



## **Ministry of Lands, Housing & Urban Development**

16<sup>th</sup> April 2020

### **PRESS STATEMENT ON DIRECTIVE TO HALT ANY EVICTIONS OF BONAFIDE AND LAWFUL OCCUPANTS ON REGISTERED LAND DURING THE COVID 19 LOCKDOWN PERIOD. (Uganda Media Centre at 10 am)**

As Minister responsible for land and matters in the country, I would like to give guidance on matters relating to land evictions purported to be taking place in the country during the COVID-19 lockdown.

Government has been informed of impending or threatened illegal land evictions of tenants on registered land and customary land owners on unregistered land in the country. The districts where Government has received reports include: Kiryandongo, Hoima, Mubende, Mityana, Kassanda, Wakiso, Luwero, Nakaseke, Nakasongola, Masaka, Mayuge, Napak, Kotido, Abim, Mukono, Kayunga, Wakiso, Kabermaido, Bunyangabu, Kampala, Kiboga, Kyankwanzi and Mbale.

A “Bonafide Occupant” means a person who before the coming into force of the Constitution- (a) Had occupied and utilized or developed any land unchallenged by the registered owner or agent of the registered owner for twelve years or more before coming into force of the 1995 Constitution. (b) Had been settled on land by the Government or an agent of the Government which may include a local authority. To qualify to be a bonafide occupant, one must have settled and utilized the land unchallenged by the registered owner for twelve years or more before the coming into force of the 1995 Constitution, This is a person who settled and used the land before 8th October 1983.

A “Lawful Occupant” means: a person occupying land by virtue of: a) The repealed laws; (i) Busuulu and Envujjo Law of 1928; (ii) Toro Landlord and

Tenant Law of 1937; (iii) Ankole Landlord and Tenant Law of 1937. (b) A person who entered the land with the consent of the registered owner, and includes a purchaser; or (c) A person who had occupied land as customary tenant but whose tenancy was not disclosed or compensated for by the registered owner at the time of acquiring a registrable interest.

I want to remind the country that in December 2018, before I joined this Ministry, H.E the President while officiating at the handover Ceremony to give land titles to former Bibanja holders at Kirema Church of Uganda Primary School in Semuto Sub-County, Nakaseke District, directed that all Resident District Commissioners and District Police Commanders should stay the implementation of Court Orders which lead to massive eviction of lawful and bonafide occupants. At that time, the country was not grappling with the challenges of covid 19, which now bring in a new dimension.

The security of occupancy of tenants (bibanja holders) on registered land is guaranteed by the 1995 Constitution [Art. 237 (8)] and the Land Act [CAP 227]. When Government receives reports of impending illegal land evictions, at a time when citizens are supposed to be implementing a Presidential directive of staying at home in order to save their lives from covid 19, evictions - whether lawful or unlawful - become an unacceptable action to take place in the country.

The Ministry therefore guides citizens and the general public as follows:

1. No tenant by occupancy should be evicted from their bibanja or the land they are in possession of during the current COVID-19 lockdown period;
2. There should be collection of annual nominal ground rent by landlords or the representatives during the COVID-19 lockdown period;
3. Any land sharing engagements between tenants by occupancy and landlords are prohibited until after the lifting of the COVID-19 lockdown period. Any forceful engagements and /or impending evictions should be reported to the Police and other law enforcement agencies as soon as possible to avert;
4. Where a Landlord chooses to sell land to a different person other than the tenants during this COVID-19 lockdown period, the rights of the

existing tenants shall not be affected in any way and the old Landlord shall take the responsibility of introducing the new Landlord to the tenants for purposes of paying him/her busuulu, after the COVID-19 lockdown period is lifted.

5. The District Security committees chaired by the respective Resident District Commissioners are directed to assist lawful and Bonafide occupants to remain and enjoy quiet possession of their bibanja and to suspend the implementation of any eviction order during the covid 19 period, aware that Government issued a “stay at home” guideline, and with most Government officials out of station to intervene in the protection of lawful and bonafide tenants.
6. After H.E the President’s directive on which essential Government services are allowed to operate during the COVID-19 lockdown, I re-affirm that the MZOs and the Land Registry are not operational and will remain closed until after the COVID-19 lockdown is over. I re-assure the public that no land services will be availed to land owners or agents as no transactions are being registered by the Land Information System (LIS) during the lockdown period.

These interim measures shall be implemented during the entire period of the COVID-19 lockdown to protect the rights and obligations of both the landlords and tenants on registered land in the country.

For God and my Country.

Hon. Beti Kanya Turwomwe  
**Minister for Lands, Housing & Urban Development**