URSB

UGANDA REGISTRATION SERVICES BUREAU

# INFORMATION GUIDE

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# About URSB

Uganda Registration Services Bureau (URSB) is the institution mandated under cap 210 Laws of Uganda to deliver a number of registration services that aim at facilitating and enabling the private sector growth in order to create a better investment climate.

## Vision

Centre of excellence for reliable registration services

## Mandate

URSB is responsible for the following functions:

1. Business Registration - registration of companies, business names, partnerships, documents, debentures and chattels securities
2. Intellectual Property Registration - registration of Patents, Utility models, Industrial designs, Trademarks, Copyright and Neighboring Rights.
3. Civil Registration - registration of all marriages, licensing churches to celebrate marriages, solemnizing civil marriages and issuance of letters of single status.
4. Handling of insolvency matters - which includes bankruptcy, winding up of companies and corporate rescue mechanisms.

Located on plot 5, George Street at Georgian House Kampala , URSB has devolved services countrywide to bring services nearer to the people

In Uganda,there are three branches with in Kampala;

- Uganda Business Facilitation Centre, Plot 1 Baskerville Avenue - Kololo
- Georgian House 1st Floor, Plot 5 George Street
- Posta Uganda Main Office, Kampala Rd . Booth 2 &3,

There are also regional offices located in;

**Mbale** on Plot 3, Park Crescent,

**Mbarara** on Plot 1, Kamukuzi Hill,

**Gulu** on Plot 6B Princess Road,

**Arua** on Plot 42/44 Packwach road,

# Business **Registration**

The Directorate of Business Registration (DBR) is Charged with a number of activities including Name Search & Reservations, New Company incorporation, Business names registration, Registration of legal instruments and other documents, Company related documents and Collateral securities such as chattels, mortgages & debentures, Certifications, and searches.

URSB registers the following types of companies: Single member company, public company, private company limited by shares, company limited by guarantee and Foreign company.

## Benefits of Registering a Company

When a company is registered, it is said to be "incorporated" and a certificate of incorporation is issued. Upon incorporation, the company becomes a body corporate separate from its owners. In other words, the business entity will be recognized under the law as legal and eligible to transact in its own name. This means that the company can, among other things:

a) Own and transfer property;
b) Borrow money and provide security in form of a charge on its assets;and
c) Access to credit incase of expansion from financial institutions.

# **Company Registration** in Uganda

## WHAT IS A COMPANY

A company is an artificial person created by law having a separate entity with perpetual succession. This means that a Company is separate from its promoters or subscribers.

In Uganda, Companies are registered and regulated by Uganda Registration Services Bureau (URSB). The relevant laws include but are not limited to the Companies Act No. 1 of 2012. According to sec.4 thereof, one or more persons may for a lawful purpose form a Company. The applicant will need an application form under sec. 18, and may support it with a Copy of memorandum and articles of association if any. Once the registrar has received and verified the application along with the required fees (Finance Act 2013 and the Stamp Duty as amended), a certificate of incorporation/ registration shall be issued as conclusive evidence of compliance with the necessary requirements (sec. 22).

## WHAT ELSE ARE YOU REQUIRED TO FILE AFTER INCORPORATION/ REGISTRATION

Upon its birth, a company becomes a body corporate distinct from its subscribers/members and is required to comply to a number of statutory obligations. Failure to comply may attract penalties both civil and criminal in nature as well as potential striking off from the business register. These obligations include but are not limited to:

### 1. Management/Board

Sec. 185 requires every company to have a director (s). In case of a single member company, in addition to the sole owner being a director, such owner shall appoint a nominee and an alternate nominee director to manage the affairs of the SMC upon the demise of the owner.

However, sec. 188 prohibits acts done by sole person both as director and secretary.

The Board is critical in keeping the company as a going concern through among others, adopting corporate governance principles and ensuring compliance with other statutory obligations.

### 2. Address

All companies doing business or registered in Uganda are required to have a registered office and a registered postal address. From the day of commencement of business or 14 days after incorporation, whichever is earlier, a company shall have an address to which all communications and notices may be addressed (Secs 115 & 116).

An address is an essential marketing tool for your business and exonerates one from brief case company syndrome, while at the same time creating a distinction between your professional and private life. For purposes of the postal address, it may be physical, virtual or even care of (C/O) in cases where an authorizing document is attached.

Failure to have such an address shall render the company and every officer in default to a fine of twenty-five currency points (Sec. 115(5)). The registrar of Companies may also erect to deregister the company in default (Sec. 115(4)).

In Uganda, Postal addresses are issued by Posta Uganda. You may also choose to visit Posta at www.eposta.ug for self service.

### 3. Return of allotment

Whenever a Company limited by shares or by guarantee and having share capital, makes any allotment of its shares to the shareholders, it shall within sixty days thereafter deliver to the registrar of companies for registration such return of allotment (sec. 61).

Failure to file such a return attracts liability against the officers of the company to the tune of twenty-five currency points and an additional five currency points for every day during which the default continues (Sec. 61(3)).

### 4. Register of members

A company is required to keep, at its registered office, a register of its members (119) and shall notify the registrar of companies of the place where the register is kept and any changes thereto (119(3)). Failure to keep such a register attracts a daily default fine of twenty-five currency points against officer responsible for such a default (119(6)).

### 5. Annual Returns

All Companies whether limited by shares or Guarantee are required to submit annual returns to the registrar of companies within forty-two days after the Annual General Meeting of the company in issue (Secs. 132,133, 134).

Failure to file Annual Returns attracts a penalty of twenty-five currency points against company and every officer responsible for the default (132 (4) & 133(3). Further, if for 5 consecutive years no Annual Returns have been filed by the Company, the registrar of companies may be

promted to strike off the company in issue of the register (134(5) &(6).
Filling annual returns can be done online through :
*https://onlinefiling.ursb.go.ug/brs/pro/Um/ligin*

## 6. Company Resolutions

Company decisions are derived through board meetings and shareholders meetings. These decisions are communicated through board resolutions (Sec.150). Resolutions generally fall into two categories, i.e;

a. Those passed by the board. These relate to daily operations and may not be registered.

b. Those passed by members/shareholders. These relate to special resolutions and other resolutions agreed upon by and affecting the members.

***N.B:*** *The wording or content of a resolution can determine whether it's a board resolution or members' resolution. This is because the two have clear cut boundaries on matters of jurisdiction. Applicants are therefore advised to ensure the resolutions are signed by the rightful set of people.*

*Further a single member may not sign both as secretary and Director at the same time or on the same application.*

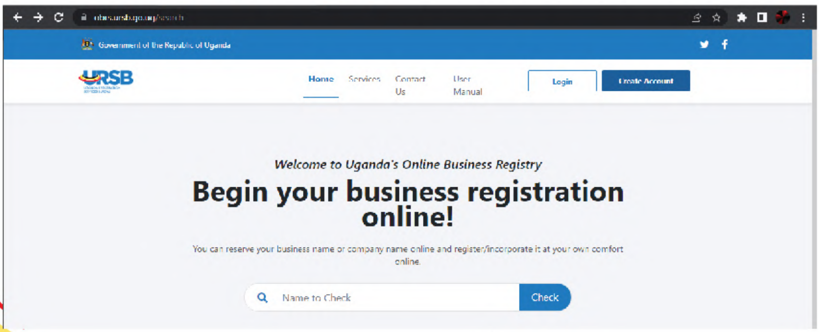
Finally, you may access our online services via;
This website - *https://obrs.ursb.go.ug/*

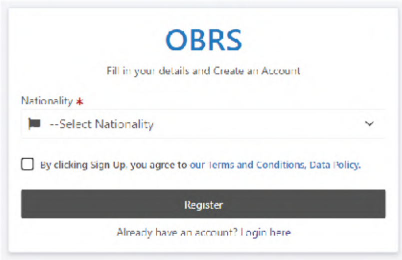
***N.B:***

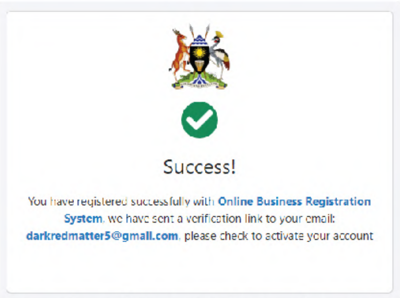
1. *Monetary lines are charged in currency points. Each currency point is equivalent to 20,000/ (First Schedule to the Companies Act 2012).*
2. *Payment of statutory fees/registration/ stamp duty and other fees may be done by mobile money and other electronic means.*

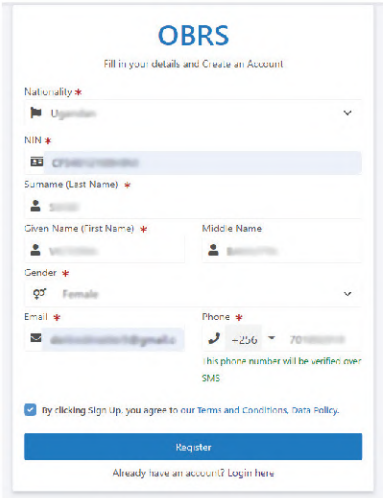
**Steps To create an account on OBRS**

1. Type *https://obrs.ursb.go.ug* in your browser search address bar





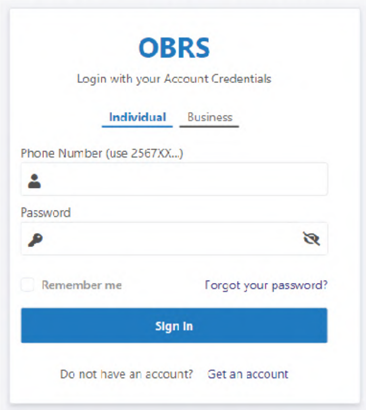




1. Type https://obrs.ursb.go.ug in your browser search address bar
2. Click the "Create Account" button at the top right corner
3. Select your Nationality
   ***a.*** If nationality selected is “Ugandan”;
      **i.** Enter your National Identification Number (NIN)
      **ii.** Enter your contact details (email and phone number)
   ***b.*** If nationality selected is not “Ugandan”
      **i.** Select ID Type (Passport or Alien ID)
      **ii.** Enter your “Passport No.” if selected ID type is “Passport ID” or “Alien ID No.” if selected ID type is “Alien ID”
      **iii.** Enter your “Name”
      **iv.** Select your “Gender”
      **v.** Enter your contact details (email and phone number)
      **vi.** Attach a scanned copy of your “Identity Document”
4. Check box to agree to “Terms and Conditions”
5. Click the “Register” button
6. An email with a link to verify your email and phone number is sent to the email address provided above
7. Click the link to verify your email address
8. Enter OTP code sent through SMS to your phone to verify the phone number
9. Set password for the account
10. Log in to your account

## Steps To Log into Your Account

1. Put your credentials in the box followed by your password.

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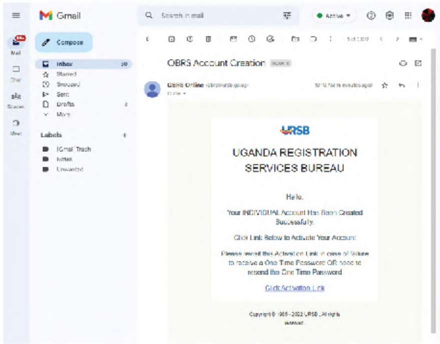


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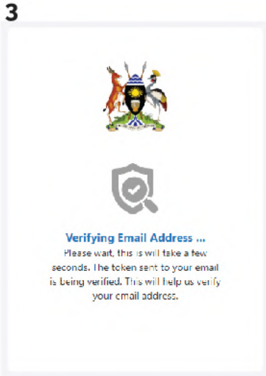


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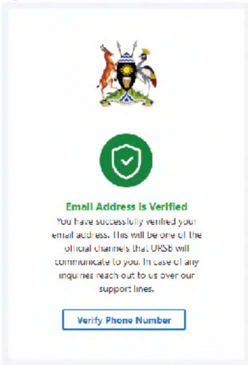


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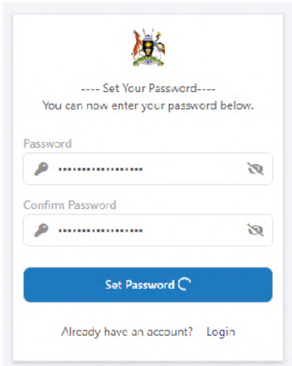


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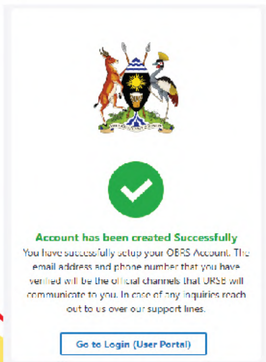
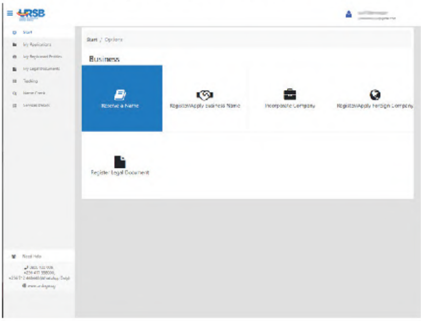



1. Type https://obrs.ursb.go.ug in your browser search address bar
2. Click the "Login" button at the top right corner
3. Enter phone number associated to your account
4. Enter password set for the account
5. Click "Sign in" to log in to your account

## Steps To Reserving a name

Go to https://ursb.go.ug/

**1**. Click on Reserve Button » Name Reservation" Tab

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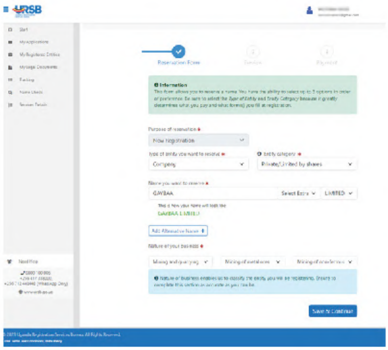


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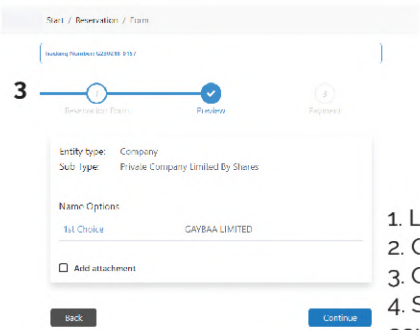


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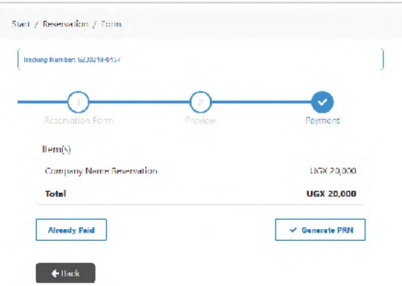


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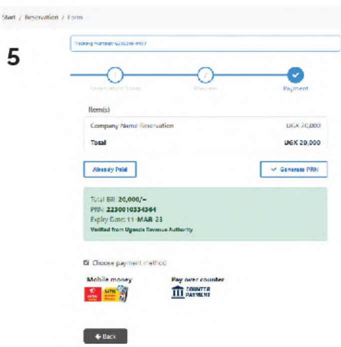
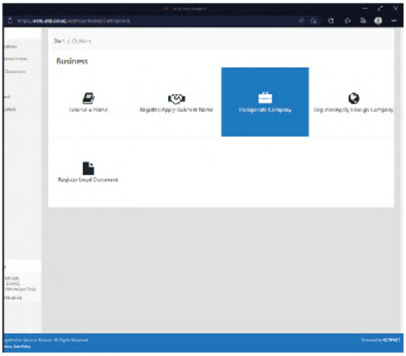



1. Log into your account
2. Click "Start" from the left side menu
3. Click "Reserve Name"
4. Select "Entity Type" for entity under consideration
for registration (Business Name, Company or Building Society)
5. Select the "Entity Category" if applicable for the selected entity type above
6. Enter preferred Entity Name under consideration for registration
7. Add alternative name options for the entity under consideration for proposed to be registered
8. Select "Nature of Business"
9. Click "Save and Continue"
10. Preview captured "Entity Type" and "Sub Type"
11. Preview the "Name Options"
12. Click "Generate PRN' to generate PRN
13. Click "Choose payment method" to select preferred mode of payment
14. Make payment

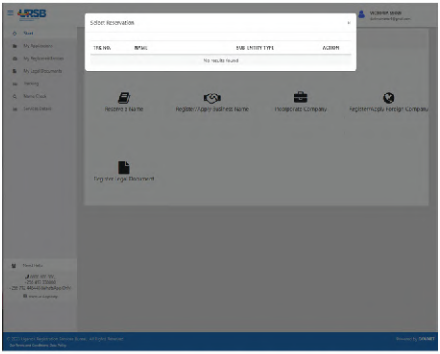
## Steps To Incorporate a Local Company

**1**



Log into your account

**2**



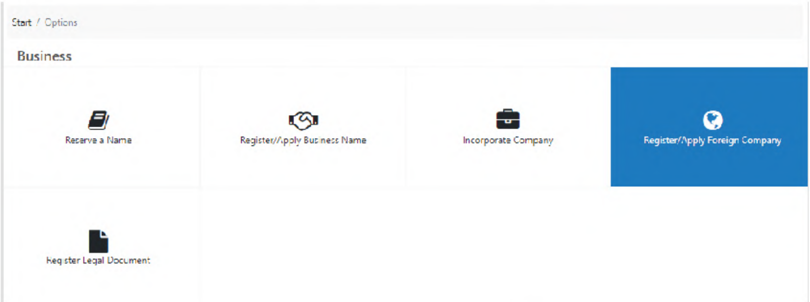
Click "Start" from the left side menu

3. Click "Incorporate Company"
4. Identify a reserved name to be incorporated as a company from the pop-up window
5. Click the "Incorporate Company" button alongside the identified reserved name
6. Check box against optional forms to be submitted together with the mandatory forms in the application
7. Click the "Incorporate Company" button to proceed to the next page
8. Enter particulars of Form S18 (company physical address, proposed share capital and subscribers of the company)
9. Enter particulars of Form A1 (total number of shares, share classification and respective value)
10. Enter particulars of the Memorandum and Articles of Association
11. Enter particulars of any other selected option form
12. Enter particulars of directors in Form 20
13. Enter "Official Company Contact Details"
14. Preview the details captured in the forms included in the application
15. Download, Sign and Upload forms included in the application
16. Add other required attachments
17. Make "Payment" and "Submit" application for processing by URSB

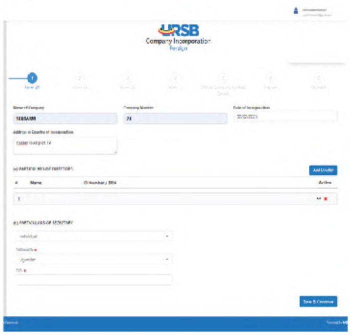
## Steps To Register A Foreign Company

| | |
|---|---|
| **STEP 1** | Submit all requisite forms (certified copy of charter, statutes or memorandum and articles of the company or constitution; Fill form 24 {list of directors and secretary)Form13(statement of charges) Form 25 (names and postal address of person(s) resident in Uganda authorised to accept service of behalf of the company) and Form 26 ( the full address of the registered or principal office of the company) |
| **STEP 2** | Payment of fees |
| **STEP 3** | Issuance of registration certificate in 3 workings hours |

**1**



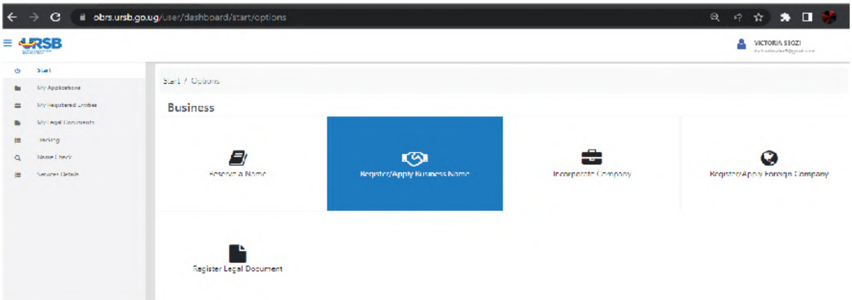

**2**




1. Click "Start" from the left side menu
2. Click "Register/Apply Foreign Company"
3. Enter particulars of Form 24 (Name of Company, Company Number, Date of Incorporation, Address in Country of Incorporation, Particulars of Directors and
4. Particulars of Secretary).
5. Enter particulars of Form 25 (Representatives) Enter particulars of Form 26 (Physical Address of the company and Country the company was incorporated in)
6. Add particulars of Form 13 (charges of the company)
7. Enter the "Official Company Contact Details" (email and phone number)
8. Preview the details captured in the forms included in the application
9. Download, Sign and Upload forms included in the application
10. Add other required attachments
11. Make "Payment" and "Submit" the application to register foreign company

## Steps To Register a Business Name

1

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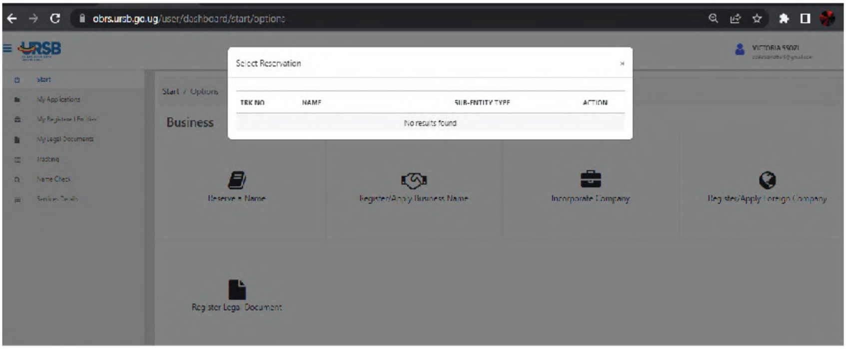


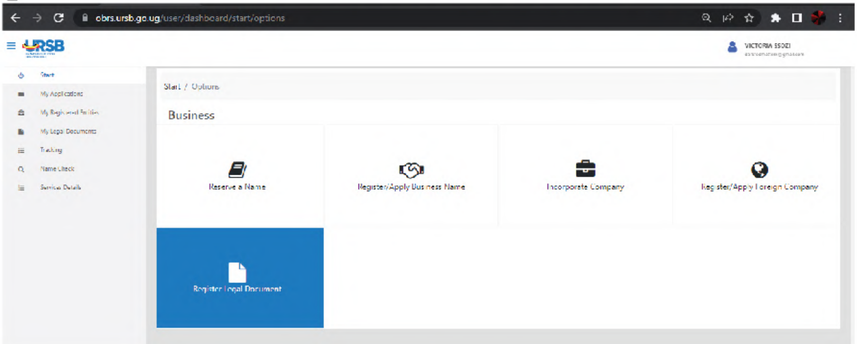

1. Log into your account
2. Click "Start" the left side menu
3. Click "Register/Apply Business Name"
4. Identify a reserved name to be registered from the pop-up window
5. Click the "Register" button alongside the identified reserved name
6. Enter the particulars of the business name (date of commencement, business address, official contacts, and partner details)
7. Check box to agree to the statutory declaration
8. Click the "Save and Continue" button to proceed to the next step
9. For a Limited Liability Partnership, enter particulars of the Liability in form 6
10. Preview the details captured in the forms included in the application
11. Download, Sign and Upload forms included in the application
12. Add other required attachments
13. Click "Save and Continue" to submit the application

## Steps To Register Legal Documents

This is a function for any legal person. Companies or People can file and register a legal document. Documents registered under URSB are legally binding and the bureau serves as a custodian of said document to verify it's authenticity and information there in.

This service is a paid for service and on completion of your application, an assessment with URA will be done. [Checkout our services [pricelist]

1

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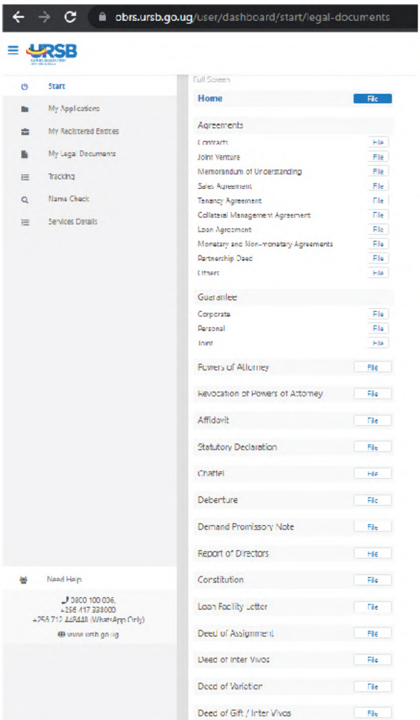


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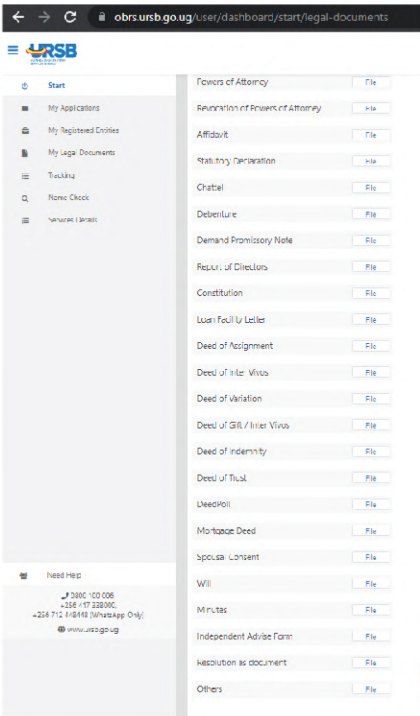


## How to register Legal Documents

### 1. Agreements

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify a legal document to register from a list of documents under "Agreements" |
| v. | Click "File" button against identified legal document to register |
| vi. | Enter subject matter |
| vii. | Select "Date of Execution" |
| viii. | Enter details of "Parties" to the agreement |
| xi. | Attach the "Agreement" to be registered |
| x. | Attach copy of company certificate for "Parties" to the agreement who are corporate entities |
| xi. | Attach copy of Identification document for "Parties" to the "agreement" who are individuals |
| xii. | Make Payments |
| xiii. | Submit application for processing by URSB |

### 2. Guarantees

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify a legal document to register from a list of documents under "Guarantees" |
| v. | Click "File" button against identified legal document to register |
| vi. | Enter subject matter |
| vii. | Select "Date of Agreement" |
| viii. | Enter details of "Guarantor" |
| ix. | Enter details of"Beneficiary" |
| x. | Enter details of the "Guaranteed" |
| xi. | Attach the legal document to be registered |
| xii. | Attach certificate of registration for guarantor/beneficiary/guaranteed who is a corporate entity |
| xiii. | Attach identification document for guarantor/beneficiary/guaranteed who is an individual |
| xiv. | Make Payments |

### 3.Powers of Attorney

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Powers of Attorney" from the list oflegal documents |
| v. | Click "File" button against "Powers of Attorney"legal document |
| vi. | Enter subject matter |
| vii. | Select "Date of Execution" |
| viii. | Select "Type" of "Powers of Attorney":"Revocable" and "Irrevocable" |
| ix. | Enter details of Donor and Donne |
| x. | Attach the "Powers of Attorney" to be registered |
| xi. | Attach Identification document for Donor and Donee |
| xii. | Make Payments |
| xiii. | Submit application for processing by URSB |

### 4.Affidavits

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Affidavit" from the list of legal documents |
| v. | Click "File" button corresponding to the"Affidavit" legal document |
| vi. | Enter subject matter |
| vii. | Enter "Date of Swearing" |
| viii. | Enter details of Affiant |
| ix. | Attach copy of Affidavit |
| xi. | Make Payments |
| xii. | Submit document for processing by URSB |

**5.Statutory Declaration**

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Statutory Declaration" from the list oflegal documents |
| v. | Click "File" button corresponding to "StatutoryDeclaration" legal document |
| vi. | Enter subject matter |
| vii. | Enter "Date of Swearing/Date of Declaration" |
| viii | Enter details of Declarant |
| ix. | Attach copy of Statutory Declaration |
| x. | Attach copy of Identification Document ofDeclarant |
| xi. | Make Payments |
| xii. | Submit document for processing by URSB |

**6.Debenture**

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Debenture" from the list of legaldocuments |
| v. | Click "File" button against "Debenture" legaldocument |
| vi. | Enter subject matter |
| vii. | Select "Date of Execution" |
| viiii | Enter details of Borrower(s) |
| x. | Enter details of Lender(s) |
| x. | Attach copy of the Debenture |
| xi. | Attach copy of certificates for Borrower andLender |
| xii. | Make Payments |
| xiii. | Submit document for processing by URSB |

### 7. Constitution

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Constitution" from the list of legaldocuments |
| v. | Click "File" button corresponding to"Constitution" legal document |
| vi. | Enter "Name of Association" |
| vii. | Enter "Main Objective" of the Constitution |
| viiii | Enter "Date of Execution" |
| x. | Enter details of Member(s) |
| ix. | Attach copy of the "Constitution" |
| xi. | Attach copy of Identification Document formembers who are individuals. For corporate entities,attach a copy of certificate |
| xii. | Make Payments |
| xiii. | Submit application for processing by URSB |

### 8. Mortgage Deed

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Mortgage Deed" from the list of legaldocuments |
| v. | Click "File" button corresponding to "MortgageDeed" legal document |
| vi. | vi.Enter subject matter, mortgage instrumentnumber, date of execution, particulars of landand amount secured |
| vii. | Add Mortgagee(s) and their details |
| viiiii | Add Mortgagor(s) and their details |
| ix. | Attach and upload mortgage deed |
| x. | Attach and upload copy of Identificationdocuments of mortgagee and mortgagor whoare individuals. For corporate entity attach copyof certificate |
| xi. | Make Payments |
| xii. | Submit application for processing by URSB |

### 9. Chattels

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Chattel" from the list of legal documents |
| v. | Click "File" button corresponding to "Chattel" legal document |
| vi. | Enter "Subject Matter" and "Date of Agreement" |
| vii. | Add Mortgagee(s) and their details |
| viiii | Add Mortgagor(s) and their details |
| x. | Attach and upload copy of the chattel |
| ix. | Attach and upload copy of Identification documents of mortgagee and mortgagor who are individuals. For corporate entity attach copy of certificate |
| xi. | Make Payments |
| xii. | Submit application for processing by URSB |

### 10. Demand Promissory Note

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Demand Promissory Note" from the list of legal documents |
| v. | Click "File" button corresponding to "Demand Promissory Note" legal document |
| vi. | Enter "Subject Matter", "Date of Execution", "Amount" and "Realization Date" |
| vii. | Add Borrower and their details |
| viiiii | Add Creditor and their details |
| ix. | Attach and upload the demand promissory note |
| x. | Attach and upload copy of Identification documents of borrower and creditor who are individuals. For corporate entity attach copy of certificate |
| xi. | Make Payments |
| xii. | Submit document for processing by URSB |

### 11. Report of Directors

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Report of Directors" from the list of legal documents |
| v. | Click "File" button corresponding to "Report of Directors" legal document |
| vi. | Enter "Subject Matter", "Date of Execution" |
| vii. | Enter details for the entity whose directors' report is to be registered |
| viii. | Add Executioners and their details |
| ix. | Attach and upload the Report |
| x. | Attach and upload copy of certificate of the entity |
| xi. | Attach copy of Identification documents of directors who are individuals. For corporate entity attach copy of certificate |
| xii. | Make Payments |
| xiii. | Submit document for processing by URSB |

### 12. Resolution as a Document

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Resolution as a Document" from the list of legal documents |
| v. | Click "File" button corresponding to "Resolution as a Document" legal document |
| vi. | vi. Enter "Subject Matter", "Date of Agreement" |
| vii. | vii. Add Parties to the resolution |
| viiiii | Attach and upload the Resolution to be registered |
| ix. | Attach and upload copy of certificate of the entity that are party to the Resolution |
| x. | x. Make Payments |
| xi. | xi. Submit document for processing by URSB |

### 13. Loan Facility Letter

| | |
|---|---|
| i. | Login to your individual account |
| ii. | ii. Click "Start" from the left side menu |
| iii. | iii. Click "Register Legal Document" |
| iv. | iv. Identify "Loan Facility Letter" from the list of legal documents |
| v. | Click "File" button corresponding to "Loan Facility Letter" legal document |
| vi. | Enter "Subject Matter", "Amount Secured","Date of Execution" and "Collateral Security"description |
| vii. | Add Borrower(s) and their details |
| viii. | Add Lender(s) and their details |
| ix. | .Attach and upload the Loan Facility Letter to beregistered |
| x. | Attach and upload copy of Identificationdocument for |
| xi. | Borrower(s) and Lender(s) whoare individuals. For corporate entity attach copyof certificate |
| xii. | Make Payments |
| xiii. | Submit document for processing by URSB |

### 14.Minutes

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Minutes" from the list of legaldocuments |
| v. | Click "File" button corresponding to "Minutes"legal document |
| vi. | Enter "Subject Matter" and "Date ofAgreement" |
| vii. | Add meeting minutes Members and theirdetails |
| viiii | Attach and upload the Minutes to be registered |
| ix. | Attach and upload Members' copy ofIdentification documents |
| x. | Make Payments |
| xi. | Submit document for processing by URSB |

### 15. Spousal Consent

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Spousal Consent" from the list of legaldocuments |
| v. | Click "File" button corresponding to "SpousalConsent" legal document |
| vi. | Enter "Subject Matter" and "Date of Consent"and "Description" |
| vii. | Add "Consenting Person" details |
| viii. | Add "Mortgagee/Seller" details |
| ix. | Add "Mortgagor/Buyer" details |
| x. | Attach and upload the "Spousal Consent" to beregistered |
| xi. | Attach and upload copy of Identificationdocument for Consenting Person |
| xii. | Attach and upload copy of Identificationdocuments for Mortgagee/Seller and Mortgagor/Buyerwho are individuals and a certificate for corporateentities |
| xiii. | Make Payments |
| xiv. | Submit document for processing by URSB |

### 16.Deed of Trust

| | |
|---|---|
| i. | Login to your individual account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Register Legal Document" |
| iv. | Identify "Deed of Trust" from the list of legaldocuments |
| v. | Click "File" button corresponding to "Deed ofTrust" legal document |
| vi. | Enter "Subject Matter" and "Date ofAgreement" |
| vii. | Add Assigner(s) and their details |
| viiiii | Add Assignee(s) and their details |
| ix. | Attach and upload the "Deed of Trust" to beregistered |
| x. | Attach and upload copy of Identificationdocuments for Assigner(s) and Assignee(s) who areindividuals and a certificate for corporate entities |
| xi. | Make Payments |
| xii. | Submit document for processing by URSB |

## Continuous Filing

### 1.How to file a general Resolution

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Resolutions" |
| iv. | Click "Resolution (Generic)" under the"General" label |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (companyorgan, resolution type, resolution subject, dateof meeting, venue of meeting) |
| vii. | Enter summary of the resolution |
| viii. | Save the summary of resolution |
| ix. | Add "Signatories" to the resolution |
| x. | Attach signed copy of resolution |
| xi. | Make payment to have resolution filingsubmitted for processing |

### 2.How to file Charges

*i.Form 13 (Single Charge)*

| | |
|---|---|
| a. | Login to Company Business Account |
| b. | Click "Start" from the left side menu |
| c. | Click "Charges" |
| d. | Click "Form 13 (Single Charge)" |
| e. | Click the "Continue" button |
| f. | Enter "Resolution Information" (companyorgan, resolution type, resolution subject, dateof meeting, venue of meeting) |
| g. | *Fill for 13* |
| | • *Select Name of Charge (Mortgage,Debenture, Further Charges, Others –specify it)* |
| | • *Enter details of the charge specified above* |
| | • *Add details of Entity entitled to the charge* |
| h. | Add "Signatories" to the filing of the charge |
| i. | Preview the details captured in Company Form13 |
| j. | Download, Sign and Upload signed copy ofCompany Form 13 |
| k. | Attach and upload signed copy of resolution tofile charge |
| l. | l.Attach and upload deed evidencing instrumentof the charge |
| m. | m.Make payments to have filing of chargesubmitted to URSB for processing |

| | |
|---|---|
| **ii.** | Form 14 (Multiple Charges) Use the form to file multiple charges |
| **iii.** | *Form 15 (Company Property Charges)* |
| **a.** | Login to Company Business Account |
| **b.** | Click "Start" from the left side menu |
| **c.** | Click "Charges" |
| **d.** | Click "Form 15 (Company Property Charges)" |
| **e.** | Click the "Continue" button |
| **f.** | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| **g.** | *Fill for 15* |
| | • Select Name of Charge (Mortgage, Debenture, Further Charges, Others – specify it) |
| | • *Enter details of the charge specified above* |
| | • *Add details of Entity entitled to the charge* |
| **h.** | Add "Signatories" to the filing of the charge |
| **i.** | Preview the details captured in Company Form 15 |
| **j.** | Download, Sign and Upload signed copy of Company Form 15 |
| **k.** | Attach and upload signed copy of resolution to file charge |
| **l.** | Attach and upload deed evidencing instrument of the charge |
| **m.** | Make payments to have filing of charge submitted to URSB for processing |

## 2.How to file Charges

| | |
|---|---|
| **i.** | Login to Company Business Account |
| **ii.** | Click "Start" from the left side menu |
| **iii.** | Click "Company Structural Changes" |
| **iv.** | Click on "Form 18 (Company Address)" |
| **v.** | Click the "Continue" button |
| **vi** | Enter "Physical Address" details of the company |
| **vii.** | Preview the details captured for Form 18 |
| **viii.** | Download, Sign and Upload signed copy of Form 18 |
| **ix.** | Make payments to have Form 18 filing submitted to URSB for processing |

### 3. How to file Form 18

i. Login to Company Business Account
ii. Click "Start" from the left side menu
iii. Click "Company Structural Changes"
iv. Click on "Form 18 (Company Address)"
v. Click the "Continue" button
vi. Enter "Physical Address" details of the company
vii. Preview the details captured for Form 18
viii. Download, Sign and Upload signed copy of Form 18
ix. Make payments to have Form 18 filing submitted to URSB for processing

### 4. How to file Form 20

i. Login to Company Business Account
ii. Click "Start" from the left side menu
iii. Click "Company Structural Changes"
iv. Click on "Form 20 (Directors and Secretary)"
v. Click the "Continue" button
vi. Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting)
vii. Select the "Effective Date of Appointment"
viii. Add Directors and their details
ix. Add Secretary and their details
x. Add "Signatories" to the filing of Form 20
xi. Preview the details captured for Form 20
xii. Download, Sign and Upload signed copy of Form 20
xiii. Attach signed copy for resolution to file Form 20
xiv. Attach copy of Identification Documents of Directors and Secretary
xv. Make payments to have Form 20 filing submitted to URSB for processing

### 5. How to file Form 10 (share allotments)

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Form 10 (Share Allotments)" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date and venue of meeting) |
| vii. | Fill the shares allotment form (return period, allotment particulars) |
| viii. | Add signatories to the resolution to allot shares |
| ix. | Preview details captured on Form 10 (share allotments) |
| x. | Download, Sign and Upload signed copy of Form 10 |
| xi. | Attach signed copy for resolution to file Form 10 |
| xii. | Make payments to have Form 10 filing submitted to URSB for processing |

### 6. How to file Form 10 (Payment for Shares)

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Form 10 (Share Allotments)" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date and venue of meeting) |
| vii. | vii. Fill the shares payment form (shareholders and amount paid for shares) |
| viii. | Add signatories to the resolution for share payments |
| ix. | Preview details captured on Form 10 (payment for shares) |
| x. | Download, Sign and Upload signed copy of Form 10 |
| xi. | Attach signed copy for resolution to file Form 10 |
| xii. | Make payments to have Form 10 filing submitted to URSB for processing |

### 7. How to file for Change of Address

i. Login to Company Business Account
ii. Click "Start" from the left side menu
iii. Click "Company Structural Changes"
iv. Click on "Change of Address"
v. Click the "Continue" button
vi. Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting)
vii. Edit "Physical Address" details of the company
viii. Click "Save Address" button
ix. Continue to next form (signatories)
x. Select "Signatories" to the resolution to change address of company
xi. Preview the details captured for Form 18
xii. Download, Sign and Upload signed copy of Form 18
xiii. Attach the resolution to change address
xiv. Make payments to have a "Change of Address" filing submitted to URSB for processing

### 8. How to file for Change of Directors

i. Login to Company Business Account
ii. Click "Start" from the left side menu
iii. Click "Company Structural Changes"
iv. Click on "Change of Directors"
v. Click the "Continue" button
vi. Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting)
vii. Select the "Effective Date of Appointment"
viii. To add a director, click "Add Director" and enter their details
ix. To delete a director, click "Delete Director"
x. Select "Signatories" to the resolution to change directors
xi. Preview the details captured for Form 20
xii. Download, Sign and Upload signed copy of Form 20
xiii. Attach copy of Identification Document of added directors
xiv. xiv. Make payments to have a "Change of Directors" filing submitted to URSB for processing

### 9. How to file for Change of a Company Secretary

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Change a Company Secretary" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| vii. | Enter the "Effective Date of Appointment" |
| viii. | Add details of the new Secretary |
| ix. | Add "Signatories" to the resolution to change a company secretary |
| x. | Preview the details captured for Form 20 |
| xi. | Download, Sign and Upload signed copy of Form 20 |
| xii. | Attach copy of Identification Document of the added Secretary. Attach a copy of a certificate for corporate entities |
| xiii. | Make payments to have a "Change of a Company Secretary" filing submitted to URSB for processing |

### 10. How to file for Change of Share Capital

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Change of Share Capital" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| vii. | Enter new share capital |
| viii. | Add "Signatories" to the resolution to change share capital |
| ix. | Preview the details captured in company Form 12 |
| x. | Download, Sign and Upload signed copy of company Form 12 |
| xi. | Attach signed copy of resolution to change share capital |
| xii. | Make payments to have a "Change Share Capital" filing submitted to URSB for processing |

## 11. How to file Change in Shareholding

a. *Change in Shareholding by Transfer Click "Start" from the left side menu*

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Change in Shareholding" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| vii. | Select "Transfer" |
| viii. | Enter particulars of share transfer (transferring shareholder, shareholder being transferred to and the amount of shares transferred) |
| ix. | Add "Signatories" to the resolution to transfer shares |
| x. | Preview the details returned in "Share transfer form 1" and "Share valuation report" |
| xi. | Download, Sign and Upload signed copy of share transfer form and the share valuation report<br>i. Attach signed copy of resolution to transfer shares |
| xii. | Make payments to have a change in shareholding by transfer filing submitted to URSB for processing |

a. *Change in Shareholding Surrender*

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Change in Shareholding" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| vii. | Select "Surrender" |
| viii. | Select Shareholder(s) whose shares are to be surrendered |
| ix. | Enter and Save amount of Shares to surrender |
| x. | Add "Signatories" to the resolution to surrender shares |

| | |
|---|---|
| xi. | Attach and upload Resolution for surrender of shares |
| xii. | Make payments |
| xiii. | Change in shareholding by Surrender filing is submitted to URSB for processing |

c. *Change in shareholding by Forfeiture*

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Change in Shareholding" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| vii. | Select "Forfeit" |
| viii. | Select Shareholder(s) who are forfeiting their shares |
| ix. | Enter and Save amount of Shares to surrender |
| x. | Enter "Tracking Number" of a resolution to call on shares |
| xi. | Add "Signatories" to the resolution to forfeit shares |
| xii | Attach and upload a Statutory Declaration of Particulars of forfeiture |
| xiii. | Attach and upload signed copy of Call on Shares Notice |
| xiv. | Attach and upload signed copy of Resolution to forfeit shares |
| xv. | Make payments |
| xvi. | Change in shareholding by Forfeiture filing is submitted to URSB for processing |

d. *Change in Shareholding by Transmission*

| | |
|---|---|
| i. | Login to Company Business Account |
| ii. | Click "Start" from the left side menu |
| iii. | Click "Company Structural Changes" |
| iv. | Click on "Change in Shareholding" |
| v. | Click the "Continue" button |
| vi. | Enter "Resolution Information" (company organ, resolution type, resolution subject, date of meeting, venue of meeting) |
| vii. | Select "Transmission" |
| viii. | Enter particulars of the share transmission (shareholder to transmit, administrator/executor/shareholder being transmitted to) |
| ix. | Add "Signatories" to the resolution to transmit shares |
| x. | Attach and upload resolution to transmit shares |
| xi. | Make payments |
| xii. | A change in shareholding by transmission filing will be submitted to URSB for processing |

## How to incorporate a local building society

| | |
|---|---|
| **STEP 1** | Click "Start" from the left side menu |
| **STEP 2** | Click "Incorporate Building Society" |
| **STEP 3** | Identify a reserved name to be incorporated as a building society from the pop-up window. |
| **STEP 4** | Click the "Register" button alongside the identified reserved name |
| **STEP 5** | Enter particulars of BS 1 (Initial General Meeting Date and Meeting Place Address Details) |
| **STEP 6** | Add "Members" of the building society (the minimum is seven) |
| **STEP 7** | Enter the "Official Contact Details" of the building society |
| **STEP 8** | Preview the details captured in the forms included in the application |
| **STEP 9** | Download, Sign and Upload the forms included in the application |
| **STEP 10** | Add other required attachments |
| **STEP 11** | Make "Payment" and "Submit" the application to incorporate building society. |

## How to search a Company Record

| | |
|---|---|
| **STEP 1** | Login to your individual account |
| **STEP 2** | Click on "Search and Certification" from the left side menu |
| **STEP 3** | Enter BRN of the company whose record you intend to search |
| **STEP 4** | Make payment (Summary Information about the company is displayed) |
| **STEP 5** | Click "Download Search Report" to view a detailed report |
| **STEP 6** | Click "Download" to have the report downloaded to your local storage |

## How to Certify Company Documents

| | |
|---|---|
| **STEP 1** | Login to your individual account |
| **STEP 2** | Search company record (A list of documents is returned) |
| **STEP 3** | Identify a document you would want to certify |
| **STEP 4** | Click the "View" button alongside the document of interest to view document details |
| **STEP 5** | Select document(s) you would want to certify by checking box against the document(s) |
| **STEP 6** | Click "Certify" to have selected documents certified |
| **STEP 7** | Make payment and Submit |

## Steps to Change from Business Name to a Company

| | |
|---|---|
| **STEP 1** | Submit the following documents (original certificate of registration, Form of particulars for the business name, Signed notice of cessation of business names and Signed memorandum and articles and company application forms and proof of payment. |
| **STEP 2** | Certificate of change of business name |

## TO NOTE:

a) Assessment for fees payable is carried out using the URA web portal and you can also carry out self-assessment on www.ura.go.ug

b) Registration of a company requires a passport photograph (mugshot) of subscribers.

c) All documents must be signed by all subscribers.

d) Please note you can register a Single Member limited liability company.

# **Filling Annual** Returns

1. Are you a company Director/Secretary/Auditor/Accountant or have powers of Attorney/resolution to act on behalf of the company to file their annual returns?

2. Please have your identification (National ID or Passport) and document of representation in soft copy on one of your folders (desktop, downloads, documents etc.), for upload and also the system generated number that starts with 800........(14digits), but in case one does not have it, at the mark out of company representation, a note pops up with a blue bolded word "CLICK" that will lead you to name search from database for the number, then click on Load from BRS

3. If so, Visit the website at www.ursb.go.ug and select **Annual/marriage returns** or click onto E-services and select .

4. Click on "create new account" and fill in your personal information such;- as your name, email address and phone contact.

5. If you would like to represent a company, mark it off and have the number copied from name search platform if you don't have the registration number and click on Load from BRS, select document, upload soft copy of your National ID or Passport and resolution or power of attorney for appointment of representation or document that can substitute and submit for approval of account from URSB.

6. You will receive an email response containing your user name and link to activate your account, please ensure to click on that link to the login page where you will enter the user name received and the password well known to you that you submitted at the fill up of the application form for an account.

7. Once logged in, next your profile, click on select representation, click on the your company name, and all the other displays will disappear only one field box with 'New application for annual return filing' will appear for you to click on and there it will take you to the first page of the annual return to fill in " confirm activity/address of company", please check and confirm your annual return period, incase as per the subtitles e.g " confirm activity/address of company' the information is not displayed, find an instruction in form of a field title: editing mode under which, there is confirm data , if all information is in, change data:

if you have new updates ,that is to say for example if as you file returns, you have a new office address for your business so a form 18 shall be required, but if all information was provided to URSB and you don't see it display, mark on correction and it will allow you edit by inputting information as required.

8. Please every time you finish with a page, save and proceed to the next page till you get to payment page CLICK on assess payment (mark of yes/no under 'is it paid for'? tax payer identifier, mark it off, get PRN slip, agree and go on to pay by mobile money, bank, cheque, any of your payment mode choices as enlisted by URA. However, if paid you prior, then you will enter PRN and check status at URA and then submit for processing at URSB. but if not yet paid, and assessment is done pay up once you have received PRN and it will automatically throw itself to URSB without you have to click on any button .

9. The system will generate an assessment of fees payable which can be paid using different modes such as the bank of your choice, mobile money, etc. (Please note that you can only pay for one year at a time)

10. You can also make payments upon generation of an Assessment off the URA portal and pay for each year.(Please note that you can only pay for one year at a time)

11. Once the payment is made you will receive a notification via your email on the status of your application being processed at URSB.

12. Where at URSB, we shall confirm your information, and either, approve, query or reject, and a notice will still be received by you of what action has been done to your application.

13. Upon completion of entering the information you must confirm and submit your application

14. Please note that for Companies Limited by Guarantee and non Common Wealth countries you will upload an original copy of your audited books accounts

15. On the back end, URSB side, we shall review your application and confirm final decision by the Registrar and send you a copy of your Annual return to the applicant's email which you will be able to print then ensure that the Director and Secretary sign for filing or before submission to any other licensing authority.

16. In the event that you need a certified copy, you will submit the same for certification upon payment of the requisite fee.

## PLEASE NOTE

1. *That the interface is for both civil registration marriage returns and business registration annual returns since it is the same body URSB. So kindly endeavor to always mark off which returns that you are filing.*

2. *In case you have other entities  to add on to your Profile/account, click on your profile then you will be able add other entities you representation and attach the Powers of Attorney/Document*

# Resolution Filing Guidelines

1. Generate payment assessment through the URA portal and make payments using any method of your choice i.e. through the bank, mobile money, pay way,visa etc.
2. Scan the resolution to be registered and copies of ID's for Directors or Secretary of the Company. Resolutions must be scanned in either TIFF or JPEG image format but preferably TIFF.DPI of 300 and image size of 1MB. **Document should be scanned in colour**
3. Visit the URSB website by typing https://obrs.ursb.go.ug in your preferred web browser.
4. Under the menu E-Services, click **submit Resolution** and a form will be displayed for a director or secretary of the company to fill in. Please note that this service is only accessible to a Director of Secretary of a company
5. The categories of resolutions that can be filed in this system include the following: Resolution to open up an bank account, Resolution to appoint an attorney, Resolution to appoint a technical director such as a pharmacist and a Resolution to change company address
6. Fill in the details of the Director/Secretary submitting the resolution for registration such as names, valid email address, phone number, and 14 -digit business registration number. If you are not sure of your 14-digit business number, please visit https://obrs.ursb.go.ug/brs/pro/bnr/searchname and search for it by typing your company name under Business/Entity name and click search. Please note, the email address provided must be valid, it will be used for sending your any communication in regards to the resolution.
7. Attach IDs of all directors and secretary in the section of ID of Director and Secretary
8. Attach two copies of the scanned resolution
9. Fill in the Payment Reference Number (PRN) details and amount paid
10. Submit the Resolution for registration by clicking the submit button.
11. An email acknowledging receipt of the resolution will be sent to your email together with a ticket number, which you can use for follow up.
12. If you don't receive any email from edms@ursb.go.ug, please check your spam folder and white list it or mark it as not spam.

# **Intellectual** Property

Intellectual Property is a product of the mind and human intellect. Intellectual property rights grant the owner of an intellectual creation exclusive rights to exploit and benefit from his/her creation.

Intellectual property is all around us, every product or service that we use in our daily lives is a product of someone else's creativity.

Creativity and innovation fuels progress of mankind. Legal protection of these new creations encourages the expenditure of additional resources, which leads to further innovation.

### Intellectual Property is divided into two categories;

1. Copyright and Neighboring rights which includes literary and artistic works such as novels, poems and plays, movies, musical works, photographs, architectural designs, Computer programs and electronic data bases .
2. Industrial Property which includes inventions (Patents), Trademarks, Industrial Designs and Geographic Indications.

## CATEGORIES OF INTELLECTUAL PROPERTY

### Copyright and Registration Procedures

The Copyright law grants authors, artists and other creators protection for their literary and artistic creations, generally referred to as "works".

**The kind of works covered by copyright include;**

- Literary and artistic works such as novels, poems, plays, reference works, newspapers, films, musical compositions, paintings, drawings, photographs , advertisements, maps and technical drawings, Sculptures and architecture, Computer programs and databases

There is no requirement that the literary and artistic work should be good or have artistic merits . It should however, be original .

A copyright holder can prohibit ;

(a) Reproduction in all forms including printing and sound recording;
(b) Its public performance and communication to the public;
(c) Its broadcasting;
(d) Its Translation;
(e) Its adaptation, such as a novel into a screenplay.

**Procedure For Registering A Copyright**

| | |
|---|---|
| **STEP 1** | An application for registration is made to the Registrar of Copyright and the application fees paid |
| **STEP 2** | The work applied for must be published in the Uganda Gazette. |
| **STEP 3** | If no objection is made to the registration of the said right within 60 days, a certificate of registration will be issued to the applicant |

Send an Email to **ip@ursb.go.ug** prior to starting your application to be guided effectively.

## NEIGHBORING RIGHTS

Protects works of performing artists, producers, and those involved in broadcasting. Works derived from already existing works. Under the Copyright and Neighbouring rights Act, 2006, Copyright is protected for the life time of Copyright owner plus 50 years after their death.

## TRADE MARKS AND REGISTRATION PROCEDURES

A trademark is a distinctive sign that identifies certain goods or services produced or provided by an individual or a company. Trademark protection ensures that the owners of marks have the exclusive right to use them to identify goods or services, or to authorize others to use them in return for payment.

A Trademark may consist of any word,symbol,design,slogan,logo,sound, smell, colour, label, name, signature, letter, numeral or any combination of them and should be capable of being represented graphically. The Trade mark has to be distinctive and non-descriptive. Example of trademarks include Rwenzori Water, Apple, HPetc

Trademarks are protected through registration or use. Proper protection gives the Trademark owner the exclusive rights to prevent others from marketing the same or similar type of product or service under the same confusingly similar mark.

**Trademarks should not consist of words or symbols that;**

(a) Are descriptive of the product

(b) Have direct reference to the character or quality of goods

(c) Are likely to deceive or confuse

(d) Are contrary to law and morality

(e) Resemble national regional or international flags, coat of arms and emblems.

Registration of Trademark is now done online using the link **iponline.ursb.go.ug**

## INDUSTRIAL DESIGNS AND REGISTRATION PROCEDURES

An industrial design constitutes the ornamental aspects of an article product. An industrial design may consist of three dimensional features such as the shape of an article, or two dimensional features such as patterns, lines or color. It protects the appearance of any range of products e.g from the shape of an aeroplane to a fashion item.

Industrial designs are applied to a wide variety of industrial products and handicrafts: from technical and medical instruments to watches, jewelery and other luxury items; from house wares and electrical appliances to vehicles and architectural structures; from textile designs to leisure goods.

Industrial designs are what make an article attractive and appealing; hence, they add to the commercial value of a product and increase its marketability.

Registration of Industrial designs is done online using the link iponline.ursb.go.ug "

## GEOGRAPHICAL INDICATIONS (Gis)

A Geographical Indication means any indication which identifies goods as originating in a particular Country, region or locality where a given quality, reputation or other characteristics of the good(s) is essentially attributable to its geographical origin. Gls act as a certification that a certain product posseses certain qualities, and is made according to the traditional methods or enjoys a certain reputation due to its geographical origin.

Just like Trade Marks and Industrial Designs, Geographical indications help to;

(a) Distinguish a product from similar products
(b) Capture and build good will and reputation
(c) Create customer loyalty and association of the brands and designs of the products
(d) Ensure comprehensive and uniform use on all products offered on international markets

(e) Increase marketability and commercial value of any product

(f) Prevent unauthorised persons, damage and loss of goodwill of the products

**Steps to register a geographical indication.**

| | |
|---|---|
| **STEP 1** | Submit an application form - G1 form 2 |
| **STEP 2** | The G1 application must specify the following:-<br>- The names, address and nationality of the applicant.<br>- The G1 sought.<br>- The geographical area.<br>- The description of the goods on which the G1 will be used: and<br>- The quality, reputation or characteristics of the goods. |
| **STEP 3** | URSB recieves the documents and accords its a filling date and application number. |
| **STEP 4** | Applications found to be in order are subjected to substance examination to determine if the claimed G1 fulfills all requirements of a G1. |
| **STEP 5** | Applications are notified on acceptance of the G1. The applications are then published. |
| **STEP 5** | Applicants are then notified of the grant or refusal of the G1 once the publication period expires. A certificate of registration is issued upon grant of the G1. |

## PATENTS AND APPLICATION PROCEDURES

A patent is an exclusive right granted for an invention which is either a product or process that provides a new way of doing something, or that offers a new technical solution to a problem. A patent gives an inventor the right to exclusively use their invention for a limited period of time, generally 20 years. An invention must be new, inventive and industrially applicable to be granted a patent. Patent protection means an invention cannot be commercially made,used, distributed or sold without the patent owner's consent. Examples of inventions include; walkie-talkies, light bulbs, memory sticks, chemical formula.

## Requirements For An Invention To Be Patented

**(a) Novel/new-** The invention should not be described in any publication anywhere he world.

**(b) Inventive** - The new product or process should not be obvious to a skilled person.

**(c) Industrially applicable** - Should be susceptible of use in someway

**(d) Patentable subject matter** - Should be acceptable to be patented under the law; discoveries, theories, business methods are examples of things that are not patent able.

## Examination of a Patent Application

An application found to be in order is subjected to search and examination as to substance. The Patent Examiner or other competent authority examines the patent application to determine if the claimed invention fulfills all requirements for patentability.

### Steps For Patent Application

| | |
|---|---|
| **STEP 1** | Applicant submits request for examination of application, this should be within three years from the filing date. |
| **STEP 2** | Application is examined by a Patent Examiner or other competent authority. |
| **STEP 3** | Examiner or other competent authority compiles an examination report |

### Grant and publication of a patent

| | |
|---|---|
| **STEP 1** | Applicant notified on grant/refusal of a patent |
| **STEP 2** | Upon notification of grant of patent, applicant shall pay grant fees |
| **STEP 3** | A granted patent shall as soon as practicable be published in the gazette. |

## UTILITY MODEL

A Utility Model is an exclusive right granted to a right holder for a limited period of ti me. It is also referred to as a petty patent or innovation patent and allows the right holder to prevent others from commercially using the protected invention without the right owner's authorisa

The requirements for granting a Utility Model are similar to those of a Patent applicant only that for the former, they are less stringent than for Patents and the inventive nature of the application is lower or non existent altogether.

# **Civil** Registration

**The administration of all marriages in Uganda**

## TYPES OF MARRIAGES IN UGANDA

1 **Civil Marriages** - are monogamous and are celebrated in the office of the Registrar General for residents of Kampala and in the office of the Chief Administrative Officer (CAO) in other districts.

2 **Church marriages** - are monogamous and are celebrated in licensed churches according to the rites of the Christian faith.

3 **Customary marriages** - are potentially polygamous and are celebrated in accordance with the customs of the African Community.

4 **Islamic Marriages**-are celebrated according to the rites and observance of the Islamic faith.

5 **Hindu Marriages -** are celebrated in accordance with the rites and of the Hindu faith

## Benefits of Registering a Marriage

1. Legal recognition as a spouse
2. A registered certificate of marriage is primafacie evidence of a marriage
3. It is a safeguard for spousal benefits like pension, insurance claims and inheritance matters
4. It is a safeguard against bigamy or polyandry in case of monogamous marriages
5. It is in compliance with the law
6. Enables Creation of database of vital statistics Celebration of civil marriages is governed by the Marriage Act, Cap 251. The Registrar General is gazetted as the Registrar of Marriages for Kampala while the Chief Administrative Officers are gazetted as Registrars of Marriages for districts outside Kampala. Civil marriages take place at the offices of these Registrars.

## Process of Contracting a Civil Marriage

| | |
|---|---|
| **STEP 1** | Couple submits application (Form A) to the Registrar of Marriages with; proof of citizenship, proof of residence for at least 15 days, passport size photos, registered marriage affidavits, single status letter (foreigners), copies of National IDs / passport, proof payment and LC letter. |
| **STEP 2** | Registrar of Marriages publishes notice for marriage for 21 days. on notice board and online bulletine. If there isn't any caveat , the couple is wed after 21 days in the presence of two witnesses and issued with a Marriage certificate instantly. |

**TO NOTE:**

Marriages are celebrated, between 10 am and 4 pm except not on public holidays .

## Special Licenses

Special licenses may be issued for a waiver of the 21 days notice or for a marriage to be conducted outside a licensed place of marriage. The Special licenses may, on application through URSB, be issued by the Minister of Justice and Constitutional Affairs subject to comply with the legal provisions.

## Converting A Customary Marriage Into A Civil Marriage

For a customary marriage to be converted into a civil or monogamous marriage, the civil marriage must be with the same partner with whom the customary marriage was conducted (otherwise the subsequent civil or monogamous marriage is null and void). The customary marriage must be registered with the Sub County Chief or Town Clerk within six months. Marriages registered after six month attract a penalty.

## REGISTRATION OF MARRIAGES ( CUSTOMARY, CIVIL , ISLAMIC, CHURCH AND HINDU ).

- Customary Marriages are registered with the Sub-County Chief/Town Clerk who issues a customary marriage certificate. The records of all customary marriages are further filed with URSB on a monthly basis.
- Every entry made in the District Marriage Registrar's book has got to be filed with Registrar General of marriages on a monthly basis.
- All faith based marriages, customary marriages and civil marriages MUST be registered with the Registrar of Marriages
- Send an Email to **marriages@ursb.go.ug** with your filled application form and proof of payment

## LICENSING CHURCHES TO CELEBRATE MARRIAGES

The Marriage Act provides that all churches that would wish to celebrate marriages must be licensed .

To obtain a license to celebrate marriages, there must be:

**(a)** An application letter addressed to the Honourable Minister of Justice and Constitutional Affairs (MOJCA), through the Registrar General. The letter requests for a license to celebrate marriages.

**(b)** Inspection report from marriage registrar of the district

( CAO or URSB )

**(c)** Copy of trustee deed, certificate of tittle or lease agreement.

**(d)** Certificate of registration as proof of being a legal entity.

**(e)** Evidence of payment of the prescribed License fees into the consolidated fund ( by way of receipt from the bank ).

**(f)** National IDs and qualification of ministers recognized by the church denomination or body.

## LETTER OF MARTIAL SINGLE STATUS

This letter is issued to Ugandans wishing to have their marriages solemnised outside Uganda. The letter confirms that the applicant is single and has capacity to enter into a marriage. The applicant presents the following documents in support of his or her application;

**(a)** A recommendation letter from the LC 1 chairperson of the locality where the applicant resides.

**(b)** A photocopy of the applicant's birth certificate to prove parentage.

**(c)** Proof of nationality for example a passport or national identity card.

**(d)** A registered statutory declaration from the applicant to prove that he/ she is single.

**(e)** A registered statutory declaration from the parent to prove that their son/daughter is single.

**(f)** Proof of payment of 25,000/=.

# Official Receiver/ **Liquidation**

The Official Receiver's aim is to establish a fair insolvency system which strengthens the business sector by offering confidence to investors and the public to make viable decisions that support economic growth.

The Official focuses on rescuing insolvent companies and individuals by encouraging them to adopt business rescue mechanisms.

**Insolvency** is the inability to pay one's debts as and when they fall due. a debtor is presumed unable to pay his debts if:

He has failed to comply with a statutory demand;

The execution issued against him in respect of a judgment debt has been returned unsatisfied whole or in part; or all or substantially all his property is in the possession or control of a receiver or some other person enforcing a charge over that property.

The laws applicable to insolvency in Uganda include: the Companies Act, 2012; the Insolvency Act, 2011; the Insolvency Regulations, 2013; and the Insolvency (fees) Regulations, 2013 Insolvency applies to both individuals and companies or corporations.

### Activities of Official Receiver revolve around individual and corporate insolvency mainly dealing with:

**(a)** Administering and investigating the affairs of bankrupt and insolvent companies;
**(b)** Investigating the directors, shareholders, contributories and all present and past officers of an insolvent company or of a company which is being wound up or liquidated, for the purpose of establishing any fraud of impropriety;
**(c)** Investigating the promotion, formation, failure and conduct of business of an insolvent company;
**(d)** Prosecuting any person for offences committed under the act or discovered to have a case to answer as a result of the investigations carried out;
**(e)** Investigating the conduct of insolvency practitioners and to prosecute them for any offences committed under the Insolvency Act;
**(f)** Act during the vacancy in the office of an insolvency practitioner;and
**(g)** Taking all necessary steps and actions considered fit for the official receiver to fulfill provisions of the Insolvency Act.

## CORPORATE INSOLVENCY

This refers to a situation when a company cannot pay off its debts as and when they fall due.

At this stage the company may undergo Liquidation or Administration/ Receivership

### 1. Liquidation / Winding Up

Liquidation is the process of selling all assets of a company.

Administration is an insolvency procedure designed to help a company survive and is an ideal solution as opposed to liquidation. During this process, the company is given breathing space within which to re-organize its affairs with an aim of turning around the business to profitability and achieving better result to the creditors.

Before administration ensues, the company is first placed in provisional administration and an interim protective order is made. The provisional administrator appointed by the company is required to call for a creditors meeting to confirm his appointment, and also present his proposals towards the future of the company for consideration by the creditors. If the creditors by majority vote agree to the proposals, an execution deed is executed and the company effectively goes into administration.

If administration fails, the company goes into liquidation and final dissolution used interchangeably with winding up. Winding up is the process by which the life of a company is brought to an end.

The decision to liquidate or wind up a company may be based on a number of factors. The company may have realized all the objectives for its incorporation or the shareholders may lose interest in the business the company was undertaking.

In other cases, the company may have financial difficulties making its operations almost impossible. In the first two instances, the company may be solvent while in the last instance, the company is insolvent. In such cases, the shareholders may decide to liquidate or wind up the company.

The person appointed for this purpose (the liquidator) will sell the assets of the company, pay off all its debts, distribute any balance to the shareholders and the life of the company will come to an end.

**Benefits Of Formally Winding Up A Business / Company**

(a) Legal obligations imposed on the company, e.g. the obligation to file annual returns and pay taxes and those obligations acquired in the course of business are extinguished.

(b) The company enjoys a sufficient degree of protection against execution or other legal process.

(c) Protects the interests of creditors.

(d) The company may acquire a new lease of life through business rescue mechanisms such as administrative receivership or administration.

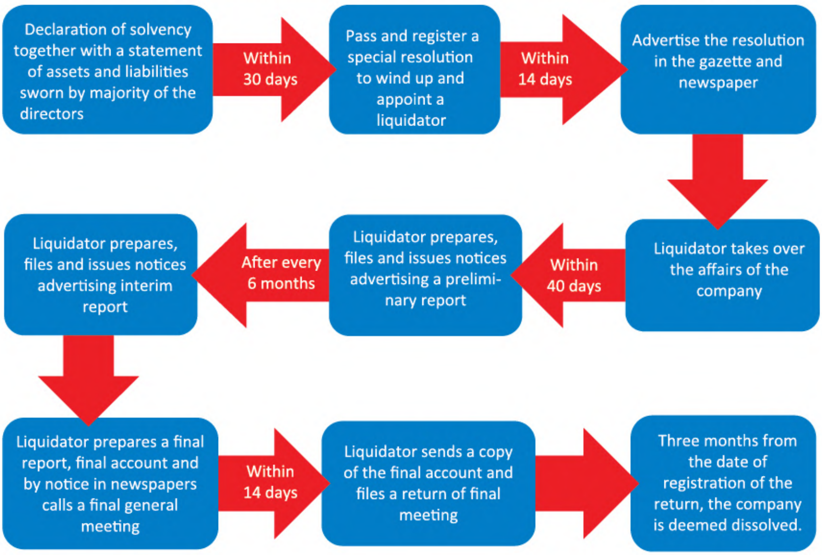
## MODES OF WINDING UP

(a) Voluntary winding up which includes; members' voluntary winding up and creditors winding up.

(b) Winding up subject to supervision of the Court.

(c) Compulsory winding up/ winding up by Court.

### Summary of Procedure for members' voluntary winding up



### Winding Up Subject To Supervision Of Court

**(a)** Where a company passes a resolution for voluntary liquidation the court may make an order that it shall continue subject to supervision of court.

**(b)** Where an order to that effect is made the court may appoint another liquidator who shall have the same powers.

**(c)** The liquidator may exercise his powers and obligations in the same manner as if company were liquidated voluntarily.

### Compulsory Winding Up/winding Up By Court

This is by way of a petition following Form 19 in Schedule 1 of the Insolvency Regulations, 2013

**(a)** High court has jurisdiction to hear all Insolvency matters.

**(b)** On hearing of the petition, Court may make a winding up order if satisfied that the company is unable to pay its debts.

**(c)** Liquidation shall be taken to commence at the time of presentation of the petition for liquidation.

**(d)** The court shall appoint the official receiver or any insolvency practitioner as provisional liquidator. He/she shall have power to dispose of any perishable goods the value of which is likely to diminish.

**(e)** The provisional liquidator shall within fourteen days from the date of appointment call a creditors' meeting and appoint a liquidator.

**(f)** The liquidator shall give notice of his appointment five days after the appointment in Form 12 Insolvency Regulations 2013.

**(g)** The obligation on the liquidator to file reports and call for meetings will remain substantially similar to that imposed under other modes of liquidation.

## 2. CORPORATE RESCUE PROCEEDINGS

### Administration

Administration is an insolvency procedure designed to help a company survive and is an ideal solution as opposed to liquidation. During this process, the company is given breathing space within which to re-organize its affairs with an aim of turning around the business to profitability and achieving a better result to the creditors.

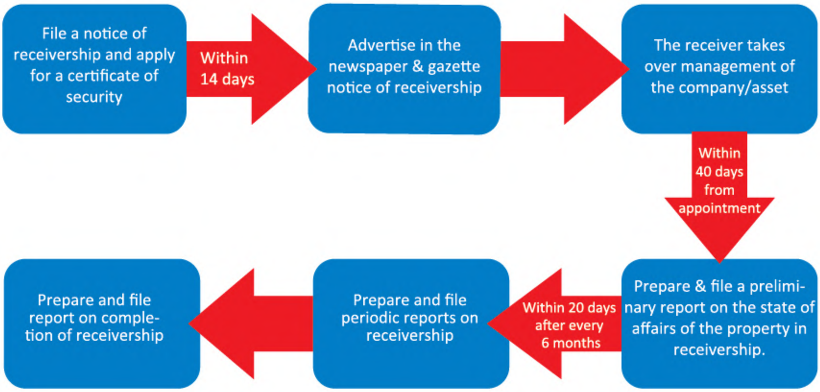
Before administration ensues, the company is first placed in provisional administration and an interim protective order is made. The provisional administrator appointed by the company is required to call for a creditors meeting to confirm his appointment, and also present his proposals towards the future of the company for consideration by the creditors. If the creditors by majority vote agree to the proposals, an execution deed is executed and the company effectively goes into administration.

If administration fails, the company goes into liquidation and final dissolution

**Receiverships**

Receiverships are remedies available to secured creditors on default of payment by the debtor. A receiver may be appointed under a debenture or a deed creating security over the Company assets or by court. A receive r's main focus is to realise assets and manage the business of a company for the benefit of the security holder.

The receivership process is as follows:




To access all insolvency services, send an email to **insol@ursb.go.ug**

## Requirements for registration of Insolvency Practitioners

As provided for in regulation 5 of the Insolvency Practitioners Regulations, 2017:

(1) Completed Application form for registration (Form 1 of the Insolvency Practitioners Regulations, 2017);

(2) Certified copies of the qualifications of the person;

(3) Proof of membership of the professional body to which the person belongs;

(4) Evidence of the professional indemnity required under section 204(1) of the Act and regulations 193 and 196 of the Insolvency Regulations, 2013;

(5) Evidence of a bank account for insolvency matters maintained by the applicant or by his or her firm with a financial institution licensed by the Central Bank and;

(6) Proof of payment of fees of Ug.shs. 150,000/ as set out in the Insolvency (Fees) (Amendment) Regulations, 2018.

(7) Two passport size photographs.

# About the **Security Interest in Movable Property Registry (SIMPO)**

The Security Interest in Movable Property Act No.8 of 2019 replaced the repealed Chattels Securities Act No.7 of 2014 and provides for use of movable property as collateral for loans and other types of credit. The law also provides for establishment of an electronic register of security interests in movable property. Creation of the SIMPO is as a result of the constraints faced by Medium Small and Micro Enterprises (MSMEs) in accessing affordable credit. Lending to borrowers using movable assets will be less risky owing to the transparency and effective publicity of competing claims in the collateral.

## What is a Security Interest?

A security interest is defined as:

Property right in movable property that is created by agreement to secure payment or other performance of an obligation, any types of charge over movable property, chattel mortgage or consensual lien, and includes a—

(a) retention of title in movable property;

(b) right under financial or an operating lease the duration of which exceeds one year;

(c) right of a transferee of accounts receivable;and

(d) right of a commercial consignor even if it does not secure payment or other performance of an obligation.

## What is Movable Property and what items can be classified as such?

Movable property refers to assets that are movable and transferable for example household items, livestock, farm produce, farm harvest, motor vehicles, accounts receivables, plant and machinery, shares, patents, copyright and trademarks among others.

## How to create an account

1. From the Home page of the application click on the " Create New Account" button to display the client type selection page.
2. Select Client type "Institution" or"Individual".
3. Then click on the Continue button to display the Secured Creditor Profile page.
4. Provide details for your Profile depending on your Client type. For Institution, complete the Administrator Profile.

5. After completion of your profile details, attach the following documents:
    i. For institutions- A letter of Introduction of the Administrator and Certificate of Incorporation.
    ii. For Individuals – ID document for regulated lenders-license or establishing instrument
6. Click the 'I agree with the terms and conditions' box close to the Terms and Conditions link and then submit the account setup request to the Registry.
7. The "Account Successfully Submitted" message appears to confirm the success of the submission.
8. Wait for an approval email message from the Registry when the account setup request is approved and the account is created.

### How to register a security interest notice

1. On the menu tab, click Security Interest Notices, and from the drop down menu, select 'Register New Notice'.
2. Select the 'Initial Notice' from the Notice Type drop down list and click Continue button. For a Lien, select the Notice type 'Lien Notice'
3. The Initial Notice page is displayed.
4. Provide information for the Notice details. For a Lien Notice, provide the details of the court order.
5. Next, move to the Registration Information section to continue.
6. From the Register Information section, click on the Secured Creditor tab or the Lien Holder tab.
7. Click Add New Institution/Individual Secured Creditor button or Add New Institution/Individual Lien Holder button based on your option.
8. Fill the form that pops up with the country of origin or nationality and provide information for all other fields. Then click the Submit button.
9. Enter the Basic information and the Physical Address details of the secured creditor or lien holder.
10. To add a Grantor/Debtor information, click on its tab and then click Add New Institution/Individual button based on your option and select (Grantor, Debtor or Both).
11. Provide information for all mandatory fields.
12. To add a collateral information, click on the Collateral tab and enter all mandatory collateral details.

13. Click on the Add File button to attach a file document in Word or PDF formats to the notice and then click on the Upload button to upload the file attachment.
14. Click inside the Declaration box and then Click Register Notice button to register.
15. Enter the Payment Registration Number (PRN) for both registration fees and stamp duty.
16. If the transaction is stamp duty exempt, click inside the Stamp Duty Exempt box, and provide the Stamp Duty Exemption Certificate Number and your Reasons for Exemption. **NB:** Lien notices do not attract stamp duty payments.
17. Click the Continue button, the system will return a notification that you have successfully registered a notice, with a registration number.

### How to generate a PRN

1. Only users with the Finance Officer Role can generate PRN within SIMPO.
2. Login to the application with your Username and Password.
3. Click on the Payment menutab.
4. Select the 'Generate PRN' option from the drop down to load the Payment and Bank details.
5. Then click Generate PRN to generate the Payment Registration Number, you'll be taken to the 'Generate PRN' page.
6. Fill in the PRN details. For clients who would like to use prepaid account, select Prepaid Transaction Account on the list of tax heads.
7. Click the Generate PRN' button at the bottom of the page.
8. Click on the Print PRN Details button to print payment registration slip.

**NB:** A Public User does not need a SIMPO account to generate a PRN, just click on the Search the Registry menu, where you will be taken to the Search page, with the option of generating a PRN under the 'Payment menu'.

### Benefits of registering a security interest

**To Lenders;**

1. Notice to the whole world. SIMPO is an electronic notice board of security interests accessible to the public through a web based application.
2. Multiple borrowing solved through search of register. Prudence/ vigilance demands that a lender should log on to www.simpo.ursb.go.ug to assess if a certain borrower is credit worthy; check if he/she has their movable assets encumbered by other lenders and make an informed decision on whether to advance him/her money or not.
3. Clear rules of priority. The general rule is first in time, first in right. Perfect your interest as soon as you create it to have first priority among other competing claimants.
4. Boost confidence among the lenders. SIMPO provides lenders with a platform to notify the public of their interests over certain movable property. This gives them a certain level of assurance that their money will be repaid and if not, that they have avenues to enforce payment through lodging default and enforcement notice, disposal notice and distribution and claim notice.

5. Increased certainty on the acceptance of movable property by lenders, thereby lowering the risk associated with those kinds of assets, making creditors more willing to lend.
6. Remote access, registration is done electronically by logging onto www.simpo.ursb.go.ug. All one needs is an Internet connection to perfect their interest.

**To Borrowers;**

1. Cost of borrowing reduced. To formalise the lending relationship,one only needs a security agreement, no need for Advocate's fees orCommissioner of Oaths costs. No need for transport costs to visit the URSB offices as perfection is done remotely. Transaction fees also reduced from UGX 50,000 in the manual regime to UGX18,000.
2. Facilitates access to affordable credit. The credit becomes affordable where the lender reduces the interest rates, because of the reduced cost he/she incurs in perfecting his interest-from remotely accessing URSB, from formalization of the lender-borrower/grantor relationship through just a simple security agreement etc.
3. Lower interest rates. It is implied that when the cost of borrowing is reduced, interest rates will also go down. Lower interest rates are also a result of less risk associated with lending on movable property.
4. Loan processing time reduced. If lenders can remotely perfect their interest vide just a security agreement, no need for bulky security documentation that normally delays loan processing with manual reviews of the paper work. And also a security interest can be booked pending completion of the necessary loan approvals, provided the grantor consents in writing.

**Public;**

1. Searching the registry before buying second hand goods to make sure that the goods are free from subsisting interests and are safe from being repossessed.

**How to register an amendment notice**

1. Sign in to the application and click on the Security Interest Noticesmenu.
2. Select the View Registered Notices option from the drop-downlist.
3. From the Actions column of the list of active notices displayed, click on

the Post Registration Activities icon of the Security Interest notice that needs to be amended.

4. Select Amendment Notice on the Post Registration Activity Type page and click the Continue button.
5. From the Add New Amendment drop down list, select the amendment type.
6. Provide details for the amendment and then click the Register Amendment button to submit the amendment for registration.
7. Confirmation message is generated.

## How to register a discharge notice

1. Login to the application with your Username and Password, as user with either 'client officer role' or 'post registration officer role'.
2. Click on the Security Interest Notices menu tab.
3. Select the 'View Registered Notices' option from the drop-down list.
4. From the Actions column of the list of active notices displayed, click on the Post Registration Activities icon of the Security Interest notice that needs to be discharged.
5. Select Discharge Notice on the Post Registration Activity Type page and click the Continue button.
6. Select type of discharge (full or partial), and provide reasons for discharge.
7. Click the 'Register discharge notice' button.

## How to conduct a search

### User with a SIMPO account (registered user)

1. Login to the application with Username and Password.
2. Click on the Search menu and Select the type of Search to perform from the dropdown list.
3. Select the Search criteria. You may conduct a search by:
    a. Grantor (Individual or Institution) Name or Identification Number or Registration Number.
    b. Debtor (Individual or Institution) Name or Identification Number or Registration Number.
    c. Collateral Serial Number
    d. Security Interest Notice Registration Number

4. To generate a Search Report, move to the Generate Search Result section and select appropriate Report Type button.
5. Click on Submit Search button to display a summary of search results.
6. Check the 'Send Generated Search Report to My Inbox' option to send the report to email provided.
7. Click the Generate Search Report button to generate the report and save to disk.

### User without a SIMPO account (public user)

1. From the Home page, click on the Search the Registry menu and Select the type of Search to perform from the drop down list.
2. Select the Search criteria. You may conduct a search by:
   a. Grantor (Individual or Institution) Name or Identification Number or Registration Number.
   b. Debtor (Individual or Institution) Name or Identification Number or Registration Number.
   c. Collateral Serial Number
   d. Security Interest Notice Registration Number
3. Enter security check details.
4. Enter PRN details
5. Click on the Submit Search button to display a summary of search results.
6. To generate a Search Report, move to the Generate Search Result Search Result section and select appropriate Report Type button.
7. Check the 'Send Generated Search Report to My Inbox' option to send the report to email provided.
8. Click the Generate Search Report button to generate the report and save to disk.

### How to register a default and enforcement notice

1. Login to the application with your Username and Password.
2. Click on the Security Interest Notices menu tab.
3. Select the View Registered Notices option from the drop-down list.
4. From the Actions column of the list of active notices displayed, click on the Post Registration Activities icon of the Security Interest notice that needs to been forced.
5. Select Enforcement Notice on the Post Registration Activity Type page and click the Continue button.
6. Enter enforcement notice details; Enforceable Amount and Enforcement Date.
7. Click the Register Enforcement Notice button.
8. Enter PRN details and click the continue button.
9. System will return a confirmation message of successful registration of an enforcement notice.

### How to register a disposal notice

1. Login to the application with your Username and Password.
2. Click on the Security Interest Notices menu tab.
3. Select the 'View Registered Notices' option from the drop-down list.
4. From the Actions column of the list of active notices displayed, click on the Post Registration Activities icon of the Security Interest notice that requires a collateral disposal.
5. Select Collateral Disposal Notice on the Post Registration Activity Type page and click the Continue button.
6. Enter Disposal of Collateral Notice details.
7. Click the Submit Collateral Disposal Notice button.
8. Enter PRN details and click the continue button.
9. Application will return a confirmation message of successful registration of a notice of disposal.

## How to register a notice of objection

1. Login to the application with your Username and Password.
2. Click on the Security Interest Notices menu tab.
3. Select the 'Register Objection Notice' option from the drop-down list.

   i. Fill in the notice details,type, registration number, reason
   ii. Enter PRN details and click continue
   iii. System will return confirmation

# Regional **Offices**

### Mbale
Plot 3, Park Crescent.
Ministry of Justice and Constitutional Affairs Building

### Mbarara
Plot 1, Kamukuzi Hill.
Ministry of Justice and Constitutional Affairs Building

### Gulu
Plot 6B. Princess Road.
Ministry of Justice and Constitutional Affairs Building

### Arua
Plot 42/44 Pakwach Road.
Ministry of Justice and Constitutional Affairs Building

### Greater Masaka
Plot 28 Edward Avenue
Mayor's Chambers

## Kampala Branches Offices

### Posta
Posta Uganda main office,
Kampala Road Booth 2&3

Plot 5 George Street,
Georgian House Level 1

UGANDA REGISTRATION SERVICES BUREAU


HEAD OFFICE

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