



Chambers of the Principal Judge

HIGH COURT OF UGANDA

Plot 2, The Square High Court Building
P. O. Box 7085, Kampala Uganda

IN ANY CORRESPONDENCE ON
THIS SUBJECT PLEASE QUOTE NO.

CIRCULAR NO. 02/2021

To: All Judges of the High Court
All Registrars
All Deputy Registrars
All Assistant Registrars
All Chief Magistrates
All Magistrates Grade One
All Magistrates Grade Two

Date: April 30, 2021

SUBJECT: GUIDANCE ON MANAGEMENT OF BAIL FUNDS

This circular serves to inform you as follows:

- 1.0 It has come to my attention that many Courts are not making orders for bail refund upon conclusion of criminal cases.
- 2.0 As a result of the above, some Court users remain unaware that they are entitled to a refund of their bail money where it was not forfeited to the State. Therefore, large amounts of money remain unclaimed on the Bail Account of the Registrar High Court held at Bank of Uganda. This leads to audit queries each financial year.
- 3.0 This serves to remind you that upon a Court determining that an accused has violated the bail terms and an order of forfeiture is made to the State, the Court record must clearly indicate so. Similarly, in the event that the accused has honored his or her bail terms throughout the trial, the record must reflect orders of refund to the said accused.

- 4.0 By this circular the Registrars and Magistrates are also instructed to submit returns each month to the Permanent Secretary/ Secretary to the Judiciary showing bail refund claims with the required attendant documents as well as amounts forfeited to the State with copies of the general receipts in respect of the said sums.
- 5.0 These returns for each Month shall be filed by the 5th day of the following Month, as is the case with Monthly Court statistics.
- 6.0 You are reminded that Court Orders must at all times be extracted to accompany bail refund claims as well as to reflect forfeitures to the State.
- 7.0 At the grant of bail, you are reminded to inform the accused of his or her right to a bail refund or possibility of its forfeiture in the event of violation of bail terms.
- 8.0 By this circular you are also directed to inform accused persons of the procedure of applying for bail refund at the conclusion of each case where bail was granted.

Please ensure compliance with immediate effect.

Flavian Zeija (PhD)

PRINCIPAL JUDGE

Copy to:

The Hon. The Chief Justice

The Hon. The Deputy Chief Justice

The Permanent Secretary/Secretary to the Judiciary

The Chief Registrar

Registrar, High Court

The Public Relations Officer