The Uganda Gazette

Vol. XCVII No. 46  10th September, 2004  Price: Shs. 1000

CONTENTS

*Notice of Energy and Mineral Development—Notice 303
*Notice of Electoral Commission—Notice 304
*Notice of Companies Act—Notice 304
*Notice of Trade Marks Act—Registration of Applications 305-308
Advertisements 309

General Notice No. 286 of 2004.

MINISTRY OF ENERGY AND MINERAL DEVELOPMENT

GUIDELINES ON LICENSING OF PETROLEUM FACILITIES AND OPERATORS

(General Notice issued under Section 6 of the Petroleum Supply Act, 2003)

Introduction

In January 2003 the Ministry of Energy and Mineral Development (the Ministry) wrote to the Kampala City Council (KCC) to stop issuing new licences for construction of petroleum retail stations. Suspension of licences was for purposes of ensuring that development of new petrol stations in Kampala is in accordance with the new guidelines to be issued by the Ministry. These guidelines are intended to serve that purpose.

Policy Context

In 1994 Government adopted a policy of free market economy driven by the private sector. Price control and bureaucratic resource allocations were abolished. Government also privatized its interests in the three oil-marketing companies, which were nationalized in the 1970s.

The Energy Policy for Uganda was adopted in 2002. The policy covers, inter alia, the downstream petroleum subsector. After adoption of the Policy, the Ministry formulated a new legal framework to regulate the subsector in the principles of a free market with open access and fair competition. Industry regulation is therefore focused mainly on health, safety and environmental (HSE) standards; unless these are elements of unfair competition in the market.

The main goal of the Energy Policy is to meet energy needs of the population in an environmentally sustainable manner. The broad Policy objectives with respect to the downstream petroleum subsector are to:

(a) establish demand for the resource;
(b) increase access to modern affordable and reliable energy services;
(c) improve energy governance and administration;
(d) stimulate economic development; and
(e) manage energy-related environmental impacts.

The strategy for achieving the above broad policy objectives are:

(i) to prepare database on petroleum resources and build local capacity to acquire, access and evaluate the resource;
(ii) to attract private capital and management in provision of petroleum services;
(iii) to promote and encourage competition;
(iv) to create a transparent legal and regulatory framework;
(v) to ensure energy supply security and reliability;
(vi) to promote petroleum trade within the region; and
(vii) to strengthen environmental monitoring in the sector.

These guidelines are intended to implement the Energy Policy in the above context.

Legal Context

The Petroleum Supply Act, 2003 (the Act) was enacted and came into force in November 2003. The Act repealed the Petroleum Act, Cap 97 of the 1964 Laws of Uganda and the Uganda Oil Board Statute of 1991. The Act also revoked the Petroleum Filling Stations Rules, S.I. 27-29 issued under the Urban Authorities Act, Cap 27 of the 1964 Laws of Uganda. The Act provides for anyone intending to enter the petroleum supply chain to apply to the Commissioner of Petroleum Supply (the Commissioner) for grant of a petroleum construction permit (the Permit) and/or grant of a petroleum operating license (the Licence).

For purposes of these guidelines, the petroleum supply chain covers petroleum import, export, re-export, storage, distribution and sale both at bulk consumer and retail outlets/stations.

Objectives of the Guidelines

The objective of the guidelines is to provide for a transparent, orderly and non-discriminative treatment of all applications to enter the petroleum supply chain. Existing facilities that currently do not meet the requirements of these guidelines will be required, within a given time frame, to re-align their facilities accordingly or closedown.
Procedure for application
Application for a Permit and/or a Licence will be made in writing addressed to the Commissioner. Application will contain minimum information as listed below but applicants are advised to include any other information they consider will support their application.

Information Required
1. Name and address of applicant.
2. Corporate status of applicant; whether sole proprietorship, partnership, unincorporated business, incorporated private/public company, association or a cooperative. If registered, a copy of the registration certificate, memorandum & articles of association or constitution, list of directors or of the executive of the company or organisation, as the case may be shall be enclosed.
3. Location and ownership of sites where facilities are to be built. For each site, the applicant shall indicate whether local authority approval to construct facilities has been granted. In case where property is (to be) leased or rented from third parties, copy of agreement/contracts shall be availed.
4. Intended source/supplier of petroleum products.
5. Description of the project's over-all design and layout, type(s) of pumps, product tanks, piping, forecourt, office block, availability and source of power, water supply and communication, sanitation and drainage, and fencing of the facility.
6. Project cost estimates including operating capital to be employed. Indication of financial & technical resources available to the applicant including proof of necessary capital.
7. Organization structure and qualifications & experience of personnel to be employed to operate the system.
8. Undertaking to secure insurance protection against third party liability during both construction and operational phases.
9. A project brief giving likely and potential environmental impact of the project.
10. Description of surrounding area of the site for petroleum installation.
11. Description of safety programmes, equipment and plans for protection of occupational health, industrial safety and the environment during construction and operations of the facility.

Evaluation and Site Inspection
The Commissioner will evaluate the application for suitability of the location, standards of design and safety as a petroleum facility, competence or experience of operator, adequacy of investment resources, and general financial/economic viability. The Commissioner, acting as the lead agency and in consultation with the National Environment Management Authority (NEMA), will evaluate the environmental impact of the project and advise on mitigation measures to be undertaken. The evaluation process will include inspection of the site(s).

Application fees
Application fees are necessary to facilitate evaluation of applications for permits and licences. A fee structure will be announced and gazetted in future. For the time being no fee will be charged or demanded.

Lifting of Ban in Kampala
With the issuance of these guidelines, the earlier ban on construction of new petrol stations in Kampala is hereby lifted. However, new stations must be constructed in line with these guidelines.

Guidelines are Interim
These Guidelines are interim and shall serve as Regulations are issued under the Petroleum Supply Act, 2003. The Guidelines may be amended by the Minister.

SYDA N. M. BBUMBA (MRS), (MP).
Minister of Energy and Mineral Development,
Amber House.
29/33 Kampala Road
P. O. Box 7270. KAMPALA.
May 2004.

General Notice No. 287 of 2004.
THE LOCAL GOVERNMENT ACT
(Cap. 243)
Section 122
NOTICE
PUBLICATION OF CAMPAIGN PERIOD FOR THE POST OF CHAIRPERSON, KALIRO TOWN COUNCIL AND KAMULI DISTRICT COUNCILLORS, KAMULI DISTRICT

Notice is hereby given by the Electoral Commission, subject to Section 122 of the Local Government Act (Cap. 243) that the period commencing 13th and ending 30th day of September, 2004. is hereby appointed campaign period in the form of joint candidates meetings for Kalirio Town CoC, Chairperson and Kamuli District Councillors, Kamuli Dist.
Issued at Kampala, this 9th day of September, 2004.
ENG. DR. BADRU M. KIGGUNDU
Chairman, Electoral Commi...

THE COMPANIES ACT, (Cap. 110).
NOTICE.

Pursuant to section 20 (3) of the Companies Act notice is hereby given that Cowiconsult has by Special Resolution passed on the 1st day of October, 2003 and with the approval of the Registrar of Companies changed its name to Cowi AVS and that such new name has been entered in my register.

Dated at Kampala, this 1st day of October, 2003.

BISEREKO KYOMUHENDO,
Assistant Registrar of Companies.

General Notice No. 290 of 2004.

IN THE MATTER OF THE COMPANIES ACT CAP. 110.
AND
IN THE MATTER OF AN EXTRA-ORDINARY GENERAL MEETING OF AGRI-INDUSTRIAL MANAGEMENT AGENCY LTD.

SPECIAL RESOLUTION

At the company’s extra-ordinary General Meeting duly convened and held on 27th August, 2004 at the Company’s premises at Kampala and attended by all the shareholders, it was proposed and unanimously resolved as follows;

1. That in consideration of the Directors Declaration of Solvency made on 3rd August, 2004 the Company be Wound-up Voluntarily and this resolution be published in the Uganda Gazette within 14 days and circulated in at least one regular Newspaper as required by law.

2. That Messrs Kaahwa, Kafuuzi, Bwiruka & Co. Advocates of P.O. Box 804 Fort Portal be appointed liquidators of the Company who should work in close consultation with Mr. Kakyomya Erisa (Chairman Board of Directors Uganda Tea Growers Corporation) and Mr. Turyahebwa Deo (Director Uganda Tea Growers Corporation) in determining the methods of disposing off the Company’s assets.

3. That the renumeration of the liquidators inclusive of reimbursable expenses shall not exceed 20% of the net proceeds from realisable assets of the Company.

4. That the Registrar of Company be notified accordingly and this resolution be published as required by law.

Resolved this 27th day of August, 2004 at Kampala.

ERISA KAKYOMYA,
Chairman,
Uganda Tea Growers Corporation
Shareholder

W.K. BALISANGA APUULI
Shareholder.

KABAGAMBE - KASENENE,
Shareholder.

In presence of Bwiruka Richard of Kaahwa, Kafuuzi, Bwiruka & Co. Advocates.


SWABOTS LIMITED
THE COMPANIES ACT CAP 110
A Company Limited By Shares
In The Matter Of SWABOTS Ltd
(In Members' Voluntary Winding Up)

And

In The Matter Of The Companies Act [CAP 110]

NOTICE IS HEREBY GIVEN that in pursuance of section 288 of the Act the final general meeting of the above-named company will be held at KPMG Office 1st Floor Rwenzori Courts Plot 2 & 4 Nakasero Road on 14th October 2004 at 9:00 am for the purposes of laying before such meeting the account of the winding up of the above-named company and of giving any explanation of it.

Dated this 10th day of September, 2004.

Signed

JOHN KIRUTHU,
Liquidator.

A member entitled to attend and vote at the meeting is entitled to appoint a proxy to attend and vote in his or her place. A proxy need not be a member of the Company.


THE TRADE MARKS ACT.
(Cap. 83).
NOTICE.

NOTICE IS HEREBY GIVEN that any person who has grounds to oppose the registration of any of the marks advertised herein may within sixty days from the date of this Gazette, lodge a Notice of opposition on Trade Mark Form No. 6 together with a fee of Shs. 4000 in case of National applicants or US$ 250 in case of Foreign applicants. The period of lodging Notice of opposition may be extended in suitable cases by the Registrar as he thinks fit upon such terms as he may direct. Formal opposition should not be lodged until after reasonable notice has been given by letter to the applicant so that he may have an opportunity to withdraw his application before the expense of opposition proceedings is incurred. Failure to give such notice will be taken into account in considering any application by the opponent for an order for costs if the opposition is uncontested by the applicant. Representations of the marks herein advertised can be inspected at the office of the Registrar of Trade Marks, Crane Chambers, P.O. Box 6848, Kampala.

APPLICATION No. 26393 IN PART "A".

Class 11.

(21)

(52)

(54)

KERAMAG

(53)

(59)

(64)
(57) **Nature of goods**—Sanitary ceramics, namely washstands, double washstands, lavatory basins, washstand columns, washstand semi-columns, bidets (wall mounted and standing models), water closets (wall mounted and standing models), flushing boxes, urinals; bath tubs, shower tubs; covers for urinals (as included in class 11); accessories, namely toilet seats; fittings for sanitary ware, including washstand batteries, tub filling- and shower batteries; shut-off and control valves; stink traps; discharge fittings; shower cubicles; shower separations; shower mountings and shower systems; parts of and fittings, components and accessories for all the aforesaid goods; and all other goods included in class 11.

(73) **Name of applicant**—Keramik Keramische Werke Aktiengesellschaft Kreuzerkamp.

(77) **Address**—11, D-40878, Ratingen, Germany.

(74) **C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.**

(22) **Date of filing application**—21st January, 2004.

(21) **APPLICATION NO. 26370 IN PART “A”.**

(52) **Class 25.**

(54)

(53)

(59)

(64)

(57) **Nature of goods**—Clothing; footwear; headgear.

(73) **Name of applicant**—Unilever PLC.

(77) **Address**—Port Sunlight, Wirral, Merseyside, United Kingdom.

(74) **C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.**

(22) **Date of filing application**—15th January, 2004.

(21) **APPLICATION NO. 26270 IN PART “A”.**

(52) **Class 29.**

(54)

---

**SHAKE THE TASTE**

(53)

(59)

(64)

(57) **Nature of goods**—Meat, fish, poultry and game; cooked chicken; frozen chicken; seafood preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; salads; eggs, milk products; cooking oils; pickles; dried herbs poultry-based snack foods.

(73) **Name of applicant**—Kentucky Fried Chicken International Holdings, Inc.

(77) **Address**—1441 Gardiner Lane, Louisville, Kentucky 40213, United States of America.

(74) **C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.**

(22) **Date of filing application**—4th December, 2003.

(21) **APPLICATION NO. 26276 IN PART “A”.**

(52) **Class 16.**

(54)

---

**PRANKSTER PEANUT BUTTERSCOTCH**

(53) **Disclaimer**—Registration of this Trade mark shall give no right to the exclusive use of the words “PEANUT” and “BUTTERSCOTCH” except as represented.

(59)

(64)

(57) **Nature of goods**—Ice creams; waters ices; frozen confections, preparations for making the aforesaid goods.

(73) **Name of applicant**—Unilever PLC.

(77) **Address**—Port Sunlight, Wirral, Merseyside, England.

(74) **C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.**

(22) **Date of filing application**—8th September, 2003.
37) Nature of goods—Vehicles; apparatus for locomotion by land, including passenger cars, lorries, buses, minibuses, vans, minivans and four wheeled drive vehicles; parts of and fittings, components and accessories for all the aforesaid goods.

(73) Name of applicant—Keramag Keramische Werke Aktiengesellschaft Kreuzerkamp.

(77) Address—11, D-40878, Ratingen, Germany.

(74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.


(21) Application No. 25903 in Part “A”.

Class 10.

(54)

(57) Nature of goods—Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopaedic articles; suture materials; medicinal stockings for hosiery; namely stocking and panty hose; elastic and/or orthopaedic bandages.

(73) Name of applicant—Altana AG.


(74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.

(22) Date of filing application—15th July, 2003.

(21) Application No. 26740 in Part “A”.

Class 16.

(54)

(53)

(59)

(64)

(57) Nature of goods—Household accessories, including glass holders with and without glasses, soap holders, soap trays, towel holders, towel rings, towel hoots, tub-grips and toilet brush sets; parts of and fittings, components and accessories for all the aforesaid goods; and all other goods included in class 21.

(73) Name of applicant—Keramag Keramische Werke Aktiengesellschaft Kreuzerkamp.

(77) Address—11, D-40878, Ratingen, Germany.

(74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.


(21) Application No. 26247 in Part “A”.

Class 12.

(54)

(53)

(59)

(64)

(57) Nature of goods—Bathroom furniture, including washstands; mirrors and boards of deposit; and all other goods included in class 20.

(73) Name of applicant—Keramag Keramische Werke Aktiengesellschaft Kreuzerkamp.

(77) Address—11, D-40878, Ratingen, Germany.

(74) C/o M/s. Sengendo & Co. Advocates, P.O. Box 6914, Kampala.


(21) Application No. 26394 in Part “A”.

Class 20.

(54)

KERAMAG

(57) Nature of goods—All goods included in class 16.

(73) Name of applicant—Kawempe Sweets Ltd.

(77) Address—P.O. Box 27809, Kampala.

(74) C/o Hunter & Greig Advocates, P.O. Box 7026, Kampala.

(22) Date of filing application—24th June, 2004

Keramische Werke Aktiengesellschaft Kreuzerkamp...
(21) APPLICATION NO. 26908 in PART “A”.
Class 30.

(52)

(53) Disclaimer—Registration of this Trademark shall give no right to the exclusive use of the words BISCUITS and NEW except as represented.

(59)
(64)
(57) Nature of goods—Biscuits.
(73) Name of applicant—Riham Biscuits Industries (U) Ltd.
(77) Address—P.O. Box 2876, Kampala, Uganda.
(74)
(22) Date of filing application—24th August, 2004.

(21) APPLICATION NO. 26909 in PART “A”.
Class 30.

(52)

(53) Disclaimer—Registration of this Trademark shall give no right to the exclusive use of the words AFRICA and GLUCOSE except as represented.

(59)
(64)
(57) Nature of goods—Biscuits.
(73) Name of applicant—Derma International Ltd.
(77) Address—P.O. Box 2876, Kampala, Uganda.
(74)
(22) Date of filing application—24th August, 2004.

(21) APPLICATION NO. 26906 in PART “A”.
Class 30.

(52)

(53) Disclaimer—Registration of this Trademark shall give no right to the exclusive use of the words COCONUT and BISCUITS except as represented.

(59)
(64)

Kampala, 6th September, 2004. Assistant Registrar of Trade Marks
(Cap. 205).
NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Leasehold Register—Volume 1414 Folio 21, Plot Nos. 1 to 10, Area Approx. 0.10 Hectares at Buwamwaya.

Notice is hereby given that after the expiration of one month from the publication hereof, I intend to issue in the names of M/s Jasa Construction and Joinery Limited of P.O. Box 364, Jinja, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala,

for Chief Registrar of Titles.

ROBERT V. NYOMBI,