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**THE PUBLIC HEALTH (AMENDMENT) ACT, 2023**

**An Act to amend the Public Health Act; to provide for the repeal of obsolete provisions; to provide for the revision of the fines payable for offences committed in contravention of the Act; to provide for the repeal of the Part on venereal diseases; to provide for the repeal of references to construction and public sewers; to repeal the Venereal Diseases Act, Cap. 284 and the Immunisation Act, 2017 and for related matters.**

DATE OF ASSENT: 8th February, 2023

*Date of Commencement:* 24th March, 2023

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

**1. Short title**

This Act may be cited as the Public Health (Amendment) Act, 2022.

## PART II—AMENDMENTS TO PART I OF PRINCIPAL ACT

**2. Amendment of section 1 of the Public Health Act**

The Public Health Act, in this Act referred to as the principal Act, is amended in section 1—

- (a) by repealing the definition of “basement”, “board”, “cellar”, “dairy”, “dairy person”, “erect”, “health inspector”, “local authority”, “meat inspector”, “medical officer of health”, “offensive trade”, “public latrine” and veterinary officer”;
- (b) in paragraph (a), by substituting for the definition of “adult”, the following—

““adult” means a person above the age of eighteen years;”;
- (c) in paragraph (h), by substituting for the definition of “child”, the following—

““child” means a person below the age of eighteen years;”;
- (d) in paragraph (i), by substituting for the definition of “court” or “court of competent jurisdiction”, the following—

““court” means a court of competent jurisdiction;”;
- (e) in paragraph (ee), by substituting for the definition of “medical officer”, the following—

““medical officer” means a medical officer in the employment of the Authority, a local government and the Government;”;
- (f) by inserting immediately after paragraph (hh), the following—

“(hha) “Minister” means the Minister responsible for health;”;

- (g) in paragraph (ii), by substituting for the definition of “municipality”, the following—
- ““municipality” has the meaning assigned to it in the Local Governments Act;”;
- (h) in paragraph (mm), by substituting for the definition of “parent”, the following—
- ““parent” means the biological mother or father of a child and includes, a guardian, a person who has lawful custody of a child or an adult person who has parental responsibility for a child;”;
- (i) by inserting immediately after paragraph (mm), the following—
- “(mma) “parental responsibility” means the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child;”;
- (j) by inserting immediately after paragraph (nn), the following—
- “(nna) “pre-primary school” means an establishment set up for the purpose of providing education to children below the age of six years;
- “(nnb) “primary school” means an establishment set up for the purpose of providing education to children aged six years or more;”;
- (k) by inserting immediately after paragraph (oo), the following—
- “(ooa) “public health” means the art and science of preventing disease, prolonging life and promoting health through the organised efforts of society;”;

- (l) in paragraph (uu), by substituting for the definition of “town”, the following—
- ““town” has the meaning assigned to it in the Local Governments Act;”;
- (m) by inserting immediately after paragraph (vv), the following—
- “(vva) “vaccination” means the process or act of administering a vaccine to a person;
- (vvb) “vaccination card” means the document issued by a vaccinator to a parent of a child, showing the record of vaccination of the child;
- (vvc) “vaccine” means any preparation intended to produce immunity to a disease by stimulating the production of antibodies;”;
- (n) by inserting the following definition in the section, appropriately—
- “Authority” means the Kampala Capital City Authority;
- “currency point” has the meaning assigned to it in the Schedule to this Act;
- “local government” has the meaning assigned to it in the Local Governments Act.

PART III—AMENDMENTS TO PART II OF PRINCIPAL ACT

**3. Repeal of section 4 of principal Act**

Section 4 of the principal Act is repealed.



**4. Amendment of section 5 of principal Act**

Section 5 of the principal Act is amended by—

- (a) numbering the provision as subsection (1);
- (b) substituting for the phrase “Every local authority”, the phrase “The Authority and every local government council”; and
- (c) inserting immediately after subsection (1), the following—

“(2) A medical officer shall immediately inform the Director General of Health Services of the outbreak of any infectious, communicable or preventable disease within the Authority or a local government, as the case may be.”

**5. Insertion of section 5A in principal Act**

The principal Act is amended by inserting immediately after section 5, the following—

**“5A. Powers and duties of medical officers in the employment of Government**

(1) A medical officer in the employment of the Government shall take all lawful, necessary and reasonably practicable measures for preventing the occurrence of, or for dealing with any outbreak or prevalence of, any infectious, communicable or preventable disease.

(2) The actions taken by the medical officer in subsection (1) are for safeguarding, promoting public health; and for the exercise of the powers and performance of the duties in respect of the public health conferred or imposed by this Act or by any other Act.

(3) Where the occurrence of, or outbreak of a disease is within the jurisdiction of a local government, the medical officer shall exercise the powers and perform the duties in subsection (1) with the authority of the Director General of Health Services.”

## 6. Substitution of section 8 of principal Act

Section 8 of the principal Act is substituted for the following—

### “8. Advisory committee of health

(1) The Minister shall, when necessary, establish a committee known as the advisory committee of health comprising the Director General of Health Services or his or her representative as the chairperson and such other members as the Minister may deem fit to appoint.

(2) The tenure of the members of the advisory committee of health shall be on an adhoc basis.

(3) The chairperson of the committee shall appoint such person as he or she may deem fit to be the secretary to the committee.

(4) The Minister may vary or terminate the membership of the committee.

(5) The Minister may make rules for the governance of the functions of the committee.”

## PART IV—AMENDMENTS TO PART III OF PRINCIPAL ACT

### 7. Amendment of section 10 of principal Act

Section 10 of the principal Act is amended in paragraph (c), by substituting for the phrase “the local government of any local authority”, the phrase “the Authority or any local government”.

**8. Amendment of section 11 of principal Act**

Section 11 of the principal Act is amended—

(a) by substituting for subsection (1) (c), the following—

“(c) the duties of owners or persons in charge of letting houses, the duties of owners or persons in charge of workplaces and the duties of employers;”;

(b) in paragraph (d), by substituting for the words “mission or missionary institution, the words “institution of higher learning”;

(c) by repealing subsections (1) (f) and (g);

(d) by inserting immediately after subsection (1), the following—

“(1a) The rules made under this section shall apply to notifiable diseases or to only the notifiable disease specified in the rules.”; and

(e) by substituting for subsection (2), the following—

“(2) A person who contravenes any rule made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment not exceeding twelve months, or both.”

PART V—AMENDMENTS TO PART IV OF PRINCIPAL ACT

**9. Insertion of section 11A in principal Act**

The principal Act is amended by inserting immediately before section 12, the following—

**“11A. Infectious diseases**

This Part shall apply to any disease which the Minister may, by statutory order, declare to be an infectious disease for the purposes of this Part.”

**10. Amendment of section 13 of principal Act**

Section 13 of the principal Act is amended—

- (a) in subsection (1), by substituting for the phrase “cleansing and disinfecting”, the word “decontaminating” and for the phrase “cleanse and disinfect”, the word “decontaminate”;
- (b) in subsection (2), by—
  - (i) substituting for the phrase, “two hundred shillings”, the phrase “five currency points”;
  - (ii) substituting for the phrase “a local authority”, the phrase “the Authority or local government council”;
  - and
  - (iii) substituting for the words “cleansed and disinfected”, the word “decontaminate”; and
- (c) in subsection (3), by—
  - (i) substituting for the phrase “a local authority” and “authority”, the phrase “the Authority or local government council”; and
  - (ii) substituting for the words “cleanse and disinfect”, the word “decontaminate”.

**11. Amendment of section 14 of principal Act**

Section 14 of the principal Act is amended—

- (a) in the headnote, by substituting for the phrase “Destruction of infected building, bedding, etc”, the

phrase “Destruction of contaminated bedding, clothing or articles”; and

- (b) by substituting for subsection (1), the following—

“(1) Where any beddings, clothing or any other articles are infected with an infectious disease or are exposed to infection from any infectious disease and in the opinion of the medical officer the beddings, clothing or articles have to be destroyed, the medical officer shall destroy the beddings, clothing or articles or cause the beddings, clothing or articles to be destroyed.”

## **12. Substitution of section 17 of principal Act**

Section 17 of the principal Act is substituted for the following—

### **“17. Provision of means of decontamination**

The Authority or a local government council shall provide a proper place, with all necessary apparatus and attendance, for the decontamination of bedding, clothing or other articles which have become contaminated, and shall cause any articles brought for decontamination to be dealt with free of charge.”

## **13. Substitution of section 18 of principal Act**

Section 18 of the principal Act is substituted for the following—

### **“18. Provision of conveyance for infected person or thing**

The Authority or a local government council shall provide and maintain conveyances for the carriage of persons suffering from any infectious disease or for the removal of any contaminated bedding, clothing or other articles and shall pay the expenses of carriage in such conveyance of any person so suffering to a health facility or other place of quarantine.”

**14. Substitution of section 19 of principal Act**

Section 19 of the principal Act is substituted for the following—

**“19. Removal to health facility of infected person**

Where a medical officer or a medical practitioner certifies that a person is suffering from an infectious disease, which in order to guard against its spread, can only be treated or managed in a health facility, the medical officer or medical practitioner, as the case may be, shall cause the person—

- (a) to be moved to a health facility or to any other place which, in the opinion of the medical officer or medical practitioner, is suitable for the reception of the person; and
- (b) to be confined in that health facility or place until the medical officer or medical practitioner, as the case may be, is satisfied that the person is free from infection or that the person may be discharged without being a danger to the public.”

**15. Amendment of section 20 of principal Act**

Section 20 of the principal Act is amended by substituting for the phrase “three hundred shillings”, the phrase “one hundred and fifty currency points”.

**16. Amendment of section 21 of principal Act**

Section 21 of the principal Act is amended by substituting for the phrase “four hundred shillings”, the phrase “five currency points”.

**17. Amendment of section 22 of principal Act**

Section 22 of the principal Act is amended by substituting for the phrase “one thousand shillings”, the phrase “five currency points”.

**18. Amendment of section 23 of principal Act**

Section 23 of the principal Act is amended by substituting for the phrase “one thousand shillings”, the phrase “five currency points”.

**19. Amendment of section 27 of principal Act**

Section 27 of the principal Act is amended—

- (a) by numbering the provision as subsection (1);
- (b) in paragraph (e), by substituting for the phrase “owners of land on which persons reside and of employers of labour, and of chiefs or herdsmen and others”, the phrase “heads of families, owners or persons in charge of work places and employers”;
- (c) in paragraph (f), by substituting for the phrase “cholera, human trypanosomiasis, typhoid fever, typhus, plague, acute poliomyelitis, tuberculosis or any other”, the word “any”;
- (d) in paragraph (g), by repealing the phrase “by rail or otherwise”;
- (e) in paragraph (h), by substituting for the words “rabies, glanders, anthrax, plague, tuberculosis, trichinosis or any other”, the word “any”;
- (f) in paragraph (k), by substituting for the words “ankylostomiasis, schistosomiasis or any other”, the word “any”;
- (g) in paragraph (n), by repealing the phrase “except into receptacles provided for the purpose”;
- (h) in paragraph (p), by repealing the phrase “the establishment, maintenance and management of cleansing stations and the cleansing of dirty and verminous persons”;

- (i) by substituting for paragraph (r), the following—
- “(r) the giving compulsorily of any information or the production compulsorily of any documentary or other evidence required for the purpose of tracing the source or preventing the spread of any infectious disease;”;
- (j) inserting immediately after paragraph (r), the following—
- “(s) the giving, compulsorily, by any person, of the telephone number, physical address and other personal details of any person where this is required for the purpose of locating that other person, for purposes of tracing the source or preventing the spread, of any infectious disease; and
- (t) generally for better carrying out the provisions and attaining the objects and purposes of this Part.”; and
- (k) by inserting immediately after subsection (1), the following—
- “(2) The rules made under subsection (1) (h) and (k) shall be made in consultation with the Minister responsible for plant and animal health.
- (3) A person who contravenes any rule made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a period not exceeding twelve months, or both.”



## PART VI—AMENDMENTS TO PART V OF PRINCIPAL ACT

**20. Insertion of section 27A in principal Act**

The principal Act is amended by inserting immediately before section 28, the following—

**“27A. Administration of Part V**

The Government shall be responsible for the control and management of epidemics except where the Government delegates the control and management to the Authority or local government or where the Authority or local government requests and is allowed to control and manage an epidemic.”

**21. Substitution of section 28 of principal Act**

Section 28 of the principal Act is substituted for the following—

**“28. Epidemic diseases**

The provisions of this Part shall apply to any disease which the Minister may by statutory order declare to be an epidemic disease for purposes of this Part.”

**22. Amendment of section 29 of principal Act**

Section 29 of the principal Act is amended—

- (a) by numbering the provision as subsection (1);
- (b) by substituting for the phrase “described in section 28”, the phrase “declared an epidemic disease under section 28”;
- (c) in paragraph (d), by substituting for the phrase “observation camp or station”, the phrase “quarantine centre”;
- (d) in paragraphs (e) and (k), by substituting for the phrase “observation camps or stations”, the phrase “quarantine centres”;

- (e) by repealing paragraphs (r), (s) and (u); and
- (f) by inserting immediately after subsection (1), the following—

“(2) A person who contravenes a rule made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a period not exceeding twelve months, or both.”

### **23. Substitution of section 30 of principal Act**

Section 30 of the principal Act is substituted for the following—

#### **“30. Minister may authorise Authority and local government councils to execute rules**

The Minister may request the Authority or a local government council, as may be applicable, to execute the rules made under this Part or to aid in the execution of the rules or to do and provide all such acts, matters and things as may be necessary for mitigating an infectious disease.”

### **24. Amendment of section 31 of principal Act**

Section 31 of the principal Act is amended—

- (a) in the headnote, by substituting for the words “local authority or medical officer of health”, the words “Authority or local government council”; and
- (b) by substituting for the phrase “Any local authority or medical officer of health or any person duly authorised by any local authority or medical officer of health”, the phrase “For the purposes of section 30, the Authority or a local government council or any person duly authorised by the Authority or a local government council”.

**25. Substitution of section 32 of principal Act**

Section 32 of the principal Act is substituted for the following—

**“32. Notification of sickness or mortality in animals suspected of any of the diseases notified under this Act**

(1) A person who becomes aware of any unusual sickness or mortality among any animals which are susceptible to any of the diseases notified under this Act, shall immediately report the fact to the Authority or to a local government council, as the case may be, or to any person duly authorised by the Authority or a local government council.

(2) A person who fails or neglects to report commits an offence and is liable, on conviction, to a fine not exceeding two hundred currency points or to imprisonment for a period not exceeding six months, or both.”

**26. Substitution of section 33 of principal Act**

Section 33 of the principal Act is substituted for the following—

**“33. Report of notification of epidemic diseases**

The Authority and a local government council shall immediately report to the Director General of Health Services, particulars of every notification received by the Authority or local government council of every case or suspected case of any epidemic disease, or of any unusual sickness or mortality in animals made under section 32.”

**27. Repeal of sections 34 and 35 of principal Act**

Sections 34 and 35 of the principal Act are repealed.

**PART VII—AMENDMENTS TO PART VI OF PRINCIPAL ACT****28. Amendment of section 36 of principal Act**

Section 36 of the principal Act is amended—

- (a) in subsection (1)(b), by inserting immediately after the word “thing”, the phrase “and regulate the inspection, isolation, quarantine and decontamination of any animal, article or thing”; and
- (b) by substituting for subsection (2), the following—
- “(2) A person who contravenes any statutory order made under this section commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a period not exceeding twelve months, or both.”
- (c) by inserting immediately after subsection (2), the following—
- “(3) Where the offence is committed by a body corporate, the body corporate shall be liable to a fine not exceeding two thousand five hundred currency points.”

PART VIII—AMENDMENTS TO PART VII OF PRINCIPAL ACT

**29. Amendment to title of Part VII**

The title of the Part is substituted with the word, “VACCINATION”.

**30. Amendment of section 37 of principal Act**

Section 37 of the principal Act is amended—

- (a) by substituting for paragraph (a), the following—
- “(a) “vaccinator” means the medical officer, and a medical practitioner and includes a person assigned by the Director General of Health Services or a medical officer, to be a vaccinator;” and
- (b) by repealing paragraph (b).

**31. Substitution of section 38 of principal Act**

Section 38 of the principal Act is substituted for the following—

**“38. Vaccination of children**

(1) Subject to subsection (2), a parent of a child who is resident in Uganda, shall have the child vaccinated against any disease declared to be an immunisable disease by the Minister, by statutory instrument and the vaccination under this section shall be conducted at no cost.

(2) Where the vaccinator is of the opinion that a child is not in a fit state to be vaccinated, the vaccinator shall issue in respect of that child, a certificate to that effect and indicate, where applicable, the date at which the child is to be vaccinated.

(3) A vaccinator shall, immediately after the vaccination of the child mentioned in subsection (1), issue to the parent of the child, a vaccination card in the prescribed form which form shall be presented by the parent each time the child is due for vaccination.

(4) The vaccination card issued under subsection (3) shall be signed by the vaccinator every time the child is vaccinated.

(5) A parent of a child to whom a vaccination card has been issued shall keep it for at least fifteen years.”

**32. Repeal of section 39 of principal Act**

Section 39 of the principal Act is repealed.

**33. Substitution of section 40 of principal Act**

Section 40 of the principal Act is substituted for the following—

**“40. Certificate to be given to adult not fit for vaccination**

Where a vaccinator is of the opinion that any adult is not in a fit state to be vaccinated or revaccinated, the vaccinator shall

issue in respect of that adult, a certificate stating that that adult is not fit for vaccination or revaccination and where applicable, the date at which the adult is to be vaccinated or revaccinated.”

**34. Repeal of section 41 of principal Act**

Section 41 of the principal Act is repealed.

**35. Amendment of section 42 of principal Act**

Section 42 of the principal Act is amended by—

- (a) repealing the phrase “and has ascertained that the vaccination has been successful”; and
- (b) substituting for the phrase “in the form in the Third Schedule to this Act, or to the like effect”, the phrase “in the prescribed form”.

**36. Repeal of section 43 of principal Act**

Section 43 of the principal Act is repealed.

**37. Substitution of section 45 of principal Act**

Section 45 of the principal Act is substituted for the following—

**“45. Admission for education**

(1) Subject to subsection (2), a head teacher or any other person responsible for admission of a child to a—

- (a) daycare centre;
- (b) pre-primary school; or
- (c) primary school,

shall not admit a child unless a vaccination card certifying that the required vaccinations were given to the child is produced to him or her by the parent or guardian of that child.

(2) Where a parent of a child produces a certificate signed by a vaccinator certifying that vaccination against any of the immunisable diseases is not advisable on medical grounds, a vaccination card shall be produced by the parent showing that the child has undergone vaccination with respect to other immunisable diseases.

(3) A person responsible for admission of a child under subsection (1) shall keep a copy of a vaccination card of every child who is admitted to daycare centre, pre-primary or primary education.”

### **38. Insertion of section 45A in principal Act**

The principal Act is amended by inserting immediately after section 45 the following—

#### **“45A. Penalties**

A person who contravenes section 38(1) or section 45 (1) commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or to imprisonment for a period not exceeding three months or both.”

### **39. Repeal of section 46 of principal Act**

Section 46 of the principal Act is repealed.

### **40. Substitution of section 47 of principal Act**

Section 47 of the principal Act is substituted for the following—

#### **“47. Mass vaccination and revaccination**

In the event of the occurrence or threatened outbreak of any disease in the Authority or a local government or where it is necessary to conduct vaccination or revaccination in the Authority or a local government for all the residents of the Authority or a local government or for a specified category of persons—

- (a) the Minister shall by notice in the gazette, a copy of which shall be posted in a newspaper of wide circulation in the affected Authority or local government, request all persons specified in the notice, to be vaccinated or revaccinated; and
- (b) the Minister shall within seventy two hours of making the request in paragraph (a), notify the Authority or local government under whose jurisdiction the request has been made.

#### **41. Amendment of section 48 of principal Act**

Section 48 of the principal Act is amended by repealing paragraphs (d), (e) and (f).

#### **42. Insertion of sections 48A and 48B in principal Act**

The principal Act is amended by inserting immediately after section 48, the following—

##### **“48A. Conditions for vaccination or revaccination**

(1) The Minister shall not require any person to be vaccinated or revaccinated unless—

- (a) the vaccine to be administered is approved by the National Drug Authority and is safe for the health of the person required to be vaccinated or revaccinated;
- (b) Government has provided the vaccine and other related services free of charge to the person; and
- (c) Government has ensured that the person required to be vaccinated or revaccinated has access to the vaccines.

(2) The Minister shall, by statutory instrument, issue rules regarding the accessibility to and administration of vaccines for other immunisable diseases of public health interest.



**48B. Misleading information about vaccines**

(1) A person shall not make, cause to be made, or publish any misleading statement or information regarding the use or effect of any vaccine.

(2) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points or imprisonment not exceeding six months, or both.”

## PART IX—SUBSTITUTION OF PART VIII OF PRINCIPAL ACT

**43. Substitution of Part VIII of principal Act**

Part VIII of the principal Act is substituted for the following—

## “Part VIII—NON-COMMUNICABLE DISEASES

**49. Health promotion and awareness**

(1) In the implementation of this Act, the Minister shall adopt a preventive approach to disease control.

(2) The Minister shall, by statutory instrument, make regulations to institutionalise health promotion and awareness in the public domain.

(3) Where applicable, the Government shall make financial provisions for the promotion of national health and wellness programmes.

**50. Collaboration with other entities**

In the implementation of this Act, the Minister shall have power to require any Government Ministry, department or agency or any person to institute mechanisms and implement this Act to give full effect to the prevention and control of non-communicable diseases.”

## PART X—AMENDMENTS TO PART IX OF PRINCIPAL ACT

**44. Amendment of section 55 of principal Act**

Section 55 of the principal Act is amended by substituting for the phrase “Every local authority”, the phrase “The Authority or a local government council”.

**45. Amendment of section 56 of principal Act**

Section 56 of the principal Act is amended—

- (a) by substituting for the headnote, the following—

**“56. Duty of Authority and local government councils to prevent or remedy danger to health arising from unsuitable dwellings”**

- (b) by substituting for subsection (1), the following—

“(1) The Authority or a local government council shall take all lawful, necessary and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions liable to be injurious or dangerous to health arising from the occupation of unhealthy dwellings or premises or from overcrowding or from the condition or manner of use of any factory or trade premises and to take proceedings under the law against any person causing or responsible for the continuance of such condition.”; and

- (c) in subsection (2)—

- (i) by substituting for the phrase “chief inspector appointed under the Factories Act”, the phrase “inspector appointed under the Occupational Safety and Health Act”; and

- (ii) by substituting for the phrase “any local authority”, the phrase “the Authority or a local government council”.

**46. Amendment of section 57 of principal Act**

Section 57 of the principal Act is amended—

- (a) by repealing paragraph (a);
- (b) in paragraph (b), by repealing the words “of such construction or”;
- (c) in paragraph (c), by repealing the words “or so situated or constructed”;
- (d) by substituting for paragraph (e), the following—
  - “(e) any well or other source of water supply or cistern or other receptacle for water, whether public or private, the water from which is used or is likely to be for drinking for human beings or animals or for domestic use or for use in connection with the manufacture or preparation of any article of food intended for human or animal consumption, which is in a condition liable to render any such water injurious of dangerous to human or animal health;”;
- (e) in paragraph (j), by repealing the word “constructed”;
- (f) in paragraph (n), by inserting the words “other vermin” at the end of the paragraph;
- (g) in paragraph (o), by substituting for the phrase “medical officer of health”, the phrase “the Authority or a local government council”; and
- (h) in paragraph (p), by repealing the word “constructed”.

**47. Amendment of section 58 of principal Act**

Section 58 of the principal Act is amended by substituting for the words “he or she”, the words “the author”.

**48. Amendment of section 59 of principal Act**

Section 59 of the principal Act is amended by substituting for the words “he or she” and “him or her”, the words “the author”.

**49. Amendment of section 60 of principal Act**

Section 60 of the principal Act is amended in subsection (3), by substituting for the phrase “four hundred shillings”, the phrase “two hundred currency points”.

**50. Amendment of section 61 of principal Act**

Section 61 of the principal Act is amended in subsections (1) and (2), by substituting for the phrase “eighty shillings”, the phrase “one hundred currency points”.

**51. Repeal of section 64 of principal Act**

Section 64 of the principal Act is repealed.

**52. Amendment of section 66 of principal Act**

Section 66 of the principal Act is amended—

- (a) by substituting for subsection (3), the following—

“(3) Where any person fails to comply with an order for demolition, the person commits an offence and is liable to pay the daily fine provided in section 61 (2); and the Authority or local government council, as the case may be, may apply to court for an order for demolition and the Authority or local government council may recover from the owner the expense incurred in doing so, after deducting the net proceeds of the sale of the materials which the Authority or the local government may sell by auction.”; and

- (b) by repealing subsection (5).

**53. Repeal of section 67 of principal Act**

Section 67 of the principal Act is repealed.

**54. Amendment of section 70 of principal Act**

Section 70 of the principal Act is amended—

- (a) by numbering the provision as subsection (1);
- (b) by repealing paragraphs (b), (e) and (h);
- (c) by substituting for paragraph (c), the following—
  - “(c) the regulation of the cleaning and painting of premises and the maintenance of the land attached to premises and the removal of refuse and waste matters from the premises;”;
- (d) in paragraph (g), by repealing the phrase “the establishment and carrying on of offensive trades”;
- (e) by substituting for paragraph (i), the following—
  - “(i) the inspection by the Authority or a local government council of any land or building within the jurisdiction of the Authority or local government council, as the case may be, with a view to ascertain whether the lands or buildings are in a state injurious or dangerous to health;”;
- (f) by substituting for paragraph (j), the following—
  - “(j) the general control of trade premises, hotels and other lodging houses, for adequate ventilation and lighting, cleaning and for the provision of adequate sanitary appliances and other requirements, necessary for the

protection of the health of the inhabitants, tenants or lodgers and the neighbouring inhabitants, as may be applicable;” and

- (g) by inserting immediately after subsection (1), the following—

“(2) The rules made under subsection (1) (g) shall be made in consultation with the Minister responsible for occupational safety and health and the Minister responsible for the environment.”

**55. Repeal of sections 71, 72 and 73 of principal Act**

Sections 71, 72, and 73 of the principal Act are repealed.

PART XI—AMENDMENTS TO PART X OF PRINCIPAL ACT

**56. Repeal of sections 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84 and 85 of principal Act**

Sections 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84 and 85 of the principal Act are repealed.

**57. Amendment of section 86 of principal Act**

Section 86 of the principal Act is amended by substituting for subsection (2), the following—

“(2) Except in cases where the Authority or a local government council is satisfied that in the case of any particular building it may properly dispense with any provision for drainage, for the purposes of subsection (1), “satisfactory provision for drainage” means that the drainage systems and appliances of the building comply with the requirements of the Building Control Act, 2013, relating to drainage and that the drainage systems of the premises discharge into cesspools or other places which the Authority or local government council approves.”

**58. Repeal of section 87 of principal Act**

Section 87 of the principal Act is repealed.

**59. Amendment of section 88 of principal Act**

Section 88 of the principal Act is amended by—

- (a) substituting for the phrases “a local authority” and “the authority”, the phrases “the Authority or a local government council”;
- (b) substituting for the words “him or her”, the words “the owner”; and
- (c) repealing the word “public”.

**60. Amendment of section 89 of principal Act**

Section 89 of the principal Act is amended—

- (a) by substituting for subsection (2), the following—

“(2) Where an owner or an occupier fails to comply with the notice served under subsection (1), the owner or the occupier, as the case may be, commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.”; and

- (b) by inserting immediately after subsection (2), the following—

“(3) In any proceedings under this section—

- (a) the owner, where the owner is the defendant, may question the decision to address the notice to the owner and not to the occupant, and the occupant may also question the decision, where the notice is addressed to the occupant and not the owner; and

- (b) the defendant may question the reasonableness of the requirements of the Authority or the local government council, as the case may be.”

### **61. Repeal of sections 90, 91 and 92 of principal Act**

Sections 90, 91 and 92 of the principal Act are repealed.

## PART XII—AMENDMENTS TO PART XI OF PRINCIPAL ACT

### **62. Amendment of section 94 of principal Act**

Section 94 of the principal Act is amended in subsection (2), by substituting for the phrase “one hundred shillings”, the phrase “ten currency points”.

### **63. Amendment of section 95 of principal Act**

Section 95 of the principal Act is amended by—

- (a) numbering the provision as subsection (1);
- (b) substituting for the words “him or her” and “he or she”, the words “that person”;
- (c) substituting for the phrase “a medical officer of health”, the phrase “the municipal council or town council, as the case may be”; and
- (d) inserting immediately after subsection (1), the following—

“(2) An owner or an occupier who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding fifty currency points and to a further fine not exceeding one currency point for each day on which the offence continues after conviction.”



**64. Amendment of section 96 of principal Act**

Section 96 of the principal Act is amended by substituting for subsection (2), the following—

“(2) A person who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.”

**65. Amendment of section 97 of principal Act**

Section 97 of the principal Act is amended by substituting for subsection (2), the following—

“(2) A person who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.”

**66. Amendment of section 98 of principal Act**

Section 98 of the principal Act is amended by substituting for the phrase “the local authority or medical officer of health”, the phrase “the Authority or local government council, as the case may be”.

**67. Repeal of sections 99 and 100 of principal Act**

Sections 99 and 100 of the principal Act are repealed.

**PART XIII—AMENDMENTS TO PART XII OF PRINCIPAL ACT****68. Amendment of section 101 of principal Act**

Section 101 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—
- “(1) A warehouse or building used for, or to be used for, the storage of foodstuffs, for trade or public consumption, shall be constructed with materials and in a manner that renders the warehouse or building verminproof.”;
- (b) in subsection (2)—
- (i) by inserting immediately after the phrase “rat invasion”, the phrase “or contamination by any agent”; and
- (ii) by substituting for the phrase “the local authority may enter upon the premises”, the phrase “the Authority or local government council, as the case may be, may seize and seal the premises or enter upon the premises”.

#### **69. Amendment of section 102 of principal Act**

Section 102 of the principal Act is amended in subsection (2), by inserting at the end of the subsection the following—

“and is liable, on conviction, to a fine not exceeding one hundred fifty currency points and to a further fine not exceeding fifty currency points for each day on which the offence continues after conviction.”

#### **PART XIV—AMENDMENTS TO PART XIII OF PRINCIPAL ACT**

#### **70. Amendment of section 103 of principal Act**

Section 103 of the principal Act is amended by substituting for the phrase “every local authority”, the phrase “the Authority or a local government council, as the case may be”.

**71. Amendment of section 104 of principal Act**

Section 104 of the principal Act is amended in subsection (2)—

- (a) by repealing paragraphs (a), (b), (c), (d), (e), (f), (i), (k) and (o);
- (b) in paragraph (l), by inserting at the end of the paragraph, the phrase “and lodging houses”;
- (c) in paragraph (n), by substituting for the phrase “aerated water and ice manufacture”, the phrase “the manufacture, preparation, storage and transmission of any liquid and semi liquid articles of food”;
- (d) in paragraph (s), by inserting at the end of the paragraph, the phrase “and dry cleaners”; and
- (e) in paragraph (u), by inserting at the end of the paragraph, the phrase “and the licensing, regulation and inspection of mortuaries, funeral homes and services”.

**72. Substitution of section 105 of principal Act**

Section 105 is substituted for the following—

**“105. Medical officer’s powers for the protection of public health**

A medical officer may, if he or she considers it necessary for the protection of the public health—

- (a) require the medical examination of any person in any premises in which any article of food which is intended for sale is collected, kept, sold or exposed for sale, or of any person who is or has been engaged in the collection, preparation, keeping, conveyancing or distribution of any article of food; or

- (b) prohibit the employment of any person in connection with the collection, preparation, storage, distribution or sale of any article of food, where that person is proved to be a carrier of an infectious disease.”

### **73. Substitution of section 106 of principal Act**

Section 106 of the principal Act is substituted for the following—

#### **“106. Minister may make orders**

The Minister may make a statutory order closing any restaurant, market, wholesale outlet, retail outlet or butcher’s, where any article of food sold at the restaurant, market, wholesale outlet, retail outlet or butcher’s, as the case may, is believed to have conveyed or to be liable to convey any infectious disease.”

#### PART XV—AMENDMENTS TO PART XIV OF PRINCIPAL ACT

### **74. Amendment of section 108 of principal Act**

The principal Act is amended by—

- (a) numbering the provision as subsection (1); and
- (b) inserting immediately after subsection (1), the following—

“(2) Where a cemetery is authorised under subsection (1), the Minister shall remain so authorised until the Minister prescribes otherwise.”

### **75. Amendment of section 109 of principal Act**

Section 109 of the principal Act is amended—

- (a) in subsection (1), by substituting for the words “the district commissioner”, the word “Court”; and

- (b) in subsection (2)—
  - (i) by substituting for the words “three thousand shillings”, the words “twenty five currency points”;
  - (ii) by substituting for the words “The permitting authority”, the word “Court”.

#### **76. Insertion of section 110A in principal Act**

The principal Act is amended by inserting immediately after section 110, the following—

##### **“110A. Government’s obligation in public health services**

The Government shall—

- (a) take all practical measures to ensure the provision of basic medical services to the population;
- (b) ensure that all Ugandans have access to health services;
- (c) provide health facilities and opportunities necessary to enhance the welfare of women to enable the women realise their full potential and advancement;
- (d) ensure that no child is deprived of medical treatment for any reason; and
- (e) take appropriate measures to ensure that persons with disabilities realise their full mental and physical potential.”

#### **77. Repeal of sections 111, 112 and 113 of principal Act**

Sections 111, 112 and 113 of the principal Act are repealed.

#### **PART XVI—REPEAL OF PART XV OF PRINCIPAL ACT**

#### **78. Repeal of Part XV of principal Act**

Part XV of the principal Act is repealed.

## PART XVII—AMENDMENTS TO PART XVI OF PRINCIPAL ACT

**79. Amendment of section 122 of principal Act**

Section 122 of the principal Act is amended by substituting for subsection (1), the following—

“(1) Any notice, order, consent, demand, complaint or other document which is required or authorised by or under this Act may be signed or authenticated by an officer so authorised, in writing, by the Authority or a local government, as the case may be, to sign documents of the particular kind or the particular document, as the case may be.”

**80. Amendment of section 123 of principal Act**

Section 123 of the principal Act is amended—

- (a) by substituting for the phrase “it may also be served by post in a registered letter”, the phrase “and where efforts to effect service using these means fails, notice may be served by publication of the notice in a newspaper of wide circulation in Uganda or using the electronic address of the person to be served”; and
- (b) by substituting for the phrase “put in the post”, the word “served”.

**81. Repeal of section 124 of principal Act**

Section 124 of the principal Act is repealed.

**82. Amendment of section 126 of principal Act**

Section 126 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) Any person with powers of entry and inspection of premises under this Act and a person authorised, in writing, by a person with powers of entry and inspection,

may, at any hour reasonable for the proper performance of the duty, enter any land or premises to make any inspection or to perform any work or to do anything which is required or authorised by this Act, if the inspection, work or thing is necessary for or incidental to the performance of his or her duties or the exercise of his or her powers.”; and

- (b) by inserting at the end of subsection (2), the following—
- “and is liable, on conviction, to a fine not exceeding one hundred fifty currency points.”

**83. Insertion of section 126A in principal Act**

The principal Act is amended by inserting immediately after section 126, the following—

**“126A. Closure of premises by local governments**

A local government may seal premises that are open in contravention of this Act or rules made under this Act.”

**84. Amendment of section 127 of principal Act**

Section 127 of the principal Act is amended in subsection (7), by substituting for the phrase “a local authority”, the phrase “the Authority or a local government council, as the case may be,”.

**85. Amendment of section 128 of principal Act**

Section 128 of the principal Act is amended by substituting for the phrases “one hundred shillings” and “forty shillings”, the phrases “two hundred currency points” and “fifty currency points” respectively.

**86. Amendment of section 129 of principal Act**

Section 129 of the principal Act is amended by repealing subsections (2) to (13).

**87. Repeal of section 130 of principal Act**

Section 130 of the principal Act is repealed.

**88. Substitution of section 132 of principal Act**

Section 132 is substituted for the following—

**“132. Protection of the Authority and local governments and the employees from personal liability**

No matter or thing done by the Authority or a local government or by a member of the council of the Authority or a local government or by any person acting under the direction of the Authority or a local government, shall, if the matter or thing is done in good faith, for the purpose of executing this Act, subject the member of the council or the person acting under the direction of the Authority or a local government to any liability.”

**89. Amendment of section 133 of principal Act**

Section 133 of the principal Act is amended by substituting for the phrases “two thousand shillings” and “sixty shillings”, the phrases “two hundred currency points” and “fifty currency points”, respectively.

**90. Insertion of new sections 133A, 133B and 133C in principal Act**

The principal Act is amended by inserting immediately after section 133, the following—

**“133A. Punishment without prosecution**

(1) The Minister may, in consultation with the Ministers responsible for internal affairs, the Authority and local governments, make rules for offences created by this Act or under rules made under this Act, for which a person who commits the offence may be given a notice in writing offering that person the opportunity to discharge any liability to conviction for the offence by payment of a fixed penalty.

(2) The rules made under subsection (1) shall prescribe—

(a) the offences to which this section applies;



- (b) the officer who may issue notice and the information to be supplied to them;
- (c) the fixed penalty which shall not be more than two hundred currency points; and
- (d) the form of the notice to be issued under this section.

### **133B. Penalty for subsequent offences and continuing offences**

For any subsequent or continuing offence under this Act or rules made under this Act, a person is liable, on conviction, to a fine not exceeding one hundred fifty currency points.

### **133C. Offences committed by body corporate**

Where an offence under this Act or rules made under this Act is committed by a body corporate, the body corporate is liable to a fine not exceeding five hundred currency points.”

## **91. Repeal of sections 136 and 137 of principal Act**

Sections 136 and 137 of the principal Act are repealed.

## **92. Amendment of section 138 of principal Act**

Section 138 of the principal Act is amended by inserting immediately after subsection (1), the following—

“(2) The Minister shall, in consultation with other Ministers connected to promoting public health, make rules under this section.”

## PART XVIII—MISCELLANEOUS AMENDMENTS TO PRINCIPAL ACT

## **93. Insertion of section 139 in principal Act**

The principal Act is amended by inserting immediately after section 138, the following—

**“139. Amendment of Schedule**

The Minister may, with the approval of Cabinet, by statutory instrument, amend the Schedule to this Act.”

**94. Substitution of First Schedule to principal Act**

The First Schedule is substituted for the following—

*“Section 1*

Schedule

**CURRENCY POINT**

A currency point is equivalent to twenty thousand shillings.”

**95. Repeal of Second Schedule and Third Schedule**

The principal Act is amended by repealing the Second Schedule and the Third Schedule.

**96. Miscellaneous amendments to principal Act**

The principal Act is amended by—

- (a) substituting for the phrase “a local authority” appearing in the provisions indicated in this paragraph, the phrase “the Authority or a local government”—
  - (i) section 1 (rr);
  - (ii) section 14 (2);
  - (iii) section 25;
  - (iv) section 86 (1);
  - (v) section 88; and
  - (vi) section 89 (1);

- (b) substituting for the phrase “local authorities” appearing in the provisions indicated in this paragraph, the phrase “the Authority or the local government councils”—
  - (i) the headnote to section 5;
  - (ii) section 48 (a) and (b);
  - (iii) the headnote of section 55;
  - (iv) section 70; and
  - (v) headnote of section 103;
- (c) substituting for the phrase “medical officer of health” appearing in the provisions indicated in this paragraph, the phrase “medical officer”—
  - (i) the headnote to section 12; and
  - (ii) the headnote of section 13;
- (d) substituting for the phrase “medical officer of health” appearing in the provisions indicated in this paragraph, the phrase “medical officer or a person authorised by the medical officer”—
  - (i) section 12;
  - (ii) section 13 (1);
  - (iii) section 21;
  - (iv) section 22;
  - (v) section 26;
  - (vi) section 29 (m); and
  - (v) section 102 (2);

- (e) substituting for the phrase “a local authority or a medical officer of health” appearing in the provisions indicated in this paragraph, the phrase “the Authority or a local government council”—
  - (i) section 24;
  - (ii) section 59;
  - (iii) section 61 (1); and
  - (iv) section 69;
  
- (f) substituting for the phrase “a local authority” appearing in the provisions indicated in this paragraph, the phrase “the Authority or a local government council”—
  - (i) section 63;
  - (ii) section 65;
  - (iii) section 68;
  - (iv) section 128 (2);
  - (v) section 129 (1); and
  - (vi) section 131 (1);
  
- (g) substituting for the phrase “the local authority” appearing in the provisions indicated in this paragraph, the phrase “the Authority or a local government council”—
  - (i) section 14 (1);
  - (ii) section 24;
  - (iii) section 60 (1);
  - (iv) section 61 (3);
  - (v) section 62;
  - (vi) section 69;

- (vii) section 110 (5); and
- (viii) section 128 (1);
- (h) substituting for the word “authority” appearing in the provisions indicated in this paragraph, the phrase “the Authority or a local government council”—
  - (i) section 88;
  - (ii) section 89 (1);
  - (iii) section 128 (2); and
  - (iv) section 129 (1); and
- (i) substituting for the phrase “medical officer of health” appearing in the provisions indicated in this paragraph, the phrase “the Authority or a local government council, as the case may be,”—
  - (i) section 25;
  - (ii) section 96 (1);
  - (iii) section 97 (1); and
  - (iv) section 101 (3).
- (j) substituting for the word “hospital”, the words “health facility” wherever it appears in the Act.
- (k) substituting for the phrase “public vaccinator”, the word “vaccinator” wherever it appears in the Act.

**97. Repeal of Venereal Diseases Act, Cap. 284 and Immunisation Act, 2017**

The Venereal Diseases Act, Cap. 284 and the Immunisation Act, 2017 are repealed.

