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BILLS
SUPPLEMENT No. 4

17th July, 2003

BILLS SUPPLEMENT

to The Uganda Gazette No. 33 Volume XCVI dated 17th July, 2003

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

Bill No. 11 *Movement (Amendment) Bill*

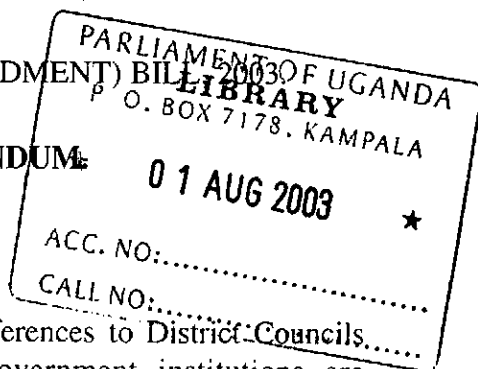
2003

THE MOVEMENT (AMENDMENT) BILL

MEMORANDUM

The object of this Bill is—

- (a) to make clear that references to District Councils and other local government institutions are references to those institutions as they exist under the Local Governments Act, 1997;
- (b) to redesignate lower movement organs as conferences instead of committees;
- (c) to provide for the introduction of the municipal division movement conferences;
- (d) to rationalise and expand the representation of women and the youth on the National Conference and the National Executive Committee;
- (e) to make sure that Chairpersons of District Movement Conferences are members of the National Conference and National Executive Committee;
- (f) to include the Chairpersons of the District Movement Conferences in the membership of the National



(g) to replace section 12(3) of the principal Act to make clear that in the case of the first meeting of the National Executive Committee, the Chairperson is not obliged to give the minimum fourteen days notice;

(h) to reduce the frequency of meetings of the National Executive Committee and other movement organs to save costs, and to be more practical and realistic;

(i) to make sure that the National Political Commissar is assisted by a responsible body from the Movement Secretariat in the appointment of staff;

(j) to include Chairpersons of subcounty and town council movement conferences in the membership of the District Movement Conference;

(k) to repeal section 23(3) which is redundant: the provision states that the Chairperson of the village movement conference is to be a member of the parish council;

(l) to add to the members of the parish movement conference, all members of village executive committees in the parish, to provide for adequate representation of grassroots people;

(m) to introduce a new section 26A to require that the election of Chairpersons of lower movement organs shall be by lining up behind the candidates and a new section 26B to define the role of lower movement organs;

(n) to provide for the creation of movement executive committees for lower movement organs to enable the day to day activities to be better performed and to provide for the [redacted] for meetings and [redacted] of the movement committees;

- (o) to make necessary adaptations in the principal Act resulting from the introduction of municipal division movement conference and movement executive committees;
- (p) to defer elections of movement organs from the village level to the National Conference until a decision is made under article 74 of the Constitution; and
- (q) to make clear what happens if the movement political system is chosen under article 74 of the Constitution; or if another political system is chosen in place of the movement political system.

HAJAT JANAT MUKWAYA,
Minister of Justice and Constitutional Affairs.

THE MOVEMENT (AMENDMENT) BILL, 2003.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Section 2 of principal Act amended.
3. Changing of movement committee to movement conference.
4. Section 5 of principal Act amended.
5. Section 10 of principal Act amended.
6. Section 12 of principal Act amended.
7. Section 13 of principal Act amended.
8. Section 16 of principal Act amended.
9. Section 18 of principal Act amended.
10. Section 20 of principal Act amended.
11. Replacement of sections 21 and 22 of principal Act.
12. Section 23 of principal Act amended.
13. Section 24 of principal Act amended.
14. Amendment of section 25 of principal Act.
15. Section 26 of principal Act amended.
16. New Sections 26A and 26B.
17. Insertion of new Part VIA of principal Act.
18. Section 36 of principal Act amended.
19. Miscellaneous amendments.

A BILL for an Act

ENTITLED

THE MOVEMENT (AMENDMENT) ACT, 2003.

An Act to amend the Movement Act, 1997.

BE IT ENACTED by Parliament as follows:-

1. (1) This Act may be cited as the Movement (Amendment) Act, 2003. Short title.

(2) This Act shall be deemed to have come into force on 11th July 2003.

2. The principal Act is amended in section 2—

Section 2 of
principal
Act
amended.

(a) by renumbering the existing section as subsection (1) of section 2;

(b) by inserting immediately after the definition of "District" the following new definition—

““elder” means a person above the age of fifty years”; and

ed

(c) by inserting immediately after the definition of “leadership training centre” the following new definition—

“lower movement organ” means a District Movement Conference or a movement organ below a District Movement Conference;”.

(d) by deleting from the definition of “National Conference” the words “or Conference”; and

(e) by inserting a new subsection (2) as follows—

“(2) For the avoidance of doubt, references to District Chairperson, District Council, District Executive Committee, City Council, Division Council, Municipal Council, Sub-County/Municipal Division Council, Town Council, Parish Council and Village Council shall be taken to be references to those authorities or bodies as they exist under the Local Governments Act, 1997.”.

Changing of
movement
committee
to
movement
conference.

3. The principal Act is amended by substituting for every reference to a movement committee, a reference to a movement conference.

Section 5 of
principal
Act
amended.

4. Section 5 of the principal Act is amended—

(a) in subsection (1)—

(i) by inserting immediately after paragraph (e) the following—

“(ea) the Chairperson of every District Movement Conference in each case where the person is not already a member by virtue of being a member of the District Executive Committee”;

(ii) by repealing paragraphs (i) and (j);

(b) in subsection (3), by inserting immediately after paragraph (k) the following—

“(ka) all Chairpersons of District Youth Councils under the National Youth Council Statute, 1993.

(kb) all Chairpersons of District Women's Councils under the National Women's Council Statute, 1993”.

5. Section 10 of the principal Act is amended—

Section 10
of principal
Act
amended.

(a) in subsection (3)—

(i) by inserting immediately after paragraph (d) the following—

“(da) the Chairperson of the district movement conference.”.

(ii) by inserting immediately after paragraph (f), the following—

“(fa) five representatives of women from among the Chairpersons of the district women's council in the National Conference”;

(iii) by substituting for paragraph (m) the following—

“(m) five representatives of the youth from among the Chairpersons of district youth conference in the National Conference.”;

(b) by renumbering the second subsection (3) as subsection (4) of section 10.

Section 12
of principal
Act
amended.

6. Section 12 of the principal Act is amended—

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

“(1) The National Executive Committee shall meet for the dispatch of business at least once in every six months.”;

(b) by substituting for subsection (3) the following new subsection—

“(3) Except for the first meeting or in case of an emergency, a notice of not less than fourteen days shall be given for every meeting of the Committee and the notice shall state the matters to be discussed at the meeting.”.

Section 13
of principal
Act
amended.

7. Section 13 of the principal Act is amended—

(a) by substituting for subsection (13) the following subsection—

“(13) There shall be such number of staff at the Secretariat as the National Executive Committee shall determine.”;

(b) by inserting after subsection (13), the following new subsection—

“(13a) The staff referred to in subsection (13) shall be appointed by the National Political Commissar on the recommendation of the committee responsible for human resources appointed under section 30 of the Act.”.

Section 16
of principal
Act
amended.

8. Section 16 of the principal Act is amended by inserting immediately after paragraph (e) of subsection (2) the following new paragraph—

“(ea) all Chairpersons of sub-county, municipal division and town council movement conferences.”.

9. Section 18 of the principal Act is amended by substituting for subsection (1) the following new subsection—

Section 18 of principal Act amended.

“(1) A district movement conference shall meet at least once in each year.”.

10. Section 20 of the principal Act is amended by substituting for subsection (1) the following new subsection—

Section 20 of principal Act amended.

“(1) A division or municipal movement conference shall meet at least once in every six months”.

11. The principal Act is amended by substituting for sections 21 and 22 the following new sections—

Replacement of sections 21 and 22 of principal Act.

“Subcounty, municipal division, town council movement conference

21. (1) There shall be for every sub-county, municipal division or town council, a sub-county, municipal division movement conference or, as the case may be, a town council movement conference.

(2) The members of the sub-county, municipal division, or town council movement conference are—

(a) the members as the case may be, of the sub-county, municipal division or town council; and

(b) all members of parish movement executive committees in the sub-county, municipal division or town council.

(3) The Chairperson of each parish movement conference shall be a member of the sub-county, municipal division or as the case may be, the town council movement conference of the sub-county, municipal division or town in which the parish falls.

(4) The Chairperson of the sub-county, municipal division or the town council movement conference shall be a person nominated by at least one quarter of the members of the sub-county, municipal division or town council movement conference and elected by that conference.

(5) A sub-county, municipal division or town council movement conference shall be responsible to the District Movement Conference in whose jurisdiction the sub-county, municipal division or town falls for policy matters of the movement with regard to the sub-county, municipal division or the town council.

Meetings of
subcounty,
municipal
division or
town council
movement,
conference

22. (1) A subcounty, municipal division or town council movement conference shall meet at least once in every six months.

(2) Meetings of the conference shall be convened by the Chairperson of the conference.

(3) Each sub-county, municipal division, or town council movement conference shall have a Secretary who shall be appointed by the Chairperson of the conference from among the members of the conference and with the approval of the conference."

Section 23
of principal
Act
amended.

12. Section 23 of the principal Act is amended—

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

"(2) A parish movement conference shall consist of—

(a) all members of the parish local council;
and

(b) all members of each village movement executive committee in the parish"; and

(b) by repealing subsection (3)".

13. Section 24 of the principal Act is amended by substituting for subsection (1) the following new subsection—

Section 24 of principal Act amended.

"(1) A parish movement conference shall meet at least once in every six months."

14. Section 25 of the principal Act is amended by substituting for subsection (3) the following new subsection—

Amendment of section 25 of principal Act.

"(3) The Chairperson of the village movement conference shall be a person nominated by at least two members of the village movement conference and elected by the village movement conference."

15. Section 26 of the principal Act is amended by substituting for subsection (1) the following new subsection—

Section 26 of principal Act amended.

"(1) A village movement conference shall meet at least once in every six months."

16. The principal Act is amended by inserting immediately after section 26 the following new sections—

New Sections 26A and 26B.

"Election of Chairpersons of lower movement organs

26A The election of the Chairpersons of lower movement organs shall be by lining up behind the candidates.

Role of lower movement organs

26B The role of the lower movement organs is as follows—

(a) to be answerable to the movement organ immediately above them on policy matters relating to the movement;

(b) to ensure the implementation of lawful decisions of the organs above them;

- (c) to spearhead the mobilisation of the people in their areas on movement policies and programmes;
- (d) to initiate policies and recommend them to the movement organs above them;
- (e) to oversee the implementation of government programmes and policies at their respective levels; and
- (f) to identify and recommend sources of funding for movement activities.”.

Insertion of
new Part
VIA of
principal
Act.

17. The principal Act is amended by inserting immediately after Part VI the following new Part—

**“PART VIA—EXECUTIVE COMMITTEES OF LOWER MOVEMENT
ORGANS.**

Executive
Committees
of lower
movement
organs

26C. Each lower movement organ shall have a movement executive committee.

Composition
of movement
executive
committees

26D. (1) This section shall have effect with respect to the composition of movement executive committees of lower movement organs.

(2) The district movement executive committee shall comprise the following—

- (a) the Chairperson of the district movement conference who shall be Chairperson of the district movement executive committee;
- (b) the Secretary;
- (c) Chairperson of the district women’s council under the National Women’s Council Statute, 1993;

- (d) Chairperson of the district youth council under the National Youth Council Statute, 1993;
 - (e) Chairperson of persons with disabilities at the district level;
 - (f) two elders nominated by the Chairperson of the district movement conference one male, one female and approved by the district movement conference;
 - (g) Chairperson of the sub-county, municipal division or town council movement executive committee; and
 - (h) persons in charge of Central Police, local government police, prisons, army detach, if these exist at district level who shall be *ex-officio* members.
- (3) A sub-county, municipal division or town council movement executive committee shall comprise the following—
- (a) Chairperson of sub-county, municipal division or town council movement conference who shall be Chairperson of the sub-county, municipal division or town council movement executive committee;
 - (b) the Secretary;
 - (c) Chairperson of the sub-county, municipal division or town council women's council under the National Women's Council Statute, 1993;

- (d) Chairperson of the sub-county, municipal division or town council youth council under the National Youth Council Statute, 1993;
- (e) Chairperson of persons with disabilities at sub-county, municipal division or town council level;
- (f) two elders nominated by the chairperson of municipal division or the sub-county, or town council movement conference, one male, one female and approved by the subcounty, municipal division or town council movement conference;
- (g) persons in charge of Central Police, local government police, prisons, army detach, if these exist, at sub-county, municipal division or town council level who shall be *ex-officio* members.

(4) A parish movement executive committee shall comprise the following—

- (a) Chairperson of the parish movement conference who shall be Chairperson of the parish movement executive committee;
- (b) Chairperson of the parish women's council under the National Women's Council Statute, 1993;
- (c) Secretary;
- (d) Chairperson of the parish youth council under the National Youth Council Statute, 1993,

(e) Chairperson of persons with disabilities at parish level;

(f) two elders nominated by the Chairperson of the parish movement conference one male, one female and approved by the parish movement conference.

(5) A village movement executive committee shall comprise the following—

(a) Chairperson of the village movement conference who shall be Chairperson of the village movement executive committee;

(b) the Secretary;

(c) Chairperson of the village women's council under the National Women's Council Statute, 1993;

(d) Chairperson of the village youth council under the National Youth Council Statute, 1993;

(e) Chairperson of persons with disabilities at village level;

(f) two elders nominated by Chairperson of the village movement conference one male, one female and approved by the village movement conference.

Meetings of
lower
movement
executive
committees

26E (1) The district movement executive committee shall meet at least once in every six months.

(2) Each lower movement executive committee other than a district movement executive committee shall meet at least once in every month.

(3) For the avoidance of doubt, the quorum of every lower movement executive committee shall be as prescribed in section 27”.

Section 36
of principal
Act
amended.

18. Section 36 of the principal Act is amended—

(a) by inserting immediately after subsection (2) the following new subsections—

“(2a) In addition to the offices to be vacant under subsection (2) the offices of elders elected under Part VIA shall also become vacant in the manner prescribed in subsection (2) but the holders of such offices shall be eligible for re-election.

(2b) The election or appointment to fill any vacancy created by subsection (2) or (2a) shall take place within the last sixty days of the period of five years specified in subsection (1).”.

(a) by inserting after subsection (5), the following subsections—

“(5a) Notwithstanding anything in this section, any person holding an office on a movement organ which is required to become vacant under this section by reason of the expiry of the period of five years prescribed in subsection (1), shall continue to hold that office until the date on which a decision is made under article 74 of the Constitution.

(5b) For the avoidance of doubt, no elections shall be held by virtue of section 25(3) until the date referred to in subsection (5a) except—

(i) in the case of any District created after the last general elections of movement organs held before the coming into force of the Movement (Amendment) Act, 2003;

(ii) in respect of a municipal division or for the election of the two elders who are members of each movement executive committee under PART VIA of this Act.

(5c) If the decision made under article 74 of the Constitution, referred to in subsection (5a) is to the effect that the movement system is chosen as the political system to operate in Uganda, then elections shall be held within sixty days after the declaration of the results of the referendum to fill all vacancies occurring in offices in movement organs.

(5d) If the decision made under article 74 of the Constitution, referred to in subsection (5a) is to the effect that another political system is chosen as the political system to operate in Uganda in place of the movement political system then all offices in all movement organs shall, in accordance with section 39 of this Act, be deemed from the date of the declaration of the results of the referendum to have been vacated."

19. For every reference to sub-county or town council in the principal Act there shall be substituted a reference to sub-county, municipal division or town council.

Mis-
cellaneous
amendments.