

2. Amendment of section 58 of the principal Act

Section 58 of the principal Act is amended—

- (a) by the repeal of subsection (2)(b);
- (b) by inserting immediately after subsection (2) the following—

“(2a) A returning officer shall compile and submit to the Electoral Commission within seven days after the conclusion of the election a detailed report of the election within the returning officer's electoral district.”

3. Amendment of section 59 of the principal Act

Section 59 of the principal Act is amended by substituting for subsection (1) the following—

“(1) The Commission shall, after the election, ascertain, declare in writing under its seal and publish, the result of the election in each constituency within forty eight hours after the close of polling.”

4. Amendment of section 68 of the principal Act

Section 68 of the principal Act is amended by inserting at the end, the following—

“(7) A candidate or an agent of a candidate shall not carry on fundraising or giving of donations during the period of campaigning.

“(8) A person who contravenes subsection (7) commits an illegal practice.”

5. Amendment of section 72 of principal Act

Section 72 of the principal Act is amended by substituting for “section 68(5) or (6)” the following—“section (5), (6) or (8).”

BILLS SUPPLEMENT

to the Uganda Gazette No. 59 Volume 16 December, 2009.

Printed by UPPC, Entebbe by Order of the Government of Uganda

Bill No. 22 Parliamentary Elections (Amendment) Bill ★ **2009**

THE PARLIAMENTARY ELECTIONS (AMENDMENT) ACT, 2009.

MEMORANDUM

1. The object of this Bill is to amend the Parliamentary Elections Act, 2005, (Act No. 17 of 2005)—

- (a) to require the Electoral Commission to declare a candidate elected unopposed where one of only two candidates withdraws or is disqualified for election;
- (b) to require a returning officer to compile and submit to the Electoral Commission within seven days after the conclusion of a parliamentary election, a detailed report of the election in the returning officer's electoral district;
- (c) to require the Electoral Commission to declare the results of a parliamentary election within forty eight hours from the close of polling; and
- (d) for related matters.

2. Clause 1 of the Bill seeks to insert a new section 19 A in the Parliamentary Elections Act, 2005 as is provided in section 114 of the Local Governments Act. Cap 243, to the effect that where one of only two candidates withdraws or is disqualified for election, the Electoral Commission shall declare the remaining candidate elected unopposed. The reason for the amendment is to make clear what the Electoral Commission is required to do and also to provide uniformity in the law.

3. Clause 2 of the Bill seeks to amend section 58 of the Parliamentary Elections Act, 2005 to require a returning officer to compile and submit to the Electoral Commission within seven days after the conclusion of the election a detailed report of the parliamentary election within his or her electoral district.

4. Clause 3 of the Bill seeks to amend section 59 of the Parliamentary Elections Act, 2005 to require the Electoral Commission to declare the results of an election within forty eight hours after the close of polling.

5. Clause 4 of the Bill seeks to amend section 68 of the Act to ban fundraising or giving of donations during the campaign period. This is to promote the holding of clean elections.

6. Clause 5 seeks to make an amendment consequentially upon the amendment made by clause 4 to provide a penalty for contravening the ban on fundraising.

HON. (DR) E. KHIDDU MAKUBUYA,

Attorney General and Minister of Justice and Constitutional Affairs.

A Bill for an Act

ENTITLED

**THE PARLIAMENTARY ELECTIONS (AMENDMENT) ACT,
2009**

An Act to amend the Parliamentary Elections Act, 2005 to require the Electoral Commission to declare a candidate elected unopposed where one of only two candidates withdraws or is disqualified for election; to require a returning officer to compile and submit to the Electoral Commission within seven days after the conclusion of an election a report of the election within the returning officer's electoral district; to require the Electoral Commission to declare the results of a parliamentary election within forty eight hours after the close of polling; and for related matters.

BE IT ENACTED by Parliament as follows:

1. Insertion of new section 19A

The Parliamentary Elections Act, 2005 in this Act referred to as the principal Act is amended by inserting immediately after section 19 the following—

“19A Where one of only two candidates withdraws or is disqualified

Where there are only two candidates and one withdraws or is disqualified, the returning officer shall immediately declare the remaining candidate elected unopposed.”

2. Amendment of section 58 of the principal Act

Section 58 of the principal Act is amended—

- (a) by the repeal of subsection (2)(b);
- (b) by inserting immediately after subsection (2) the following—

“(2a) A returning officer shall compile and submit to the Electoral Commission within seven days after the conclusion of the election a detailed report of the election within the returning officer's electoral district.”

3. Amendment of section 59 of the principal Act

Section 59 of the principal Act is amended by substituting for subsection (1) the following—

“(1) The Commission shall, after the election, ascertain, declare in writing under its seal and publish, the result of the election in each constituency within forty eight hours after the close of polling.”

4. Amendment of section 68 of the principal Act

Section 68 of the principal Act is amended by inserting at the end, the following—

“(7) A candidate or an agent of a candidate shall not carry on fundraising or giving of donations during the period of campaigning.

“(8) A person who contravenes subsection (7) commits an illegal practice.”

5. Amendment of section 72 of principal Act

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- (c) to require the Electoral Commission to declare the results of a parliamentary election within forty eight hours from the close of polling; and
- (d) for related matters.

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