

CHAPTER 313

**THE UGANDA CITIZENSHIP AND IMMIGRATION
CONTROL ACT**

Arrangement of Sections

Section

PART I—INTERPRETATION

1. Interpretation

PART II—NATIONAL CITIZENSHIP AND IMMIGRATION BOARD

2. The Board
3. Seal of Board
4. Meetings of Board
5. Secretary to Board
6. Functions of Board
7. Director and other immigration officers
8. Vote of Board
9. Minister's power of direction
10. Appeals
11. Protection of members of Board and immigration officers acting in good faith

PART III—CITIZENSHIP

12. Citizenship by birth
13. Foundlings and adopted children
14. Citizenship by registration
15. Procedure for registration of citizenship
16. Citizenship by naturalisation
17. Loss of citizenship by registration
18. Deprivation of citizenship by naturalisation
19. Dual citizenship
20. Acquisition by citizen of Uganda of citizenship of another country while retaining citizenship of Uganda

21. Acquisition by non-citizen of Uganda of Uganda citizenship while retaining citizenship of another country
22. General conditions for dual citizenship
23. Persons with dual citizenship not to hold certain offices of State
24. Termination of citizenship of Uganda
25. Consequences of loss of Ugandan citizenship
26. Re-acquisition of Ugandan citizenship by a Ugandan
27. Renunciation of citizenship
28. Effect of renunciation and of deprivation
29. Evidence
30. Offences and penalties under this Part
31. Revocation and cancellation of citizenship
32. Residence under authority of certain passes not to be residence for acquisition of citizenship by registration or naturalisation
33. Regulations under this Part

PART IV—PASSPORTS

34. Ugandan entitled to passport
35. Power to issue passports
36. Types of passports
37. Period of validity
38. Passport to be valid for all countries
39. Endorsement of children
40. Requirements before issue of passport
41. Grounds for refusal to grant passport
42. Withdrawal of passports
43. Offences and penalties under this Part
44. Regulations under this Part

PART V—IMMIGRATION CONTROL

45. Powers and duties of immigration officers
46. Inspectors and investigators
47. Prohibited immigrants
48. Entry into Uganda
49. Entry permits
50. Certificate of permanent residence
51. Registers
52. Production of entry permit, *etc.*

- 53. Employment without entry permit
- 54. Deportation orders
- 55. Application of Interpretation Act modified
- 56. Place of deportation
- 57. Arrest of deportees
- 58. Power of Director to order organised departure
- 59. Application of Part
- 60. Offences and penalties under Part

PART VI—CONTROL OF ALIENS

- 61. Registrar of companies to furnish returns on registered businesses owned by aliens
- 62. Prohibition from membership of certain organisations
- 63. Offences and penalties under Part
- 64. Employment disputes

PART VII—MISCELLANEOUS

- 65. General penalty
- 66. Effect of declarations, returns and statements
- 67. General power to make regulations
- 68. Power to amend Schedule 1

SCHEDULES

<i>Schedule 1</i>	Currency Point
<i>Schedule 2</i>	Meetings of Board
<i>Schedule 3</i>	Forms
<i>Schedule 4</i>	Classes of Entry Permits
<i>Schedule 5</i>	Offices of State Which Person Holding Dual Citizenship is not Qualified to Hold

CHAPTER 313

THE UGANDA CITIZENSHIP AND IMMIGRATION CONTROL ACT

Commencement: 1 September, 2002 except
Part III (1 September, 2008)

An Act to provide for acquisition of citizenship of Uganda pursuant to the Constitution, to regulate the issue of passports to citizens of Uganda; to provide for the regulation and control of aliens in Uganda; to provide for dual citizenship; to provide for offices of State which a person holding dual citizenship is not qualified to hold; to provide for former Ugandans who wish to re-acquire Ugandan citizenship and for related matters.

PART I—INTERPRETATION

1. Interpretation

In this Act, unless the context otherwise requires—

- “alien” means any person who is not a citizen of Uganda;
- “Board” means the National Citizenship and Immigration Board established under Article 16 of the Constitution;
- “Chairperson” means the Chairperson of the Board;
- “child” means a person below the age of eighteen years and includes an adopted child;
- “convention travel document” means a travel document issued to a refugee under the relevant refugee instruments and the Refugees Act;
- “currency point” has the value assigned to it in Schedule 1 to this Act;
- “destitute person” means a person who is, in the opinion of the Director, incapable of supporting himself or herself;
- “Director” means the Director for Immigration established under section 7;
- “document of identity” means a document establishing the nationality and identity of the holder for the time being in force issued or renewed by the Government of the State of which the holder is a subject or citizen, or some valid document of identity satisfactorily establishing the holder’s nationality or identity;
- “dual citizenship” means the simultaneous possession of two citizenships one of which is Ugandan;

“entry permit” means a permit granted under section 49;

“function” includes a power and a duty;

“habitual criminal” means a person who is not less than thirty years of age and who has been convicted at least four times since attaining the age of sixteen years of offences punishable with imprisonment of two years or more and on at least two of those occasions has been sentenced to imprisonment;

“immigration officer” includes the Director;

“Minister” means the Minister responsible for internal affairs;

“parastatal” means a body in which the Government owns a controlling interest;

“pass” means a special pass, pupil’s or student’s pass, prohibited immigrant pass, interstate pass, visitor’s pass, in-transit pass, dependent pass and re-entry pass;

“prescribed country” means a country declared by the Minister by statutory order with the approval of Parliament to be a prescribed country for the purposes of this Act;

“refugee” means, subject to the Constitution, a person who is recognised as a refugee by the Government and the United Nations High Commissioner for Refugees (UNHCR) under the relevant refugee instruments and the Refugees Act;

“relevant refugee instruments” means the 1951 United Nations Convention Relating to the Status of Refugees, as amended by the 1967 Protocol Relating to the Status of Refugees and the 1969 Organisation of African Unity Convention Governing Specific Aspects of Refugees problems in Africa and any other international convention or other instrument prescribed by the Minister by statutory instrument;

“Uganda Civil Aviation Authority” means the aviation body governing airline operations in Uganda;

“undesirable immigrant” is an undesirable immigrant within the meaning of section 47(g) and (h).

PART II—NATIONAL CITIZENSHIP AND IMMIGRATION BOARD

2. The Board

(1) The National Citizenship and Immigration Board established by Article 16 of the Constitution shall consist of a Chairperson, a Deputy Chairperson and not more than five other persons appointed by the President with the approval of Parliament.

(2) Each member of the Board shall be a citizen of Uganda and a person of high moral character and proven integrity.

(3) A member of the Board may be removed from office by the President only for—

- (a) inability to perform the functions of his or her office arising out of physical or mental incapacity;
- (b) incompetence;
- (c) conflict of interest; or
- (d) being convicted of a criminal offence in Uganda or elsewhere.

(4) Subject to subsection (3), a member of the Board shall hold office for a period of four years and is eligible for re-appointment for one further term only.

(5) A member of the Board may be paid such remuneration as the Minister may, in consultation with the Minister responsible for finance, determine.

(6) The members of the Board shall, subject to the other provisions of this section, hold office on such terms as may be determined by the Minister.

3. Seal of Board

The Board shall have a seal which shall be in such a form as the Board may determine and shall, subject to the provisions of any law, be applied in such circumstances as the Board may determine.

4. Meetings of Board

The provisions of Schedule 2 to this Act shall have effect in relation to meetings of the Board.

5. Secretary to Board

The Director shall act as secretary to the Board and shall perform such functions in relation to meetings of the Board as the Board may direct.

6. Functions of Board

- (1) The functions of the Board shall be to—
 - (a) issue Uganda passports and other travel documents;
 - (b) grant and cancel citizenship by registration and naturalisation;
 - (c) grant and cancel immigration permits;
 - (d) determine any questions which may arise in the implementation of this Act or any questions which may be referred to it by the Minister;
 - (e) perform such other functions as may be assigned to it by or under this Act or any other enactment; and
 - (f) perform any other function determined by the Minister.

(2) The functions of the Board set out in subsection (1)(a) and (c) may be decentralised to the district level.

7. Director and other immigration officers

(1) There shall be a Director for Immigration and such number of other immigration officers as may be necessary for the efficient implementation of this Act.

(2) The Director shall be responsible for giving effect to the decisions of the Board and shall be assisted by immigration officers all of whom shall assist the Board in the performance of its functions under this Act and shall perform such duties in relation to them as the Board may direct.

(3) Any functions conferred on the Director and the other immigration officers by this Act shall be performed on behalf of and subject to the directions of the Board.

(4) Subject to this Act, the Board may review any action taken by an immigration officer on behalf of the Board.

8. Vote of Board

(1) The Board shall have a vote of its own.

(2) Non-tax revenue collected by the Board shall be retained by the Board to be appropriated in aid.

9. Minister's power of direction

The Minister may, subject to this Act, give general policy directions to the Board or any immigration officer, and the Board or immigration officer shall comply with such directions.

10. Appeals

(1) A person aggrieved by any decision of the Board under this Act may, within thirty days after the decision is communicated to him or her, appeal to the Minister against the decision.

(2) The Minister may, where it appears to him or her to be just, extend the period within which an appeal may be made under this section.

(3) The Minister may, upon application by the person aggrieved by the decision, extend the period within which any appeal may be made under subsection (2) if it appears to the Minister just so to do.

(4) The Minister may on appeal under this section confirm or reverse the decision of the Board or refer the matter to the Board for reconsideration.

(5) A person aggrieved by a decision of the Minister on an appeal from a decision of the Board made under Part IV of this Act may, within thirty days after the decision is communicated to him or her, appeal to the High Court against the decision of the Minister; and the decision of the High Court shall be final.

11. Protection of members of Board and immigration officers acting in good faith

A member of the Board or immigration officer or person acting on the directions of such a person shall not be subject to any civil or criminal liability for anything done or omitted to be done in good faith in the exercise of the functions of the Board, or a member of the Board or an immigration officer.

PART III—CITIZENSHIP

12. Citizenship by birth

The following persons shall be citizens of Uganda by birth

- (a) every person born in Uganda one of whose parents or grandparents is or was a member of any of the indigenous communities existing and residing within the borders of Uganda as at the 1st day of February, 1926, and set out in the Third Schedule to the Constitution; and
- (b) every person born in or outside Uganda one of whose parents or grandparents was at the time of birth of that person a citizen of Uganda by birth.

13. Foundlings and adopted children

(1) A child of not more than five years of age found in Uganda whose parents are not known shall be presumed to be a citizen of Uganda by birth.

(2) A child under the age of eighteen years neither of whose parents is a citizen of Uganda, who is adopted by a citizen of Uganda, shall, on application, be registered as a citizen of Uganda.

(3) Subject to this Act, the procedure for registration as a citizen under subsection (2) shall be as prescribed by regulations made under section 67.

14. Citizenship by registration

(1) Every person born in Uganda—

(a) at the time of whose birth

- (i) neither of his or her parents and none of his or her grandparents had diplomatic status in Uganda; and
- (ii) neither of his or her parents and none of his or her grandparents was a refugee in Uganda; and

(b) who has lived continuously in Uganda since the 9th day of October, 1962,

shall, on application, be entitled to be registered as a citizen of Uganda.

(2) The following persons shall, upon application, be registered as citizens of Uganda—

- (a) every person married to a Ugandan citizen, upon proof of a legal and subsisting marriage of five years or more;
- (b) every person who has legally and voluntarily migrated to and has been living in Uganda for at least ten years;
- (c) every person who, on the commencement of the Constitution had lived in Uganda for at least twenty years.

(3) Subsection (2)(a) applies to a person who was married to a citizen of Uganda who but for his or her death would have continued to be a citizen of Uganda under the Constitution.

(4) Where a person has been registered as a citizen of Uganda under subsection (2)(a) and the marriage by virtue of which that person was registered is—

- (a) annulled or otherwise declared void by a court or tribunal of competent jurisdiction; or
- (b) dissolved,

that person shall, unless he or she renounces that citizenship, continue to be a citizen of Uganda.

15. Procedure for registration of citizenship

(1) A person to whom section 14(1) or (2) applies may apply to the Board in writing in the prescribed form, and the Board shall, on proof to its satisfaction that section 14 applies to that person, register that person as a citizen.

(2) The Board shall upon registration of any person under subsection (1) issue to that person in the prescribed form a certificate of registration as a citizen of Uganda.

- (3) A person shall not be registered as a citizen of Uganda
 - (a) where the person has more than one citizenship, unless he or she has made a declaration in writing in the form specified in Form B of Schedule 3 to this Act, renouncing one of the nationalities or citizenships he or she may possess;
 - (b) unless he or she has taken the oath of allegiance specified in the Fourth Schedule to the Constitution and set out in Form A in Schedule 3 to this Act;

- (c) unless he or she has made and registered a declaration of his or her intentions concerning residence as specified in Form C of Schedule 3 to this Act.

(4) Regulations made under section 67 may make further provision in respect of the registration of citizens by registration not inconsistent with the Constitution or this Act.

16. Citizenship by naturalisation

(1) The Board may grant citizenship by naturalisation to any alien subject to the provisions of this section.

(2) The Board shall issue to a person granted citizenship under this section a certificate of naturalisation.

(3) An alien to whom a certificate of naturalisation is issued under this section shall become a citizen of Uganda by naturalisation from the date of the issue of the certificate of naturalisation.

(4) A person who wishes to be granted citizenship by naturalisation shall make an application to the Board in writing in the prescribed form and shall comply with the requirements of subsection (5).

(5) The qualifications for citizenship by naturalisation are that he or she

- (a) has resided in Uganda for an aggregate period of twenty years;
- (b) has resided in Uganda throughout the period of twenty-four months immediately preceding the date of application;
- (c) has adequate knowledge of a prescribed vernacular language or of the English language;
- (d) is of a good character; and
- (e) intends, if naturalised, to continue to reside permanently in Uganda.

(6) A person shall not be granted citizenship of Uganda under this section unless—

- (a) subject to section 19, where the person has more than one citizenship, he or she has made a declaration in writing in the

prescribed form, renouncing any other nationality or citizenship he or she possesses; and

- (b) he or she has taken an oath of allegiance in the prescribed form in the Fourth Schedule to the Constitution and set out in Schedule 3 to this Act.

(7) The Board shall refuse to grant to any alien citizenship by naturalisation if his or her immigration file contains substantial inconsistencies as to put his or her demeanour in issue.

(8) Subject to the provisions of the Constitution, the Minister may, where he or she is satisfied that reciprocal provisions are or may be made in respect of Uganda citizens under the law of any prescribed country, as regards acquisition of citizenship in the prescribed country, and that it is desirable so to do, by statutory order, make provision for reciprocal acquisitions of citizenship by citizens from that prescribed country.

17. Loss of citizenship by registration

(1) The Board may deprive a person of his or her citizenship if acquired by registration, on any of the following grounds—

- (a) subject to section 19, voluntary acquisition of the citizenship of another country;
- (b) voluntary service in the armed forces or security forces of a country hostile to or at war with Uganda;
- (c) acquisition of Ugandan citizenship by fraud, deceit, bribery or having made intentional and deliberate false statements in his or her application for citizenship; or
- (d) espionage against Uganda.

(2) For the avoidance of doubt, this section applies to a person registered as a citizen of Uganda under section 13 or 14.

18. Deprivation of citizenship by naturalisation

(1) Subject to this section, the Board may, by order, deprive a citizen of Uganda by naturalisation of his or her citizenship by naturalisation if the Board is satisfied that the naturalisation certificate was obtained by means of fraud, false representation or the concealment of any material fact.

- (2) Subject to this section, the Board may, by order, deprive a person of his or her citizenship by naturalisation on any of the following grounds—
- (a) subject to section 19, voluntary acquisition of the citizenship of another country;
 - (b) voluntary service in the armed forces or security forces of a country hostile to or at war with Uganda;
 - (c) acquisition of Ugandan citizenship by fraud, deceit, bribery or having made intentional and deliberate false statements in his or her application for citizenship;
 - (d) espionage against Uganda;
 - (e) if he or she is convicted of an offence of treason against Uganda;
 - (f) if he or she is, within five years after the date of naturalisation as a citizen of Uganda, sentenced by a court of competent jurisdiction to imprisonment for a term of five years or more;
 - (g) if he or she commits a criminal act against the security of the State; or
 - (h) if he or she renounces his or her Ugandan citizenship.

19. Dual citizenship

(1) A citizen of Uganda of eighteen years and above who voluntarily acquires the citizenship of a country other than Uganda may retain the citizenship of Uganda subject to the Constitution, this Act and any law enacted by Parliament.

(2) A person who is not a citizen of Uganda may, on acquiring the citizenship of Uganda, subject to the Constitution, this Act and any other law enacted by Parliament, retain the citizenship of another country.

20. Acquisition by citizen of Uganda of citizenship of another country while retaining citizenship of Uganda

(1) A citizen of Uganda who desires to acquire the citizenship of another country while retaining his or her citizenship of Uganda shall give notice in writing to the Board of his or her application for the citizenship of another country.

(2) The notice under subsection (1) shall be in the prescribed form and shall be accompanied by the following—

- (a) a statutory declaration stating that he or she is a citizen of Uganda only;
- (b) where the person is a citizen of Uganda and another country, a declaration of renunciation of the citizenship of the third country;
- (c) evidence that the applicant is of or above eighteen years of age;
- (d) a copy of the application for citizenship of that other country; and
- (e) any other relevant information.

21. Acquisition by non-citizen of Uganda of Uganda citizenship while retaining citizenship of another country

(1) A non-Ugandan citizen who wishes to acquire the citizenship of Uganda while retaining the citizenship of another country shall satisfy the conditions for citizenship specified in sections 14 and 16.

(2) In addition to the conditions prescribed in subsection (1), a non-Ugandan citizen who wishes to acquire dual citizenship under this section shall—

- (a) satisfy the Board that the laws of his or her country of origin permit him or her to hold dual citizenship;
- (b) not be the subject of a deportation order from Uganda territory or any other country;
- (c) not be under a sentence of death or imprisonment exceeding nine months imposed by a court of competent jurisdiction, without the option of a fine;
- (d) satisfy the Board that he or she has been resident in Uganda for not less than ten years;
- (e) satisfy the Board that he or she has adequate knowledge of any prescribed vernacular language in Uganda or of English or Swahili;
- (f) satisfy the Board that he or she has not been in Uganda as a refugee or as a diplomat;
- (g) he or she possesses rare skills and capacity for technology transfer;
- (h) be willing to take the oath of allegiance; and
- (i) be a person of sound mind.

22. General conditions for dual citizenship

A person applying for dual citizenship shall, before being registered, satisfy the Board that—

- (a) he or she is not engaged in espionage against Uganda;
- (b) he or she has not served in the voluntary service of the armed forces or security forces of a country hostile to or at war with Uganda;
- (c) he or she has not attempted to acquire Ugandan citizenship by fraud, deceit or bribery or by intentional or otherwise deliberate false statements in an application for citizenship;
- (d) he or she does not have a criminal record;
- (e) the laws of his or her country of origin permit dual citizenship;
- (f) he or she is, at the time of application, eighteen years of age or above;
- (g) he or she is of sound mind;
- (h) he or she does not hold more than one citizenship; and
- (i) he or she is not an undischarged bankrupt or insolvent.

23. Persons with dual citizenship not to hold certain offices of State

(1) A person who holds the citizenship of another country in addition to the citizenship of Uganda is not qualified to hold any of the offices of State specified in Schedule 5 to this Act.

(2) Parliament may by resolution amend Schedule 5 to this Act.

(3) A resolution passed under this section shall, as soon as possible, be published in the *Gazette*.

24. Termination of citizenship of Uganda

For the avoidance of doubt, where by virtue of the holding of dual citizenship granted under section 20 or 21, a person holds the citizenship of Uganda in addition to the citizenship of another country, the Board may by order deprive that person of the citizenship of Uganda—

- (a) upon any of the grounds specified in section 17 or 18; or
- (b) if that person acquires a third citizenship.

25. Consequences of loss of Ugandan citizenship

(1) Where a person ceases to be a citizen of Uganda, he or she shall be regarded as a citizen or national of the country, of which he or she was a citizen or national before becoming a Ugandan citizen.

(2) Where a person ceases to be a Ugandan citizen, he or she shall cease to enjoy the rights of a Ugandan citizen except rights to property acquired legally while the person was a citizen.

(3) Where a person ceases to be a Ugandan citizen, he or she shall not be discharged from any obligation, duty or liability in respect of any act done or committed before he or she ceased to be a citizen of Uganda.

26. Re-acquisition of Ugandan citizenship by a Ugandan

(1) A person who was a citizen of Uganda by birth and who on acquiring the citizenship of another country renounced his or her Ugandan citizenship, may apply to the Board in the prescribed manner to re-acquire his or her former Ugandan citizenship.

(2) The Board may allow a former Ugandan citizen to re-acquire his or her Ugandan citizenship if it is satisfied that the grounds for the loss of his or her Ugandan citizenship are of no adverse effect to the public order and security of Uganda.

(3) A person who re-acquires Ugandan citizenship under this section shall be required to take the oath of allegiance.

27. Renunciation of citizenship

(1) If a citizen of Uganda of full age and capacity who acquires citizenship of a foreign country makes a declaration in the prescribed manner of renunciation of citizenship of Uganda, the Board shall cause the declaration to be registered; and upon registration, that person shall cease to be a citizen of Uganda.

(2) The Board may refuse to register any declaration of the kind mentioned in subsection (1) if it is made during any war in which Uganda may be engaged with that foreign country or if in the opinion of the Board it is otherwise contrary to public policy.

28. Effect of renunciation and of deprivation

(1) A citizen of Uganda who is deprived of his or her citizenship by an order of the Board under section 17 or 18 shall, upon the making of the order, cease to be a citizen of Uganda.

(2) The renunciation or deprivation by or of any person of his or her citizenship under this Part shall not affect the liability of that person for any offence committed by him or her before the renunciation or deprivation of his or her citizenship.

29. Evidence

(1) Every document purporting to be a notice, certificate, order or declaration, or any entry in a register, or a subscription of an oath of allegiance or declaration of renunciation, given, granted or made under the provisions of this Part shall be received in evidence and shall, unless the contrary is proved, be taken to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

(2) Prima facie evidence of any document of the kind mentioned in subsection (1) may be given by production of a document purporting to be certified as a true copy of it by such person and in such manner as may be prescribed.

(3) An entry in a register made under this Part, or a certified copy of such entry, shall be received as evidence of the matter stated in the entry.

(4) Every application to the Board under this Part shall—

- (a) be supported by such evidence of the statements made in it as may be prescribed; and
- (b) be verified by an affidavit or declaration made before a magistrate or a commissioner for oaths.

30. Offences and penalties under this Part

(1) Any person who, for the purpose of procuring anything to be done under this Part, makes any statement which he or she knows to be false in a material particular commits an offence and is liable, on conviction, to a

fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding two years, or both.

(2) Any person who fails to comply with any requirement imposed on him or her by any regulations made under this Part with respect to the acquisition of a certificate of registration or naturalisation commits an offence and is liable, on conviction, to a fine not exceeding one hundred fifty currency points or to imprisonment for a term not exceeding two years, or both.

31. Revocation and cancellation of citizenship

Where a person to whom a certificate of registration or naturalisation as a citizen of Uganda has been granted under this Act does not produce within ninety days to an officer acting on behalf of the Board sufficient evidence to satisfy the officer that he or she has renounced any other nationality or citizenship which he or she may have possessed, the registration or naturalisation of that person as a citizen of Uganda shall be cancelled; and he or she shall be taken never to have been so registered.

32. Residence under authority of certain passes not to be residence for acquisition of citizenship by registration or naturalisation

Notwithstanding any provision of this Act or of any other law, any period of residence in Uganda under the authority of any—

- (a) special pass;
- (b) dependent pass to a holder of an entry permit other than as wife or husband;
- (c) pupil's pass;
- (d) visitor's pass; and
- (e) convention travel document,

shall not be taken into account in computing the time of residence in Uganda for purposes of acquisition of citizenship by registration or naturalisation.

33. Regulations under this Part

The Minister may make regulations under section 67 in relation to the following—

- (a) prescribing any matter which is to be prescribed under this Part;
- (b) prescribing the forms for application for citizenship under this Act;

- (c) the registration of any matter required or authorised under this Part to be registered;
- (d) the administration of or taking of the oath of allegiance under this Part and the time within which the oath of allegiance shall be taken;
- (e) the giving of any notice required or authorised to be given to any person under this Part;
- (f) cancellation and amendment of registration or naturalisation relating to persons deprived of citizenship under this Part, and requiring such certificates of registration or naturalisation to be delivered up for those purposes;
- (g) prescribing forms to be used for the purposes of this Part;
- (h) prescribing the payment of fees to be paid in respect of anything to be done under this Part;
- (i) prescribing the evidence to be provided of any statement made in any application; and
- (j) for any matters incidental to and connected with the matters mentioned in this section.

PART IV—PASSPORTS

34. Ugandan entitled to passport

Every Ugandan shall have the right to a passport or other travel document.

35. Power to issue passports

(1) There shall be a passport control officer and a deputy passport control officer who shall be immigration officers.

(2) The passport control officer and the deputy passport control officer shall, subject to this section, issue or renew, on behalf of the Board, passports and other travel documents to persons who qualify.

(3) The Board may delegate its functions relating to the issue or renewal of passports and other travel documents to Uganda diplomatic missions abroad.

(4) The administration, control and supervision of all matters relating to passports and other travel documents shall be vested in the Board.

(5) An application for a travel document shall be in Form D in Schedule 3 to this Act.

36. Types of passports

There shall be such types and categories of passports and other travel documents as the Minister may prescribe by regulations made under section 67.

37. Period of validity

(1) A passport issued under this Act shall be valid for a period not exceeding ten years, but may be renewed for a period of ten years at a time.

(2) Other travel documents shall be valid for such period as the Board may determine.

38. Passport to be valid for all countries

A passport issued under section 35 shall be valid for all countries except for any countries specified in the passport in respect of which it is stated not to be valid.

39. Endorsement of children

A holder of a passport may, on application, have his or her children endorsed in the passport, except a child of or above the age of sixteen years who shall hold a separate passport.

40. Requirements before issue of passport

A person who applies for a passport shall produce evidence to the effect that he or she is a citizen of Uganda and may be required by the Board to comply with any of the following—

- (a) to produce his or her national identification number; or
- (b) any other requirement which may be prescribed by the Board.

41. Grounds for refusal to grant passport

The Board may refuse to issue a passport where, in its opinion, the issue of a passport to any person would be prejudicial to the public interest and, in particular, may refuse to issue a passport to any of the following

- (a) a person against whom any criminal proceedings are pending in any court; or
- (b) a habitual criminal.

42. Withdrawal of passports

(1) The Board may order the withdrawal or temporary seizure of a passport from any holder in the following circumstances—

- (a) where the holder is lawfully charged with a felony;
- (b) where the holder is a habitual criminal;
- (c) where the holder is deported or repatriated to Uganda and the conditions or reasons for his or her deportation or repatriation are still standing; or
- (d) subject to the Constitution, any other circumstance which, in the opinion of the Board, would be prejudicial to the interests of the State or of the holder of the passport.

(2) Where a passport is withdrawn under this section, the holder or any person responsible for the holder shall return the passport to the Board.

(3) Any person who contravenes subsection (2) commits an offence and is liable, on conviction, to a fine not exceeding thirty currency points or to imprisonment for a term not exceeding six months, or both.

43. Offences and penalties under this Part

(1) Any person who fails to surrender a passport or any travel document when required to do so by the Board commits an offence and is liable, on conviction, to a fine not exceeding thirty currency points or to imprisonment for a term not exceeding six months, or both.

(2) Any person who, without lawful authority of the Board, makes, prints or binds any material, whether in part or in whole, with intent to produce a passport or any other travel document commits an offence and is

liable, on conviction, to a fine not exceeding four hundred currency points or to imprisonment for a term not exceeding five years, or both.

(3) Any person who unlawfully alters, forges, causes to be altered or forged any part of a passport or other travel document commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding two years, or both.

(4) Any person who without lawful authority issues, renews, distributes or has in his or her possession any passport or other travel document commits an offence and is liable, on conviction, to a fine not exceeding sixty currency points or to imprisonment for a term not exceeding two years, or both.

(5) Any person who fails to comply with the terms and conditions of the issue of a passport commits an offence and is liable, on conviction, to a fine not exceeding sixty currency points or to imprisonment for a term not exceeding two years, or both.

44. Regulations under this Part

Regulations may be made under section 67—

- (a) prescribing the form of applications under this Part;
- (b) prescribing the fees to be paid on issuing of a passport and other travel documents; and
- (c) generally for better carrying out the provisions of this Part of this Act.

PART V—IMMIGRATION CONTROL

45. Powers and duties of immigration officers

(1) An immigration officer may, for the purposes of exercising his or her functions under this Act—

- (a) without a search warrant, enter upon and search any ship, aircraft, train or vehicle in Uganda;
- (b) interrogate a person whom he or she reasonably believes—
 - (i) is about to enter or leave Uganda;
 - (ii) is a prohibited immigrant; or

- (iii) is able to give any information regarding any infringement or suspected infringement of this Act or any regulations made under this Act;
 - (c) require a person who desires to enter Uganda—
 - (i) to make and sign a declaration in such form as may be prescribed under this Act;
 - (ii) to submit himself or herself to a medical examination by a Government medical practitioner;
 - (ci) require the person who is in charge of a ship, aircraft, train or vehicle arriving from or leaving for any place outside Uganda to furnish a list in duplicate, signed by that person, of the names of all persons on Board;
 - (cii) if there is reasonable cause to suspect that a person has contravened any provision of this Act or that his or her presence in Uganda is unlawful, and if in order to prevent the purpose of this Act from being defeated it is necessary to arrest that person immediately, arrest that person without warrant, and the provisions of section 17 of the Criminal Procedure Code Act shall apply to that arrest;
 - (ciii) enter upon any premises during reasonable hours and investigate any matter relating to immigration.
- (2) In the case of entry and search of premises under subsection (1) (f), the immigration officer shall act under the authority of a search warrant except—
- (a) where the immigration officer has reasonable grounds to believe that there is on the premises a person who has contravened any provision of this Act or any regulation made under it; or
 - (b) where he or she has reasonable grounds to believe that there is on the premises evidence relating to any contravention of this Act or any regulation made under it which is likely to be lost or destroyed without such entry and search or investigation.
- (3) An immigration officer may require any person
- (a) to declare whether or not he or she is carrying or conveying a document;
 - (b) to produce to the officer a document he or she is carrying or conveying.
- (4) An immigration officer may—

- (a) search a person and any baggage belonging to that person or which is under his or her control, in order to ascertain whether that person is carrying a document; and
- (b) examine and detain for such time as the immigration officer thinks proper for the purpose of examining, a document produced to him or her or found on search.

(5) An immigration officer may, in writing, require a person to attend at his or her office and furnish to that officer such information, documents and other particulars as are necessary for the purposes of determining whether that person should be permitted to remain in Uganda.

46. Inspectors and investigators

The Director may designate from among immigration officers such number of immigration inspectors and investigators as are necessary for carrying out the purpose of this Act.

47. Prohibited immigrants

The following persons are prohibited immigrants and their entry into or presence within Uganda is unlawful except in accordance with the provisions of this Act—

- (a) a destitute person;
- (b) any person who—
 - (i) refuses to submit to a medical examination after having been required to do so under section 45;
 - (ii) is certified, by a Government medical practitioner, to be suffering from a contagious or infectious disease which makes his or her presence in Uganda dangerous to the community;
- (c) any person against whom there is in force an order of deportation from Uganda made under this Act or any other law for the time being in force;
- (d) any person whose presence in or entry into Uganda is, or at the time of his or her entry was, unlawful under this Act or any other law for the time being in force;
- (e) any person who has not in his or her possession a valid passport issued to that person by or on behalf of the Government of the State of which he or she is a subject or citizen or a valid passport

- or document of identity issued to him or her by an authority recognised by the Government, such document being complete and having endorsed on it all particulars, endorsements and visas required by the Government or authority issuing that document and by the Government;
- (f) any person who is a drug trafficker and who is living, or who prior to entering Uganda was living, on the earnings of drugs or drug trafficking or trade;
 - (g) a person who as a consequence of information received from the government of any state, or any other source considered reliable by the Minister or the Director, is declared by the Minister or by the Director to be an undesirable immigrant; but every declaration of the Director under this paragraph shall be subject to confirmation or otherwise by the Minister;
 - (h) any person who, not having received a free pardon, has been convicted in any country, for murder, or any offence for which a sentence of imprisonment has been passed for any term, and who by reason of the circumstances connected with the offence is declared by the Minister to be an undesirable immigrant; except that this paragraph shall not apply to offences of a political character not involving moral turpitude;
 - (i) any person who is a subject or citizen of any country with which Uganda is at war;
 - (j) the children, if under eighteen years of age and dependents of a prohibited immigrant, and any other dependent of a prohibited immigrant; and
 - (k) any person convicted of any offence under this Act.

48. Entry into Uganda

(1) Subject to this Act, no person shall enter or remain in Uganda unless that person is in possession of a valid entry permit, certificate of permanent residence, or pass, issued under this Act.

(2) This section shall not apply to such person or class of persons as the Minister, may by statutory order, declare.

(3) A person who is not a citizen of Uganda shall not be issued with an entry permit, certificate of permanent residence or pass referred to in

subsection (1) unless that person is in possession of a passport, certificate of identity, conventional travel document or any other valid travel document.

(4) A person intending to take on employment under entry permit Class G specified in Schedule 4 to this Act may only enter Uganda after his or her application for the entry permit has been granted.

49. Entry permits

(1) There shall be the classes of entry permits as specified in Schedule 4 to this Act.

(2) Where a person other than a prohibited immigrant makes an application for an entry permit of a particular class and satisfies the Board that the conditions which must be fulfilled have been fulfilled in relation to the application, the Board may issue an entry permit of that class to that person.

(3) The entry permit shall, when issued, be valid for a period determined by the Board and may be renewed.

(4) The Board, subject to the right of appeal under this Act, may cancel any entry permit upon a finding that—

- (a) the person holding the permit has violated any of the terms of his or her stay under the entry permit;
- (b) the person holding the permit has violated any of the provisions of this Act or regulations made under it;
- (c) the person has become a prohibited immigrant under section 47; or
- (d) the person has become an undesirable immigrant under section 47(g).

50. Certificate of permanent residence

(1) The Board may, upon application, grant to a person a certificate of permanent residence which shall entitle that person to remain in Uganda for such period as is stipulated in the certificate.

(2) The application referred to in subsection (1) shall be in Form E specified in Schedule 3 to this Act.

(3) A certificate of permanent residence shall only be granted to a person on proof that—

(a) that person—

- (i) has contributed to the socio-economic or intellectual development of Uganda;
- (ii) has continuously lived legally in Uganda for ten years;
- (iii) is of good character and of proven integrity;
- (iv) has not defaulted in the payment of any taxes required to be paid by him or her;
- (v) has no criminal antecedents in Uganda or outside Uganda; and
- (vi) is not a bankrupt or destitute; or

(b) he or she is legally married to a Ugandan citizen and there is a subsisting marriage of three years or such other period as may be prescribed.

(4) Notwithstanding anything in subsection (3), any Ugandan citizen who acquires the citizenship of another country shall be eligible on application for the grant of a certificate of permanent residence under this section.

(5) Where a person has been granted a certificate of permanent residence under subsection (3)(b) and the marriage by virtue of which that person was granted a certificate of permanent residence is—

- (a) invalid or otherwise declared void by a court or tribunal of competent jurisdiction; or
- (b) dissolved,

that person shall cease to hold a certificate of permanent residence.

(6) The Board may cancel any certificate of permanent residence obtained under subsection (3)(b) if it is proved that the holder of the certificate conducted a marriage of convenience for the sole purpose of acquiring a certificate of permanent residence.

(7) The Board may revoke any certificate issued under this section upon a finding that—

- (a) the person holding the certificate has violated the terms of the certificate of permanent residence;
- (b) the person holding the certificate has violated any of the provisions of this Act;
- (c) the person has become a prohibited immigrant under section 47; or

- (d) the person has become an undesirable immigrant under this Act.

51. Registers

(1) The Director shall maintain a register in the prescribed form, in which shall be entered the names and such particulars as the Board may require, of every person to whom an entry permit, a certificate of permanent residence or pass is granted under this Act.

(2) The Board may, for the purpose of discharging its functions under this Act, at least once a year, call for and inspect registers maintained under this Act.

52. Production of entry permit, etc.

(1) A person who remains in Uganda shall at all times carry his or her entry permit, certificate of permanent residence or pass and, on being so required by an immigration officer, produce it for examination.

(2) Any person who without reasonable excuse fails to comply with subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding sixty currency points or to imprisonment for a term not exceeding one year, or both.

53. Employment without entry permit

(1) A person who is not a citizen of Uganda shall not, unless that person is in possession of a valid entry permit, certificate of permanent residence or special pass issued under this Act—

- (a) be employed in a parastatal or private body;
- (b) be employed in the public service;
- (c) be employed by a private person; or
- (d) engage in private business in Uganda.

(2) Any person who—

- (a) not being a citizen of Uganda, engages in any employment or profession, whether or not for gain, contrary to subsection (1); or
 - (b) employs any alien, whether or not for gain, whom he or she knows or has reasonable cause to believe is contravening subsection (1),
- commits an offence and is liable, on conviction, to a fine not exceeding one

hundred fifty currency points or to imprisonment for a term not exceeding two years, or both.

(3) Any person convicted of an offence under subsection (2)(a) is liable, in addition to any penalty imposed under that subsection, to a fine not exceeding two currency points in respect of each day on which he or she has acted contrary to subsection (1)(a); and the Board may suspend or cancel the employer's permit, if any.

54. Deportation orders

(1) The Minister may, in writing signed by him or her, order any prohibited immigrant or person whose presence in Uganda is unlawful to be deported out of Uganda, either indefinitely or for such period of time as may be specified in the order.

(2) An order made under this section shall be carried into effect in such manner as the Minister may direct.

(3) A person against whom a deportation order has been made may, if the Minister so directs, while waiting for deportation and being conveyed to the place of departure, be kept in custody, and while so kept shall be deemed to be in lawful custody.

(4) If a person is brought before a court by an immigration officer and the court is informed that an application for a deportation order in respect of the person has been made, the court may direct that that person be detained in custody for a period not exceeding two months.

(5) There shall be a register of all persons served with deportation orders under this section.

(6) The Minister may, at any time, vary or revoke a deportation order.

(7) A person aggrieved by a deportation order made under this section may appeal against the order of deportation within fifteen days after the date of the order to the High Court, and a person aggrieved by the decision of the High Court may appeal against it to the Court of Appeal.

(8) Upon the filing of an appeal with the registrar of the High Court under this section, the High Court may, upon application by the appellant, make an order that the deportation order shall be stayed pending the decision of the High Court and the determination of any appeal from the High Court to the Court of Appeal; but the High Court shall give its ruling on the stay of execution of the deportation order within two working days after the application is made.

55. Application of Interpretation Act modified

Notwithstanding the Interpretation Act, and subject to this Act, a deportation order shall come into force on the date it is signed by the Minister or such other date as is specified by the Minister in the order.

56. Place of deportation

A person against whom a deportation order has been made shall be deported to the place from where he or she came or to any place to which he or she consents to be deported, where the Government of that place consents to receive that person.

57. Arrest of deportees

(1) A person who, having been deported from another country, enters Uganda in transit to his or her destination may be arrested without a warrant by an immigration officer and may be detained in custody until arrangements are made for the continuation of his or her journey.

(2) A person detained under this section shall be taken to be in lawful custody.

(3) A person in charge of a ship, aircraft, train or vehicle leaving for any place outside Uganda shall, if required by an immigration officer, receive on board the ship, aircraft, train or vehicle a person who is detained under this section and shall, on due payment being made, afford that person passage and accommodation for his or her onward journey to his or her destination.

58. Power of Director to order organised departure

(1) The Director may make arrangements for the organised departure from Uganda of any person convicted of any offence under this Act or under any regulation made under this Act or any person who contravenes any provision of this Act or of the regulations.

(2) Any person ordered to leave Uganda under subsection (1) is liable to pay a fine equivalent to the fine payable under section 53(3).

(3) A person ordered to leave Uganda under subsection (1) shall be responsible for meeting his or her travel costs.

59. Application of Part

(1) Apart from this section, the provisions of this Part do not apply to citizens of Uganda.

(2) An immigration officer may exercise any of the powers conferred upon him or her under this Act in relation to a person who is a citizen of Uganda insofar as the exercise of that power is necessary to determine the status of that person as such.

(3) A person who is a citizen of Uganda shall be liable to be proceeded against, convicted and punished in respect of—

- (a) an offence under this Act in relation to a person to whom this Part applies generally; or
- (b) aiding and abetting an offence under this Part.

(4) Where, for the purpose of this Part, there is a question whether a person is a citizen of Uganda, the burden of proving that he or she is a citizen of Uganda shall lie upon that person.

60. Offences and penalties under Part

(1) Any person who—

- (a) without reasonable excuse refuses to answer any lawful or reasonable question put to him or her by an immigration officer;

- (b) knowingly makes any false declaration, return or statement for the purpose of obtaining or assisting another person to obtain a permit, certificate or pass under this Act;
- (c) alters a permit, certificate or pass issued under this Act;
- (d) obstructs or impedes an immigration officer in the exercise of his or her duties;
- (e) knowingly misleads an immigration officer seeking, in the exercise of his or her duties, information in relation to any matters under this Act;
- (f) knowingly uses or has in his or her possession a forged or irregular document of identity, passport, pass or other document which has been altered or issued without lawful authority;
- (g) fails to furnish any list or information required to be furnished by him or her under section 45;
- (h) unlawfully enters or is unlawfully present within Uganda in contravention of the provisions of this Act or any regulations made under it;
- (i) except as otherwise permitted by any provision of this Act or any regulations made under it, remains in Uganda after the expiration or cancellation of any permit, pass, certificate or other authority issued to him or her under this Act or any regulations made under it;
- (j) having made an application for an entry permit or a certificate of permanent residence which has been rejected, makes another application as if he or she has not previously applied;
- (k) conceals any information which could have otherwise affected his or her entry into Uganda;
- (l) contravenes any term or condition subject to which any permit, certificate or pass has been issued to him or her under this Act or under any regulations made under it; or
- (m) contravenes any provision of any order or direction made under this Act or under any regulation made under it,

commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding three years, or both and may, in addition, be deported.

(2) Where a person is convicted of an offence under this Part, the Board may, in addition to any penalty imposed for the offence, cancel any permit, certificate or pass in respect of which the offence was committed.

(3) Any person who, having been deported from any other country or ordered to leave Uganda under this Act or any other written law, returns to Uganda without the permission of the Minister commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding three years, or both, and may, notwithstanding the conviction and on the expiration of the sentence of imprisonment, if any, imposed upon him or her be deported again under section 54.

(4) Where a prohibited immigrant enters Uganda from a ship, aircraft or vehicle, whether or not with knowledge of the owner, agent or person in charge of it, the owner, agent or person in charge commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points; and provision shall be made by the owner, agent or person in charge, as the case may be, to the satisfaction of an immigration officer for the conveyance out of Uganda of the prohibited immigrant.

(5) Subsection (4) shall not apply in any case where the prohibited immigrant has been granted a permit or pass to enter Uganda under this Act, or any regulations made under it.

(6) Any aircraft which brings into Uganda any undesirable alien shall be liable to a fine of not less than one hundred fifty currency points and shall be required to arrange for the departure out of Uganda of the undesirable alien.

(7) The Director shall, from time to time, furnish a list of undesirable aliens to the Uganda Civil Aviation Authority and it shall be the duty of the Uganda Civil Aviation Authority to give notice of it to all airline operators.

(8) Notice given to Uganda Civil Aviation Authority shall be taken to be sufficient notice to all aircrafts conveying aliens into Uganda.

PART VI—CONTROL OF ALIENS

61. Registrar of companies to furnish returns on registered businesses owned by aliens

The registrar of companies and the registrar of business names shall, on request by the Director, in writing, furnish to the Director a list of all registered businesses owned by aliens in Uganda.

62. Prohibition from membership of certain organisations

(1) An alien shall not be a member of the executive committee of a labour union or a youth movement in Uganda.

(2) An alien shall not form, manage or join a political party, or unless authorised under any law, vote in any presidential, parliamentary or other election or in a referendum in Uganda.

63. Offences and penalties under Part

(1) An alien who attempts or does any act likely to cause disaffection among any members of the armed forces of Uganda or against the civilian population of Uganda commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points or to imprisonment for a term not exceeding five years, or both.

(2) If any alien promotes or attempts to promote industrial unrest in any industry in which he or she has not been *bona fide* engaged for at least two years immediately preceding in Uganda, he or she commits an offence and is liable, on conviction, to a fine not exceeding two hundred fifty currency points or to imprisonment for a term not exceeding five years, or both.

(3) Nothing in this section shall affect the liability of a person to be prosecuted under the Penal Code Act or any other law in force in Uganda.

64. Employment disputes

Where any complaint is lodged with the immigration office concerning the conduct of an alien in the course of his or her employment, the Director may forward the complaint to an industrial or labour court which shall submit

its findings to him or her, and the Director may then take any necessary immigration action considered relevant in the circumstances.

PART VII—MISCELLANEOUS

65. General penalty

Any person who—

- (a) contravenes any term or condition subject to which any permit, certificate or pass has been issued to him or her under this Act; or
- (b) contravenes any other provision of this Act or of any lawful order or direction made or given under this Act,

commits an offence and where no other penalty is provided is liable, on conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding two years, or both.

66. Effect of declarations, returns and statements

In any proceedings for an offence under this Act, a person shall be taken to know the contents of any declaration, return or statement which he or she has signed or marked, whether or not he or she has read that declaration, return or statement, if he or she knows the nature of the document.

67. General power to make regulations

(1) The Minister may, by statutory instrument, in consultation with the Board, make regulations for better carrying out the provisions of this Act.

(2) Without prejudice to the general effect of subsection (1), regulations made under it may

- (a) provide for anything required or authorised by any provision of this Act to be prescribed by regulations;
- (b) prescribe the place where and the manner in which applications to enter Uganda shall be made;
- (c) prescribe the place where and times at or between which entry into Uganda may be made and the procedure to be followed by persons entering or leaving Uganda;
- (d) provide for the terms and conditions subject to which an entry permit or a certificate of permanent residence may be granted or cancelled;

- (e) provide for types of passes entitling persons to enter and remain temporarily in Uganda, the terms and conditions of issue and cancellation and the authority which may issue or cancel such passes;
- (f) prescribe the deposit of security, if any, to be made or given by or in respect of any person granted a permit, certificate or pass under this Act or the regulations;
- (g) prescribe the fees to be charged upon the issue or renewal of any permit, certificate or pass or for any other purpose under this Act or under the regulations;
- (h) provide for the payment and recovery of any expenses incurred by the Government in connection with the detention, maintenance, medical treatment and deportation of prohibited immigrants;
- (i) provide for the deportation of aliens from Uganda subject to this Act;
- (j) prohibit aliens from residing or remaining in any specified areas if the prohibition is in the interest of public health or public safety;
- (k) prescribe the information to be furnished and the returns to be made by employers with respect to persons employed by them, including, in particular, information as to citizenship, nature of employment, qualifications and experience of those persons, and as to training schemes for Ugandan employees;
- (l) prescribing the forms to be used for the purposes of this Act;
- (m) provide for the imposition in respect of any contravention of the regulations of any fine not exceeding one hundred currency points or imprisonment not exceeding one year or both;
- (n) provide for an additional fine in respect of continuing offences not exceeding two currency points in respect of each day on which the offence continues;
- (o) provide for the forfeiture of anything involved in the commission of an offence against the regulations.

(3) Any provision of any regulation made under this section with respect to aliens may relate either to aliens in general or to any class or description of aliens.

(4) If any question arises in any proceedings under regulations made under this section or with reference to anything done or proposed to be done under any such regulations whether any person is an alien or not, the onus of

proof that the person is not an alien or, as the case may be, that he or she is a citizen of Uganda shall lie upon that person.

68. Power to amend Schedule 1

The Minister may, by statutory instrument, with the approval of Cabinet, amend Schedule 1 to this Act.

SCHEDULES

Schedule 1

Sections 1, 68

Currency Point

A currency point is equivalent to twenty thousand shillings.

Schedule 2

Section 4

Meetings of Board

1. Meetings of Board

(1) The Board shall, for purposes of discharging its functions under this Act, meet at least two times in a month at a place and time as the Chairperson shall appoint.

(2) A meeting of the Board shall also be called on the request in writing by not less than one-half of all the members of the Board specifying the subject to be discussed at the meeting.

2. Procedure at meetings

(1) The meetings of the Board shall be presided over by the Chairperson and in his or her absence by a member of the Board nominated by the Chairperson or if no member is so nominated, by a member of the Board appointed by members present from their number.

(2) The quorum at any meeting of the Board shall be half the number of the members of the Board.

(3) A question proposed at a meeting of the Board shall be determined by a simple majority of the members present through voting and in the case of an equality of votes, the person presiding at the meeting shall have a casting vote.

(4) Nothing done by the Board shall be treated as invalid by reason of deficiency in the number of members of the Board present, if any such decision is subsequently ratified by the Board.

3. Minutes of Board

(1) The secretary to the Board shall cause to be taken and maintained a record of all business transacted at every meeting of the Board and all members present at the meeting.

(2) The minutes recorded under subparagraph (1) shall be submitted to and confirmed by the Board at its meeting next following that to which the minutes relate, and on confirmation, the minutes shall be signed by the Chairperson and the secretary in the presence of the other members present at that meeting.

4. Residual power of Board to regulate its proceedings

Subject to this Schedule, the Board may regulate its own proceedings.

Schedule 3

Sections 15(3), 16(6), 35(5), 50(2)

Forms

The Republic of Uganda

Form A

Uganda Citizenship

Oath of Allegiance

(Uganda Citizenship and Immigration Control Act, Cap. 313)

I, _____, swear in
the name of Almighty God/solemnly affirm that I will be faithful and bear
true
allegiance to the Republic of Uganda and that I will preserve, protect
and defend the Constitution. (So help me God.)

Deponent

Sworn/affirmed and subscribed before me this _____ day of _____
_____, 20

Magistrate/Commissioner for Oaths

The Republic of Uganda

Form B

Declaration Concerning Renunciation of Citizenship of a Country other
than Uganda

(The Uganda Citizenship and Immigration Control Act, Cap. 313)

I, _____ *(full name in block capitals)* do solemnly and sincerely declare—

1. That I was born at _____ in
Uganda/ _____ *(insert name of country)* and I am of or over the age of eighteen years.
2. That I am a citizen of Uganda by *(birth/registration/naturalisation)*
and I am also a national of _____
_____ *(insert name of country)* by birth/
registration/ naturalisation*.
3. That as I am desirous of retaining my status as a citizen of Uganda, I
renounce so far as it lies within my power my status as a citizen/
national of _____ *(insert name of country)* and any claim I have to the protection of that country.

Signature of applicant

Declared before me at _____, this _____
day of _____, 20_____

Magistrate/Commissioner for Oaths

**Delete as applicable.*

The Republic of Uganda

Form C

Declaration Concerning Residence

(The Uganda Citizenship and Immigration Control Act, Cap. 313)

I, _____,
_____, of _____ do solemnly and
sincerely declare—

1. That so far as it lies within my power, I have renounced my citizenship or nationality of _____ (*insert name of country*) and intend to reside permanently in Uganda if permitted.
2. That although I have renounced my citizenship or nationality of _____ (*insert name of country*) and intend my domicile of choice to be Uganda, it may be necessary in the course of my employment as _____ /self-employment to be absent from time to time from Uganda.

Signature of applicant

Declared before me at _____, this
_____ day of _____, 20

Magistrate/Commissioner for Oaths

Delete paragraphs or words not applicable.

The Republic of Uganda

Form D

Application for a Uganda Travel Document
(The Uganda Citizenship and Immigration Control Act, Cap.
313)

(Please read notes on the reverse before completing the form.)

Serial No. _____

1. The applicant

Surname _____

Other names _____

Sex _____

Place of birth _____

Date of birth _____

Identification number _____

National identity card number _____

Postal address _____

Residential address _____

(foutside Uganda state nearest responsible Uganda Mission)

Personal description _____

____ Profession _____

County of residence _____

Height _____ ft _____ in _____ Colour of eyes _____

Colour of hair _____
Distinctive features _____

2. Citizenship of Uganda

By birth, by registration, by naturalisation (delete words which do not apply)

3. Purpose for which travel document is required (indicate destination) _____

4. Declaration—

I, the undersigned, apply for the issue of a Uganda passport.

I declare—

- (a) that the information given in this application is correct to the best of my knowledge and belief;
- (b) that I have not lost the status of citizen of Uganda;
- (c) that I have not previously held or applied for a travel document of any description;
- (d) that all previous travel documents granted to me have been surrendered other than travel document number

_____ issued at _____

_____ on _____

which is lost/destroyed/nor enclosed and that I have made no other application for a passport since the attached was issued. *(delete (c) or (d) whichever is inapplicable)*

- (e) that I fully understand the legal implications of what I have stated above and as such I do accept any legal consequences that may arise out of what I have stated on this form.

Specimen
Signature

Date _____, 20 ____.

Note: Your signature must fit in the box above.

5. Recommender—

I certify that the applicant is personally known to me and to the best of my knowledge and belief the facts stated on this form are correct. I am a citizen of Uganda.

Full name _____
 Profession _____
 Address _____
 Phone _____
 Signature _____

6. Declaration signature of applicant _____

7. Children under 16 years of age (*if to be included in the passport*):

Forenames	Surnames	Place of birth	Date of birth	Sex and relationship to applicant

Legal guardian's consent—

I, _____, _____,
 (*name*)
 (*relationship*) the
 of the child(ren), give my consent to this endorsement.

 Signature Date

Notes:

1. How to complete the form

Sections 1, 2, 4 and 5 of this form must be completed by all applicants for new passports.

Section 7 must be completed if the applicant's children are to be included in the passport. Children over 16 years of age (14 years if proceeding to U.S.A.) will not be included for an adult's passport.

2. Authentication of application

The application must be authenticated and sponsored in section 5 by a citizen of Uganda of some standing such as a Minister, permanent secretary, district administrator, magistrate, bank manager, head of a parastatal organisation, head of an education institution or head of a Government department.

3. Photographs

The copies of recent photographs of the applicant must be included with the application. These photographs must be taken full face without a hat or veil and must not be mounted. This size of photographs must not be more than 2.5 inches. The photographs must be printed on normal thin photographic paper and must not be glazed on the reverse side. The recommender is also required to endorse the reverse side of one copy of the photograph with the words—

“I certify that this is a true likeness of the applicant Mr./Mrs./
Miss’ _____”

and add his or her signature.

Footnote:

Payments for the application forms do not necessarily mean automatic acquisition of a passport.

The Republic of Uganda

Form E

Application for Certificate of Permanent Residence

(The Uganda Citizenship and Immigration Control Act, Cap. 313)

1. Surname _____
2. Other names _____
3. Maiden name of applicant if married woman _____ 4. _____
- Address in Uganda _____
5. Sex _____
6. Married/single _____
7. Profession/occupation _____
8. Place of birth _____
9. Date of birth _____ Country _____
10. Height _____
11. Colour of hair _____
12. Colour of eyes _____
13. Nationality of origin _____
14. Present nationality or national status _____
15. Passport/travel document number _____ Place of issue _____
- _____ Date of issue _____
16. How long have you been living in Uganda? _____ 17. Income and source _____
- _____
18. Particulars of property in Uganda and location _____
19. Full name of spouse or spouses _____
20. Particulars of children *(if any)*—

Name	Sex	Date of birth	Place of birth

21. Particulars of other dependents—

Name	Sex	Date of birth	Relation to applicant

22. Years in respect of which income tax has been paid _____

23. Other relevant information applicant wants to give _____

24. Period applied for _____

25. Names and address of two referees _____

26. I solemnly declare that the statements I have made in the form are true to the best of my knowledge and belief.

Date

Signature

Board's decision.

Date

Chairperson

Schedule 4

Sections 48(4), 49(1)

Classes of Entry

Permits Part A

1.Class A (Government and diplomatic service)

A person in the service of the Government of Uganda or a diplomat.

2.Class A2 (Government contractors)

Persons on Government contracts, including persons serving in tertiary institutions.

3.Class B (Agriculturalists)

Persons intending to engage on their own account in the business of agriculture or animal husbandry in Uganda who satisfy the Board that—

- (a) permission to acquire an interest in land of an area commensurate with and suitable for the type of agriculture to be undertaken in Uganda has been granted;
- (b) the amount prescribed by the responsible Ministry to be held in respect of any type of agriculture and animal husbandry is held by the applicant in his or her own right and at his or her full and free disposition; and
- (c) obligations imposed by regulations made under this Act have been fulfilled.

4.Class C (Miners)

A person intending to engage on his or her own account in prospecting for minerals or mining in Uganda who satisfies the Board that—

- (a) he or she is in possession of, or will be able to obtain, any licence that may be necessary to enable him or her to engage in prospecting or mining; and
- (b) he or she has in his or her own right and at his or her full and free disposition such sum as may be prescribed by the responsible Ministry in respect of any particular type of prospecting or mining.

5. Class D (Business and trade)

A person intending to carry on a business or trade on his or her own account, or as partners in a firm in Uganda, or who satisfies the Board that

- (a) if a licence is required to enable him or her to engage in the trade or business, he or she is in possession of such licence or will be able to obtain one; and
- (b) he or she has in his or her own right and at his or her full and free disposition such sum as may be prescribed by the responsible Ministry in respect of any particular trade or business.

6. Class E (Manufacturers)

A person intending to engage in manufacturing on his or her own account in Uganda who satisfies the Board that—

- (a) if a licence is required to enable him or her to engage in the manufacture which he or she intends to carry on, he or she is in possession of such licence or will be able to obtain one;
- (b) he or she has in his or her own right and at his or her full and free disposition such sum as may be prescribed by the responsible Ministry in respect of any particular class of manufacture.

7. Class F (Professionals)

A member of a prescribed profession who intends to practise such profession in Uganda who satisfies the Board that—

- (a) he or she is in possession of such qualifications as may be prescribed;
- (b) he or she is in possession of sufficient capital or assured income to enable him or her to give effect to his or her intention; and
- (c) he or she has registered with the relevant professional body in Uganda.

8. Class G (Employees)

A person who satisfies the Board that he or she has been offered and has accepted employment in Uganda.

Part B

All obligations imposed upon the applicants as stated by the regulations made under this Act must be fulfilled (*i.e.* requirements for each class of permit).

Schedule 5

Sections 23(1), (2)

**Offices of State Which Person Holding Dual Citizenship is not
Qualified to Hold**

1. President
2. Vice President
3. Prime Minister
4. Cabinet Minister and other Ministers
5. The Inspector General and the Deputy Inspector General of Government
6. Technical head of the armed forces
7. Technical heads of branches of the armed forces
8. Commanding officers of armed forces units of at least battalion strength
9. Officers responsible for heading departments responsible for records, personnel and logistics in all branches of the armed forces
10. Inspector General of Police and Deputy Inspector General of Police
11. Heads and deputy heads of national security and intelligence organisations, (ESO, ISO and CMI)
12. Member of the National Citizenship and Immigration Board

History: Act 3/1999; Cap. 66 (Revised Edition, 2000); S.I. 63/2002; Act 24/2006; S.I. 31/2008; Act 5/2009; Act 4/2015

Cross References

Constitution

Criminal Procedure Code Act, Cap. 122

Interpretation Act, Cap. 2

Organisation of African Unity Convention Governing Specific Aspects of
Refugees problems in Africa, 1969

Penal Code Act, Cap. 128

10594 **Cap. 313.]** *Uganda Citizenship and Immigration Control Act*

Protocol Relating to the Status of Refugees, 1967

Refugees Act, Cap. 312

United Nations Convention Relating to the Status of Refugees, 1951