

CHAPTER 94

THE MARKETS ACT.

Arrangement of Sections.

Section

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CHAPTER 94

THE MARKETS ACT.

Commencement: 30 September, 1942.

An Act to provide for the establishment and management of markets.

1. Establishment and control of markets.

(1) No person or authority other than—
(a) the administration of a district;
(b) a municipal council;
(c) a town council, shall
establish or maintain a market.

(2) The administration of a district may establish and maintain markets within the area of its jurisdiction and shall control and manage such markets or shall vest their control and management in such person or authority as it may deem fit; except that in the urban areas mentioned in the Schedule to this Act, markets shall be established, maintained, controlled and managed by the municipal council or town council, as the case may be, established in the area.

(3) Any authority specified in subsection (1) may in its discretion disestablish any market established by it.

(4) The person or body managing or controlling a market shall be known as the market authority.

(5) The Minister may, if he or she considers it expedient so to do, by statutory instrument vary the Schedule to this Act by adding or removing the name of any urban area.

2. Rules and byelaws.

(1) The Minister may make rules which shall apply to markets generally or any specified markets for any of the following purposes— (a) regulating the use of markets and market buildings, and keeping order, preventing obstructions, and maintaining cleanliness in them or in the approaches to them;

- (b) prescribing the goods which may be sold in any markets;
- (c) prohibiting, or requiring vendors to obtain permits for, the sale of—
 - (i) any specified kind of livestock within any specified area surrounding a market lawfully established not exceeding twenty miles from the boundary of the market;
 - (ii) any specified kind of goods within any specified area surrounding a market lawfully established not exceeding three miles from the boundary of the market, but no rules which have been or are hereafter made for the purposes described in this paragraph shall apply to the sale of goods—
 - (iii) in a store in respect of which a trading licence has been issued under the Trade (Licensing) Act; or
 - (iv) in a municipality or town, if the municipal council or the town council has made or hereafter makes byelaws for the regulation of hawkers;
- (d) requiring goods brought into markets for sale to be sold by public auction, and imposing and providing for the collection of a fee payable on the amount realised;
- (e) imposing stallages, rents or tolls and fixing the amount and providing for the collection thereof;
- (f) fixing the days and the hours during each day on which a market may be held and preventing the sale and purchase of goods in the markets on any days or at any hours except those fixed;
- (g) prescribing the weights, scales and measures to be used in the sale of any particular produce and regulating the use of them;
- (h) requiring the demolition, reconstruction, closing or moving of markets;
- (i) the examination of produce or articles of food;
- (j) fixing the maximum price which may be demanded on the sale by retail of any article of food;
- (k) providing for the appointment of inspectors, market-masters, and other officials, and regulating their powers and duties;
- (l) generally for carrying into effect the purposes of this Act.

(2) A market authority in regard to any market under its management and control may make byelaws (which shall not be inconsistent with any rules made by the Minister under subsection (1)) for any of the purposes mentioned in subsection (1)(a) to (l); but when the administration of a district has vested the control and management of a market in any person or

authority, any byelaws made by the person or authority shall not come into force until they have been approved by the administration.

(3) Byelaws made under the powers conferred by subsection (2) shall be subject to the prior approval of the Minister whether approved by the administration of a district or not.

(4) Notwithstanding the Interpretation Act, unless the Minister shall otherwise direct, it shall not be necessary to publish in the Gazette any byelaws made under the powers conferred by this section, but the byelaws shall be kept posted in a conspicuous place in the market to which they relate and shall not come into operation until they have been so posted.

3. Offences and penalties.

Any person who contravenes any provision of this Act or any rule or byelaw made under it commits an offence and is liable on conviction to a fine not exceeding five hundred shillings or to imprisonment for a period not exceeding three months. Where any person so convicted is the holder of a market stall or otherwise makes use of a market, the court may, in addition to any other punishment, order that the person shall be disqualified for holding a market stall or otherwise making use of the market for such period as the court may see fit to order; and, if the person in any manner disregards the order, he or she shall be deemed to have committed an offence against this Act.

4. Saving.

All markets established under, or before the coming into operation of, the Markets Ordinance or previously established by the Kabaka shall be deemed to have been established under this Act, and all rules and byelaws made under the Ordinance and in force at the time of the commencement of this Act shall be deemed to have been made under this Act and shall remain in force until other provisions shall be made under or by virtue of this Act.

5. Maintenance and control of markets established prior to 23rd March, 1950.

(1) The administration of a district and in the case of the urban areas mentioned in the Schedule to this Act, a municipal council, or a town council shall be responsible for the maintenance of all markets within its area

lawfully established prior to the 23rd March, 1950, and shall control and manage the markets, and all such markets shall be deemed to have been established by such administration or council, as the case may be.

(2) The administration of a district may vest the control and management of markets within its area in such person or authority as it shall deem fit.

Schedule.

ss.1, 5.

Designated urban areas.

Former district	Designated urban areas
Acholi	Gulu Kitgum
Ankole	Mbarara
Buganda	City of Kampala and all towns
Bukedi	Tororo
Bunyoro	Butiaba Hoima Masindi
Busoga	Bugiri Busembatia Iganga Jinja Kaliro Kamuli
Karamoja	Moroto
Kigezi	Kabale
Lango	Lira
Madi	Moyo
Mbale	Mbale
Teso	Kaberamaido Soroti
Toro	Fort Portal
West Nile	Arua

History: Cap. 99; S.I. 135/1968, s. 2.

Cross References

Interpretation Act, Cap. 3.

Markets Ordinance, 1935 Revision, Cap. 102.

Trade (Licensing) Act, Cap. 101.