

STATUTORY INSTRUMENTS

2021 NO.....

THE PERSONS WITH DISABILITIES REGULATIONS, 2021

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STATUTORY INSTRUMENTS

2021 No.....

The Persons with Disabilities Regulations, 2021

(Under sections 47 of the Persons with Disabilities Act, 2020, Act 3 of 2020)

IN EXERCISE of the powers conferred on the Minister responsible for disability affairs by section 47 of the Persons with Disabilities Act, 2020 and in consultation with the National Council for Persons with Disabilities, these Regulations are made thisday of, 2020.

PART I- PRELIMINARY

1. Title

These Regulations may be cited as the Persons with Disabilities Regulations, 2021.

2. Interpretation

In these Regulations, unless the context otherwise requires-

“accessibility” means enabling or allowing a person with disability to have access directly or indirectly to benefits of public social services in all spheres of society and includes access to information, communication and physical environment including tactile and sign language, interpretation for deaf and deaf blind persons, audio tapes, braille, large print, low vision facilities, computerized information and programmes and making physical environment in buildings, public transport, roads and streets accessible for persons with disabilities;

“accessible format” means a copy of a work or information in an alternative manner or form which gives persons with disabilities access to the work or information as feasibly and comfortably as a person without visual impairment or other print disability;

“affirmative action” means a set of public initiatives designed to help eliminate past and present discrimination based on gender, age, disability, race, colour, religion, national origin, or any other reason created by history;

“Act” means the Persons with Disabilities Act, 2020;

“assistive technology and devices” means an item, piece of equipment or product system that is used to increase, maintain or improve functional capabilities of persons with disabilities and include goods and services that support persons with disabilities to participate effectively in all aspects of life such as wheelchairs, tri-cycles, calipers, crutches, white-canes, orthopedic appliances,; taped texts, audios, visual and pictorial recordings, braille and tactile equipment or materials, large print and, enabling software;

“auxiliary services” includes qualified interpreters, communication access real time translation providers, assistive listening devices or systems, and other effective methods of making spoken or written information available to persons with disabilities;

“barriers” means factors in a person's environment that, through their absence or presence, limit functioning and create a disabling environment;

“Braille” means a universal form of writing used by and for the blind and consists of characters made up of raised dots in a six-position matrix on all and embossed in lines on paper and read by passing fingers lightly on the manuscript;

“building to which the public is allowed access” means a building specified in Schedule 2 to the Act;

“care givers” means a person who provides care to a person with disabilities including parents, relatives and professional care givers;

“communication” includes languages, display of text, braille, tactile communication, sign language, signs, large print, accessible multimedia whether in written, audio or plain language, human-reader in augmentative or alternative modes, formats of communication, including accessible information and communication technology;

“community based rehabilitation” means strategy within the general community development for rehabilitation, habilitation, equalisation of opportunities and social inclusion of all children and adults with disabilities;

“council” means the National Council for Persons with Disabilities established under the Act;

“disability” means a substantial functional limitation of a person’s daily life activities caused by physical, mental or sensory impairment and environment barriers, resulting in limited participation in society on equal basis with others and includes impairments specified in Schedule 3 to the Act;

“discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes all forms of discrimination, including denial of reasonable accommodation;

"employee" has the same meaning as in the Employment Act,2006;

"employer" has the same meaning as in the Employment Act, 2006;

“empowerment” means the process of enabling persons with disabilities to increase control over their lives or to gain control over the factors and decisions that shape their lives;

“habilitation” means a process aimed at supporting persons with disabilities to develop functional skills and abilities that were hitherto not developed including physical, occupational, speech and language, audiology, sensory, mobility, various treatments related to pain management, stability and corrective surgery;

“historical monument” shall have the same meaning as in the Historical Monuments Act;

“health” means a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity;

“health unit” means a hospital, clinic, nursing home, maternity and dental surgery centre established by Government or registered under the Medical and Dental Practitioners Act;

“inclusion” means the process whereby people or society value and respect diversity as part of life, hence minimize barriers in order to accommodate persons with disabilities to participate in, and contribute to that society;

“inclusive school” means a place where barriers have been removed to enable students with disabilities to learn and participate effectively within the general school system;

“institution of learning” means a school, college, university or other institution where education or learning is provided;

“integration” means a level of involvement and acceptance of person with a disability in the community;

“independent living” means a well-organised movement among people with disabilities, to enhance self-esteem and self-determination, as well as the socio-economic resources available to choose and maintain individual, independent lifestyles;

“impairment” means any loss or abnormality of psychological, physical, neurological or anatomic function or structure;

“job accommodation” means appropriate measures to design and adapt work places and work premises to make them accessible to persons with disabilities;

“Minister” means the Minister responsible for persons with disabilities;

“mental disability” means inability to meet individual and societal needs by reason of emotional and mental retardation;

“organization for persons with disabilities” means an association or a society formed by non-disabled individuals interested in the field of disability registered under the relevant laws in order to promote and protect the rights, wellbeing and dignity of persons with disability;

“organization of persons with disabilities” means an association or a society formed by persons with disabilities registered under the relevant laws in order to promote and protect the rights, wellbeing and dignity of persons with disabilities;

“obstruction” means-

- (a) anything impeding or preventing passage or progress in relation to a building, or facility, which denies or removes from a person with disabilities, any supporting or enabling facility for their functioning within the building or facility; or
- (b) an obstacle that unfairly limits or restricts a person with disabilities from enjoying the opportunities provided within the building or facility on equal terms with a person without disabilities;

“private health unit” means a health unit not established by the central government or a local government;

“public health unit” means a health unit established by the central government or a local council;

“public building” means building or part of a building, to which members or the public generally have access and which is occupied, managed or controlled by the Government or private person which provides services to the public;

“reasonable accommodation” means all support or practical changes necessary and appropriate that have to be made for a person with a disability in response to his or her individual situation so that he or she can exercise and enjoy their rights;

“reasonable accommodation” means the necessary and appropriate modifications and adjustments where needed to ensure that a person with a disability can enjoy or exercise all human rights and fundamental freedoms on an equal basis with others;

“rehabilitation” means process aimed at supporting persons with disabilities to regain, keep or improve skills and optimal functioning for daily living and usually undertaken for development of functional skills that may have been lost or compromised as a result of acquiring a disability or due to a change in one’s disability or circumstances;

“regimental supplies” means supplies used in the treatment and management of disabilities and disabling conditions including-

- (a) sun protective factor;
- (b) braille paper;
- (c) spare parts for essential assistive devices;
- (d) lubricants and other usables required to maintain assistive devices operating at optimum;

(e) medicines used in treatment of management of disabilities and disabling conditions;

(f) raw materials used exclusively in the production of assistive devices, technologies and services;

“relative” means a person who is related to a person with disability by blood, marriage or adoption;

“settlement” means a facility established for the purpose of providing welfare requirements of persons with disabilities;

“sign language” means medium of communication used by people with hearing impairment;

“social exclusion” means process by which individuals or groups of people are deliberately and systematically denied access to rights, opportunities, resources or services based on various axes including age, gender, sexual orientation, geography, disability;

“social protection” means public and private interventions to address risks and vulnerabilities that expose individuals to income insecurity and social deprivation, leading to undignified lives;

“social support” means a support or assistance given to a person with disability in order to help that person to cope with his or her situation in a given environment;

“support services” means care, support, protection and empowerment to persons with disabilities who are unable to fully care for themselves in order to empower them to make well informed decisions towards their wellbeing and development including personal care, rehabilitation, psychosocial support, respite care, protection services, provision of information and referral;

“tactile” means a language used by people who are deafblind.

3. Raising awareness

(1) The Minister shall, in consultation with the Council and other relevant stakeholders put in place effective and appropriate measures to-

(a) raise awareness at all levels of society, including at the family level, regarding persons with disabilities and to foster respect for the rights and dignity of persons with disabilities;

(b) combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex, age, all areas of life; and

(c) promote awareness of the capabilities and contributions of persons with disabilities to society.

(2) The measures referred to in subregulation (1) may include-

(a) initiating and maintaining a structured and effective national awareness campaigns designed to-

- (i) nurture receptiveness to the rights of persons with disabilities;
 - (ii) promote positive perceptions and greater social awareness towards persons with disabilities; and
 - (iii) promote recognition of the skills, merits and abilities of persons with disabilities, and their contributions to the workplace and the labour market;
- (b) fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
 - (c) promoting awareness and training programmes regarding persons with disabilities and the rights of persons with disabilities;
 - (d) sensitizing of media on disability related topics and the use of the appropriate terms;
 - (e) targeted programming at all levels of the educational system to promote awareness of the inclusion and capabilities of persons with disabilities; and
 - (f) developing and delivering awareness programmes to build capacity among persons with disabilities and their organisations.
- (3) The Council shall, in collaboration with the relevant Government agencies, non-governmental agencies, bodies corporate, private persons and other actors, implement the measures put in place by the Minister under subregulation (2).

4. Benefits relating to persons with disabilities

(1) The Government shall, in consultation with the Council for purposes of mobilizing persons with disabilities for socio-economic programmes-

- (a) undertake re-skilling, re-training, re-tooling and education support for persons with disabilities;
- (b) explore avenues and opportunities for job placement for persons with disabilities;
- (c) undertake entrepreneurial support services for persons with disabilities;
- (d) initiate and coordinate income generating projects that support the economic empowerment of persons with disabilities;
- (e) organise and coordinate persons with disabilities to form productive associations and social networks for their common good and foster cohesion and sharing of positive experiences for socio-economic development; and
- (f) ensure that decentralised programmes are disability inclusive.

(2) The Council shall in collaboration with organisations for and of persons with disabilities and other relevant stakeholders -

- (a) mobilise persons with disabilities to participate in programmes run by the Government under subregulation (1);

- (b) where required, coordinate persons with disabilities programmes at local government levels;
- (c) provide a forum for persons with disabilities to associate and share experience and offer peer support to persons with disabilities;
- (d) assist the Government in dissemination of information relating to persons with disabilities programmes at local government levels;
- (e) provide a link between the Government and the persons with disabilities;
- (f) inspire and promote among persons with disabilities a spirit of unity and national consciousness;
- (g) provide a unified and integrated system through which persons with disabilities may communicate and coordinate activities;
- (h) establish channels through which economic and social services and amenities may reach persons with disabilities in all areas of Uganda;
- (i) encourage persons with disabilities to participate in national development in the economic, social, cultural and educational fields; and
- (j) promote relations between persons with disabilities organisations in Uganda and international organizations of persons with disabilities with similar objects or interests.

5. Determination of disability

(1) A determination to confirm a disability under section 2 of the Act shall be carried out where it is required for proceedings before a court of law or for any other official purpose including access to available government benefits or programmes for persons with disabilities.

(2) A determination under subregulation (1) shall be carried out by a Medical Practitioner registered under the Medical and Dental Practitioners Act with the relevant expertise or an expert appointed by the Council.

(3) A determination under this regulation shall be based on the definition of disability under the Act and Schedule 3 to the Act.

(4) Where a court requires the Council to appoint an expert for purposes of section 2 to the Act, the court shall notify the Council in writing stating reasons for the determination.

(5) The Council shall, within seven working days from the date of receipt of a notice under subregulation (5), appoint an expert with the relevant expertise and notify the court in writing.

(6) The determination for confirmation of disability under this regulation shall only be used for the purpose for which it is required.

(7) A person who carries out a determination to confirm a disability under this regulation shall uphold the rights and dignity of the person with disability.

(8) Where the person with disability to be examined is a minor or with mental disability, he or she shall be examined in the presence of a parent, guardian or legal representative, as the case may be.

6. Affirmative action

The Government may, where applicable, implement affirmative programmes for persons with disabilities in different areas including-

- (a) the award of scholarships and student financing schemes to learners with disabilities;
- (b) additional points to allow persons with disabilities to access higher education for in public universities and other tertiary institutions is widened;
- (c) special consideration in the recruitment of qualified persons with disabilities into the public sector;
- (d) Special consideration in political appointment and appointment on statutory boards, authorities and commission subject to written law;
- (e) provision of social protection; and
- (f) specialized sports programmes.

7. Protection of children with disabilities.

(1) The parents or guardian of a child with disabilities and the State shall in accordance with the Children Act, take appropriate steps to see that the child is-

- (a) assessed as early as possible as to the extent and nature of their disabilities or special needs;
- (b) offered appropriate treatment; and
- (c) afforded facilities for their rehabilitation, habilitation and equal opportunities to education.

(2) A parent or guardian shall in liaison with a medical practitioner be responsible for the identification of a child with disabilities.

(3) Where a child is identified with any disability, the child shall be afforded such facilities as are necessary to address their needs by Government in accordance with the Children Act.

(4) A child with disabilities shall have access to such education suitable to address their disabilities or special needs.

(5) A child shall not be discriminated against on account of their disability.

PART II- ACCESS TO EDUCATION

8. Access to education

(1) The Government shall ensure an inclusive education system at all levels and lifelong learning directed to-

- (a) the development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential; and
- (b) enabling persons with disabilities to participate effectively in education at all levels.

(2) The Minister responsible for education shall, in collaboration with the Minister and the Council ensure that-

- (a) persons with disabilities are not excluded from the general education system on the basis of disability;
- (b) children with disabilities are not excluded from education at all levels including pre-primary, primary education, secondary education vocational education, and tertiary education and university on the basis of disability;
- (c) persons with disabilities can access an inclusive quality education at all levels including pre-primary, primary education, secondary education, university education and vocational education on an equal basis with others in the communities in which they live;
- (d) reasonable accommodation is provided for in environments that maximize academic and social development including wash facilities consistent with the goal of full inclusion;
- (e) persons with disabilities have access to education scholarships and bursaries and student financing schemes in different education fields.;
- (f) instructional materials and assistive devices required for learning and examinations are accessible to persons with disabilities; and
- (g) parents and guardians of persons with disabilities are aware of their roles and responsibilities in educating children with disabilities.

(3) The Minister responsible for education shall, in accordance with section 8 of the Act put in place programmes to-

- (a) conduct an education-sector disability situation analysis to inform prioritisation of disability interventions;
- (b) provide learning and teaching materials for special needs learners and teachers, at all levels from early childhood development, primary, secondary and tertiary education;
- (c) recruit and appropriately deploy special needs education teachers at all levels;
- (d) ensure appropriate monitoring for quality delivery of special needs education;
- (e) undertake early assessment and identification of children with disabilities;

- (f) include disability training in the pre-service teachers, tutors and instructors training curricula including gender-sensitive disability awareness training, inclusive education pedagogy, sign language, braille, easy-to-read material and tactile communication training;
 - (g) provide refresher training of mainstream teachers, tutors and lecturers on special needs education;
 - (h) provide gender and disability sensitive facilities in learning institutions for persons with disabilities;
 - (i) provide gender-sensitive training to children with disabilities and their families on how to avoid, recognise and report violence and abuse in the school setting towards children with disabilities;
 - (j) promote appropriate ICT and auxiliary services including sign language interpreters for teaching and learning, targeting learners with disabilities; and
 - (k) register, assess and award certification to persons with disabilities from vocational rehabilitation centers.
- (4) The Government shall put in place measures to enable persons with disabilities have full and equal participation in education for lifelong learning and social development skills as members of the community including-
- (a) facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication, as well as orientation and mobility skills, and facilitating peer support and mentoring;
 - (b) completing the national inclusive education policy and implement a time-bound plan for the transition from special to inclusive education for all learners with disabilities;
 - (c) facilitating the learning of sign language, tactile communication and the promotion of the linguistic identity of the deaf and the deafblind community;
 - (d) ensuring that the education of persons with disabilities, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages, modes and means of communication for the individual, and in environments which maximize academic and social development;
 - (e) taking appropriate measures to employ teachers, tutors, lecturers and instructors who are qualified in special needs and inclusive education and providing training in special needs education techniques to other staff who work at all levels of education;
 - (f) employing and providing support service for teachers, instructors, lecturers and tutors with disabilities who are qualified in the field of education;

(g) making necessary structural adjustments to the built up environment to facilitate access for learners with special needs.

(5) The training under subregulation (4) (e) shall incorporate disability awareness, activities for daily living, the use of appropriate augmentative, sign language, Braille tactile communication, and other alternative modes, means and formats of communication, early identification, inclusive educational techniques and the use of adapted materials to support persons with disabilities.

(6) The Minister responsible for education shall ensure that persons with disabilities are able to access tertiary education, TVET-Technical vocational education training, adult education and lifelong learning on an equal basis with others.

9. Right to education and training for persons with disabilities

(1) Persons with disabilities of all ages and gender shall have same rights to education and training in inclusive settings and the benefits of research as other citizens.

(2) Every child with a disability shall have equal rights in relation to admission to the public or private schools and institutions.

(3) Every child with disability shall attend an ordinary public or private school except where a need for special care or attention is required including communication.

(4) A child provided for in subregulation (3) shall be provided with appropriate disability related support services or necessary learning service from a qualified teacher or a teacher assigned for that purpose.

10. Facilities and equipment in educational institutions

(1) The Minister shall, where possible, establish or designate institutions of learning in each region which shall provide the necessary facilities and equipment to enable persons with disability to fully benefit from the school or institution.

(2) The Government shall, where possible-

(a) provide free education for a person with disability at tertiary and university level; and

(b) establish special centres for persons with disability who by reason of their disability cannot be enrolled in formal schools.

(3) The Minister shall ensure that measures are put in place for learners with disabilities emphasizes the involvement and participation of parents, families and communities in the implementation of inclusive education.

11. Library and laboratory facilities in schools and other institutions of learning

(1) A public library and laboratory shall as far as practicable be fitted with facilities that will enable persons with disability to use the library and laboratory.

(2) Learning institutions shall take into account the special needs of persons with disabilities with respect to the entry requirements, pass marks, curriculum, examinations, auxiliary services, use of school facilities, class schedules, physical education requirements and other similar considerations.

12. Special and non-formal education

(1) The Minister responsible for education shall, in consultation with the relevant agencies of Government, make provisions in all districts for an integrated system of special and non-formal education for persons with all forms of disabilities and the establishment, where possible, of Braille and recorded libraries for persons with visual disabilities.

(2) The Minister of education shall, in consultation with the Minister and the Council-

- (a) ensure that persons with disabilities are equipped with vocational skills to enable them be engaged in gainful employment;
- (b) develop appropriate vocational training programmes for persons with disabilities; and
- (c) design programmes for persons with disabilities to be engaged as apprentices or learners.

(3) The Minister shall in consultation with the Minister responsible for education ensure that persons with disabilities access quality vocational skills in vocational rehabilitation and habilitation centres.

13. Facilities for special schools

(1) An institution of learning shall, in respect of admission, take into account the special needs of persons with disabilities.

(2) Special schools and institutions, especially for the deaf, the blind, the deafblind and the intellectually impaired, shall be supported to pursue formal education, skills development and self-reliance.

(3) A person who owns or establishes a special school for persons with disabilities shall provide adequate facilities for such purposes.

(4) Notwithstanding subregulation (2), special schools shall be only for transitional period towards inclusive schools.

PART III- ACCESS TO HEALTH, REHABILITATION AND HABILITATION

Access to Health

14. Protection of the rights of persons with disabilities to health service

(1) A person with disability has the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.

(2) The Government shall take all appropriate measures to ensure access for persons with disabilities to health services regardless of their gender, age, disability category or severity of the disability including-

- (a) providing persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;

- (b) providing health services as close as possible to the communities where the person with disability is from;
- (c) preventing discriminatory denial of health care or health services or food and fluids on the basis of disability;
- (d) prioritising provision of medicines and essential supplies for preventing and treating disabling conditions;
- (e) providing corrective surgery and rehabilitation of children with disabilities, and adults with disabilities, where feasible;
- (f) ensuring that persons with disabilities access sexual and reproductive health services and rights;
- (g) subject to written law relating to taxation, providing tax exemptions on devices, technologies and regimetal supplies required by persons with disabilities including sunscreen for persons with albinism and other essential drugs for persons with disabilities
- (h) providing quality assistive devices, technologies and services for persons with disabilities;
- (i) developing a National Assistive Technology Priority List (APL) and Assistive Devices and Technologies standards and guidelines in consultation with the Uganda National Bureau of Standards;
- (j) equipping regional assistive devices and technologies workshops to produce, repair and service assistive devices and technologies;
- (k) providing basic assistive devices at all health centres for use within the public health centres by persons with disabilities, where possible;
- (l) providing gender, disability and age-sensitive training to persons with disabilities and their families on how to avoid, recognise and report violence and abuse in healthcare settings;
- (m) ensuring that all health workers are adequately trained and equipped to communicate appropriately and provide services for persons with disabilities;
- (n) ensuring that public health information is available in accessible formats;
- (o) ensuring that persons with disabilities benefit from mainstream health services;
- (p) making health facilities accessible to persons with disabilities through provision of ramps, rails and wider entrances, accessible water and sanitation facilities and large

Commented [u1]: Is this where standards for sunscreen fall? If so who is in charge of these standards? MoH, Ministry of Science & Inoovation? There is no national starndard for sunscreen in Uganda .

windows among others in accordance with the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019;

- (q) supporting government orthopedic and other related workshops to produce among others low cost quality assistive, orthopedic, orthotic, prosthetic, third generation design (3D) technologies, optical and hearing devices;
- (r) including persons with disabilities in health facility management committees under the Ministry of Health Guidelines for the Health Unit Management Committee;
- (s) promoting awareness and sensitisation of health workers to curb stigma against patients with disabilities; and
- (t) promoting community-based interventions for prevention and management of disabilities.

(3) Every health facility whether public or private shall –

- (a) not deprive a person with disability the right to health care service and shall take all reasonable and necessary measures to ensure access for such persons to health services;
- (b) be made accessible to persons with disabilities including full access to public areas within the health facility including waiting areas and rooms, corridors, examination rooms, offices and toilets;
- (c) comply with the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019;
- (d) make available basic facilities essential for health and rehabilitation services needed by persons with disabilities in their respective locations; and
- (e) provide all health workers and rehabilitation personnel with appropriate continuous professional development to increase their knowledge, disability sensitive awareness and respect for the rights, dignity and needs of persons with disabilities, in accordance with the act and these Regulations.

(4) A person with disability shall receive effective medical care and measures that prevent occurrence of impairment which may cause permanent functional limitation or disability;

15. Training of health professionals

The Minister responsible for health shall include-

- (a) the study of disability and disability related issues in the curricula of training institutions for health professionals to develop appropriate human resources, provide general and specialised rehabilitation services; and

- (b) education on disability and disability issues in health care programmes.

Habilitation and Rehabilitation

16. Provision of habilitation and rehabilitation services

(1) The Minister responsible for health and the Minister responsible for education shall in consultation with the Council and the Minister in accordance with section 8 of the Act provide habilitation and rehabilitation services and programmes.

(2) The Minister shall in collaboration with the Minister responsible for health and the Minister responsible for education and the Council implement rehabilitation and habilitation services and programmes under subregulation (1) through organizing, strengthening and extending comprehensive rehabilitation services and programmes.

(3) The programmes referred to under subregulation (1) shall relate to health, education, livelihoods, social welfare and empowerment to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life.

(4) The habilitation and rehabilitation services and programmes referred to under subregulation (1) shall be in such a way that the services and programmes-

- (a) begin at the earliest possible age, and are based on the multidisciplinary assessment of individual needs and strengths; and
- (b) support participation and inclusion in the community and all aspects of society, are voluntary and are available to persons with disabilities as close as possible to their own communities, including in rural areas.

(5) The Minister shall-

- (a) promote the development of initial and continuing training for professionals, staff and trainees working in habilitation and rehabilitation services;
- (b) promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation;
- (c) offer guidance, counselling and appropriate training for persons with disabilities who are unable to enter into the mainstream of social life; and
- (d) provide rehabilitation and habilitation centers with the staff and facilities that are necessary for the performance of their functions.

(6) Persons with disabilities shall as much as possible be rehabilitated and habilitated in their communities to foster their inclusion.

(7) Additional rehabilitation services may include-

- (a) provision of quality medical care, medical rehabilitative services such as corrective surgeries, mobility and orientation, regimental treatments and alternative communication training;
- (b) early detection, assessment and referral services;
- (c) provision, servicing and training on assistive devices and technologies;
- (d) provision of quality and inclusive education and training services for persons with disabilities;
- (e) skills development, employment and social security and care services;
- (f) training in activities of daily living;
- (g) psychosocial and counselling services;
- (h) awareness raising on issues affecting persons with disabilities;
- (i) social enhancement services;
- (j) sign languages and tactile and other communication skills;
- (k) participation of persons with disabilities in social, political, economic and cultural life;
- (l) participation of persons with disabilities in sports, leisure and recreation activities, and healthy competitions and, relationships, marriage and family life;
- (m) association with peers, associations of persons with disabilities and other mainstream associations;
- (n) production of low cost appropriate technology;
- (o) screening and referral services;
- (p) medical services to children with diverse needs;
- (q) awareness raising on issues affecting persons with disabilities;
- (r) rehabilitative services;

- (s) self and social enhancement services;
- (t) orientation and mobility training for the visually impaired;
- (u) sign language and survival communication skills for the hearing impaired;
- (v) skills enhancement training, seminars and group dynamics activities; and
- (w) socialization, recreational, physical fitness and sports activities and participation to competitions.

17. Industrial rehabilitation and habilitation

(1) The Minister shall, in consultation with the Minister responsible for education and the Council, issue guidelines for industrial rehabilitation and habilitation courses and services for persons with disabilities on or above the age of sixteen years in order to render them fit for formal or self-employment.

(2) The industrial rehabilitating and habilitating courses and services provided for under subregulation (1) shall consist of facilities where such persons may, under adequate medical supervision and circumstances conducive to the restoration of fitness, obtain physical training exercise and occupation therapy conducive to the evaluation of functional level and such other incidental facilities as the Minister may deem necessary for enabling persons attending the rehabilitation and habilitation to obtain full benefit of the courses and services.

18. Counseling services

The Council shall, in collaboration with the relevant stakeholders, establish programmes for the support, counselling and other assistance to persons with disabilities and for the parents, guardians and caregivers of persons with disabilities.

19. Periodic screening of children

(1) The Ministry responsible for health shall, in collaboration with the Ministries responsible for education and disabilities affairs, provide for the periodic screening of children in order to detect, prevent and manage disability.

(2) The Ministry responsible for health shall, in collaboration with the Minister and local government councils, establish and operate disability assessment and resource centres in each district and provide early diagnostic medical attention and referral.

20. National Rehabilitative health programmes

(1) The Ministry responsible for health shall, in consultation with the Minister and the Council, in accordance with section 8 of the Act put in place a National Rehabilitative Health Programmes under the Ministry responsible for health for the purpose of-

- (a) preventing disability;

- (b) early identification and assessment of disability;
 - (c) habilitation and rehabilitation of persons with disabilities;
 - (d) enabling persons with disabilities to receive affordable and available rehabilitation and habilitation health services in public and privately owned health institutions;
 - (e) availing field medical personnel to local health institutions for the benefit of persons with disabilities;
 - (f) prompt attendance by medical personnel to persons with disabilities;
 - (g) conducting regular school clinics to identify children with health problems and disabilities;
 - (h) providing immunization and vaccination, micronutrients, deworming, eye screening and other health services to affected children;
 - (i) using community-based rehabilitation and habilitation approaches to enhance health performance;
 - (j) conducting growth monitoring and assessment for children with disabilities aged between 0-5 years;
 - (k) providing psychosocial support to vulnerable children with disabilities;
 - (l) sensitizing students with disabilities on where to access adolescent and youth friendly health services;
 - (m) facilitating or providing appropriate assistive devices to persons with disabilities;
 - (n) providing guidance and counselling services to all, including young mothers; and
 - (o) facilitating linkage to appropriate referral services.
- (2) In the promotion of habilitation and rehabilitation services, every village chairperson shall-
- (a) in consultation with the village health teams register and maintain a register of all children with disabilities aged between 0-5 years;
 - (b) register and update the register of persons with disabilities annually;
 - (c) submit a register of all persons with disabilities to the community development officer responsible for disability affairs in the district, city or municipality through the division or sub county community development officer; and

(d) support identification of persons with disabilities for any government or other intervention;

(3) The officer responsible for disability affairs in a district, city or municipality in consultation with the chairperson of the district, city or municipality council and the head of health services in the district, city or municipality shall –

(a) update the register of persons with disabilities in the district, city or municipality;

(b) update the Disability Management Information System (DMIS) database annually;

(c) not disclose any confidential health and social data of persons with disabilities unless for purposes of providing support;

(d) refer persons with disabilities for appropriate services;

(e) submit a register of all persons with disabilities to the ministry; and

(f) support identification of persons with disabilities for any government or other intervention.

(4) A member of a district, city or municipal executive committee assigned to be in charge of health and children welfare in accordance with section 16 of the Local Government Act shall-

(a) be the contact for health referrals;

(b) organise health camps for treatment and management of disabilities, health promotion and prevention of disabling conditions including immunization and vaccinations, prevention of accidents and injuries, rational use of ammunition and explosives and, stern inspection and adherence to occupational safety principles;

(c) undertake health education on prevention and management of disabilities through public and other mass media;

(d) assign and monitor a health focal personnel to oversee community-based disability and related therapies;

(e) mainstream disabling conditions in the health management information system;

(f) receive and act on reports relating to community-based management of mental and psychosocial conditions; and

(g) support the setting up and management of isolation centres of infectious disabling conditions.

(4) The chairperson of a district, municipal, city division, municipal division, town or subcounty council for persons with disabilities in addition to functions under the Act-

- (a) make referrals and recommendations for provision of services;
- (b) advocate for tax incentives and exemptions for assistive devices, technologies and services; and
- (c) advise the technical planning committee on habilitation and rehabilitation and the associated budgets.

PART IV- ACCESS TO EMPLOYMENT

21. Work and employment for persons with disabilities

(1) The Minister shall put in place measure to ensure that the rights of persons with disabilities to work on an equal basis with others is protected.

(2) The Minister shall in accordance with the Act safeguard and promote the realisation of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including-

- (a) protecting the rights of persons with disabilities, on an equal basis with others, to just and favorable conditions of work, including-
 - (i) equal opportunities and equal remuneration for work of equal value;
 - (ii) safe work and healthy working conditions; and
 - (iii) protection from harassment and the redress of sexual harassment related grievances in accordance with the Employment (Sexual Harassment) Regulations, 2012;
- (b) promoting vocational and professional rehabilitation, habilitation, job retention, return to work programs for persons with disabilities and assistance in advancement in the labour market for persons with disabilities;
- (c) enabling persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- (d) promoting employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
- (e) promoting opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- (f) promoting the employment of persons with disabilities in the public sector;
- (g) promoting the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;

(h) promoting the acquisition by persons with disabilities of work experience in the open labour market; and

(i) promoting vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

(3) The Minister shall ensure that a person with disability are not in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

22. Public employment centres

(1) The minister responsible for labour and employment may, subject to any written law and in collaboration with the National Employment Council (NEC) and Council, set up public employment centres that can assist persons with disabilities find inclusive decent employment.

(2) The Minister shall, in liaison with the National Employment Council, establish job search platforms for purposes of assisting persons with disabilities to have access to decent and productive employment.

(3) A person with disabilities who qualifies for employment placement and who wishes to access that benefit, shall submit his or her curriculum vitae to the Council with supporting documents to enable the Council to facilitate his or her employment placement, subject to availability of opportunities.

23. National human capacity of persons with disabilities

(1) The Council shall, in consultation with the National Employment Council and the relevant stakeholders, establish, maintain and operate a national human capacity register for persons with disabilities in possession of various levels of skills and training which shall be administered in accordance with these Regulations and guidelines issued by the Council.

(2) The register referred to in subregulation (1) shall constitute a database of available human capabilities and technical skills of persons with disabilities in Uganda and may be used for recruitment of persons with disabilities by employers and for purposes of job placements.

(3) The Council may annually advertise the media inviting persons with disabilities to register on the register established under this regulation.

24. Employment of persons with disabilities

(1) Subject to inherent requirements of a particular job, an employer shall when advertising for vacancies encourage persons with disabilities to apply.

(2) An employer shall not, while conducting interviews for employment use screening methods which have the effect of discriminating against a person on the grounds of his or her disability.

(3) An applicant with any disability shall disclose to the prospective employer the nature of his or her disability to enable the employer to provide necessary assistance and devices during the interviews.

(4) The Minister shall, in consultation with the Council periodically provide to employers information on necessary assistance and devices with regard to the nature and categories of disabilities.

Commented [u2]: Isn't this merely exciting PWDs? Has this been for any other group in Uganda? Yes, we can set precedent but seems far unlikely in this wake of unemployment.

(5) An employer may consult the Minister to certify the requirements to provide services and devices of assistance to persons with disability.

(6) The Minister responsible for labour shall compile detailed information on persons with disabilities which shall include-

- (a) age;
- (b) sex;
- (c) nature or type of disability;
- (d) educational qualification;
- (e) skills;
- (f) location by district.

(7) The employer shall ensure that the physical offices of the workplace are accessible and the employer shall provide assistance and devices required by an employee with disability to enable him or her execute his or her duties.

(8) An employer shall provide such facilities and effect such reasonable necessary and appropriate modifications and adjustments in the workplace necessary to ensure that an employee with a disability can enjoy or exercise all human rights and fundamental freedoms on an equal basis with other including the provision of tools, equipment, working environment and where necessary, a modified working schedule.

(9) A person who employs a person with disability shall provide-

- (a) the relevant working tools; and
- (b) appropriate facilities required by the person with disability for the efficient performance of the functions required by the employment.

(10) The employer shall accord persons with disabilities equal opportunities and treatment at the place of work.

(11) In addition to the provisions of the Workers Compensation Act, where an employee becomes disabled in the course of his or her employment and is unable to perform his or her previous duties, the employer shall subject to availability of alternative positions, re-deploy, re-orient and re-align the employee.

(12) A person who employs persons with disabilities shall file annual returns of employment of persons with disabilities to the Minister in Form A prescribed in the Schedule to these Regulations.

(13) The annual returns in subregulation (11) shall indicate the annual lump sum the employer spent on persons with disabilities.

(14) An employer shall comply with all the labour laws including the Employment Act, 2006 the Occupational Safety and Health Act, 2006, the Labor Union Arbitration and Settlement Act, 2006 and the Workers Compensation Act.

25. Quota of persons with disabilities (workforce)

(1) An employer shall employ persons with disabilities in accordance with a quota system prescribed by the Minister in accordance with section 9 (6).

(2) Every employer shall comply with the quota system prescribed by the Minister under subregulation (1).

(3) Where an employer fails to meet quota under subregulation (1), the employer shall submit proof to the satisfaction of the Minister and the Council that-

- (a) after reasonable efforts he or she has failed to find a person with disability or a qualified person with disability for that post;
- (b) due to the nature of the employment, he or she could not get a person with disability with the skills, ability or experience required;
- (c) due to the nature of work or the circumstance of the workplace and the condition of the person with disability, it may not be possible to employ a person with disability or continue employment of a person with disability.

(4) Every employer shall submit an annual report to the Minister on the employment of persons with disabilities employed in his or her office, workplace, institution or organisation.

26. Incentives for employers

(1) An employer with employees with disabilities shall be allowed deductions of up to ten percent on the chargeable income, as may be provided for by the Income Tax Act in accordance with section 9(5).

(2) An employer referred to under subregulation (1) shall present proof certified by the Ministry responsible for disability affairs that the persons with disabilities in respect of whom he or she claims the deduction are under his or her employment.

(3) Notwithstanding subregulation (1), the Government may, where available, grant a person who employs a person with disabilities additional incentives in respect of each person with disability employed.

(4) The Government may grant special incentives to persons with disabilities engaged in business and business organizations that employ persons with disabilities, where available.

(6) The Minister may provide special recognition to a private employer who improves or modifies his or her physical facilities or avails special services in order to provide reasonable accommodation for employees with disabilities.

27. Posting, transfer and redeployment of persons with disabilities

(1) An employer shall not discriminate against a person with disabilities on the basis of their disability on posting, transfer and redeployment, in compliance with section 9 of the Act.

(2) An employer shall not post or transfer a person with disability to a section or place of the establishment not suited for that person.

(3) Where a person in employment suffers a disability as a result of the employment, the employer shall counsel, re-train and re-deploy the person to another section more suited to the

Commented [u3]: This is a welcome move which has been in place with no repercussions to employers who don't comply? Any new mechanisms to enforce this?

person with disability and this shall be in addition to any other relief which the employee is entitled to under any written law.

28. Training, skilling and retooling for the unemployed persons with disabilities

Where a person with disabilities remains unemployed for more than two years, the Minister may, where possible-

Commented [u4]: This is not feasible.may be five years..

- (a) provide appropriate training for that person provide that person with necessary working tools and materials; and
- (b) assist that person to access relevant government programs.

29. Apprenticeship

Subject to the Employment Act,2006 and the Employment Regulations, 2011, a person with disabilities shall be eligible for engagement as apprentices or learners where their disability is not such as to impede their performance in particular occupations for periods for which they are hired.

30. Prohibition of discrimination by employers

(1) Subject to the Employment Act, 2006 and subregulation (2), an employer shall in compliance with section 9 of the Act, not discriminate against a person with a disability in relation to-

- (a) the advertisement of employment;
- (b) the recruitment for employment;
- (c) the creation, classification or abolition of posts;
- (d) the determination or allocation of wages, salaries, pensions, accommodation, leave or other such benefits;
- (e) the choice of persons for posts, training, advancement, apprenticeships, transfer, promotion or retrenchment;
- (f) the provision of facilities related to or connected with employment;
- (g) training and advancement;
- (h) provision of facilities related with employment; or
- (i) any other matter related to employment.

(2) Notwithstanding subregulation (1), an employer shall be deemed not to have discriminated against a person with a disability if-

- (a) the act or omission alleged to constitute the discrimination was not wholly or mainly attributable to the disability of the said person;
- (b) the disability in question was a relevant consideration in relation to the particular requirements of the type of employment concerned; or

(c) special facilities or modifications, whether physical, administrative or otherwise, are required at the work place to accommodate the person with a disability, which the employer cannot reasonably be expected to provide.

(3) A complaint by a person with a disability that an employer has discriminated against him or her contrary to the Act and these Regulations may be presented to a labour officer under the Employment Act, 2006 or the Council under regulation 67.

(4) Any contract for employment or for provision of goods, facilities or services, or any other agreement, shall be void insofar as it purports to deny a person with disabilities any rights or privileges conferred under the Act and these Regulations or in any other way to limit the operation of the Act and these Regulations.

(5) A public or private organization which advertises any employment shall encourage persons with disabilities to apply.

(6) An employer shall ensure that an employee with disabilities is not discriminated against by fellow employees through awareness creation, sanctions or disciplinary actions against the perpetrators.

31. Working environment

(1) An employer shall in accordance with the Occupational Safety and Health Act, 2006 and the Employment Act, 2006-

- (a) take all necessary measures to improve work environment to prevent injuries and impairment;
- (b) provide reasonable accommodation and working tools;
- (c) ensure safe and healthy working conditions for all employees with disabilities;
- (d) protect employees with disabilities from harassment and discrimination;
- (e) permit employees with disabilities to exercise their labour and trade union rights in accordance with any relevant laws; and
- (f) enable employed persons with disabilities to have effective access to general, technical and vocational guidance and continuing training for their career and advancement.

32. Facilitation of business opportunities for persons with disabilities

The Minister may put in place measures to facilitate business opportunities for persons with disabilities including-

- (a) training on business information and statistics in the various sectors;
- (b) training on planning, logistics and financial modeling;
- (c) information on funding options and institutional arrangements;
- (d) linkages to markets; or
- (e) skills transfer, capacity building, support and mentorship.

PART V- ACCESS TO BUILDINGS, SERVICES, TRANSPORTATION AND PHYSICAL ENVIRONMENT

33. Promotion of accessibility by Government

(1) The Government shall take appropriate measures to ensure that persons with disabilities have access to buildings to which the public is allowed access listed in Schedule 2 to the Act.

(2) The measures under subregulation (1), shall include the identification and elimination of obstacles and barriers to accessibility in those buildings to which the public is allowed access.

(3) The Minister shall, in collaboration with the Council and other relevant stakeholders take put in place measures to -

- (a) develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
- (b) ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;
- (c) provide training for stakeholders on accessibility issues facing persons with disabilities;
- (d) provide in buildings and other facilities open to the public signage in braille and in easy to read and understand forms; and
- (e) provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public.

(4) Where a service is provided by a public body, the public body shall ensure that the service is also accessible to persons with disabilities.

34. Personal mobility of persons with disabilities

The put in place measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by-

- (a) facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice and at affordable cost;
- (b) facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;
- (c) providing training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities; and
- (d) strengthening entities that produce mobility aids, devices and assistive technologies to take into account all aspects of mobility for persons with disabilities through financing, recruitment and training in consultation with the ministry of ICT and National Guidance.

35. Accessibility to buildings to which the public have access and services

(1) An owner or a person in charge of a building to which the public is allowed access prescribed under Schedule 2 to the Act shall, subject to the requirements of the laws on building standards and other relevant laws, provide appropriate access for persons with disabilities to the building and in addition comply with the National Building (Accessibility Standards for Persons with Disabilities) Code,2019.

(2) Persons with disabilities are entitled to a barrier-free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility

(3) All buildings to which the public is allowed access shall be made accessible for persons with all kinds of disabilities through installation of features including ramps, accessory rails, colour contrasts, appropriate window locations, tactile paving for the blind and signs in bathrooms in accordance with the National Building (Accessibility Standards for Persons with Disabilities) Code,2019.

(4) Architects, construction engineers and other persons who are involved in design and construction shall observe and comply with accessibility requirements under the National Building (Accessibility Standards for Persons with Disabilities) Code,2019 to ensure that all new buildings, roads, play grounds, transport facilities and renovation of the old ones, conforms to designs aimed at creating access for persons with disabilities.

(5) A Building Committee established under the Building Control Act, 2013 shall not approve a building plan where the building is one to which the public is allowed access but does not provide the access for persons with disabilities as provided for in the National Building (Accessibility Standards for Persons with Disabilities) Code,2019.

(6) Where goods, products and services are open or provided to the public, they shall be made accessible to all including persons with disabilities, regardless of whether they are owned or provided by a public authority or a private enterprise.

(7) Persons with disabilities shall have equal access to all goods, products and services that are open or provided to the public in a manner that ensures their effective and equal access and respects their dignity.

(8) Accessibility shall take into account the gender and age perspectives for persons with disabilities.

(9) The Minister shall, in consultation with the Minister responsible for roads and road traffic, prescribe road signs for persons with disabilities on public roads in accordance with the Roads Act, 2019.

(10) A building to which the public is allowed access include Government offices, health units, mosques, churches and other places of worship, recreation and sports facilities, court houses, police stations, schools and institutions of higher learning, airport buildings, shopping malls and buildings where the following services are provided to the public on commercial basis-

- (a) information and communication services;
- (b) boarding and lodging services;

- (c) banking and related services including insurance services;
- (d) sports, entertainment, recreation and leisure services; and
- (e) professional services and trade except the education services and health services.

36. Accessibility to shopping malls

Subject to the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019, accessibility to shopping malls and other commercial spaces shall include-

- (a) accessibility for wheelchair users and other persons with disabilities;
- (b) accessible elevators installed to provide access to lower and upper levels for the benefit of wheelchair users and people with disabilities in large multi-storey department stores and supermarkets;
- (c) merchandise display areas in shops conveniently located to ensure accessibility to persons with disabilities;
- (d) angled mirrors placed in appropriate positions; and
- (e) in clothes shops, at least one changing room shall allow for a full 360 turn of a wheelchair.

37. Accessibility to cafeterias, restaurants, bars and entertainment centers

Subject to the National Building (Accessibility Standards for Persons with Disabilities) Code 2019, accessibility to cafeterias and restaurants shall include-

- (a) access to wheelchair users and other persons with disabilities;
- (b) in self-service restaurants tray slides and counters be mounted approximately 0.90 m from the floor;
- (c) food shelves mounted at a maximum height of 1.20 m (fig. 2);
- (d) cantilevered tables or tables with straight legs at each corner; and
- (e) low tables to allow access by persons with disabilities.

38. Accessibility to hotels

Subject to the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019, accessibility to hotels shall include-

- (a) at least one section per new hotel or motel accessible to a wheelchair user and other persons with disabilities;
- (b) fully equipped bathrooms with a layout that allows a lateral transfer to the toilet seat;
- (c) a functional lift or elevators with braille and speech, where possible; and
- (d) rooms designated for wheelchair users and other people with disabilities being placed at ground level so as to have a direct means of escape in case of fire and other emergencies.

39. Accessibility to hospitals and health facilities

Subject to the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019, accessibility to hospitals and health facilities shall include-

- (a) ability of wheelchair users to access;
- (b) accessibility to all rooms for the benefit of patients with disabilities, visitors with disabilities and staff members with disabilities;
- (c) accessibility to all clinics on all floors;
- (d) accessibility of restrooms to persons with disabilities; and
- (e) accessibility to all administrative departments.

40. Accessibility to institutions of learning

Subject to the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019 institutions shall ensure that-

- (a) all teaching, administrative and common areas shall be accessible to persons with disabilities.
- (b) suitable arrangements shall be made for stepped lecture halls or auditoriums;
- (c) at least two accessible rest rooms shall be provided in each building other than student dormitories and residential accommodations;
- (d) all recreational facilities shall be usable by persons with disabilities;
- (e) all open book stacks shall be accessible;
- (f) all library facilities and equipment shall be accessible; and
- (g) a special room shall be provided for sightless and for hearing-impaired people who need assistance while reading.

41. Accessibility to sports facilities

(1) Every sports facility including sports halls shall be accessible to persons with disabilities in accordance with the National Building (Accessibility Standards for Persons with Disabilities) Code, 2019.

(2) At least two shower rooms, two rest rooms and two changing rooms per sports facility shall be accessible to persons with disabilities.

(3) Spectators seating areas shall be provided for persons with disabilities.

42. Access to public transit buildings

(1) All public areas used by passengers such as banks, shops, waiting areas, customs areas, baggage halls, booking halls, waiting areas, inquiry offices shall be accessible to persons with disabilities.

(2) An operator of a bus, air and water terminals, shall provide adjoining spaces next to seating facilities for persons with disabilities.

43. Accessibility to existing constructions

(1) The highest degree of accessibility to all people shall be provided in existing buildings to which the public has access to the extent possible in accordance with the requirements of the National Building (Accessibility Standards for Persons with Disabilities) Code 2019 and these Regulations.

(2) For historic buildings impossible to adapt to suit the requirements of persons with disabilities without affecting the historical character, alternative solutions or other innovative methods that do not conflict with preservation requirements shall be adopted but the character of a historical building shall be preserved.

44. Importation of non-conventional vehicles

(1) A person with disability may, subject to any written law, import a vehicle adapted or modified for use by persons with disability.

(2) A person without disability shall not import a vehicle adapted or modified for use by persons with disability except with the express approval of the Minister.

(3) A vehicle imported under subsection (1) may be exempted from the payment of import duty and any other tax relating to the importation subject to any written law relating to taxation.

45. Access to Automatic Teller Machines (ATMs)

A financial institution or micro finance deposit taking institution shall endeavor to make their Automatic Teller Machines accessible to persons with disabilities by ensuring that the ATMs-

- (a) have ramps for wheelchair users and other persons with disabilities;
- (b) where possible, have doors with motion sensors;
- (c) are of a height that create an impediment in their use by wheelchair users;
- (d) where possible, are equipped with Braille keypads and Braille instructions;
- (e) are equipped the with hand rails, where applicable;
- (f) have seating arrangements for persons with disabilities;
- (g) are designed to have a wide flat area around the display screen and a concave shape in front to allow wheelchairs to easily approach the front of the machine;
- (h) where possible, are speech enabled to service visually impaired customers;
- (i) have function keys designed to contrast visually from their background surfaces;
- (j) have input device controls that are tactically discernible and the key surfaces raised above the surrounding surfaces;
- (k) have large-print, high-contrast keypad and screen text'
- (l) have a headphone port for private audio and volume control;
- (m) are with the ability to have the machine repeat audio instructions or messages
- (n) have keypads arranged in an ascending or descending layout with-

- (i) the enter key marked with a raised circle;
- (ii) the clear key with a raised left arrow;
- (iii) the cancel key should be marked with a raised X; and
- (iv) the add value key marked with a raised plus sign and the decrease value key marked with a raised minus sign.

46. Accessibility of persons with disabilities to historical monument and tourism sites

The head of a public body responsible for a historical monument site or tourism facility or activity to which the public is allowed access shall, in consultation with the Council, ensure that the whole or part of a historical monument site or tourism facility or activity is accessible to persons with disabilities in accordance with the Act and these Regulations.

47. Integration of needs of persons with disability in roads infrastructure

The Minister responsible for works and transport shall, in accordance with the Traffic and Road Safety Act, 1998 ensure that the needs of persons with disability are taken into account in the design, construction and operation of transport infrastructure and services.

48. Pedestrian walk ways

(1) A road authority shall, in accordance with the Roads Act, 2019 pedestrian walk ways accessible and sensitive to the needs of pedestrians with different disabilities.

(2) A motorist shall stop for a person with disability who shows an intention to cross the road either at the pedestrian crossing or at an appropriately designated point for crossing by persons with disability.

49. Parking places for persons with disabilities

(1) There shall be at least one parking space reserved for persons with disabilities at every building to which the public is allowed access prescribed in Schedule 2 to the Act.

(2) Notwithstanding subregulation (1) where provision has been made within a building or on the site—

- (a) at least one parking space per 25 parking spaces or part of a parking space and at least 20% of the spaces at rehabilitation, habilitation and medical facilities shall be provided for parking of vehicles of persons with disabilities;
- (b) a parking space provided for a vehicle used by a person with disability shall be-
 - (i) of a suitable length;
 - (ii) of at least 5000x 36000 dimensions as prescribed in figure 2 set out in the Schedule to the National Building (Accessibility Standards for Persons with Disabilities) Code 2019; and
 - (iii) situated on and accessed from a surface that is not steeper than 1:50;
- (c) a parking space provided for a vehicle used by a person with disability shall be located within fifty meters of an accessible entrance;

(d) a parking space provided for a vehicle used by a person with disability shall be clearly demarcated and marked with visible signage as being intended for the use of a person with disability only;

(e) an entry or routing to a parking space designated for a person with disability shall be provided with a clear height of at least 2.4 meters and shall allow for the entry of a vehicle suitable for use by a wheelchair user, particularly one that has a hoist to carry the wheelchair on top of the car.

(3) A parking space designated for a vehicle used by a person with disability shall be identified by a vertical sign incorporating the international symbol and shall also be clearly painted on the road surface as prescribed in the National Building (Accessibility Standards for Persons with Disabilities) Code 2019.

50. Reservation seats on vehicles

(1) An owner or operator of a public service vehicle shall reserve at least two seats for persons with disability, except that where the vehicle is full without the reserved seats having been occupied by a person with disability, the driver or the person responsible for loading passengers on the vehicle may, fill the reserved seats with other passengers.

(2) A seat reserved under subregulation (1), shall be clearly marked and a signage placed in a conspicuous place.

51. Denial of admission into premises

(1) An owner or person in charge of a building to which the public is allowed access shall not, on the ground of disability alone, deny a person with a disability-

(a) admission into any premises to which members of the public are ordinarily admitted;

(b) the provision of any services or amenities to which members of the public are entitled, unless such denial is motivated by a genuine concern for the safety of such person;

(c) access to any building providing public service, roads, transport and other indoor and outdoor facilities including school, housing, banks, medical facilities, sport facilities and work places;

(d) the provision of any service ordinarily provided to members of the public; or

(e) access to public facilities, services, information and communication including new information and communication technologies, and systems open or provided to the public both in urban and rural areas.

(2) An owner or person in charge of a building to which the public is allowed access shall not have the right, on the ground of a person's disability alone, to reserve the right of admission to his premises against such a person.

(3) A person with a disability who is denied admission into a building to which the public is allowed access or the provision of any service or amenity under these Regulations (1) may make a complaint with the Council under regulation 67.

(5) A person who contravenes this section commits an offence under section 10 (6) of the Act.

PART VI- ACCESS TO COMMUNICATION AND JUSTICE

52. Access to communication services

(1) The Uganda Communications Commission shall, in accordance with the Uganda Communications Act, 2013 and the Uganda Communications (Content) Regulations, 2020 require broadcasters to take specific steps to promote the understanding and enjoyment of programmes transmitted on any broadcasting service by persons with disabilities and in particular-

- (a) by persons who are hearing impaired; and
- (b) by persons who are blind or partially sighted.

(2) The Uganda Communications Commission shall prescribe, by notice in the Gazette, the manner, time and percentage of programmes targeting persons with disabilities.

53. Mandatory sign language and aids for persons with disabilities.

(1) An operator who operates a television station shall, in accordance with the Uganda Communications (Content) Regulations, 2020, use sign language or sub-titles for the benefit of persons who are hearing impaired, in newscasts at least once a day, and in live telecasts of national events.

(2) All broadcast operators shall endeavor to provide special equipment for persons with disabilities.

(3) All television stations shall provide a sign language inset or subtitles in all newscasts, educational programmes and other programmes covering national events.

(4) The Council shall promote the printing of weekly summaries of all newscasts in large print, braille by printing houses.

54. Access to justice

(1) A person with disability shall have effective access to justice on an equal basis with others.

(2) A person with disability may be provided with-

- (a) procedural and age-appropriate accommodations, to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings and during investigative and other preliminary stages; and
- (b) intermediaries or facilitators, whenever needed, to enable clear communication among and between persons with disabilities and courts, tribunals and law enforcement agencies to ensure safe, fair and effective engagement and the opportunity to fully participate in legal processes

(3) The Government shall, in promoting access to justice for persons with disabilities-

- (a) ensure that justice, law and order institutions including courts, tribunals, police stations are fully accessible, gender and age sensitive and have ramps, access to sign language interpreters, where applicable;

- (b) ensure that prisoners with disabilities are treated with dignity;
 - (c) develop and promote systems for “assisted” decision-making for persons with psychosocial impairments;
 - (d) promote community awareness on the rights of persons with disabilities;
 - (e) increase awareness on disability rights among police, prisons and legal practitioners; and
 - (f) expedite the handling of cases involving people with disabilities.
- (4) The Minister shall in collaboration with the justice, law and order institutions-
- (a) train law enforcement and judicial officers in matters concerning persons with disabilities; and
 - (b) provide awareness-raising and training programmes for persons in the judicial system addressing the rights of persons with disabilities, in particular in the context of access to justice.
- (5) Where a person with disability is a party in judicial proceedings, the adjudicating body shall take into account the condition of the person with disability and provide appropriate facilities that enable the person with disability to participate effectively in the proceeding and where necessary, provide assistive devices that enable the person with disability to participate effectively in the court proceedings.
- (6) The Minister shall in collaboration with the relevant stakeholders promote the establishment of alternative justice mechanisms including restorative justice, alternative dispute resolution mechanisms, and cultural and social forms and forums of justice, that are available to persons with disabilities on an equal basis with others, without regard for any construct of capacity to participate.
- (7) Persons with disabilities shall be provided with procedures for hearings that ensure fair treatment and full participation of persons with disabilities, including children with disabilities, during proceedings, as appropriate including-
- (a) adaptation of the venue;
 - (b) appropriate waiting spaces;
 - (c) removal of cloaks and wigs;
 - (d) adjustments to the pace of proceedings;
 - (e) separate building entrances and waiting rooms and protective screens to separate persons with disabilities from others, if necessary due to physical or emotional distress;
 - (f) modifications to the method of questioning in appropriate circumstances, such as allowing leading questions, avoiding compound questions, finding alternatives to complex hypothetical questions, providing extra time to answer, permitting breaks as needed and using plain language;

- (g) use of pretrial video recording of evidence and testimony, if necessary, practical and possible, in such a manner as not to contravene basic rights, such as the right to confront and cross-examine witnesses;
 - (h) allowing persons with disabilities, at all stages of the process if they so choose, to be accompanied by family, friends or others to provide emotional and moral support, without replacing, however, the role of an intermediary or facilitator;
- (8) Where possible, persons with disabilities shall be provided with the technical and other support necessary for parties, witnesses, claimants, defendants and jurors to use any form of communication as necessary for their full participation, including-
- (a) assistive listening systems and devices;
 - (b) open, closed and real-time captioning, and closed caption decoders and devices;
 - (c) voice, text and video-based telecommunications products;
 - (d) videotext displays;
 - (e) computer-assisted real-time transcription;
 - (f) screen reader software, magnification software and optical readers;
 - (g) video description and secondary auditory programming devices that pick up audio feeds for television programmes;
 - (h) supporting communication, in addition to intermediaries or facilitators, through the use of third parties, including-
 - (i) note-takers;
 - (ii) qualified sign language and oral interpreters;
 - (iii) relay services;
 - (iv) tactile interpreters; and
 - (g) ensuring that all interpreters are able to interpret effectively, accurately and impartially.

55. Access to information

- (1) Subject to the Access to Information Act, 2005 and any other written law, where a public body communicates with one or more persons, the head of the body shall ensure that-
- (a) if the communication is an oral one, and the person with disability has a hearing impairment and so requests, the contents of the communication shall be communicated in a form that is accessible to the person concerned;
 - (b) if the communication is a written one, and the person or persons aforesaid have a visual impairment and so requests, the contents of the communication shall be communicated in a form that is accessible to the person concerned.

(2) Where a public body communicates in electronic form with one or more persons, the head of the body shall ensure that the contents of the communication are accessible to persons with visual impairment to whom adaptive technology is available.

(3) The head of a public body shall, ensure that, information published by the body, which contains information relevant to persons with intellectual disabilities, is in a clear language, legible and easily understood by such persons.

(4) The Council in consultation with Ministry of ICT and National Guidance shall-

- (a) develop and promote technologies for persons with disabilities;
- (b) promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information including Braille, Large print and audio recording;
- (c) promote access for persons with disabilities to new information and communications technologies and systems, including the internet speech software and magnifiers; and
- (d) promote the design, development, production and distribution of accessible information and communications technologies and systems locally so that these technologies and systems become accessible at affordable costs.

PART VII- PARTICIPATION IN THE ELECTORAL PROCESSES, POLITICAL AND PUBLIC LIFE

56. Participation of persons with disabilities in political and public life

(1) The Government shall ensure that persons with disabilities have political rights and the opportunity to enjoy them on an equal basis with others, and shall-

- (a) ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected by-
 - (i) ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use;
 - (ii) protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation;
 - (iii) persons with disabilities can stand for elections and effectively hold office and perform all public functions at all levels of government;
 - (iv) facilitating the use of assistive and new technologies, where appropriate in the electoral process;
 - (v) guaranteeing the free expression of the will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;

(b) promote an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including-

(i) participation in non-governmental organizations and associations concerned with the public and political life of the country and in the activities and administration of political parties; and

(ii) forming and joining organizations of persons with disabilities to represent persons with disabilities at international, regional, national, and local levels.

(2) A person with disability who has attained the age of eighteen years and above shall be entitled to enjoy and exercise political rights and opportunities as any other citizen without any form of discrimination.

(3) Subject to any written law relating to public election and subregulation (2), a person with a disability shall have a right to vote, hold elective office and otherwise participate in the political rights and opportunities as any other citizen without any form of discrimination.

(4) The Electoral Commission shall, in consultation with the Minister and Council, ensure that the rights and opportunities for persons with disabilities to vote and be elected in public office is guaranteed by-

(a) encouraging and providing reasonable accommodation to persons with disabilities to stand for elections, and to hold office at all levels in the Government;

(b) providing training for polling officials on the rights of persons with disabilities and the practical means of assuring their voting rights;

(c) ensuring that voter registration locations are accessible to persons with disabilities;

(d) ensuring that voting procedure, facilities and materials are appropriate and accessible;

(e) ensuring that all polling stations have accessible requirements to voters with disabilities, including reasonable accommodation of voters who use; wheelchairs, devices for persons with low vision, and tactile ballot templates for visually impaired and deaf blind persons;

(f) ensuring that voters with disabilities have the same degree of information available when casting their ballot as others;

(g) guaranteeing the free expression of the will of the persons with disabilities as electors, and where necessary, at their request, allowing assistance in voting by a person of their own choice; and

(h) in accordance with the laws governing elections, setting up criteria and procedures to be applied in nominating qualified persons with disabilities to be elected or be appointed to represent persons with disabilities in all decision and policy making process during the elections, through affirmative action or special prescribed arrangements.

(5) In determining the number of polling stations and the location of any polling station, the Commission shall have regard to geographical considerations and accessibility to persons with disabilities.

(6) Where for justifiable reason a polling station is inaccessible to persons with disabilities, alternative location shall be identified and publicized to be used by such persons.

57. Assistance to voters with disabilities

(1) A voter with disability may, during any election who requires assistance to vote by reason of disability, or inability to read or write, request the assistance of a person of his or her choice to assist in the casting of his or her vote.

(2) The voter referred to under subregulation (1), before retiring to the voting booth, may have a person of his or her choice read over to him or her, without suggestion or interference, the titles of the offices to be filled, the candidates and the issues on the ballot.

(3) After the voter requests assistance under subregulation (1), he or she shall proceed to the voting booth for the purpose of marking the ballot paper according to the voter's choice.

(4) It is unlawful for any person to be in the voting booth with any voter except as provided in subsection (1).

58. Access to voter registration centers

(1) The Electoral Commission shall provide public assistance and programs that primarily serve persons with disabilities including by providing voter registration forms, assisting voters in completing the forms and transmitting completed forms to the appropriate election official.

(2) The Electoral Commission shall ensure that all particulars of a voters with disabilities are recorded accurately in the Voter's Register as provided by the person.

(3) The records generated under subregulation under (2) shall be by the Electoral Commission to-

- (a) designate polling stations;
- (b) aid the establishment of electoral collages;
- (c) aid the production of voting materials;
- (d) carry out voter education in accessible format; and
- (e) assist of persons with disabilities during elections.

(3) A person with disability shall be given priority and not be required queue for the purpose of registration or voting.

(4) The presiding officer may make such necessary and respectful inquiry in order to establish that the voter and the person the voter has chosen to assist him or her satisfies the provisions of this regulation.

(5) The following shall apply with respect to a person who assists a voter under this regulation the person shall, before assisting or supporting the voter, make a declaration of secrecy before the presiding officer in the format determined by the Electoral Commission.

(6) Where a presiding officer grants the request of a voter under this regulation, the presiding officer shall record in the polling station register against the name of the voter the fact that the voter was assisted and the reason for the assistance.

(7) No person other than a person acting under this regulation shall be present while a voter is marking his or her ballot paper and any person who contravenes this subregulation commits an offence under the Act.

59. Participation in cultural life, recreation, leisure and sport

(1) A person with disability shall be entitled to take part like any other citizen in cultural life in the society without discrimination.

(2) The Government shall, in collaboration with the Council, civil societies and any other relevant stakeholder take appropriate steps to enable persons with disabilities to have opportunity to develop and utilize their creative, artistic and intellectual potentials for their own benefit and for the enrichment of the society.

(3) The Government shall take all appropriate measures to ensure that persons with disabilities-

- (a) enjoy access to cultural materials in accessible formats;
- (b) enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats; and
- (c) enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.

(4) A person with disability shall, on an equal basis with others, be recognized and supported in their specific cultural and linguistic identity, including sign languages and Deaf culture.

(5) With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, the Government shall take appropriate measures-

- (a) to encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;
- (b) to ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, as much as possible encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;
- (c) to ensure that persons with disabilities have access to sporting, recreational and tourism venues;
- (d) to ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system; and

- (e) to ensure that persons with disabilities are consulted by those involved in the organization of recreational, tourism, leisure and sporting activities.

PART VIII- INDEPENDENT LIVING FOR PERSONS WITH DISABILITIES

60. Living independently and being included in the community

(1) Every person with disability shall be assisted by the Council, local government authority, relatives, non-Governmental organisations, civil society or any other person to live as independently as possible and be integrated in the community.

(2) A person with disability shall not be forced to live in an institution or in a particular living arrangement including settlement for persons in need of special protection.

(3) The Minister shall, in consultation with the Council, take other effective measures as may be necessary to enable and support persons with disabilities to live as independently and fully integrated in the community, including-

- (a) provision of equal opportunity for every person with a disability to choose his or her place of residence and living arrangements, in accordance with written law;
- (b) community services for the general public are available without discrimination to persons with disabilities and are responsive to their basic needs; and
- (c) accessibility to a wide range of community based rehabilitation, habilitation and inclusion services including in-house, residential and other community support services, personal assistance and sign language interpretation, necessary to support living and integration in community; and
- (d) access to information about available support services, and to prevent community from disability based discriminations;
- (e) the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement; and
- (f) access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community.

61. Obligation to provide social support and care

(1) Every relative of a person with disability shall have an obligation to provide social support to such person.

(2) Where there is more than one relative of a person with disability, the relatives shall be under collective obligation to provide the social support to such person.

62. Settlement for persons with disabilities

(1) Without prejudice to the provisions of regulation (2), where a person with disability has no relative who can provide for him or her due to the nature of his or her disability needs to be

admitted to the settlement and he or she consents to live in such a settlement, he or she may, subject to the provisions of these, be admitted in the settlement.

(2) A person with disability other than a person provided under subregulation (1), shall apply in person or through his or her representative duly appointed by him or her, to the Council, local-government authority or respective settlement for consideration to be admitted in a settlement for persons with disabilities, provided that-

- (a) the person applying is a person with disability within the meaning of the Act;
- (b) the person applying has no relative who can provide for him or her; and
- (c) owing to special circumstances, the local authority in which he or she is ordinarily resident cannot facilitate for his or her social support.

(3) The Council may issue guidelines for admission of persons with disabilities in settlements.

(4) Where a person with disability has to be put in a specialised establishment, the environment and living conditions of the establishment shall, except as otherwise required by the condition of the person with disability, be as close as possible to those of a person without disability of the same age as the person with disability.

63. Formulation of programmes

(1) The Minister shall, in consultation with the Council formulate programmes in order to secure integral and inclusive social development of persons with disabilities including their vocational training and rehabilitation.

(2) The programmes provided in subsection (1) may also provide for shelter, employment, marketing, accessibility and innovation.

64. Social protection to persons with disabilities

(1) A person with disability shall, without discrimination on the basis of his or her disability be entitled to social protection.

(2) The Minister shall, after consultation with the Council take appropriate steps to ensure that persons with disabilities enjoy access to social security and protection, including steps to-

- (a) ensure access by persons with disabilities to appropriate and affordable services, devices and other assistance for disability related needs;
- (b) ensure equal access by persons with disabilities to clean water services, and to ensure appropriate and affordable services, devices and other assistance for disability-related needs;
- (c) ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;
- (d) ensure access by persons with disabilities and their families living in situations of poverty to assistance with disability related expenses, including adequate training, counselling, financial assistance and respite care;

- (e) ensure access by persons with disabilities to public housing programmes, where available;
 - (f) ensure equal access by persons with disabilities to retirement benefits and programmes;
 - (g) ensure access by persons with disabilities, in particular the aged and children, to social protection programmes and poverty reduction strategies; and
 - (h) ensure access by persons with disabilities to available grants and credit services for income-generating activities and to public housing programmes, if resources allow.
- (3) The Minister shall, after consultation with relevant stakeholders, develop a comprehensive national strategy aimed at securing the provision of prevention and early intervention programmes to families, parents, caregivers of persons with disabilities.
- (2) Prevention and early intervention programmes shall focus on-
- (a) preserving the family structure of a person with disabilities;
 - (b) developing appropriate parenting skills and the capacity of parents and caregivers to safeguard the wellbeing and best interest of a person with disability;
 - (c) developing appropriate parenting skills and the capacity of parents and caregivers to safeguard the well-persons with disabilities;
 - (d) promoting appropriate interpersonal relationships within the family;
 - (e) providing psycho-social, rehabilitation, habilitation and therapeutic programmes for persons with disabilities;
 - (f) preventing the neglect, exploitation, abuse or inadequate supervision of persons with disabilities and preventing other failures in the family environment to meet needs of the persons with disabilities;
 - (g) avoiding the removal of a person with disability from the family environment; and
 - (h) promoting the participation of families, parents, caregivers and persons with disabilities in identifying and seeking solutions to their problems.

PART IX- MISCELLANEOUS PROVISIONS

65. Corrective orders

(1) The Council may, where there is a violation of a right of a person with disability or noncompliance with the provisions of the Act and these issue a corrective order in accordance with section 17 (2) (a) of the Act to any government agency, non-governmental agency, body corporate or private person concerned to correct the violation or comply with the Act and these Regulations.

(2) The corrective order under subregulation (2) shall-

- (a) set out-
 - (i) a full description of the person, premises, services or amenities concerned; and

- (ii) the grounds upon which the Council considers that the person, premises, services or amenities are inaccessible to persons with disabilities.
 - (b) require the owner or provider concerned to undertake at his or her own expense such action as may be specified in order to secure reasonable access by persons with disabilities to the premises, services or amenities concerned; and
 - (c) stipulate the period within which the action referred to in paragraph (b) shall be commenced and completed.
- (3) The Council shall serve notice of the corrective order under subregulation (2) upon the person concerned-
- (a) specifying the ground upon which the adjustment order is to be issued and the nature of the action which the Council considers necessary to rectify the situation which has given rise to the proposed order;
 - (b) stipulating the maximum period that the Council considers reasonable for the implementation of the action it proposes to order; and
 - (c) calling upon the person concerned, if he or she wishes to do so, to make representations to the Council within thirty days from the date of the service of the notice.
- (4) After considering any representations described in subsection (3)(c) the Council may issue or refrain from or defer the issuing of, an adjustment order.
- (5) A person who contravenes this regulation commits an offence under the Act.

66. Reporting infringement of rights of persons with disabilities

- (1) A member of the community who has evidence or information that rights of a person with disabilities are being infringed or that a parent, a guardian or relative having custody of a person with disabilities who is able to, but refuses or neglects to provide the right to play, medical care, leisure and education, shall report the matter to the local government or Council as well as to any other relevant authority of the area.
- (2) A person to whom a report is made under subregulation (1) shall, upon receiving the report, summon the person against whom the report was made to discuss the matter and the decision shall be made by that person in the best interest of person with disability.
- (3) Where the person against whom the report was made refuses to comply with the decision made under subregulation (2), the matter shall be referred to the court which shall hear the matter.

67. Lodging Complaints with Council

- (1) A person may lodge a complaint with the Council relating to discrimination, marginalization or any act which contravenes the Act or these Regulations.
- (2) A complaint made under subsection (1) may be in Form D set out in the Schedule to these Regulations.

(3) Notwithstanding subregulation (1) a person with disability may, by himself or through a legal representative, lodge a complaint to any public body.

(4) The Council shall consider or hear the complaint within **six months** after receipt of the complaint.

Commented [u5]: Isn't this too long? Why not four or less?

68. Register

(1) The Minister shall, in consultation with the Council, establish, maintain and update a disability management information system.

(2) The system referred to under subregulation (1) shall contain-

- (a) the names, addresses and other personal particulars of persons with disability;
- (b) categories disabilities;
- (c) number of persons with disabilities;
- (d) available services and programmes;
- (e) referral system; and
- (f) names, addresses of offices and other particulars of institutions, organisations and associations which provide rehabilitation, services or support for persons with disability.

(3) Entries and other alterations in the register shall be made in such a manner as the Council may, from time to time, determine.

(3) The register established under subsection (1) shall only be used for identification and other statistical purposes.

(5) No person with disability shall remove his nor her name from the register while he or she is still with the disability.

69. Registration of organizations

(1) The Council shall maintain a register of Governmental and non-governmental organisations that provide services for rehabilitation and welfare of persons with disabilities and the membership of those organisation.

(2) The register shall contain in respect of each organisation registered with the Council shall contain the following-

- (a) name and address of the organisation;
- (b) NGO registration number;
- (c) date of registration;
- (d) geographical areas of operation;
- (e) key activities or objectives of the organisation;

- (f) permit number, where applicable;
- (g) district where the headquarters of an organisation is situated; and
- (h) date of issue and expiry of registration.

(2) The Council may request the organisation in writing for information for purposes of compiling and updating the register.

(3) All existing organizations of or for persons with disabilities shall, within twelve months after these Regulations comes into operation, apply for registration in accordance with these Regulations.

(4) Any Governmental and non-governmental organisations that provide services for rehabilitation, habilitation and welfare of persons with disabilities shall apply to the Council for registration.

(5) An application under subregulation (3) shall be in Form B set out in the Schedule to these Regulations and shall contain-

- (a) a certified copy of a certificate of incorporation or registration;
- (b) a copy of the organisation's constitution or governing documents;
- (c) a chart showing the governance structure of the organisation;
- (d) proof of payment of the prescribed fee;
- (e) source of funding of the activities of the organisation;
- (f) a copies of valid identification document for at least two founder members;
- (g) minutes and resolutions of the members authorizing the organisation to register with the Council;
- (h) a recommendation from the ministry responsible for disability affairs.

(6) The application for registration of an organisation shall be signed by at least two founder members.

(4) Where the organisation has complied with the Act and these Regulations, the Council shall issue a certificate of registration to the organisation.

(7) The certificate of registration shall be in Form C set out in the Schedule to these Regulations and shall indicate the name, registration number and date of registration of the organisation

70. Requirement of registration of settlements for persons with disabilities

(1) A person shall not establish, operate, manage or maintain a settlement for persons with disabilities unless such settlement has been registered with the Council under regulation 64.

(2) A person who intends to establish, operate, manage or maintain a settlement for persons with disabilities shall apply to the Council for registration of such settlement in accordance with regulation 57.

(3) Upon application for registration of premises as a settlement for persons with disabilities, the Council responsible for disability affairs may cause an inspection to be made to such premises.

71. Regional and district offices of the Council

The Council may establish regional and district offices.

72. Law enforcement and persons with disability.

(1) Law enforcement agencies shall take into consideration the disability of a person on arrest, detention, trial or confinement of the person and provide for that person accordingly.

(2) Institutions for the training of law enforcement personnel shall have as part of their curricula, the study of disability and disability related issues.

73. Power of entry

(1) Subject to the Act, the Minister may designate from among its officers and officers of the Council as inspectors to investigate any matter for the purpose of ensuring compliance with the Act and these Regulations.

(2) An inspector designated under subregulation (1) may at all reasonable time, enter any premises of an employer, institution, organisation or building for the purpose of inspection and ensuring compliance with the Act and these Regulations.

(3) An inspector may in the course of inspection exercise any of the following powers—

(a) have access to the premises of any person, premises or organisation regulated under the Act and these Regulations;

(b) confiscate any incriminating document or material;

(c) interview and record statements from any person having knowledge of the subject matter;

(d) recommend to the Minister or Council for an interim closure of the premises or offices of the organisation; or

(e) issue a corrective order in accordance with regulation 60.

(4) In exercising his or her power under the Act and these Regulations, an inspector shall suitably identify himself or herself with a valid identification document issued by the Minister or Council.

(5) Every inspector shall immediately after conducting an inspection issue a certificate of inspection in duplicate signed by the inspector and a representative of the person whose building or facility is inspected.

FORM B

Regulation 69 (5)

THE REPUBLIC OF UGANDA

THE PERSONS WITH DISABILITIES REGULATIONS, 2021

**APPLICATION FOR REGISTRATION BY
GOVERNMENTAL AND NON-GOVERNMENTAL ORGANISATIONS THAT
PROVIDE SERVICES FOR REHABILITATION AND WELFARE OF PERSONS WITH
DISABILITIES**

To the Executive Secretary
National Council for Disability

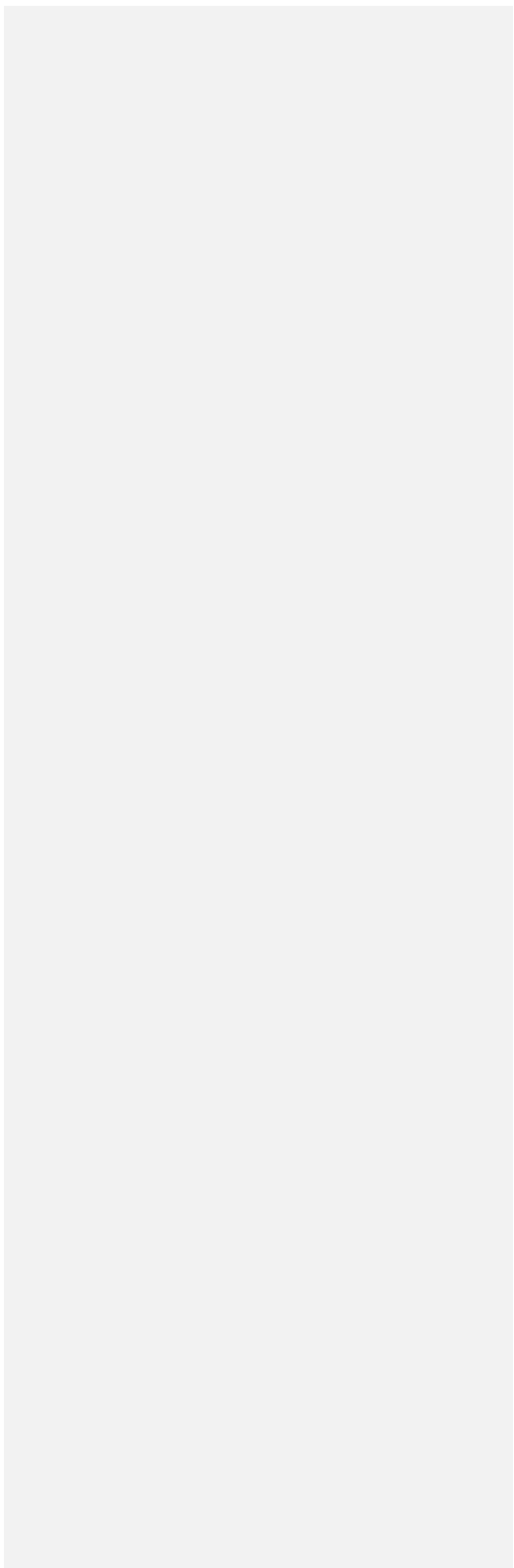
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We the undersigned members hereby apply for registration under the Act and the Persons with Disabilities Regulations, 2021.

- (a) Name of the incorporated organisation.....
.....
- (b) Nationality of the members
- (c) Physical address of the organisation
- (d) Telephone contacts of the organisation.....
.....
- (e) Objectives of the organisation and services provided to persons with disabilities.....
.....
- (f) Class or classes of persons to whom membership of the organisation is open.....
- (g) Present number of members.....
- (h) Names and positions of officers of the organisation.....
.....
- (i) Names, occupation and addresses of the officers of the organization.....
- (j) Sources of funding

(k) Property (if any) owned by the organisation.....
.....

Names, signatures and passport size photographs of at least two members:
.....
Date.....



FORM C

Regulation 69 (7)

THE REPUBLIC OF UGANDA

THE PERSONS WITH DISABILITIES REGULATIONS, 2021

CERTIFICATE OF REGISTRATION

Registration Number:

I CERTIFY that
.....
.....has been registered
with the National Council for Disabilities.

Dated at Kampala, this.....day of20.....

.....

*Executive Secretary,
National Council for Disabilities*

FORM D

Regulation 67 (2)

THE REPUBLIC OF UGANDA

THE PERSONS WITH DISABILITIES REGULATIONS, 2021

COMPLAINT FORM

To The Executive Secretary
National Council for Disabilities

I/We the complainant (s) hereby raise a complaint against..... for not complying with the Act or the Regulations made under the Act and the Persons with Disabilities Regulations, 2020 as stated hereunder—

PARTICULARS OF THE COMPLAINANT (S)

- (a) Name.....
- (b) Address.....
- (c) Phone Number.....

PARTICULARS OF PERSON/ORGANISATION COMPLAINED AGAINST.

- (a) Name.....
- (b) Address.....

NATURE OF THE COMPLAINT, WITH BRIEF FACTS

.....
.....(use a separate sheet if the space is not enough)

PARTICULARS OF A WITNESS (if any).

- (a) First name
- (b) Surname name
- (c) Address

(d) Occupation

(e) Telephone Number.....

ANY OTHER PENDING COMPLAINT.

Has the complainant made any similar pending complaint against the Person/ organisation to any other institution or body? (Tick)

Yes: _____

No: _____

If yes, give particulars of previous complaint and to whom the complaint was made.

.....

.....

(use a separate sheet if the space is not enough).

For official use only

Received by _____

Complaint No. _____

Date of receipt: _____

DECLARATION

I/ we hereby declare that to the best of my/ our knowledge and belief all the particulars furnished in this complaint are true and correct.

Date _____

Signature of complainant (s).

Where applicable attach any relevant evidence

Cross References

Access to Information Act, 2005, Act

Employment Act, 2006, Act 6, of 2006
Data Protection and Privacy Act, 2019
Employment Regulations, 2011, S.I 61 of 2011
Income Tax Act, Cap. 340
Medical and Dental Practitioners Act, Cap. 272
Occupational Safety and Health Act, 2006, Act 9 of 2006
National Building (Accessibility Standards for Persons with Disabilities) Code, 2019, S.I 52 of 2019
Labour Union (Arbitration and Settlement) Act, 2006
Local Government Act, Cap. 245
Uganda Communications Act, 2013, Act 1 of 2013
Uganda Communications (Content) Regulations, 2020
Employment (Sexual Harassment) Regulations, 2012, S.I 15 of 2012
Workers Compensations Act, Cap 225

FRANK TUMWEBAZA

Minister of Gender, Labour and Social Development