

SIXTH PERFORMANCE CONTRACT

(PC6)

FOR THE PERIOD 1st JULY 2018 – 30th JUNE 2021

Between

THE GOVERNMENT OF THE REPUBLIC OF UGANDA

And

NATIONAL WATER AND SEWERAGE CORPORATION

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Bali

THIS AGREEMENT is made on the..... day of 2018

BETWEEN:

- (1) The Government of Uganda (herein referred to as GoU) represented by the Ministry of Water and Environment (hereinafter referred to as "**MWE**") which expression shall where the context so admits include its authorized representatives, agents, assignees and successors in title), located on Plot 21/28 port Bell Road Luzira of P.O Box 20026, Kampala, Uganda on the one hand; and
- (2) The National Water and Sewerage Corporation (herein referred to as the "**NWSC**") which expression shall where the context so admits include its authorized representatives, agents, assignees and successors in title) located on Plot 3 Nakasero Road of P.O Box 7053, Kampala, Uganda on the other hand.

MWE and NWSC may hereinafter be referred to individually as "Party" and collectively as "Parties".

WHEREAS:

The MWE is mandated under the Water Act CAP 152, Laws of Uganda 2000 to enter into Performance Contracts with Water and/or Sewerage Authorities appointed in accordance with Section 46 of this Act, to provide water supply and sewerage services to the people of Uganda efficiently and economically and it is understood that the Areas specified in Appendix 1 are already declared Water and Sewerage Supply Areas, and National Water and Sewerage Corporation (NWSC) has been appointed as such the Water and Sewerage Authority;

AND

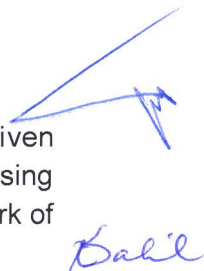
Whereas the Ministry of Finance, Planning and Economic Development (MoFPED) under the Public Enterprises Reform and Divestiture Act (PERD Act) CAP 98 is mandated to exercise the strategic monitoring role and liaise as necessary with MWE in monitoring the performance, and in the development of operating plans of Public Enterprises of which NWSC is classified under class II

The NWSC is a Statutory Public Corporation empowered under the NWSC Act CAP 317 Laws of Uganda 2000 as a body corporate, to enter into such Contracts and act as a Water Supply and Sewerage Authority in Uganda;

The Parties further agreed that the Performance Contract be one of the main instruments for regulating water supply and sewerage services provided and managed by NWSC;

AND

The underlying principles of the Performance Contract (PC) is that NWSC will be given sufficient autonomy to manage the operations of the public utility in a rigorous and enterprising manner, exercise and balance this autonomy within the agreed mandate, and a framework of effective accountability;



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AND

The Performance Contract shall in no way amend, supersede or modify the provisions of the Water Act, the NWSC Act, the Public Finance Management Act 2015 (PFMA), the Public

