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Uganda Budget Highlights 2022/23
Accelerating recovery. Sustaining growth
JUNE 2022



From the Country Managing Partner's desk

In the midst of the actual economic impact of COVID-19 pandemic and lockdowns in the past two years, the 2022/2023 national budget is critical for the recovery and stability of businesses, especially SMEs that are the backbone of Uganda's economy.

Deloitte is committed as a strategic partner to both Government and Private sector to facilitate recovery and sustainability of businesses, optimizing the use of technology like Deloitte Experts to find solutions that empower our people and stakeholders to make an impact that matters to our shared challenges.

This budget has been passed in the context of an economy trying to recover from the impact of the Covid-19 pandemic, sky rocketing prices underpinned by the rising price of fuel and a Global economy that is being predicted by the to slump from 5.7 percent in 2021 to 2.9 percent in 2022 as well as warnings from the World Bank of a recession in most countries.

Inspite of the economic challenges, and lockdown, the economy registered a 4.6% growth in FY2021/2022 up from 3.5% in the prior year.

The budget theme while still focused on Industrialisation is now also looking at aspects of Commercial Agriculture, Expanding and Broadening Services, Digital Transformation and Market Access. The overall goal is to accelerate economic recovery.

As part of the annual budget process, Deloitte's experts have summarised the sectors of focus for Government and the funding allocated, with an aim to provide insights into the possible impact of these priorities and funding on businesses and economic recovery.

Enjoy the insights and feel free to reach out in case you need any additional information.



Nobert Kagoro
Country Managing Partner
Deloitte Uganda

Foreword

Economies around the world are grappling with a horde of shifts and complexities – from recession predictions to shifts in trade policies, economic decelerations to scales last seen many years ago, and rising inflation. Pandemic-induced disruption aside, technology shifts, climate change, economic disruption, and supply chain issues are some of the areas in which governments are striving for greater resilience.

Uganda's Budget for Financial Year 2022/2023 is framed around the theme: "Full Monetization of Uganda's Economy through Commercial Agriculture, Industrialization, Expanding and Broadening Services, Digital Transformation and Market Access". Uganda currently faces the effects of the supply chain disruptions as a result of the COVID-19 pandemic and is not immune to the ripple effects of the Russia-Ukraine conflict. However, the government is optimistic about economic growth, predicting 6.5% GDP growth in the medium term.

The Budget Strategy for the Financial Year 2022/23 and over the medium term, seeks to restore economic activity to the pre-pandemic levels, and subsequently accelerate the pace of socioeconomic transformation by sustaining peace, security and macro-economic stability as key foundations for recovery, growth and socioeconomic transformation; mitigating the COVID-19 impact on business activity, livelihoods and the overall economy; and speeding up socio-economic transformation by repurposing the budget towards wealth and job creation, among other impactful investments.

No new taxes will be introduced in Financial Year 2022/2023. The government will depend on funding the total resource envelope of UGX 48.130 trillion from a mix of domestic and external resources, with the lions share of UGX 30.787 trillion sourced from domestic revenue, with a mix of tax revenue and non-tax revenue, backed by enhancements in tax collection efficiency and compliance to tax laws, as well as increased capacity of the Uganda Revenue Authority, deploying appropriate equipment and technology to enforce tax laws.



Mabel Ndawula
Director
Deloitte Uganda

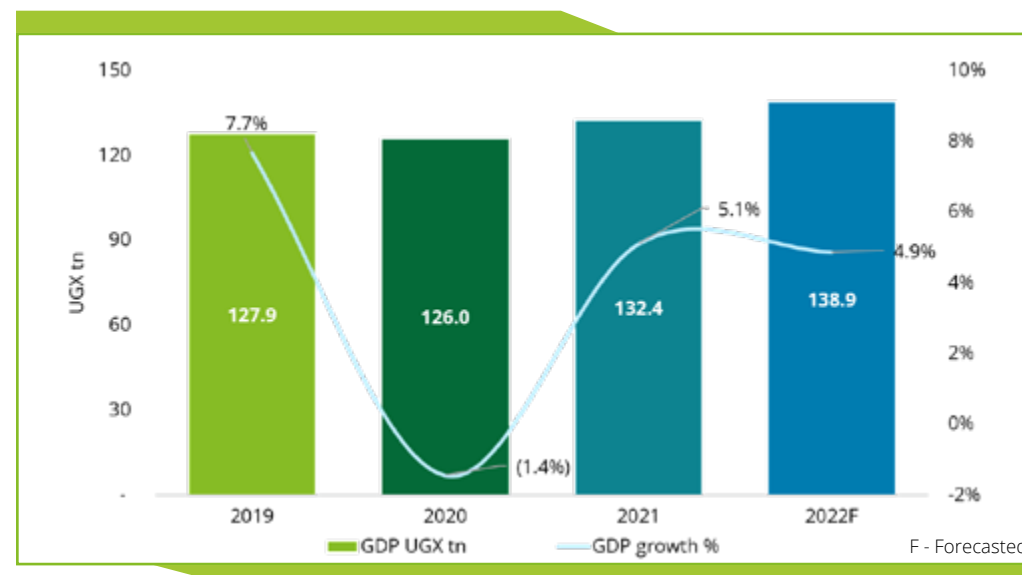


ECONOMIC OVERVIEW

Economic overview

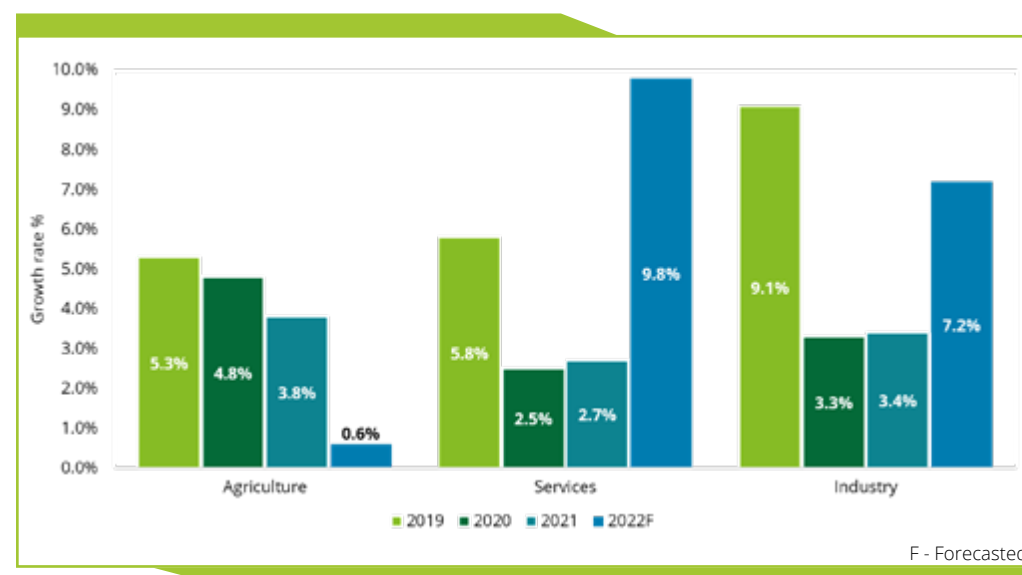
Uganda's economy at a glance

GDP growth



Source: IMF

Sectoral growth



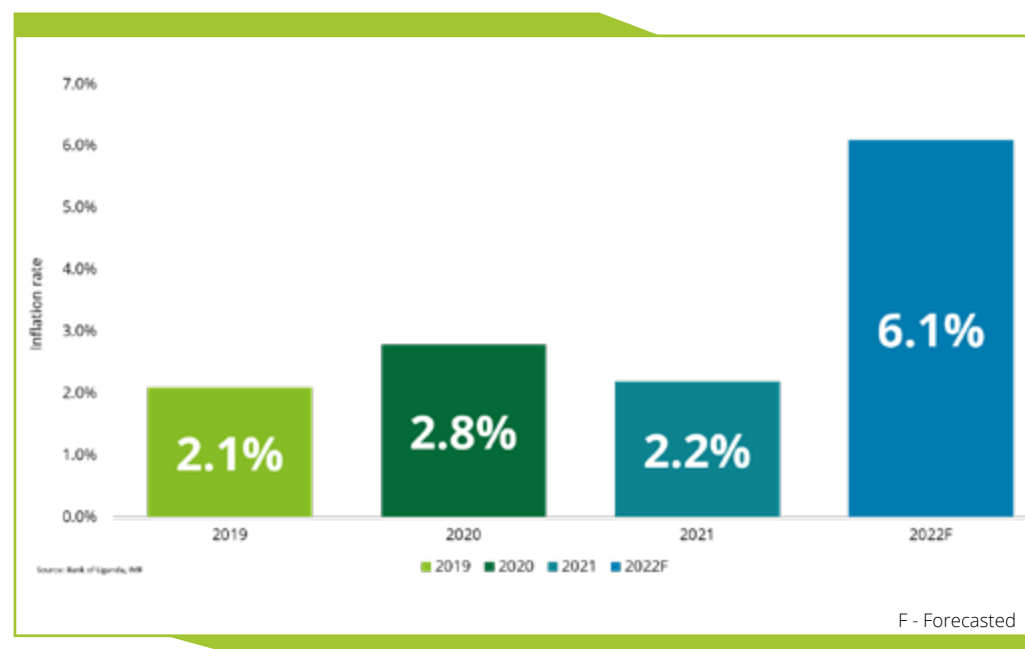
Source: Bank of Uganda, Economic Intelligence Unit

Note: These are denoted as calendar year numbers not financial year

- Uganda's GDP grew by 5.1% in 2021 from a 1.4% contraction in 2020. The growth was primarily attributed to the easing of COVID-19 restrictions in September 2021, which stimulated sectoral growth. The implementation of relief measures by the Government to lessen the effects of the COVID-19 pandemic on households and businesses supported the growth in 2021.
- Uganda's economy is projected to grow at 4.9% in 2022 owing to the full opening of the economy in January 2022 after the lifting of pandemic related lockdowns. The services and industry sectors are expected to be the key growth drivers in 2022.
- However, the Russia- Ukraine conflict is expected to curtail growth in 2022 owing to fuel and agricultural commodity shortages, which will lead to an increase in the cost of fuel imports and agricultural inputs

- In 2021, growth in agriculture declined to 3.8% as a result of significant decline in fishing activities following pandemic-related lockdown measures. The agricultural sector is expected to record minimal growth in 2022 owing to fertiliser and other supply chain disruptions due to the Russia-Ukraine conflict.
- The services sector grew by 2.7% in 2021, due to the slow rebound in trade and tourism activities. Services sector is expected to grow by 9.8% in 2022 mainly due to the Ugandan government's effort in launching campaigns aimed at local travelers to boost domestic tourism.
- Increased manufacturing activities owing to the easing of COVID-19 restrictions led the Industry sector to grow by 3.4% in 2021. The sector is forecasted to grow by 7.2% in 2022 driven by improved electricity supply as well as increased Infrastructure and Capital Project (ICP) investments.

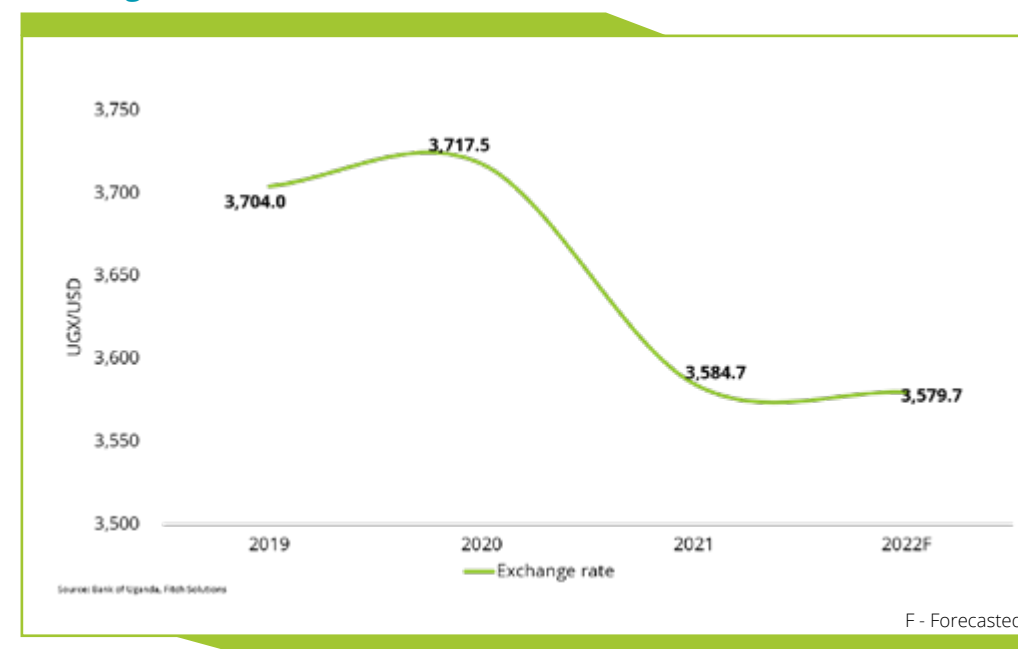
Inflation rate



Source: Bank of Uganda, IMF

- Uganda's inflation decreased to 2.2% in 2021 mainly owing to a decline in transport costs resulting from the lifting of the COVID-19 travel restrictions. Inflation is forecasted to significantly increase in 2022, averaging 6.1%, because of increased commodity prices due to the supply chain disruptions in the industrial and agricultural sectors stemming from the Russia-Ukraine conflict.

Exchange rate UGX/USD

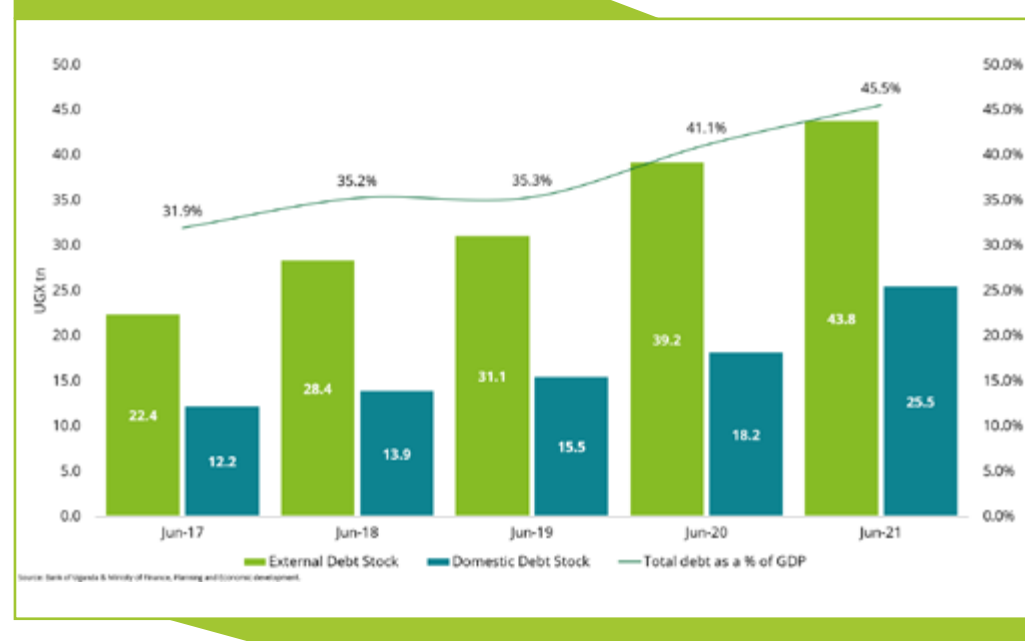


Source: Bank of Uganda, Fitch Solutions

- The Ugandan shilling (UGX) strengthened to UGX 3,584.7 against the US Dollar (USD) in 2021 owing to the increased export earnings from coffee and mineral products. The trend is expected to persist in 2022 with the UGX appreciating to 3,579.7/USD as a result of increased FDI inflows from ICPs such as the Lake Albert Oil Project. Increases in fuel and agricultural commodity prices brought about by the Russia-Ukraine conflict are expected to drive an increase in cost of imports thus posing a downside risk to the appreciation trend.

Note: These are denoted as calendar year numbers not financial year

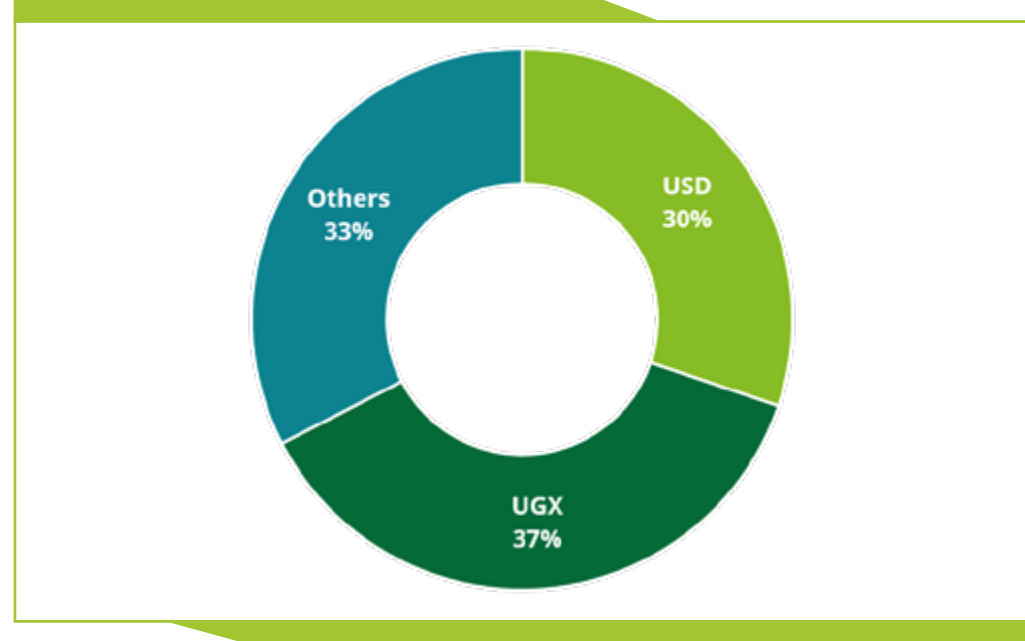
Public debt



Source: Bank of Uganda & Ministry of Finance, Planning and Economic development

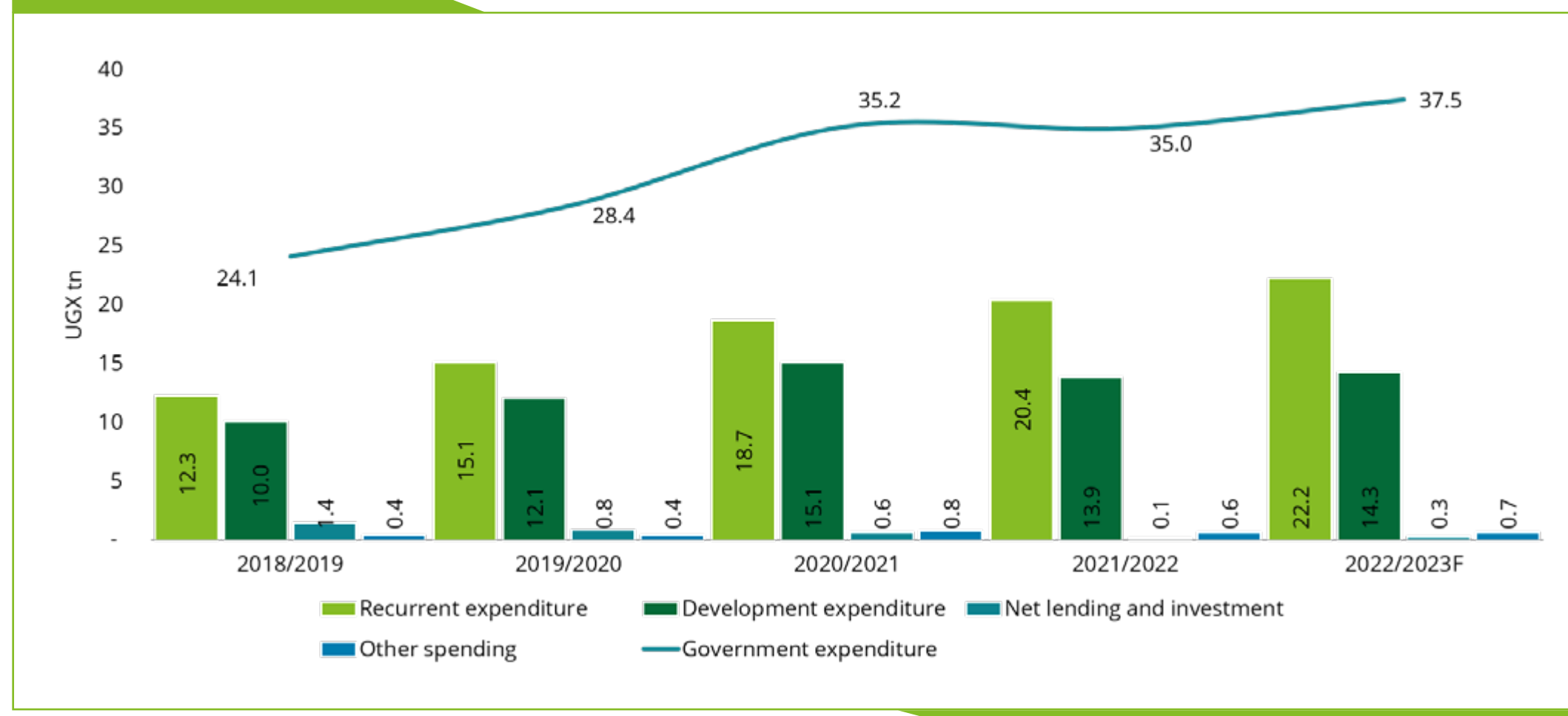
- Uganda’s total debt as a percentage of the GDP grew from 41.1% in 2020 to 45.5% 2021. This increase was due to revenue shortfalls as a result of the effects of the COVID-19 pandemic on the economy, which warranted increased borrowing to meet budgetary requirements and increased spending on the emergency response plan.
- Public debt levels are expected to increase in FY2022/2023 primarily owing to increased Infrastructure and capital projects as well as the expiry of the World Bank’s Debt Service Suspension Initiative in December 2021.

Public debt denominations



Source: Ministry of Finance, Planning and Economic development

Budget overview



Source: Budget Speech 2022/23, National Budget Framework Paper



Government expenditure is projected to amount to 37.5tn, which is 20.9% of the GDP owing to fiscal consolidation initiatives that are expected to drive fiscal and debt sustainability. Notably, except the World Bank grant towards health and education, there is no other COVID-19 related expenditure in the budget.



Recurrent expenditure is projected at UGX 22.2tn, 59.2% of the total expenditure. Interest payments in FY2022/2023 are estimated UGX 4.7tn, 74% of which will be used to cover domestic interest payments while the rest will cater for foreign interest payments.

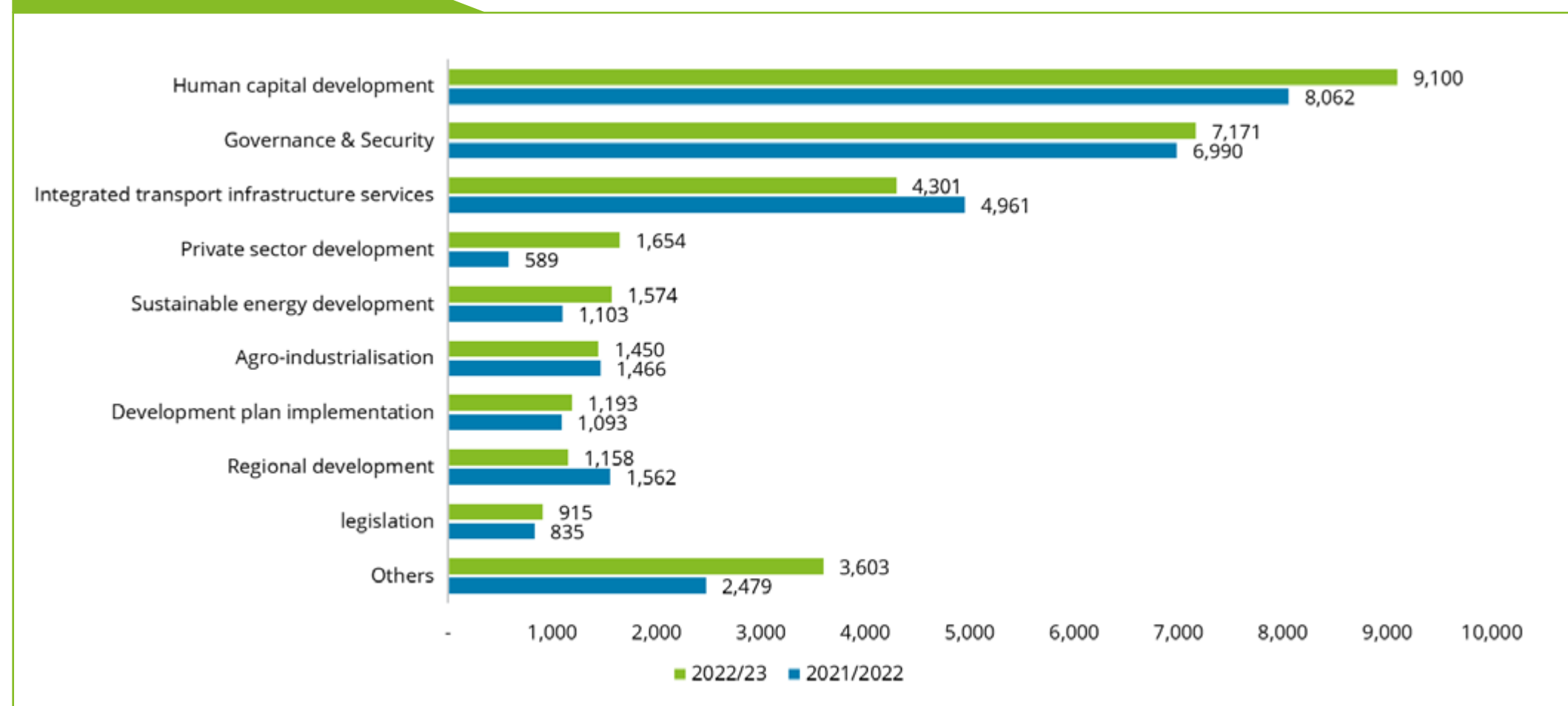


Development expenditure is projected to average UGX 14.3tn in FY 2022/2023 and will be primarily financed by external debt of UGX 6.4tn with project loans and budget loans comprising of 69% and 31% of total external debt, respectively. Infrastructure projects including the Uganda-Tanzania crude oil pipeline, Kampala Flyover project, Uganda roads rehabilitation project, Karuma and Isimba hydropower dams, Kampala-Jinja expressway among others are expected to benefit from this allocation.



Fiscal deficit as a % of GDP is projected to decline to 5.4% in FY2022/23 from 7.3% and 9% in FY2021/22 and FY2020/2021 respectively. The decline is attributed to the implementation of the Domestic Revenue Mobilisation Strategy (DRMS) which is expected to increase domestic revenue and consequently, the percentage of Uganda's budget funded by the domestic revenue.

Summary of expenditure by programs



*Note - these are exclusive of debt expenditures
 Source: Budget Speech FY22/23, Background to the Budget 2022/23

Top 3 winners in the 2022/23 budgetary allocation



Human Capital Development

Human Capital Development is the largest winner in FY2022/2023 with the education, sports and skills sub program receiving 45.5% of the allocated expenditure. The funds are expected to facilitate the construction and upgrade of schools and equipment, development of the National Policy on Education (NPE) and e-learning initiatives.

UGX 3,722 bn has been allocated to healthcare in order to increase access to quality healthcare and improve service delivery.

UGX 2,946 bn has been allocated to the population health and safety management sector to increase access to quality healthcare.

Governance and Security

Budgetary allocations to this sector will be focused on the Security docket, which has been allocated UGX 3,987bn set to improve security and security infrastructure.

The allocations are expected to fund capacity and capability building of the security sector through training and equipping personnel as well as refugee management and protection.

Integrated transport Infrastructure services

The development of Uganda's transport and infrastructure network remains a priority for the Government.

70% of the allocations to this sector will finance the development of Uganda's utility corridors including the purchase of 48.01 hectares of land for the Standard Gauge Railway (SGR), construction and upgrading of several road projects as well as increasing capacity for the existing transport and infrastructure services.

Tax Collections



Source: Ministry of Finance

- Even with the effects of the COVID-19 pandemic, the Uganda Revenue Authority has seen a steady growth in tax revenue collections across all tax heads. This is largely due to the successful implementation of the Domestic Revenue Mobilization Strategy (DRMS).
- As of close of March, taxes collected domestically registered a growth of 17 per cent translating into Shs174 billion in comparison to March 2021 last year. Major surpluses were registered in PAYE (Shs38.62 billion) and Corporate tax (Shs25.09 billion). In general, Shs1.147trillion against a target of Shs1.171 trillion were collected from domestic taxes. Meanwhile Customs collections were Shs775.06 billion against a target of Shs688.06 billion, posting a performance of 112 per cent and a surplus of Shs87 billion. Importantly, the Customs revenue collections also grew by slightly more Shs70 billion (9.97 per cent) in March 2022 compared to the same time last year.
- The strengthening of Digital Tax Stamps and Electronic Fiscal Receipting and Invoicing Solution (EFRIS) to trace and track products has resulted in growth in the revenue contributions from the VAT and Local Excise Duty tax heads.
- Although collections have improved more than last year, the projections point to a shortfall of almost 1 trillion for the fiscal year ending in June 2022.

TAX MEASURES



Introduction

This publication highlights the tax and other measures proposed as per the 2022/23 amendment Acts. This publication constitutes only a brief guide and is not intended to be a comprehensive summary of the tax law and practice. This publication summarizes our analysis of the proposed amendments under the following Acts and their impact:

- » The Income Tax (Amendment) Act, 2022;
- » The Value Added Tax (Amendment) Act, 2022;
- » The Excise Duty (Amendment) Act, 2022;
- » The Tax Procedures Code (Amendment) Act, 2022;
- » The Stamp Duty (Amendment) Act, 2022; and
- » The Tax Appeals Tribunal Act (Amendment) Act 2022.

The Acts were passed by Parliament and are awaiting assent by the President. They take effect on 1 July 2022.

While all reasonable care has been taken in the preparation of this analysis, Deloitte and its associates accept no responsibility for any errors it may contain, whether caused by negligence or otherwise, or for any loss, however caused or sustained by any person that relies on it.

Income Tax

Beneficial owner redefined

- “Beneficial owner” has been redefined to mean;
 - » a natural person who ultimately owns or controls a customer; or
 - » the natural person on whose behalf a transaction is conducted, including a person who exercises ultimate control over a legal person or arrangement.
 - » legal person has been defined to include;
 - » the natural person who either directly or indirectly holds at least 10% shares or voting rights;
 - » the natural person exercising control of the legal person through other means including personal or financial superiority; or
 - » the natural person who has power to make or influence a decision of the legal person.
- With regard to trusts, a beneficial owner expanded to include;
 - » the beneficiaries or the individual benefitting from the trust who is yet to be determined.

Who will be affected

- Non- residents with income sourced in Uganda

Our point of view

This provides further clarity in relation to accessing tax treaty benefits under Double Tax Treaties (DTTs) where beneficial ownership is a key criteria. It follows the implementation of BEPS action point 6 which has enabled tax authorities to deny taxpayers treaty benefits that arise from transactions or arrangements which do not necessarily have any commercial substance and whose primary objective is achieving a given tax benefit.

Exempt organisation redefined

- The definition of exempt organisation has been expanded to include research institutions/organisations whose object is not for profit

Who will be affected

- Research institutions whose object is not for profit

Our point of view

Primarily, non-for-profit organisations fund their operations through donations and grants. This proposal is therefore aimed at promoting more scientific research and development initiatives to drive innovation without necessarily making them more costly than they need to be. These institutions will be exempt from tax subject to meeting the existing criteria of granting exemptions.

Rental income tax

- Changes made in respect of rental income as follows:
- Deductible expenses and losses allowable to non-individuals earning rental income shall be limited to 50% of their rental income in that year of income. Any excess shall be lost. At 30% rate of tax and limitation of deduction the effective rate is 15% on the rental income for a company.
- Repeal of the deduction of interest expense on a mortgage from financial institutions that was previously allowed to individuals in respect of the acquisition or construction of premises from which rental income was generated.
- Change in how to compute rental tax for individuals with rental income. Currently tax is computed at a rate of 30% of the chargeable income. The proposal is to compute tax at a rate of 12% of the gross rental income above UGX 2,820,000 without allowing any deduction for expenses.

Who will be affected

- Landlords

Our point of view

We believe this is aimed at simplifying and fostering compliance for individuals. However, the tax payable by an individual will increase by 56%. See illustration on rental income of UGX 100 m received by an individual:

- » Previously - rental tax UGX 7.5 m (100 X 25% X 30%)
- » Proposal - rental tax UGX 11.7 m ((100 m – 2.82m) X 12%)

For non- individuals the proposed amendment limits the deductible expense allowed to a taxpayer in a given year of income to 50% of the gross rental income with the excess lost.

Exclusion of income from carriage of persons, cargo or mail not embarked in Uganda

- Income derived from the carriage of passengers, or cargo or mail not embarked in Uganda does not amount to income derived from Ugandan source service contract

Who will be affected

- Non-resident transport service providers and resident persons paying non-resident transport service providers

Our point of view

This follows the controversial Tax Appeals Tribunal (TAT) ruling in Roche Transport and Logistics Limited Vs Uganda Revenue Authority (URA) where in March 2021 TAT ruled in favour of the URA collecting withholding tax (“WHT”) at the rate of 15% on freight payments to non-resident transporters for cargo deliveries into Uganda from abroad.

This proposal therefore comes as a welcome initiative especially with Uganda preparing for the development phase of its crude oil discoveries. The enforcement of the above ruling would have made it costly for businesses engaging in or relying on such services.

Changes in respect of the mining and petroleum industry

- Penal tax of at least USD 50,000 but not exceeding USD 500,000 to be paid by a licensee who fails to furnish a return or to provide any other document within the prescribed timeline.

Who will be affected

- Taxpayers in the mining and petroleum industry

Our point of view

This measure is aimed at harmonising the tax compliance requirements of players in the mining and petroleum industry with those of taxpayers in other industries.

It is also intended to enhance revenue collection from the mining and petroleum industry as the country gears up for the development phase of its crude oil discoveries.

Extension of list of exempt institutions

- International Development Law Organisation (IDLO) and Foreign, Commonwealth and Development Office (FCDO) (formerly Department for International Development (DFID)) have both been added to institutions whose income is exempt from tax as listed under the First Schedule to the Income Tax Act.
- This list mainly comprises development partners and funding agencies of different states that support or provide funding for priority initiatives under the National Development Plan.

Who will be affected

The agencies listed above

Our point of view

Is to extend the exemptions to the other aid agencies that were not covered before and those whose names have changed. These organisation play a key role of extending services to the public and this should be at the lowest cost as possible. By this exemption the cost for the provision of these services is minimized.

The Tax Appeals Tribunal (Amendment) Act, 2022

- The Act seeks to amend the principal Act to provide for increase in the number of other members of the tax appeals tribunal from four to eight and at least forty percent of the members of the tribunal shall be women

Who will be affected

- All persons having matters pending or intending to register cases with the tax appeals tribunal.

Our point of view

This amendment will result in an increase in the members of the tribunal. Given the current delays in hearing and determining tax cases, we believe an increase in the composition of the Tribunal would translate into expeditious disposition of matters before the tribunal.

Tax Procedire Code

Time frame for expiry of registration of tax agent amended

- The Act proposes that the registration of tax agents will remain in force from the date of issue of the certificate of registration to 31st December every calendar year.

Who will be affected

- Tax Agents

Our point of view

Previously the registration of a tax agent would remain in force for a period of 12 months from the date of registration. This proposed amendment will harmonize the expiry date for all tax agents' certificates and call for a uniform renewal date. It appears this measure is intended to ensure easy tracking of noncompliant tax agents by the Uganda Revenue Authority and possibly protect taxpayers from unlicensed persons that masquerade as tax agents.

Mandatory electronic receipting and invoicing requirement

- Businesses that do not comply with the requirements of electronic receipting and invoicing or tax stamps will be temporarily closed.

Who will be affected

- Business owners /VAT registered taxpayers

Our point of view

The requirement for electronic receipting and invoicing was rolled out on 1st January 2021 and taxpayers have gradually embraced the system. This provision is therefore aimed at taxpayers that are still noncompliant and are not raising invoices electronically. The overall objective of the mandatory electronic receipting and invoicing requirement is to enhance compliance and revenue collection. It remains to be seen what the actual impact of this requirement will be on tax revenue.

Disclosure of information on contracted services

- A person engaged in the construction or extractive industry shall disclose to the Commissioner the names of persons contracted in the course of performance of their duties or business within seven days from the date of signing the contract.
- You are liable to a penalty of UGX 20 million for non-compliance to the above provision.

Who will be affected

- Persons in the construction or extractive industry

Our point of view

This measure will enable the Uganda Revenue Authority to have access to information on the service providers with a view to checking their tax compliance status

Increased penalty for making false or misleading statements

- Proposal to increase the penalty for knowingly or recklessly making a false or misleading statement to a tax officer or omitting from such a statement any matter, to UGX 110 million from the previous UGX 4 million.

Who will be affected

All tax payers

Our point of view

Making it expensive for false and misleading statements to foster compliance by making correct returns.

Additional offences

Introduction of new offences to align with the introduction of digital tax stamps and electronic invoicing and receipting. Overall, these are offences and on conviction one is liable to a fine not exceeding UGX 30 million or imprisonment not exceeding 10 years or both. These include

- » Failure to affix or activate a tax stamp
- » Prints over or defacing of a tax stamp
- » Forgery of a stamp
- » Failure to use electronic receipts or invoicing
- » Forgery of electronic receipts or invoice
- » Interfering with the electronic fiscal device or electronic dispensing control device
- » For offences related to automatic exchange of information the penalty is UGX 50 million or imprisonment for a term not exceeding 10 years or both

Who will be affected

- EFRIS and tax stamps taxpayers

Our point of view

Making it punitive for not complying by the huge penalties with the possibility of even going to prison. Aimed at encouraging compliance and eventually should be self policing.

Payment of informers

- Payment of informers. On provision of information;
 - » 1% of tax or duty assessed or UGX 15 million whichever is less.
 - » Recovery of unassessed tax or duty, 5% of the tax or duty recovered or UGX 100 million whichever is less.

Who will be affected

- All informers but shall not apply to staff of the authority

Our point of view

This measure is intended to encourage more people with information leading to identification or recovery of tax to come forward with such information thus increasing compliance in the long run.

Value Added Tax (VAT)

Amended definition of exempt imported services

- Amendment to what constitutes an exempt imported service by repealing the words “or would be used in the provision of an exempt supply.”

Who will be affected

- Taxpayers who provide exempt supplies.

Our point of view

Previously, the VAT law had a wider definition to what constitutes an exempt imported service. It covered services that would be used in the provision of an exempt supply. The amended provision therefore brings to charge imported services used in the provision of exempt supplies

Amended of cash accounting

- A taxpayer who supplies goods or services to Government may elect to account for tax on a cash basis.

Who will be affected

- Taxpayers who supply goods or services to Government

Our point of view

This will improve the cash flows for taxpayers who transact with the Government which takes long to pay and this affects compliance where taxpayers’ money is held by Government.

Additional persons listed as Public International Organizations

- The Act proposes additions to the list of Public International Organizations in the First Schedule of the VAT Act to include:
 - » International Development Law Organization
 - » Foreign Commonwealth and Development Office
- These will be exempt for VAT purposes. Any person supplying these organizations shall not charge them VAT.
- The Act also proposes removal of Department for International Development from the list of public international organizations. This is because the organization was succeeded by the Foreign Commonwealth and Development office which has been added to the list of public international organizations.

Who will be affected

- Taxpayers who supply goods or services to Government

Our point of view

Is to extend the exemptions to the other aid agencies that were not covered before and those whose names have changed. These organisation play a key role of extending services to the public and this should be at the lowest cost as possible. By this exemption the cost for the provision of these services is minimized.

Changes to the list of exempt supplies

- The second schedule (exempt supplies) is to be amended to include the following as exempt:
 - » Oxygen cylinder or oxygen for medical use;
 - » The supply of assistive devices for persons with disability
 - » the supply of airport user services charge by Civil Aviation Authority;
 - » The supply of services to conduct a feasibility study, design and construction; the supply of locally produced materials for construction of the premises and other infrastructure, machinery and equipment or furnishings and fittings to a hospital facility developer whose investment capital is at least five million United States Dollars and who develops a hospital with capacity to provide specialized medical care.
 - » All hospital developers not only those at the level of national referral hospital

Who will be affected

- Persons providing the supplies indicated

Our point of view

The provisions are mainly aimed at saving money for those businesses assuming that their suppliers are also exempt and will not charge VAT. This is supposed to make the provision of those services cheaper.

Should also encourage investment in those sectors.

Changes to the list of zero-rated supplies

- The Act proposes to widen the scope of educational material to include educational materials manufactured in a partner state of the East African Community.

Who will be affected

- Suppliers of educational material that are manufactured in the East African Community.

Our point of view

This is likely intended to strengthen trade between member states in the East African Community and to do away with the monopoly of the manufacturers based in Uganda.

- The supply of menstrual cups and inputs for their manufacture are now zero rated

Who will be affected

- Suppliers of Menstrual cups

Our point of view

Previously, menstrual cups were exempt supplies under the second schedule. The inclusion of the same in the third schedule appears to align the VAT treatment of the supply of sanitary products such as sanitary towels, tampons that are manufactured for the same purpose. It is expected that this will reduce on the price of these items and make them affordable which should be a welcome move following the outcry of these items being expensive.

Excise Duty

Definitions

- » The Act expands the definitions of fruit juice, un-denatured spirits, and vegetable juice.
- » “fruit juice” means unfermented liquid extracted from the edible part of a fresh fruit whether the extracted liquid is diluted or not;”
- » “un-denatured spirits” means spirits, that are not mixed with any substance to render the spirit unfit for human consumption or capable of being rendered unfit for human consumption, including neutral spirits or alcoholic beverages made from neutral spirits that are fit for human consumption.
- » “vegetable juice” means unfermented liquid extracted from the edible part of a vegetable whether the extracted liquid is diluted or not;”

Who will be affected

- » Manufacturers, importers and providers of these excisable goods and services

Our point of view

The introduction of these definitions is to ensure that the affected taxpayers attach the same meaning to those specific items especially that duty has also been introduced to some new items.

Introduction of new and adjustment of rate structure

- Amendment of Schedule 2 to the principal Act.
- Introduction of duty and amendment of the rate structure on
 - » Fruit juice
 - » Un-denatured spirits
 - » Vegetable juice
 - » Reduction of duty on opaque beer

Who will be affected

- » All taxpayers dealing in excisable goods

Our point of view

Some of the prices will increase for the affected items where there has been an increase and introduction of duties.

The introduction of these definitions is to ensure that the affected taxpayers attach the same meaning to those specific items especially that duty has also been introduced to some new items.



Item	Current rate	Proposed rate
Opaque beer	20% or Ushs230 per litre, whichever is higher	12% or Ushs. 150 per litre; whichever is higher
Un-denatured spirits of alcoholic strength by volume of 80% or made from locally produced raw material	60% or Ushs. 1500 per litre; whichever is higher	60% or Ushs. 1500 per litre; whichever is higher
Un-denatured spirits of alcoholic strength by volume of 80% or made from imported raw material	100% or Ushs. 2500 per litre whichever is higher	100% or Ushs. 2500 per litre whichever is higher
Any other un-denatured spirits-	80% or Ushs. 1700 per litre whichever is higher	80% or Ushs. 1700 per litre whichever is higher
i) that is locally produced of alcoholic strength by volume less than 80% or		
ii) that is imported of alcoholic strength by volume less than 80%.	80% or Ushs. 1700 per litre whichever is higher	100% or Ushs. 2000 per litre whichever is higher
Un-denatured spirits made from locally produced raw materials that is used in the production of disinfectants and sanitizers from the prevention of the spread of COVID-19 of alcoholic content by Volume not less than 70%	Nil	Nil
Fruit juice except juice made from at least 30% pulp or at least 30% juice by weight or volume of the total composition of the drink from fruits and vegetables locally grown.	13% or Ushs 250 per litre whichever is higher	12% or Ushs. 250 per litre, whichever is higher
Any other non-alcoholic beverage locally produced other than the beverage referred to in paragraph (a) made out of fermented sugary tea solution with a combination of yeast and bacteria	12% or Ushs 250 per litre whichever is higher	12% or Ushs 150 per litre whichever is higher
Sacks and bags of polymers of ethylene and other plastics under HS codes 3923.21.00 and 3923.29.00 except vacuum packaging bags for food, juices, tea and coffee sacks and bags for direct use in the manufacture of sanitary pads	Nil	40% or Ushs.4000 per kilogram whichever is higher
Sugar confectionaries; chewing gum, sweets and chocolates	Nil	20%
Any other fermented beverages including cider, perry, mead or near beer produced from locally grown or produced raw materials	30% or Ushs 550 whichever is higher	30% or Ushs 550 per litre whichever is higher
Construction materials of a manufacturer, whose investment capital is, at least thirty-five million United States Dollars or, in the case of a foreigner or five million dollars in case of a citizen	Nil	Nil

Stamp Duty

Item	Current rate	Proposed rate
AGREEMENT relating to deposit of title- deeds, pawn pledge – of the total value	1%	NIL
Agricultural Insurance Policy	new	NIL
SECURITY BOND OR MORTGAGE DEED- executed by way of security for the due execution of an office, or to account for money or other property received by virtue of security bond or mortgage deed executed by surety to secure a loan or credit facility– of entry total value	1%	NIL
TRUST- concerning any property made by any writing including a transfer from a holder of letters of administration or Probate orders to a beneficiary*	15,000	15,000

* Expanded the definition of the dutiable items to include letters of administration or probate orders

This is a reduction in the amount which qualifies for exemption for manufacturers who fall in this category.

Emerging Issues

K Files Limited Vs URA, TAT APPLICATION NO. 69 OF 2021

Application of payments made in respect of the principal tax to offset penal and interest

Facts and Contention

» K Files is engaged in the business of records management and offsite storage. For the period July 2010 to July 2021, URA applied payments made in respect of the principal tax to offset penal and interest charges. K Files contended that there was a waiver of interest and penalties on unpaid tax as per S. 40 (C) of the Tax Procedure Code Act as at 30th June 2020 and was not notified of the liability. The dispute relates to the application of the order of payment under S. 38 (I) of the Tax Procedure Code Act where URA used payments made by the applicant towards the discharge of its principal tax, to the payment of its penalties and interests.

Decision

- » In arriving at its decision TAT pointed out the amendment of S. 38 (I) of the Tax Procedure Code (Am) Act 2017 to read tax liability to principal tax in the order of applying tax payments. This is to be interpreted to mean that tax payments should be applied first on the (specific) principal tax on the current return filed, then second to the penalty and lastly to interest, if there is any penalty and interest outstanding. This would be the order of applying tax payments. URA's application of tax payments to earlier, outstanding tax first, is an attempt to circumvent Section 40 C of the TPCA.
- » The tribunal ruled that URA wrongly applied tax paid to earlier penalties and interest, without notifying K-Files of the same yet this was waived as at 30th June 2020. TAT also pointed out that the taxpayer takes the benefit, where the legislature did not mention how the interest and penalty it waived should be arrived at. The outstanding VAT of UGX 103,684,531 assessed on the K Files was set aside and awarded costs.
- » The court ruling will go a long way in the interim to aid tax ledger reconciliations which the URA often refers to while collecting tax. We understand that URA has filed an appeal against this ruling..

The court ruling will go a long way in the interim to aid tax ledger reconciliations which the URA often refers to while collecting tax.





SECTORAL HIGHLIGHTS

Financial Services

A lot of what was projected for Uganda and other similar economies in FY2021/2022 was critically challenged in the third and final quarters of the financial year. The effect of the war in Eastern Europe exacerbated the stress on the measures put in place to drive economic recovery to pre-pandemic levels. Across the world, commodity price increases and supply chain disruptions have been the headlines that have since replaced daily coronavirus disease (COVID-19) infections on major news outlets and Uganda has not been spared of this trend.

The annual inflation for FY2021/22 rose steadily from the first half of the financial year (2.3%; Q1: 2.1%, Q2: 2.5%) to 3.2% in quarter three. In quarter four, inflation grew more rapidly in line with the effects of the Russia-Ukraine conflict, to 4.9% in April and 6.3% at the end of May – forecasted to close at above 7% in June 2022 (up from the 5% initial forecasts by Bank of Uganda).

Core inflation experienced a similar trend, growing rapidly between quarter two and quarter four and closing at 5.1% at the end of May, forecasted to close at 6.1% (up from the 4.7% initial forecasts by Bank of Uganda).

As a reaction to the inflationary pressures, Bank of Uganda raised the CBR for the first time since 2018 to 7.5% (from 6.5%). This move can be thought as a pressure-release on the deteriorating economic outlook and uncertainty brought on by the effects of the Russia-Ukraine conflict, yet another crisis as the country had just started to recover from the pandemic after a long lockdown.

While commercial banks are predicted to raise the cost of borrowing in line with the CBR increase, the squeeze on the economy is expected to be seen on further rise in prices of imports due to the weakening of the Uganda shilling against the US Dollar. The Bank of Uganda in the medium-term, expects the higher CBR to put a squeeze on increasing demand to allow supply to catch up and put a cork to the ever-fizzing bottle of inflation.

The resultant effect of the above occurrences has been a significant increase in prices for some of the essential commodities and services. These include laundry bar soap, petrol and diesel, cooking oil, some food crop items such as wheat, sugar, potatoes, and onions. Education services and building materials such as cement and steel have also experienced price increases. The public has demanded for something to be done and this was the expected to be an item for this budget. The Government though has reiterated that it cannot influence price levels whose changes are driven by external shocks that are outside its control. Therefore, irrespective of the inflation rate being more than the growth rate, the situation in the interim has been left to play out naturally.

Health Sector

- Following the lifting of lockdown early this year and full re-opening up of the economy, the priority of Government during FY2022/23 remains mitigating the impact of COVID 19 as a measure of enabling economic recovery.
- Government has allocated a total of UGX 3.722 trillion for healthcare delivery in FY 2022/23. This will largely be geared towards COVID 19 vaccination and strengthening health systems to deal with the pandemic.
- The top 5 allocation of the sector budget has been spread as follows; National Medical Stores with 597.122 billion for supply and delivery of health supplies, Ministry of Health – 316.13 billion, Uganda Cancer Institute – 66.11 billion, Mulago Hospital Complex – 62.42, Uganda Heart Institute - 23.83 billion. This is in addition to other allocations within the sector.

Key measures

- Countrywide vaccination to mitigate the COVID-19 impact.
- Maintaining resources in the budget for increasing the capacity for other communicable and non-communicable diseases.
- Fast-tracking the national health insurance policy, including the national ambulance systems to reduce the cost of the services on the government.
- Sustainably bringing back education to normality and attaining pre-COVID19 levels of access to education.
- Monitoring and Evaluation for expenditures to ensure value for money.

Looking ahead

It is important that GOU maintains momentum to increase vaccination of the population. This will include procurement of vaccines, distribution, and awareness campaigns to sensitize the masses on the benefits of vaccination. This should be coupled with campaigns for the public to maintain SOPs to keep COVID infections at bay. This will be key in limiting any potential disruptions in the economy arising out of measures to contain the spread.



Oil & Gas

- The Oil and Gas industry in Uganda has gone through a metamorphosis over the years from 2006 when commercially viable oil deposits were discovered in the Albertine Graben region to date.
- As the International Oil Companies (IOCs) acquired exploration licences and the country witnessed an influx of Foreign Direct Investment (FDI) in the sector, there was heightened optimism that the discovery represented an opportunity to transform the economy through infrastructure development and creation of business opportunities for local businesses. However, that optimism slowly waned as activities slowed down and the sector experienced exits or farm downs by some of the operators.
- Fast forward to the current financial year 2021/2022, there is renewed interest following announcement, in February 2022, of the Final Investment Decision (FID) reached with respect to the development of two oil fields on the shores of Lake Albert and the construction of the East African Crude Oil Pipeline (EACOP). This has seen the award, by TotalEnergies, of a drilling contract to McDermott and Sinopec in respect to Tilenga and has been followed by a joint bid by CNOOC and the Uganda National Oil Company (UNOC) for the Pelican-Crane block in the Albertine Graben (Lake Albert basin). The Pelican-Crane is one of the largest blocks in the Albertine Graben.
- The FY 2022/2023 National Budget, coming off the backdrop of an economy reeling from the impact of the COVID-19 pandemic, is looking at the Oil and Gas sector as one of those that offers opportunity for the projected economic growth of 6% - 7% in the short to medium term. The medium-term fiscal strategy which looks at promoting inclusive growth to increase household incomes and improve quality of life of Ugandans without compromising fiscal and debt sustainability relies on the implementation of Domestic Revenue Mobilization Strategy (DRMS) to achieve revenue to GDP growth of 0.5% every financial year. The Charter for Fiscal Responsibility (CFR) FY2021/22-2025/26 sets out Government's strategy for operating a fiscal policy which is consistent with sustainable fiscal balances. To manage fiscal deficit and public debt, the CFR sets as one of its measurable fiscal objectives a numerical target of a maximum of petroleum revenue worth 0.8% of the preceding year's estimated non-oil GDP outturn to be transferable to the consolidated fund for budget operations. The rest is then transferable to the Petroleum Revenue Investment Reserve.
- To unlock this, there are six objectives set out in the National Development Plan (NDP) III as follows:
 - » maximize the country's returns from the oil and gas resources,
 - » ensure sustainable production and utilization of the country's oil and gas resources,
 - » strengthen policy legal and regulatory frameworks as well as institutional capacity of oil and gas industry
 - » enhance local capacity to participate in oil and gas operations and to promote private investment in oil and gas industry
 - » enhance quality health safety security and environment; and
 - » improve security of supply of refined petroleum
- There is therefore an expectation that the country will once again benefit from FDI inflows towards investment in the EACOP, the Oil Refinery and petroleum exploration in general. In FY2021/2022 there was a rebound of FID of USD 1.36 billion to April 2022 compared to USD 892 the prior year attributed largely to investments in the Oil and Gas sector. As such one of the strategic interventions to achieve economic policy is for the commercialization of oil and gas resources and expediting of mineral extraction for which Shs. 904.1 billion has been allocated in the FY2022/2023 budget. This will hopefully create value addition to oil and gas resources and facilitate resource-based industrialization through the exploitation, which in turn contributes to export, employment, and improved quality of life. As observed in other progressive countries, resources from the Oil & Gas sector can then be used to leverage investment in other sectors of the economy hence creating a positive ripple effect.
- But Oil & Gas has always been a sector with a love/ hate relationship with the general public. Environmental and climate change concerns are coming to the forefront and becoming everyday discussions. Financiers and insurers alike continue to voluntarily adopt environmental, social, and governance (ESG) reporting. It is therefore imperative that as a country, we are cautiously optimistic about the reliance on FDI in the Oil and Gas sector to stimulate the growth we hope to see. In his FY 2022/2023 budget speech, the Minister of Finance acknowledged the negative campaigns against the development of the Crude Oil Pipeline and affirmed Government's commitment to developing Uganda's oil and gas resources in a responsible and sustainable manner for the benefit of all Ugandans.

Agro- industrialisation

- The Agro- industrialisation programme has been allocated UGX 1,449.8bn in FY2022/2023.
- Agro industrialisation is one of the major programs in the third phase of the National Development Plan, with the aim of increasing household incomes
- The 2022/23 Budget for the Republic of Uganda has allocated a total of UGX 2.567 Trillion (5.3% of the total budget) to the Agricultural sector. UGX 1.148 Trillion has been designated for facilitating agricultural production, while UGX 1.419 Trillion has been set aside for the promotion of agro-industrialization, standards and market entry.
- The Government recognizes the inherent potential of the sector and expects it to grow by 4.3%, translating into almost a quarter of the country's economic output. The advancements in food and cash crop production, the evolution of livestock management and the recovery in fishing activities will be vital to achieving this growth.

Access to Funding Sources

- The Government has committed to continue prioritizing the access to sufficient and prompt funds to finance agricultural activities by the farmers. The Agricultural Credit Facility alone disbursed a total of UGX 67.42 Billion to 1,057 borrowers during the 2021/22 financial year. This trend is expected to increase during this financial.

Accelerating the Shift Away from Subsistence Agriculture

- There has been further commitment to operationalize the Parish Development Model (PDM) during this financial year, with UGX 1.059 Trillion being allocated to provide 10,594 Parishes across the country with UGX 100 million each as a revolving fund, reserved for the purchase of quality agricultural inputs by the households that still predominantly operating in a subsistence model. This aims at achieving the following:
 - » Marketing Strategies: Addressing production, agro-processing, and marketing, through enhanced access and entry to national, regional and global markets.
 - » Supply and Value Chains: Development of key commodities value chains that have a high impact on transforming the 39% of households still practising subsistence farming.
 - » Consistent Access to Water: Expansion of irrigation schemes and providing community and individual on-farm water for production to minimize the reliance on rain-fed agriculture
 - » Innovation: Enhancement of research, breeding and appropriate technology development through the National Animal Genetic Resources Centre and Data Bank (NAGRC & DB) and the National Agriculture Research Organisation (NARO)

- » Standardization: Investment in and effective regulation of production, multiplication and certification of quality agricultural inputs, including seeds, seedlings, stocking materials, and fertilizers
 - » Farmer Up-Skilling: Enhancement of enterprise selection through enhanced farmer education and general agricultural extension, as well as pest and disease control at the Parish level
 - » Land Usage Guidelines: Promotion of appropriate land use, mechanization, cooperatives, and development of partnerships with large-scale farmers to produce for export and industrial value addition.
 - » Enhancement of Fisheries Operations: Supporting fishing communities by developing hatcheries and fish ponds and equipping them with engines, nets etc.
- The Ministry of Agriculture, Animal Industry and Fisheries has been allocated UGX 564.39 billion to further promote the efforts of the sector.

Promotion of Agro-Industrialization, Enforcing Product Standards and Enabling Market Access

- The UGX 1.419 Trillion allocated to this arm of the sector shall be aimed at:
 - » Produce Storage: Expanding storage and processing capacity for agricultural commodities within the country.
 - » Accountability: Enhancing the use of the Warehouse Receipt System to improve commodity storage, reduce post-harvest losses, improve value chain management, and increase income to farmers.
 - » Financing: Providing funds for private sector investment in key commodity agro-processing value chains through soft and patient debt from UDB and equity from UDC
 - » Quality: Strengthening of standards for quality assurance to improve access to markets
 - » Standardization: Establishing a system for issuance and management of internationally recognized product bar codes, branding, packaging and labelling of Uganda's products for visibility
 - » Marketing: Enhancing implementation of the Export Development Strategy, including carrying out negotiations for access and entry to regional and international markets and supporting the establishment of 200 Aggregation and Collective Marketing Societies with cleaning, drying, grading and processing equipment.
 - » Prioritization: Promoting investment in strategic industries such as the manufacture of pharmaceuticals, industrial sugar, starch, herbal extracts and cotton-based medical sundries.
 - » Legislation: Finalize the enactment of pending legal instruments, including the Competition Bill and the Consumer Protection Bill, Anti-Counterfeits and Quality Product laws.

» Infrastructure Development: Developing a master plan for the Zombo Tea Factory (including enabling water and electricity), expanding the Soroti Fruit Factory by installing additional processing equipment and establishing fully serviced industrial parks to promote sectoral synergies.

Agricultural Risk Management

- Under Stamp Duty, the government has introduced an Agricultural Insurance Policy to encourage the uptake of agricultural insurance services and protect the farmers against unforeseen circumstances.



Construction, transport and communication

The Sustainable Energy Development programme has been allocated UGX1,573.5bn. Transmission and distribution of energy will be prioritised with the objective to increase renewable energy off grid-mini grids. Availability of sustainable energy services is crucial for the industry sector to achieve the 7.2% forecasted growth rate in 2022.

Deloitte commentary

- Despite access to electricity improving from 26.7% in 2016 to 48.5% in 2020, Uganda is still vulnerable to energy shortages.
- Following the development of the hydropower master plan with support from the Japan International Co-operation Agency (JICA), the Karuma and Isimba hydropower plant projects have kickstarted. These projects are expected to address the persistent energy shortage and result in lower energy costs. Furthermore, public access to power will offer opportunities for investment and encourage local entrepreneurship.
- Increased electricity penetration in the rural areas will boost the standards of living as well as eliminate the reliance on diesel generators.
- Oil prices increased globally with the disruption in the supply chain arising from the Russia-Ukraine conflict. With the government having ruled out on any fuel subsidies, prices are expected to remain high throughout the year worsening inflationary pressures.

 **Tourism and Hospitality sector**

- Tourism has been allocated UGX 194.7bn with the target to increase tourism revenues through improved tourism infrastructure, and promotion of domestic tourism.
- The tourism sector depicted marginal growth in FY2020/2021 despite the easing of travel restrictions in the September 2021. International arrivals are further projected to increase from 322,750 in 2021 to 537,780 in 2022.
- • Facilitation of the Uganda Tourism Board to rebrand and promote Uganda under the new 'Explore Uganda' brand;
- • Sustaining upstream investment in ongoing product development and tourism-related infrastructure – roads, electricity, internet, security, etc.
- • Easing access to loans at the Uganda Development Bank for recovery financing
- • Intensify domestic tourism and specialize tourism promotions and campaigns
- • Hire and deploy Market Destination Representative firms in key Source Markets
- • Provide adequate accommodation for Tourism security personnel
- • Management of Human wildlife conflicts in districts hosting /surrounding conservation areas.
- According to the Tourism Development plan in the National Budget Framework Paper 2022-2023, the key targeted results over the next five years (FY 2020/21 to FY 2024/25) are as follows;
- • Increase annual tourism revenues from USD 1.45 billion to USD 1.862 billion.
- • Maintain the contribution of tourism to total employment at 667,600 people.
- • Increase inbound tourism revenues per visitor from USD1,052 to USD1,500.
- • Maintain the average number of International Tourist arrivals from the U.S, Europe, Middle East, China and Japan at 225,300 annual tourists.
- • Increase the proportion of leisure tourists to the overall number of tourists from 20.1 percent to 30 percent.
- • Increase the number of direct flight routes to Europe and Asia from 6 to 15 annually.

Deloitte commentary

- The sub-sector has tremendously been affected since the start of COVID-19 due to contact restrictions with a ban on travel from and to Uganda imposed by several countries in mid 2021.
- Due to the uncertainty around COVID-19, the Uganda Tourism Board (UTB) has shifted its focus to growing domestic tourism with local campaigns to attract local tourists.
- The introduction of a 90-day EA Tourist visa coupled with increased regional integration are expected to stimulate regional tourism.
- The European countries are among Uganda’s largest tourism markets and the Russia- Ukraine conflict is forecasted to hinder the projected growth of the tourism sub-sector.

 **Regional Balanced Development**

Regional Balanced Development is an affirmative action on the eight poorest sub regions of the country, which include Acholi, Bunyoro, Busoga, Bukedi, Bugisu, Karamoja, Teso and West Nile. UGX 1,158bn has been allocated with the objective to eradicate poverty in these regions through increased production and productivity in agriculture, infrastructure development and capacity building of leaders.

Deloitte commentary

- The regions, predominantly practice agriculture and therefore the programme seeks to end poverty and hunger. In addition, the program primarily seeks to grow value on the agricultural produce and improve storage and road infrastructure.
- This programme is in partnership with Uganda Vision 2040, which aims to achieve inclusiveness and balanced development through the following objectives:
 - » Enhancement of agro local economic developments;
 - » Increased market access and value addition;
 - » Increased household earnings;
 - » Improved production in key growth opportunities and
 - » Improved leadership capacity in these sub regions.
- The achievement of higher GDP growth, reduced poverty rates and increased economic growth is heavily reliant on the balanced development in Uganda.

Education

- As a background, businesses have been severely affected by the COVID19 pandemic. Effects of COVID-19 in the socioeconomy were mainly manifested by disruption in the education sector, hospitality, tourism and recreation. The prolonged school lockdown has severely affected learning, the viability of school and education institutions, and reversed key human capital development results.
- The expected economic growth in Uganda's GDP for FY23 is 6%. The services sector is expected to grow by 3.8 percent up from 2.8 percent growth in FY22. This is attributed to the continued recovery in wholesale and retail trade, education and tourism services as well as growth in real estate activities and ICT. The services sector is projected to contribute 41.5 percent to GDP and therefore The largest share of the budget is towards the Human Capital Development program that consists Health, Education and Gender at 8.74 trillion Shillings. The Education sector has been awarded 4.14 trillion (8.6%) of the budget
- Among several services, the education services have experienced price increases, contributing to the overall inflation from 2.7% in January 2022 to 6.3% in May 2022.
- Owing to the hardships and lockdowns caused by the pandemic, children across the country were unable to continue studying for close to 22 months. The extended lockdown also forced several of them into casual labour work thus causing them to abandon the desire to go to school. Through the country wide registration of students expected to commence on 1st July 2022, it is expected that the ministry will follow-up on children to help ensure they stay in school. The ministry the education sector has however supported automatic promotion of children from their pre-covid classes to the next class to boost continuity in education which was greatly hampered by the pandemic. One of the avenues to boost education sector post COVID is to roll out e-education services and have concrete guidelines around the same. This is expected to be supported by a stable broadband infrastructure in key delivery units including schools.
- One of the Key focus areas is conducting community mobilization and mindset change is targeting the adults. The education systems should improve adult learning as per the diagnosis conducted in 20 districts. This will be in line with the National Development Plan 3 (NDP III) on the 15household model for social economic empowerment. There's planned incorporation of ICT at all levels of the education system in line with the emerging technologies. This is expected to come with the training of teachers on the new abridged curriculum and the roll out of the lower secondary curriculum.

- Government is planning sustainable urban housing like projects like Greater Kampala Metropolitan Area (GKMA) Strategy whose results if implemented as planned with improve social services like health and education in the greater Kampala.
- Some of the programme priorities for FY23 construction and rehabilitation of learning facilities and latrine stances in 84 primary schools and 53 secondary schools including science laboratories. Construction and equipping of two-Unit Laboratories in 21 secondary schools currently without any, in line with the Science Technology Engineering and Math (STEM) Policy.

Science and Innovation

- This sector has been allocated UGX 274.4 billion in FY2021/23 budget.
- As highlighted in the National Budget Framework Paper FY 2022/23 – FY 2025/26, COVID19 has amplified the essence of science and innovation and the need to have homegrown solutions to reduce reliance on donations, especially the vaccine inequity experiences. Government will therefore focus on:
 - » COVID-19 vaccine trials underway in animals. Human trials set for next year.
 - » In collaboration with NASA, Uganda will launch a satellite in the lower earth orbit. Data obtained will be utilized for weather and environmental monitoring, mineral exploration, etc

Information Communication Technology Infrastructure

- The sector has been allocated Shs 124.2 Billion FY2022/23 budget, a decrease of 66% from the previous financial year.
- The Government is going to support the Fourth Industrial Revolution Technologies (4IR) with the aim of increasing digital access to the population. Focus areas will be Artificial Intelligence (AI), Internet of Things (IoT) and Robotics.

Contacts

Publication team

Nobert Kagoro

Managing partner
nkagoro@deloitte.co.ug

Patronella Namubiru

Associate Director, Tax & Legal
pnamubiru@deloitte.co.ug

Tewodros Sisay

Associate Director, Financial Advisory
tsisay@deloitte.co.ke

Paul Ssali

Associate Director, Audit
pssali@deloitte.co.ug

Martin Makumbi

Senior Manager, Tax & Legal
mmakumbi@deloitte.co.ug

Joseph Ssekabira

Senior Manager, Risk Advisory Services
jssekabira@deloitte.co.ug

Maurice Agaba

Manager, Tax & Legal
magaba@deloitte.co.ug

Larry Okutho

Manager, Risk Advisory Services
lokutho@deloitte.co.ug

Timothy Arinaitwe

Manager, Business Process Solutions - Tax & Legal
tarinaitwe@deloitte.co.ug

Esther Gensi

Manager, Risk Advisory Services
egensi@deloitte.co.ug

Ivan Karuhanga

Manager, Strategy & Operations
ikaruhanga@deloitte.co.ug

David Ariyo

Manager, Risk Advisory Services
dariyo@deloitte.co.ug

Stella Katumba

Senior Manager, Human Capital
skatumba@deloitte.co.ug

Rashidah Nakayiza

Senior Consultant, Clients & Industries
rnakayiza@deloitte.co.ug

Creative & Design

Daniel Gitonga

Clients & Industries Analyst

Deloitte East Africa

CEO

Anne Muraya

amuraya@deloitte.co.ke

Office leaders

David Nchimbi

Tanzania

Managing partner

[dnchimbi@deloitte.co.tz](mailto:dachimbi@deloitte.co.tz)

Nobert Kagoro

Uganda

Managing partner

nkagoro@deloitte.co.ug

Service line leaders

Fred Okwiri

Audit leader

fokwiri@deloitte.co.ke

Amaha Bekele

Consulting leader

abekele@deloitte.co.ke

Gladys Makumi

Financial Advisory leader

gmakumi@deloitte.co.ke

Fred Omondi

Tax & Legal leader

fomondi@deloitte.co.ke

Urvi Patel

Risk Advisory leader

ubpatel@deloitte.co.ke

Charles Luo

Clients & Industries leader

cluo@deloitte.co.ke

Offices

Kenya

Deloitte Place

Waiyaki Way, Muthangari

Nairobi

Tel: +254 719 039 000

Tanzania

Aris House

3rd Floor, Plot 152, Haile

Selassie Road,

Oysterbay, Dar es Salaam

Tel: +255 22 2169000

Uganda

3rd Floor Rwenzori House

1 Lumumba Avenue

Kampala

Tel: +256 41 7 701000

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