

STATUTORY INSTRUMENTS

2022 No.

THE UGANDA WILDLIFE (REVENUE SHARING) REGULATIONS, 2022

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STATUTORY INSTRUMENTS

2022 No

The Uganda Wildlife (Revenue Sharing) Regulations, 2022

(Under section 65 (5) of the Uganda Wildlife Act, 2019, Act No. 17 of 2019)

IN EXERCISE of the powers conferred upon the Minister responsible for wildlife by section 65(5) of the Uganda Wildlife Act, 2019, on the advice of the Board and in consultation with the local government, these Regulations are made this day of 2022.

1. Title

These Regulations may be cited as the Uganda Wildlife (Revenue Sharing) Regulations, 2022.

2. Interpretation

In these Regulations, unless the context otherwise requires –

“accounting officer” means the Senior Administrative Secretary of the subcounty, the Town Clerk of the Municipal Council or the Chief Executive Officer of a city;

“Act” means the Uganda Wildlife Act, 2019;

“Authority” means the Uganda Wildlife Authority continued in existence under section 5 of the Act;

“Board” means the Board appointed under section 8 of the Act;

“community” means an assemblage of human beings living in a defined geographical area adjacent to a gazetted wildlife protected area in Uganda and identified by a common history, common culture or a common residence in that area;

“Community Wildlife Committee” means the Community Wildlife Committee established under section 20 of the Act;

“Executive Director” means the Executive Director appointed under section 17 of the Act;

“funds” means funds referred to in subsection 3(2) of these Regulations;

“local government” means the local councils established under sections 3,4 and 5 of the Local Governments Act;

“parish frontline community” includes the entire population of individuals and households in a parish area that shares a boundary with a protected area;

“wildlife” means any wild plant or animal species or their derivative products that are indigenous, migrated to or introduced in Uganda;

“wildlife protected area” means a national park, wildlife reserve or any other area declared a wildlife protected area by the Minister under section 26 of the Act.

3. Annual declaration of funds

(1) The Executive Director shall within sixty days from the end of each financial year declare in writing to the local governments surrounding each wildlife protected area the available funds for revenue sharing.

(2) The funds referred to under subregulation (1) include-

(a) twenty percent of the protected area entry fees collected from a wildlife protected area, paid to the local government of the area surrounding the wildlife protected area from which the fees were collected as a conditional grant; and

(b) ten dollars deducted from the gorilla tracking permit where it applies.

4. Priority areas

The Authority shall in line with Government priorities set -

(a) priority areas for the respective frontline communities from which projects to be implemented shall be identified and selected by the frontline community; and

(b) thresholds within which the funds shall be planned for and spent, with emphasis on projects that are relevant to wildlife conservation.

5. Project identification

(1) An accounting officer shall, in consultation with the officer of the Authority in charge of the wildlife protected area hold a consultative meeting with the parish frontline community bordering the wildlife protected area from which the entry fees were collected, to identify a project to be implemented.

(2) A consultative meeting for project identification and selection shall be open to attendance and participation by all the local leaders and members of a parish frontline community.

(3) The local leaders and community members of a parish frontline community shall, during the consultative meeting, identify and select a project

that represents the interests of the frontline community and is in line with the priority areas set by the Authority in regulation 4.

(4) The accounting officer shall chair the parish frontline community consultative meeting and the officer of the Authority in charge of the wildlife protected area shall be the secretary of the meeting.

(5) A decision at the frontline community consultative meeting shall be arrived at by a consensus or by a simple majority vote.

(6) The accounting officer shall make and submit to the Authority through the Chief Administrative Officer for consideration, a report of the Parish frontline community consultative meeting with selected projects, signed by the chairperson and secretary of the meeting.

6. Selection and approval of project

(1) The Authority shall select and approve a project to be implemented by the parish frontline community in accordance with these Regulations.

(2) The Authority shall while selecting and approving a project under these Regulations, take into consideration-

- (a) the extent to which the project conforms to the priority areas set by the Authority;
- (b) the extent to which the project addresses human-wildlife conflict in an efficient and cost effective manner;
- (c) the extent to which the project contributes to the development and livelihood improvement of the frontline community;
- (d) the impact the project will have on the general conservation of wildlife; and
- (e) whether the project is economically viable and environmentally friendly.

(3) The Chief Administrative Officer shall include the approved project in the work plan of the District for implementation in the following financial year.

7. Refusal to approve project

(1) The Authority may refuse to approve a project selected by the parish front line community.

(2) Where the Authority does not approve the selected project, the Authority shall write to the accounting officer through the Chief Administrative Officer within five days stating the reasons for the refusal to approve the project.

(3) The accounting officer shall-

- (a) on receipt of the communication in subregulation (2), convene a parish frontline community consultative meeting to address the reasons raised by the Authority for refusal to approve the project; and
- (b) submit the report of the parish frontline community consultative meeting to the Authority within fourteen days from the date of receipt of notification from the Authority.

8. Revenue Sharing Grants Agreement

(1) The Executive Director and the Chief Administrative Officer shall sign a Revenue Sharing Grants Agreement, setting out the terms and conditions under which the funds shall be released.

(2) The Revenue Sharing Grants Agreement under subregulation (1) shall be as prescribed in Form 1 in the Schedule to these Regulations.

9. Application for funds

(1) The Chief Administrative Officer shall apply to the Executive Director for funds for the selected projects upon approval of the project by the Authority.

(2) An application for funds shall -

- (a) be in Form 2 set out in the Schedule to these Regulations;

(b) be accompanied by a copy of an approved work plan for the project;
and

(c) be accompanied by a signed copy of the Revenue Sharing Grant Agreement.

(3) The Executive Director shall upon receipt of the application for the funds and subject to the fulfillment of all requirements for the release of funds, remit the funds to the respective local government bank account within fourteen days.

(4) The Authority shall only release funds to a local government that has submitted to the Authority a report and accountability of the funds released in the previous financial year.

10 Notification of release of funds

(1) The Executive Director shall in writing notify the accounting officer of the release of funds to the respective local government account.

(2) The accounting officer shall-

(a) in writing notify the parish frontline community of the release of funds and the project to be implemented under that financial year;
and

(b) display the notification of release of funds on the notice board accessible to the public.

11. Sharing of funds

(1) Funds released by the Authority under these Regulations shall be shared by all the local governments surrounding the wildlife protected area from which the entry fees to the wildlife protected area are collected.

(2) The share of funds of a local government shall be determined by the extent to which the local government -

(a) shares the boundary with a wildlife protected area from which the entry fees are collected; and

(b) contributes to the total human population of all the local government's parish frontline community adjacent to the wildlife protected area.

12. Revenue sharing formula

(1) The formula for sharing the funds shall be the average of the boundary and population indices multiplied by the amount of entry fees collected from a wildlife protected area.

(2) For purposes of this regulation-

(a) the boundary index refers to the length of the wildlife protected area boundary that touches or is shared with the beneficiary local government boundary divided by the wildlife protected area perimeter; and

(b) the population index refers to the total population of affected parishes in the beneficiary local government divided by the total population of the affected parishes in all the affected local governments.

(3) The funds to be remitted to a local government shall be arrived at by applying the local government proportions based on the formula in subregulation (1) on the overall amount collected as entry fees from the given wildlife protected area.

(4) The officer of the Authority in charge of a wildlife protected area shall compute the average of the boundary and population proportion for the respective local government surrounding the wildlife protected area.

(5) The computation of the population proportions for a local government surrounding a wildlife protected area shall be based on the most recent national population census obtained from the Uganda Bureau of Statistics.

13. Funds flow

(1) The Authority shall release ninety five percent of the funds declared in relation to a respective wildlife protected area towards the implementation of the approved project.

(2) The Authority shall release five percent of the funds collected from the wildlife protected area for project supervision, monitoring and evaluation of approved projects and the remaining funds shall be released as follows -

(a) two percent shall be remitted to the district, city or municipal local government; and

(b) three percent shall be remitted to the subcounty, city division, municipal division or town council.

(3) The Executive Director shall release the funds to the local government within thirty days after the Board approves the disbursements and upon the local government having submitted satisfactory accountability for the revenue released for the previous financial year.

14. Reporting and accountability

(1) The accounting officer shall by the fifteenth day of each month, submit to the Chief Administrative Officer and the officer of the Authority in charge of the wildlife protected area, a report on the status of implementation of a project approved under these Regulations.

(2) The Chief Administrative Officer shall by the fifteenth day of every month following the end -

(a) of the quarter, submit to the Authority a quarterly report; and

(b) of year submit to the Authority an annual report;

on a project implemented using funds released under these Regulations.

(3) Every report submitted under this regulation (1) shall state the contribution of the project—

(a) to resolving human-wildlife conflict; and

(b) to improvement of the livelihood of the community.

(4) The Chief Administrative Officer shall submit to the Authority an accountability of the funds released to a lower local government for the concluded financial year within one month of the closure of each financial year.

(5) The Authority shall submit to the Minister a report on the implementation of the projects funded by the Authority within three months of closure of each financial year.

15. Project monitoring and evaluation

(1) The stakeholders including the officer of the Authority in charge of the wildlife protected area, the Minister, local government technical staff and the chairpersons of the village, parish and sub county, municipal division and town council of the beneficiary community shall participate in the project monitoring and evaluation.

(2) The Chief Administrative Officer and the relevant stakeholders shall –

(a) be responsible for monitoring and evaluating the project implemented in the District under these Regulations; and

(b) develop a monitoring and evaluation framework as part of the project implementation plan.

SCHEDULE

FORMS

FORM 1

Reg. 8(2).

REVENUE SHARING GRANTS AGREEMENT

Terms and conditions for disbursement of Revenue Sharing to District Local Governments

WHEREAS the District Local Government (herein referred to as the “Recipient”) and Uganda Wildlife Authority (herein referred to as the “Authority”) have entered into this agreement for release of the revenue sharing funds in accordance with the Uganda Wildlife Act, No.17 of 2019 and the Regulations made thereunder;

The parties witness and agree as follows;

THAT the Authority shall release the approved revenue sharing funds to the recipient in accordance with the approved work plan of the recipient.

THAT the recipient undertakes-

- (a) to disburse the available funds by end of each financial year and in accordance with the set criteria, formula and general guidelines of the grant;
- (b) to regularly supervise and monitor the Revenue Sharing Fund projects;
- (c) to ensure that the funds are spent as per the approved projects and budgets;
- (d) to provide timely narrative and financial reports and accountability as per the approved guidelines;
- (e) to integrate the Revenue Sharing Fund projects into the District Development Plan; and
- (f) to release funds to the parish frontline communities, within the stipulated time frame.

Chief Administrative Officer

Name: Date.....

Signature:

For and on behalf of the district local government

FOR OFFICIAL USE ONLY

Executive Director

Name: Date:

Signature:

For and On Behalf of the Authority;

Witnesses:

1. Name:Signature:.....Date:

2. Name:Signature:Date:

FORM 2

Reg 9(2)(a)

APPLICATION FOR FUNDS

1. District / City;
2. City Division/ Municipality/ Municipal Division/ Town/ Sub-County;
.....
3. Parish;Village;
4. Registration No. of the project;
5. Project Site;
6. Wildlife protected area bordering the community;

- i. Name of project;
- ii. Type of project;
- iii. Amount of money required (*from Revenue Sharing Fund*);
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- iv. Community contribution (*cash or in kind*) if any;
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- v. Total project cost;

Detailed description of project:

- i. Background (*why this project? what problems or challenges will it address?*)
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- ii. Goal (*what do you want to achieve at the end of this project?*)
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iii. Objectives (*How will it help the parish frontline community to reach your goal?*)

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iv. How will the project be managed?

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v. How will the project improve the quality of the environment? (*specify*)

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vi. How will the project improve the quality of life of the community? (*specify*)

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vii. What environmental effects are anticipated and what are the mitigation measures?

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viii. Implementation plan;

- Start date:
- End date:
- How will you implement the project:

ix. How will you manage and control the finances (*bank account, simple cash book, financial records*)

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x. How do you intend to operate and maintain the project?

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xi. Intended beneficiaries (*mention category, gender, number of people*)

xii. Other beneficiaries (*list them*)

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Please attach additional information where appropriate (e.g. budget breakdown).

Signature of Parish Chief or his or her equivalent in urban authority

Parish Chief (Name): Signature
Date

Chairperson (Name)Signature
Date.....

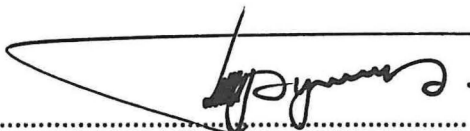
Recommendation from the Village Chairperson (Project site)

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Name..... Signature & Stamp
.....Date

Cross reference

The Local Governments Act, Cap. 243.



TOM R. BUTIME, (MP),
Minister of Tourism, Wildlife and Antiquities.