

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 21 Volume CVII dated 17th April, 2014

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2014 No. 43.

**THE UGANDA RETIREMENT BENEFITS REGULATORY AUTHORITY
(LICENSING OF TRUSTEES) (AMENDMENT) REGULATIONS, 2014.**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Replacement of regulation 4 of S.I. No. 68 of 2012.
3. Amendment of regulation 7(2).
4. Replacement of Schedule 2.

STATUTORY INSTRUMENTS

2014 No. 43.

The Uganda Retirement Benefits Regulatory Authority (Licensing of Trustees) (Amendment) Regulations, 2014.

(Under sections 40, 41 and 91(1) and (2) (c) of the Uganda Retirement Benefits Regulatory Authority Act 2011, Act No. 15 of 2011.)

IN EXERCISE of the powers conferred on the Minister by section 91(1) and (2) (c) of the Uganda Retirement Benefits Regulatory Authority Act, 2011, these Regulations are made this 30th day of January, 2014.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Uganda Retirement Benefits Regulatory Authority (Licensing of Trustees) (Amendment) Regulations, 2014.

2. Replacement of regulation 4 of SI No. 68 of 2012.

The Uganda Retirement Benefits Regulatory Authority (Licensing of Trustees) Regulations, 2012, S.I. No. 68 of 2012 in these Regulations, referred to as the principal Regulations are amended by substituting for regulation 4 the following—

“Mode of application.

(1) An application for a licence of a corporate trustee of a retirement benefits scheme shall be in the form prescribed in Part A of Schedule 2 and shall be accompanied by—

- (a) the prescribed fee;
- (b) a certified copy of the certificate of incorporation;
- (c) a certified copy of the memorandum and articles of association in case of a corporate trustee;
- (d) a statutory declaration sworn by the applicant verifying the facts set forth in the application;

- (e) certified copies of certificates or any other documents which the applicant may submit as evidence of the applicant's ability to perform the functions of a trustee;
- (f) certified copies of certificates of qualifications, professional skills and experience of the directors and key officers of the corporate trustee; and
- (g) any other information as determined by the Authority.

(2) An application for a licence of an individual trustee of a retirement benefits scheme shall be in the form prescribed in Part B of Schedule 2 and shall be accompanied by—

- (a) the prescribed fee;
- (b) two passport size photographs and a resume of the applicant;
- (c) certified copies of academic or professional qualifications of the applicant;
- (d) evidence of the ability of the applicant to perform the functions of a trustee of a retirement benefits scheme;
- (e) a statutory declaration supporting the application;
- (f) recommendation letters from the referees of the applicant; and
- (g) any other information as determined by the Authority.

(3) An applicant shall be notified of the decision of the Authority within ninety days from the date of receipt of the application.”

3. Amendment of regulation 7.

Regulation 7(2) of the principal Regulations is amended by substituting for the word “trustee” the word “corporate trustee”.

4. Replacement of Schedule 2.

For Schedule 2 of the principal Regulations there is substituted the following—

“SCHEDULE 2

Regulation 3(2)

**THE UGANDA RETIREMENTS BENEFITS REGULATORY
AUTHORITY ACT, 2011, ACT No.15 OF 2011.**

**THE UGANDA RETIREMENT BENEFITS REGULATORY AUTHORITY
(LICENSING OF TRUSTEES) REGULATIONS, 2012.**

PART A

**APPLICATION FOR LICENCE OF A CORPORATE TRUSTEE OF A
RETIREMENT BENEFITS SCHEME**

*(Under regulation 3 of the Uganda Retirement Benefits Regulatory Authority
(Licensing of Trustees) Regulations, 2012)*

Provide the following—

A. PARTICULARS OF APPLICANT.

- (i) Name of applicant:.....
- (ii) Registered office:
- (iii) Date and place of incorporation:
- (iv) Tax Identification Number:.....
- (v) Physical address of principal place at which the business of the applicant is to be carried on:.....
Telephone:
- Fax:
- Email:.....
- (vi) Citizenship:.....

B. MANAGEMENT.

- (i) Particulars of Directors of corporate trustee. (Appendix A)
- (ii) Particulars of the Key officer of corporate trustee (Appendix B)
- (iii) Bankers and Auditors (Appendix C)
- (iv) List the retirement benefits schemes the corporate trustee has provided trustee services to within the period of three years ending as at the date of application. *(Incase of insufficient space provide separate attachment).*
.....
.....
.....

C. ATTACHMENTS.

Please attach the following where applicable—

- (i) certified copies of latest audited report and accounts of the corporate trustee;
- (ii) certified copies of certificate of incorporation of the corporate trustee;
- (iii) certified copies of memorandum and articles of the corporate trustee;
- (iv) evidence of the ability of the applicant to perform the functions of a trustee of a retirement benefits scheme;
- (v) two passport size photograph and a resume of each director of the corporate trustee;
- (v) two passport size photograph and a resume of each key officer of the corporate trustee;
- (vi) a statutory declaration supporting the application.

I am aware of the provisions of section 45 (1) (a) of the Act relating to false statements made in relation to the application.

I hereby declare that the information contained herein and the documents submitted herewith are true and accurate to the best of my knowledge and belief.

Signed on this day of.....

Signature:.....

Full name:

Designation:

Signature:.....

Full name:

Designation:

Signature:.....

Full name:

Designation:

APPENDIX A

PARTICULARS OF DIRECTORS OF TRUSTEE

Name of Corporate trustee:.....

<i>Name of director</i>	<i>Citizenship</i>	<i>Physical Address</i>	<i>Occupation</i>	<i>Date of Appointment</i>	<i>Qualifications</i>

State against each director whether they have been convicted of a criminal offence giving the date and particulars of the offence.

- 1.
.....
- 2.
.....

APPENDIX B

PARTICULARS OF KEY OFFICERS OF THE CORPORATE TRUSTEE

Name of Corporate Trustee:.....

<i>Name</i>	<i>Designation</i>	<i>Nationality</i>	<i>Permanent Address</i>	<i>Date of Appointment</i>	<i>Academic and professional qualifications</i>

State against each key officer whether they have been convicted of a criminal offence giving the date and particulars of the offence

- 1.
.....
- 2.
.....

PART B

**APPLICATION FOR LICENCE OF AN INDIVIDUAL TRUSTEE OF
A RETIREMENT BENEFITS SCHEME**

*(Under regulation 3 of the Uganda Retirement Benefits Regulatory Authority
(Licensing of Trustees) Regulations, 2012)*

Provide the following—

A. PARTICULARS OF APPLICANT.

- (i) Name of applicant:.....
- (ii) Occupation:
- (iii) Nationality:
- (iv) Tax Identification Number:.....
- (v) Physical address of applicant:.....
Telephone:
- Fax:
- Email:.....
- (vi) Name of scheme to which the applicant is a trustee.....
.....
- (vii) Date of appointment as a trustee.....
- (viii) Who does the applicant represent on the Board of trustees of the scheme?
.....
.....
- (ix) List any retirement benefits schemes to which the applicant has been a trustee within the period of three years ending as at the date of this application. *(Incase of insufficient space provide separate attachment).*
.....
.....
- (x) Has the applicant been convicted of a criminal offence? YES/NO.....
.....

- (xi) Is the applicant subject to any pending or present criminal proceedings?
YES/NO.....
.....
- (xii) If YES , give the date and particulars of the offence.
.....
.....
- (xiii) Is the applicant subject to any insolvency or bankruptcy proceedings in
any country? YES/NO.....
- (xiv) If YES, give the date and particulars of the proceedings.
.....
.....

B. ATTACHMENTS.

Please attach the following where applicable—

- (i) Two passport size photographs and a resume of the applicant;
- (ii) Certified copies of academic or professional qualifications of the applicant;
- (iii) Evidence of the ability of the applicant to perform the functions of a trustee of a retirement benefits scheme; and
- (iv) A statutory declaration supporting the application.
- (v) A curriculum vitae or resume of the applicant.
- (vi) Recommendation letters from the referees of the applicant.

I am aware of the provisions of section 45 (1) (a) of the Act relating to false statements made in relation to this application.

I hereby declare that the information contained herein and the documents submitted herewith are true and accurate to the best of my knowledge and belief.

Signed on this day of.....

Signature:.....

Full name:

Designation:

FRED J. OMACH,
Minister of State for Finance Planning and Economic Development
(General Duties) &
Holding the Portfolio of the Minister of Finance, Planning
and Economic Development.