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## THE PRESIDENTIAL ELECTIONS ACT, 2005

(Act No. 16 of 2005).

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## THE PARLIAMENTARY ELECTIONS ACT, 2005

(Act No. 17 of 2005).

Sections 4 (1) (c), and 4 (5), 4(6), 4 (7)

## THE LOCAL GOVERNMENTS (AMENDMENT) ACT, 2005

## THE UGANDA ADVANCED CERTIFICATE OF EDUCATION AND ITS EQUIVALENT FOR PERSONS WISHING TO RUN FOR PRESIDENTIAL, PARLIAMENTARY AND LOCAL COUNCIL FIVE ELECTIONS, 2005.

## PREAMBLE

By VIRTUE of the powers conferred upon the National Council for Higher Education (NCHE) under Section 4 of the Presidential Elections Act, 2005 and Section 4 Parliamentary Elections Act, 2005 and Section 1(2) the Local Governments (Amendment) Act, 2005, the National Council for Higher Education hereby publishes the following list of qualifications considered as 'A' Level or its equivalent.

1. A person shall be deemed to have an 'A' level certificate of education on presentation of an original 'A' level certificate issued by the Uganda National Examinations Board (UNEB), the East African Examinations Council or Cambridge Local Examinations Syndicate.
2. In the event of the loss of the original certificate, a person purporting to have an 'A' level certificate shall produce an original letter of verification of results issued by UNEB.
3. A person who does not possess an 'A' Level certificate as in (1) above shall be required to produce evidence of an equivalent qualification as in Schedules (1) and (2).

## SCHEDULE 1

Equivalences based on qualifications obtained within Uganda from recognised institutions:

- (a) A Grade III Teacher's certificate awarded by institutions recognised by the Ministry of Education and Sports and its agencies to a person who pursues a course for two years after UCE level or Grade II Teachers' Certificate and has taken a Grade III course lasting for at least two continuous years.

- (b) A Technical Certificate or a Diploma awarded by UNEB or other recognised examining body to a person who holds a UCE Certificate and has studied for at least two continuous years in a technical institution.
- (c) A Business Certificate awarded by UNEB to a person who holds a UCE level Certificate and has studied for at least two years continuously in a recognised Business Institution by the Ministry of Education and Sports.
- (d) Any person who holds a certificate issued by a nationally recognised university after a mature entrance examination will be deemed to have an Advanced level standard equivalent.
- (e) A certificate or diploma awarded by a body recognised by NCHE to a person as an engineer, technician or pilot who holds "O" level certificate and who has taken a course lasting for at least two continuous years after "O" level.
- (f) A certificate or diploma awarded to a hotelier who has taken a course of at least two years duration after "O" level in an institution recognised by the NCHE.
- (g) Nurse's Certificate awarded by the Nurses and Mid-Wifery Council if the course lasted at least 2 years after "O" level.
- (h) A certificate awarded by a military, police or Prisons College or academy or school recognised by the relevant Ministry to a person who has after 'O' level completed an approved course of not less than nine months at the college, academy or school.
- (i) Or other qualifications acceptable to the Council as equivalent to 'A' Level.

## SCHEDULE 2

Equivalences based on qualifications obtained elsewhere:

Candidates presenting qualifications obtained outside Uganda shall be required to prove to the satisfaction of the NCHE that admission to that programme (in a recognised institution) was obtained on the basis of Advanced Level Standard of Education or its equivalent.

## SCHEDULE 3

Candidates presenting their qualification to NCHE for verification/equating resulting into the issuance of a certificate referred to in the Presidential, Parliamentary Elections Acts, 2005 and The Local Governments (Amendment) Act, 2005 shall pay UGX. 750 000.

## **THE POLITICAL PARTIES AND ORGANISATIONS ACT, 2005.**

**AN ACT to make provision for regulating the financing and functioning of political parties and organisations, their formation, registration, membership and organisation under articles 71, 72 and 73 of the Constitution; the prescription of a code of conduct for political parties and organisations and the establishment of a national consultative forum for political parties and organisations; to repeal and replace the Political Parties and Organisations Act, 2002 and for related matters.**

WHEREAS under paragraph (e) of clause (1) of article 29 of the Constitution every person has the right to freedom of association which shall include the freedom to form and join associations or unions, trade unions and political and other civic organisations;

AND WHEREAS article 71 of the Constitution sets out the principles to which political organizations shall conform;

AND WHEREAS the right to form political parties and any other political organisations is guaranteed under article 72 of the Constitution which, in clauses (2) and (3) provides as follows—

“(2) An organisation shall not operate as a political party or organisation unless it conforms to the principles laid down in this Constitution and it is registered.

(3) Parliament shall by law regulate the financing and functioning of political parties and organizations”;

AND WHEREAS article 73 of the Constitution requires Parliament to regulate the conduct of political organizations subscribing to other political systems during the period when one political system is in force in Uganda;

AND WHEREAS article 270 of the Constitution provided that political parties or organisations in existence immediately before the commencement of the Constitution shall, notwithstanding clause (2) of article 72 of the Constitution continue to exist and operate in conformity with the provisions of the Constitution until Parliament makes laws relating to registration of political parties and organisations:

**DATE OF ASSENT:** 16th November, 2005.

*Date of commencement:* 21st November, 2005.

NOW THEREFORE, be it enacted by Parliament as follows—

**PART I—PRELIMINARY.**

**1. Short title**

This Act may be cited as the Political Parties and Organisations Act, 2005.

**2. Interpretation**

(1) In this Act unless the context otherwise requires—

“currency point” means the value specified in relation to a currency point in the First Schedule to this Act;

“district” means the area of authority of a District Council;

“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 organization which is registered in Uganda but whose headquarters are located outside Uganda;

“political organization” means any free association or organization 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 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;

“promoter of a political party or organisation” means a signatory to the original documents registering that political party or organisation under section 7(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;
- (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.

### 3. Formation of political parties or organizations

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

**4. Electoral Commission to register political parties and organizations**

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

**5. 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; or

(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 organization 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 organization, is liable on conviction to a fine not exceeding seventy two currency points or imprisonment not exceeding three years or both.

(4) For the purpose of this section, a political party or organization 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.

## **6. Registration of political parties and organisations**

(1) A political party or organization 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 27.

(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 judgement creditor.

## **7. 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 authorized 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 organization from each of at least two thirds of all the districts of each of the traditional geographical regions of Uganda listed in the Second Schedule, 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 organization, if any;

(d) the registration fee specified in section 6(1).

(2) The application referred to in subsection (1) shall be in Form 1 in the Third Schedule.

(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 paragraph (a) of section 8;
- (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 organization 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.

**8. Prohibition of certain identifying symbols, etc**

A political party or organization shall not submit to the Electoral Commission for the purpose of registration under section 7, 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.****9. Declaration of assets and liabilities**

(1) Every political party or organization shall, within sixty days after the expiry of the first year after the issue to it of a certificate of registration under section 7, or such longer period as the Electoral Commission may allow, submit to the Electoral Commission a written declaration in Form 2 in the Third Schedule.

(2) The political party or organization 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 the Third Schedule.

(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 organization.

(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 de-register 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 imprisonment not exceeding three years or both.

## **10. 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.

## **11. Notification of changes or alterations in constitution, etc**

(1) Where a political party or organisation registered under section 7 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 7 shall notify the Electoral Commission in writing within twenty one days after any change occurs in the title, name or address of any person or office submitted to the Electoral Commission under section 7 and the Electoral Commission shall, within fourteen days after receipt of the notification, cause it to be published in the *Gazette*.

## **12. Records and audit of political parties or organizations**

(1) Every political party or organization 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 organization shall be audited once in every year but not later than six months after its financial year by an auditor from a recognized 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 organization 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 organization 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 also 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).

### **13. Non-Ugandans not to hold office in a political party or organization, etc**

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.

### **14. 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-Ugandan citizen;

(b) a foreign Government or diplomatic mission;

(c) a non-Ugandan non-Governmental organisation, registered in Uganda under the Non-Governmental Organisations Registration 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 organization 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 sub-section (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, 2002;
  - (c) employ for the purposes of its operations any financial or other assistance from any 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, with the approval of Parliament, by statutory instrument, declare the foreign Governments, institutions, bodies or persons from whom assistance is prohibited under paragraph (a) of subsection (5).

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

- (a) a person who is not a citizen of Uganda as defined by the Constitution and the Uganda Citizenship Act;
- (b) in the case of a corporate body, in which the controlling interest lies with non-citizens;
- (c) in the case of a body where shares are not applicable, where the body’s decision-making lies with non-citizens;
- (d) a company in which the shares are held in trust for non-citizens;
- (e) a company incorporated in Uganda whose articles of association do not contain a provision restricting the transfer or issue of shares to non-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) Any 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—

- (a) in the case of a political party or organisation, to a fine not exceeding seventy two currency points; or
- (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 imprisonment not exceeding three years or both.

(10) Without prejudice to any other penalty imposed by the 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.

### **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 12 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 or a person which or 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; or

(ii) in the case of a person other than a political party or organisation, to a fine not exceeding forty eight currency points or imprisonment 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 or a public officer or 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 imprisonment not exceeding one year or both.

**17. Merger of political parties and 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 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 PROVISIONS.

##### **19. Code of conduct for political parties and organisations**

(1) The Minister shall in consultation with the Electoral Commission and the political parties and organisations and with the approval of Parliament, by regulations made under section 27, prescribe a code of conduct for political parties and political organisations and may for that purpose provide for any other matter necessary for giving effect to the code of conduct.

(2) Without prejudice to the general effect of subsection (1) regulations made under that subsection may provide for appropriate sanctions for the breach of the code.

**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-official 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 monies approved by Parliament.

## **21. Non-compliance with this 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 14; 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.

## **22. 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 that 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 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;
- (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.

### **23. Expedition of proceedings**

Where any appeal under this Act or any proceedings arising out of section 21 are before the High Court, Court of Appeal or Supreme Court the Court shall proceed with the matter expeditiously and may, for that purpose, suspend any other matter pending before it.

### **24. 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.

**25. Winding up of political parties or organisations**

(1) Upon the court making an order winding up a political party or organisation under section 21, 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.

**26. Delegation by Electoral Commission**

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

**27. 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 it may prescribe a penalty for contravention of the regulations of a fine not exceeding twenty four currency points or imprisonment not exceeding one year or both.

**28. Minister's power to amend Schedules**

The Minister may, with the approval of the Parliament, by statutory instrument, amend the Schedules to this Act.

**29. Repeal and savings**

(1) The Political Parties and Organisations Act, 2002 is repealed.

(2) Without prejudice to the general effect of the Interpretation Act—

(a) any political party or organisation registered under the repealed Act shall be deemed to be registered under this Act;

- (b) any statutory instrument made under the repealed Act and in force immediately before the commencement of this Act, shall, with the necessary modifications, continue in existence as if made under this Act until revoked under this Act;
- (c) any proceeding pending under the repealed Act before the commencement of this Act may be continued and completed under this Act.

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SCHEDULES

**FIRST SCHEDULE**

*Section 2*

A currency point shall be equivalent to twenty thousand shillings.

## SECOND SCHEDULE

Section 7(1)(b)

## 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

Buganda

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

East

- 21. Namutumba
- 22. Pallisa
- 23. Sironko
- 24. Soroti
- 25. Tororo

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

## THIRD SCHEDULE

## FORM 1

*Section 7(2)*APPLICATION TO REGISTER A POLITICAL  
PARTY/ORGANISATION*(Under article 72(2) of the Constitution and section 7 of the Act)*

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  
*(delete whichever is not applicable).*

Name

Address

.....  
.....

.....  
.....

(Note: The names must be stated in full and the address must indicate village, parish, sub-county. 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  
*(delete whichever is not applicable)*

(Give the description of the symbol(s) and  
the slogan(s) of the Political Party/Organisation \*)  
*(Delete whichever is not applicable).*

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.....  
this.....  
day of..... 20.....

} Deponent

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.....  
day of..... 20.....

} Deponent

Before me

*Commissioner for Oaths*

For Official use only

## FORM 2

## Section 9

**DECLARATION OF ASSETS AND LIABILITIES AND  
PARTICULARS OF A POLITICAL PARTY/ORGANISATION**  
*(Article 71(e) of the Constitution and section 9 of the Act).*

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:

Town/Trading Centre	District	Name of Road/Street and Plot Number
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

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:

Name	Office Held
.....	.....
.....	.....
.....	.....
.....	.....

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, 2000, Cap. 22).

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*

**Cross references**

Constitution

Statutory Declaration Act, Cap. 22

Uganda Citizenship Act, Cap. 65

Press and Journalists Act, Cap. 105

Non Governmental Organisations Registration Act, Cap 113

Anti Terrorism Act, 2002, Act No.14 of 2002

Political Parties and Organisations Act, 2002, Act No. 18 of 2002