

CHAPTER 113

THE NATIONAL WOMEN'S COUNCIL

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CHAPTER 113

THE NATIONAL WOMEN'S COUNCIL

ACT Commencement: 30 April, 1993

An Act to provide for the establishment of the National Women's Council; to provide for its composition, functions, object and powers and for related matters.

PART I—INTERPRETATION

1. Interpretation

In this Act, unless the context otherwise requires—

“Chairperson” means the Chairperson of the National Women's Executive Committee;

“Council” means the National Women's Council established by section 2;

“currency point” has the value assigned to it in Schedule 1 to this Act;

“district”, “county”, “subcounty”, “division”, “town”, “parish”, “ward”, and “village” have the meanings assigned to them under the Local Governments Act;

“Minister” means the Minister responsible for women in development;

“women” means all females aged eighteen years or more;

“women's committee” means a women's committee established under section 9.

PART II—ESTABLISHMENT OF NATIONAL WOMEN'S COUNCIL

2. Establishment of National Women's Council

(1) There is established a council to be known as the National Women's Council.

(2) The Council shall be a body corporate with perpetual succession and shall have a common seal which shall be affixed to any document as prescribed in Schedule 2 to this Act and may sue or be sued in its corporate name.

(3) The Council may, for and in connection with its objects and functions under this Act, purchase, hold, manage and dispose of any property, whether movable or immovable, and may enter into such contracts and other transactions as may be expedient and may do any other act or thing as in law may be done by a body corporate.

3. Object and functions of Council

- (1) The object of the Council is—
- (a) to organise the women of Uganda in a unified body; and
 - (b) to engage the women in activities that are of benefit to women and the nation.

(2) For the attainment of its object under subsection (1), the Council shall have the following functions—

- (a) to inspire and promote among the women a spirit of unity and national consciousness;
- (b) to provide a unified and integrated system through which the women may communicate and coordinate their ideas and activities;
- (c) to establish channels through which economic and social services and amenities may reach the women in all areas of Uganda;
- (d) to encourage the women to consolidate their role in national development in the political, economic, social, cultural and educational fields;
- (e) to promote relations with international women's organisations with similar objectives or interests; and
- (f) to do all such other things as are incidental or conducive to the attainment of the objects of the Council under this Act.

4. Composition of Council

- (1) The Council shall consist
- (a) ~~the~~ chairperson of each district women's council;
 - (b) a representative of women with disabilities to be elected from among themselves through their structures;
 - (c) three women representatives of non-governmental organisations involved in women's affairs or business to be determined by the National Women's Council;
 - (d) a representative of the Ministry responsible for gender and women advancement;

- (e) the secretary for female youth on the National Youth Executive Committee;
- (f) a representative of women parliamentarians elected from among the women members of Parliament; and
- (g) the Executive Secretary of the Council.

(2) The members of the Council referred to in subsection (1)(c), (d), (e), (f), and (g) shall be *ex officio* members who shall participate in the deliberations of the Council without a right to vote.

(3) Schedule 2 to this Act shall have effect with regard to meetings of the Council.

PART III—ESTABLISHMENT, COMPOSITION AND HIERARCHY OF WOMEN'S COUNCILS AND WOMEN'S COMMITTEES

5. Establishment of women's councils

(1) There is established in each district the following women's councils—

- (a) village women's councils;
- (b) parish or ward women's councils;
- (c) subcounty, division, or town women's councils; and
- (d) district women's councils.

(2) A district women's council shall be a body corporate and may sue or be sued in its corporate name and shall carry out any other activities carried out by a body corporate.

6. Composition and hierarchy of women's councils

(1) A village women's council shall consist of women who reside in the village and are willing to be members of the village council.

(2) Without prejudice to subsection (1), a woman who is not a citizen of Uganda shall not be a member of a village women's council.

(3) The decisions of a village women's council shall be binding on all the women in a village.

(4) A parish or ward women's council shall consist of all the members of the village women's committees in the parish or ward.

- (5) A subcounty or division women's council shall consist of
- (a) all the members of the parish or ward women's executive committees;
 - (b) a representative of women with disabilities elected from among the disabled women in the subcounty or division through their structures;
 - (c) the secretary for female youth on the subcounty or division youth executive committee;
 - (d) two women representatives of non-governmental organisations or community based organisations involved in women's affairs or business, registered and recognised by the subcounty or division to be determined by the subcounty or division women's council;
 - (e) the officer responsible for gender and women advancement in the subcounty or division;
 - (f) the subcounty or division women representative in the district local council; and
 - (g) the secretary for gender in the subcounty or division local council.

(6) The members of the Council referred to in subsection (5)(c), (d), (e), (f) and (g) shall be *ex officio* members who shall participate in the deliberations of the Council without a deciding vote.

- (7) A district women's council shall consist of—
- (a) the chairpersons of the subcounty, division or town women's councils;
 - (b) a representative of women with disabilities elected from among disabled women in the district through their structures;
 - (c) the secretary for female youth on the district youth executive committee;
 - (d) two women representatives of non-governmental or community based organisations involved in women's affairs or business, which are registered and recognised by the district, to be determined by the district women's council;
 - (e) the officer responsible for gender and women advancement at the district;
 - (f) the district woman representative in Parliament;
 - (g) the secretary in charge of gender in the district council; and

- (h) the head of the secretariat of the district women's council.

(8) The members of the Council referred to in subsection (7)(c), (d),(e), (f), (g) and (h) shall be *ex officio* members who shall participate in the deliberations of the Council without a deciding vote.

7. Electoral Commission to maintain voters register

The Electoral Commission shall—

- (a) by statutory instrument, designate a period for registering women who want to participate in the women's council elections at all levels;
- (b) compile, maintain, revise and update the voters register for women's councils at the village level; and
- (c) by statutory instrument, designate a period for updating the voters register for women's council elections.

8. Electoral Commission to resolve election complaints

The powers of the Electoral Commission to resolve election complaints as provided in section 15 of the Electoral Commission Act shall, with the necessary modifications, apply to women's council elections.

9. Establishment and composition of women's committees

(1) There is established, in respect of each women's council, a women's committee, which shall consist of the following—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a secretary, except at the district level;
- (d) a publicity secretary;
- (e) a secretary for finance;
- (f) in the case of the district and subcounty or division women's council committee—
 - (i) the women members of Parliament, in the case of district women's committees;
 - (ii) the subcounty or division women representative in the district local council at the subcounty council;
 - (iii) the officer responsible for gender and women advancement at the district or subcounty, as the case may be;

- (iv) the representative of women with disabilities in the Council elected under section 6;
 - (v) secretary for female youth of the district, and subcounty or division youth executive committee as the case may be;
 - (vi) the two of the women representatives of the non-governmental organisations elected under section 6;
 - (vii) the secretary in charge of gender in the district local council and subcounty or division local council; and
 - (viii) the executive secretary of the district women's council.
- (2) The members of a women's committee referred to—
- (a) in subsection (1)(a), (b), (c), (d) and (e), shall be elected by the members of the women's council from among their number; and
 - (b) in subsection (1)(f) are the *ex officio* members in the Council and shall participate in the deliberations of the committee without a deciding vote.
- (3) The executive secretary of the district women's council shall be the secretary to the district executive committee.
- (4) A person shall not be a member of more than one women's committee.
- (5) Where a person is elected to a higher women's committee, her office in the lower women's committee shall fall vacant, and another person shall be elected in her place.

10. Sponsorship of candidates by political organisations or political parties

Under the multiparty political system, nomination of candidates may be made by a political organisation or a political party sponsoring a candidate or by a candidate standing for election as an independent candidate without being sponsored by a political party or political organisation.

11. Election of women's committees

- (1) Elections for the National Women's Executive Committee and the district women's committees shall be by secret ballot.

(2) Elections for the village, parish or ward, subcounty, division or town women's committees shall be by the electorate lining up behind the candidates nominated for the office, their representatives, portraits or symbols.

12. National Women's Executive Committee

(1) There shall be a National Women's Executive Committee which shall be responsible for managing the affairs of the Council.

(2) The Executive Committee of the National Women's Council shall be composed of the following—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a publicity secretary;
- (d) a finance secretary;
- (e) the secretary for female youth on the National Youth Council;
- (f) two of the female representatives of non-governmental organisations in the Council elected under section 4;
- (g) the representative of women with disabilities in the Council elected under section 4;
- (h) the representative of the Ministry responsible for gender and women advancement; and
- (i) the Executive Secretary of the National Women's Council.

(3) The members of the executive committee of the National Women's Council referred to—

- (a) in subsection (2)(a), (b), (c) and (d) shall be elected by the members of the National Women's Council from among their number and those officers shall be representatives of the four regions of Uganda;
- (b) in paragraphs (e), (f), (g), (h) and (i) are the *ex officio* members in the Council and shall participate in the deliberations of the committee without a deciding vote.

(4) The Executive Secretary of the National Women's Council shall be the secretary to the National Women's Executive Committee.

PART IV—SECRETARIAT AND STAFF OF COUNCIL**13. Secretariat**

(1) The Council shall have a secretariat to assist it in carrying out its objects and functions under this Act.

(2) The secretariat shall be composed of a Secretary and other staff of the Council.

14. Appointment and tenure of office of Secretary

(1) The Secretary shall be appointed by the Minister on the advice of the National Women's Council in consultation with the Public Service Commission.

(2) The Secretary shall be appointed from among persons who are qualified in management or administrative matters.

(3) Subject to this Act, the Secretary shall hold office on a full time basis and on such terms and conditions as are specified in his or her instrument of appointment.

(4) The Secretary may resign her office, by writing under her hand, addressed to the Minister through the Council.

(5) The Minister may, on the advice of the Council, remove the Secretary from office for inability to perform the functions of her office as a result of infirmity of body or mind or for misbehaviour or for any other cause.

(6) In the case of removal from office of the Secretary under this section on the ground of inability to perform the functions of her office as a result of misbehaviour or any other cause, the Secretary shall, before being removed, be given an opportunity to be heard on the allegations made against her.

(7) The Secretary shall not be removed from office under this section on the ground of inability to perform the functions of her office as a result of infirmity of body or mind unless the fact of such infirmity of body or mind

has been proved and certified by at least two medical practitioners appointed by the director of medical services for that purpose.

15. Functions of Secretary

(1) The Secretary shall be the chief executive officer and the accounting officer of the Council.

(2) Subject to the general control of the Council, the Secretary shall—

- (a) act as secretary at meetings of the Council and record the minutes of the meetings of the Council;
- (b) be responsible for the implementation of the policy decisions of the Council and for the day-to-day administration of the affairs of the Council and control of the other staff of the Council; and
- (c) perform such other functions as may be assigned to her by the Council.

(3) Where the office of the Secretary is vacant or where the Secretary is unable to perform the functions of her office by reason of illness, absence or other reason, the Council may designate an officer of the Council qualified in terms of section 14 to perform those functions until the vacancy in that office is filled or until the Secretary is able to perform those functions.

16. Other staff of Council

(1) The Council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the Secretariat under this Act.

(2) The Council shall regulate the manner of appointment, terms and conditions of service and the discipline of its staff appointed under this section.

(3) Public officers may be seconded to the service of the Council or may otherwise give assistance to the Council.

17. Remuneration of Secretary and other staff

The Council may pay to the Secretary and other staff such remuneration and allowances as it deems fit and may grant pension or retirement benefits or gratuity to them at such rates as the Minister may, after consultation with the Minister responsible for finance, determine.

PART V—FINANCIAL AND OTHER MATTERS**18. Funds of Council**

- (1) The funds and resources of the Council shall consist of
 - (a) such sums from the Consolidated Fund as may be appropriated by Parliament for the purposes of the Council;
 - (b) any money accruing to the Council in the discharge of its functions under this Act; and
 - (c) grants, gifts or donations to the Council.

(2) All income and money of the Council shall be deposited to the credit of the Council in a bank approved by the Minister and shall not be withdrawn except with the approval of and in a manner determined by the Council.

19. Funds of district and other councils

- (1) The funds and resources for the district and other lower women's councils shall consist of
 - (a) such sums as may be appropriated by Parliament for the purpose of the women's councils through the Ministry responsible for gender and women advancement;
 - (b) any money accruing to the relevant women's council in the discharge of its functions under this Act; and
 - (c) grants, gifts or donations to the relevant council.

(2) The money appropriated under subsection (1) shall be decentralised and directly transferred to districts for the benefit of the relevant women's councils by the Treasury.

- (3) All income and money of a council shall be deposited to the credit of the Council in a bank approved by the Minister and shall not be

withdrawn except with the approval of and in a manner determined by the women's council.

(4) The provisions of sections 20, 21, 22, 23, 24 and 25 shall apply to the district and other lower women's councils.

20. Borrowing powers

(1) The Council may, with the prior approval of the Minister and the Minister responsible for finance, borrow by way of overdraft or otherwise from a banker or any other person, such sums as may be necessary for meeting the obligations of the Council and for carrying out the objects and functions of the Council.

(2) The Council may, with the prior approval of the Minister for the purpose of any borrowing under subsection (1), charge any asset or property of the Council with the repayment of any money so borrowed.

21. Estimates

(1) The Council shall, within three months before the end of each financial year, cause to be prepared and submitted to the Minister for submission to the Minister responsible for finance for his or her approval, estimates of the income and expenditure of the Council for the next ensuing year.

(2) No expenditure shall be made out of the funds of the Council unless the expenditure has been approved by the Minister.

22. Financial year

The financial year of the Council shall be the period of twelve months commencing on the 1st day of July and ending on the 30th day of June of the following year.

23. Accounts

(1) The Council shall keep proper books of accounts of all its income and expenditure and proper records in relation to the books of accounts.

(2) Subject to any directions given by the Minister responsible for finance, the Council shall cause to be prepared in respect of each financial year, a statement of account which shall include a report on the performance of the Council during the financial year comprising—

- (a) a balance sheet, a statement of income and expenditure and a statement of surplus and deficit; and
- (b) any other information in respect of the financial affairs of the Council as the Minister responsible for finance may require.

24. Audit

(1) The accounts of the Council shall, in respect of each financial year, be audited by the Auditor General or by an auditor appointed by the Auditor General.

(2) The Council shall ensure that, within four months after the expiry of each financial year, a statement of account described in section 23 is submitted to the Auditor General for auditing.

(3) The Auditor General and any auditor appointed by the Auditor General shall have access to all books of accounts, vouchers and other financial records of the Council and be entitled to have any information and explanation required by him or her in relation to them as the Auditor General may think fit.

(4) The Auditor General shall, within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the Council a copy of the audited accounts of the Council together with his or her report on the audited accounts stating any matter which in his or her opinion should be brought to the attention of the Minister.

(5) The Auditor General shall also deliver to the Minister a copy of the audited accounts together with his or her report on the audited accounts.

25. Investment of surplus funds of Council

Any funds of the Council not immediately required for any purpose under this Act shall be invested in such manner as the Council may, with the approval of the Minister, after consultation with the Minister responsible for finance, determine.

PART VI—GENERAL

26. District women's council secretariat

(1) A district women's council shall have a secretariat to assist it in carrying out its functions under this Act.

(2) A subcounty women's council shall have a secretariat to assist it in carrying out its functions under this Act and the effective date for the provisions of this subsection shall be determined by the Minister.

27. Protection of members and staff from personal liability

A member of the Council or an employee of the Council acting on its behalf shall not be personally liable for any act done by him or her in good faith for the purpose of carrying into effect the provisions of this Act.

28. Annual reports

The Council shall, within three months after the end of each financial year, submit to the Minister a report on the activities of the Council in respect of that financial year, and the report shall include its achievements during that financial year and its future plans.

29. Regulations

(1) The Minister may, by statutory instrument, after consultation with the Council, make regulations for the better carrying into effect the provisions of this Act.

(2) Without prejudice to subsection (1), the Minister shall, after consultation with the Council, make regulations for the implementation of the provisions of this Act regarding election of members of the Council.

(3) Without prejudice to subsection (1), the Minister may prescribe, as penalties for contravention of regulations made under that subsection—

- (a) a fine not exceeding seventy-two currency points or imprisonment for a term not exceeding three years, or both;
- (b) a daily fine not exceeding five currency points for each day on which the contravention continues; and

- (c) disqualification for a period not exceeding five years from the date of the conviction from holding an office on a women's committee or being a member of any women's council, other than a cell or village women's council.

30. Application

Schedule 2 to this Act shall apply in relation to the seal of the Council, tenure of office of the Council, women's councils and women's committees and to any other matter set out in that Schedule.

31. 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, amend the Schedule 2 to this Act.

SCHEDULES

Schedule 1

Sections 1, 31(1)

Currency Point

A currency point is equivalent to twenty thousand shillings.

Schedule 2

Sections 2(2), 4(3), 30, 31(2)

Seal, Offices and Meetings of Council and Committees

1. Seal of Council

(1) The common seal of the Council shall be such device as the Council may determine and shall be kept in the custody of the Secretary.

(2) The common seal shall, when affixed onto any document, be authenticated by the signatures of the Chairperson and the Secretary of the Council.

(3) In the absence of the Chairperson, the Vice Chairperson shall authenticate the seal in place of the Chairperson, and in the absence of the Secretary, the person performing the functions of the Secretary shall authenticate in place of the Secretary.

(4) The signatures of the Chairperson, Secretary or other members of the Council under this paragraph shall be independent of the signing by any other person as witness.

(5) A contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed without seal on behalf of the Council by the Secretary or any other person authorised in that behalf by the Council.

(6) Every document purporting to be—

(a) an instrument issued by the Council and sealed with the common seal of the Council, authenticated in the manner prescribed in this paragraph; or

(b) a contract or instrument entered into or executed under subparagraph (5),

shall be received in evidence without further proof as an instrument duly issued or contract or instrument duly entered into or executed unless the contrary is proved.

2. Tenure of office of women's councils and committees

(1) Subject to this Act, every women's council and women's committee shall remain in office for a term of five years from the date of its inception, after which it shall automatically lapse and dissolve.

(2) A member of a women's committee vacating office at the end of her term shall, subject to this Act, be eligible for re-election.

(3) The Minister may, by notice in the *Gazette* and in a newspaper of national circulation or other media, extend, renew, reinstate or validate the term of office of women's councils and women's committees for a further period not exceeding one hundred eighty days at a time, notwithstanding that the term may have expired, where—

- (a) Uganda is in a state of war;
- (b) a state of emergency has been declared under the Constitution;
- (c) any district or part of a district has been declared a disturbed area under the Constitution; or
- (d) it has become extremely difficult or impossible to conduct elections for the women's councils and women's committees.

3. Vacation of office of member of women's council or women's committee

Except for a village women's council, the seat of a member of a women's council or a women's committee shall fall vacant if—

- (a) the member resigns from the women's council;
- (b) without reasonable cause or the permission of the chairperson, the member fails to attend two consecutive meetings of the Council;
- (c) the member is under sentence of death or imprisonment exceeding six months, imposed on her by a court of law;
- (d) the member has been convicted of an offence involving moral turpitude within the preceding six years; and
- (e) circumstances arise which disqualify a member from membership under any other law.

4. Removal of member of women's council or women's committee

Except for a village women's council, a women's council or women's committee may remove from office any member of that council or of the women's committee of that council on any of the following grounds—

- (a) inability to perform the functions of her office, arising out of infirmity of body or mind;
- (b) habitual drunkenness;
- (c) breach of law or public trust; or
- (d) a vote of no confidence passed by a two-thirds majority of the members.

5. Filling of vacancies on councils and committees

Except for the National Women's Council and the National Women's Executive Committee, where a position falls vacant on a women's council or women's committee, the next higher women's council shall, within thirty days after the position falls vacant, supervise elections and fill the vacancy and the chairperson of that next higher council shall notify the Electoral Commission of the results.

6. Voting for member of Parliament

Except at the village and parish levels where the chairperson of the women's council is the Secretary for women in the local council, no person shall hold an office in the women's councils together with an office of the local council, both of which entitle her to participate in the voting for a district woman member of Parliament.

7. Meetings of Council

(1) The Council shall meet at such times and places as the Chairperson may determine, but it shall meet at least once in each year.

(2) The Chairperson shall also convene a meeting of the Council if requested to do so in writing by not less than one-third of the members of the Council.

(3) The Chairperson shall preside at each meeting of the Council, and in her absence, the Vice Chairperson shall preside.

(4) In the absence of both the Chairperson and Vice Chairperson, a member of the Council elected by the members present shall preside.

(5) The quorum at any meeting of the Council is one-third of the members of the Council, and the quorum shall be maintained throughout the meeting.

(6) Any matter coming for determination by the Council at any meeting shall be determined by a general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting, but in the event of an equality of votes, the Chairperson or other person presiding at the meeting shall have a second or casting vote.

(7) The Council may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meetings on any matter in relation to which advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(8) Subject to this paragraph, the Council may regulate the procedure of its membership and any other matter relating to its meetings and may, in particular, prescribe the period of notice to be given in respect of any such meeting.

(9) Minutes of every meeting of the Council shall be recorded in writing and shall be presented to and approved by the Council at its next subsequent meeting and signed by the person presiding at the latter meeting and the Secretary.

8. Meetings of women's councils

(1) The district women's council shall meet for the discharge of its functions under this Act at least once in every six months, at such time and place as the Chairperson of the district women's council may determine.

(2) The Chairperson of the district women's council shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of the district women's council;

(b) whenever she considers it necessary to do so.

(3) A women's council other than a district women's council shall meet for the discharge of its functions under this Act at least once in every three months, at such time and place as the chairperson of the women's council may determine.

(4) The chairperson of a women's council referred to in subparagraph (3) shall also convene a special meeting—

(a) upon the request in writing of not less than one-third of the members of that council;

(b) whenever she considers it necessary to do so.

(5) A notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the women's council at least fourteen days before the date of the meeting.

(6) The chairperson of a women's council shall preside at every meeting of the women's council, and in her absence the vice chairperson shall preside.

(7) In the absence of both the chairperson and the vice chairperson at a meeting of a women's council, a member elected by the members present shall preside.

(8) The quorum at a meeting of the women's council is one-third of the members and that quorum shall be maintained throughout the meeting.

(9) Any matter coming for determination at a meeting of a women's council shall be determined by general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting, but in the event of an equality of votes, the chairperson or other person presiding at the meeting shall have a second or casting vote.

(10) A women's council may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meeting on any matter in relation to which advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(11) Subject to this Schedule, a women's council may regulate its own proceedings.

9. Minutes of meetings of a women's council

(1) The minutes of every meeting of a district women's council shall be kept.

(2) The minutes of every meeting of a women's council shall be kept, and copies of the minutes shall be sent to the chairperson of the women's council immediately higher in hierarchy.

(3) The minutes of the meetings of a district women's council required to be kept by this paragraph shall be in English and shall be open to inspection during normal office hours by members of the public.

(4) The minutes of the meetings of a women's council, other than a district women's council required to be kept under this paragraph, shall be kept in a language to be decided upon by each women's council and shall be open to inspection during normal office hours by members of the public.

10. Meetings of a women's committee

(1) A women's committee shall meet for the discharge of its duties at least once every month at such time and place as the chairperson of the committee may direct, except that the national executive committee shall meet once in every three months.

(2) Notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the women's committee, at least seven days before the date of the meeting.

(3) The chairperson of a women's committee shall preside at every meeting of the women's committee, and in her absence, the vice chairperson shall preside.

(4) In the absence of both the chairperson and vice chairperson at a meeting of a women's committee, a member of the women's committee elected by the members present shall preside.

(5) The quorum at a meeting of a women's committee is three members.

(6) A women's committee may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may speak at the meeting on any matter in relation to which advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(7) Subject to this Schedule, a women's committee may regulate its own proceedings.

11. Minutes of meetings of women's committee

Paragraph 9 of this Schedule regarding the keeping of minutes of a women's council shall, with the necessary modifications, apply to the keeping of minutes of a women's committee meeting.

12. Service of documents

Without prejudice to any other written law, a notice or document required to be served on the Council may be served by leaving it at the office of the Secretary or by sending it by prepaid registered post to the Secretary.

History: Statute 3/1993; S.I. 87/2000; Cap. 318 (Revised Edition, 2000); Act 19/2002; Act 10/2010; Act 17/2015; S.I. 37/2022; S.I. 86/2023

Cross References

Electoral Commission Act, Cap. 176
Local Governments Act, Cap. 138

CHAPTER 114**THE NATIONAL YOUTH COUNCIL****ACT Arrangement of Sections**

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CHAPTER 114**THE NATIONAL YOUTH COUNCIL ACT**

Commencement: 30 April, 1993

An Act to provide for the establishment of the National Youth Council and to provide for its composition, object and functions, administration and finances and for related matters.

PART I—INTERPRETATION**1. Interpretation**

In this Act, unless the context otherwise requires—

“Chairperson” means the Chairperson of the National Youth Executive Committee elected under section 10;

“Council” means the National Youth Council established by section 2;

“currency point” has the value assigned to it in Schedule 1 to this Act;

“district”, “county”, “subcounty”, “division”, “town”, “parish”, “ward”, and “village” have the meanings assigned to them under the Local Governments Act;

“Minister” means the Minister responsible for youth affairs;

“Secretary” means the Secretary of the Council appointed under section 13;

“youth” means a person between the age of eighteen and thirty years;

“youth committee” means a youth committee established in respect of each youth council.

PART II—ESTABLISHMENT OF NATIONAL YOUTH COUNCIL**2. Establishment of National Youth Council**

(1) There is established a council to be known as the National Youth Council.

(2) The council shall be a body corporate, with perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) The Council may, for and in connection with its object and functions under this Act, purchase, hold, manage and dispose of any property, whether movable or immovable, and may enter into any contract and other transaction as may be expedient and may do any other act or thing as in law may be done by a body corporate.

3. Object and functions of Council

- (1) The object of the Council is—
 - (a) to organise the youth of Uganda under a unified body;
 - (b) to engage the youth in activities that are of benefit to them and the nation; and
 - (c) to protect the youth against any kind of manipulation.
- (2) For the attainment of its objects under subsection (1), the Council shall be the policy making body and have the following functions—
 - (a) to inspire and promote among the youth a spirit of unity and national consciousness;
 - (b) to provide a unified and integrated system through which the youth may communicate and coordinate their ideas and activities;
 - (c) to establish channels through which economic and social services and amenities may reach the youth in all areas of Uganda;
 - (d) to encourage the youth to consolidate their role in national development in the economic, social, cultural and educational fields;
 - (e) to initiate and encourage the formation of youth organisations and to facilitate communication among them;
 - (f) to promote relations between youth organisations in Uganda and international youth organisations and other bodies with similar objects or interests;
 - (g) to make or amend the constitution of the Council; and
 - (h) to do all such other things as are incidental or conducive to the attainment of the objects of the Council under this Act.

4. Composition of Council

- (1) The Council shall consist of—
 - (a) the National Youth Executive Committee;
 - (b) the Chairperson of every district youth council;
 - (c) the Secretary for female youths at the district level;

- (d) the Secretary for finance at the district level;
- (e) eight representatives of non-governmental organisations involved in youth activities nominated on regional basis by the National Executive Committee in consultation with the Non-governmental Organisations Board;
- (f) a representative of youth persons with disabilities;
- (g) four students' representatives elected by the Uganda National Students' Association, two of whom shall be female and one from a secondary school;
- (h) the Executive Secretary of the Council; and
- (i) members of Parliament representing the youth.

(2) The members of the Council referred to in subsection (1)(e), (h) and (i) shall be *ex officio* members who shall participate in the deliberations of the Council without a deciding vote.

PART III—ESTABLISHMENT, COMPOSITION AND HIERARCHY OF YOUTH COUNCILS AND YOUTH COMMITTEES

5. Establishment of youth councils

The following youth councils are established in each district—

- (a) village youth councils;
- (b) parish or ward youth councils;
- (c) subcounty, division or town youth councils;
- (d) county youth councils; and
- (e) a district youth council.

6. Composition and hierarchy of youth councils

(1) A village youth council shall consist of youths who reside in the village and who are willing to be members of the village youth council.

(2) Without prejudice to subsection (1), a person who is not a citizen of Uganda shall not be a member of a youth council.

(3) The decisions of a village youth council shall be binding on all the youths in a village.

(4) A parish or ward youth council shall consist of all the members of the village youth committees in the parish or ward.

(5) A subcounty, division, municipal or town youth executive committee shall consist of

- (a) the subcounty, division, municipal or town youth executive committee;
- (b) all members of the parish youth committees in subcounty, division, municipality or town;
- (c) two students elected by the subcounty, division, municipality or town executive committee in consultation with the Uganda National Students' Association in the district, one of whom shall be a female;
- (d) one youth with disability nominated by organisations of persons with disabilities in the subcounty, division, municipality or town;
- (e) the two youth councillors on the subcounty, division, municipality or town, local government council as *ex officio* members;
- (f) the subcounty, division, municipality or town community officer as an *ex officio* member; and
- (g) the executive secretary at the subcounty, division, municipality or town community officer as an *ex officio* member.

(6) A district youth council shall consist of

- (a) the district youth committee;
- (b) the chairperson of every subcounty, division, municipality or town youth council;
- (c) the Secretary for women affairs at the subcounty, division, municipality or town level;
- (d) the Secretary responsible for finance at the subcounty, division, municipality or town level;
- (e) one representative of non-governmental organisations involved in youth activities in the district to be nominated by the district youth council committee;
- (f) one youth with disability nominated by organisations of persons with disabilities in the district;
- (g) the district officer in charge of youth affairs;
- (h) two student representatives nominated by the Uganda National Students' Association in the district, one of whom shall be female;
- (i) the two youths councillors on the district local government council; and

(j) the executive secretary of the district secretariat.

(7) The members of the Council referred to in subsection (6)(e), (g), (i) and (j) shall be *ex officio* members who shall participate in the deliberations of the Council without a deciding vote.

(8) A district youth council shall be a body corporate and may sue or be sued in its corporate name and shall carry out any other activities carried out by a body corporate.

7. Electoral Commission to designate period for registration

The Electoral Commission shall—

- (a) by statutory instrument, designate a time period for registering youth to participate in a youth council election at all levels;
- (b) compile, maintain, revise and update a voters register for the youth council at the village and the parish level; and
- (c) by statutory instrument, designate a period for updating the voters register for a youth council election.

8. Electoral Commission to resolve election complaints

The powers of the Electoral Commission to resolve election complaints as provided in section 15 of the Electoral Commission Act shall, with the necessary modifications, apply to the youth council elections.

9. Establishment and composition of youth committees

(1) There is established, in respect of each youth council, a youth committee, which shall consist of the following—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a secretary for women youth who shall be a female;
- (f) a secretary for student affairs who shall be a student;
- (g) a secretary for labour affairs;
- (h) a secretary for sports and culture; and
- (i) a secretary for finance.

(2) The members of a youth committee shall be elected by the members of a youth council from among their number.

(3) A person shall not be eligible to be elected a member of a youth committee unless he or she has attained the age of eighteen years, and a person shall not be eligible to be so elected in a youth committee if he or she has attained the age of thirty years.

(4) A person shall not be a member of more than one youth committee.

(5) Where a person is elected to a higher youth committee, his or her office in the lower youth committee shall fall vacant and another person shall be elected in his or her place.

(6) Where the office of a member of the Council falls vacant by virtue of death, resignation, abscondment or any other cause, for more than six months, the Secretary shall, as soon as possible, supervise elections and fill the vacant position in the relevant council and the Secretary shall notify the Electoral Commission of the results.

(7) A person shall not be elected a member of any youth council and youth committee unless he or she submits a statutory declaration, or birth certificate or proves his or her age before the commencement of an election.

(8) All youth committee elections at the national and district level shall be by secret ballot.

(9) Elections for the village, parish or ward, subcounty, division or town youth committee shall be by the electorate lining up behind the candidates nominated for the office, their representatives, portraits or symbols.

(10) For the avoidance of doubt, any person holding an office in a youth council shall not vacate office on the sole reason that he or she has attained thirty years of age at any time during his or her term of office.

10. National Youth Executive Committee

(1) There shall be a National Youth Executive Committee which shall be responsible for managing the affairs of the Council.

(2) The National Youth Executive Committee shall be elected by the members of the Council from among their number and shall consist of—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a secretary for women youth who shall be a female;
- (f) a secretary for student affairs;
- (g) a secretary for labour affairs;
- (h) a secretary for sports and culture;
- (i) a secretary for external relations;
- (j) a secretary for finance; and
- (k) a secretary for legal affairs.

11. Sponsorship of candidate by political organisation or political party

Under the multiparty political system, nomination of candidates may be made by a political organisation or a political party sponsoring a candidate or by a candidate standing for election as an independent candidate without being sponsored by a political party or a political organisation.

PART IV—SECRETARIAT AND STAFF OF COUNCIL

12. Secretariat

(1) The council shall have a secretariat to assist it in carrying out its object and functions under this Act.

(2) The secretariat shall be composed of a secretary and other staff of the Council.

13. Appointment and tenure of office of Secretary

(1) The Secretary shall be appointed by the Minister on the advice of the Public Service Commission.

(2) The Secretary shall be appointed from among persons who are qualified or experienced in management or administrative matters.

(3) Subject to this Act, the Secretary shall hold office on a full time basis and on such terms and conditions as are specified in the instrument of appointment.

(4) The Secretary may resign his or her office, by writing under his or her hand, addressed to the Minister through the Council.

(5) The Minister may, on the advice of the Council, remove the Secretary from office for inability to perform the functions of his or her office as a result of infirmity of body or mind, misbehaviour or for any other cause.

(6) In the case of removal from office of the Secretary under this section on the ground of inability to perform the functions of his or her office as a result of misbehaviour or for any other cause, other than infirmity of body or mind, the Secretary shall, before being removed, be given an opportunity to be heard on the allegations made against him or her.

(7) The secretary shall not be removed from office under this section for inability to perform the functions of his or her office as a result of infirmity of body or mind unless the fact of such infirmity of body or mind has been proved and certified by at least two medical practitioners appointed by the director of medical services for that purpose.

14. Functions of Secretary

(1) The Secretary shall be the chief executive officer and the accounting officer of the Council.

(2) Subject to the general control of the Council, the Secretary shall—

- (a) act as Secretary at meetings of the Council and record the minutes of the Council at those meetings;
- (b) be responsible for the implementation of the policy decisions of the Council and for the day-to-day administration of the affairs of the Council and the control of the other staff of the
- (c) Council; attend meetings of the Executive Committee; and
- (d) perform such other functions as may be assigned to him or her by the Council.

(3) Where the office of the Secretary is vacant or where the Secretary is unable to perform the functions of his or her office by reason of illness, absence or other reason, the Council may designate an officer of the Council qualified in terms of section 13 to perform those functions until the vacancy in that office is filled or, as the case may be, until the Secretary is able to perform those functions.

15. Other staff of Council

(1) The Council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the secretariat under this Act.

(2) The Council shall regulate the manner of appointment, terms and conditions of service and the discipline of its staff appointed under this section.

(3) Public officers may be seconded to the service of the Council or may otherwise give assistance to the Council.

16. Remuneration of Secretary and other staff

The Council may pay to the Secretary and other staff such remuneration and allowances as it deems fit and may grant pension or retirement benefits or gratuity to them at such rates as the Minister may, after consultation with the Minister responsible for finance, determine.

17. District secretariat and secretary

(1) The district youth council shall have a secretariat to assist in carrying out its functions under this Act.

(2) The secretariat shall have a secretary who shall be appointed by the Chief Administrative Officer on the advice of the District Service Commission.

(3) The district youth council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the secretariat under this Act.

(4) The other employees of the Council shall be appointed by the Chief Administrative Officer following procedures applicable to appointments by the District Service Commission on terms applicable to the public service.

18. Subcounty council to have secretariat

(1) The subcounty, division, municipal and town youth council shall have a secretariat to assist in carrying out its functions under this Act.

(2) The secretariat shall have a secretary who shall be appointed by the District Chief Administrative Officer on the advice of the District Service Commission.

(3) The subcounty, division, municipal and town youth council shall employ such other staff who shall be appointed by the District Service Commission on terms applicable to the public service.

(4) The provisions of this section shall come into force on a date to be determined by the Minister, by statutory instrument.

PART V—FINANCIAL AND OTHER MATTERS

19. Funds of Council

- (1) The funds and resources of the Council shall consist of—
 - (a) such sums from the Consolidated Fund as may be appropriated by Parliament for the purposes of the Council;
 - (b) any money accruing to the Council in the discharge of its functions under this Act; and
 - (c) grants, gifts or donations to the Council.

(2) All income and moneys of the Council shall be deposited to the credit of the Council in a bank approved by the Minister and shall not be withdrawn except with the approval of, and in a manner determined by, the Council.

20. Funds of district and other councils

(1) The funds and resources of the district and lower youth councils shall consist of—

- (a) such sums as may be appropriated by Parliament for the purposes of the district and lower youth councils;
- (b) such sums as may be appropriated by the relevant local government council for the purposes of the youth council;
- (c) any money accruing to the relevant youth council in the discharge of its functions under this Act; and
- (d) grants, gifts or donations to the relevant council.

(2) The money appropriated under subsection (1)(a) shall be decentralised by the Treasury as conditional grants to the relevant local government councils and directly transferred to the district through the prescribed accounting system for the benefit of the relevant youth councils.

(3) All income and money of a council shall be deposited to the credit of the council in a bank approved by the district youth council and shall not be withdrawn except with approval of the youth council.

(4) The account shall be operated by the signature of the Chief Administrative Officer or any person authorised by him or her and such other signatures as the council may determine.

(5) The provisions of sections 21, 22, 23, 24, 25 and 26 shall apply to the district and other lower youth councils.

21. Borrowing powers

(1) The Council may, with the prior approval of the Minister and the Minister responsible for finance, borrow by way of overdraft or otherwise from a banker or any other person, such sums as may be necessary for meeting the obligations of the Council and for carrying out the objects and functions of the Council.

(2) The Council may, with the prior approval of the Minister for the purposes of any borrowing under subsection (1), charge any asset or property of the Council with the repayment of any money so borrowed.

22. Estimates

(1) The council shall, within three months before the end of each financial year, cause to be prepared and submitted to the Minister for

submission to the Minister responsible for finance for his or her approval estimates of the income and expenditure of the Council for the next ensuing year.

(2) No expenditure shall be made out of the funds of the Council unless the expenditure has been approved by the Minister.

23. Financial year

The financial year of the Council shall be the period of twelve months commencing on the 1st day of July and ending on the 30th day of June of the following year.

24. Accounts

(1) The council shall keep proper books of accounts of all its income and expenditure and proper records in relation to them.

(2) Subject to any directions given by the Minister responsible for finance, the Council shall cause to be prepared, in respect of each financial year, a statement of account which shall include a report on the performance of the Council during the financial year comprising—

- (a) a balance sheet, a statement of income and expenditure and a statement of surplus and deficit; and
- (b) any other information in respect of the financial affairs of the Council as the Minister responsible for finance may require.

25. Audit

(1) The accounts of the Council shall, in respect of each financial year, be audited by the Auditor General or by an auditor appointed by the Auditor General.

(2) The council shall ensure that, within four months after the expiry of each financial year, a statement of account described in section 24 is submitted to the Auditor General for auditing.

(3) The Auditor General and any auditor appointed by the Auditor General shall have access to all books of accounts, vouchers and other financial records of the Council and be entitled to have any information and

explanation required by him or her in relation to the books of accounts, vouchers and other financial records, as he or she may think fit.

(4) The Auditor General shall, within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the Council a copy of the audited accounts of the Council together with his or her report on the audited accounts stating any matter which in his or her opinion should be brought to the attention of the Minister.

(5) The Auditor General shall also deliver to the Minister a copy of the audited accounts together with his or her report on the audited accounts.

26. Investment of surplus funds of Council

Any funds of the Council not immediately required for any purpose under this Act shall be invested in such manner as the Council may, with the approval of the Minister, after consultation with the Minister responsible for finance, determine.

PART VI—GENERAL

27. Protection of members and staff from personal liability

A member of the Council or an employee of the Council acting on its behalf shall not be personally liable for an act done by him or her in good faith for the purpose of carrying into effect this Act.

28. Annual reports

The council shall, within three months after the end of each financial year, submit to the Minister a report on the activities of the Council in respect of that financial year, and the report shall include its achievements during that financial year and its future plans.

29. Regulations

(1) The Minister may, by statutory instrument, after consultation with the Council, make regulations for the better carrying into effect the provisions of this Act.

(2) Without prejudice to subsection (1), the Minister shall, after consultation with the Council, make regulations for the implementation of the provisions of this Act regarding election of members of the Council.

(3) Without prejudice to subsection (1), the Minister may prescribe as penalties for contravention of the regulations made under that subsection—

- (a) a fine not exceeding seventy-two currency points or imprisonment for a term not exceeding three years, or both;
- (b) a daily fine not exceeding five currency points for each day on which the contravention continues; and
- (c) disqualification for a period not exceeding five years from the date of the conviction from holding an office on a youth committee or being a member of any youth council, other than a cell or village youth council.

30. Tenure of office of youth council and youth committee

(1) Subject to this Act, every youth council and youth committee shall remain in office for a period of five years from the date of its inception, after which it shall automatically lapse and dissolve.

(2) A member of a youth council or youth committee vacating office at the end of his or her term shall, subject to this Act, be eligible for re-election.

31. Application

Schedule 2 to this Act shall apply in relation to the seal of the Council and to any other matter set out in that Schedule.

32. 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, amend Schedule 2 to this Act.

SCHEDULES*Schedule 1*

Sections 1, 32(1)

Currency Point

A currency point is equivalent to twenty thousand shillings.

Schedule 2

Sections 31, 32(2)

Seal, Offices and Meetings of Council and Committees**1. Common seal of Council**

(1) The common seal of the Council shall be such device as the Council may determine and shall be kept in the custody of the Secretary.

(2) The common seal shall, when affixed onto any document, be authenticated by the signatures of the Chairperson and the Secretary of the Council.

(3) In the absence of the Chairperson, the Vice Chairperson shall authenticate the seal in place of the Chairperson, and in the absence of the Secretary, the person for the time being performing the functions of the Secretary shall authenticate in place of the Secretary.

(4) The signature of the Chairperson, Secretary or other member of the Council under this paragraph shall be independent of the signing by any other person as witness.

(5) A contract or instrument, which if entered into or executed by a person not being a body corporate would not be required to be under seal, may be entered into or executed without seal on behalf of the Council by the Secretary or any other person authorised in that behalf by the Council.

(6) Every document purporting to be—

(a) an instrument issued by the Council and sealed with the common

seal of the Council, authenticated in the manner prescribed in this paragraph; or

- (b) a contract or instrument entered into or executed under subparagraph (5),

shall be received in evidence without further proof as such an instrument duly issued or a contract or instrument duly entered into or executed, as the case may be, unless the contrary is proved.

2. Vacation of office of member of youth council or youth committee

Except for a village youth council, the seat of a member of a youth council or a youth committee shall fall vacant if

- (a) the member resigns from the youth council;
- (b) without reasonable cause or the permission of the chairperson, the member fails to attend two consecutive meetings of the Council;
- (c) the member is under sentence of death or imprisonment exceeding six months, imposed on him or her by a court of law;
- (d) the member has been convicted of an offence involving moral turpitude within the preceding six years; and
- (e) circumstances arise which disqualify a member from membership under any other law.

3. Removal of member of youth council or youth committee

Except for a village youth council, a youth council or a youth committee may remove from office any member of that council or of the youth committee of that council on any of the following grounds—

- (a) inability to perform the functions of his or her office, arising out of infirmity of body or mind;
- (b) habitual drunkenness;
- (c) breach of law or public trust; or
- (d) a vote of no confidence passed by a two-thirds majority of the members.

4. Filling of vacancies on councils and committees

Except in the case of a village youth council, where the office of a member of a youth council or a youth committee becomes vacant, the committee of the relevant youth council shall organise an election for the vacancy to be filled.

5. Meetings of Council

(1) The council shall meet at such times and places as the Chairperson may determine, but it shall meet at least once in each year.

(2) The Chairperson shall also convene a meeting of the Council if requested to do so in writing by not less than one-third of the members of the Council.

(3) The Chairperson shall preside at each meeting of the Council, and in his or her absence the Vice Chairperson shall preside.

(4) In the absence of both the Chairperson and the Vice Chairperson, a member of the Council elected by the members present shall preside.

(5) The quorum at any meeting of the Council is one-third of the members of the Council, and the quorum shall be maintained throughout the meeting.

(6) Any matter coming for determination by the Council at any meeting shall be determined by a general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting, but in the event of an equality of votes, the Chairperson or other person presiding at the meeting shall have a second or casting vote.

(7) The council may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(8) Subject to this paragraph, the Council may regulate the procedure of, and any other matter relating to, its meetings and may, in particular, prescribe the period of notice to be given in respect of any such meeting.

(9) Minutes of every meeting of the Council shall be recorded in writing and shall be presented to and approved by the Council at its next subsequent meeting and signed by the person presiding at the latter meeting and the Secretary.

6. Meetings of youth councils

(1) A district youth council shall meet for the discharge of its functions under this Act at least once in every six months at such time and place as the chairperson of the district youth council may determine.

(2) The chairperson of the district youth council shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of the district youth council;
- (b) whenever he or she considers it necessary to do so.

(3) A youth council other than a district youth council shall meet for the discharge of its functions under this Act at least once in every three months, at such time and place as its chairperson may determine.

(4) The chairperson of a youth council referred to in subparagraph (3) shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of that council;
- (b) whenever he or she considers it necessary to do so.

(5) A notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the youth council at least fourteen days before the date of the meeting.

(6) The chairperson of a youth council shall preside at every meeting of the youth council, and in his or her absence the vice chairperson shall preside.

(7) In the absence of both the chairperson and the vice chairperson at a meeting of a youth council, a member of the youth council elected by the members present shall preside.

(8) The quorum at a meeting of a youth council is one-third of the members and that quorum shall be maintained throughout the meeting.

(9) Any matter coming for determination at a meeting of a youth council shall be determined by general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting, but in the event of an equality of votes, the