

CHAPTER 296

THE CANTONMENTS ACT.

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CHAPTER 296

THE CANTONMENTS ACT.

Commencement: 15 May, 1908.

An Act relating to cantonments.

1. Interpretation.

In this Act—

- (a) “intoxicating drug” means opium, ganja, bhang, charas and every preparation and admixture thereof, and includes any other intoxicating substance or liquid which the President may, by statutory order, declare to be an intoxicating drug for the purposes of this Act;
- (b) “officer” and “militant” have the meanings respectively attributed to them in the Uganda Peoples’ Defence Forces Act;
- (c) “spirituous liquor” means any fermented liquor, any wine, any alcoholic liquid obtained by distillation, and the sap of any kind of palm tree, and includes any other liquid consisting of or containing alcohol which the President may, by statutory order, declare to be a spirituous liquor for the purposes of this Act.

2. Establishment of cantonment.

The President may, by proclamation, declare any place within Uganda in which any body of the Uganda Peoples’ Defence Forces is quartered to be a cantonment for the purposes of this Act, and shall also by proclamation define the limits of any such cantonment for the like purposes.

3. Cantonment magistrate.

In every cantonment an officer of the Uganda Peoples’ Defence Forces shall be appointed as a magistrate, and that officer may be appointed either individually by name or generally by reference to his or her office.

4. Cantonment police.

(1) The officer acting as the officer commanding troops in a cantonment may appoint such officers or militants under his or her command

as he or she shall think fit to act as cantonment police officers for the purposes and within the limits of the cantonment.

(2) Those cantonment police officers shall not form part of nor be subject to any provisions governing the interior economy or organisation of a police force contained in any Act of Parliament, statutory instrument or other written law, but within the limits of the cantonment they may exercise all or any of the powers conferred upon police officers by the Criminal Procedure Code Act or any other written law, so far as the circumstances shall admit; they may not act as police officers without the limits of the cantonment except in fresh pursuit of a person who has committed a crime within the limits of the cantonment.

(3) Nothing in this section shall be deemed to affect or limit the powers of a police officer within the cantonment.

5. Unauthorised sale of spirituous liquor or intoxicating drug.

If within a cantonment or within such limits around a cantonment as the President may, by proclamation, prescribe in this behalf, any person not subject to military law or any person subject to military law otherwise than as an officer or militant knowingly barter, sells or supplies, or offers or attempts to barter, sell or supply any spirituous liquor or intoxicating drug to or for the use of any militant, or to or for the use of any person being a follower or the spouse of a militant, without the written permission of the commanding officer of the cantonment or of some person authorised by the commanding officer to grant such permission, he or she commits an offence and is liable on conviction to a fine not exceeding two hundred shillings or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

6. Unauthorised possession of spirituous liquor.

If within a cantonment or within such limits around a cantonment as the President may, by proclamation, prescribe in this behalf—

(a) any person subject to military law otherwise than as an officer or militant; or

(b) the spouse or servant of any such person or of a militant, has in his or her possession except on behalf of the Government or for the private use of an officer more than one quart of any spirituous liquor other than fermented malt liquor without the written permission of the

commanding officer of the cantonment, or of some person authorised by the commanding officer to grant such permission, he or she commits an offence and is liable on conviction in the case of a first offence against this section to a fine not exceeding one hundred shillings, and in the case of a subsequent offence against this section to a fine not exceeding two hundred shillings or to imprisonment for a period not exceeding three months.

7. Arrest of persons and seizure and confiscation of things.

(1) Any police officer may, without an order from a magistrate and without a warrant, arrest any person whom he or she finds committing an offence against either section 5 or 6, and may seize and detain any spirituous liquor or intoxicating drug in respect of which such an offence has been committed and any vessels or coverings in which the liquor or drug is contained.

(2) Where a person accused of an offence against section 5 has been previously convicted of an offence against that section, any police officer may, with the written permission of a magistrate, seize and detain any spirituous liquor or intoxicating drug within the cantonment, or within the limits prescribed under that section, which at the time of the alleged commission of the subsequent offence belonged to, or was in the possession of, the person.

(3) The court convicting a person of an offence against section 5 or 6 may order the confiscation of the whole or any part of anything seized under subsection (1) or (2).

(4) Subject to sections 129 and 130 of the Trial on Indictments Act, anything seized under subsection (1) or (2) and not confiscated under subsection (3) shall be restored to the person from whom it was taken.

8. Saving of articles sold or supplied for medicinal purposes.

Sections 1 to 7 shall not apply to the sale or supply of any article for medicinal purposes by a medical practitioner, chemist or druggist.

9. Penalty not to be in substitution for other penalty incurred.

Any penalty imposed by or under the provisions of this Act shall be in addition to, and not in substitution for, any other penalty to which an

offender may have rendered himself or herself liable.

10. Power to exclude persons.

The officer acting as officer commanding troops in a cantonment may, subject to any direction of the President, by notice in writing under his or her hand direct the exclusion of any person from the cantonment.

11. Penalty for disobeying notice.

If, after such notice has been delivered to a person, the person so excluded does not, if within the cantonment, immediately leave the cantonment or, if without the cantonment, enters the cantonment, he or she may be arrested without warrant and commits an offence and is liable on conviction to a fine of one hundred shillings, or in default of payment to imprisonment for a period not exceeding one month.

12. Revocation of notice.

The officer acting as officer commanding troops in a cantonment may at any time revoke or cancel such notice, but until so revoked or cancelled, the notice shall be deemed to be in full force and effect, notwithstanding that the person to whom it is addressed may have been punished for an offence under it.

History: Cap. 296.

Cross References

Criminal Procedure Code Act, Cap. 116.

Trial on Indictments Act, Cap. 23.

Uganda Peoples' Defence Forces Act, Cap. 307.

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