



A BILL for a Statute

ENTITLED

**THE UGANDA AIDS COMMISSION STATUTE, 1991.**

**A Statute to provide for the establishment of the Uganda AIDS Commission for the prevention and control of the AIDS epidemic, to provide for the Commission's constitution and management, to define its functions and powers and to provide for other matters connected therewith.**

BE IT ENACTED by the President and the National Resistance Council as follows:

1. This Statute may be cited as the Uganda AIDS Commission Statute, 1991. Short title.

2. In this Statute, unless the context otherwise requires— Interpre-  
"AIDS" means the acquired immune deficiency tation.  
syndrome;

"Commission" means the Uganda AIDS Commission established under section 3 of this Statute;

"donor support group" includes any bilateral or international agency supporting the national AIDS control programmes in Uganda.

**3.** (1) There is established a Commission to be known as the Uganda AIDS Commission.

Establishment of the Commission.

(2) The Commission shall be a body corporate with perpetual succession and a common seal, and in its own name capable of—

- (a) acquiring and holding property;
- (b) suing and being sued; and
- (c) doing all acts and things as bodies corporate may lawfully do.

**4.** (1) The Commission shall consist of the following members—

Composition of Commission.

- (a) the President, who shall be the Chairman;
- (b) the Minister of Health, who shall be the Vice-Chairman;
- (c) not more than twenty-one other members appointed by the President;
- (d) the Director-General of the Uganda AIDS Commission Secretariat, who shall be the Secretary to the Commission, and who shall be appointed by the President on such terms and conditions as the President may determine.

**5.** (1) The Commission shall be serviced by a Secretariat consisting of—

The Secretariat.

- (a) the Director-General who shall be the chief executive and accounting officer of the Commission;
- (b) such other technical staff as may be appointed by the Commission; and
- (c) such support staff as may be appointed by the Director-General.

(2) The staff of the Secretariat shall hold office on such terms and conditions as the Commission may determine.

(3) The functions of the Secretariat shall be—

- (a) to ensure implementation of the decisions and programmes of the Commission;
- (b) to advise the Government on all matters relating to the Commission's objectives under this Statute; and
- (c) to perform such other functions as the Commission may direct.

(4) The Vice-Chairman of the Commission shall be responsible for the supervision of the Director-General and the Secretariat.

(5) A person who at the commencement of this Statute is serving in an office specified in this section shall continue so serving after the said commencement and shall be deemed to have been duly appointed under the provisions of this Statute, and any duties or functions performed or powers exercised by such person before such commencement shall be deemed to have been validly performed or exercised under this Statute.

6. (1) The functions of the Commission shall be to oversee, plan and co-ordinate AIDS prevention and control activities throughout Uganda and in particular to—

Functions  
and powers  
of the  
Commis-  
sion.

- (a) formulate policy and establish programme priorities for the control of the AIDS epidemic and management of its consequences throughout the country;
- (b) ensure proper planning and co-ordination of all AIDS control policies and programmes within the overall programme strategy;
- (c) identify obstacles to the implementation of AIDS control policies and programmes and ensure the implementation and attainment of programme activities and targets;
- (d) mobilize, expedite and monitor resources for the AIDS control programmes and activities;
- (e) disseminate information on the AIDS epidemic and its consequences in Uganda and on the programme activities for its control;

(f) supervise all activities related to the control of the AIDS epidemic in Uganda and in particular regarding—

- (i) health-care and counselling of AIDS patients;
  - (ii) the welfare of bereaved orphans and survivors of AIDS victims;
  - (iii) the provision of medical supplies and equipment;
  - (iv) the handling of socio-economic, cultural and legal issues related to the AIDS epidemic; and
  - (v) biomedical research and surveillance into the AIDS epidemic and methods of its prevention and control;
- (g) find a drug for the cure of the AIDS disease; and
- (h) perform such other functions relating to the prevention or control of the AIDS epidemic in Uganda, as the Commission may deem necessary.

(2) The Commission shall in the performance of its functions under this Statute—

- (a) be responsible to the President;
- (b) from time to time submit progress reports on its activities to the President, and any other person or body which the Commissioners may deem necessary; and
- (c) be advised by a Committee of technical experts selected by the AIDS control implementors in consultation with the various sectors of the National AIDS Control Programme.

(3) The common seal of the Commission shall be authenticated by the signature of the Vice-Chairman and the Secretary or the Director-General and two Directors.

(4) A decision or directive of the Commission shall be authenticated under the Chairman's hand.

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7. (1) Subject to the provisions of this section, the Commission may regulate its own procedure.

Procedure of the Commission.

(2) The Chairman of the Commission shall preside at all meetings and in his absence, the members present shall elect one of themselves to preside.

-the president

(3) The quorum of the Commission shall be five members and every question shall be decided by a majority of the members present and voting.

(4) The Commission may co-opt a person to attend any of its meetings in an advisory capacity but such person shall not be entitled to vote.

8. (1) The funds of the Commission shall consist of such sums as may be provided by—

Funds of the Commission.

- (a) the National Resistance Council;
- (b) donor support groups; or
- (c) any other person.

(2) The expenses required by the Commission in the discharge of its functions under this Statute shall be charged on and paid out of the Consolidated Fund and other sources of funding without further appropriation than this Statute.

(3) The Commission shall be a self-accounting body and shall in its financial matters deal directly with the Ministry of Finance.

9. (1) The Commission shall, through its Secretariat, keep proper books of accounts in respect of its income and expenditure, in a form approved by the Auditor-General.

Accounts and audit.

(2) The books of accounts of the Commission and other financial records shall be audited by the Auditor-General or any other auditors appointed by the Government, within a period of three months after the end of each financial year.

(3) The annual financial report of the Auditor-General regarding the Commission's accounts shall be laid before the National Resistance Council by the Minister of Finance.

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(4) Donor support groups may appoint an independent auditor to audit the accounts of the Commission.

**Regula-  
tions.**

**10.** The Chairman, on the advice of the Commission, may make regulations generally for the better carrying out of the functions of the Commission under this Statute.