

ACTS SUPPLEMENT

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Act 1 *Local Governments (Amendment) Act* **2008**

THE LOCAL GOVERNMENTS (AMENDMENT) ACT, 2008

An Act to amend the Local Governments Act to remove the compulsory membership of every village resident to a village council and to provide for every Ugandan citizen of eighteen years and above residing in a village to be a member of a village council if willing; to make every person resident in the village bound by the decisions of the village council; to provide for the Electoral Commission to maintain a register of persons willing to be members of a village council; to provide for written nominations for elections at the village, parish or ward, or county council and for sponsorship of persons by political parties or political organisations to be nominated for elections to the village, parish or ward, or county council; to provide for the Electoral Commission to appoint nomination dates, campaign periods and election dates to the village, parish or ward, or county councils; and to provide for the Electoral Commission to resolve complaints during the electoral process of local councils.

DATE OF ASSENT: 24th April, 2008.

Date of Commencement: 2nd May, 2008.

BE IT ENACTED by Parliament as follows:

1. Amendment of Cap. 243.

The Local Governments Act, in this Act referred to as the principal Act is amended in section 46—

(a) by substituting for subsection (1)(c) the following—

“(c) at the village level, all persons of eighteen years or above residing in that village who are willing to be members”;

(b) by inserting immediately after subsection (3) the following—

“(4) Notwithstanding subsection (1)(c) a decision taken by a village council is binding on all persons residing in the village.

(5) The Electoral Commission shall compile, maintain, revise and update voters’ registers in respect of persons willing to be members of a village and parish or ward or county council”.

2. Amendment of section 161 of principal Act.

Section 161 of the principal Act is amended—

(a) by substituting for subsection (2) the following—

“(2) Nomination of candidates may be made for elections at the village, parish or ward, or county council by a political organisation or political party sponsoring a candidate or by a candidate standing for election as an independent candidate without being sponsored by a political organisation or political party.”;

(b) by substituting for subsections (3) and (4) the following—

“(3) The Electoral Commission shall publish in the *Gazette* and the local media a nomination day and the time when candidates who wish to stand for election as chairperson of a village, parish or ward, or county council shall be nominated.

(4) The Electoral Commission shall designate a period of at least seven days after nomination, for candidates nominated under subsection (3) to campaign for the election”.

3. Insertion of new section 161A of principal Act.

The principal Act is amended by inserting immediately after section 161 the following—

“161A. Electoral Commission to appoint election day.

The Electoral Commission shall, by notice in the Gazette and the local media, appoint a day for elections at the village, parish or ward and county level.”

4. Insertion of new sections 168A, 168B and 168C of principal Act.

The principal Act is amended by inserting immediately before section 169 the following—

“168A. Non citizens not to be members of local councils.

For the avoidance of doubt a person shall not be a member of a local council unless that person is a citizen of Uganda.

168B. Electoral Commission to settle disputes.

For the avoidance of doubt the powers of the Electoral Commission to settle disputes in relation to elections under the Electoral Commission Act shall apply to elections at local councils.

168C. Transitional provision.

A person elected councillor under this Act after the commencement of the Local Governments (Amendment) Act, 2008 shall be deemed to have been elected together with the local government councillors for the time being in office”.

Cross References

The Electoral Commission Act, Cap. 140