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Buying a Condominium in Uganda

The complete legal due diligence guide for buyers and foreign investors: what to check, which documents to demand, and how the Land Act shapes every purchase.

THE CONVEYANCING & REAL ESTATE TEAM • JULY 2026 • 13 MIN READ

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Condominium living has transformed the skyline of Kampala and its suburbs. From high rise apartments in Kololo, Naguru and Bukoto to gated duplex developments in Muyenga, Najjera and Kira, condominium property is now the fastest growing segment of Uganda's real estate market. It offers buyers a registered title to a unit within a shared development, professional management of common areas, and an accessible entry point into prime locations where standalone plots are scarce or unaffordable.

Yet condominium purchases are legally more complex than ordinary land purchases. When you buy a condominium unit, you are not simply buying bricks and mortar. You are buying a registered interest in a unit, a proportionate share in the common property, automatic membership of a condominium corporation, and a bundle of continuing rights and obligations under the Condominium Property Act, 2001 and the Condominium Property Regulations, 2002. Many of the disputes we handle at Adalci Advocates, from unregistered condominium plans to crippling service charge arrears and developers who never handed over the corporation, could have been avoided with proper due diligence before purchase.

This guide explains, in practical terms, what to check before buying a condominium in Uganda, the documents you must insist on seeing, and the specific route that foreigners and foreign owned companies must follow under the Constitution and the Land Act.

1 The Legal Framework Governing Condominium Property in Uganda

Condominium ownership in Uganda is governed by an interlocking set of laws, and a compliant purchase must satisfy all of them:

- **The Condominium Property Act, 2001,** which allows a building to be divided into units, creates individual condominium certificates of title for each unit, and establishes the condominium corporation that owns and manages the common property.
- **The Condominium Property Regulations, 2002,** which prescribe the forms, the requirements for condominium plans, and the default by laws that regulate the corporation and unit owners.
- **The Registration of Titles Act,** under which the condominium plan is registered and individual unit titles are issued by the Registrar of Titles.
- **The Land Act and the Constitution of Uganda, 1995 (Article 237),** which define the land tenure systems (mailo, freehold, leasehold and customary) and restrict non citizens to leasehold interests only.
- **The Physical Planning Act, 2010 and building control laws,** including the recently strengthened building control regime, which require approved building plans, permits and completion or occupation certification.

> A critical point flows from this framework: **a condominium unit can only lawfully exist where a condominium plan has been registered with the Registrar of Titles and individual unit titles have been issued.** A significant number of "condominium" developments marketed in and around Kampala have never completed this process. Buyers in such projects hold, at best, a contractual claim against the developer, not a registered proprietary interest.

2 What You Actually Buy When You Buy a Condominium Unit

Under the Condominium Property Act, registration of a condominium plan divides a building (and the parcel on which it stands) into units and common property. Understanding the components helps you know what to verify:

COMPONENT	WHAT IT MEANS FOR THE BUYER
The unit	The apartment, duplex, office or shop itself, for which you receive a separate condominium certificate of title in your name once the transfer is registered.
Common property	Staircases, lifts, corridors, parking, gardens, perimeter walls, water and power infrastructure. You own an undivided share of this, in proportion to your unit factor.
Unit factor	The percentage assigned to your unit on the condominium plan. It determines your share of common property, your voting power in the corporation, and usually your share of service charges.
The condominium corporation	A body corporate created automatically on registration of the condominium plan. Every unit owner is a member. It manages, maintains and insures the common property, levies contributions, and can recover unpaid contributions from owners.
The head title	The underlying mailo, freehold or leasehold title on which the development sits. Its tenure and any encumbrances on it directly affect every unit, and determine whether a non citizen can buy.

3 Due Diligence Checklist: What to Verify Before You Pay

Due diligence on a condominium purchase runs deeper than a standard land purchase because you are checking the unit, the development and the corporation. The following are the checks we conduct for clients at Adalci Advocates:

3.1 Confirm that the condominium plan is registered

Ask for the registered condominium plan and confirm with the Ministry of Lands, Housing and Urban Development that the plan was approved and registered, that the building was divided into units, and that the unit you are buying appears on the plan with its correct unit number and unit factor. If the plan is not registered, no valid condominium title exists, whatever the brochure says.

3.2 Conduct an official search on the unit title and the head title

Carry out a search at the relevant land registry on both the condominium certificate of title for the unit and the head title for the development. The search should confirm the registered proprietor, the tenure, and the existence of any encumbrances such as mortgages, caveats, liens registered by the corporation for unpaid contributions, or court orders. A mortgage registered on the head title before subdivision is a particular red flag, because the lender's security may sit above the interests of unit purchasers.

3.3 Verify the seller's identity and authority

Match the seller's national ID or passport against the name on the title. Where the seller is a company, obtain a company search from the Uganda Registration Services Bureau (URSB) confirming its directors, and insist on a board resolution authorising the sale. Where the unit is matrimonial property, obtain spousal consent as required under the Land Act, since a sale of family land or a family home without spousal consent is voidable. Impersonation and forged titles remain among the most common frauds in Ugandan conveyancing, so verification should be done in person and through official searches, never on photocopies alone.

3.4 Check planning, building and occupation compliance

Confirm that the development had approved building plans and a building permit, and that a completion or occupation certificate was issued by the relevant authority (for Kampala, KCCA). This has become more important following the recent strengthening of Uganda's building control laws: **transfers of buildings constructed without approved permits or completion certification now carry real enforcement and marketability risk.**

3.5 Investigate the condominium corporation

Ask whether the condominium corporation is active, whether the developer has handed over management to the unit owners, and whether annual general meetings are held. Request the corporation's by laws (or confirm that the default by laws in the Regulations apply), its latest financial statements, the current service charge or contribution rates, and the state of its reserve fund. A corporation that is dormant, insolvent or still controlled by the developer years after completion is a warning sign of future disputes over maintenance, utilities and levies.

3.6 Confirm there are no outstanding contributions on the unit

Under the Condominium Property Act, contributions levied by the corporation attach to the unit, and the corporation can pursue recovery against the owner, including through liens and caveats. Obtain a written clearance or statement from the corporation confirming that all service charges, contributions and utility arrears on the unit are fully paid up to the completion date, or ensure the sale agreement obliges the seller to clear them and allows a retention from the purchase price.

3.7 Examine the tenure of the head title

Establish whether the development sits on mailo, freehold or leasehold land. If leasehold, check the unexpired term of the lease, the ground rent, and whether ground rent is fully paid. A condominium unit on a lease with only fifteen years left is a very different asset from one on freehold land, and lenders will price that difference. For foreign buyers, the tenure of the head title is decisive, as explained in section 5 below.

3.8 Review the developer and the physical asset

Investigate the developer's track record on previous projects, including whether titles were actually delivered to earlier buyers. Physically inspect the unit and the common areas, ideally with a professional, checking structural condition, water supply, drainage, waterproofing and fire safety. For off plan purchases, insist on a properly drafted sale agreement with staged payments tied to construction milestones, defect liability provisions, and a clear obligation and timeline for registration of the condominium plan and delivery of the unit title.

3.9 Review the by laws and use restrictions

Condominium by laws can restrict short term letting (including Airbnb style rentals), commercial use of residential units, pets, alterations, and subletting. If your investment case depends on any of these, confirm that the by laws permit it before you commit.

4 Key Documents to Look Out For When Buying a Condominium

Before completion, your lawyer should have sighted, verified and, where applicable, retained the following documents:

DOCUMENT	WHY IT MATTERS
Condominium certificate of title for the unit	The conclusive evidence of ownership of the unit. Confirm the registered proprietor, unit number, unit factor and encumbrance page against your official search.
Registered condominium plan	Confirms the development was lawfully divided into units and common property, and shows your unit's boundaries and unit factor.
Head title (mailo, freehold or leasehold)	Reveals the underlying tenure, unexpired lease term (if leasehold), and any encumbrances that affect the whole development.
Official search reports	Registry searches on the unit title and head title, plus a URSB search where the seller or developer is a company.
Sale agreement	Should be drafted or reviewed by your advocate, with warranties on title, completion timelines, apportionment of outgoings, and remedies on default.
Transfer instrument and consent forms	The signed transfer form in the prescribed format, with lessor's consent where the head title is leasehold and spousal consent where applicable.
Corporation clearance letter	Written confirmation from the condominium corporation that service charges, contributions and levies on the unit are fully paid.
Corporation by laws and financials	The rules you will live under and the financial health of the body you are joining.

DOCUMENT	WHY IT MATTERS
Building permit and occupation or completion certificate	Evidence of planning and building control compliance, now a standard search item under Uganda's tightened building control regime.
Seller identification and authority documents	National ID or passport, company resolutions and, for estates, grants of probate or letters of administration.
Tax and payment records	Stamp duty assessment and payment evidence, ground rent and property rates receipts, and both parties' Tax Identification Numbers (TINs), which URA requires for land transactions.

5 How Foreigners Can Buy Condominium Property in Uganda

Uganda welcomes foreign investment in real estate, but the Constitution and the Land Act draw a firm line: **non citizens cannot own mailo or freehold land. They may only hold land under leasehold tenure, for a term not exceeding ninety nine years.** Importantly, the Land Act also treats a company as a non citizen where its controlling interest is held by non citizens, so incorporating a Ugandan company does not, by itself, escape the restriction if foreigners hold the majority of the shares.

Condominium property is one of the most practical routes for foreign investors precisely because unit titles derive from the head title. The rules apply as follows:

- **Where the head title is leasehold,** a foreigner can acquire the condominium unit outright for the unexpired residue of the lease, since the unit title is itself a leasehold interest. This is the cleanest and most common structure for foreign purchases in Kampala's apartment market.

- **Where the head title is mailo or freehold,** a foreigner cannot take a transfer of the unit in that form. The transaction must be restructured, typically by the proprietor granting a lease of the unit (or the developer converting the arrangement) so that the foreigner acquires a leasehold interest of up to ninety nine years, or by acquiring through a majority Ugandan owned entity.

Step by step: the foreign buyer's route

1. **Confirm the tenure of the head title.** Before anything else, establish whether the development sits on leasehold, mailo or freehold land, and structure the purchase accordingly.
2. **Decide the acquisition vehicle.** A foreigner may buy in a personal name (as a leasehold interest) or through a company. A company incorporated in Uganda but majority foreign owned is still a non citizen for land purposes and is limited to leasehold. Foreign companies operating in Uganda should also be registered with URSB as required by the Companies Act.
3. **Obtain an investment licence where applicable.** Foreign investors acquiring property as part of a business undertaking should obtain an investment licence from the Uganda Investment Authority, which also unlocks investment incentives.
4. **Register for a Tax Identification Number (TIN).** URA requires the buyer's TIN for stamp duty assessment and registration of the transfer. Non resident buyers can obtain an individual or non individual TIN for this purpose.
5. **Conduct full due diligence.** All of the checks in section 3 above apply with equal force, and foreign buyers who cannot easily attend in person should appoint Ugandan advocates to conduct searches, verify the seller and inspect the property on their behalf.

6. **Execute a properly drafted sale agreement.** The agreement should reflect the leasehold structure, deal with currency and mode of payment, and, for off plan units, protect the buyer with milestone payments and registration obligations.
7. **Pay stamp duty and secure any required consents.** Stamp duty is assessed by URA on the value determined by the Chief Government Valuer. Where the head title is leasehold, obtain the lessor's consent to transfer.
8. **Register the transfer and collect the title.** Lodge the transfer, duplicate certificate of title, consents, passport photographs and identification documents at the land registry, and collect the condominium certificate of title issued in the buyer's name (or the registered lease, depending on structure). Registration, not payment, is what makes ownership enforceable against the world.

Two further practical notes for foreign buyers. First, buying property in Uganda does not confer residency or citizenship; immigration status is governed separately by the Directorate of Citizenship and Immigration Control. Second, at the end of a lease term the interest reverts unless renewed, so lease renewal mechanics should be negotiated and documented at the outset.

6 Taxes, Fees and Transaction Costs

Buyers should budget for the following statutory and professional costs on top of the purchase price:

ITEM	INDICATIVE POSITION (CONFIRM CURRENT RATES BEFORE COMPLETION)
Stamp duty	1.5% of the value of the property as assessed by the Chief Government Valuer, payable by the buyer to URA before registration. Note that a Stamp Duty (Amendment) Bill tabled in 2026 proposes changes to rates and methodology, so the applicable rate should be confirmed with URA at the time of the transaction.
Registration and search fees	Modest fixed fees payable to the Ministry of Lands for searches, consents and registration of the transfer.
Valuation	Assessment by the Chief Government Valuer for stamp duty purposes; buyers may also commission independent valuations.
Legal fees	Advocates' fees for due diligence, drafting and registration, generally scaled to the value and complexity of the transaction.
Ongoing costs	Service charges and contributions to the condominium corporation, property rates levied by the local authority, and ground rent where the head title is leasehold.

7 Frequently Asked Questions

Q. Can a foreigner own an apartment in Uganda?

Yes, but only as a leasehold interest of up to ninety nine years. Where the condominium development sits on leasehold land, the foreigner can take a transfer of the unit title outright. Where it sits on mailo or freehold land, the purchase must be structured as a lease or made through a majority Ugandan owned entity.

Q. Is a condominium title as secure as an ordinary land title?

Yes. A condominium certificate of title is issued under the Registration of Titles Act and is conclusive evidence of ownership of the unit, provided the condominium plan was properly registered. The risk lies not in the form of title but in buying into developments where no plan was ever registered.

Q. What is the biggest risk when buying off plan?

Paying substantially for a unit before the condominium plan is registered. If the developer defaults, becomes insolvent or the head title is encumbered, buyers without registered titles rank as unsecured creditors. Milestone based payments, escrow arrangements and contractual registration deadlines are essential protections.

Q. Who pays for repairs to the roof, lifts and compound?

The condominium corporation, funded by contributions levied on all unit owners in proportion to their unit factors. This is why the corporation's financial health and the seller's contribution arrears must be checked before you buy.

Q. Do I need a lawyer to buy a condominium in Uganda?

The law does not compel it, but in practice a condominium purchase involves title searches, plan verification, corporation clearances, tax assessments and registration formalities across multiple offices. Professional conveyancing costs a small fraction of the losses that flow from a defective purchase.

8 How Adalci Advocates Can Help

Adalci Advocates advises purchasers, developers, condominium corporations and foreign investors across the full life cycle of condominium property in Uganda: due diligence and searches, sale agreements and off plan structures, foreign investor structuring under the Land Act, registration of condominium plans and transfers, corporation governance and by laws, and recovery of service charge arrears. Our conveyancing and real estate team combines transactional experience with active practice in condominium disputes, which means we know where transactions go wrong and how to protect you before they do.

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