



Public Procurement and Disposal of Public Assets Authority

Plot 37 Nakasero Road, UEDCL Tower 5th floor, P.O. Box 3925, Kampala, Uganda

+256 (0414) 311100

PPDA/RGF/005
Our Ref:.....

Your Ref:.....

15th December 2021

To all Accounting Officers
Central and Local Government Entities

**RE: CIRCULAR ON SUBMISSION OF BENEFICIAL OWNERSHIP
INFORMATION FOR FIRMS WHICH ARE AWARDED GOVERNMENT
CONTRACTS (CIRCULAR NO.1 OF 2021)**

Reference is made to the above subject.

Section 6 of the PPDA Act, 2003 mandates the Public Procurement and Disposal of Public Assets Authority (herein after referred to as the Authority) to monitor compliance of Procuring and Disposing Entities (PDEs).

It is in this regard that the Authority issues this circular on submission of beneficial owner information for firms which are awarded Government Contracts. This will help the Government of Uganda to understand and know the persons it is dealing with for purposes of risk mitigation, fighting corruption, fraud, and tax evasion, to achieve greater transparency.

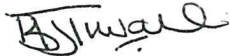
For purposes of this circular “beneficial owner” means “the natural person who ultimately owns or controls a legal person or arrangement or the natural person on whose behalf a transaction is conducted, and includes those natural persons who exercise ultimate effective control over a legal person or arrangement directly or indirectly.” Control refers to the ability of taking and imposing relevant decisions within the legal person, which can be acquired by several means (for example, by owning a controlling block of shares). However, beneficial owner definition extends beyond legal ownership to consider the ultimate (actual) ownership and control (for example, by using a personal connection to legal owners; participation in the financing of the enterprise; exercise of executive control over corporate affairs). The focus is on the natural (not legal) persons who actually own and benefit from the capital or assets of the legal person; as well as on those who exert effective control over it (whether or not they occupy formal positions within that legal person), rather than just the (natural or legal) persons who are legally (on paper) entitled to do so¹.

The beneficial owner information should be submitted at the time of bidding through a corresponding entry in the bidding form. For procurement where the bidding forms were submitted, but the procurement contracts have not been signed before the issuance of this Circular, a firm that is awarded a Contract shall have the responsibility to obtain its beneficial owners’ particulars and submit them to the PDE before signing the contract.

In a bid to strengthen efficiency and effectiveness in monitoring compliance of Procuring and Disposing Entities, the Authority requires that all PDEs submit the particulars (names and addresses) of beneficial owners that are awarded contracts. This information should be submitted as part of monthly reports for Central Government Entities and quarterly reports for Local Government Entities effective December 2021.

This requirement shall apply to all procurements which are funded by Government of Uganda and Development Partners.

You are requested to bring the content of this circular to the Procurement and Disposal Unit and Contracts Committee.



Benson Turamye

EXECUTIVE DIRECTOR

¹ For example, if a company is legally owned by a second company (according to its corporate registration information), the beneficial owners are actually the natural persons who are behind that second company or ultimate holding company in the chain of ownership and who are controlling it. Likewise, persons listed in the corporate registration information as holding controlling positions within the company, but who are actually acting on behalf of someone else, cannot be considered beneficial owners because they are ultimately being used by someone else to exercise effective control over the company.

Template beneficial ownership declaration form

This beneficial ownership declaration form issued by The Public Procurement and Disposal of Public Assets Authority to collect beneficial ownership information. The template includes sections to be completed by the bidders.

Company identification	
Full legal name of the Bidder (Company or Joint Venture)	
Physical/contact address	
Name(s) of Beneficial Owner(s) of the Company/Joint venture Companies/ Consortiums etc.	Name(s):
	1.
	2.
	3.

Are any of the beneficial owners a Politically Exposed Person (PEP)? No If Yes Name:

Public office position and role: Date when office was assumed.....

Attestation
 I, undersigned, for and on behalf of the Bidder confirm that all information provided in the above beneficial ownership declaration is accurate and reliable.

[Name] _____ [Position] _____ [Signature] _____

Beneficial ownership definition
"Beneficial owner" means "the natural person who ultimately owns or controls a legal person or arrangement or the natural person on whose behalf a transaction is conducted, and includes those natural persons who exercise ultimate effective control a legal person or arrangement directly or indirectly."

