include **powers to demolish or order evacuation of buildings** constructed in contravention of the Act and regulations.⁵ Under the original Act, the committees only had powers to order demolition in writing where deemed necessary however, they did not possess the power to cause the demolition in the case of errant developers. The amendment further under remedial actions for defective buildings reinforces the building committees with the **powers to order in writing the demolition of buildings at the cost of the owner** where the building is in a state of despair, is dilapidated, unsafe and showing signs of despair or dilapidation.⁶ The original Act only permitted the committee to order the owner to demolish the building alongside other remedial actions but not provide for the power to cause the demolition at the cost of the owner.

The Minister is required to make amendments to the Building Control Regulations of 2020 to provide for the procedure to be followed by the Building Committee when demolishing buildings and provide separate regulations to that effect.⁷

d. Use of unconventional methods, technologies and materials in building operations

The original Act prohibited the use of unsafe building methods and materials as specified by the Minister of Works and Transport. The amendment increases the penalty for using prohibited methods and materials from 48 currency points (UGX 960,000/-) or 2 years' imprisonment (or both) to 5 currency points (UGX 100,000/-) per square meter of the area built using a prohibited method or materials or 2 years' imprisonment (or both).⁸

The Amendment makes an additional provision allowing the Minister by notice in the Gazette and on the recommendation of the Board to approve the use of unconventional methods, technologies and materials in building operations.⁹ This is meant to allow innovation within the built environment. The Minister is required to prescribe the procedure for approval by statutory instrument.

The Minister is required to amend the Building Control Regulations 2020 to provide the procedure for approval of use of unconventional methods, technologies and material for buildings or even release separate regulations for that case.¹⁰

4. Sect. 6 of the Building Control (Amendment) Act 2026
5. Sect. 7 of the Building Control (Amendment) Act 2026
6. Sect. 13 of the Building Control (Amendment) Act 2026
7. Sect. 21 of the Building Control (Amendment) Act 2026

8. Sect. 14 of the Building Control (Amendment) Act 2026
9. Sect. 15 of the Building Control (Amendment) Act 2026
10. Sect. 12 of the Building Control (Amendment) Act 2026

e. Liability for causing accidents in buildings or on building construction sites

Section 44 of the original Act was limited to liability for negligence causing death, injury or destruction of property on building construction sites. The amendment has expanded liability for negligence beyond accidents on building construction sites but also on or in buildings.

The amendment further increased the penalty for negligence from 288 currency points (UGX 5,600,000/-) or 12 years' imprisonment (or both) to 500 currency points (UGX 10,000,000/-) or 12 years' imprisonment, or both.

f. Obtaining an Occupation Permit

The amendment revises the structure of obtaining an occupation permit to cure unnecessary system delays. It first increases the timeline within which an application for an occupation permit must be considered by the Building Committee from 14 days to 30 days. It further provides recourse where the committee fails to make a decision within that time. The applicant may file a complaint with the Chief Administrative Office (CAO) in case of a district or Town Clerk in case of an urban council who upon receipt shall direct the committee to make a decision within a specified period of time not later than 14 days from receipt of the directive. Where the Building Committee still fails to make a decision on the application with the specified period, the application has a right to appeal to the Board.¹¹

g. Obtaining Building Permits

The amendment has tightened the penalty for carrying out building operations without a valid building permit from a fine not exceeding 50 currency points (UGX 1,000,000/-) or imprisonment of up to 2 years (or both) to a fine of two currency points (UGX 40,000/-) per square meter of the built up area or imprisonment of up to five years (or both).¹²

The amendment has also refined the requirements for a building permit where the building is a multi-storied structure or building. Initially, the applicant was required to provide a **structured design** and plans stamped by a registered structural engineer including the name, registration number and their signature, a copy of the registration certificate and a copy of the structural design calculations. This requirement has been replaced/refined with the applicant required to present in addition to the others, an **engineering design** and plans stamped by a registered structural engineer including the name, registration number of the structural engineer and his or her signature, a copy of the registration certificate of the structural engineer and a copy of the engineering design calculations.¹³

The amendment further provided clarification of what amounts to a multi-storied structure or building. This refers to a building of a height of more than twelve meters.¹⁴

Where an applicant is required to provide additional information, the amendment

11. Sect. 16 of the Building Control (Amendment) Act 2026

12. Sect. 8 of the Building Control (Amendment) Act 2026

13. Sect. 9 of the Building Control (Amendment) Act 2026

14. Sect 9 of the Building Control (Amendment) Act 2026

requires that such information be provided within 12 months without requiring the applicant to make any additional payment.¹⁵

The amendment also requires that any person who undertakes a building operation must comply with the National Building Code which is issued by the Minister after consultation with the Board.¹⁶ The code includes matters relating to the building standards, structural design, plumbing, electrical installations, mechanical installations, among others.

h. Extension of Building Permit

The amendment has introduced a time limitation for application for extension of a building permit requiring that such application be made at least 30 days before the expiry of the building permit.¹⁷

It has also revised or tightened the penalty for conducting building operations with an expired building permit from a fine of up to 25 currency points (UGX 500,000/-) or imprisonment of up to 13 months (or both) to a fine of up to 2 currency points (UGX 40,000/-) per square meter of the built up area, after the expiry of the building permit. Developers should therefore take note of permit expiry dates and initiate extension applications sufficiently early to avoid continuing construction under an expired permit.

2. POTENTIAL IMPACT OF THE AMENDMENT

The changes summarized above will be felt differently across the various players in the built environment. We share a few potential impacts worth noting.

- a. Greater accountability and greater liability exposure:** By elevating the National Building Code from a professional guide to rather a binding statutory duty and by making liability at site accidents stricter, the Amendment shifts a significant share of construction risk onto developers, engineers and site supervisors. As a result, a developer or contractor may not escape responsibility merely by showing that reasonable care was taken. This is likely to increase demand for and the cost of, contractors' all-risk and professional indemnity insurance, even though the amendment itself does not make such cover mandatory.
- b. A steeper cost of non-compliance:** The shift from fixed sum penalties to area-based fines means the cost of building without a permit, or of continuing to build on an expired one, now scales with the size of the project. For large commercial and residential developments, this could translate into fines running into hundreds of millions of shillings, which is a far stronger deterrent than the fixed penalties under the original Act, which had even been eroded by inflation since 2013.

15. Sect. 10 of the Building Control (Amendment) Act 2026

16. Sect. 18 of the Building Control (Amendment) Act 2026

17. Sect. 12 of the Building Control (Amendment) Act 2026

- c. Faster and more predictable permit process:** The introduction of firm decision timelines with a complaint mechanism to the Chief Administrative Officer or Town Clerk where a Building Committee sits on an application, should on paper reduce the room officials have previously had to delay approvals indefinitely. If implemented as intended, this should shorten development timelines and reduce the informal costs associated with chasing approvals.
- d. Decentralisation of Enforcement:** The amendment hands enforcement of permitting timeline to the Chief Administrative Officers and Town Clerks and further to the Building Committees the power to demolish or order evacuation which pushes more responsibility downstream to the district and urban council levels. This is a welcome move towards accountability being closer to the site of development, however, it will work if local authorities are adequately staffed, trained and resourced and most importantly not arbitrarily influenced or corrupted.

What Developers and Building Owners Should Do

With this development, developers and building owners should:

- a. Review existing building permits to avoid continuing development under expired permits which exposes them to liability. Where permits have expired or close to expiration, proceed to apply for extension.
- b. Desist from proceeding with construction projects without obtaining building permits as required.
- c. Ensure designs comply with the National Building Code.
- d. Use properly qualified professionals.
- e. Obtain occupation permits before occupying completed buildings.
- f. Avoid prohibited materials and methods. And Obtain approval for unconventional materials/methods where applicable.
- g. Respond promptly to Building Committee/NBRB notices.

CONCLUSION

The Building Control (Amendment) Act 2026 introduced significant, and in places overdue, changes to Uganda's built environment. The reconstitution of the National Building Review Board, the enhanced powers of the Board and Building Committees, the revised area-based penalty regime and the tightened timelines for permit and occupation approvals are together expected to improve the quality of developments and cut down on the delays in the permitting process. The amendment however leaves out a few gaps such providing no timelines within which the Board handles appeals. Ultimately, though, much of the promise of this law will depend on whether it is applied consistently and without favour across developers of every scale. It remains advisable that developers, engineers, architects and everyone else in the built environment take the time to understand these changes and comply with them fully, to avoid the considerably steeper consequences that non-compliance now attracts.

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