

CHAPTER 178

THE POLITICAL PARTIES AND ORGANISATIONS ACT

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CHAPTER 178

THE POLITICAL PARTIES AND ORGANISATIONS ACT

Commencement: 21 November, 2005

An Act to provide for the formation, registration, membership and organisation of political parties and organisations under Articles 71, 72 and 73 of the Constitution; to provide for the regulation of the financing and functioning of political parties and organisations; to prescribe a code of conduct for political parties and organisations and the establishment of a National Consultative Forum for political parties and organisations and for related matters.

PART I—INTERPRETATION

1. Interpretation

- (1) In this Act, unless the context otherwise requires—
- “currency point” has the value assigned to it in Schedule 1 to this Act;
 - “district” means the area of authority of a district council;
 - “Electoral Commission” means the Electoral Commission established by Article 60 of the Constitution;
 - “executive committee” means the governing body of a political party or organisation by whatever name called;
 - “founder of a political party or organisation” means a person who participates in the establishment of a political party or organisation and who is among the first members of the political party or organisation;
 - “Minister” means the Minister responsible for justice and constitutional affairs;
 - “non-Ugandan non-governmental organisation” means a non-governmental organisation which is registered in Uganda but whose headquarters are located outside Uganda;
 - “political organisation” means any free association or organisation of persons the objects of which include the influencing of the political process or sponsoring a political agenda, whether or not it also seeks to sponsor or offer a platform to a candidate for

election to a political office or to participate in the governance of Uganda at any level;

“political party” means a political organisation the objects of which include the influencing of the political process or sponsoring political agenda, whether or not it also seeks to sponsor or offer a platform to a candidate for election to a political office or to participate in the governance of Uganda at any level;

“promoter of a political party or organisation” means a signatory to the original documents registering that political party or organisation under section 6(1);

“public office” means an office in the public service;

“public officer” means a person holding or acting in any public office;

“public service” means services in a civil capacity of the Government or of a local government;

“symbol” includes a motto;

“traditional or cultural leader” means a king or similar traditional leader or cultural leader by whatever name called, who derives allegiance from the fact of birth or descent in accordance with the customs, traditions, usage or consent of the people led by that traditional or cultural leader.

(2) The definition of “political organisation” in subsection (1) shall not include the following—

- (a) the movement political system referred to in Article 70 of the Constitution;
- (b) pressure groups;
- (c) civic organisations; and
- (d) news media organisations registered with the Media Council in accordance with the Press and Journalists Act.

(3) For the purposes of this section, a pressure group is a group of people that actively tries to influence public opinion and government action.

(4) For the purposes of this section, a civic organisation is an organisation registered as such under the laws of Uganda.

PART II—REGISTRATION OF POLITICAL PARTIES AND
ORGANISATIONS

2. Formation of political parties or organisations

(1) A political party or organisation may, in accordance with this Act, be founded in Uganda to further any purpose which is not contrary to the laws of Uganda.

(2) A citizen of Uganda has a right to form or join a political party or organisation of his or her choice.

3. Electoral Commission to register political parties and organisations

The Electoral Commission shall be responsible for the registration of political parties and organisations under this Act.

4. Prohibition of ethnic or religious organisations

- (1) A person shall not form a political party or organisation—
- (a) the membership of which is based on sex, race, colour or ethnic origin, tribe, birth, creed or religion or other similar division;
 - (b) which uses words, slogans or symbols which could arouse divisions on any basis specified in paragraph (a); or
 - (c) the objects and membership of which are not of a national character.

(2) For the purposes of subsection (1), a political party or organisation is formed on any of the basis specified in subsection (1) if membership or leadership is restricted to members of any particular category specified in that subsection or if its structure and mode of operation is not national in character.

(3) Any political party or organisation and any member of the executive committee of a political party or organisation which or who contravenes any provision of this section commits an offence and—

- (a) in the case of a political party or organisation, is liable, on conviction, to a fine not exceeding seventy-two currency points; and

- (b) in the case of a member of the executive committee of a political party or organisation, is liable, on conviction, to a fine not exceeding seventy-two currency points or to imprisonment for a term not exceeding three years, or both.

(4) For the purpose of this section, a political party or organisation shall not be taken to be of a national character unless it has in its membership at least fifty representatives from each of at least two-thirds of all the districts of Uganda and from each region of Uganda.

5. Registration of political parties and organisations

(1) A political party or organisation in Uganda shall be registered in accordance with this Act and shall pay such fee as may be prescribed by the Minister by regulations made under section 28.

(2) The Electoral Commission shall maintain a register of political parties and organisations under this Act.

(3) A political party or organisation registered under this Act shall be a body corporate and shall have perpetual succession and may sue and be sued in its corporate name; but a court or tribunal shall not have power in any suit to grant an order of involuntary winding up of a political party or organisation in favour of a judgment creditor.

6. Method of registration of political parties and organisations

(1) An application to register a political party or organisation shall be made to the Electoral Commission and shall be accompanied by—

- (a) two copies of the constitution of the political party or organisation duly signed by authorised officers of the political party or organisation;
- (b) a list of the full names and addresses of at least fifty members of the political party or organisation from each of at least two-thirds of all the districts of each of the traditional geographical regions of Uganda listed in Schedule 2 to this Act, being members ordinarily resident or registered as voters in the district;
- (c) a full description of the identifying symbols, slogans and colours of the political party or organisation, if any; and
- (d) the registration fee specified in section 5(1).

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

(3) The Electoral Commission may cause independent inquiries to be made so as to ascertain the truth or correctness of particulars submitted with the application.

(4) The Electoral Commission shall cause a notice of the application to be published in the Gazette within thirty days after receiving it, inviting objections from any person concerning the name, aim, objects and constitution of the political party or organisation or on any other lawful ground and specifying the time, not being longer than fourteen days, within which the objections must be submitted.

(5) The Electoral Commission shall not register any political party or organisation whose—

- (a) name, symbol, slogan or colour resembles that of a political party or organisation that has already been registered or contravenes section 7(a); or
- (b) aims, objectives or constitution contravene any law.

(6) Where upon independent inquiries under subsection (3), the Electoral Commission is of the opinion that the particulars submitted are false or inaccurate—

- (a) the Electoral Commission shall, within fourteen days, give notice of its opinion in writing and require the party or organisation to show cause why the registration should not be refused; and
- (b) the political party or organisation shall submit its answer in writing within twenty-one days after receipt of the notice.

(7) Where an objection has been brought to the notice of the Electoral Commission under subsection (4), the Electoral Commission shall not register the political party or organisation until the objection has been disposed of by the Electoral Commission within fourteen days.

(8) The Electoral Commission shall determine any matter to which subsection (6) applies within twenty-one days after receipt of the answer of the political party or organisation under subsection (6) or if no answer is submitted, within twenty-one days after the expiry of the period given for submitting an answer under that subsection.

(9) If the Electoral Commission determines that inquiries made under subsection (3) establish that any of the particulars submitted with the application for the registration do not conform to the requirements of this section, the Electoral Commission shall allow twenty-one days for compliance.

(10) The Electoral Commission, upon registering a political party or organisation shall issue to that political party or organisation a certificate of registration which shall be evidence that the provisions of this Act with respect to registration have been complied with.

(11) The Electoral Commission shall process applications for registration under this section within six months.

(12) Where the Electoral Commission—

- (a) refuses to register a political party or organisation under this section; or
- (b) fails to process the application within the time prescribed in subsection (11),

the applicant may, in writing, petition the High Court for an order requiring the Electoral Commission to process the application.

(13) A person who has submitted an objection to the Electoral Commission under this section in respect of the application for registration of a political party or organisation and who is aggrieved by the decision of the Electoral Commission or the failure of the Electoral Commission to act on the objection, may petition the High Court.

7. Prohibition of certain identifying symbols, etc.

A political party or organisation shall not submit to the Electoral Commission for the purpose of registration under section 6, any identifying symbol, slogan, colour or name which is the same as or similar to the symbol, slogan, colour or name or initials of—

- (a) any registered political party or organisation;
- (b) the Republic of Uganda; or
- (c) a statutory corporation or other body the whole or the greater part of the proprietary interest in which is held by or on behalf of the State, or in which the State has a controlling interest,

or which so closely resembles, the symbol, slogan, colour or name or initials of another political party or organisation or the Republic of Uganda or a body described in paragraph (c) as to be likely to deceive or confuse members of the public.

PART III—CONDUCT OF POLITICAL PARTIES AND
ORGANISATIONS

8. Declaration of assets and liabilities

(1) Every political party or organisation shall, within sixty days after the expiry of the first year after the issue to it of a certificate of registration under section 6(10), or such longer period as the Electoral Commission may allow, submit to the Electoral Commission a written declaration in Form 2 in Schedule 3 to this Act.

(2) The political party or organisation shall also, annually, after the first year, within such time as the Electoral Commission may direct, submit to the Electoral Commission a written declaration in Form 2 in Schedule 3 to this Act.

(3) A declaration submitted to the Electoral Commission under subsection (1) or (2) shall state the sources of funds and other assets of the political party or organisation.

(4) The declaration shall be authorised by the members of the executive committee.

(5) The Electoral Commission shall, within thirty days after receipt of the declaration, publish in the *Gazette* notice of the fact that the declaration has been received and that it is available for inspection at the offices of the Electoral Commission by any member of the public upon payment of a fee prescribed under this Act.

(6) Where a political party or organisation fails to comply with this section within twenty-one days after notice from the Electoral Commission to do so, the Electoral Commission may apply to the High Court for an order to deregister the political party or organisation.

(7) Without prejudice to any other penalty provided in this Act, where a political party or organisation makes a statement for the purpose of this section which is false in a material particular, the political party or organisation commits an offence and is liable, on conviction, to a fine not exceeding seventy-two currency points.

(8) A member of the executive committee of a political party or organisation referred to in subsection (7) who contributes in any way to the commission of the offence referred to in that subsection, also commits the offence and is liable, on conviction, to a fine not exceeding seventy-two currency points or to imprisonment for a term not exceeding three years, or both.

9. Internal organisation of political parties or organisations

(1) A political party or organisation shall, in its internal organisation, comply with the provisions of the Constitution, in particular Articles 71 and 72 of the Constitution.

(2) Every political party or organisation shall elect such persons as may be determined by the members of the political party or organisation as members of the executive committee of the political party or organisation with due consideration for gender equity.

(3) The election of members of the executive committee of every political party or organisation shall be conducted at regular intervals not exceeding five years.

10. Notification of changes or alterations in constitution, etc.

(1) Where a political party or organisation registered under section 5 intends to change or alter—

- (a) its constitution; or
- (b) its identifying symbol, colour or name,

the political party or organisation shall notify the Electoral Commission of its intention.

(2) The Electoral Commission shall, in the case of a change under subsection (1), within twenty-one days after the receipt of the notification, cause to be published in the *Gazette* a notice of the intended change or alteration.

(3) Every change or alteration referred to in subsection (1) shall come into effect when the Electoral Commission approves the application to change or alter the symbol, constitution, colour or name as the case may be, and after publication of the approval in the *Gazette*.

(4) A political party or organisation registered under section 6 shall notify the Electoral Commission in writing within twenty-one days after any change occurs in the title, name and address of any person or office submitted to the Electoral Commission under section 6 and the Electoral Commission shall, within fourteen days after receipt of the notification, cause it to be published in the *Gazette*.

(5) Where any change occurs in the physical location of the office of a political party or organisation, the political party or organisation shall cause the change to be notified in the *Gazette* and shall inform the Electoral Commission of the change in writing.

11. Records and audit of political parties or organisations

(1) Every political party or organisation shall maintain at its national head office, an accurate and permanent record consisting of the following—

- (a) any contribution, donation or pledge of contribution or donation whether in cash or in kind made by the founders or promoters of the political party or organisation;
- (b) a statement of its accounts, showing the sources of its funds and the name of any person who has contributed to the funds including contributions by persons who are not citizens of Uganda, membership dues paid, donations in cash or in kind and all the financial transactions of the political party or organisation which are conducted through, by or with the head or national office of the political party or organisation;
- (c) any property that belongs to the political party or organisation and the time and mode of acquisition of the property; and
- (d) such other particulars as the Electoral Commission may reasonably require with respect to the foregoing.

(2) The record maintained under subsection (1) shall be accessible to any member of the political party or organisation.

(3) The accounts of every political party or organisation shall be audited once in every year but not later than six months after its financial year by an auditor from a recognised professional body.

(4) A copy of the audited accounts referred to in subsection (3) shall be filed by the political party or organisation with the Electoral Commission within six months from the end of its financial year.

(5) A member of a political party or organisation and also a member of the public is entitled upon payment of a reasonable fee prescribed by the Electoral Commission, to inspect or be given copies of the audited accounts of a political party or organisation filed with the Electoral Commission under this section.

(6) Where a political party or organisation does not submit its audited accounts under subsection (4), the Electoral Commission may order the accounts of a political party or organisation to be audited by an auditor appointed by the Electoral Commission and require the political party or organisation to file with the Electoral Commission the audited accounts at a time specified by the Electoral Commission.

(7) For the avoidance of doubt, the political party or organisation shall be responsible for meeting the costs of any auditor referred to in subsection (6).

12. Non-Ugandans not to hold office in political party or organisation

A person who is not a citizen of Uganda shall not be appointed to and shall not accept appointment to a political office in a political party or organisation.

13. Restriction on contributions from foreign sources, *etc.*

(1) The persons or bodies referred to in subsection (2) shall not directly or indirectly make a contribution, donation or loan whether in cash or kind in excess of the value of twenty thousand currency points within any period of twelve months, to funds held or to be held by or for the benefit of a political party or organisation.

(2) Subsection (1) applies to the following (a) a non-Uganda citizen;

- (b) a foreign government or diplomatic mission;
- (c) a non-Ugandan non-governmental organisation, registered in Uganda under the Non-Governmental Organisations Act.

(3) A political party or organisation shall not—

- (a) demand or accept directly or indirectly a contribution, donation or loan in excess of the value of twenty thousand currency points within any period of twelve months, from any organisation specified in subsection (2); or
- (b) demand or accept directly or indirectly any contribution, donation or loan in excess of the total value of two hundred thousand currency points in any period of twelve months from any one or more of the sources referred to in subsection (2).

(4) A political party or organisation which receives any contribution, donation or loan in accordance with subsection (3) shall report to the Electoral Commission the acceptance of the contribution, donation or loan within twenty-one days after receipt.

(5) A political party or organisation shall not—

- (a) obtain, solicit or receive any financial or other assistance from any foreign government, institution, body or person which or who has demonstrated an intention to overthrow the lawfully established Government of Uganda, or to endanger the security of Uganda;
- (b) obtain, solicit or receive any financial or other assistance from an organisation which has been declared a terrorist organisation under the Anti-Terrorism Act; or
- (c) employ for the purposes of its operations any financial or other assistance from any foreign government, institution, body or person described in paragraph (a) or from an organisation referred to in paragraph (b).

(6) For the purpose of this section, the Minister responsible for internal affairs may, by statutory instrument, with the approval of Parliament, declare the foreign governments, institutions, bodies or persons from whom assistance is prohibited under subsection (5)(a).

(7) In this section, “non-Uganda citizen” means

- (a) a person who is not a citizen of Uganda as defined by the Constitution and the Uganda Citizenship and Immigration Control Act;
 - (b) in the case of a corporate body, a body in which the controlling interest lies with non-Uganda citizens;
 - (c) in the case of a body where shares are not applicable; the body's decision-making lies with non-Uganda citizens;
 - (d) a company in which the shares are held in trust for non-Uganda citizens; and
 - (e) a company incorporated in Uganda whose articles of association do not contain a provision restricting the transfer or issue of shares to non-Uganda citizens.
- (8) For the purpose of this section, “controlling interest” means—
- (a) in the case of a company with shares where the majority of shares are held by persons who are not citizens; and
 - (b) in the case of a company without shares, a company in which decisions are arrived at by the majority who are not citizens.
- (9) A political party or organisation which contravenes this section commits an offence; and any member of the executive committee of the political party or organisation who contributes in any way to the contravention also commits an offence, and is liable, on conviction—
- (a) in the case of a political party or organisation, to a fine not exceeding seventy-two currency points; and
 - (b) in the case of a member of the executive committee of the political party or organisation, to a fine not exceeding seventy-two currency points or to imprisonment for a term not exceeding three years, or both.
- (10) Without prejudice to any other penalty imposed by court under this Act, any money or other assistance obtained by a political party or organisation contrary to this section shall be forfeited to the State by order of the court which convicts any person of a contravention of this section.

14. Use of Government or public resources for political party or organisation activities

Government shall contribute funds or other public resources towards the activities of political parties or organisations represented in Parliament in accordance with the following principles—

- (a) registered political parties or organisations shall be funded by Government under this Act in respect of elections and their normal day-to-day activities;
- (b) in respect of elections, Government shall finance political organisations and parties on equal basis;
- (c) in respect of normal day-to-day activities, funding shall be based on the numerical strength of each political party or organisation in Parliament;
- (d) the funds provided to political parties and organisations under this Act, shall be subject to audit by the Auditor General.

15. Duty of political parties or organisations to give information to Electoral Commission

(1) The Electoral Commission may, in writing, request an officer of a political party or organisation to furnish for inspection by the Electoral Commission records required to be maintained under section 11 or such other information as is reasonably required by the Electoral Commission to enable the Electoral Commission to ensure that the provisions of this Act are complied with.

(2) A political party or organisation or officer of the political party or organisation shall comply with a request made to it or to him or her by the Electoral Commission under subsection (1).

- (3) Any political party or organisation which, or a person who—
- (a) refuses or fails to comply with a request under this section; or
 - (b) furnishes information knowing it to be false in any material particular,

commits an offence and is liable, on conviction—

- (i) in the case of a political party or organisation, to a fine not exceeding forty-eight currency points; and
- (ii) in the case of a person other than a political party or organisation, to a fine not exceeding forty-eight currency

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

16. Certain persons not to participate in political party or political organisation activities

(1) A member of the Uganda Peoples' Defence Forces, the Uganda Police Force, the Uganda Prisons Service, a public officer, a traditional or cultural leader or a person employed in a company wholly owned by the Government shall not—

- (a) be a founder, promoter or other member of a political party or organisation;
- (b) hold office in a political party or organisation;
- (c) speak in public or publish anything involving matters of political party or organisation controversy; or
- (d) engage in canvassing in support of a political party or organisation or of a candidate standing for public election sponsored by a political party or organisation.

(2) Any person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding twenty-four currency points or to imprisonment for a term not exceeding one year, or both.

17. Merger of political parties and merger of organisations

Where two or more registered political parties or organisations come together and merge as one party or organisation—

- (a) the registration of each party or organisation existing immediately before the effective date of the merger shall lapse; and
- (b) the new party or organisation shall be required to be registered for the purposes of this Act.

18. Alliance of political parties and alliance of organisations

Where two or more registered political parties or organisations form an alliance of their parties or organisations, the following provisions shall apply—

- (a) each party or organisation shall remain as a separate registered political party or organisation for the purposes of this Act;

- (b) each party or organisation shall furnish the Electoral Commission, within such period as the Electoral Commission shall direct, a copy of the terms of the agreement of the alliance;
- (c) in any public elections each candidate shall be personally identified by the symbol of his or her party on the ballot paper;
- (d) where the parties nominate separate candidates to contest an election in the same constituency, each candidate shall be identified separately on the ballot paper and in relation to his or her party only; and
- (e) fees payable under this Act or any regulations made under this Act by or in respect of a candidate for elections shall be paid separately by or for each candidate standing for the elections in the name of his or her own party, the alliance notwithstanding.

PART IV—GENERAL

19. Code of Conduct for Political Parties and Organisations

A political party or organisation, a leader, official, candidate, member, agent or representative of a political party or organisation shall adhere to the Code of Conduct for Political Parties and Organisations set out in Schedule 4 to this Act.

20. National Consultative Forum for Political Parties and Political Organisations

(1) There shall be a National Consultative Forum for Political Parties and Political Organisations.

- (2) The National Consultative Forum shall be composed of—
 - (a) one representative from every registered political party or organisation appointed by the party or organisation;
 - (b) the Chairperson of the Electoral Commission or his or her representative;
 - (c) the Attorney General or his or her representative as an *ex officio* member; and
 - (d) the Secretary of the Electoral Commission, who shall be the Secretary.

(3) The term of office of members of the National Consultative Forum nominated under subsection (2)(a) shall be for a period not exceeding five years.

- (4) The functions of the National Consultative Forum shall include—
- (a) liaising with the Electoral Commission on matters pertaining to political parties and organisations;
 - (b) ensuring that political parties and organisations comply with the code of conduct prescribed under section 19;
 - (c) communicating the complaints and grievances of political parties and organisations to the Electoral Commission;
 - (d) representing political parties and organisations in any case where the parties and organisations have to give a common position;
 - (e) the resolution of disputes among political parties and organisations;
 - (f) making recommendations to the Minister on any matter under this Act; and
 - (g) such other functions as may be prescribed by the Minister with the approval of Parliament.

(5) Funds required for operating the National Consultative Forum shall be provided from money approved by Parliament.

21. Chairperson or Vice Chairperson of National Consultative Forum

(1) The National Consultative Forum shall have a chairperson who shall be a person nominated from members of the National Consultative Forum by the majority party in Parliament.

(2) The National Consultative Forum shall have a vice chairperson who shall be a person nominated from members of the National Consultative Forum by the majority opposition party in Parliament.

(3) The Chairperson and Vice Chairperson shall be persons who are members of a political party or organisation and members of the National Consultative Forum.

(4) The Chairperson and Vice Chairperson shall hold office for five years.

(5) The Chairperson and Vice Chairperson may be removed from office by a vote of no confidence by the members of the National Consultative Forum upon a petition submitted by a member of the forum on any of the following grounds—

- (a) misconduct;
- (b) insanity;
- (c) incompetence; or
- (d) inability to perform the functions of his or her office due to infirmity of mind or body.

(6) A person appointed representative of the forum under section 20(2)(a) shall cease being a member of the forum upon a political party or organisation withdrawing him or her as such.

(7) A member of the forum who wishes to have the Chairperson or Vice Chairperson of the National Consultative Forum removed from office shall submit a petition for the purpose addressed to the Secretary of the National Consultative Forum.

(8) At a meeting held for the purpose of considering a petition submitted under subsection (7), there shall be a quorum of at least three fifths of all the members of the National Consultative Forum and the meeting shall be presided over by a judicial officer at the rank of at least chief magistrate nominated by the Principal Judge.

(9) A copy of a petition submitted under this section shall be served on the Chairperson or Vice Chairperson and the Chairperson or Vice Chairperson shall be given the opportunity to defend himself or herself and to appear at a meeting held for the purpose on his or her own behalf or to be represented by counsel or other legal representative of his or her own choice.

22. Non-compliance with Act

(1) Where a political party or organisation does not comply with the provisions of this Act, the Electoral Commission may by writing require compliance; and if the political party or organisation persists in non-compliance, the Electoral Commission may apply to the High Court for an order winding up the political party or organisation.

(2) In any case, a political party or organisation convicted

- (a) of an offence under section 13; or
- (b) of any other offence under this Act more than three times,

the Electoral Commission shall apply to the High Court for an order to de-register the political party or organisation and the High Court shall make such orders as may be just for the disposition of the property, assets, rights and liabilities of the political party or organisation.

(3) Subsection (2) shall not have effect during any period when an appeal may be brought against any conviction referred to in that subsection or while any such appeal is pending.

23. Appeals

(1) Where any appeal under this Act has been determined by the High Court, any party aggrieved by the decision of the High Court may appeal to the Court of Appeal against the decision.

(2) Any party aggrieved by the decision of the Court of Appeal may appeal to the Supreme Court against the decision.

(3) Notwithstanding subsections (1) and (2), where a matter touches on the interpretation of the Constitution, any aggrieved party may petition the Constitutional Court.

(4) The Chief Justice may, in consultation with the Attorney General, make rules of court to regulate the procedure in the High Court and the Court of Appeal under this Act.

(5) Subject to this Act, but without prejudice to the general effect of subsection (4), rules of court made under this section may—

- (a) prescribe the time within which an appeal may be made or when any step connected with the appeal shall be taken;
- (b) prescribe the time within which the appeal or any proceeding connected with the appeal shall be completed;
- (c) prescribe forms and fees in relation to such appeals; and
- (d) apply to the appeal any existing rules of court or other enactment applicable to the High Court or the Court of Appeal as the case may be, and in each case with such modifications as may be specified in the rules made under this section.

24. Expedition of proceedings

Where any appeal under this Act or any proceedings arising out of section 22 are before the High Court, the Court of Appeal or the Supreme Court, the Court shall proceed with the matter expeditiously and may, for that purpose, suspend any other matter pending before it.

25. *Gazette* notices, etc.

Where a provision of this Act requires the Electoral Commission to publish anything in the *Gazette*, the Electoral Commission may, in addition, cause it to be published through the print and electronic media; and the provisions of this Act shall have effect accordingly.

26. Winding up of political parties or organisations

(1) Upon the court making an order winding up a political party or organisation under section 22, the court shall make such orders as appear just and equitable for the disposition of property, assets, rights and liabilities of a political party or organisation.

(2) The Electoral Commission shall not apply for an order winding up a political party if there is an appeal pending in respect of that matter.

27. Delegation by Electoral Commission

The Electoral Commission may designate any of its officials to carry out any functions conferred upon it by this Act.

28. Regulations

(1) The Minister may, with the approval of Parliament, make regulations for the implementation of the provisions of this Act.

(2) Without prejudice to the general effect of subsection (1), regulations made under this section may prescribe a penalty for contravention of the regulations of a fine not exceeding twenty-four currency points or imprisonment for a term not exceeding one year, or both.

29. Power to amend Schedules

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

(2) The Minister may, by statutory instrument, with the approval of Parliament, amend Schedules 2, 3 and 4 to this Act.

SCHEDULES*Schedule 1*

Sections 1, 29(1)

Currency Point

A currency point is equivalent to twenty thousand shillings.

Schedule 2

Sections 6(1)(b), 29(2)

Districts in Each of the Traditional Geographical Regions of Uganda

1.	Kalangala	
2.	Kayunga	
3.	Kiboga	
4.	Luwero	
5.	Masaka	
6.	Mityana	
7.	Mpigi	
8.	Mubende	
9.	Mukono	
10.	Nakaseke	
11.	Nakasongola	
12.	Rakai	
13.	Sembabule	
14.	Wakiso	
1.	Abim	
2.	Amuria	
3.	Bugiri	
4.	Bukwo	
5.	Busia	
6.	Butaleja	
7.	Iganga	
8.	Jinja	
9.	Kaabong	
10.	Kaberamaido	
11.	Kaliro	
12.	Kamuli	
13.	Kapchorwa	
14.	Katakwi	
15.	Kotido	
16.	Kumi	
17.	Mayuge	
18.	Mbale	
19.	Moroto	
20.	Nakapiripirit	
21.	Namutumba	
22.	Pallisa	
23.	Sironko	
24.	Soroti	
25.	Tororo	

Buganda

East

1. Adjumani
2. Amolatar
3. Amuru
4. Apac
5. Arua
6. Dokolo
7. Gulu
8. Kitgum
9. Koboko
10. Lira
11. Moyo
12. Nebbi
13. Oyam
14. Pader
15. Yumbe

North

1. Buliisa
2. Bundibugyo
3. Bushenyi
4. Hoima
5. Ibanda
6. Isingiro
7. Kabale
8. Kaborole
9. Kamwenge
10. Kanungu
11. Kasese
12. Kibaale
13. Kiruhura
14. Kisoro
15. Kyenjojo
16. Masindi
17. Mbarara
18. Ntungamo
19. Rukungiri

West

*Schedule 3***Forms**

Sections 6(2), 29(2)

Form 1

Application to Register Political Party/ Organisation*(Under section 6 of the Political Parties and Organisations Act, Cap. 178)*

In the matter of an application by _____
(state the name of the political party/organisation) for registration.

To: The Electoral
Commission Kampala.

We enclose the following:

1. Two copies of the Constitution of _____
(state the name of the political party/organisation). The Constitution
comprises _____ *(state number of articles)*.
2. The following are the members of the political party/ organisation*.

Name

Address

(Note: The names must be stated in full and the address must indicate village, parish, subcounty. Further, the member must be ordinarily resident or a registered voter in the district).

3. The colours of the political party/organisation are _____

(Give a full description of the colours including the order in which they will appear).

4. The symbol(s) of the political party/organisation* shall be _____

(Give the description of the symbol(s) and the slogan(s) of the political party/organisation)*

5. I _____ (*full names*)
 holding the office of _____ (*title in the political party/organisation*) do swear/affirm that the above facts are true to the best of my knowledge.

Sworn at

by the said _____ Deponent
 — this _____

_____ day of _____ 20 _____ Before me

Commissioner for Oaths

6. I _____ (*full names*)
 holding the office of _____ (*title in the political party/organisation*) do swear/affirm that the above facts are true to the best of my knowledge.

Sworn at _____
 by the said _____

_____ this _____ Deponent
 day of _____ 20 _____

Before me

Commissioner for Oaths

For Official use only

** (delete whichever is not applicable).*

Form 2

Section 8(1), (2)

Declaration of Assets and Liabilities and Particulars of Political Party/Organisation*(Under section 8 of the Political Parties and Organisations Act, Cap. 178)*

To: The Electoral Commission
Kampala.

I _____ *(full names)*
holding the office of _____ *(title of office)* in
the _____. *(state the name of*
the political party/organisation) issued with a Certificate of Registration
on the _____ day of _____ 20 _____ furnish evidence of
existence of location of national and other offices as below—

The national office is situate at _____ *(state plot*
number, leasehold register and folio number. Attach a copy of the title deed)

The other offices are situate at:

<i>Town/Trading Centre</i>	<i>District</i>	<i>Name of Road/Street and Plot Number</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Attach copies of rental agreement or title deeds if available. Also names
of the proprietor/landlord.

2. The members of the executive committee of the political party/
organisation are:

<i>Name</i>	<i>Office</i>
<i>Held</i> _____	_____
_____	_____
_____	_____
_____	_____

3. The political party/organisation has the following assets:

(Use separate page if space provided is not sufficient).

4. The following are the liabilities of the political party/ organisation

(Use separate page if space provided is not sufficient).

5. The income of the political party/organisation in the previous year was shillings _____ while the income of this year is shillings _____

(Attach the Balance Sheet)

6. The political party/organisation received contributions, donations and/or pledges from its members as indicated in the Schedule attached to this declaration. *(The Schedule shall state the name, party, card number, village, district of the member. It shall also indicate how much each member has contributed and whether in cash, kind or pledge).*

7. I _____ holding the office of _____ in _____ *(name of political party/organisation)* do solemnly and sincerely declare that the contents of this declaration are true and I make this solemn declaration conscientiously believing them to be true *(by virtue of the provisions of the Statutory Declarations Act).*

Declared at _____ on this _____ day of _____ 20

Before me

Commissioner for Oaths/Notary Public

8. I _____ holding the office of _____ in _____ *(name of political party/organisation)* do solemnly and sincerely declare that the contents of this declaration are true and I make this solemn declaration conscientiously believing the contents to be true *(by virtue of the provisions of the Statutory Declarations Act).*

Declared at _____ on this ____ day of _____ 20

Before me

Commissioner for Oaths/Notary Public

Schedule 4

Sections 19, 29(2)

Code of Conduct for Political Parties and Organisations

1. Objective of Code of Conduct

The objective of this Code is to prescribe a code of conduct for political parties and organisations for purposes of promoting—

- (a) tolerance, peaceful co-existence and democratic principles between and among different political parties, organisations and their members and supporters;
- (b) free and fair political campaigns and open public debates;
- (c) substantive contributions by parties to governance through periodic elections of office bearers, internal democracy and policy development;
- (d) fair and proper conduct of leaders and members of political parties and organisations; and
- (e) compliance by political parties and organisations, their members and supporters, with all the laws relating to elections.

2. Principles of Code of Conduct

- (1) This Code of Conduct is based on the following principles—
 - (a) the legitimacy of a government chosen through regular free and fair elections; and
 - (b) the creation of an enabling environment which ensures that citizens are informed of the policies and qualities of all political parties and candidates and to ensure that voters are able to make an informed choice.

(2) This Code of Conduct is the ethical standard of conduct for political parties and organisations.

3. Role of political party or organisation

Every political party or organisation shall—

- (a) respect, uphold and defend the constitution, rules and regulations of its political party or political organisation developed and agreed upon in accordance with this code of conduct;
- (b) have a national character and promote inclusiveness, patriotism and national unity;
- (c) respect, uphold and promote democratic values and principles, performing inclusive participation of members of the political party or political organisation and accountable representation in governance for the development of the country;
- (d) work with the Electoral Commission to promote transparency, impartiality and confidence in the electoral processes;
- (e) obey any lawful directive, instruction or order of the Electoral Commission;
- (f) establish and maintain effective lines of communication with—
 - (i) the Electoral Commission;
 - (ii) the National Consultative Forum; and
 - (iii) other registered political parties and organisations;
- (g) cooperate in any lawful investigation by the Electoral Commission; and
- (h) respect, uphold and promote good governance, integrity, respect, tolerance, peaceful co-existence, transparency and accountability.

4. Compliance with Code

(1) All political parties and organisations, in collaboration with the Electoral Commission and other relevant agencies shall ensure that this Code of Conduct is well publicised and fully observed by its members and supporters.

(2) For the purposes of subparagraph (1), a political party or organisation shall—

- (a) prohibit its leaders, officials, candidates, agents and members from infringing the provisions of this Code;

- (b) discourage any type of conduct by its supporters which would, if undertaken by a political party official, candidate or member, be in breach of this Code; and
- (c) promote, uphold and support efforts towards voter education on a peaceful, free and fair electoral process.

5. Rule of law

(1) A political party or organisation shall ensure that its leaders, members and supporters and candidates comply with this Act and with all laws relating to elections and the conduct of political parties and organisations, and shall not individually or collectively, undermine, flout, disrespect or circumvent the law.

- (2) A political party or organisation shall—
 - (a) make provision for equal opportunity for qualified persons to participate in elections and election activities within their governing constitution, rules or regulations; and
 - (b) practice internal party democracy by adhering to the provisions of its party constitution and guidelines.

(3) A political party or organisation shall ensure the promotion of active and equal participation of women, youth and persons with disabilities and other vulnerable groups in all political activities and in the electoral processes.

6. Abuse of position

- (1) A political party or organisation shall not—
 - (a) abuse a position of power, privilege or influence for a political purpose, by offering a reward, threatening a penalty, or by any other means; or
 - (b) use Government, local government or other public resources for campaign purposes, subject to existing laws.

(2) In this paragraph, “a position of power, privilege or influence” includes a position of parental, religious, patriarchal, governmental, police, military or traditional authority.

7. Intimidation and violence

(1) A political party or organisation is prohibited from using intimidation or violence, in any form.

(2) For the purposes of subparagraph (1), a political party or organisation shall not—

- (a) engage in or encourage violence by its members, supporters or other persons affiliated to it;
- (b) engage in or encourage any kind of intimidation of any member or supporter of, or other person affiliated to, any other political party or organisation;
- (c) advocate for hatred, ethnic incitement, racial incitement, vilification of others or incitement to cause harm;
- (d) obstruct, disrupt, break-up or in any other way interfere with a meeting, rally or demonstration of another political party or organisation; or
- (e) establish or maintain a para-military force, militia or similar organisation or have any links with such an organisation.

(3) Every political party or organisation shall—

- (a) issue guidelines, expressly forbidding its officials, candidates, members and supporters from intimidating any person at any time;
- (b) campaign against violence or threats of violence, and against any acts of vandalism or public disorder committed or threatened by their officials, candidates, members or supporters;
- (c) promote national interest, peace and security irrespective of political ideology; and
- (d) respect other political parties or organisations, persons, and their property.

8. Influence peddling

A political party or organisation shall not—

- (a) engage in influence peddling, bribery or any other form of corruption; or
- (b) accept or use public resources, other than those allocated to the political party.

9. Language

(1) A member of a political party or organisation shall not use language that—

- (a) is inflammatory or defamatory; or
- (b) threatens or incites violence in any form against any person or group of persons.

(2) For the purposes of this paragraph, a political party or organisation shall not— use abusive, insulting or demeaning language that provokes

- (a) or is likely to provoke violence or intimidation of a member, representative or agent of a political party or organisation; issue
- (b) pamphlets, newsletters or posters containing language or material that threatens or incites violence.

10. Relationship between political parties and organisations and Electoral Commission

Every political party or organisation shall—

- (a) recognise the authority of the Electoral Commission in the conduct of elections;
- (b) bring to the attention of the Electoral Commission any areas where the impartiality of the Electoral Commission may be called into question;
- (c) abide by any lawful direction, instruction or order of the Electoral Commission, issued by a member, employee or officer of the Electoral Commission, or any election official authorised by the Electoral Commission;
- (d) allow the access of members, employees and officers of the Electoral Commission to public meetings, demonstrations, rallies or other public political events of the political party or organisation during elections;
- (e) cooperate with the Electoral Commission in investigating any matter under this Act or any allegation of electoral malpractice;
- (f) take all reasonable steps to ensure—
 - (i) the safety of members, employees and officers of the Electoral Commission in the exercise of any power or the performance of any duty conferred on or assigned to the Electoral Commission under any electoral law;

- (ii) that persons referred to in subparagraph (i) are not subjected to insult, danger or threat by representatives, agents, members or supporters of a political party or organisation; and
- (iii) that representatives or agents of the political party or organisation or candidate attend meetings of the National Liaison Committee or other fora convened by the Electoral Commission or its agents.

11. Relationship between political parties or organisations and media

Every political party or organisation shall—

- (a) recognise and respect the role of the media before, during and after an election;
- (b) allow access by members of the media to public political meetings, marches, demonstrations and rallies; and
- (c) take all reasonable steps to ensure that members of the media are not subjected to harassment, intimidation, danger, threat or physical assault by their representatives or agents.

12. Relationship between political parties or organisations and Uganda Police Force

(1) A political party or organisation shall assist the Uganda Police Force in apprehending its members who attempt to, or violate the provisions of any law relating to elections and political activities.

- (2) Every political party or organisation shall—
 - (a) recognise the constitutional functions of the Uganda Police Force;
 - (b) cooperate with the Uganda Police Force in exercise of its constitutional functions under Article 212 of the Constitution;
 - (c) give effect to any lawful direction, instruction or order of the Uganda Police Force; and
 - (d) allow any police officer to have access to a public meeting, march, demonstration, rally or other public political event of the political party or organisation for purposes of keeping law and order.

13. Conduct during campaigns

- (1) Every political party or organisation shall—
 - (a) respect the right and freedom of all other political parties or organisations or candidates to campaign and to disseminate their political ideas and principles without fear;
 - (b) conduct itself in a manner that respects the rights of other parties, and respects the rights of voters and other members of the community; and
 - (c) respect the freedom of the press.
- (2) A political party or organisation shall not—
 - (a) disrupt, destroy or frustrate the campaign efforts of another political party or organisation or candidate;
 - (b) prevent the distribution of election campaign materials, or the display of posters of other political parties or organisation or candidate;
 - (c) deface or destroy the posters of another political party or candidate;
 - (d) imitate the symbols of another political party or organisation;
 - (e) prevent any other political party, organisation or candidate from holding rallies, meetings, marches or demonstrations;
 - (f) hinder reasonable freedom of access by another political party, organisation or candidate to potential voters for purposes of voter education, collecting signatures, recruiting members, raising funds or canvassing support for a candidate or political party or organisation.
- (3) Every political party or organisation shall—
 - (a) organise and conduct its election campaign in a manner that promotes a hospitable and peaceful atmosphere during the campaign period, the polling process, and the post-election period; and
 - (b) act with a sense of responsibility and dignity befitting the status of the political party or organisation.
- (4) A political party or organisation shall take necessary steps to coordinate its campaign activities in such a way as to avoid holding rallies, meetings, marches or demonstrations close to one another at the same time.

(5) A political party or organisation shall not protect or exercise undue influence for the release of persons arrested for carrying prohibited material, in violation of any electoral law, regulations or guidelines issued by the Electoral Commission.

14. Conduct during the polling process

- (1) Every political party, organisation or candidate shall—
- (a) cooperate with election officials in order to ensure—
 - (i) peaceful and orderly polling;
 - (ii) freedom for voters to exercise their right to vote without being subjected to any annoyance, coercion or obstruction;
 - (b) respect and cooperate with accredited election observers; and
 - (c) respect the secrecy of the voting.

- (2) A political party, organisation or candidate shall not
- (a) procure votes by forcible occupation of polling stations or through illegal activities in and around the polling stations; or
 - (b) interfere with the duties of election officials or disturb the electoral process.

(3) A political party or organisation shall ensure that its polling agents and officials are trained to adequately represent the party or organisation to ensure that the electoral process is free and fair.

(4) A political party or organisation shall cooperate with the Uganda Police Force and any other law enforcement agency to ensure the safety and security of election materials, election officials, party agents and the electorate on polling day.

15. Role of election monitors and observers

- (1) Every political party or organisation shall—
- (a) recognise and respect the role of election monitors and observers before, during and after an election;
 - (b) allow access by election monitors and observers to public political meetings, demonstrations, rallies and any other election related events; and
 - (c) take all reasonable steps to ensure that election monitors and observers are not subject to harassment, intimidation, danger or

threat of physical assault by any of their representatives, agents or supporters.

(2) For the purposes of this code, an election observer is a person accredited by the Electoral Commission to observe an election.

16. National Consultative Forum to enforce Code

(1) The National Consultative Forum established by section 20 of the Act shall be responsible for implementing and enforcing this Code.

(2) Where there is a breach of any of the provisions of this Code, the aggrieved political party or organisation or person shall, in writing, report the breach to the National Consultative Forum.

(3) A political party or organisation shall cooperate with the National Consultative Forum on matters pertaining to the enforcement of this code.

(4) For the avoidance of doubt, the National Consultative Forum may, on its own motion inquire into or investigate any breach of this code.

(5) In the case of a breach of this code where there is no specific punishment, the National Consultative Forum may impose any of the following sanctions—

- (a) a caution;
- (b) a warning accompanied with a requirement to comply with the code within thirty days;
- (c) make a recommendation to the respective political party or organisation to take disciplinary action against a member, agent or representative of a political party or organisation if the breach was as a result of the actions of a member, agent or representative of a political party or organisation, within thirty days; or
- (d) make a recommendation to the Electoral Commission to exercise its powers under section 22(1) of the Political Parties and Organisations Act to apply to the High Court for an order winding up the political party or organisation.

(6) A political party or organisation shall explore alternative dispute resolution mechanisms in resolving disputes.

History: Act 18/2005; Act 4 /2010; Act 13/2010; Act 10/2020

Cross References

Constitution

Anti-Terrorism Act, Cap. 120

Non-Governmental Organisations Act, Cap. 109

Press and Journalist Act, Cap. 100

Statutory Declarations Act, Cap. 24

Uganda Citizenship and Immigration Control Act, Cap. 313
