



THE REPUBLIC OF UGANDA
IN THE TAX APPEALS TRIBUNAL AT KAMPALA
MISCELLANEOUS CAUSE NO. 45 OF 2025

LEATHER INDUSTRIES (U) LIMITEDAPPLICANT

VERSUS

UGANDA REVENUE AUTHORITY.....RESPONDENT

RULING

BEFORE: MR. SIRAJ ALI, MS. CHRISTINE KATWE, MS. GRACE SAFI.

I. Introduction

1. This ruling is in respect of an application brought under section 16 (2) of the Tax Appeals Tribunal Act Cap 341, Rule 11 Of the Tax Appeals Tribunal (Procedure) Rules 2012 and Order 52 Rule 1&3 Of the Civil Procedure Rules for orders that;

- (i) The Applicant be granted an extension of time within which to file an application for the review of the Alternative Dispute Resolution dated 6 March 2025 issued by the Respondent.
- (ii) Costs be in the cause.

II. Background facts

2. This Application is supported by an affidavit deponed by Mr. Niazali Hirani, the director in the Applicant company, sworn on 16 April 2025 stating as follows:

- (i) The Applicant mainly deals in processing leather from hides and skin. On 23 January 2023, the Respondent issued the Applicant with an additional income

tax assessment vide assessment to the tune of Shs. 67,500,000. for the period of 1 January 2021 to 31 December 2021.

- (ii) On 3 February 2023, the Applicant filed an online objection and on 4 May 2023, the Respondent issued an objection decision disallowing the Applicant's objection.
 - (iii) On 16 May 2023, the Applicant filed an application with the Respondent for Alternative Dispute Resolution (ADR) on the ground that the money deposited by Mehak Industries with the Applicant was for the purchase of Wet and did not amount to rental fees.
 - (iv) On 6 March 2025, the Respondent issued an ADR decision disallowing the Applicant's application for ADR due to failure to provide sufficient documentary evidence to support the grounds of objection.
 - (v) The Applicant's employee, Mr. Francis Ikot who received the ADR decision was ignorant about the required procedures and by the time he brought it to the attention of the director, the time had expired. In addition, the Applicant's director has been out of the country which made it more difficult to review the situation and find a way forward. However, after he became aware of the issue, he took immediate steps to seek this extension and it is less than 12 days late.
 - (vi) The Respondent will not be in any way prejudiced if the matter is heard by the Tribunal and the application has been made within 6 months of the taxation decision hence the Tribunal is clothed with the powers to allow it. The Applicant will pay 30% of the tax in dispute.
3. The Respondent filed an affidavit in reply deposed by Aruho Kenan, a Legal Officer in the Legal Services and Board Affairs Department of Uganda Revenue Authority sworn on 14 May 2025 opposing the application on grounds that:
- (i) Except as is expressly admitted herein, the Respondent denies all the averments and contentions in the affidavit in support of the application and the Applicant shall be put to strict proof thereof.

- (ii) The Respondent issued the Applicant with an Administrative Additional Assessment for the period of 01 January 2021 to 31 December 2022. On 3 February 2023, the Applicant objected to the aforementioned assessment and the Respondent issued an objection decision on 4 May 2023 disallowing the same.
 - (iii) An application to the Tax Appeals Tribunal (TAT) for review of the Respondent's objection decision must be lodged within 30 (thirty days) following service of the notice of the decision.
 - (iv) The Applicant has not given any justifiable reason to warrant a grant of an extension of time to file an application for review of the Respondent's objection decision.
 - (v) The Applicant lodged an application with the Respondent's Alternative Dispute Resolution (ADR) to review the objection decision and this was an attempt by the Applicant to circumvent the statutory timelines for review of objection decisions.
4. On 6 March 2025, the Respondent issued a decision notifying the Applicant that the Respondent was unable to consider the Applicant's request for ADR and as such, the Applicant should settle the outstanding tax liability of Shs. 67,500,000.
 5. The Applicant has not paid 30% of the tax in dispute required before making this Application and it is in the interest of justice that the orders prayed for in this Application are not granted.

III. Representation

6. At the hearing of this Application, Ms. Lydia Namugooma appeared for the Applicant while Ms. Ezeza Victoria Sendege appeared for the Respondent.

IV. Submissions by the Applicant

7. The Applicant submitted that this Application is brought under **Section 16 (2) of the TAT Act** which provides that; *"A tribunal may, upon application in writing, extend the time for making an application to the tribunal for review of a taxation*

decision." **Regulation 11 (6) of the TAT (Procedure) Rules** provides that; "*The Tribunal may grant the extension of time if it is satisfied that the taxpayer was unable to file the application for the following reasons. (a) Absence from Uganda; (b) Illness; or (c) Any other reasonable cause.*" The Tribunal has the discretion to grant the extension of time within which to file an appeal.

8. The Applicant quoted the Supreme Court in the case of **Boney Katatumba vs. Waheed Karim, S.C.C.A No. 27 of 2007**, the Supreme Court held that; "*What constitutes 'sufficient reason' is left to the Court's unfettered discretion. In this context, the Court will accept either a reason that prevented an Applicant from taking the essential step in time, or other reasons why the intended appeal should be allowed to proceed though out of time. For example, an application that is brought promptly will be considered more sympathetically than one that is brought after unexplained inordinate delay. But even where the application is unduly delayed, the Court may grant the extension if shutting out the appeal may appear to cause injustice.*"
9. The Applicant further submitted that it has not delayed in bringing this application and relied on **Section 16 (7) of the TAT Act. Paragraph 7 of the affidavit in support** of this Application stated that; "*On 6 March 2025, the Respondent issued an ADR decision disallowing the Applicant's application for ADR due to failure to provide sufficient documentary evidence to support the grounds of objection.*" Annexure D of the affidavit in support of the Application showed that the Respondent's ADR decision was issued on 6 March 2025. The instant Application was filed on 24 April 2025 which is well within the six-month statutory timeline. The Applicant argued that in paragraph 8 and 9 of its affidavit, their employee who received the ADR decision was ignorant about the required procedures and by the time it was brought to the attention of its director Mr. Niazali Hirani, the prescribed 30-day time limit had lapsed. Furthermore, the director Mr. Niazali was out of the country which made it more difficult to find a way forward as evidenced by Annexure C to the affidavit in rejoinder.
10. The Applicant contended that the application for review of the ADR decision has a high probability of success because the error of classifying the income as rental income was on Mehak Industries who deposited the money to purchase wet blue and not to pay rent. The Applicant in paragraph 7 of his affidavit in

rejoinder stated that the Respondent's ADR decision dated 6 March 2025 was erroneous because the Applicant provided the Respondent with all the documents that were requested, and these documents were not reviewed by the Respondent during the ADR." The Respondent would not be prejudiced by the application if the Tribunal grants this application because the Applicant is willing to pay 30% of the tax in dispute as required by law and stated in paragraph 13 of the affidavit in support of this application. Based on the above submission, the Applicant argued that it has provided sufficient reason for this Application to be granted. Therefore, the application should be allowed.

V. Submissions by the Respondent

11. The Respondent opposed the grant of this application and submitted that the Applicant is seeking to circumvent the statutory timelines for review of objection decisions. A reading of the said ADR decision clearly revealed that the Respondent did not consider the Applicant's ADR application and as such, it did not review the objection decision issued on 4 May 2023. In the ADR decision, the Respondent notified the Applicant that they were unable to consider the Applicant's application for ADR and advised the Applicant to pay the outstanding tax liability. Owing to the fact that the Applicant's ADR application was never considered by the Respondent, it is automatic that there was no consideration or even revision made of the objection decision. The only decision made by the Respondent at ADR was not to review the Applicant's ADR application. This is well within the Respondent's rights as Regulation 3 of the Tax Procedures Code (Alternative Dispute Resolution Procedures) Regulations states that, "the application of the alternative dispute resolution procedure specified in the regulations shall be voluntary." The Respondent is therefore at pains to establish how at review, the Applicant seeks to move the Tribunal to review the said decision.
12. The Respondent submitted that if this application is to be granted, the review should be limited to whether or not the Respondent should consider the Applicant's ADR application as that was the ADR decision. For the extension of time to be granted in respect of a review of the objection decision which was issued in May 2023, more than 2 years ago would be out of scope for the Tribunal as laid out by Section 16 (7) of the TAT Act. Noteworthy, it would also

be out of scope of the ADR decision of the Respondent which the Applicant has clearly stated in this application that it seeks to extend time to review. The Respondent quoted the case of case of ***Mantab Engineering Services Ltd. v URA TAT Misc. Cause 87/2024***, where the Tribunal dismissed an application for extension of time to appeal against the Respondent's decision because it was time barred as it was filed beyond the six months. The Respondent invited the Tribunal to note that the Applicant has not given any reason as to why it did not timeously apply to the Tribunal for review of the objection decision issued on 4 May 2023.

13. The Respondent submitted that in the case of Safari Clothing (Uganda) limited Versus Uganda Revenue Authority Miscellaneous Application No.1 of 2020, the Applicant sought for extension of time within which to file an Application to review the Respondent's objection decision the Tribunal held that; "In order to qualify for an extension of time there is need for the Applicant to show that it has reasonable cause as to why the Application was not filed in time. The term "reasonable cause" is not defined in the Tax Appeals Tribunal Act. The primary reason advanced by the Applicant in paragraph 8 of the affidavit in support of the application is that the employee who received the ADR decision was ignorant about the required procedure. In the case of Pearl Marina Estates Ltd v URA TAT Misc. Cause 36/2025, this Tribunal recognized the application of the principle that ignorance of the law is no defence.
14. The Respondent emphasized that the Applicant has neither denied receipt of the decision nor knowledge of the existence of the decision. The ground raised by the Applicant is not one of those envisaged under Rule 11 (6) of the Tax Appeals Tribunal (Procedure) Rules, 2012. The said rule is to be interpreted taking into consideration the ejusdem generis rule. The Black's Law Dictionary, 8th edition, 2nd Reprint, 2007 at page 556, defines the principle of Ejusdem Generis as: "A canon of construction that when a general word or phrase follows a list of specifics, the general word or phrase will be interpreted to include only items of the same type as those listed. For example, in the phrase horses, cattle, sheep, pigs, goats, or any other farm animal, the general language or any other farm animal despite its seeming breadth would probably be held to include only four legged, hooved mammals typically found on farms, and thus would exclude chickens."

15. The Respondent quoted the High Court case of Radio Pacis Limited V. The Commissioner General Uganda Revenue Authority, HCCS NO. 8 OF 2013, the Court dealt with interpretation of the then section 94 (3) of the Income Tax Act. The section provided as follows: "The Commissioner may, by notice in writing, grant a taxpayer an extension of time for a period of 90 days, for furnishing a return where the taxpayer is unable to furnish the return by the due date because of absence from Uganda, sickness or "other reasonable cause."
16. It should be noted that the wording of the now repealed section 94 (3) of the Income Tax Act is similar to the wording of Rule 11 (6) of the TAT Act. Justice Mubiru in Radio Pacis in interpreting the section held that; In the instant case, the genus-describing words "absence from Uganda" and "sickness" have implicit in them factors extrinsic to the taxpayer over which the taxpayer has no control, that had the effect of preventing the taxpayer from making a timely filing. Ignorance of the liability to do so lacks that character common to the two genus-describing terms."
17. Rule 11 (6) provides that the Tribunal may extend time if satisfied that the taxpayer was unable to file the application because of illness, absence from Uganda or any other reasonable cause. The phrase "reasonable cause" should be interpreted to mean such other occurrences of the same kind that would incapacitate or restrict an applicant from filing the review application. Ignorance is not a reason that is of the same kind as illness and absence from Uganda.
18. The Respondent submitted that the Applicant has not demonstrated any grounds for the grant of this Application and we pray that the Tribunal finds as such. The Supreme Court of Uganda with regards to applications for extension of time in George Mulindwa v Kisubika Joseph Civil Appeal No 12 of 2014 held; "the applicant seeking for extension of time has the burden of proving to the court's satisfaction that for sufficient reasons was not possible to lodge the appeal within the prescribed time." The Applicant failed to discharge the burden of proof and the Respondent prayed that this Application is dismissed with costs.

VI. Determination by the Tribunal

19. The Applicant's grounds for the delay are that the company's director was out of Uganda when the ADR decision was communicated and the staff member who received the decision was ignorant of the Tribunal's procedures. The

Respondent opposes the application on the ground that the ADR application was a collateral attempt to avoid the statutory deadlines after the 2023 objection decision because the ADR decision here is not itself a “taxation decision” reviewable by the Tribunal and that the Applicant’s stated reasons do not fall within the limited grounds in Rule 11(6).

20. The duty of the Tribunal is to decide whether there is sufficient cause to extend time under Section 16(2) and Rule 11(6) to file an application for review of the ADR decision. Key questions are (i) whether the ADR “decision” is reviewable under the Tax Appeals Tribunal Act, at all, and (ii) if so, whether the reasons for delay constitute “sufficient cause” or a ground under Rule 11(6) to grant an extension.

The relevant legal provisions regarding the timelines for filing applications before the Tribunal are as follows:

Section 16(1)(c) of the Tax Appeals Tribunal Act states;

“An application to the Tribunal for a review of a taxation decision shall be lodged with the tribunal within thirty days after the person making the application has been served with notice of the decision.”

Section 25(1) of the Tax Procedure Code Act also states;

“A person dissatisfied with an objection decision may within 30 days after being served with a notice of objection decision, lodge an application with the Tax Appeals Tribunal for review of the objection decision.”

Section 16(2) of the Tax Appeals Tribunal Act allows that;

“A Tribunal may, upon written application in writing, extend the time for making an application to the tribunal for a review of a taxation decision.”

Rule 12 of the Tax Appeals Tribunal (Procedure) Rules specifies;

“Where an application is not filed with the registrar within 30 days from the date the applicant was served with notice of the decision, the tribunal may, in its discretion upon application of the applicant in writing extend the time for making an application”

Rule 11 Of the Tax Appeals Tribunal Procedure Rules provides that;

“The tribunal may grant the extension of time if it is satisfied that the taxpayers was unable to file the application for the following reasons;

- a) *Absence from Uganda*
- b) *Illness*
- c) *Any other reasonable cause.”*

Section 16(7) of the Tax Appeals Tribunal Act provides;

“An application for review of a taxation decision must be made within six months after the date of the taxation decision.”

21. It is well-established that time limits are matters of substantive law and strictly enforced as held in ***Uganda Revenue Authority v Consolidated Properties Ltd (Civ. App. 31/2000)*** where the Court of Appeal emphasized that “time limits set by statutes are matters of substantive law and not mere technicalities and must be strictly complied with”. The courts also require any Applicant to act promptly once an impediment is removed as the Court of Appeal held in ***Hadondi Daniel v Egondi (CACA No. 67/2003)***, that “it is trite law that time can only be extended if sufficient cause is shown. The sufficient cause must relate to the inability or failure to take the necessary steps within the prescribed time. It does not relate to making a wrong decision. The first question is whether there is any basis to review an ADR decision in this Tribunal at all.
22. The Tax Procedure Code (ADR) Regulations, 2023 allow taxpayers to apply to the Respondent for ADR within 7 days of an objection decision, but explicitly states that pursuing ADR does *not* pause the time for filing applications for review of taxation decisions with the Tribunal. Moreover, the ADR “decision” here was simply that the ADR application “could not be considered,” not a decision on the merits of the tax objection. It is clear that such an ADR outcome does not qualify as a reviewable “taxation decision” under Section 16 of the TAT Act.
23. An ADR procedural refusal is **not** a determination made under a taxing Act by the Respondent, but simply an administrative outcome under the TPCA Regulations. Further, the ADR office’s notation that the taxpayer’s application

'could not be considered' does not qualify as a reviewable 'taxation decision' under the Tax Appeals Tribunal Act.

24. This application amounts to an attempt to confer upon the Tribunal, appellate jurisdiction over decisions of the ADR Committee.
25. **Section 1(k) of the TAT Act** confines the Tribunal's jurisdiction to assessments, determinations, decisions or notices issued under a taxing Act and Section 14(1) expressly limits the Tribunal's power to review, to decisions made by the Uganda Revenue Authority under such Acts. It is trite law that appellate jurisdiction must be expressly provided for by statute.
26. In other words, the statutory provision conferring appellate jurisdiction must expressly state that a tribunal or a court shall have jurisdiction to hear matters on appeal from a specific tribunal or court. Anything less would mean that such jurisdiction is being inferred or implied.

In Baku Raphael Obudra & Another vs Attorney General S.C.C.A No.1 of 2005, Odoki CJ (As he then was) restated the position set out in **Attorney General vs Shah (NO.4) 1971 EA 50** as follows;

27. 'It is trite law that there is no such thing as inherent appellate jurisdiction. Appellate jurisdiction must be specifically created by the law. It cannot be inferred or implied.'
28. In the instant case, there is nothing in section 16(7) of the Tax Appeals Tribunal Act or any provision that provides for the review of a decision from the Alternative Dispute Resolution Committee. In addition to that no law provides that it is a taxation decision.
29. In **Africa Global Logistics Uganda Ltd v Uganda Revenue Authority, the Tribunal** relied on the decision in **CIC Africa (Uganda) Limited vs Uganda Revenue Authority; High Court Civil Appeal No.100 of 2023**, where **Hon Lady Justice Patricia Kahigi Asiiimwe** stated as follows;

"The above three grounds all raise one issue which is whether the Appellant could challenge outcome of the ADR process. Having found that the Appellant could not lodge an objection against the outcome of the ADR decision it follows that the Appellant does not have the right to apply to the Tribunal for review of that decision."

30. Having regard to the express limits of the Tribunal's jurisdiction, the procedural nature of the ADR Regulations and the absence of any merits-based determination under a taxing Act, the Respondent's notation that the ADR application "could not be considered" does not constitute a reviewable "taxation decision" within the meaning of the Tax Appeals Tribunal Act.
31. Accordingly, this Tribunal has no jurisdiction to extend time to review an ADR decision. This application for extension of time within which to file an application for review of the decision of the Alternative Dispute **Resolution** Committee is hereby dismissed.

Each party shall bear its own costs of this application.

DATED at Kampala this 11th day of December 2025.



MR. SIRAJ ALI
CHAIRMAN



MS. CHRISTINE KATWE
MEMBER



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RULING

I have had the opportunity to read my colleagues' decision. However, with the utmost respect, I would wish to dissent as set out below:

1. The key issues for determination are whether the Respondent's communication of 6 March 2025, refusing to review the Applicant's objection decision issued in 2023 during ADR, constitutes a taxation decision that this Tribunal can review, and whether the Application was time-barred.
2. The Applicant, by way of affidavit, testified that it lodged an ADR application with the Respondent on 16 May 2023, following receipt of the objection decision notice on 4 May 2023. The Applicant argues that this Application, filed on 24 April 2025, was made within six months of the date of receipt of the Respondent's ADR decision dated 6 March 2025, in line with Section 16(7) of the Tax Appeals Tribunal (TAT) Act, subject to grounds of extension of time.

3. The Respondent contends that the Applicant is using ADR to bypass the 30-day statutory deadline for challenging the 4 May 2023 objection decision. The Respondent also stated that it issued a decision on 6 March 2025, notifying the Applicant that it was unable to consider the Applicant's request for an ADR review dated 16 May 2023. The Respondent further stated that it could not consider the Applicant's ADR request due to the Applicant's failure to provide the documents required by Section 49(4) of the TPCA. The Respondent advised the Applicant to settle the outstanding tax liability of Shs. 67,500,000.

Whether the ADR communication constituted a taxation decision

4. It is my considered view that the interpretation of Section 1 of the Tax Appeals Tribunal (TAT) Act and Section 2 of the Tax Procedure Code (TPC) ACT should not be unduly restrictive. The Tribunal is empowered under S. 14(1) of the Tax Appeals Act to review taxation decisions.

Section 1 of the TAT Act defines a "taxation decision" as: *"Any assessment, determination, decision or notice"*.

Section 2 of the TPC Act defines "tax decision":

(a) a tax assessment; or

(b) a decision on any matter left to the discretion, judgment direction, opinion, approval, satisfaction or determination of the Commissioner General other than—

(i) a decision made in relation to a tax assessment;

5. An ordinary reading of the above provisions, specifically Sec 2(b), clearly enlarges the scope of a tax decision to include any decision on any matter left to the opinion and approval of the Commissioner General.

Section 26 (5) of the TPC Act states:

"The Commissioner may make a decision on an objection:

a) To a tax assessment, affirming, reducing, increasing, or otherwise varying the assessment to which the objection relates; or

b) To any other tax decision, affirming, varying or setting aside the decision."

6. In ***Stanbic Bank Holding Limited Vs Uganda Revenue Authority App No.14 of 2018***, the Tribunal noted:

"...whenever the respondent issues an assessment or makes a decision, an aggrieved party has the option of objecting to the said decision. It is irrelevant whether a demand or an assessment is made or not, but it is a decision. The said assessment or decision creates a fresh cause of action...."

7. Similarly, in the case of ***Asiimwe Eunice T/A Assy Lodges v URA, TAT Application No. 21 of 2025***, the Tribunal held:

"The Tribunal finds the ADR decision therefore represents the conclusive determination of the tax liability dispute upon which the Applicant's right to appeal rests. Using the earlier date would disregard the substantive resolution reached through the formally agreed-upon ADR process. The Applicant's subsequent actions were directly influenced by the ADR outcome."

8. According to the above authorities, ADR decisions are the final position of the Commissioner General and constitute a taxation decision. It is my position that a "decision" should not be limited solely to reconciliation or assessment outcomes. Refusing or declining to review a matter is itself a substantive decision and thus equally constitutes a decision within the meaning and spirit of the Act.
9. I therefore find the Respondent's ADR letter of 6 March 2025 refusing to review the Applicant's objection decision constituted a taxation decision within the meaning of the TAT Act and the TPCA. Therefore, the Tribunal has jurisdiction to review an ADR decision under section 14 of the TAT Act.

Whether the Applicant was Time-Barred

10. Section 16(1)(c) of the Tax Appeals Tribunal Act provides:

"An application to the Tribunal for a review of a taxation decision shall be lodged with the Tribunal within thirty days after the person making the application has been served with notice of the decision."

11. Under Rule 6(5) of the **Tax Procedures Code (ADR) Regulations, 2023** states that:

“Where the Commissioner General is satisfied that the application is not eligible for alternative dispute resolution, the commissioner shall within fifteen working days from the date of filing the application, inform the taxpayer in writing stating reasons of the rejection of the application for the alternative dispute resolution procedure.

12. These regulations are part of Uganda's framework for settling tax disagreements between the Uganda Revenue Authority (URA) and taxpayers. However, in the present case, the Respondent (URA) took two years to communicate its position, thereby undermining the principles of efficiency, fairness, and accountability in tax administration. Moreover, the Applicant adduced evidence that it provided documents to the Respondent on 10 February 2023. Therefore, the Respondent led the Applicant to believe that its application was being duly considered under the ADR process. Thus, when the Respondent communicated its decision on 6 March 2025, it was proper and fitting for the Applicant to treat the decision as the final taxation decision. He who comes to equity must come with clean hands. Having taken two years to decide, the Respondent cannot now impute delay to the Applicant.

13. The Applicant had up to 6 April 2025 under Section 16(1)(c) to file this Application. However, the Application was lodged on 24 April 2025, which made it 18 days late.

14. Extension of Time

15. Section 16(1)(c) of the TAT Act requires an application for review to be lodged within thirty (30) days after service of the decision; section 16(2) empowers the Tribunal, upon written application, to extend time where sufficient cause is shown. Rule 11(6) of the TAT Procedure Rules allows the Tribunal to extend time where it is satisfied the taxpayer was unable to file in time due to absence from Uganda, illness, or other reasonable cause.

16. Further, in ***George William Mulindwa v Kisubika Joseph, CA No. 12 of 2014***, the key considerations for enlarging timelines include the length and reason for the delay.

17. In the present case, the delay was only 18 days. This is not so inordinate to warrant the dismissal of the application.

Reasons for the delay

18. The Applicant argued that its employee, who received the ADR decision, was unaware of the required procedures, and that by the time it was brought to the attention of its director, Mr. Niazali Hirani, the prescribed 30-day time limit had lapsed.

I agree with the Respondent, as in the decided case of Pearl Marina Estate Ltd v URA, **TAT Misc. cause 36/2025**, that ignorance of the law is no defence.

19. However, the Applicant's director, Mr. Niazali, was out of the country, which made it difficult to find a way forward, as evidenced by the travel schedule attached to the Applicant's affidavit in rejoinder (annexure marked C).

20. Therefore, since absence from Uganda is a ground upon which the Tribunal may exercise its discretion to extend the time for applying for review of a taxation decision, I would have allowed the application.

On the 30% Requirement of the assessed tax

21. In ***Egis Road Operation Uganda SMC-LTD v URA, TAT Misc. Application No.83 of 2025***, the Tribunal held that:

"There is a difference between applications for review and applications for extension of time. The statutory requirement under Section 15(1) of the Act applies to substantive review applications, not to preliminary applications seeking leave to extend the timeline for applying."

22. The Applicant has also demonstrated a willingness to pay the statutory 30% of the tax in dispute, should the Tribunal grant this Application, which shows good faith and a commitment to resolving the matter.

Obiter Dictum

23. I consider it necessary to comment on the legislative framework governing Alternative Dispute Resolution (ADR) in Uganda's tax administration. I have

observed persistent uncertainty arising from the interaction between the ADR Regulations and the principal tax statutes, particularly regarding the legal character of ADR outcomes and the avenues for challenging them. I have also noted instances in which litigants file matters simultaneously before ADR and the Tax Appeals Tribunal (TAT), as well as situations in which parties impose conditions requiring that a case be withdrawn from the Tribunal before the Respondent's ADR team can pronounce itself on an application for ADR.

24. Currently, the law does not expressly clarify whether an ADR outcome constitutes a "tax decision" for purposes of review, nor does it indicate whether the statutory thirty-day (30) period for review under the Tax Appeals Tribunal Act applies to such outcomes. This ambiguity has created procedural inconsistency, exposing taxpayers and the Uganda Revenue Authority to avoidable disputes, and risks undermining the core objectives of ADR—namely, finality, predictability, and the efficient resolution of tax disputes. It also raises further questions: Are ADR decisions appealable or reviewable? By whom? Before which forum? And within what timelines?
25. In my view, the Ministry of Finance, Planning and Economic Development should consider undertaking a comprehensive harmonisation of the ADR Regulations with the Income Tax Act, the Tax Procedures Code Act, and other relevant revenue laws.
26. Legislative clarification is essential to define the status of ADR outcomes, specify the appropriate appellate or review mechanisms, and determine definitively whether statutory timelines, such as the 30-day (30) review period currently in effect, apply to ADR decisions once rendered. Such reforms would strengthen the integrity of Uganda's tax dispute-resolution framework, minimise procedural conflict, and enhance confidence among both taxpayers and the revenue administration.
27. These observations are made obiter, with the hope that they may guide future legislative and administrative action towards a more coherent and predictable Tax Dispute Resolution regime.

28. In the circumstances, I would have found the application to be appropriate before the Tribunal, and I would therefore have allowed it to be heard on its merits.

Dated at Kampala this 11th day of December 2025.



MS. GRACE SAFI
MEMBER

RULING