

REPUBLIC OF BURUNDI

SN	Law	Required action	Action taken and whether the action comply with the Treaty	Observation/ Comments
1	the Law n°1/07 of 26th April 2010 of Code of Commerce	<i>To specify the grace period to register a business name</i>	<i>Enactment of the Law N°1/01 of 16 January 2015 revising the Law n°1/07 of 26th April 2010 of Code of Commerce; and that Law is in compliance with the Treaty</i>	
2	Law governing Public and Private Partnership	<i>To enact a law governing public and private partnership</i>	<i>The Law n°1/14 of 27 April 2015 on Public and Private Partnership has been enacted and it is in compliance with the Treaty</i>	
3	The Law on Insolvency	<i>To add in that law a provision on Cross-border Insolvency</i>	<i>A Draft bill is under consideration by the Senate and it is in compliance with the Treaty</i>	<i>The process of promulgation of the law is work in progress</i>
4	The Company Law n°1/09 of 30th may 2011	<i>1.To align the classification of companies with other</i>	<i>A Draft Bill is under consideration by</i>	<i>Work in progress</i>

		<p><i>EAC Partner States</i></p> <p><i>2.To align the law related to Minimum/Maximum number of members in a Public Company limited by shares</i></p> <p><i>3.To have a uniform age of 18 years for a person to be appointed director</i></p>	<p><i>the National Assembly and it is in compliance with the Treaty</i></p>	
5	<p>The Decree N°1/037 of July 1993 governing Labour and the Ministerial ordinance N°666/086/92 of 17th april 1992 governing the Foreigners Employment in Burundi</p>	<p><i>To Align these regulations to Annex II of the Common Market Protocol</i></p>	<p><i>The review of these regulations is ongoing</i></p>	<p><i>Work in progress</i></p>
6	<p>Contract Law (sale of goods)</p>	<p><i>To add in the Law a provision on Electronic Transactions</i></p>	<p><i>The Bill on Electronic Transactions is being developed and it is in compliance with the Treaty</i></p>	<p><i>The bill is under consideration in the Parliament</i></p>

REPUBLIC OF KENYA

SN	LAW	REQUIRED ACTION	ACTION TAKEN AND WHETHER THE ACTION COMPLY WITH THE TREATY	REASON FOR DELAY
1	Companies	<p>✓ Enactment of Companies Bill.</p>	<p>✓ The Companies Act, 2015 was enacted.</p> <p>✓ Amendment Bill is being</p>	<p>✓ The proposed amendment involves only a few Sections of</p>

		<p>✓ Amendments to the Companies Act. There is need for further amendments in relation to the clauses on definition of Foreign Companies and registration of foreign companies.</p> <p>✓ This will harmonize the Act with EAC Common Market Protocol on the right of establishment .</p>	<p><i>prepared to be submitted to Parliament in due course.</i></p>	<p><i>the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation.</i></p>
2	Insolvency	<p>✓ Enactment of Insolvency Bill</p>	<p>✓ The Insolvency Act, 2015 was enacted.</p>	<p>✓ Action taken</p>
3	Registration of Business Names	<p>✓ Amendment of Section 2 on interpretation of "foreign concern"</p>	<p>✓ The clause "foreign concern" does not discriminate against other EAC Partner States with regard to</p>	<p>✓ No amendment required.</p>

		<p><i>which is interpreted to mean any firm, individual or corporation whose principal place of business is not situated within the Republic of Kenya</i></p>	<p><i>registration of business names.</i></p> <p>✓ <i>The requirement for registering business names is similar for both local and foreign business entities.</i></p>	
4	Contracts	<p>✓ <i>Amendment of The Law of Contract Act (Cap.23) which is outdated and requires harmonization with the Common Market Protocol</i></p>	<p>✓ <i>Consultation with stakeholders is still on going to have their input on the proposed new law which requires an overhaul of the entire Act and harmonization with the Treaty.</i></p>	<p>✓ <i>Development of the Bill is on-going and will take time due to wide consultation with various stakeholders.</i></p>
5	Sale of Goods	<p>✓ <i>The Sale of Goods Act, (Cap. 31) is in place but requires review to harmonize it with the Common Market</i></p>	<p>✓ <i>Consultation with stakeholders is still on going to have their input on the proposed new law which requires an overhaul of the entire existing Act.</i></p>	<p>✓ <i>Development of the Bill is on-going and will take time due to wide consultation with various stakeholders.</i></p>

		<i>Protocol.</i>		
6	<i>Bills of Exchange Act, Cap 27</i>	<ul style="list-style-type: none"> ✓ <i>Amendment of the Act to ensure that the definition of East Africa under Section 4 (3) includes Rwanda, Burundi & South Sudan</i> 	<ul style="list-style-type: none"> ✓ <i>Development of an Amendment Bill to be submitted to Parliament in due course.</i> 	<ul style="list-style-type: none"> ✓ <i>The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation.</i>
7	<i>Public Procurement and Disposal Act, 2005</i>	<ul style="list-style-type: none"> ✓ <i>Amendment of Section 2 on definition of "citizen contractor" to mean a natural person or an incorporated company wholly owned and controlled by persons who are citizens of</i> 	<ul style="list-style-type: none"> ✓ <i>Enactment of Public Procurement and Asset Disposal Act, 2015</i> ✓ <i>Act requires amendments to harmonize it with the Common Market Protocol.</i> 	<ul style="list-style-type: none"> ✓ <i>The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation including this Act.</i>

		<p>Kenya. Also, it defines "local contractor" to mean a contractor who is registered in Kenya under the Companies Act whose operation is based in Kenya</p>		
8	<p>Employment Act No. 11 of 2007</p>	<p>✓ Amendment of Section 23 (1) & 85 of the Act which relates to requirement for payment of a foreign bond and security on foreign contracts by foreign employers and Investors.</p>	<p>✓ Consultation with stakeholders is still on going to have their input on the amendments so as to harmonize the Act with the Common Market Protocol.</p>	<p>✓ The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation including this Act.</p>

		<i>To exclude East Africans from the definition of foreign employers and Investors</i>		
9	<i>Copyright Act Cap 130</i>	<ul style="list-style-type: none"> ✓ <i>The Act fails to recognize EAC citizens as locals during payment of registration fees.</i> ✓ <i>Law should be amended so that EAC citizens are considered as locals during payment of registration fees.</i> 	<ul style="list-style-type: none"> ✓ <i>Consultation with stakeholders is still on going to have their input on the amendments so as to harmonize the Act with the Common Market Protocol.</i> 	<ul style="list-style-type: none"> ✓ <i>The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation including this Act.</i>
10	<i>Industrial Property Act No. 3 of 2001</i>	<ul style="list-style-type: none"> ✓ <i>The Act fails to recognize EAC citizens as locals during payment of registration</i> 	<ul style="list-style-type: none"> ✓ <i>Consultation with stakeholders is still on going to have their input on the amendments and harmonize the Act with the Common Market Protocol.</i> 	<ul style="list-style-type: none"> ✓ <i>The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an</i>

		<p>fees.</p> <p>✓ Requires amendment so that EAC citizens are considered as locals during payment of registration fees.</p>		<p>omnibus Amendment Bill which will involve amendment to various pieces of legislation including this Act.</p>
11	<p>Civil Aviation Act 2013</p> <p>The Civil Aviation (Licensing Of Air Services) Regulations, 2007</p>	<p>✓ Amendments to section 6 of the Licensing Regulations. To amend the regulations to have a different standard applicable to EAC Citizens separate from the current provisions which would apply to non-EAC citizens, Or;</p> <p>✓ To have</p>	<p>✓ Consultation with stakeholders is still on going to have their input on the amendments and harmonize the Act with the Common Market Protocol.</p>	<p>✓ The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation including this Act.</p>

		<p><i>specific regulations enacted specifically for the EAC Partner States to regulate the industry.</i></p>		
11	<p><i>National Transport and Safety Authority (NTSA) Act</i></p>	<p>✓ <i>The Act to be amended and harmonized in line with the Article 16, 17 & 23 of the Common Market Protocol.</i></p>	<p>✓ <i>Consultation with stakeholders is still on going to have their input on the amendments and harmonize the Act with the Common Market Protocol.</i></p>	<p>✓ <i>The proposed amendment involves only a few Sections of the Act. The AGs office is currently preparing an omnibus Amendment Bill which will involve amendment to various pieces of legislation including this Act.</i></p>
12	<p><i>Constitution of Kenya, 2010</i></p>	<p>✓ <i>Amend the mandate of the CBK under the Constitution to</i></p>	<p>✓ <i>CBK has written to the Attorney General as the Principal Advisor of Government, highlighting the issue so that it can be addressed at the</i></p>	<p>✓ <i>There is a delay in harmonizing the Constitution with the</i></p>

		<p><i>harmonize it with the East African Community Monetary Union Protocol.</i></p>	<p><i>appropriate time when amending the Constitution of Kenya.</i></p>	<p><i>EACMU Protocol as the Protocol is still in early implementing stages.</i></p> <ul style="list-style-type: none"> ✓ <i>Article 2 of the Draft EAMI Statute makes provision for the EAMI to perform its functions and carry out its activities, but recognises that the Partner States will continue to exercise their mandate over monetary and exchange rate policy until the establishment of the EACB and the adoption of the single currency.</i> ✓ <i>The Constitution</i>
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				<p><i>will be amended as soon as the EACMU Protocol is fully implemented.</i></p>
13	<p><i>Central Bank of Kenya Act, Cap 491</i></p>	<p>✓ <i>Amend the CBK Act to allow for transfer of mandate and functions of the Central Bank of Kenya to the EACB once the EACB is established and to harmonize it with the EACMU Protocol.</i></p>	<p>✓ <i>CBK has written to the Attorney General as the Principal Advisor of Government, highlighting the issue so that it can be addressed at the appropriate time.</i></p>	<p>✓ <i>There is a delay in harmonizing the CBK Act with the EACMU Protocol as the Protocol is still in early implementing stages.</i></p> <p>✓ <i>Article 2 of the Draft EAMI Statute makes provision for the EAMI to perform its functions and carry out its activities, but recognises that the Partner States will continue to exercise their mandate over monetary and</i></p>

				<p><i>exchange rate policy until the establishment of the EACB and the adoption of the single currency.</i></p> <p>✓ <i>The CBK Act will be amended as soon as the EACMU Protocol is fully implemented.</i></p>
14	<p><i>Banking Act</i></p> <p><i>Capital Markets Act</i></p> <p><i>Insurance Act</i></p> <p><i>Retirement Benefits Act</i></p> <p><i>Microfinance Act</i></p> <p><i>Sacco Societies Act</i></p> <p><i>Building Societies Act</i></p>	<p>✓ <i>The legislation governing some sub-sectors of the financial system do not provide for integration at either national or regional level</i></p> <p>✓ <i>Enact national legislation</i></p>	<p>✓ <i>The CBK will conduct stakeholders' workshop to discuss the proposed amendments to the various Acts to harmonize them with the EACMU.</i></p> <p>✓ <i>Convergence criteria for the harmonisation of the existing legal and prudential supervisory rules and practices in the Finance and Banking Sector (Banks, Microfinance</i></p>	<p>✓ <i>Harmonizing of the various Acts identified with the EACMU Protocol will involve wide stakeholder consultations which require time. Further the harmonization process is affected by the implementation of the</i></p>

	<p>Cooperatives Act</p> <p>Kenya Deposit Insurance Act</p> <p>Post Office Savings Bank Act</p> <p>National Payments System Act, 2011</p> <p>Public Finance Management Act, 2012</p>	<p>that provides for integration of the financial system at national level</p> <p>✓ Create a community law that provides for an integrated system that articulates how implementation will be conducted in partner states</p>	<p>institutions, CRBS and Forex Bureaus) have been approved by Governors of the EAC Central Banks (November 2014).</p>	<p>EACMU Protocol. Once fully implemented harmonization will be simpler and faster.</p>
	<p>The Statistics Act, 2006</p>	<p>✓ Absence of a mechanism for harmonisation of Partner States statistics.</p>	<p>✓ The revised Statistics Act is being finalised to inter alia bring other producers of statistics more in line with the modern concept of official statistics as exemplified in the UN Principles of Official Statistics. This will address the gaps in the institutional framework that is a prerequisite for production and</p>	<p>✓ Community Bill on Statistics is under discussion.</p> <p>✓ EAC developed Draft Statistics Policy and East African Community</p>

			<i>dissemination of high quality statistics necessary for the proper functioning of the EACMU</i>	<i>Statistics Bureau Bill, 2016 which will address the issue and facilitate the harmonization process in that sector. The process being driven by the EAC Secretariat.</i>
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REPUBLIC OF RWANDA

SN	Law	Required action	Action taken and whether the action comply with the Treaty	Reason for delay
1	Law N° 04/2011 of 21/03/2011 relating to Immigration and Emigration in Rwanda		Enacted and in force, it comply with the Treaty	
2	Law N° 13/2009 of 27/05/2009 Regulating Labour in Rwanda		Enacted and in force, it comply with the Treaty	
3	Law N° 45/2011 of 25/11/2011 Governing Contracts	To include the provisions on Agency and Bailment	Enacted and in force, it comply with the Treaty	The Approval of the EAC Model law on Contract
4	Sale of Goods	Enact a new law		<i>Provisions on Sale of Goods are covered in other laws</i>
5	Law N° 07/2009 of 27/04/2009 Relating to Companies		Enacted and in force, it comply with the Treaty	
6	Law N° 12/2009 of 26/05/2009 Relating to Commercial Recovery and Settling of Issues arising from Insolvency	<i>Provide provisions on Cross border Insolvency</i>	Enacted and in force, it comply with the Treaty	Insolvency Proceedings are subject to Rwanda Commercial Courts (were not a priority compared to the number cross border failures)

7	Law N° 31/2009 of 26/10/2009 on the protection of intellectual property	<i>To cover protection of new areas of IP (Genetic Resources, Plant Varieties, Traditional Cultural Expressions etc.) as per art. 43 of the Common Market Protocol</i>	<i>Enacted and in force, it comply with the Treaty</i>	<i>Finalization and Approval of EAC Model Laws on specified areas of IP</i>
8	Partnership Law	Enact a new law		<i>Draft law finalized pending for validation</i>
9	Law N° 14/2016 of 02/05/2016 Law governing public private partnerships		<i>Enacted and in force, it comply with the Treaty</i>	
10	Law N° 36/2012 of 21/09/2012 relating to competition and consumer protection		<i>Enacted and in force, it comply with the Treaty</i>	
11	Law N°06/2015 of 28/03/2015 relating to investment promotion and facilitation		<i>Enacted and in force, it comply with the Treaty</i>	

REPUBLIC OF UGANDA

S/N	Identified Law	Non-Conformity Measure	Action taken and whether the action comply with the Treaty	Responsible MDA
1	<i>The Accountants Registrations Act. Cap 266</i>	<i>Previously Section 49 (1) only recognized the members of the Institute of Certified Public Accountants of Kenya and the National Board of Accountants and Auditors of United Republic of Tanzania as accountants in Uganda.</i>	<i>Restrictions on recognition and enrolment of members of the Institute of Certified Public Accountants Burundi and Rwanda have however been lifted.</i>	<i>Ministry of Finance, Planning and Economic Development</i>
2	<i>Trade Licensing Act Cap 101</i>	<i>Previously under Section 3,a Minister may prohibit foreign traders from trading in business areas and trading centers reserved for citizens of Uganda.</i>	<i>The restrictions on citizens of other EAC Partner States from trading in certain areas and certain goods have however since been lifted.</i>	<i>Ministry of Trade, Industry and Cooperatives</i>
3	<i>Airport Service Charges Act Chapter 353</i>	<i>Previously the Act imposed a payment of a service charge of USD 20 to foreign passengers departing by aircraft from any airport in Uganda including citizens of other EAC Partner States.</i>	<i>The Act was amended in line with the EAC CMP requirements and came into force on 11th July 2014. This restriction has since been lifted.</i>	<i>Ministry of Works and Transport</i>
4	<i>Civil Aviation (Air Operator Certification and Administration) Regulations No. 26 of 2012</i>	<i>Previously the Regulations required foreign air operators, including those from other EAC Partner States, to establish their principal place of business and be registered in Uganda before issuance of a license.</i>	<i>. The Regulations were amended in line with the EAC CMP requirements and came into force on 11th July 2014.</i>	<i>Ministry of Works and Transport</i>

5	Civil Aviation (Aircraft Registration and Marking) Regulations	CAA (Marking) Regulation 4 (1) of 2012.	The Act was amended and came into force on 11 th July 2014 thereby taking away the non-conforming measure	Ministry of Works and Transport
6	The Financial Institutions Act, Act 2/2004	The Financial Institutions Act, 2/2004.	The Act was amended in February 2016	Ministry of Finance, Planning and Economic Development/Bank of Uganda

Work in Progress

S/N	Identified Law	Status	Recommendation	Responsible MDA
1	Uganda Citizen and Immigration Act, Cap 66	To remove restrictions on citizens of EAC Partner States to enter or remain in Uganda without a valid entry permit, certificate of permanent residence or pass.	Ministry of Internal Affairs says they have had four ministers within a short period, each tasked with different responsibilities and thus Act has not been deliberated on.	Ministry of Internal Affairs
2	Uganda Citizenship and Immigration Act, Cap 59	To remove restrictions on entry of citizens of EAC Partner States who intend to take up employment in Uganda only after being issued with an entry permit, certificate of permanent residence or special pass.	Ministry of Internal Affairs says they have had four ministers within a short period, each tasked with different responsibilities and thus Act has not been deliberated on.	Ministry of Internal Affairs
3	Uganda Citizenship and Immigration Regulations SI 16	To include Rwanda and Burundi in its definition of the	No deliberations on the same given the change of	Ministry of Internal Affairs

	<i>of 2004 (Regulation 2)</i>	<i>EAC.</i>	<i>four Ministers in a short while</i>	
<i>4</i>	<i>Uganda Citizenship and Immigration Regulations SI 16 of 2004</i>	<i>Ministry of Internal Affairs says they have had four ministers within a short period, each tasked with different responsibilities and thus Act has not been deliberated on.</i>	<i>Supra Supra</i>	<i>Ministry of Internal Affairs</i>
<i>5</i>	<i>The Income Tax (Amendment) Act 2012- Part V schedule 3 Section 118 (3) The Third schedule Part IV.</i>	<i>To remove uncertainty on the withholding tax rate applicable for non-residents on interest payments for government securities under S. 117.</i>	<i>There is none uniformity within member states and thus harmonization needed at regional level.</i>	<i>Ministry of Finance, Planning and Economic Development</i>
<i>6</i>	<i>The Income Tax (Amendment) Act 2006, Part V of The Schedule 3- Sections 117 and 118.</i>	<i>To provide the rate of withholding tax rate applicable for interest payments on government securities for residents as well as non-residents.</i>	<i>There is none uniformity within member states and thus harmonization needed at regional level.</i>	<i>Ministry of Finance, Planning and Economic Development</i>
<i>7</i>	<i>The Capital Markets Act</i>	<i>MFPED is required to put in place a regulatory framework for (i) local sale or issue of derivative products locally by residents; (ii) the sale or issue of derivative product locally by non-residents; and (iii) the sale or issue of derivative products abroad by non-residents.</i>	<i>Has been amended to redefine the word securities to include derivative products. This will pave way for subsequent work to enact relevant regulatory frameworks which process needs to be fast tracked. No legal framework for derivative products</i>	<i>Ministry of Finance, Planning and Economic Development/Bank of Uganda</i>

8	<i>Investment Code Amendment Bill</i>	<i>Summited for Cabinet consideration</i>	<i>Fast track placement of the Bill on the Agenda for Cabinet</i>	<i>Uganda Investment Authority</i>
9	<i>Companies Act 2012, Section 256</i>	<i>This law gives preferential treatment to countries that are members of the commonwealth group of countries in filing of returns. Burundi is not a member of the common wealth</i>	<i>Proposed amendments have been done.</i>	<i>Uganda Registration Services Bureau</i>
10	<i>The Engineers Registration Act, Cap. 271</i>	<i>Sections 1(e), 2 & 21 definition of 'ordinarily resident'. A foreign engineer who wants to be registered in Uganda must live in Uganda for more than 6months of each year for five consecutive years before he or she can be considered for registration placing restrictions on national of EAC Partner states.</i>	<i>Consultations have been done and drafts prepared, expected to be in cabinet within course of the month.</i>	<i>Ministry of Works and Transport</i>
11	<i>Finance Act 2012</i>	<i>The Finance Act provides for company fees payable to the Registrar of Companies</i>	<i>Uganda registration Services Bureau stated that finance is responsible for regulating fees since there are constant fluctuations, thus the finance Act can't be regulated. Though comparative analysis can be done for the fixed fees. (URSB to write to Finance and see way forward)</i>	<i>Ministry of Finance, Planning and Economic Development</i>

12	Advocates Act Chapter 267	Uganda Law Council is in the process of negotiating a Mutual Recognition Agreement and a draft Bill for the amendment of the Act has been prepared.	EAC convened a meeting in Mombasa where they came up with a Mutual recognition agreement, and from Uganda Law Society, it was resolved that respective bodies consult lawyers so as to have input.	The Ministry of Justice and Constitutional Affairs
13	The Public Procurement and Disposal of Public Assets Act	A consultant had been commissioned by all the EAC Partner States to review and harmonize their national Public Procurement and Disposal of Public Assets laws and the assignment was to be concluded by June 2017	A regional procurement law is being worked on by consultants. Ministry of Trade Industry and Cooperatives underscored the need to ensure that local content in government procurement is given consideration because when opened up to rest of East Africa, local manufacturers will be badly affected. Emphasized that percentage should go to local manufacturers and that PPDA should ensure that all relevant stakeholders are involved in the consultation process.	Public Procurement and Disposal of Public Assets Authority

14	<i>The Fish Act Cap 197</i>	<i>The Draft Bill to amend the Act had been forwarded to Cabinet for consideration.</i>	<i>Ministry of Agriculture has prepared a bill that should be in cabinet by December.</i>	<i>Ministry of Agriculture, Animal Industry and Fisheries</i>
15	<i>External Trade Act</i>	<i>Review of the Act indicates that it governs trade relations with other external parties far beyond the EAC Partner States. There are however, provisions in the Act which conflict with Customs Management Act (CMA).</i>	<i>Fast track amendment of the Act to reflect that trade with Rwanda, Burundi, Kenya and Tanzania should be treated preferentially in line with the EAC CMA.</i>	<i>Ministry of Trade, Industry and Cooperatives</i>
16	<i>The Workers Compensation Act Cap 225</i>	<i>An internal review process for the amendment of the Workers Compensation Act Cap 225 to include Rwanda and Burundi among EAC states has commenced.</i>	<i>Ministry of gender says the employment act is already under Law Reform Commission. Chair raised a question on whether issues of EAC and Common Market Protocol in relation to free movement of persons been captured? And encouraged that it be incorporated.</i> <i>Internal processes still at departmental levels</i> <i>Principles were developed and now before parliament copies to be sent to MDAs</i>	<i>Ministry of Gender, Labour and Social Development reported</i>
17	<i>Specified Goods (Conveyance) Act Chapter 359</i>	<i>The Act gives the Minister in charge of transport has power to make regulations</i>	<i>Current road bill is before the First Parliamentary</i>	<i>Ministry of Works and Transport</i>

		<i>prescribing routes on which restricted goods: coffee, tea, petroleum products and lubricants may be conveyed to and from Uganda and Rwanda</i>	<i>Counsel and to be submitted to cabinet by end of month. Copies to be sent to MDAs.</i>	
18	<i>Specified Goods (Conveyance) Regulations Statutory Instrument</i>	<i>The Regulations give the Minister in charge of transport has power to make regulations prescribing routes on which restricted goods: coffee, tea, petroleum products and lubricants may be conveyed to and from Uganda and Rwanda.</i>	<i>These Regulations are under review to delete non-conforming provisions</i>	<i>Ministry of Works and Transport</i>
19	<i>Ware House Receipt Systems Act, 2006</i>	<i>Section 31 of the Act discriminates insurance companies doing business in other EAC countries.</i>	<i>Ministry of Trade stated that difficulty was in discrimination against insurers from other EAC states. Timelines will be communicated later.</i>	<i>Ministry of Trade, Industry and Cooperatives</i>
20.	<i>Trade Remedies Bill</i>		<i>Cabinet has approved the drafting principles and the Bill is before the First Parliamentary Counsel</i>	<i>Ministry of Trade, Industry and Co-operatives</i>

Pending Laws/Regulations

S/N	Identified Law	Recommendation	Responsible MDA
1	<i>The Evidence (Bankers Book) Act Cap 6</i>	<i>MoFPED/BOU to provide the status of amending the Act</i>	<i>Ministry of Finance, Planning and Economic Development/Bank of Uganda</i>
2	<i>Architects Registration Act Chapter 269</i>	<i>Ministry of lands intimated that as regards to the surveyors registration act, principles have been developed and sent to cabinet and are still under discussion. Consultations and update on the above will be given through email.</i>	<i>Ministry of Lands, Housing and Urban Development</i>
3	<i>The Surveyors Registration Act, Cap. 275</i>	<i>MoLHUDto provide the status on amendment of the Act.</i>	<i>Ministry of Lands, Housing and Urban Development</i>
4	<i>Business Names Registration Act Chapter 109</i>	<i>Uganda Registration services bureau said nothing had yet been done on the above, but internal consultations will commence soon.</i>	<i>Uganda Registrations Services Bureau</i>
5	<i>Trade Mark Act</i>	<i>Have not yet commenced amendments but</i>	<i>Ministry of Trade, Industry and Co-operatives</i>

		committee has been set up	
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UNITED REPUBLIC OF TANZANIA

SN	Law	Required action	Action taken and whether the action comply with the Treaty	Comment/ Reasons for delay.
1	Registration of Partnership	To have a section on limited liability partnership	Not yet to amend.	Needs wider consultation from the stakeholders. We are still consultation.
	Registration of companies		It is in harmony	
	Insolvency		URT has drafted the Insolvency and bankruptcy Bill	
	Business Name Registration		It is in harmony	
2	The Immigration Act	To amend the Act in order to comply with Regulation 5(2) - (4)) of Annex II on Free Movement of Person	The Immigration Regulations of 1997 have been amended through The Immigration (amendment) Regulations, 2016 and The Immigration (visa) Regulations, 2016 to reflect the provisions of the EAC Common Market Protocol.	
3	The Employment and Labour Relations Act.	To provide for a non resident Employer.	The URT has enacted the law on non-citizen (Employment Regulation)	The Rights and Obligation of employers and employees are clearly elaborated under the

		<i>To consider industrial training and social development in non-public sector services.</i>	<i>Act, 2015 to regulate and realign the legal regime for employment and engagement in other occupations by non-citizen in Tanzania. The act in inline with the EAC common market protocol, although it lacks a provision to regulate non-resident Employer.</i>	<i>Employment and Labour Relations Act, 2004. The URT is still consulting the stakeholders on having a provision in the non-citizen (Employment Regulation) Act, 2015 to regulate non-resident employer.</i>
4	<i>The Law of Contract Act.</i>	<i>To include condition and warrant in the law</i>	<i>Not yet to amend</i>	<i>Condition and warrant in contract law is the Common law principles. The said principles apply in Tanzania under the Judicature and Application of Law Act. The URT is of the view that since those principles has been taken care under the Judicature and Application of Laws Act, there is no need of having the provision under the Law of Contract Act, elaborating what has already been stipulated other legislation.</i>
		<i>To provide electronic transaction in the law</i>	<i>The URT has enacted the Electronic Transactions Act, 2015 which recognizes the Electronic Contracts.</i>	

5	<i>The Sales of Goods Act.</i>	<i>To increase the value for enforceable agreement under section 6 of Sales of Goods Act.</i>	<i>Not yet to amend</i>	<i>Still on the process to review the section.</i>
		<i>To codify the principle in the duty to mitigate damages</i>	<i>Not yet to amend</i>	<i>Still on the process to review the section.</i>
6	<i>Intellectual Properties Law</i>	<i>To provide for the definition of patent</i>	<i>Not yet to amend</i>	<i>While in the process of amending IP laws, it was discovered that we had no policy on IP. The URT through the Ministry of Industries, Trade and Investment in consultation of the IP stakeholders, drafted the policy on IP and presented the draft before the Cabinet Secretariat. The Cabinet Secretariat made some recommendations to improve the drafted policy. The responsible ministry is still working on the policy to make some improvement as per the recommendation of the Cabinet Secretariat.</i>
		<i>To increase the duration for patent rights from ten to twenty years as the Trips Agreement.</i>	<i>Not yet to amend</i>	<i>Policy Implications on IP</i>
		<i>Registration for Certification Mark.</i>	<i>Not yet to amend</i>	<i>Policy implications on IP</i>

		<i>To develop lay out design of integrated circuits.</i>	<i>Not yet to amend</i>	<i>Policy implications on IP</i>
		<i>To enact a law on industrial designs</i>	<i>Not yet to amend</i>	<i>Policy implications on IP</i>
7	<i>The Forex Exchange Act, 2008</i>		<i>Amended & Complies with the requirement of the Common Market</i>	
8	<i>The Capital Market and Securities Act</i>		<i>Amended & Complies with the requirement of the Common Market</i>	