



The Registry

Newsletter



President Yoweri Museveni signs off the dummy boards at State House Entebbe after the official launch of the Security Interest in Movable Property Registry System (SIMPO) & the National Intellectual Property Policy. Witnessing the signing is Bemanya Twebaze (L) Registrar General, Amb. Francis K. Butagira (2nd L), Board Chair URSB, Prof. Ephraim Kamuntu (3rd L), Minister of Justice & Constitutional Affairs, Hon. Kirunda Kivejinja (4th L) 2nd Deputy Prime Minister & Minister without Portfolio.

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His Excellency President Yoweri Kaguta Museveni (Centre) in a group photo with other stakeholders after the official launch of the National Intellectual Property Policy & the Security Interest in Movable Property Registry System (SIMPO) at State House in Entebbe.

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FOREWORD

By the Registrar General

As the team leader of an organization that has for years helped the businesses and individuals navigate sustainability challenges, I am often asked how companies should prepare in order not to be susceptible to shocks from incidences like loss of revenue and a possibility of winding up. Most organizations would admit that their risk-management processes or lack of left them underprepared for the impacts of this pandemic. The truth is that we are some of those few institutions who were already well on the path to truly integrating sustainability into how we deliver services, a feat that helped us easily adapt most rapidly to the new normal. We have also since focused prioritization on the critical roles necessary for uninterrupted services delivery.

As we wrestle with the COVID-19 crisis that means that some of our staff continue to work remotely, our business continuity model has been fully integrated, having been planned earlier in our Strategic Development Plan that spelled out that all URSB services would all be online under the **All-digital-All-online** by 2020 strategy. The advent of the pandemic necessitated the deployment of this strategy in order to safeguard our staff and clients in line with the social distancing rules. I am glad that even under the dire circumstances, we have been able to offer our clients services with minimal disruptions.

A greater understanding of the interconnectedness of innovation, creativity, arts, access to affordable capital, social and economic systems – and how they impact business – is essential. To further support this, cabinet passed the National Intellectual Property Policy (NIPP) while the Security Interest in Movable Property Act 2019 (SIMPA) was deliberated in Parliament and assented to by the His Excellency the President. As such, creators, artists, innovators now have protection to explore the full potential of their talent using the NIPP, while businesses struggling with lack of access to affordable capital can now use their movable property to access affordable credit through the Security Interest in Movable Property Registry System (SIMPO).

These two very important services were officially launched by His Excellency, President Yoweri Kaguta Museveni at State House, Entebbe on 23rd September, 2020. We thank the President for agreeing to kick-start the full operation of these services. We also appreciate the efforts the Rt.Hon Prime Minister our entire board led by Board Chair Ambassador Francis Butagira, the Minister of Justice & Constitutional Affairs Prof. Ephraim Kamuntu, Cabinet, Parliament, Development Partners, Justice, Law & Order Society (JLOS) and our staff who worked tirelessly to ensure that our mandate is strengthened with additional services in order to offer our clients more capacity to increase their household incomes while creating jobs.

On another positive note, URSB was recognized by the European Union Intellectual Property Office (EUIPO) as Africa's first Intellectual Property Office to join the TMclass and DesignClass classification category. TMclass offers users the opportunity to search and translate goods and services to and from any of the 44 languages available, while the DesignClass enables search and translation of product indications in 28 languages. The EU trade mark classification is a vital tool to support Ugandan enterprises doing business internationally and in the European Union.

The system will enable full automation of the front office in a more interactive way that equips the client with the ability to input information and data remotely from anywhere thus delivering improved client service and accessibility, especially in the era of the COVID-19 pandemic that has necessitated re-thinking of service delivery platforms.

As the pandemic continues to be managed with the continuous guidance of Ministry of Health, we have had to rapidly and thoughtfully transform all our ways of work and, in many cases, supported our clients to do the same. This, in turn, will build our organizational resilience to navigate the challenges ahead and reimagine the future. Post-pandemic life has to bring with it a new world – socially, economically and environmentally. We have ably prepared for this *new normal*.

Our all-digital-all-online by 2020 strategy helped shape our business continuity model during Covid.



Bemanya Twebaze

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PRESIDENT YOWERI KAGUTA MUSEVENI LAUNCHES THE INTELLECTUAL PROPERTY POLICY AND SECURITY INTEREST IN MOVABLE PROPERTY REGISTRY SYSTEM (SIMPO)

By Steven Douglas Baryevuga- Senior Communications & Media Relations Officer



the Registrar General, Bemanya Twebaze, stakeholders from a cross section of Ministries, Departments and Agencies (MDAs) involved in the intellectual property value chain and the financial services sector, representative from the private sector, as well as Development Partners were also in attendance.

Background

On 18th April 2013, the President launched Vision 2040 with the mission for *“A Transformed Ugandan Society from a Peasant to a Modern and Prosperous Country within 30 years”*. Following the launch, the Minister of Justice and

Constitutional Affairs directed the Registrar General, Uganda Registration Services Bureau which is the National Intellectual Property Office to formulate a National Intellectual Property Policy to integrate Intellectual Property in national development plans and priorities.

Government committed under the Vision 2040 and the Second National Development Plan 2015/16 – 2019/20, that it would develop a movable collateral registry as a way of reducing default rates and increasing the pool of new borrowers. URSB took an important step to address the prevalent problem of the high cost of credit in Uganda by reforming the law governing movable asset-based financing, and establishing SIMPO.

His Excellency, President Yoweri Kaguta Museveni on 23rd September, 2020 launched the National Intellectual Property Policy and the Security Interest in Movable Property Registry System (SIMPO) at State House, Entebbe, with the major aim of creating unlimited possibilities for innovation and credit access.

The delegation to State House was led by the Minister of Justice & Constitutional Affairs Prof. Ephraim Kamuntu, Uganda Registration Services Bureau Board Chair, Ambassador Francis Butagira,



Opportunities for all

The National Intellectual Property Policy's objective is to stimulate and nurture innovation and creativity for socioeconomic development. The policy will also facilitate the integration of Intellectual Property into national priority sectors and programs towards the realization of national development goals.

SIMPO replaced the manual Chattels Securities Registry whose attendant legal framework responds to the pressing needs of the youth, women and SMEs who cannot access affordable credit due to lack of land, which is the preferred collateral for financial institutions. SIMPO is also intended to drive financial inclusion through facilitating access to affordable credit as guided by Vision 2040, the Third National Development Plan 2020-2025, and the 2016 – 2021 NRM Manifesto.

About the National IP Policy

The vision of the IP Policy is: 'A Uganda where innovation and creativity stimulate sustainable development, and the Mission is: 'to create a robust IP value chain that fosters innovation and creativity as

pillars for sustainable development. The Policy goals are:

- a. To establish appropriate IP infrastructure that supports innovation and creativity
- b. To develop human capital for the IP value chain; and
- c. To enhance the utilization of the IP system.

Purpose of the policy

The purpose of the IP Policy is to provide direction and interventions that will enable IP stakeholders to work towards creating, protecting and commercially exploiting innovations and creative works. The purpose of the intellectual property system is to protect the value inherent in our creative and inventive activities. Creativity and inventiveness are natural human endeavors.

Implementing Agencies

The implementation of the strategies of the IP Policy will be multi sectoral and involves a number of Ministries, Departments and Agencies. These agencies include

Ministry of Justice & Constitutional Affairs, Ministry of Science, Technology & Innovation, Ministry of Trade, Industry & Cooperatives, Ministry of Agriculture, Animal Industry & Fisheries, Ministry of Health, Ministry of Gender, Labour & Social Development, Ministry of ICT and National Guidance, Ministry of Energy & Mineral Development, Ministry of Foreign Affairs, Ministry of Internal Affairs, Ministry of Education & Sports, Ministry of Water & Environment, Ministry of Finance, Planning & Economic Development. A National Task Force has been constituted by the Office of the Prime Minister to oversee the implementation of the Policy.

While delivering his remarks at the launch, the Hon. Minister for Justice and Constitutional Affairs Prof. Ephraim Kamuntu noted that 'Uganda had one of the best legislative laws of Intellectual Property in Africa.' He applauded innovators for consistency in supporting the creative industry through the innovations that were on the market. He noted that the IP ecosystem had the ability to grow the small scale industry in Uganda.



The Minister of Justice & Constitutional Affairs, Prof. Ephraim Kamuntu delivers his speech at the launch

Opportunities during COVID-19

While delivering his remarks, Mr. Bemanya Twebaze noted that, the pandemic had ‘demonstrated the durability of the Real Economy’.

He further noted that ‘start-up businesses had sprung up to manufacture sanitizers, masks and other protective equipment. Researchers and scientists such as Prof. Bazeyo at Makerere University have designed and manufactured medical ventilators and all this has been powered by intellectual property’. During the pandemic so far we have registered 27 patents and designs providing COVID-19 solutions for the public.



The Registrar General, Bemanya Twebaze delivers his remarks while the President and guests listen in at State House.

About the Security Interest in Movable Property Registry System

The NDP II 2015/16-2019/20 identified limited access to credit as one of the major challenges to Doing Business in Uganda. It is also public knowledge that lenders prefer the use of immovable property over movable property as collateral for money advanced/loans, mainly due to the risks associated with movable property.

URSB spearheaded the enactment of the Security Interest in Movable Property Act of 2019. The purpose of the law is to encourage lending against movable property such as crops, bicycles, vehicles, intellectual property assets, among others. The Act established the Security Interest in Movable Property Registry (SIMPO) which we are launching today.

SIMPO is a web-based registry which contains registered security interests in movable properties



During the address by H.E the President, he emphasized the importance of lending to the public using movable assets such as herd of cattle. H.E the President pledged Governments commitment to address the issue of high lending rates amongst financial providers.

SIMPO is a web-based registry which contains registered security interests in movable properties. It is accessible 24 hours a day and 7 days a week on simpo.ursb.go.ug

Registrations are done by authorized creditors like banks, microfinance institutions, SACCOs and moneylenders, or their representatives, and the information entered is available to the general public for searches using the prescribed criteria.

The purpose of the SIMPO Registry is to promote financial inclusion and increase access to credit for women, youth, and micro, small and medium businesses that do not have fixed assets such as land that is usually the required collateral by traditional lending institutions.

Empirical data from Uganda's MSME Policy of 2015 reveals that the private sector in Uganda is dominated by about 1.1 million MSMEs and altogether these MSMEs employ approximately 2.5 million people. However, by and large, access and the cost of finance undermine their survival and development, thereby limiting their potential to deliver inclusive growth and jobs for many Ugandans.

SIMPO comes in to spur MSME growth and survival beyond their third birthday, by helping lenders to manage the lending risks through instant registration of their security interests.

Benefits of the Registry

This registry presents immense benefits to the lenders through boosting their confidence while lending over movable property;

- a) By registration of the security interest in SIMPO, the whole public is notified about the lender's interest. This gives the lender confidence that the money advanced will most likely be repaid and if not that the law will offer protection. It also curbs the practice of multiple borrowing that is prevalent in our society.
- b) To the borrowers it gives one confidence and comfort in knowing that the asset pledged as security is under the protection of the law and will not be fraudulently acquired by a lender as it is in some unfortunate cases. The loan processing time is significantly reduced as registration of an interest is remotely accessed and an instant action.
- c) To the general public, buyers of used goods are advised to search the registry prior to buying a movable asset to ascertain that there are no pending third party interests from a certain lender. They also generally need to be armed with knowledge on how they can generate value from assets that they

own. This can come in handy when accessing credit or even making investment decisions. With these benefits, interest rates are expected to lower given the decreased risk associated with lending over movable property as facilitated by the SIMPA.

SIMPO milestones so far

The performance of SIMPO which was rolled out to the public in September 2019 is impressive. Within a year of its establishment the following have been registered:

Over 4,000 registrations have been made on the system and the most commonly used assets to secure loans are motor vehicles and motorcycles (boda bodas). These account for most of the property owned and pledged by borrowers including MSMEs;

The majority of loans (for which the securities are registered in SIMPO) were given to the transport, agriculture, wholesale and retail, accommodation and food industry, arts, education, real estate, and health sectors;

75 financial and non-financial institutions have signed up as users on SIMPO. These include commercial banks, microfinance institutions, licensed money lenders, and SACCOs;

There are 576 women out of the total 4198 borrowers that have been able to access credit through SIMPO;

The information in SIMPO also shows that the credit needs of micro, small and medium enterprises are slowly beginning to be addressed by lenders. 86 MSMEs out of the total 4198 borrowers were able to access loans.

Way forward post-launch

1. URSB through the Ministry of Justice and Constitutional Affairs is engaging implementing partners in the National IP Policy to activate the implementation of the IP Policy
2. Engagement of regulators of Commercial Banks, Microfinance Institutions & Money Lenders to consider extending credit using movable property

CORPORATE RESCUE MECHANISMS: URSB OFFERS OPEN REMEDIES FOR DISTRESSED COMPANIES DURING THE COVID 19 PERIOD

By Nalubowa Martha Birungi ,Registration & Compliance Officer, Directorate of Insolvency / Receivership



Uganda confirmed the first case of COVID 19 in March 2020. Since then, the pandemic has drastically changed peoples' social lives, health, education system, political system, and businesses. Uganda's economic outlook is not rosy. The limited international trade, unemployment that has been created by employee lay-off, low industrial production, low tax revenue collection, drastic closure of businesses triggered by the pandemic has inevitably shaken Uganda's economy.

The preventive measures to contain the spread of the COVID 19 Pandemic in the country as announced by H.E the President of Uganda in March 2020 included; total country lock down, social distancing rules of up to 2-metres apart, night time curfew hours, border and transport restrictions, closure of working premises for companies, and then the quarantine for those tested positive. The measures helped to greatly contain the spread of the pandemic. The effects of COVID-19 have negatively affected business progress as witnessed by the layoffs and closure of some businesses.

Corporate rescue needed

Businesses and companies responsively halted operations, halted unnecessary operating expenses, downsized their employees rendering them jobless, and borrowed more money to increase liquidity, which action have led to insolvency and need serious attention.



Much as closure of a company and business in some circumstances is inevitable, watching dreams and efforts go down the drain is unbearable especially where the company can be given opportunity to thrive through formal corporate rescue mechanisms.

The question therefore that arises is whether, drastic closure and informal liquidation of companies and businesses would be the best option, yet our legal framework provides for corporate rescue mechanisms to breathe life back to these many financially ailing and distressed businesses.

Corporate rescue mechanisms under the insolvency laws of Uganda are an alternative to liquidation that keep financially distressed companies afloat to avert their eventual failure. Corporate rescue mechanisms are therefore strategic, formal rescue approaches and if applied to distressed and financially ailing companies aims at achieving its preservation and sustenance after difficult times.

Insolvency laws in practice

Under the Ugandan insolvency laws, corporate rescue entails;

- Provisional administration,
- Administration and voluntary corporate arrangement.

Provisional administration includes the formal processes where a provisional administrator or administrator who is required to be an insolvency practitioner is appointed by the company/ its creditors/ court to manage the distressed company for an agreed period, with an arrangement on how to settle creditors and fulfil company duties owed to other stakeholders during its difficult time.

Provisional administration is commenced by a company special resolution that proposes to the creditors, the need to enter a settlement in order to cover their

respective debts. The company then petitions court for the grant of an interim protective order which ring-fences all the company's assets against creditors' recovery actions.

The appointed provisional administrator assumes duty to prepare and present the settlement proposal for approval

Corporate rescue mechanisms under the insolvency laws of Uganda are an alternative to liquidation that keep financially distressed companies afloat



by the creditors. Where the creditors approve the settlement proposal, an administration deed is executed by the company and the administrator. The administration process then commences once the administration deed is executed and the Administrator appointed by the administration deed takes over the management and control of the company with a view to return it to profitability.

Administration deeds save businesses

The administrator is required to implement the administration deed, make periodic progress reports on receipts, expenditures, company assets status, and creditor settlement status. By this far, the funds to run the company during administration are derived from the usual sources it was deriving its revenue before the administration.

Administration can be terminated by the creditors, or administrator, or liquidation process to wind up the company. Where the

company undergoes administration successfully, the company continues to trade and operate in the economy as a going concern. In instances where the company administration is unsuccessful, the company commences liquidation process.

Administration preserves jobs, promotes rehabilitation for the troubled companies, protects interests of the stakeholders and the economy at large. Further, administration gives the company breathing space during which the administrator performs corporate rescue duties. During administration, creditors are prohibited from initiating legal and alternative insolvency proceedings against the company.

Although, the COVID 19 Pandemic has negatively impacted businesses and companies, its impact can be mitigated by businesses and companies through corporate rescue mechanisms offered by URSB's Insolvency and liquidation services. Drastic decisions to close may not be viable, especially if informally conducted out of panic, yet businesses can be granted the opportunity to float and thrive in their difficult times through formal mechanisms.



WHY COMPREHENSIVE BRAND NAME PROTECTION IS KEY FOR SUCCESSFUL BUSINESS GROWTH

By Birungi Denis- Legal officer, Legal Advisory Services Unit



Uganda has for years been voted among the most entrepreneurial nations on earth by business related studies. It is estimated that every 4 out of 10 adult Ugandans owns a business. The businesses though, are mostly informal. Uganda Registration Services Bureau has carried out massive sensitization campaigns to encourage these small

Uganda Registration Services Bureau has carried out massive sensitization campaigns to encourage these small businesses to formalize.



business to formalize. The message has been picked up and multitudes of these formerly informal business are now registering legally. At the point of registration, some of these businesses proposed names have been their biggest undoing seeing that they are not legible for registration for various reasons

When registering a business, clients are required to propose names for reservation, which must pass the legal test for reservation of company or business name as the case may be. The choice of a name can make or break a business. One can build an international brand because of a good business name.

In Uganda, companies such as Movit Cosmetics and Mukwano Group of Companies, have made their names

regional brands. Most of these companies go ahead to register their brand name as trademarks so as to achieve total protection.

The business and its name

First, it is important to note that there are different laws that govern registration of company and business names (Companies Act 2012, and Business Names Registration Act, 1918) from those that govern trademarks (Trademarks Act, 2010). The principles applicable to the two processes are different. For companies, the basis for rejection of a name is whether, in the opinion of the registrar it is undesirable, while for a business name, the basis is whether it is misleading.

The Companies Act and Business names registration Act give the Registrar wide discretion to determine what may be undesirable or misleading, having regard to a range of factors. This discretion, though wide, should be exercised judiciously. The Registrar should have justifiable reasons for refusing to reserve a name. These may include among others, similarity to an already registered trademark, similarity to a notorious brand, the name implies the patronage of Government, similarity with an agency of Government or foreign international organisation, where the name is vulgar or where the public may perceive the company as an agency of Government.

Getting the business name right

While a registrar of companies or business names may reject a name on grounds of similarity with a registered trademark, in some situations it may not be possible for the registrar of trademarks to reject a name on grounds of similarity with a registered company due to the following reasons; First, the test for a trademark is capacity to distinguish goods or services of one undertaking from those of other undertakings. Second, under section 5 of the Trademark Act 2010, trademark applications are rejected on grounds that the suggested mark is similar to an existing registered trademark.

Third, the applicant may successfully argue concurrent use under section 27 of the Trademarks Act or that distinctiveness is acquired through use (S.4 (2)). Therefore, registration of a company or business name alone does not guarantee total protection to your brand name. A different person can successfully register it as a trademark, and the trademark office will not reject it on grounds that the name is similar to a registered company because the legal test are different.

If one anticipates building a successful business using the company or business name as a brand, it is not enough to register a company or a business name. It is advisable that after registering your company or business name, you proceed to register it as a trademark at URSB's Directorate of Intellectual Property.

Failure to register your brand business or company name will expose you to the risk of other people registering your business name as a trademark either innocently or in bad faith. It is therefore recommended that after registering your brand company or business name, you act swiftly to register it as a trademark. Any delay could give others an opportunity to do so before you, and consequently prevent you from trademarking your preferred brand name.





THE UGANDA BUSINESS FACILITATION CENTRE WHICH WILL HOUSE URSB, CAPITAL MARKETS AUTHORITY AND UGANDA INVESTMENT AUTHORITY.

The 12 Floor facility is funded by the Government of Uganda and the World Bank under the Private Sector Foundation of Uganda

URSB IN PICTURES



Registrar General, Bemanya Twebaze (right) guides the Chairperson of the Uganda Law Reform Commission, Dr. Pamela Tibihikirra-Kalyegira and other members around the URSB Resource Centre. The Uganda Law Reform Commission donated an assortment of law material to URSB.

URSB Board Chair, Ambassador Francis K. Butagira (3rd L) & Registrar General Bemanya Twebaze (2nd R) lead the team during the Board's visit to assess progress of construction works at the Uganda Business Facilitation Centre that will house the Headquarters of URSB and other sister agencies.



Registrar General, Bemanya Twebaze (L) exchanges partnership documents with H.E. Attilio Pacifici, Head of the European delegation in Uganda after signing of a working MoU on behalf of the European Union Intellectual Property Organisation.

Dr. Pamela Tibihikirra-Kalyegira, the Chairperson of the Uganda Law Reform Commission (centre), Registrar General, Bemanya Twebaze (3rd left) pose for a group photo with members from both entities at the URSB Headquarters in Kampala.





Registrar General, Bemanya Twebaze exchanges documents with Edith Namugga Tusuubira, the Executive Director of the Uganda Microfinance Regulatory Authority (UMRA) after signing of a partnership agreement that will see both entities share information to enhance service delivery for the microfinance sector.

Mercy Kainobwiso, Director Intellectual Property (2nd left) poses for a group photo with the incoming executive of the Uganda Performing Right Society (UPRS), a collective management organization regulated by URSB.



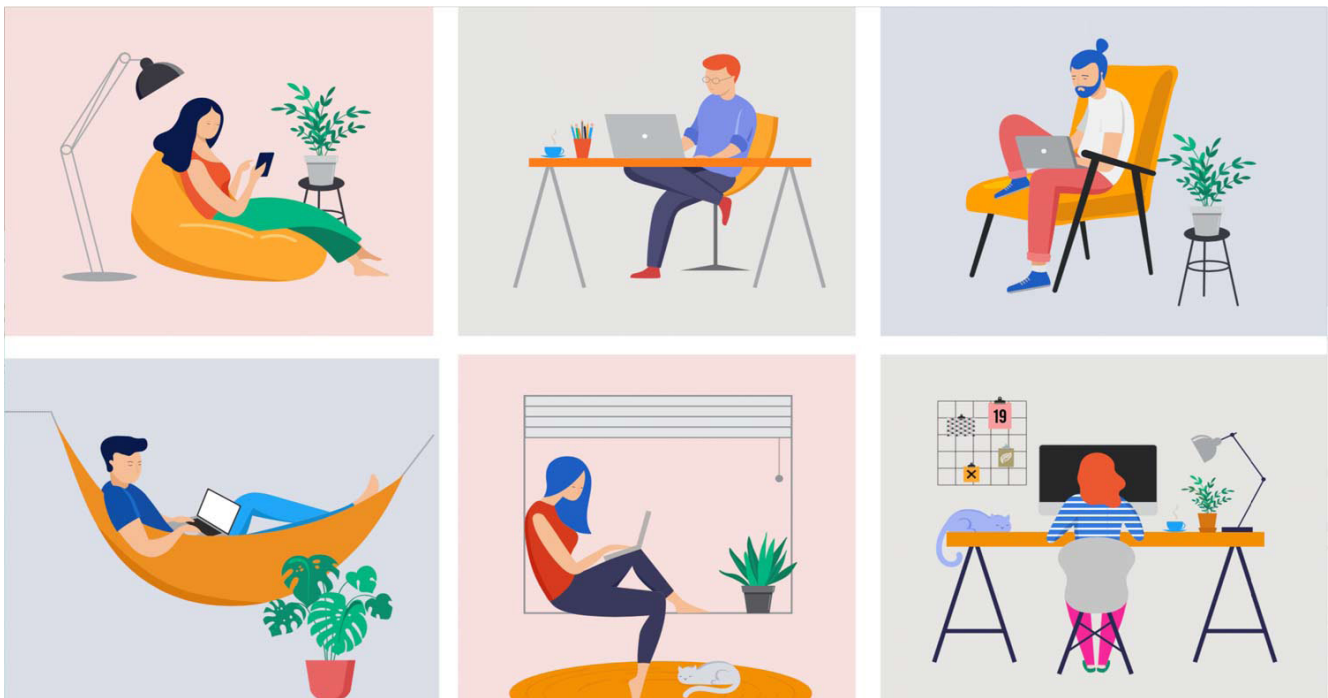
Lillian Abalo, a Business Registration Officer addresses clients during a sensitization seminar for small business owners in Mukono Town.

His Excellency President Yoweri Kaguta Museveni (Centre) in a group photo with other stakeholders after the official launch of the National Intellectual Property Policy & the Security Interest in Movable Property Registry System (SIMPO) at State House in Entebbe.



COVID-19 IMPACTS; THE REMOTE WORKFORCE & WHY IT MATTERS PLUS HOW TO MANAGE THE TRANSITION

By Faisal Kiweewa-PSO/Human Resources Office with additional excerpts from Google.



The Covid 19 pandemic is unprecedented and has changed the face of the workforce, something that nobody was prepared for or expected. The advent of the pandemic has led to the evolution of the employee. The future employee will now have to work from anywhere with any device. Work is now focused on outputs, sharing information while relying on collaboration technologies. It's also focused on adaptive learning, democratized learning and teaching with no gatherings.

In these scenarios, where external factors and global events sometimes make it impossible for employees to get to work, new modalities of ensuring less disruption to work processes have to be devised. A remote workforce is now a

must-have. Remote workers or telecommuters do their work outside the office, working from home, co-working spaces, coffee shops, and more. They no longer limit themselves to a typical office space.

The new normal sets in

Having a remote workforce therefore affords numerous competitive advantages. Employees gain more autonomy. Employers/organizations grant more trust. And there are some incredible gains to be had by going all-in on working from home.

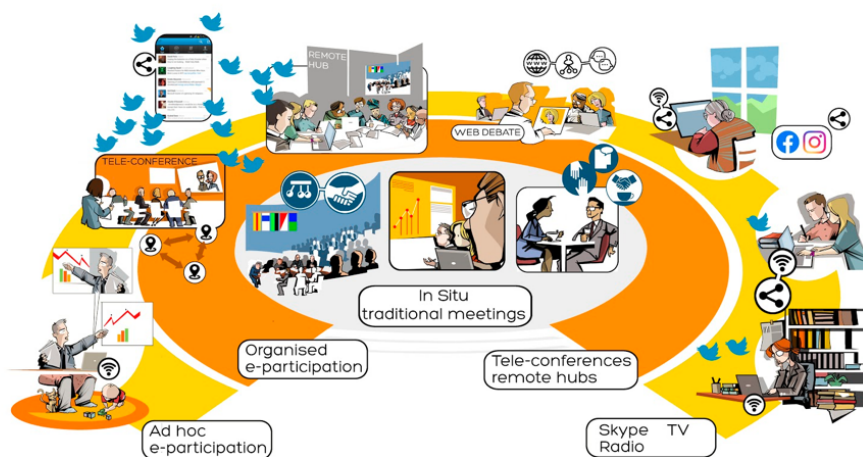
But it takes serious effort to be successful. It needs the management team to grow into more significant leadership roles. They need to adapt to the new tools of the trade to listen

and support their teams. Thankfully, it's been done before. These actionable insights on how to build and scale the workforce can get the team a head start. The remote team will appreciate the efforts support and guidance to become even more successful.

Actionable tips to manage a remote workforce

Managing a remote workforce has challenges, but many companies and organizations have been leading their remote teams for many years. Check out these tried-and-true strategies to set your teams up for success.

Equip your remote team with the right tools



Equipping your team with remote office phone system, email, and a laptop is just the beginning. The right technology can make all the difference. On the most basic level, they will need hardware like laptops, smartphones, and other devices to allow them to do their work anywhere. However, that's not the end of the story. You should equip your team with an essential telecommuting technology toolkit.

Communication tools

Give staff tools to help them stay in touch with managers, co-workers and clients. At a practical level, this means giving them an email, phone service, and flexible call forwarding they can access from anywhere.

Collaboration tools

Make sure your team can work together even when they're apart. Use video conferencing technology to hold meetings.

Security tools

Protect your communications and data with security tools. Protect calls with encryption technology. Use password management apps to manage credentials and access.

Over-communicate with remote workers

We often take for granted the natural conversations that happen in

an office setting. There's incredible value in the casual discussions typically had in hallways, cafeterias, and open offices. When working remotely, employees miss out on impromptu communication, which is vital.

It's up to you to create both formal and informal communication opportunities. It's a good idea to talk with them even more than you would in the office. If you don't communicate well, you won't be on the same page. Plus, you won't know if your employees are going in the wrong direction.

Use the following methods to maintain strong team communication:

- Email – Follow-up and document commitments and big ideas using email.
- Video Calls – Consider using video to add personality to your existing live calls.
- Texts Messaging – Obtain quick answers to questions throughout the day.
- Live Chats – Send a note if you're running late to a meeting or a thank-you message to your team.

Conduct regular check-ins with team members

It's important to check-in with your team regularly. These check-ins are important for many reasons like **provision of structure, accountability** – Make sure your teams feel valued for their contributions and ability to get things done.

Establish team roles & responsibilities

When you are not all working together, the lines on roles can get blurry. Make sure to establish clear roles and responsibilities right away. This practice starts with well-defined job descriptions, so individuals know their responsibilities.

Set clear deadlines & KPIs

Sometimes, the work done at home can be less noticeable to others. How can you make sure you are making a difference?

Ensure work-life balance through Sticking to a work schedule – Don't forget that includes lunch and breaks; Manage time with technology – Manage your team presence to indicate when you're unavailable.

Rotation of teams; There are duties that can't be performed from home, and therefore it is always vital to rotate those teams whose roles can only be performed while at office.

Provide face-to-face time where possible; Video can be new for some people to embrace. Consider only using video when it helps the conversation. Turn the video off if it becomes a distraction to the core talking points.

Solicit feedback from team members frequently; It is a good idea to get frequent feedback no matter where your team resides. With a remote workforce, obtaining candid feedback is even more critical. You could miss out on early signals when things are off track.

GETTING MARRIED IN THE NEW NORMAL GETS EASIER WITH URSB'S ALL-DIGITAL-ALL-ONLINE MODEL

Kalibbala Nyanja Phillip – Senior Registration Officer – Directorate of Civil Registration



The setting in of the COVID-19 pandemic set the ball rolling for full implementation of adoptive models of service delivery that would ensure that clients still get services, albeit under a different model. Many of us have by now noticed the new approach to service delivery adopted by Uganda Registration Services Bureau(URSB) since the COVID-19 pandemic took

URSB has done all it can within the challenging circumstances to remain a focused and customer Government agency through efficient service delivery.



on the world, including Uganda.

URSB has done all it can within the challenging circumstances to remain a focused and customer centric Government agency through efficient service delivery. In March, Government shut down non-essential services to control the spread of the pandemic and URSB was no exception. This provided an opportune moment for URSB to unveil the long-planned All-digital, All-online service model announced that saw all services shifted online.

Online services take centre stage

This intentional online approach has posed debilitating challenges especially to Ugandans primarily because we are a society that is not

ICT savvy and also have limitations accruing from many other circumstances. The results of the move have had many other clients heaping praise on the now 'easy to use remotely' system and have sent in praise for the thoughtful approach. There is still some resistance though.

Over the months, clients have shifted from rebelling to embracing the new system. The big question is, how did this arise? Many clients thought that URSB sought to complicate registration processes. This in itself would be ironic considering that the organisation collects revenues from these services on behalf of government and as such desires to make all processes 'client-friendly'.

Government instituted policies promoting the use of ICT to

stop much human contact while delivering uninterrupted services. The advent of the COVID-19 pandemic made the transition inevitable. ICT will make systems efficient, data easily retrievable and widely accessible and increase accountability of public officers to society that they serve.

Marriages still attended to

Given the sensitivity of the directorate of civil registration, priority was given to ensure that fast adoption to this enhanced services model occurs. There was need to save the marriages of people who had applied for marriage officiation earlier and to enable churches and mosques use online platforms for urgent matters. The directorate then created a faster way of ensuring those intending to get married are served. An email was set up, marriages@ursb.go.ug where all communication is directed.

A client for a civil marriage or single status letter will have to visit the website www.ursb.go.ug and go straight to **services**, and then to **civil registration**. All the requirements of a civil marriage application are there; the Notice of marriage and the affidavits. The applicant needs to complete the notice of marriage by filling all the fields, affix passport photos of the couple, write their contacts and signatures. Affidavits have to be adopted to the circumstances of the parties and sworn before a Commissioner for Oaths. Further documents required are an LC letter for Kampala and National IDs of all the parties. Once the documents are complete, the applicant then scans them to pdf as one document and sends the document to the marriage email given above.

The same will be done with single status letters. Our duty bearers who register Church, Islamic and Customary marriages also use the same process. They can scan

all required documentation and send to the same email. URSB staff may make assessment for the client on submission although it is encouraged that a client makes their assessment if they can to avoid the inconvenience of back and forth. We have had feedback since the roll out of this new strategy.

Given the coincidence of the COVID-19 emergency, the system protects all from exposure to risk by reducing human contact.



At URSB, we believe this new approach is beneficial to everyone due to accountabilities it presents efficient advantages for our clients. URSB is keen on implementing the vision 2040 strategy, which requires all public systems to adopt ICT in order to enable our country become globally competitive.

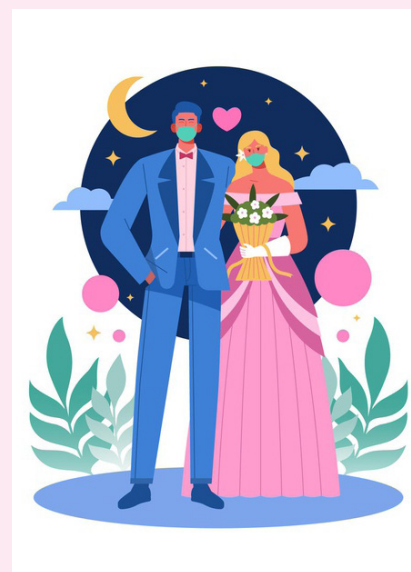
Given the coincidence of the COVID-19 emergency, the system protects all from exposure to risk by reducing human contact. People can physically appear at the wedding premises when called upon. Since resumption of work with the partial lifting of the lockdown in May, over 200 marriages have been processed and successfully completed. This system has already proved hugely advantageous to our diaspora clients whose placement leaves them at the mercy of online processes since they are not physically available.

Summary of marriage application process;

- (a) Identify the service you want from the directorate of civil registration by visiting the website www.ursb.go.ug
- (b) Fill the documents of desired service

- (c) Scan required documents into one pdf
- (d) Make payments after making assessment accurately using the URA portal/
- (e) Upload and send all documents to marriages@ursb.go.ug
- (f) Confirm that your submission has been delivered by receiving an acknowledgement email
- (g) In case of any inquiries, use the same email.

Welcome to the new normal friends!



WHO REALLY CONTROLS A COMPANY? THE CONCEPT OF BENEFICIAL OWNERSHIP.

Daniel Nasasira, Registration Officer - URSB Mbale Regional Office



The setup of companies means that they are legal entities whose operations must be legally binding. The legal regime is currently evolving towards the need for corporate entities to disclose who owns and controls its assets. A business once registered gains corporate status and enjoys the benefits of being a legal person in law capable of owning and acquiring assets in its name. A beneficial owner is that person

Given the coincidence of the COVID-19 emergency, the system protects all from exposure to risk by reducing human contact.



who ultimately or indirectly owns or controls a majority of a company's shares or voting rights, or who otherwise exercises control over the company or its management. A beneficial owner will own assets and control a company's management and vision indirectly through a trust, the trustee(s) or anyone who controls the trust will be registered as the owner. Further, when shares of a mutual fund are held by a custodian bank or when securities are held by a broker, the true owner is the beneficial owner, even though, for safety and convenience, the bank or broker holds the title.

Business ownership and the law

The Income Tax (Amendment) Act of 2019 defines "beneficial owner" to mean a natural person who owns or has a controlling interest over a

legal person other than an individual and who exercises control over the management and policies of a legal person or legal arrangement, directly or indirectly whether through ownership or voting securities, by contract or otherwise. Increasing regulations demand that various regulators including financial institutions and the state know who really controls a company. This could be for money laundering purposes, investor protection and for security purposes.

This article discusses why it is important for companies to figure out the implications of beneficial ownership and how they can achieve transparency more easily.

Assessing beneficial ownership is not a cup of tea I must say, but the effort of understanding what it means is far more rewarding than the cons

of sidelining or undermining its effect on a company's reputation and compliance record. The effort of finding out who a beneficial owner is could be a difficult task considering that they often do not wish to be known and cement this with signing non-disclosure agreements and enforcing confidentiality clauses in contracts.

It is important to note that not everyone wants to be identified as the beneficial owner. Many criminals will deliberately use corporate entities to hide their identity. In such circumstances, the true purpose of such a company account and the source or use of funds or property of the corporate entity will be associated to the company and its trustees/nominee and not to the beneficial owner. A safe way to avoid liability for issues like money laundering, non-declaration of assets or tax evasion is simply hiding one's identity. A beneficial owner can avoid allegations of corruption and bribery tendencies of a corporate entity since their identity as an owner of the company will be hidden. State sponsored terrorism activities can also be promoted by

It is important to provide measures that can be adopted to prevent the misuse of the beneficial ownership concept especially for criminal purposes.



beneficial owners. All the above show why it is important for regulators to understand what this concept known as, 'beneficial ownership,' means and its implications.

Implications of business ownership

It is important to provide measures that can be adopted to prevent the misuse of the beneficial ownership concept especially for criminal purposes. Assessing the risks associated with beneficial owners and the legal arrangements they enter into with corporate entities and suggesting necessary controls to mitigate such risks could be a way to go especially for financial

institutions. Making agreements entered into between legal persons and beneficial owners sufficiently transparent is also a possible remedy. Ensuring that accurate and up-to-date basic and beneficial ownership information is available to competent authorities in a timely fashion should also be a plausible idea.

Recourse could also be given to the Fourth European Union Money Laundering Directive which is intended to curb money laundering, tax evasion and terrorist financing through beneficial ownership.

A register providing data on who the ultimate beneficial owners of companies are could also be created by the Uganda Registration Services Bureau. Such a register will disclose who the real owners of a company are. This ultimately ensures transparency. On whether such a register should be public is debatable considering that beneficial owners usually want some level of privacy. The register should be accessed by relevant authorities and potential investors that show cause why they need the data.



PARTNERSHIPS; URSB'S MOU AGREEMENTS PAVE WAY FOR ENHANCED COLLABORATIONS AND VALUE ADDITION TO SERVICES DELIVERY

By Steven Douglas Baryevuga- Senior Communications & Media Relations Officer



The last couple of months have seen an increase in the number of memorandum of understanding (MoU) signings happening at URSB. The MoUs are critical for inter-agency collaborations that hasten broader service delivery through concerted efforts. A Memorandum of Understanding (MOU) can be an effective and flexible tool for documenting the common intent of two or more government parties or between government and non-government parties.

An MOU is a document that records the common intent of two or more parties where the parties do not wish to assume legally binding obligations. An MOU is usually less complex and less detailed than a contract, but provides a framework and set of principles to guide the parties in undertaking a project or working arrangement.

Partnership agreements at URSB

In the month of September, the Registrar General led the URSB team into signing partnership with the MoU European Union

Intellectual Property Organisation (EUIPO) represented by the European Union Delegation in Uganda. The MoU recognizes URSB as Africa's first Intellectual Property Office to officially join the TMclass and DesignClass category. TMclass offers users the opportunity to search and translate goods and services to and from any of the 44 languages available, while the DesignClass enables search and translation of product indications in 28 languages. The EU trade mark classification is a vital tool to support Ugandan enterprises doing business internationally and in the European Union.

URSB's bilateral cooperation with the EUIPO will help in project identification, protection and promotion of Geographical Indications as well as acquisition, customisation and deployment of EUIPO's Front Office Tool, Trademark Class and Design Class tools to enhance filing and classification activities.

MOUs work

MOUs can assist government departments and agencies clarify roles and responsibilities and manage expectations associated with projects and endeavours



that are to be undertaken with other government parties or non-government parties. Non-binding MOUs may be terminated without legal consequence in some circumstances. This flexibility is considered to be a significant advantage for the agencies involved. MOUs are helpful when two or more government parties wish to collaborate on a particular project or working arrangement.

There are numerous examples of the appropriate use of MOUs between government agencies. URSB regularly uses MOUs to effectively document the arrangements between themselves and other government agencies in relation to service delivery.

An outstanding example is the MOU between URSB and the Uganda Microfinance Regulatory Authority (UMRA) with the purpose of providing joint services aimed at enhancing the sharing of business registration information and creation of awareness on the usage and importance of the Security Interest in Movable Property Registry System (**SIMPO**). The MoU also enables improved client's experience while accessing

services of both entities and indicates commitment by URSB and UMRA to integrate available microfinance data and provide timely information through secure channels that will benefit prospective borrowers and lenders. UMRA had been identified as a strategic stakeholder in the successful establishment of the Chattels Registry that is run by URSB.

Private sector involved

URSB has not only signed working partnerships with just government agencies. MoUs with a private institutions have also been initiated, especially in circumstances where a service being delivered has a beneficiary entity whose clients patronize URSB services at a large scale. For instance, URSB signed an MoU with Stanbic Bank Limited aimed at providing access to digital platforms by URSB to the bank in order to improve clients' experience while accessing services of both entities. The MoU would also enable the integration of ICT systems while providing timely digital solutions through secure platforms to commercial banks. Stanbic Bank had been identified as a pilot of the integration and the success of this project.

Other MoUs signed with the private sector include the one with Financial Sector Deeping Uganda partnership agreement that focuses on facilitating stakeholder engagements towards making the URSB's electronic Security Interest in Movable Property Registry System (SIMPO) more sustainable in meeting the needs of the different stakeholders especially the micro, small & medium sized enterprises that grapple with lack of access to loan facilities from financial institutions.



URSB'S ANTI CORRUPTION STRATEGY: EMBRACING ETHICS IN SERVICE DELIVERY

By Carolynn Nazziwa, Senior Registration Officer-Compliance and Enforcement Unit



While back, as we passed by the One Stop Shop – Business Facilitation Centre on Floor One, my colleagues and I were amused at an ongoing conversation by one of the clients of the Bureau.

‘Can you believe I have my Certificate of registration!’ exclaimed a client into her phone while waving the Certificate excitedly. Everyone on the stairs caught the excitement as she ran down.

‘Rukia, Rukia! I submitted an online business name application upon payment in the bank of Ug shs 24,000/- zokka n’ebampa certificate yange. Munange tebansabye sente ndala!’ (Loosely translated, ‘Upon payment of Ug shs 24,000/= I got my certificate of registration without being charged an extra penny’). ‘The process was so swift, clean and easy’ she shouted without hiding her awe and surprise until she exited.

Over lunch, we reflected on the role of ethical values and standards in service delivery. We talked about how such wonderful stories would only be a tale if there was laxity in compliance in the established policies and standards of URSB. Now that they are being told, they evidently re-echo the fact that with intentional compliance to the set ethical values and standards in service delivery, customer satisfaction can be achieved.

Our journey

I am more than certain that the Uganda Registration Services Bureau (URSB) of 8 years ago and the URSB of 2020 would never recognise each other in outlook if they stood closely in one room or for that matter came face to face, and certainly a new client of URSB would never understand a conversation of a URSB client of 6 years ago in terms of staff ethics and service delivery.

Between now and then, so much has changed, thanks to among others, the commitment of the leadership and staff in restoring public confidence in URSB as a Government institution. This has been possible through embracing ethical values, and this article highlights our anticorruption strategy and how it has played an essential part in improving the image of URSB to being the best serving institution in the country.

URSB has the mandate to register business names and companies, documents, marriages, intellectual property rights, security interests in movable property, regulation of insolvency matters and also act as the agent of the Uganda Revenue Authority in the collection of revenue.

By nature of this mandate, staff are predisposed to unethical practices just like any other body. Management of any manifestation of unethical behaviour is so critical

because if not managed well, the results usually negatively affect key aspects of the organisation as well as its overall success in compliance requirements, confidence of clients in the organisation, reputation, and credibility.

What did URSB do?

To nip unethical behavior in the bud, URSB adopted the 'zero tolerance towards corruption' approach and progressively took positive steps in eliminating any perceived corruption through prevention, detection and punishing any acts of corruption. The different policies and systems that were put in place and are still sustained include;

- Automation of all registration processes through the Business Registration System(BRS), National Marriage Registration System (NMRS), The Industrial Property Automation System (IPAS). The systems are integrated with Uganda Revenue Authority (URA) and National Identification Registration Authority (NIRA) systems. This has helped in fostering transparency through;
- a) prompt user data and payment verification resulting into managing the risk of revenue leakage caused by issuance of fake payment receipts and underpayment of service fees;
- b) minimizing staff interaction with clients;
- c) improved efficiency which has positively contributed to turn around time for our clients.
- Publication of a client charter for clients, maintenance of an interactive website, WhatsApp group and call center to provide essential information to the public including services offered and official fees payable;
- Simplification of business processes to reduce the cost and time of doing business

The Bureau introduced lean memorandum and articles of association, free assessment points that have helped eliminate middlemen in the registration process;

- Through a Memorandum of Understanding with Uganda Police Force, Police Officers were seconded to the Enforcement Unit of the Bureau to aid in enforcing the different laws under the Bureau's administration
- Staff training: The Bureau places emphasis on its core values of integrity, accountability, and customer care in service delivery. This is in addition to observing the Human Resource Policy which emphasizes practices like regular staff rotation and taking disciplinary action against non-compliant employees;
- Open office lay outs: The Bureau introduced open work stations for effective supervision of staff and client interactions;
- Standard Operating Procedures (SOPs) for key business processes were developed. The SOPs have helped in creating uniformity of services at all levels in the Bureau and fostered a culture of compliance.
- Rewards system: Annually, the Bureau rewards and recognizes employees for good behavior to encourage others to emulate them.

The New Anti-Corruption Strategy.

Recently, as commitment to promoting and sustaining ethical behaviour as one of its top priorities, URSB which is a member of the Justice Law and Order Sector (JLOS), customized the JLOS Anti-Corruption Strategy and formulated its own five (5) year Strategy to provide information and guidance to all staff on corruption issues; strengthen and

sustain URSB's achievements in the fight against corruption; and set out the responsibilities of the key players in the fight against corruption.

The strategy is still curved on the principles of prevention, detection and punishment.

In the Strategic Development Plan III, URSB will build on the strategies in place to fully implement its new strategy. The Bureau commits to put in place the following interventions, at the end of the Strategy's 5 year period;

- Fully automate all business processes under the 'All digital, All online' drive. All services will soon go online to minimize client interface with the staff
- Obtain the International Organization for Standardization (ISO) 9001-2015 certification for a quality management system that is client oriented. The standardization of key processes through Standard Operating Procedures will provide uniformity across board. Ethical standards will be clearer on basic principles and standards expected to applied during work.
- Establish a whistleblowing system; A hotline 0414673200 will be fully operational for internal disclosures against staff errant behavior;
- A code of conduct for acceptable behavior that binds staff will be put in place. Clear rules for remedial or disciplinary action against those involved in corrupt tendencies will be developed to compliment the Bureau's HR manual.
- Constitute an Ethics and Integrity Committee to spearhead the efficient and effective delivery of the Strategy, and also appoint integrity focal persons to champion the ethics and integrity drive in their respective Directorates and Units.

URSB At A Glance

Vision:

“ Centre Of Excellence For Reliable Registration Services”

Mission:

“To Provide Accessible, Reliable & Innovative Registration Services for a Formalised Economy”.

Our core Values:

Professionalism | Integrity | Teamwork | Excellence | Transparency | Accountability

We are responsible for the following;

- ▶ Registration of Businesses and companies, partnerships, documents, debentures and chattels transfers among others.
- ▶ Official Receiver in matters of Insolvency
- ▶ Registration of Intellectual Property which are; Patents, Utility models, Industrial designs, Trademarks, Service marks, Copyright and Neighboring Rights among others.
- ▶ Registration of all Marriages, licensing places of worship, solemnizing civil marriages and issuing single status letters.
- ▶ Registration of Security Interests in Movable Property (SIMPO)
- ▶ Collection of Non Tax Revenue (NTR)



DID YOU KNOW?

You can now register your company using a one paged lean memorandum and articles of association (memarts). For a copy of the memarts, visit our **website www.ursb.go.ug** or send us a message on **WhatsApp 0712448448** or call our **toll free line 0800 100 006**.

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P.O.Box 6848 Kampala Uganda

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- ▶ Mbarara- Plot 1, Kamukuzi Hill
- ▶ Gulu – Plot 6B Princess Road
- ▶ Arua – Plot 42/44 Packwach road
- ▶ Mbale - Plot 3, Park Crescent.

Kampala branch offices

- ▶ Posta Uganda - Kampala Road
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