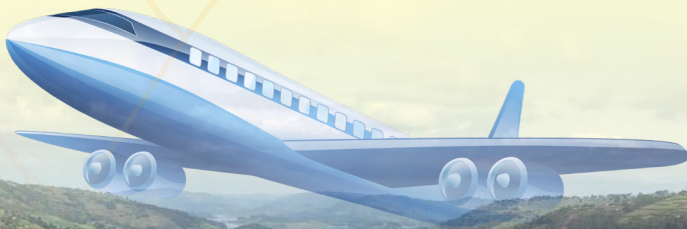


# UGANDA'S IMMIGRATION & NGOs GUIDE



**AFIAS MAGAZINE**  
2024 EDITION

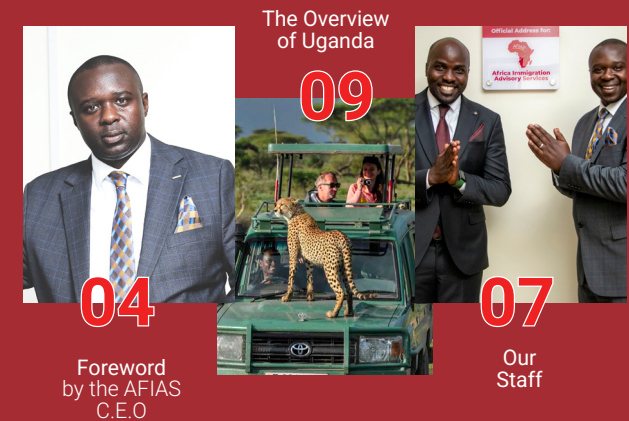


**Africa Immigration  
Advisory Services**

**A  
PRACTICAL  
GUIDE TO  
OBTAINING  
TEMPORARY OR  
PERMANENT  
RESIDENCE WHILE  
WORKING  
OR INVESTING IN  
UGANDA AND  
OPERATING A NON-  
GOVERNMENTAL  
ORGANISATION  
/BUSINESS.**



## THE CONTENTS



- 10** Living and Working in Uganda as a Foreign Missionary, Volunteer, Investor or Expatriate Employee.
- 11** Obtaining Work Permit for a Missionary or a Volunteer and a Salaried Employee in a Non-Governmental Organisation Operating In Uganda.
- 16** Business Class Work Permits and Expatriate Employees or Rare Skilled Foreign Employees.
- 29** Other Incidental Facilities (Special Pass, Dependant Pass, Spouse, Child, etc.)
- 31** Obtaining Citizenship or Permanent Residence Status in Uganda.
- 37** Registration of Non-Governmental Organisations in Uganda (Acquisition of a Certificate of Registration and Operation Permit).
- 56** AFIAS at Work Pictorial.





## FOREWORD

**B**ob Marley in one of his great quotes once said *“the greatness of man is not in how much wealth he has created for himself, but in his ability to influence positively those around him”* Indeed we can not thank enough our esteemed founding mentors in the professional career and guidance they have instilled in us and we give glory to God/Allah for the so far, he has brought us from.

Africa Immigration Advisory Services was badly hit by the Covid 19 pandemic that brought the entire global economy at a standstill. We are however grateful to the management’s social global capital that made us survive through

the harsh times. We were able to get through the pandemic better than ever before and with a great zeal to exchange global legal ideas and make our institution a meeting point of the world where opportunities can be shared. The firm has over the years tried to expand to do business in other African countries and through great global partners, we remain committed that we shall always do our best to achieve tremendous goals by developing Uganda, East Africa and Africa together through business opportunities from foreign investors in business and even those interested in helping our African comrades through aid/support in a respectful manner to our cultural and religious values.

We are happy that our clients have so far invested in Uganda and this will help in providing employment opportunities to our citizenry. We therefore commit that in the next years, our major focus shall be on business development where we bring in investors both in Uganda and our region who can take part in the promotion of industrialisation.

As an institution, we have so far brought on board big investors that are taking part in the social economic and industrial development of Uganda and we shall never tire to do this as responsible patriotic citizens who believe in the gospel of putting Uganda first before our individual interests even when some of us are in the private sector. A developed private sector is the only sure way our communities can develop and aim at achieving a real economy through concerted and collective efforts.

Our resolve and determination is to rise above the business challenges that we face and focus on core important business opportunities and also market our rich country’s resources to those potential partners that can fully help our country to develop and through this, we shall achieve our

Uganda Vision 2040, East African Community Vision 2050 and Africa Agenda 2063. I therefore implore our global business partners both in the NGO Sector, Tourism, Investment and Business sector to keep on using our services and we shall never tire to be transparent as we look at connecting our clients to various opportunities both in Uganda, East Africa and Africa.

Lastly, let me thank our team of experts and former staff for the tireless efforts in making our institution great. We are sure that due to our committed team, we are setting a big landmark in the Immigration sector both in Uganda and the region. We are also pursuing Ugandan Universities to include courses on Migration, Refugees and NGOs and we are happy that some visionary Universities are already implementing this agenda. We can not thank them enough as this is a new trend of global legal business that will never end.

May peace keep on prevailing in our families and our beautiful country Uganda and Africa at large.

—  
**Eliab Naturinda.**

CEO, Africa Immigration Advisory Services.



A group photo of the staff at Africa Immigration Advisory Services

**OUR MISSION**  
To be a reputable, reliable and leading consultancy firm in immigration, investment, tourism and NGO support services in Uganda.

**OUR VISION**  
Immigration, Investment and NGO support services made easy.

## OUR STAFF THE AFIAS PROFESSIONAL TEAM

*Naturinda Eliab (R)  
and Karibwije Phillious(L),  
Founding Directors at Africa  
Immigration Advisory Services  
& PHLEB Associated Advocates.*



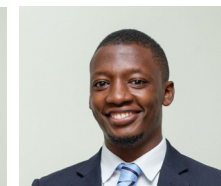
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**Diana Wazemba**  
Administrative Officer



Students on Internship  
Placement, **Mr. Mike Tumusingize** and  
**Mr. Ronald Gahizi**  
Kanyoro from Uganda  
Christian University and  
Makerere Law School  
respectively.





## THE OVERVIEW OF UGANDA.

Uganda is a land locked country located in the Eastern part of Africa and is a member states of the East African Community.

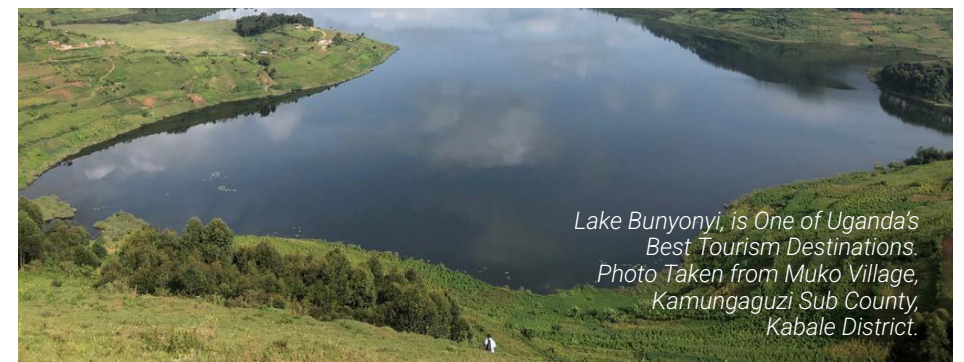
The country is bordered by Kenya in the East, Tanzania in the South, Democratic Republic of Congo in the West, Rwanda to the South-West and South Sudan in the North. Uganda's landlocked position and strategic location makes it an ideal regional trade and investment hub.

Uganda enjoys a unique location at the heart of Sub-Saharan Africa, lying astride the equator in East Africa. It is home to the snow-capped Rwenzori Mountains and some of Africa's biggest water bodies of water, including the Nile River, which has its source in Uganda, and Lake Victoria, the largest lake in Africa. It also boasts the western escarpments of the Great

Rift Valley and is home to a variety of unique flora and fauna.

Uganda has a moderate equatorial climate with warm temperatures all year round. The people are very friendly and hospitable and the economy offers high returns on investment, making Uganda an attractive investment destination.

Uganda is a former British colony and its legal system is based on the English Common Law System. The Constitution of the Republic of Uganda is the Supreme Law of the land. This established Uganda as a Republic with the Executive headed by the President, Legislature headed by the Speaker and the Judiciary headed by the Chief Justice. The Constitution protects both the public and private sector and the socio-economic aspects of every person resident in Uganda.



Lake Bunyonyi, is One of Uganda's Best Tourism Destinations.  
Photo Taken from Muko Village,  
Kamungaguzi Sub County,  
Kabale District.

Rhinos at the Rhino Sanctuary - Uganda, East Africa.



## PART A.

### LIVING AND WORKING IN UGANDA AS A FOREIGN MISSIONARY, VOLUNTEER, INVESTOR OR EXPATRIATE EMPLOYEE.

Uganda remains one of the fast-growing economies in East Africa as well as a country that is endowed with the best tourism and business investment opportunities in the world. The citizens of Uganda are welcoming people and they are accommodative to their 'brothers and sisters' in fulfilment of the famous neighbourhood principle "that you must love your neighbour as you love yourself" which further calls for due care".

A non-citizen who intends to travel, live and work in Uganda is required to obtain a visa and there after a work permit issued by the Immigration Authorities. Visas are issued as single entry facilities for potential investors investigating the possibility of establishing or carrying out any business, trade or profession in Uganda. Multiple entry visas can be granted to persons who expect to make numerous visits to Uganda.

The mandate to scrutinize, vet and approve work permit applications is a preserve of the Directorate of Citizenship and Immigration Control (DCIC) under the Ministry of Internal Affairs.

The permit is sponsored by the employing Company/Organization which possesses an immigration code issued by the DCIC.

The validity period of the permit ranges from six (6) months to thirty-six (36) months renewable at the end of the given period. In instances where the foreigner intends to stay and work in Uganda for a period less than six months, the company or organization may opt to process and obtain a Special Pass which among other benefits permits the holder to live and work in Uganda for such a short period of time.



## SECTION 1.

### OBTAINING WORK PERMIT FOR A MISSIONARY OR A VOLUNTEER AND A SALARIED EMPLOYEE IN A NON-GOVERNMENTAL ORGANISATION OPERATING IN UGANDA.

Over the years, Uganda has witnessed a number of foreign missionaries, volunteers and foreign experts who work in Non-Governmental Organizations, Faith Based Organization's and as well as student volunteers from various institutions. Organization's which intend to have such groups of personnel and workforce are mandatorily required to obtain appropriate immigration facilities or work permits. ; either a missionary or volunteer work permit or an expatriate employee work permit.

The category or class of immigration status in Uganda is determined by the nature of employment as well as the intended duration or period of stay. For a foreign employee who intends to work for the organization for longer than six months, such personnel is required to obtain a work permit.

Work permits for work force in NGOs are categorized in two Classes depending on the nature of work. Missionary or Volunteers in an Organization are classified under Class G1 work permits whereas, effective 2021, Salaried Foreign employees in an NGO are classified under Class G2 work permit.



Chairman, United Somali Community in Uganda at one of the community engagement meeting.



### Application Process.

Missionaries or volunteers or salaried employees in a Non- Governmental Organization (NGO) must be appointed by a duly registered NGO under the Laws of Uganda with a valid operational permit issued by the National Bureau for Non-Governmental Organizations.

An applicant for a work permit may apply for a preferred period depending on their contract period with the organization.

Work permits in Uganda are granted for a period of either 6, 12, 24 or 36 months respectively and the Application fees for either Class of work permit for personnel working under an NGO, that is Class G1 or Class G2 work permit specifically varies depending on the number of months applied for as illustrated below;

#### Class G1 (Missionaries or Volunteers)    Class G2 (Salaried NGO Workers)

No. of Months	Application fees (USD) NGO Volunteers	No. of Months	Application fees (USD) for Salaried NGO Workers.
6	\$250	6	\$1250
12	\$250	12	\$2500
24	\$500	24	\$5000
36	\$750	36	\$7500



### Work Permit Requirements for Missionaries, NGO Volunteers or Employees.

In order to obtain a class G1 work permit, an applicant for the permit is required to have the following documents.

#### 1. Appointment letter from the organization.

This is a legally binding document and proof that an organization has offered a position to the foreign applicant as a missionary or volunteer or as employee and that person accepted the terms of such appointment. It is a guarantee about a given position in the organization.

The letter must state the position to be held by a volunteer in the organization, the key components of the employee's job, and should state their obligations and the duration employment of the employment.

The appointment letter is further proof of an individual's job description in a duly registered organization with a valid operational permit issued by the National Bureau for NGOs.

#### 2. Cover letter from the organization

This is a letter from the organization addressed to the Commissioner for Immigration Control under the Directorate of Citizenship and Immigration Control requesting for a work permit for its employees.

The letter specifically , details the background of the NGO, the position held by the applicant and the intended district in Uganda that the applicant is meant to work from.

The letter should also acknowledge the appointment of the applicant as a missionary or volunteer or employee of the organization and recommend the applicant for the grant of a work permit to enable the applicant live and legally work in Uganda for a particular period as well as indicating the signing mandate/ position in the organisation.

### 3. Clearance from the Interpol or Home Country.

Applicants for work permits must be of good personal conduct and have no criminal back ground. Proof of such good conduct is evidenced by adducing a Certificate of good conduct that is issued and obtained from either the applicant's home country or in Uganda from the Directorate of Interpol and International relations of the Uganda Police Force. For one to get a certificate of good conduct in Uganda, he or she must apply online on the Uganda Police Force website and book an appointment before grant of the certificate of good conduct.

The required Certificate of good conduct must be valid for a maximum period of six (6) months from the date of issue.

### 4. Certified Copy of Academic Qualification/Graduation Certificate.

An applicant for a G1 work permit must possess proof of academic qualifications such as Bachelor's degree (graduation certificate), Master's Degree certificate or their equivalent to demonstrate their qualification for appointment in their respective position. A resume or CV (if any) is also of added importance to the application.

NOTE: Applicants who are professionals such as medical workers among others are required to register with the relevant professional bodies and attach proof of such registration at the time of making an application.

### 5. Copy of the Passport (Bio Data Page) and Copy of Recent Passport Size Photograph.

The applicant must be in possession of a valid passport issued by the relevant authorities of his or her country of origin. The passport bio-data page must be clear and readable to avoid any misinterpretation. The passport size photograph must also be recent. The passport should at least be valid for a period of six (6) months and above.

### 6. Recommendation Letter from the NGO Bureau.

At the core of each work permit application by an NGO, the Organization must apply and obtain a work permit recommendation letter from the NGO Bureau.

As per Section 6 (e) and Section 45 of the Non-Governmental Organization Act, 2016, the National Bureau for NGO's (the Bureau) among other functions is mandated to make recommendations to the relevant authorities (such as the Directorate of Citizenship and Immigration Control) with regard to employment of non-citizens by an organization. This requirement applies to both volunteers and salaried NGO workers.

An application for a recommendation letter from the NGO Bureau to obtain a Class G1 or G2 work permit is made by way of a formal letter, from the appointing organization, addressed to the Executive Director of the National Bureau of NGOs. The application letter is accompanied by the following documents: -

- i. Copy of the organization's Certificate of Registration/ incorporation and valid operational permit as an NGO.
- ii. Certified or Notarized copy of the Organization's Certificate of Incorporation.
- iii. Copy of appointment letter and volunteer or employment contract from the organization.
- iv. Copy of the Certificate of good conduct. If the Certificate of good conduct is obtained from the applicant's home country, it is a mandatory requirement that the submitted copy should be notarized by a recognized public notary official.
- v. Copy of passport bio-data page valid for a period of six months or more.
- vi. Recent passport size photograph
- vii. Copy of certified or notarized academic qualifications
- viii. List of staff (both local and foreign)
- ix. The Organisation bye laws (Articles of Association)
- x. The Organization's Tax Identification Number (TIN)
- xi. Certificate of registration with the data protection unit in Uganda (PDPO certificate)
- xii. List of employees in the organisation indicating nationality and position held
- xiii. Valid NGO permit
- xiv. Current immigration status



## SECTION 2: BUSINESS CLASS WORK PERMITS AND EXPATRIATE EMPLOYEES OR RARE SKILLED FOREIGN EMPLOYEES.

### 1. Investors, Shareholders and Directors

Over the years, Uganda being a young and vibrant economy that is steadily taking off as one of the fastest growing countries in the world through various economic development initiatives especially in the agricultural sector, manufacturing and processing and now more than ever the development of its oil and gas sector, the country has increasingly become a hub for foreign investment. The liberalization of the economy in 1986 contributed substantially to Uganda's accelerated economic growth and it has experienced average annual growth of over 6% in the past 10 years.

Uganda has experienced increasing inflows of significant foreign direct investments largely due to the several government incentives and several immigration policies that are much favourable to investors which are aimed at boosting the ease of doing business. Streamlined immigration policies in the business and investment community have increased the number of foreign investors who work and stay in Uganda.

Previously, the established classes were B1 for investors in agricultural sector, C1 for the mining sector, Class D for business people and traders. The Immigration Department has since introduced several other classes which are aimed at encouraging investors in such sectors since they create a lot of jobs for the ordinary Ugandans. These Classes include; Class E which is an immigration facility for directors/shareholders in companies specifically dealing in manufacturing with Ugandan raw materials.



Association of the Last Frontiers village Camp in Bundibugyo District, Western region of Uganda.

The Ministry of Internal Affairs has introduced a new category of permits called class H for persons who have no intention of working in Uganda. This class is also available to persons who desire to retire in Uganda. These persons will be required to present documentary evidence of at least 36,000 USD annually.

Other new categories include, Class B2 which is issued to shareholders/directors of companies involved in agro-processing, Class C2 restricted to shareholders/directors of companies incorporated/registered in Uganda engaged in mining of specific minerals such as gold, copper, iron ore, phosphate, limestone and marble among several others.

Category of work permit and documents required.	Applicable fees (USD) for each category.
<b>Class A2 - Government contractors:</b> <ul style="list-style-type: none"> <li>Passport (bio-data page) with at least 6 months validity</li> <li>Recent passport size photo</li> <li>Covering letter from the organization (Ministry, Department or Agency)</li> <li>Copy of the contract with government institution.</li> </ul>	<ul style="list-style-type: none"> <li>6 months Application Fee: \$250</li> <li>12 months Application Fee: \$500</li> <li>24 months Application Fee: \$1,000</li> <li>36 months Application Fee: \$1,500</li> </ul>



<b>Class B1 – Agriculture:</b> <ul style="list-style-type: none"> <li>Passport (bio-data page) with at least 6 months validity</li> <li>Recent passport size photo</li> <li>Current Police clearance from Interpol or home country</li> <li>Covering letter from applicant</li> <li>Copy of Land title</li> <li>Recommendation from LCs or RDCs office</li> <li>Recommendation letter from Ministry of Agriculture</li> <li>Work plan/ Feasibility study of the project to be undertaken</li> <li>Security bond or a copy of ID from Nationals of Kenya and Rwanda</li> <li>Current Bank statement (last 3 months)</li> <li>Current immigration status</li> </ul>	<b>Applicable Fees:</b> <ul style="list-style-type: none"> <li>6 months Application Fee: \$1,250</li> <li>12 months Pre Payment fee: \$1,500, Application Fee: \$1,000</li> <li>24 months Pre Payment fee: \$1,500, Application Fee: \$3,500</li> <li>36 months Pre Payment fee: \$1,500, Application Fee: 6,000</li> </ul>
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<b>Invest. Facilitation- B2,C2,G3 &amp; E</b> <b>Requirements Include:</b> <ul style="list-style-type: none"> <li>Copy of Uganda Investment Authority license</li> <li>Copy of the passport (bio-data page)</li> <li>Copy of recent passport size photo</li> <li>Clearance letter from Interpol or home country</li> <li>Copy of Income tax clearance</li> <li>Covering letter from the organization</li> <li>Required Document of Entry Permit under Investor Facilitation.</li> </ul>	<b>Applicable Fees:</b> <ul style="list-style-type: none"> <li>6 months Application Fee: \$400</li> <li>12 months Application Fee: \$400</li> <li>24 months Application Fee: \$800</li> <li>36 months Application Fee: \$1,200</li> </ul>
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Pro Industries, Africa's Largest Ethanol Producer



<b>Class C1 – Mining:</b> <b>The Requirements Include;</b> <ul style="list-style-type: none"> <li>o Photocopy of the passport (bio-data page)</li> <li>o Recent passport photograph.</li> <li>o Police clearance from Interpol or home country</li> <li>o Copy of valid mining license issued in Uganda or prospecting license</li> <li>o Copy of Uganda Investment Authority (U.I.A) license</li> <li>o Support letter from ministry of Energy, Minerals &amp; Natural Resources</li> <li>o Cover letter from the organisation</li> <li>o Certified proof of shareholding by the applicant</li> </ul>	<b>Applicable Fees:</b> <ul style="list-style-type: none"> <li>o 6 months Application Fee: \$1,250</li> <li>o 12 months Pre payment fee: \$1,500, Application fee: \$1,000</li> <li>o 24 months Pre payment fee: \$1,500, Application fee: \$3,500</li> <li>o 36 months Pre payment fee: \$1,500, Application fee: \$6,000</li> </ul>
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<b>Class D - Business and Trade:</b> <ul style="list-style-type: none"> <li>o Copy of the Company's income tax clearance</li> <li>o Copy of the passport (Bio-data page)</li> <li>o Copy of recent passport size photo graph</li> <li>o Clearance letter from Interpol or home country</li> <li>o Copy of certified Bank statement for the company (for the last three months)</li> <li>o Copy of Company trading license</li> <li>o Cover letter from the company stating what the company deals in.</li> <li>o List of employees in the company indicating nationality and position held</li> <li>o Current immigration status</li> </ul>	<b>Applicable Fees:</b> <ul style="list-style-type: none"> <li>o 6 months Application Fee: \$1,250</li> <li>o 12 months Pre Payment fee: \$1,500, Application Fee: \$1,000</li> <li>o 24 months Pre Payment fee: \$1,500, Application Fee: \$3,500</li> <li>o 36 months Pre Payment fee: \$1,500, Application Fee: 6,000</li> </ul>
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<p><b>Class F – Professionals:</b></p> <p>This class of work permit applies to persons carrying out business in a Professional firm such as; medical practitioners, Lawyers &amp; Advocates, Accountants, Engineers and Surveyors among others.</p> <ul style="list-style-type: none"> <li>o Copy of the passport (bio-data page).</li> <li>o Copy of recent passport photograph.</li> <li>o Clearance letter from interpol or home country</li> <li>o Registration certificate with relevant professional body in Uganda such as Association of medical practitioners in Uganda, Law Council and Engineers Registration Board among others</li> <li>o Covering letter from the firm.</li> <li>o Certified proof of shareholding in the company</li> <li>o Current immigration status</li> </ul>	<p><b>Applicable Fees:</b></p> <ul style="list-style-type: none"> <li>o 6 months Application Fee: \$1,500</li> <li>o 12 months Pre Payment fee: \$1,500, Application Fee: \$1,500</li> <li>o 24 months Pre Payment fee: \$1,500, Application Fee: \$4,500</li> <li>o 36 months Pre Payment fee: \$1,500, Application Fee: \$7,500</li> </ul>
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## 2. Expatriate Employees and Rare Skilled Foreign Employees in Private Companies.

A company that employs or intends to recruit a foreigner or expatriate employee is by law required to obtain a work permit for such an employee.

Generally, the designated and common category for expatriate employees is Class G2. However, government has since introduced a second category, Class G3, which is specifically issued to expatriates or rare skilled foreigner nationals who intend to reside and work in Uganda and are employed in agro processing, manufacturing and mining of selected minerals.

In processing and making a final decision of whether to grant or reject a work permit application, the DCIC takes into consideration of the National Content principle regarding the employment and recruitment of expatriate employees. Hence forth grant, deferring or rejecting of a work permit application is greatly dependent on the 'rare skill' and contribution of the expatriate employee to the Ugandan economy.

Every work permit application is peculiar but at the core of each application is the notion that local content principles regarding recruitment of employees must be adhered to. In particular respect to immigration aspects, these principles are to the extent that foreign recruits or expatriates must be willing to pass on the skill to Ugandans as a form of skills development.

### Requirements to Obtain a Class G2 Work Permit.

The following documents are required to obtain a Class G2 work permit for either a period of 6 months, 12 months, 24 months and 36 months.

#### Mandatory Requirements:

##### a. Covering Letter from the Organization.

This is a letter from the Company, addressed to the Commissioner for Immigration Department, under the Directorate of Citizenship and Immigration Control, Ministry of Internal Affairs detailing the background of the Company, and the position held by the applicant. In accordance with the national local content principles, it will analyse the academic and professional expertise of the applicant, and how necessary his/her role is to the day-to-day business activities of the Company.

Furthermore, the Covering Letter should also inform about the appointment of the applicant as an employee of the Company and recommend the applicant for the grant of a work permit to enable him or her to live and legally work in Uganda for a particular period.

**b. Appointment letter/ Employment Contract of the Applicant from the Company or Organization Based in Uganda.**

This is generally a legally binding document that testify that the Company offered a position to the applicant as its employee, and that such applicant accepted the terms of such appointment.

**c. Clearance Letter from Interpol or Home Country.**

Applicants for work permits ought to have a negative criminal record. A positive criminal record is a discredit to an applicant's application for a work permit. Proof of criminal background is evidenced by a criminal record certificate obtained from either the applicant's home country or in Uganda, specifically the Directorate of Interpol and International relations under the Uganda Police Force based in Kololo.

**d. Copy of the passport (bio-data page)**

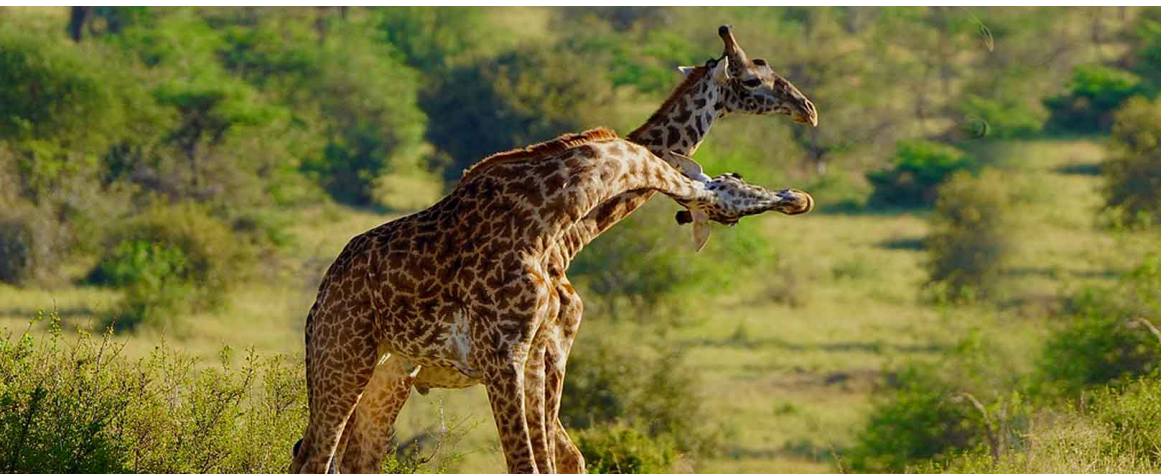
**e. Copy of the applicant's recent Passport size photograph**

**f. Valid Income Tax clearance of the Company issued by the Uganda Revenue Authority (URA)**

**g. Certified copies of qualification certificate demonstrating the applicant's qualification for the job.**

**h. List of employees in the company indicating nationality and position held**

**i. Current immigration status**



**Other Relevant Documents.**

The list of requirements cannot be exhaustive and further requirement or documents may be required on case by case and depending on the nature and sector of employment. Such documents may include;

- a. Recommendation letter for the Regulatory authority.
  - Expatriate employees working in the oil and gas sector require a recommendation from the Petroleum Authority of Uganda (PAU).
- b. Proof of registration with the relevant professional body. This requirement often applies to expatriate employees exercising their profession such as Engineers, Doctors and other medical personnel and Lawyers among others. Such employees are required to be registered with the relevant professional bodies in Uganda.
- c. Curriculum Vitae (CV) or Resume. This may be provided in support of the application as support proof of experience of an expatriate employee.

**Note:**

The official language of the Republic of Uganda is English and therefore any required document in a foreign language must be translated either by the School of Languages at Makerere University in Uganda or a competent translator in the Foreign Country.

**Application Fees:**

**Class G2 - Expatriate Employees Work Permit.**

- a. 6 months – USD 1,250
- b. 12 months – USD 2,500
- c. 24 months – USD 5,000
- d. 36 months – USD 7,500

**Note:**

- i. For all Class G2 work permit application for either 12, 24 and 36 months, the applicants are required to make a non-refundable pre-payment of 1500 USD, to process their application. Upon approval of the application, the applicant is required to pay the balance of the application fees basing on the period applied for.
- ii. Work permit application fees may change from time to time basing on amendments of the Immigration Fees Regulations and such power is bestowed with the Hon Minister of Internal Affairs.



- iii. Nationals of Kenya and Rwanda seeking to work in Uganda obtain a work permit at NO COST.
- iv. All application payments are paid through the commercial banks either by cash or cheque basing on payment assessment by the Uganda Revenue Authority (URA) as at the prevailing government USD-UGX exchange rate.

#### Application Process for Work Permit.

All work permit applications are submitted to the Immigration government portal and once submitted, an applicant will receive an email, via the provided email while applying, confirming receipt of the application with an Application I.D with which they can make follow up of the application. Upon submission, the application is vetted by immigration officers who have the power to approve, defer or reject an application basing on appropriate grounds.

The Immigration Department may, during the vetting process, request for additional information in support of the application such as; the applicant's current or previous immigration status such as visa or work permit (if any), copy of valid NGO operation permit among others. The required additional information or any information previously submitted can be re-submitted as and when need for it has been requested.

The decision taken on the application will be sent electronically through the email and may either be an approval or a rejection.

If approved, the applicant is required to pay the application fees through any bank designated by the Immigration authorities such as Diamond Trust Bank, Equity Bank, Stanbic Bank, Bank of Africa among others. Once the application is rejected, the applicant dissatisfied with the decision shall make an appeal or apply for review of the decision within thirty days.

#### Review and Appeal

An application for review and/or appeal may arise from instances where a work permit application has been rejected and the affected party makes a petition to a higher supervising office contesting the decision of the National Citizenship and Immigration Control Board (NCICB).

In situations where the work permit application has been rejected, as per Section 10 (1) of the Uganda Citizenship and Immigration Control Act, Cap 66 the applicant has a right to appeal against the decision of the Immigration Board to the Hon. Minister responsible for Internal Affairs, within thirty (30) days after the decision is communicated to him or her.

On appeal, the appellant/ applicant is required first to pay appeal fees of 500 USD as a condition precedent before an application can be processed or approved. Where an appeal has been made, the Minister may either confirm or reverse the decision of the Board or refer the matter to the Board for reconsideration.

The ideal situation is that whenever an applicant's application is rejected by the Board, a reason is communicated to the applicant as to why the application was rejected. This enables an applicant to make an informed decision on whether to go ahead and lodge an appeal. The ground for an appeal must therefore have valid and accurate reasons that can convince the Hon. Minister to grant a positive decision.

In instances where the Minister has further rejected the appeal, the applicant will only be left with an option of making an appeal to the High Court which has to be lodged within 30 days from the date of rejection by the Minister.

Once the appeal is heard by the High Court, the decision pronounced by the High Court shall be final as envisaged in Section 10 (5) of the Uganda Citizenship and Immigration Control Act, Cap 66.



### SECTION 3: OTHER INCIDENTAL FACILITIES.

#### Special Pass.

A special pass allows a person to live and work in Uganda temporarily. The facility is available to applicants who may be completing immigration formalities or are working in Uganda on a short-term contract or those who have visited Uganda and have fallen sick or any other justifiable reason.

An applicant can acquire a special pass for up to 3 months and it can be acquired either through individual means or sponsored category.

The required documents to obtain a special pass under individual category are;

- Passport copy (bio-data page)
- Recent passport-size photograph
- Covering letter explaining reason for special pass and duration of stay required
- Current immigration status

Applicants for sponsored special passes are required to show proof of employment in Uganda and a cover letter from the employer stating the reasons why a special pass should be granted.

The application fees for obtaining a special pass for 3 months is 400 USD

#### Dependant Pass.

Foreigners or expatriates living and working in Uganda under a work permit issued by the Immigration Department and have a relative(s) staying with them in Uganda are required to obtain a dependent pass for such relative(s).

This pass is available to relatives (spouse and children) of a non-Ugandan, living and working in Uganda on a valid work permit. The dependant pass is linked to the principal (work permit holder) and does not permit the holder of such a dependant pass to work in Uganda. A dependent pass also applies to a person who by reason of age, disability or other incapacity is unable to maintain himself or herself and depends upon another person (work permit holder) for his or her maintenance and includes a spouse.

A dependant pass may also be granted to 'other relatives' on adducing sufficient evidence of relationship with the principal.

An applicant for a dependent pass is required to possess the following documents;

#### Spouse.

- Marriage certificate
- Cover letter from the principal (Work permit holder)
- Copy of principal's passport
- Copy of principal's work permit
- Recent passport-size photograph
- Passport copy (Bio-data page of the dependant) - Immigration status of the dependant in Uganda

**Note:** A person who is married to a Ugandan may also get a dependant pass upon proof of a legally subsisting marriage.

#### Child.

- Birth certificate
- Cover letter from the principal
- Copy of principal's passport
- Copy of principal's work permit
- Recent passport-size photograph
- Passport copy (Bio-data page of the dependant)
- Valid Immigration status of the dependant in Uganda

#### Other Relatives/ Members of the Household.

Cover letter from the principal stating the relationship and reason for the dependant pass

- Copy of principal's passport
- Copy of principal's work permit
- Recent passport-size photograph
- Passport copy (Bio-data page of the dependant) - Immigration status of the dependant in Uganda



#### The Current Prescribed Fees for the Dependant Pass Application are;

1. Spouse -----350 USD
2. Child -----200 USD
3. Other relatives/ members of the household ----- 1000 USD

It must be noted that also, a child with any of his or her parent as a Ugandan and with a foreign passport is entitled to apply for a dependant pass.

#### Student Pass

A work permit holder with a child of at least five (5) years and above can obtain a student pass for his or her child.

This pass allows the holder to live and study in Uganda for a specified period of 6 to 12 months with the option of renewal.

A student must be in a legally recognized education institution that is duly registered and licensed by the Ministry of Education and Sports. Foreigners whose children are under the 'Home Schooling' program are also required to obtain student passes. Under the Home-Schooling program, a child is given basic education by his or her parents while following the education curriculum of the parent's country of origin.

#### The Required Documents to Apply and Obtain a Student Pass are;

- Valid admission letter from the school
- Cover letter from the school. The letter should explain the circumstances under which the student is being homeschooled for example the name of the school that the student is attached to, the teacher making follow up and the curriculum being followed, among others.
- Valid student Identity Card
- Copy of the passport (bio-data page)
- Recent passport size photograph
- Copy of parent's work permit
- Copy of parent's passport

#### The Application Fees for a Student Pass are as Follows;

- 6 months 100 USD
- 12 months 100 USD

## PART B

### OBTAINING CITIZENSHIP OR PERMANENT RESIDENCE STATUS IN UGANDA.



Citizenship is the status of being a citizen of a particular country. It can also be the status of a person recognized under the custom or law as being a legal member of a sovereign state or belonging to a nation. In Uganda, we have various forms and we shall focus on what is relevant to our target market which is citizenship and dual citizenship.

Dual citizenship in Uganda is the simultaneous possession of two citizenships, one of which is Uganda. The law relating to both citizenship and dual citizenship in Uganda is governed by the Uganda Citizenship & Immigration Control Act Cap.66.

The law provides for different ways through which eligible persons can acquire both citizenship in Uganda.

## CITIZENSHIP.

### 1. (a) Long stay.

In 2009, The Uganda Citizenship and Immigration Control Act was amended and it reduced the number of years from 20 years to 10 years as per Section 14 (2) (b). This reveals that for one to acquire citizenship, he or she must have legally stayed in Uganda on a work permit. Proof can be evidenced by looking at the work permit stickers in the passport of foreigner.

Note however that for one to acquire citizenship, he or she must denounce the citizenship of his or her original country of origin. For example, if one is from India, and applies for citizenship in Uganda and it is granted, the Department of Immigration will officially write to the Indian High Commission requesting that the (Indian High Commission) renounces the citizenship of its national. After this confirmation which must be in writing, the Department of Citizenship headed by Commissioner Citizenship acting on behalf of the National Citizenship and Immigration Control Board, proceeds to grant citizenship to the applicant. When this is done, such an applicant is entitled to also acquire a passport for Uganda. Note however that persons who are dependants on such an approved citizenship applicant are not entitled to citizenship and the Ugandan law is still rigid but with the growing global immigration issues, we believe that in future, a gateway shall be opened for such cases so that at least children whose parents acquire citizenship of Uganda can also be granted citizenship. But this is all about having a proactive parliament that fully appreciates global immigration issues.

### (b) Citizenship due to marriage

Section 14 (2) (a) of the Act states that where a person has been married to a Ugandan citizen, upon proof of a legal and a subsisting marriage of five years or more, then the couple shall apply and upon approval of the application be registered as a citizen of Uganda. Proof of a legal subsisting marriage means that the marriage ceremony must have been conducted by a legally recognized licensed place to celebrate marriages and the marriage must be registered with the Registrar of Marriages, under the Uganda Registration Services Bureau. We need to note that in instances where nationals have divorced or divorce is detected/granted during the course of citizenship application, such a case will be rejected.

## 2. DUAL CITIZENSHIP

The notion of dual citizenship was adopted in 2009 due to globalization and need for harmony with laws of other countries. Dual citizenship is available to both Ugandans living abroad and also foreigners living in Uganda.

It can equally arise in the following ways;

### (a) Long Stay.

Foreigners living in Uganda must show proof of legal stay in Uganda for ten (10) years and above. Importantly also to note is that the applicant must satisfy the National Citizenship and Immigration Control Board that the laws of his or her country of origin permit him or her to hold dual citizenship. The rationale is that some countries do not allow dual citizenship.

For countries like South Korea, its nationals who intend to acquire dual citizenship, they must be 65 years and above at the time of making an application in Uganda.

Practically, some countries require its nationals to first get permission which must be acquired before making an application for dual-citizenship. Some countries are on record for having cancelled citizenship due to the fact that their nationals acquired dual citizenship without prior consent communicated formally from their embassy.

Clients are therefore always advised to first get valid written confirmation letters from their embassy.

**(b) A Ugandan is also legally empowered to acquire citizenship of another country while retaining the citizenship of Uganda. This calls for a Uganda citizen to show proof that he or she is 18 years and above, and proof of application copy of that other country. This is embedded under Section 19A.**

It must be noted however that there are Ugandan offices that holders of dual citizenship are not allowed to occupy-such as President, Vice President, Technical head of armed forces, Inspector General of Government(IGG) & Deputy Inspector General of Government (D.IGG) among others.



### (c) Re-Acquisition of Uganda citizenship by a Ugandan.

Before 2009, there were many Ugandans who had either gone abroad for study, work and some had renounced the citizenship of Uganda. The 2009 amendment of the Uganda Citizenship and Immigration Control (Amendment) Act provided under section 19G gave former Ugandans an opportunity to re-apply for re-acquisition of Uganda citizenship and many people have been granted such an opportunity.

It must be noted also that children whose one of the parents is a citizen of Ugandan, are entitled to citizenship of Uganda. However since, most of these children live abroad such as Germany, such children are normally in possession of other countries passports. What the government of Uganda does is to grant dependant pass to such children for a period of eighteen years and when they reach eighteen years, they can decide whether to apply for dual citizenship or not.



White Water Rafting at the Source of the Nile - Jinj, Uganda, East Africa.

### OBTAINING A CERTIFICATE OF PERMANENT RESIDENCE (CR).

A certificate of permanent residence is issued to a person who has either continuously lived legally in Uganda for a long stay of not less than ten (10) consecutive and uninterrupted years or a person who is legally married to a Ugandan citizen and there is a subsisting marriage of at least three (3) years. CR is also a viable option for persons eligible for dual citizenship.

The applicants must have previously acquired some form of immigration status that grants them temporary residence in Uganda such as a work permit or a dependant pass as applicable in a particular case.

CR may be for 5 years or 10 years with an option of renewal.

The rationale for obtaining a certificate of permanent residence is that the certificate enables the holder to legally stay and work in Uganda for a longer period and at a cheaper cost than continuously applying for work permits in the long run.

In support of an application for a Certificate of residence on the grounds of a foreigner's marriage to a Ugandan citizen or basing on continuous long stay in Uganda under a work permit, the following documents shall be required;

#### Due to Marriage

- i. Marriage certificate. The marriage certificate shall be a certified copy from the issuing country. For example, if where the marriage was celebrated in Uganda the certified copy is issued by the Registrar of Marriages at the Uganda Registration Services Bureau (URSB)
- ii. Consent from Ugandan spouse with name and signature
- iii. Current Local council 1 recommendation from area of residence
- iv. Current Medical report from a recognized health facility
- v. Valid Police report from Interpol/home country; that is, a Certificate of good conduct valid for a maximum period of six (6) months from the date of issue.
- vi. Copy of passport/national ID of Ugandan spouse
- vii. Passport Copy (Bio data page) with at least 6 months validity
- viii. Recent Passport-size Photograph



- vii. For couple's resident in Uganda, either a work permit, dependant pass or student pass for the applicant.
- viii. Cover letter from the applicant with their name and signature
- ix. Birth certificates if the couple has children

#### Long Stay

1. Cover letter signed by the applicant and addressed to the Secretary NCIC Board. The signature should match that one in the passport
2. Valid Police clearance
3. Current medical report from a recognized health facility in Uganda showing the name and signature of the doctor
4. Recommendations from 2 referees in Uganda and copies of their national ID. The signature on the ID and the recommendation letter should be the same
5. Current recommendation from local council 1 from area of residence; with name, signature, phone contact and stamp
6. Passport copy (bio data page) with at least 6 months validity
7. Recent passport photograph
8. Evidence of continuous legal stay for a minimum of 10 years
9. Valid Income tax clearance for the employee
10. List of the employee NSSF contributions current and certified
11. PAYE contributions by the applicant for class G2 holders; Tax Credit Certificate for atleast 2 years
12. Socio- contribution to the development of Uganda e.g., charitable donations, community outreach, care for orphans etc. these can be letters and receipts.
13. Letter of Tax Compliance from URA



The Famous Gorillas in Bwindi Impenetrable National Park - Uganda, East Africa

## REGISTRATION OF NON-GOVERNMENTAL ORGANISATIONS IN UGANDA (ACQUISITION OF A CERTIFICATE OF REGISTRATION AND OPERATION PERMIT)



Over the years, Uganda's social and economic status has been supplemented by the increased number of Non-Governmental Organizations which have spearheaded protection and promotion of both the civil, political, socio-economic and cultural rights of the people. This has been achieved through increased advocacy and fight in the areas of poverty reduction, social security, justice, unemployment, living conditions, environmental and wildlife conservation, health care, social housing, family policy, social care, child protection, education, criminal justice, humanitarian services among others.

Non-Government Organizations have also helped to shape the politics of the country through providing checks and balances in the way systems in government operate for example through activism and the fight against corruption among others.



Like any other public sector, Charitable organizations, civil society organisations and faith based organisations operate under several regulations and policy guidelines set by the Central Government and therefore all founders, promoters and members of such organisation must be alive to the several regulatory requirements and compliance mechanism set by the responsible authorities to guide their day to day operations.

Governments in Africa have over the past years moved to regulate Civil Society Organizations. The regulations provide for a wide number of controls and obligations that non-profit organizations must meet if they are to operate in a country. In Uganda, there are a number of regulations under different laws such as the NGO Act, 2016, the Companies Act, Trustee Incorporation Act etc. There are also several administrative policy aspects that govern the administration of NGOs in Uganda.

On January 30th 2016, the president of the Republic of Uganda assented to the Non- Governmental Organisations Act, 2016. The NGO Act, 2016 provides a framework within which the NGOs' in Uganda can operate. The NGO Act, 2016 under section 3 defines an organisation as ***a private voluntary grouping of individuals or associations established to provide voluntary services to the community or any part, but not for profit or commercial purposes.***

For any organization to carry out its operations in Uganda, it must be duly registered with a permit to operate issued by the National Bureau for NonGovernmental Organisations.

At the time of application for registration, every Organization is expected to adduce a certificate of incorporation from its country of origin as evidence of its legal status in order to apply for and obtain certificates of registration and operational permits from the Bureau.

Upon issuance, the certificate of registration shall indicate the name of the organization, registration number and date of registration of the organization. The permit shall indicate the name, the specific objectives and areas of intervention of the organization, geographical area of operation and date of issue and expiry of the permit.

### Key Institutions that Regulate the NGO Sector.

The NGO Act provides for three important levels of regulation of NGOs. At the top is the NGO Bureau, which is a semi-autonomous body charged with overall regulation of the sector. The Bureau has powers to open upcountry offices in any part of the country but at present, it is based at the Ministry of Internal Affairs. The overall decision-making body for the Bureau is the Board. The board of the Bureau is composed of;

- a. Chairperson
- b. Vice chairperson;
- c. Two representatives from the Non-Governmental Organizations Sector in Uganda and;
- d. Three other persons.

The Minister of Internal Affairs appoints the Board members with approval of cabinet. These are in charge of overall policy guidance of the Bureau. Below the board is an Executive Director helped by numerous staff. These are in charge of the day-to-day activities of running the Bureau. The Bureau has inspectors who can be sent to carry out inspection to any NGO operating in Uganda. These plus other officers will carry out the overall enforcement of the Act.

At Local government level is the District NGO Monitoring Committee made up of the following:

- a. The Chief Administrative Officer who is the chairperson of the committee;
- b. The District Community Development Officer who is the secretary to the committee;
- c. The District Health Officer;
- d. The District Internal Security Officer; and
- e. A representative of NGOs in the district;
- f. The District Education Officer; and
- g. The Secretary for Gender and Community Services.

The District NGO Monitoring Committee is also charged with a legal mandate of issuing recommendation letters to any intending NGO that wishes to operate in Uganda or one undergoing a renewal process as well as issuing memorandum of understanding in their areas of jurisdictions.

### The different categories of Non-Governmental Organization

There are 5 categories of NGOs recognized in Uganda and these are generally categorized basing on the organization's membership composition and jurisdiction of incorporation.

The specific categories recognized in Uganda are:

1. **Indigenous NGO:** This refers to an NGO that is incorporated in Uganda and is wholly controlled by Ugandan citizens.
2. **Foreign NGO:** This means an organization that is incorporated as a Company limited by guarantee with the Registrar of Companies in Uganda, and is partially or wholly controlled by citizens of other countries other than the partner states of East African Community.
3. **Regional NGO:** This refers to an organization incorporated and operating outside Uganda in one or more of the partner States of the East African Community (Kenya, Rwanda, Tanzania, Burundi, South Sudan and Democratic Republic of the Congo) and which is partially or wholly controlled by citizens of one or more of the partner States of the East African Community.
4. **Continental NGO:** This category refers to an organization that has its original incorporation in any African country outside the East African Community, and is partially or wholly controlled by citizens of one or more African countries other than the partner States of the East African Community; and
5. **International NGO:** This refers to an organization that has its original incorporation and operates in a country outside the African continent and operates as a branch in Uganda under the authority of the permit issued by the NGO Bureau.

As identified above, the classification of the status of a particular organisation is based on; the country of incorporation, the formation of membership and the country of origin of the founders and/or promoters of the organization.

Otherwise, all organizations are presented with similar opportunities and regulatory compliance mechanisms that they must adhere to as required under the governing policies and regulations.

As a promoter of an NGO that seeks to be registered by the National Bureau for NGOs, one has to bear in mind the above-mentioned differences before commencing the registration process.

Each of the above NGO type varies both in regard to the requirements to be fulfilled at registration and fees payable for one to acquire an operational permit. More particularly as seen in the definitions above, consideration has to be taken in regard to the citizenship of the members controlling the organization.



*Construction of Misuinea Speranta for Uganda, Mission Health Facility in Kisoro District, Uganda.*



## General Opportunities Presented by Registration of an Organization as an NGO.

### i. Expansion of the Area of Operation.

Registration as an NGO, upon application for a permit, presents an opportunity for the organization to run its operation Country-wide which increases the area of impact.

### ii. Obtaining Work Permit.

NGO status accords an opportunity for the organization's foreign volunteers and workers to acquire volunteer work permits under the name of the NGO thus granting them an opportunity to have temporary legal stay in Uganda for a period of up to 3 years which can be renewed.

### iii. Entering Treaties or Agreements with the Government and its Agencies or Departments.

NGO registration presents an opportunity to gain recognition from various Ministries, Departments and Agencies(MDA's). The NGO legal regime provides an opportunity for the organization to sign a Memorandum of Understanding with such entities.

### iv. Justified and Limited Scrutiny Against Money Laundering and Ability to Run Major Operations.

Like in other jurisdictions, organizations are always under scrutiny against money laundering by the Financial Intelligence Authority (the authority mandated to curb money laundering in Uganda). This is because of the amount of donations and grants that are usually received by the organization to run their operations.

Every NGO in Uganda is by Policy required to register itself with the Financial Intelligence Authority (FIA). Organizations registered as NGOs and with FIA usually face limited scrutiny due to the nature of operations of the organization which span in a large area of operation and are understood to be in position of receiving huge sums of donations and grants to run their operations.

For the above requirements and to curb instances of money laundering, every organization that intends to receive donations and grants to run its activities is required to obtain a bank account to manage its daily monetary transactions.

### v. Social Capital to Operate

It must be rightly emphasized that NGOs are highly recognized due to their bottom up approach in programming. Registration of an NGO will enable the organization have a knowledge based ground work intervention especially when it comes to mobilization of communities for a common cause. The advantage of having a social capital to operate also translates to the question of sustainability of interventions amongst various targeted regions and communities of the country. Further communities currently have existing skills, assets, and wisdom, labor and time that they can invest to their own development programs.

Communities now push for their own development as such most NGOs can leverage and invest in building community structures and institutions, invest in capacity building and leave communities to plan, implement and evaluate their own development programs.

### vi. Opportunities for Domestic Resource Mobilisation.

This provides NGOs with strong accountability and governance mechanisms to leverage on their potential to generate financial, human resources from government programs, private sector, individuals and locally generated income from business entities.

### vii. Indigenous Knowledge, Research and learning.

NGO status often provides organizations with unprecedented access to knowledge on a vast number of communities and regions in which they operate and NGOs are highly respected in informing development of program at the national, regional and international level.

### viii. Legitimacy, Credibility and Influence.

NGOs possess the advantage of global reach, networking, and diverse programs across the globe, technical expertise, experience and learning and capacity to exhibit their achievements over a long period of time. This affords the organization legitimacy and credibility amongst the national governments, public and donors. NGOs usually have a comparatively higher profile both with the public and with government and other donors.

#### ix. Governance mechanisms.

Corporate governance structures and accountability mechanisms in NGOs provide an opportunity for the founders to leverage on strong accountability and governance mechanisms of its financials and human resources. Decision making in organization lies with the Board of Directors/ Trustees in the who have power to appoint and disappoint the local stakeholders/representatives to manage the organization plus its human resource.

The Board also has power of financial control and can dictate decisions to be implemented by the local stakeholders/representatives.

#### x. Strategic memberships and wide range of partnerships in global consortiums.

Due to the global operations undertaken by NGOs they usually have opportunities of affiliations with global entities and firms which provide them leverage in fundraising and influencing key advocacy processes at the national and international level as well as operating together for resource mobilization, collaborations and undertaking strategic development programs.

Important to note is that NGOs work across a broader range and create effective and strong partnerships that guarantee greater financial and leverage other resources including knowledge and expertise.



*Construction of Missionary Base Camp in Wakiso District, Uganda.*

#### Registration Requirements for an NGO in Uganda

An Organisation intending to operate in Uganda may apply to operate in Uganda for the number of years not exceeding 5 (five) years. The period of operation may, upon application, be renewed upon expiry of the issued period on the permit.

The list of requirements for registration of an Organization by the NGO Bureau varies according to the classification of each organization.

NGO Registration requirements vary based on the type of the NGO; but generally the requirements include the following;

1. Filled Form A (for Organizations incorporated in Uganda) or Form N (for Organizations incorporated outside Africa) and Form D (Application for an NGO Permit). The application for registration of an organization shall be signed by at least two Founder members.
2. A cover letter requesting for registration and a permit to operate addressed to the Executive Director, NGO Bureau indicating; objectives, area of operation, number of years applied for not exceeding 5)
3. A certified or notarized copy of the Certificate of Incorporation from Uganda Registration Services Bureau (URSB) or equivalent from the Country of Incorporation (for Organizations incorporated outside Africa).
4. Annual Work plan and budget for the number of years applied for the Permit.
5. A certificate of good conduct for any two promoters (if non-citizens).
6. Curriculum Vitae of at least two Board members of the organization.
7. A certified copy of the organization's Constitution, or Charter, or Memorandum and Articles of Association or any other documents governing the organization in which the dissolution clause should inter alia specify; Quorum to pass a resolution for winding up and How organization assets shall be handled upon winding up.
8. A organisation chart showing the governance structure of the organization
9. A statement indicating the source of funding of the activities of the organization
10. Copies of valid identification documents (National ID or Passport) and passport size photographs of at least two founder members.



11. A copy of Minutes, Signed Attendance List and resolution registered with Uganda Registration Services Bureau authorizing the organization to register with the NGO Bureau.
12. A statement complying with Section 45 of the NGO Act, 2016 (about staffing of the organization)
13. A recommendation from the District Non-Governmental Organizations Monitoring Committee (DNMC) where the Organization's headquarter is located.
14. A recommendation from the line Ministry or Ministries or Government department or Agency.
15. For the case of International NGOs, a recommendation letter for registration of the organization in Uganda from the relevant Home country office or foreign mission office in Uganda and Ministry of Foreign Affairs in Uganda.

## Period of Registration

The statutory period within which an organization can be registered is within forty-five (45) days from the date of submission of the application for registration. Please take note that this period may be less or longer.



### Key Obligations that an NGO MUST Fulfil Upon Registration.

The Non-Governmental Organizations Act, 2016 (NGO Act, 2016) places a number of obligations on NGOs working in Uganda. The law applies to a host of NGOs including indigenous, foreign, Trustees and Companies whose work or focus is on providing voluntary not-for-profit services in Uganda.

They Generally Include the Following;

1. **Having an NGO Operational Permit at all Time of Operation.**
  - a. The Non-Governmental Organisation Regulations, 2017 provides that an organization shall upon registration apply to the NGO bureau for a permit. This permit lays out the conditions for the grant, areas of operation, location of the organization and and intended period of operation not exceeding five years.
  - b. Every NGO has a duty to follow the conditions set in the permit as it operates. Failure to follow these conditions will result into punishment of the organization or the directors or officers of the organization. The failure can also result into closure of the organization or suspension of the permit.
  - c. An NGO must carry out what was specified in its constitution or by-laws or Memorandum and Articles of Association.
  - d. An NGO must operate within its area specified in the permit. The area could be a specific district, region or country-wide. In case of requirement to expand, the NGO must inform the Bureau.
2. **Registration with Financial Intelligence Authority.**
  - a. The Anti-money laundering Act, 2013 lays down Non-Governmental Organisations as accountable persons mandated to register with the financial intelligence Authority for regulation and monitoring.
  - b. Primary objective of the Financial Insurance Authority is to enhance the identification of the proceeds of crime and combating of money laundering.
3. **Filing NGO Annual Returns.**
  - a. An NGO other than a community based Organisation is obliged by law to submit to the NGO Bureau Annual returns at least once in every twelve months.

- b. While submitting annual returns, the file is expected to have; proof of payment of prescribed fees, a copy of audited books of accounts, a copy of annual activity reports and minutes of the general assembly or governing Body.
4. **Registration with the National Information Technology Uganda (NITA-U).**  
This is a new requirement introduced by the Data Protection and Privacy Act which was passed in 2019 and regulations were gazetted in March 2021. Following the passing of the required Regulations, the Personal Data Protection Office, an independent office under the National Information Technology Authority, Uganda (NITA-U) was operationalized in August 2021 whose mandate is to regulate the collecting and processing of personal data in Uganda. Section 29 of the Act and Regulation 15(1) of the Data Protection and Privacy Regulations require all persons, institutions, and public bodies collecting and processing personal data to register with the Personal Data Protection Office(PDPO). NGOs qualify to register as bodies that collect and process personal data.
5. **Signing Memorandum of Understanding with Local Governments.**
  - a. An NGO must sign an Memorandum of Understanding with the district(s) where it operates. This helps an NGO to inform the DNMC of the activities it is carrying out in the district as a strategy of collaborating with the district to implement activities.
  - b. By these signed Memorandum of Understanding NGOs must not engage in acts prejudicial to National security.  
Signing the memorandum of understanding proves a good relationship between the NGO and that specific local Government.
6. **Renewal of Operational Permits for Non-Governmental Organisations.**  
An NGO may apply for a Permit of operation for the number of years it desires not exceeding 5 (five) years. An NGO Permit authorizes an organisation to legally operate in Uganda.  
One can ascertain validity of an organization on the Updated National NGO Register – UNNR or through making a search at the National Bureau for NGOs.

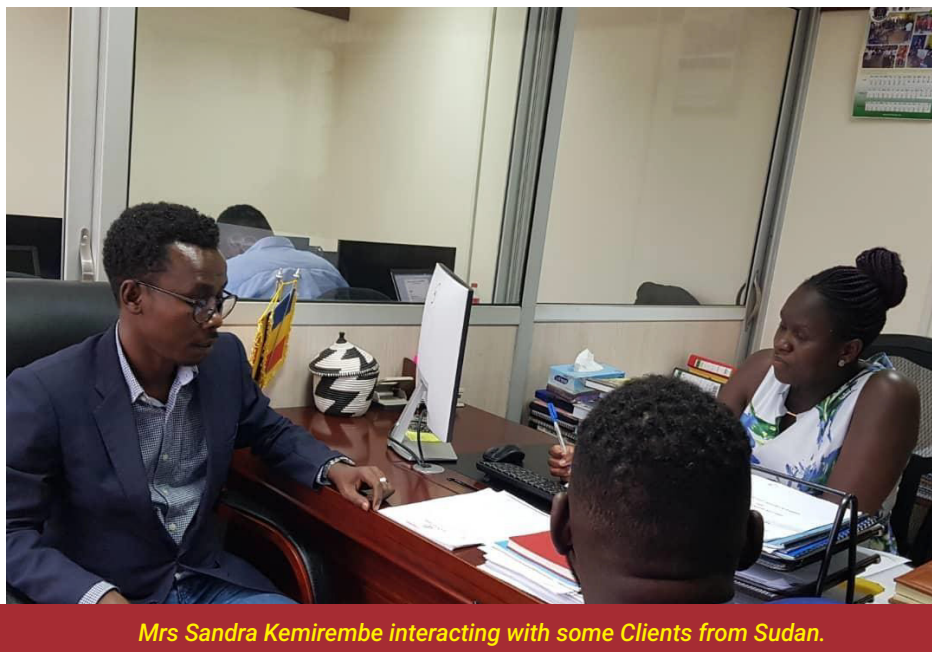
Organisations are by law required to apply for renewal of their operational permits within six months before their expiry. This legally implies that NGO directors must be vigilant to always apply on time for renewal of their permits to avoid unnecessary fines.

**Beware:** An organisation whose permit expires, but continues to operate without renewal of its permit risks being subjected to a fine of one hundred currency points (UGX 2,000,000) for every month of operation in default of renewal of its permit.

7. **Requirements for Renewal of an Operational Permit.**
  - a. A Copy of the expiring permit of the organization
  - b. A cover letter requesting for registration and a permit to operate addressed to the Executive Director, NGO Bureau indicating; objectives, area of operation, number of years applied for not exceeding 5 (five)
  - c. A copy of the Tax Identification Number (TIN) Certificate of the Organisation from Uganda Revenue Authority.
  - d. A certified copy of the Certificate of Registration from Financial Intelligence Authority (FIA).
  - e. A certified copy of Memorandum of Understanding (MOU) from the district(s) of operation.
  - f. Filled Form H
    - i. Organisations that registered under the NGO Act Cap 113 as amended in 2006 and therefore do not possess the new Certificate of Registration according to the NGO Act, 2016 (Landscape format) are required to fill Form A (for organizations incorporated in Uganda) and Form N (for organizations incorporated outside Uganda).
    - ii. The required form(s) shall be signed by at least two Founder members.
  - g. Recommendation from the District Non-Governmental Organizations Monitoring Committee (DNMC) of the district(s) of operation
  - h. A certified or notarized copy of the Certificate of Incorporation from Uganda Registration Services Bureau (URSB) or its equivalent from the country of incorporation.



- i. Photocopies of identification documents (National ID or Passport) and passport size photographs of at least two Promoters/Founders.
- j. Annual Work Plan and budget or Strategic Plan for the number of years or months of operation applied (12 to 60 months)
- k. Proof of filing annual returns for the previous years of operation
- l. Annual report(s) of the previous year(s)
- m. Minutes of the Annual General Assembly or the Governing body which resolved for renewal of the Permit and a signed attendance list.
- n. A copy of the Audited financial statements of the previous year(s) from a Certified Auditor(s).
- o. Proof of payment of the prescribed fees for renewal of the Permit of operation. Organisations that do not possess the new Certificate of Registration under the NGO Act, 2016 should also pay for it as per the prescribed fees for government.
- p. A copy of the registration certificate from the Personal Data Protection Office (PDPO).



Mrs Sandra Kemirembe interacting with some Clients from Sudan.

## REVIEW PROCESS OF THE NGO CERTIFICATE OF REGISTRATION NGO AND/ OR OPERATION PERMIT.

The review process is generally a formal and critical assessment of previously issued Certificate of Registration and or Permit to operate as a Non-Governmental Organization.

A review is synonymous with the action by the Ngo Bureau to re- evaluate and reconsider earlier issued conditions given to an organization. An Organization that desires to change its status and/or the conditions of its Permit of Operation may apply to the NGO Bureau for review of its Permit.

The NGO Act, 2016 under Section 32(4) and Regulation 9 of the NGO provide a platform under which an NGO may apply for review of its NGO registration Certificate and or Permit.

A review may be done under the following instances;

- a. Review for a change in the objectives of the organization or the geographic area of operation.
- b. Review for a change of NGO status/ type
- c. Review for change of name of the NGO
- d. Review of organizations that were registered under the repealed NGO Act, Cap 113 and replaced by the current Non-Governmental Organizations Act, 2016 that retrospectively requires all organizations to acquire the new NGO Certificate and or Permit under the new NGO Act, 2016



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The review process is generally a formal and critical assessment of previously issued Certificate of Registration and or Permit to operate as a Non-Governmental Organization.

A review is synonymous with the action by the Ngo Bureau to re- evaluate and reconsider earlier issued conditions given to an organization. An Organization that desires to change its status and/or the conditions of its Permit of Operation may apply to the NGO Bureau for review of its Permit.

The NGO Act, 2016 under Section 32(4) and Regulation 9 of the NGO provide a platform under which an NGO may apply for review of its NGO registration Certificate and or Permit.

A review may be done under the following instances;

- a. Review for a change in the objectives of the organization or the geographic area of operation.
- b. Review for a change of NGO status/ type
- c. Review for change of name of the NGO
- d. Review of organizations that were registered under the repealed NGO Act, Cap 113 and replaced by the current Non-Governmental Organizations Act, 2016 that retrospectively requires all organizations to acquire the new NGO Certificate and or Permit under the new NGO Act, 2016

### **Requirements for review of an NGO Certificate or Permit of operation**

An organization may decide to change the conditions of its operation upon making an application for review. The requirements of each instance are as shown below;

#### **A. Review for a change in the objectives of the organization or geographical area of operation:**

- i. A letter addressed to the Executive Director, NGO Bureau requesting for review of the Permit of Operation and indicating the changes in the objectives or area of operation.

- ii. Filled form F as evidence that the promoters of the NGO are interested in reviewing the organisation permit.
- iii. Photocopy of identification documents (National ID or biodata page of the Passport) and passport photos of at least two Founder members or Promoters.
- iv. A certified or notarized copy of the Certificate of Incorporation from Uganda Registration Services Bureau (URSB) or equivalent from the country of Incorporation.
- v. A copy of amended memorandum and articles of association or the organisation's constitution reflecting the change in objectives.
- vi. Minutes and a signed attendance list of the Annual General Assembly or the Governing body meeting which resolved to review the Permit of operation and a registered resolution in support of the same.
- vii. Proof of submission (NGO Bureau Receiving Slip) of up-to-date Annual Returns (i.e., as at the immediately preceding year).
- viii. A Photocopy of the Certificate of Registration and a valid Permit of operation.
- ix. Proof of payment of government prescribed fees for Permit review.

#### **B. Review for a change of NGO status (e.g. from an indigenous NGO to a foreign NGO).**

- i. A letter addressed to the Executive Director, NGO Bureau requesting for Change of type of the Organization.
- ii. Filled Form A for Organizations incorporated within Uganda) or form N for Organizations incorporated outside Uganda, filled F and form D. The above Forms for review of a Permit of operation shall be signed by at least two Founder members
- iii. A Photocopy of the Certificate of Registration and a valid Permit of operation.
- iv. A certified or notarized copy of the Certificate of Incorporation from Uganda Registration Services Bureau (URSB) or equivalent from the country of Incorporation.
- v. Proof of submission (NGO Bureau Receiving Slips) of up-to-date Annual Returns (i.e. as at the immediate preceding year).



- vi. Photocopy of identification documents (National ID or biodata page of the Passport) and passport photos of at least two Founder members or Promoters.
- vii. Minutes and a signed attendance list of the Annual General Assembly or the Governing body which resolved to change the type of the organization and a registered resolution in support of the same.
- viii. Proof of payment of the prescribed fees for review of the Certificate of Registration and Permit of operation.

### C. Review for a change of name

- i. A letter addressed to the Executive Director, NGO Bureau requesting for Change of Name of the Organization.
- ii. A Photocopy of the Certificate of Registration and the Permit of Operation.
- iii. Certified or notarized Certificate of Change of Name from Uganda Registration Services Bureau (URSB) or equivalent from the country of Incorporation.
- iv. Minutes and a signed attendance list of the Annual General Assembly or the Governing body which resolved to change the name of the Organization and a registered resolution in support of the same.
- v. Photocopy of identification documents (National ID or biodata page of the Passport) and passport photos of at least two Founder members or Promoters).
- vi. Proof of payment of the prescribed fees for the review of the Certificate of Registration and the Permit of Operation.
- vii. Proof of submission (NGO Bureau Receiving Slips) of up-to-date Annual Returns (such as at the immediately preceding year).
- viii. Filled form A for Organizations incorporated in Uganda) or Form N for Organizations incorporated outside Uganda; filled form F and filled form D. The above Forms shall be signed by at least two Founder members.

### REPLACEMENT OF AN NGO CERTIFICATE OF REGISTRATION OR PERMIT OF OPERATION

Where an original Certificate of registration or permit of operation issued by the NGO Bureau is lost, destroyed or obliterated, the NGO Bureau may issue a substitute of the original document as per the requirements below;

- i. A Valid Police letter regarding the loss or damage.
- ii. A cover letter addressed to the Executive Director, NGO Bureau.
- iii. Dully filled form G.
- iv. Photocopy of identification documents of at least two Founder members or Promoters.
- v. Proof of payment of the prescribed fees of government.



← Batwa Community Housing Project plan hand over to the then Bundibugyo district chairman.



Batwa Community Housing Project implementation in Bundibugyo district, Uganda.



## AFIAS AT WORK.



*Rt Hon Rose Namayanja, NRM Deputy Secretary General launches Hope Christian Aid Skilling projects in Kasanda District.*



*Education project by Brave Beautiful Ministries of Uganda.*

## AFIAS AT WORK.



*Hon. Aisha Agaba Black, Rt. Hon. Anita Among, Hon. Nathan Byanyima together with some of our volunteers from United Kingdom.*



*Rt. Hon. Anita, Speaker of Uganda's 11<sup>th</sup> Parliament gifts Mr. Cornelius a UK Pastor/ Businessman and founder of Hope Christian Aid Uganda located in Kasanda District.*



## AFIAS AT WORK.



*Eilily International Hotel, based in Addis Ababa, Ethiopia and owned by one of the AFIAS's clients who has invested heavily in Ethiopia.*



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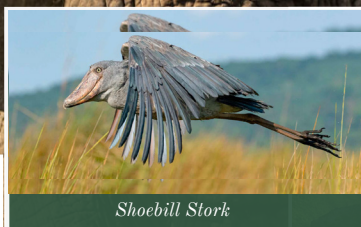
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