

THE REPUBLIC OF UGANDA



UGANDA LAW REFORM COMMISSION

ANNUAL REPORT, 2015

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Vision

Laws that are responsive to the needs of society.

Mission

To reform and update the laws in line with the social, cultural and economic needs and values of the people of Uganda.

Core values

Impartiality

Equity

Professionalism

Accountability

Transparency

Motto

Law Reform for Good Governance and Sustainable Development

THE REPUBLIC OF UGANDA
UGANDA LAW REFORM COMMISSION

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ADM/92/150/01

Our Ref:

Your Ref:

15thMarch, 2016

Rt. Hon. Rebecca Alitwala Kadaga, MP
Speaker of Parliament
Parliament House,
Kampala.

Hon. Speaker,

RE: SUBMISSION OF THE ANNUAL REPORT OF THE UGANDA LAW REFORM COMMISSION, 2015, TO THE PARLIAMENT OF UGANDA

In pursuance of the provisions of Article 248(2) of the Constitution, I have the pleasure and honour to submit through you, to the Parliament of Uganda, the 2015 Annual Report of the Uganda Law Reform Commission.

Yours faithfully,

Mrs. Vastina Rukimirana Nsanze
Chairperson

Cc: Hon. the Attorney General,
Attorney General's Chambers

FOREWORD



I am delighted to present the Annual Report of the Uganda Law Reform Commission for the period January to December 2015. The report presents brief information about the Commission, achievements made and challenges that the Commission faces in execution of its function.

The term of Prof. Agasha Mugasha as chairperson of the Commission ended in March 2015 and by end of the year no substantive chairperson had been appointed. I am glad that by the time of preparing this report, His Excellency the President had made the appointment of the Chairperson and an additional Commissioner.

On behalf of the Commissioners and staff of the Commission I wish to express our gratitude and appreciation for the contributions of Prof. Agasha Mugasha to the Commission during his time at the helm of the Commission. In the same vein I warmly welcome Ms. Jane Adong Anywar who was appointed in December 2015 as a Commissioner of the Uganda Law Reform Commission.

In the year under review, the Commission carried out various activities under projects of law reform and law revision. The major areas of law reform in the year include the reform of the Evidence Act, Cap 6; reform of the Penal Code Act, Cap 120; reform of the laws and regulations governing civil procedures; reform of laws relating to succession and reform of the Prisons Act, Act 17 of 2016. In the law revision department the Commission engaged in activities to finalise revision of the Laws of Uganda to produce the 7th Revised Edition. The Commission also commenced work on compendia of laws on elections, labour, criminal and civil procedures as well as the former Constitutions of Uganda.

I wish to thank His Excellency the President for appointment of the Chairperson and Commissioners and the overall support provided to the Commission. I thank the Attorney General and his staff for the continued support and guidance over the years. Similar appreciation is extended to all stakeholders without whom the work of the Commission would not be possible. I thank my colleagues, the Commissioners and staff of the Commission for their dedication and contributions to the Commission

Vastina Rukimirana Nsanze (Mrs)

CHAIRPERSON

COMMISSIONERS



Mrs. Margaret Tiyo Ayiseni



Mr. John Mary Mugisha



Mr. Peter Wandera



Dr. Harriet Diana Musoke



Ms. Jane Adong Anywar



Dr. Peregrine Kibuuka

MANAGEMENT



Mr. Lucas Omara Abong
Secretary



Mr. David Otori
Undersecretary



Ms. Florence Ochago
Commissioner, Law Revision



Mr. Patrick Mabiho Nyakaana
Commissioner, Law Reform

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ACRONYMS

ALRAESA	Association of Law Reform Association of Eastern and Southern Africa
CMP	Common Market Protocol
EAC	East African Community
EAC-CMP	East African Community Common Market Protocol
ESAAG	East and Southern African Association of Accountants General
FIDA	The Uganda Association of Women Lawyers
IT	Information Technology
JLOS	Justice Law and Order Sector
MBA	Masters in Business Administration
MCA	Magistrates Courts Act
MEACA	Ministry of East African Community Affairs
MGLSD	Ministry of Gender Labour and Social Development
MoJCA	Ministry of Justice and Constitutional Affairs
MPS	Ministerial Policy Statement
NUDIPU	National Union of Disabled Persons of Uganda
PPDA	Public Procurement and Disposal of Public Assets Authority
RDC	Resident District Commissioner
SACCO	Savings and Credit Cooperatives
SCLJA	Sectoral Council on Legal and Judicial Affairs
SLO	Senior Legal Officer
SSLRC	South Sudan Law Reform Commission
SWAP	Sector Wide Approach
TIA	Trial on Indictments Act
TMEA	Trade Mark East Africa
ULRC	Uganda Law Reform Commission
ULS	Uganda Law Society
URSB	Uganda Registration Services Bureau
US-FTC	United States Federal Trade Commission

ACKNOWLEDGEMENT

The Commission convey its heartfelt appreciation to and acknowledge the support and cooperation with the Government of Uganda, and the following institutions:

- (a) Ministry of Justice and Constitutional Affairs (First Parliamentary Counsel);
- (b) Office of the Attorney General;
- (c) Ministry of Finance, Planning and Economic Development;
- (d) Ministry of Public Service;
- (e) The Parliament of Uganda and its various committees;
- (f) Justice, Law and Order Sector (JLOS);
- (g) The Judiciary;
- (h) Ministry of Local Government;
- (i) Bank of Uganda;
- (j) Sister Law Reform Commissions;
- (k) Members of the various Taskforces and working groups;
- (l) Uganda Law Society;
- (m) Federation of Women Lawyers, Uganda (FIDA);
- (n) Association of Law Reform Agencies of Eastern and Southern Africa (ALRAESA);
and
- (o) Development Partners especially the JLOS Development Partner Group.

CHAPTER ONE

1.1 Introduction

This Annual Report of the Uganda Law Reform Commission covers the period from 1st January to 31st December 2015. It profiles the activities implemented, achievements made and challenges.

1.2 The Commission

The Uganda Law Reform Commission is established under Article 248(1) of the Constitution of the Republic of Uganda and the specific operational details are provided in the Uganda Law Reform Commission Act (Cap 25, Laws of Uganda). The Commission comprises the Chairperson and six other commissioners appointed by the President. The particulars of the Commissioners as at 31st December 2015 are contained in Annex 1. The Commission is served by a secretariat which implements the activities and programs of the Commission on a day to day basis.

1.3 Mandate of the Commission

The core mandate of the Commission is to study and keep under constant review the Acts and all other laws comprising the laws of Uganda with a view to making recommendations for their systematic improvement, development, modernisation and reform.

In terms of section 25 of the Uganda Law Reform Commission Act, the Commission, in undertaking its functions, is required to place particular emphasis on the-

- i) elimination of anomalies in the law, the repeal of obsolete and unnecessary laws and the simplification and translation of the law;
- ii) reflection in the laws of Uganda, the customs, values and norms of the Ugandan society as well as concepts and principles which are consistent with the United Nations Charter and the African Charter on Human and Peoples Rights and other international instruments to which Uganda is party;
- iii) development of new areas in the law and making the laws responsive to the changing needs of the Ugandan society;
- iv) contributing to the adoption of new and more effective methods for the administration of the law and dispensation of justice; and
- v) integration and unification of the laws of Uganda.

1.4 Powers of the Commission

Under Section 11 of the ULRC Act, the Commission has powers to-

- i) receive, review and consider any proposals for the reform of the law, which may be referred to it by any person or authority;
- ii) prepare and submit to the Attorney General, from time to time, for approval, programmes for the study and examination of any branch of the law with a view to making recommendations for its improvement, modernisation, and reform; and those programmes shall include an estimate of the finances and other resources that will be required to carry out any such studies and the period of time that will be required for the completion of the studies;
- iii) undertake, pursuant to any such recommendation approved by the Attorney General, the formulation of drafts in form of bills or other instruments for consideration by the Government and Parliament;
- iv) initiate and carry out, or, with approval of the Attorney General, direct the initiation and research necessary for the improvement and modernisation of the law;
- v) provide, at the instance of the Government, to Government Ministries and departments and other authorities concerned, advice, information and proposals for reform or amendment of any branch of the law;
- vi) encourage and promote public participation in the process of law making and educate and sensitise the public on law making through seminars, publications, and mass media;
- vii) appoint or empanel Committees in consultation with the Attorney General, from among members of the Commission, or from among persons outside the Commission, to study and make recommendations to the Commission on any aspect of the law referred to the Committees by the Commission.

1.5 Secretariat

The Secretariat of the Commission consists of the Commission Secretary and other members of staff appointed by the Attorney general on the recommendation of the Appointments Board of the Commission. The particulars of the members of the Appointment Board are provided in Annex II. The staff of the Commission are organised in three departments namely; Law Reform, Law Revision, and Finance and Administration departments respectively as shown in the organisational structure in Annex IX. The particulars of the staff of the Commission as at 31st December are provided in Annex III.

The Law Reform Department carries out research to generate proposals for the reform of laws which have the effect of making changes in the substance of the law. The department also undertakes consultations which ensure citizen participation in the law reform process.

The Law Revision Department is responsible for updating the laws of Uganda without changing the substance i.e. law revision. The department also prepares compendia of laws, simplifies laws for ease of understanding and translate selected laws into Ugandan languages.

The Finance and Administration Department is responsible for support services and logistics to facilitate the work of the Commission. This is done through mobilising resources (financial, human and material) including staff capacity building¹, for effective operation of the Commission. The department also analyses and submits technical reports on all projects of the Commission and ensures prudent resource planning and management and undertakes budgeting for all Commission activities.

1.6 Linkages with stakeholders

In line with the Government sector wide approach in the discharge of government duties, the Commission is part of the Justice Law and Order Sector. The Commission plays an active role in the functioning and organs of JLOS. Some of the workshops and meetings attended by representatives of the Commission are listed in Annex V.

In its operations the Commission works closely with other Government ministries, departments and agencies (MDAs) and other stakeholders, especially the following:-

- i) the Ministry of Justice and Constitutional Affairs;
- ii) the Ministry of Finance Planning and Economic Development;
- iii) the Ministry of Public Service;
- iv) the Justice, Law and Order Sector;
- v) the Directorate of the First Parliamentary Counsel;
- vi) Parliament of Uganda;
- vii) the Judiciary;
- viii) the Uganda Human Rights Commission;
- ix) Public Procurement and Disposal of Public Assets Authority;
- x) the Office of the Auditor General.
- xi) the United Nations Office of the High Commissioner for Human Rights;
- xii) the Uganda Law Society;
- xiii) the Association of Law Reform Association of Eastern and Southern Africa(ALRAESA) Secretariat; and
- xiv) the Federation of Women Lawyers, Uganda (FIDA).

¹ See Annex iv for details of staff trained

CHAPTER TWO

ACHIEVEMENTS

2.1 INTRODUCTION

This chapter gives details of various projects that have been undertaken by the Commission. These include completed, ongoing and rolled over projects as well as publications by the Commission. The achievements of the Commission in the period are outlined below:

2.2 COMPLETED PROJECTS

The Commission undertook and completed a number of projects with funding from Government of Uganda and the Justice, Law and Order Sector (JLOS) basket. The projects completed during the year are as outlined below

i) Reform of the Penal Code Act

The study reviewed the Penal Code Act, Cap. 120, and made recommendations for reform of the Act. Both the report and the draft Bill have been submitted to the Ministry of Justice and Constitutional Affairs through the Attorney General.

ii) Legislation on National Payments Systems

The study was intended to address the challenges arising from the absence of a specific legislation that regulates electronic payments systems. This was found necessary especially because of the increase of mobile money transactions, internet banking and credit/debit card transactions in Uganda. The study was completed and the report with the draft National Payment Systems Bill have been submitted to the Minister of Finance Planning and Economic Development for further management.

iii) Reform of the Money Lenders Act

The study was undertaken in response to the public outcry over the perceived exploitative nature of the money lending business in Uganda. The purpose of the study was to bring the Money Lenders Act, Cap. 273 in line with the current social economic circumstances and facilitate mainstreaming of money lending business in the financial sector operations. The report was submitted to the Ministry of Finance Planning and Economic Development for further management.

iv) Reform of the law on fundraising

This study reviewed the Political Parties and Organisations Act, 2005, Act No. 18 of 2005, especially the provisions governing fundraising during the election campaign period. A report with the draft Bills to amend the Political Organisations Act, The Presidential Elections Act and the Parliamentary Elections Act were prepared and submitted to the

Attorney General for consideration and further management.

v) Major Law Revision

The Commission embarked on the revision of all the laws of Uganda in order to produce the 7th Revised Edition. The purpose of the major law revision exercise is to update all the laws of Uganda without changing the substance of those laws.

All the principal laws of Uganda as at 31st December 2013 have been revised. During the year under review focus was on final proofreading and editing of the draft revised laws. The template of the 7th Revised Edition of the Laws of Uganda is now ready for publication. We await enactment of the Law Revision Act.

vi) Law Revision Bill

In order to facilitate continuous law revision in the country there is need to have in place legislation that regulates the process. To achieve this, the Commission worked with the Ministry of Justice and Constitutional Affairs and prepared a draft Law Revision Bill. The Bill was submitted to the Attorney General for consideration and further management.

vii) Law Revision Manual

In collaboration with key stakeholders the Commission prepared and published a Law Revision Manual. The manual contains guidelines and principles of contemporary law revision and legislative drafting. The guidelines will not only assist the Commission in the day to day revision of laws but also be a useful guide to other institutions and actors involved in legislative drafting.

viii) Revision of Subsidiary Legislation

The Commission commenced the revision of statutory instruments in 2014 as part of the major Law Revision project. During the year under review four (4) out of sixteen (16) volumes of subsidiary legislation were revised. It is expected that the revision will be completed during financial year 2017/18.

ix) Cumulative Supplement of Laws of Uganda

The Commission updated and produced a Cumulative Supplement of the Laws of Uganda as at 31st December, 2015². The Cumulative Supplement is aimed at providing the most comprehensive, up-to-date information on the status of all the laws of Uganda. The Cumulative Supplement contains the index of all the laws of Uganda, a table listing all the laws of Uganda which were repealed between January, 2001 and December, 2015, as well as the repealing Acts, a list of Acts amended from January 2001 to December, 2015, together with the amending laws and laws enacted during existence of the former East African Community

² Refer to Annex viii, for the list of 2015 Acts of Parliament

x) The Miscellaneous Laws (Repeals) Bill

As part of the major law revision project, laws which are spent or obsolete and are not required in the statute book were indentified. As part of the cleanup of the statute book, the Commission recommended that these statutes be repealed. A draft Miscellaneous Laws (Repeals) Bill was prepared and submitted to the Attorney General for consideration and further management.

xi) Status of Bills submitted to Government

The Commission initiated a number of Bills some of which were enacted into law, some were submitted to the relevant Ministries while others are still being finalised by the Commission. The table below illustrates the status, as at 31st December 2015, of bills submitted by the Commission to Government.

No.	Title of Bill	Status
1.	The Marriage and Divorce Bill, 2009	Before Parliament
2.	The Anti-Counterfeiting Bill, 2009	Before Parliament
3.	The Trade Licensing Bill, 2010	Before Parliament
4.	The Investment Code Bill, 2010	Submitted to Ministry of Trade and Industry
5.	The Financial Leasing Bill, 2015	Submitted to Ministry of Finance, Planning and Economic Development
6.	The Trial on Indictments (Amendment) Bill, 2015	Submitted to Ministry of Justice and Constitutional Affairs
7.	The Magistrates Courts (Amendment) Bill, 2015	Submitted to Ministry of Justice and Constitutional Affairs
8.	The Succession (Amendment) Bill, 2014	Submitted to Ministry of Justice and Constitutional Affairs
9.	The Administrator General (Amendment) Bill.	Submitted to Ministry of Justice and Constitutional Affairs
10.	The Witness Protection Bill, 2014	Submitted to Ministry of Justice and Constitutional Affairs
11.	The Amnesty Act (Amendment) Bill, 2015	Submitted to Ministry of Internal Affairs
12.	National Payment Systems Bill, 2015	Submitted to line Ministry
17.	Presidential Elections (Amendment) Bill, 2015.	Submitted to Ministry of Justice and Constitutional Affairs
18.	Parliamentary Elections (Amendment) Bill, 2015.	Submitted to Ministry of Justice and Constitutional Affairs
19.	The Local Government (Amendment) Bill, 2015.	Submitted to Ministry of Justice and Constitutional Affairs
20.	The National Women's Council (Amendment) Bill, 2015.	Submitted to Ministry of Justice and Constitutional Affairs

No.	Title of Bill	Status
21.	The National Youth Council (Amendment) Bill, 2015.	Submitted to Ministry of Justice and Constitutional Affairs

xii) Publications

The table below shows publications by the Commission for the year 2015.

Publication	Purpose
Witness Protection Report	To provide for the legal mechanism for the protection of witnesses
Law Revision Manual	To provide guidelines on principles of modern legislative drafting
Reprint of the Constitution Uganda Living Journal	To avail the public with copies of the constitution Provide to the public scholarly papers and articles on topical issues

The Commission has other publications for sale while some are distributed free of charge as detailed in annex VI.

2.3 REGIONAL AND INTERNATIONAL COOPERATION

The Commission regularly participates in meetings and activities of regional and international organisations and bodies. The organisations and bodies in whose activities and programs the Commission participated during 2015 are outlined below.

i) Association of Law Reform Agencies in East and Southern Africa

The Association of Law Reform Agencies of Eastern and Southern Africa (ALRAESA) was established for the purpose of exchanging and sharing ideas and best practices in law reform and developing the law within member states based on the principles of human rights, good governance and rule of law.

In the reporting period, the Uganda Law Reform Commission was elected chair of the Association during the Annual General Meeting held in Windhoek, Namibia in March 2015.

The 12th Executive Committee meeting was held in Maseru-Lesotho in November 2015 in which the following decisions were made:-

- a) the Association should establish a permanent secretariat;
- b) the Association should produce a resource book on electoral laws for member countries;

- c) introduce formal training in law reform in partnership with universities and institutions in the region; and
- d) seek accreditation of the Association with the African Union.

The Commission was mandated and tasked to lead the process of seeking support for the production of the resource book on electoral laws. In this respect engagements have been going on with the Konrad Adenauer Stiftung over the possibility of funding.

ii) East African Community activities

The Commission participated in a number of meetings and programs of the East African Community (EAC) during the year 2015. The table below shows the meetings and activities of EAC in which the Commission participated.

Date	Venue	Activity	Outputs/ Outcomes
2 nd - 5 th March	Kampala.	Task Force Meeting on Approximation and Harmonisation of National Laws in the EAC Context.	Three (3) Model Laws developed on “Genetic Resources”, “Layout- Designs of Integrated Circuits” and “Geographical Indications”. The report from the Taskforce was submitted to the Sub-Committee on Approximation and Harmonisation of Laws in the EAC context for further action
6 th - 7 th March	Kampala.	Meeting of the Sub-Committee on Approximation and Harmonisation of National Laws in the EAC context	Report of the meeting generated by the rapporteur (Uganda), signed and submitted for further action by the Sectoral Council on Legal and Judicial Affairs..
6 th - 8 th May	Arusha, Tanzania	Negotiations for the admission of the Republic of South Sudan (RoSS) into the East African Community (EAC) – 1st technical meeting	Negotiations on Cluster I (covering Trade, Economic and Financial matters) and Cluster 2 (covering Infrastructure and Services) commenced.
29 th June - 4 th July	Arusha	Negotiations for the admission of RoSS into the EAC – 2 nd technical meeting	a) Technical negotiations of Cluster I (covering Trade, Economic and Financial matters) were completed. b) Negotiations on Cluster II (covering Infrastructure and Services) were commenced and completed.

Date	Venue	Activity	Outputs/ Outcomes
			<p>Report on the outcomes and recommendations on the above clusters (I & II) for consideration by the EAC and the Republic of South Sudan Ministerial Sessions prepared and forwarded to the responsibility centre.</p>
10 th - 14 th August	Arusha, Tanzania	Council of Ministers Meeting/ Session of Senior Officials.	<p>a) Council decisions were taken on matters of: Human Resource recruitment at the EAC Secretariat and the status of implementation of previous Council Decisions by Partner States and the Secretariat.</p> <p>b) A report was prepared and is due for onward transmission for consideration by Summit.</p>
25 th -31 st August	Arusha ,Tanzania	Negotiations for the admission of RoSS into the EAC - 3 rd technical meeting	<p>a) Pending matters in customs and trade concluded</p> <p>b) Consideration of Cluster III (legal, political, peace and security) and Cluster IV (productive sectors and cross cutting issues). Commenced and completed</p> <p>c) Reports on issue a) and Clusters III and IV mentioned above were prepared and submitted to responsibility centre for further action Road map for EAC on the post negotiations period developed.</p>
9 th - 11 th November	Kampala.	Meeting of the National Implementation Committee of the EAC Common Market Protocol.	<p>A report containing key country achievements in the implementation of the Common Market Protocol was made. In the report, it was observed that the ULRC had played its role in identifying laws that need to be amended to comply with the CMP.</p> <p>The meeting however noted that not much progress had been made in harmonisation of laws to the CMP by the MDAs; thus the meeting recommended that the Expert Sub-Committee on Harmonisation of Laws be convened for the purpose of receiving progress reports on the status of implementation from the relevant MDAs.</p>

Date	Venue	Activity	Outputs/ Outcomes
11 th November		Legal advice given to Ministry of East African Community Affairs (MEACA) on Alignment of National Laws to the EAC Common Market Protocol.	The advice was communicated in a letter to the Ministry of East Africa Community Affairs
17 th November	Kampala.	A dialogue meeting with Technical Working Group on EAC matters.	A presentation was made by ULRC to the Working Group, illustrating what the ULRC had done to mainstream EAC agenda in the operations of the Commission. These included; the formal appointment of an EAC Focal Persons and budgeting for EAC activities. it was noted that that ULRC was one of the first MDAs to mainstream EAC agenda in their operations.

iii) United Nations Commission on International Trade Law

The United Nations Commission on International Trade Law (UNCITRAL) is the core legal body of the United Nations system in the field of international commercial law. It has a universal membership and it is specialized in the reform of international trade law.

The Uganda Law Reform Commission was designated by the Attorney General as the country coordinator on matters of UNCITRAL. In this role, the Commission identifies and informs the relevant government ministries and departments and advises them on which programs of UNCITRAL to participate in.

In 2015 Uganda participated in five meetings and programs of UNCITRAL as follows:-

- a) the Ministry of Finance Planning and Economic Development attended Working Group meetings on Micro, Small Medium Enterprises (MSMES) in October 2015 in Vienna, Austria;
- b) the Ministry of Trade, Industry and Cooperatives attended Working Group meetings on Micro, Small Medium Enterprises (MSMES) in October 2015 in Vienna, Austria;
- c) the Uganda Registration Services Bureau attended meetings on Security Interests in October 2015 in Vienna Austria; and

- d) the Commission attended the Plenary of the 48th UNCITRAL in July 2015 in Vienna, Austria
- e) the Commission attended the Working Group meeting on Online Dispute Resolution in December 2015 in Vienna, Austria.

2.4 ONGOING PROJECTS

During the year the Commission commenced implementation of projects but under the Law reform and Law revision departments. The projects which are still ongoing are outlined below.

i) Review of Informal justice Systems

This project is intended to take stock of the existing informal justice systems in Uganda. The objectives are;

- a) to ascertain user preferences and factors which inform those preferences in different communities;
- b) highlight the existing dissimilarities and similarities;
- c) to assess level of compliance with international human rights norms and standards; and
- d) to explore possibilities for linkages with the formal justice system.

The output will be a set of recommendations on how the informal justice systems can be utilised to enhance access to justice while promoting observance of human rights.

ii) Reform of the Explosives Act

The Explosives Act (Cap 298) was enacted during the colonial period in 1936 and has not been reviewed ever. The purpose of the Act is to regulate the manufacture, storage, sale, transportation, importation, exportation and the use of explosives in Uganda with the ultimate aim of securing the health and safety of Ugandans.

The study will review the statutes that bear relationship to explosives, review contemporary trends and challenges and consult key stakeholders. The output will be recommendations on how to improve explosives control and regulation to ensure a balance between safety and security on the one hand and impact on business and environment on the other hand.

The report and recommendations (including draft bills) will be submitted to the Minister of Internal Affairs through the Attorney General by end of June 2016.

iii) Simplification of the Contracts Act

The Commission is carrying out simplification of the Contracts Act. The purpose of the project is to present, to end-users, the Contracts Act in a simpler and easy to read form. A

draft Simplified Contract Act has been prepared and will be presented to the stakeholders to validate it in terms of diction and comprehension. It is expected to be ready for publication by June 2016.

iv) Revision of subsidiary laws

The Commission has commenced the revision of subsidiary legislation as part of the major law revision project. At the time of reporting four (4) out of twelve (12) volumes had been revised. The project is expected to be completed during the financial year 2017/18.

v) Compendium of repealed Constitutions of the Republic of Uganda

A compendium of all the repealed Constitutions of Uganda is being compiled. The purpose is to document the history of constitutional development in independent Uganda and provide a consolidated document that provides an easy point of reference on the constitutional history of Uganda.

The various laws that made direct amendments to these constitutions and those that have reference to the constitutions have been identified and collated. Where amendments were made, they will be incorporated into the respective constitutions. The Compendium will be completed and published in June 2016.

vi) Compendium of electoral laws

The Commission has compiled a compendium of electoral laws incorporating amendments made to the Constitution and Acts of Parliament relating to elections in Uganda as at 31st December 2015. The purpose of the compendium is to consolidate electoral laws and facilitate ease of reference for stakeholders. The compendium is completed and will be published by the end of March 2016.

vii) Compendium of Labour Laws

The laws to be incorporated in the compendium of labour laws have been identified and amendments have been inserted. Editing and proofreading is ongoing and the compendium will be published by the end of June 2016.

viii) Compendium of laws on Criminal law, Criminal and Civil Procedure

Preparation of this compendium is ongoing. Amendments and new Acts have been compiled. Peer review meetings to validate the document are scheduled for April 2015 and publication is expected in May 2016

ix) Translation of the Constitution into Ateso and Runyankole/Rukiga

The Commission commenced the process of translating the Constitution into Ateso and Runyankole/Rukiga during the year. At the time of reporting, a consultant to undertake the translation had been identified. The Constitution translated into Ateso and Runyankole/Rukiga will be published in June 2016.

2.5 ROLLED OVER PROJECTS

Due to the lengthy process of consultations and reviews required to successfully implement law reform projects, the average time a project takes from inception to completion is twenty four (24) months.

Due to the large volumes of laws enacted in the periods between major law revisions and factual changes in the laws, the project usually takes between three (3) to five (5) years to complete. It means therefore that most law reform and revision projects will span beyond one year of their inceptions. They therefore are rolled over into the work plan of the Commission for the succeeding years. The projects rolled over from the previous years are outlined below.

i) Reform of Succession Laws - Phase II

In 2011, the Commission identified a total of twelve (12) principal laws relating to succession which required review. It was decided that the review be undertaken in phases in view of the magnitude of the work involved. The first phase reviewed the Succession Act (Cap. 162) and the Administrator Generals Act (Cap. 157). A study report and amendment Bills were prepared and submitted to the Minister of Justice and Constitutional Affairs for further management in 2014.

The second phase commenced in 2014 and covers four (4) Acts of Parliament, namely:

- a) the Administration of Estates (Small Estates) (Special Provisions) Act, Cap 156;
- b) the Estates of Missing Persons (Management) Act, Cap 159;
- c) the Administration of Estates of Persons of Unsound Mind Act, Cap 155; and
- d) the Probate (Resealing) Act, Cap 160.

The final report and draft amendment bills will be finalised and submitted to the Minister of Justice and Constitutional Affairs in May 2016.

ii) Legislation on Sexual and Gender Based Violence

With support from the McArthur Foundation of the United States of America, the Commission is partnering with the Federation of Uganda Women Lawyers (FIDA, Uganda) to undertake a study in the area of sexual and gender-based violence. The study is examining existing national laws with the view to establishing whether mechanisms to

promote accountability and reconciliation for harm suffered through sexual and gender-based violence in conflict situations are adequate. The ultimate objective is to make proposals for comprehensive approaches and mechanisms for redressing victims of sexual and gender-based violence.

Field consultations have been carried out and the report with the draft bill and other recommendations will be finalised by the end of June 2016 and submitted to FIDA Uganda in June 2016 for further management.

iii) Model Law on Amnesty

Within the Transitional Justice framework and support from McArthur Foundation, the Commission in partnership with the Uganda Law Society and Law Development Centre, to undertake a study aimed at generating proposals to develop a model amnesty law. The model law will act as a template from which laws related to amnesty may be formulated.

Field consultations have been carried out in selected districts. The final report and draft Model Law on Amnesty will be submitted to the Uganda Law Society in July 2016.

iv) Review of the Births and Death Registration Act

The main objective of reforming the Registration of Births and Deaths Act was to facilitate the establishment of a reliable national data bank and provide for improved management of registration of births and deaths. The Commission completed the review and prepared a report.

Before the report could be submitted to the Minister of Internal Affairs, the Registration of Persons Act was enacted in March 2015. The Commission has therefore had to review the report in line with the new law. Engagement is ongoing with the Ministry of Internal Affairs on how to use the recommendations in the report to develop regulations under the Registration of Persons Act.

v) Review of the Prisons Act

The Prisons Act, Cap 304, has not been reviewed ever since its enactment. The act contains many gaps and provisions that are inconsistent with the Constitution. Some of the provisions need to be aligned to the decisions of the Supreme Court.

A case in point is the case of *Tigo Stephen vs. Uganda: Supreme Court Criminal Appeal no. 8 of 2009*, in which the Supreme Court defined life imprisonment. Other enactments define the same subject differently. These and other inconsistencies pose challenges for management of prisons and prisoners hence the need for review.

The study was completed and the study report and proposals for reform contained in the draft Prisons (Amendment) Bill will be submitted to the Minister of Internal Affairs in March 2016.

vi) Review of the Evidence Act

The study is intended to address the gaps and anomalies in the Evidence Act, (Cap. 6) and related laws and also bring the law in conformity with the changing technological circumstances and further address other emerging issues.

Consultations were held both in-country and abroad to generate consensus and benchmark best practices.

The study report and draft amendment bill will be submitted to the Minister of Justice and Constitutional Affairs in June 2016

vii) Reform of civil procedure laws and rules

In order to achieve good governance in Uganda whose principles are based on transparency, participation and adherence to principles of natural justice, there is a need to reform the civil procedural laws. The Commission commenced a study in 2013 to review the civil procedure laws and procedures. The principal and subsidiary laws reviewed include:

- a) the Civil Procedure Act, Cap 71;
- b) the Civil Procedure and Limitation (Miscellaneous Provisions) Act, Cap 72;
- c) the Distress for Rent (Bailiffs) Act, Cap 76;
- d) the Government Proceedings Act, Cap 77;
- e) the Limitation Act, Cap 80;
- f) the Civil Procedures Rule, SI 71-1;
- g) the Distress for Rent (Bailiffs) Rules, SI 76-1; and
- h) the Government Proceedings (Civil Procedure) Rules, SI 77-1.

A report together with draft bills were prepared to amend the Civil Procedure Act, Cap 71 and the Civil Procedure Rules (SI 71). Before the proposals were submitted it was found prudent to engage the judiciary, as principal end-users, over the proposals. A workshop attended by judges and justices of the courts of judicature was held in November 2015. The Commission and the judiciary are engaging to manage and complete the review. A final report and proposals will be submitted to the Minister of Justice and Constitutional Affairs in June 2016.

CHAPTER THREE

FINANCIAL PERFORMANCE

1.1 Summary of finances

The Commission is funded by the Government of Uganda directly through the Ministry of Finance, Planning and Economic Development and the JLOS/SWAP basket. During the financial year 2014/15 the Commission received a total of Ug.shs7.519 billion comprising of Ug.shs. 2.338 billion for wages, Ug.shs. 4.786 billion for non- wage recurrent, Ug.shs. 0.2 billion for development expenditures, UGX. shs. 1.333billion under JLOS SWAP as shown in the table below.

Funding to ULRC in 2014/15

Budget Category	Budget	Jun Outturn	Spent by Jun '15	% budget released	% budget spent	% releases spent
Wage	2.399	2.338	2.338	98.3	97.5	99.2
Non-Wage	4.787	4.786	4.748	100.0	99.2	99.2
Development (GoU)	0.200	0.200	0.200	100.0	99.9	99.9
Arrears	0.175	0.175	0.175	100.0	100.0	100.0
Taxes	0.055	0.00	0.00	0.0	0.0	N/A
Total	7.615	7.519	7.460	98.7	98.0	99.2
JLOS/SWAP	1.759	1.333	1.418³	76	81	106

³ The over expenditure is due to some funds carried forward from FY 2013/14

CHAPTER FOUR

CHALLENGES

In executing its mandate, the Commission is faced with a number of challenges. Key challenges include:

4.1 Shortage of logistics and equipment:

The Commission operates an old fleet of vehicles. This has adversely affected the capacity of the Commission to undertake field research and consultations.

4.2 Absence of a Law Revision Statute

The absence of legislation to facilitate law revision renders the process of the major revision of the laws of Uganda uncertain as there are no clear guidelines on how to undertake the process. For instance the period of coverage for a particular major revision, the scope and depth of revision and legal implications associated with revised laws are not clear.

4.3 Limited awareness of the existing laws

There is a limited awareness of and access to existing legislation among stakeholders. This has posed a challenge during research and consultations for law reform purposes

CHAPTER FIVE

COMMISSION PLANS FOR 2016

The Commission plans to undertake the following activities in the FY 2016/17-

5.1 Reform and simplification of laws:

- i) **Legislation aimed at** reduction/ elimination of unsafe products manufactured in Uganda;
- ii) **Legislation to** protect children from grooming for sexual exploitation;
- iii) Reform of the Arbitration and Conciliation Act, Cap. 4;
- iv) Reform of the Criminal Procedure Act, Cap. 116; and
- v) Simplification of the Public Order and Management Act, and the East African Customs Management Act.

5.2 Revision of laws;

- i) Statutory Instruments for the period 2001-2013; and
- ii) Review fines and penalties contained in the Principal and Subsidiary laws for conversion into currency points.

5.3 Publication and translation of laws;

- i) Translate the Constitution into Lugbara and Alur;
- ii) Publish the 7th Revised Edition of the Principal Laws of Uganda;
- iii) Publish the Cumulative Supplement of the Laws of Uganda; and
- iv) Publish the Uganda Living Law Journal.

5.4 Capacity building to revise and reform laws;

Train staff in legislative drafting, report writing, management, corporate governance and public relations

5.5 Participate in regional and international meetings and conferences

- i) East Africa Community
- ii) Association of Law Reform Agencies of eastern and southern Africa (ALRAESA)
- iii) United nations Commission on International Trade Law (UNCITRAL)

5.6 ULRC support services

- i) Quarterly Performance reviews;
- ii) Budget conference;
- iii) Monitoring and evaluation of projects;
- iv) Repairs and maintenance; and
- v) Subscription to Online Legal Materials, the Uganda Gazette and its Supplements i.e. Acts, Bills, Statutory Instruments, Legal Notices and Ordinances for 2016.

ANNEXES

Annex I: ULRC Commissioners as at December 2015

Name	Title	Status
Mrs. Vastina Rukimirana Nsanze	Commissioner	Contract
Dr. Peregrine Kibuuka	Commissioner	Contract
Mr. John Mary Mugisha	Commissioner	Contract
Mrs. Margaret Tiyo Ayiseni	Commissioner	Contract
Dr. Harriet Diana Musoke	Commissioner	Contract
Mr. Peter Wandera	Commissioner	Contract

Annex II: Members of the ULRC Appointments Board as at December 2015.

	Name	Title /Institution
1.	Mrs. Vastina Rukimirana Nsanze	Chairperson, Uganda Law Reform Commission.
2.	Dr. Peregrine Kibuuka	Member, Uganda Law Reform Commission.
3.	Mr. Peter Wandera	Member, Uganda Law Reform Commission.
4.	Mr. Francis L. Oryang	Member, Public Service Commission.
5.	Mr. Kiguli Herbert	Member, Ministry of Public Service.
6.	Ms. Margaret Apiny	Member, Ministry of Justice & Constitutional Affairs.
7.	Mr. Lucas Omara Abong	Secretary, Uganda Law Reform Commission.

Annex III: Staffing position as at December 2015.

No.	Name	Post/Title	Status
1	Lucas Omara Abong	Secretary	Contract
2	David Obol Otori	Undersecretary	Permanent
3	Patrick Mabiho Nyakaana	Commissioner	Permanent
4	Florence Ochago	Commissioner	Permanent
5	Moses Apopel	Principal Assistant Secretary	Permanent
6	Jeroline Akubu	Principal Legal Officer	Permanent
7	Annet Koote	Principal Legal Officer	Permanent
8	Philip Odoki	Principal Legal Officer	Permanent
9	Isabel Omal	Principal Legal Officer	Permanent
10	Jackie Akuno	Principal Legal Officer	Permanent
11	Esther Majambere	Principal Legal Officer	Permanent
12	Zitta Nadunga	Principal Personal Secretary	Permanent
13	Peter Wambete M.	Sen. Personnel Officer	Permanent
14	James Musaazi	Senior Economist	Permanent
15	Jane Frances Adongo	Senior Sociologist	Permanent
16	Lilliane Kiwanuka	Senior Legal Officer	Permanent
17	Tessa Kawooya Bakayana	Senior Legal Officer	Permanent
18	Andrew Khaukha	Senior Legal Officer	Permanent
19	Agnes Kisamba	Senior Legal Officer	Permanent
20	Frances Katooko	Senior Legal Officer	Permanent
21	Beatrice Mugisha	Sen. Personal Secretary	Permanent
22	George Atwijukire	Senior Accountant	Permanent
23	Kenneth Rutaremwa	Legal Officer	Permanent
24	Sheila Lamuno	Legal Officer	Permanent
25	Eugene Okello Pacelli	Legal Officer	Permanent
26	Carol Nibarungyi	Legal Officer	Permanent
27	Patricia Arwako	Legal officer	Permanent
28	Babra Turyasingura	Legal Officer	Permanent
29	Babra Irakiza	Personnel Officer	Permanent
30	Charles Birungi	Sociologist	Permanent
31	Prossy Nassanga	Librarian	Permanent
32	Paul Nathan Magera	Procurement Officer	Permanent
33	Jonathan Mwebe	Systems Administrator	Permanent
34	Moses Wambi	Sen. Asst. Records Officer	Permanent

No.	Name	Post/Title	Status
35	Joyce Murungi	Personal Secretary	Permanent
36	Margaret Khakasa	Personal Secretary	Permanent
37	Grace Nerima	Personal Secretary	Permanent
38	Winfred Tuhaise	Sen. Accounts Asst.	Permanent
39	James Manda	Sen. Accounts Asst.	Permanent
40	Richard Kamure	Office Supervisor	Permanent
41	Josephine Bahingire	Steno Secretary	Permanent
42	Enock Ekallam Adoa	Asst Procurement Off	Permanent
43	Samuel Lwanga	Accounts Asst.	Permanent
44	Leonard Baguma Morototo	Accounts Asst.	Permanent
45	Miria Kyobutungi	Receptionist	Permanent
46	Moses Malinga	Records Assistant	Permanent
47	Joy Nandudu	Office Typist	Permanent
48	Angella Ssamanya	Office Typist	Permanent
49	Emily Kiconco	Office Attendant	Permanent
50	Samuel Mubakye	Office Attendant	Permanent
51	Kariwabo Eric	Office Attendant	Permanent
52	Laban Turyatamba	Office Attendant	Permanent
53	Margaret Namuddu	Office Attendant	Permanent
54	Simon Onzima	Driver	Permanent
55	Joseph Kayiira	Driver	Permanent
56	Karoli Ekajo	Driver	Permanent
57	Peter Kaminza	Driver	Permanent
58	Sulaiman Salim	Driver	Permanent
59	Agaba Nuwagaba	Driver	Permanent

Annex IV: Staff trainings

No.	Title	Course	Institution
1	Senior Economist	Monitoring and Evaluation	Uganda Management Institute
2	Records Assistant	Bachelor of Office and information Management	Makerere University
3	Office typist	Bachelor of office and information Management	Makerere University
4	Receptionist	Bachelor of Information and Records Management	Makerere University

Annex V: Workshops and Conferences attended by Commission staff, 2015

Date	Workshop	Officer
5 th Jan	Immigration laws review at Ministry of Internal Affairs	Jackie Akuno
13 th – 14 th Jan	JLOS Budget Framework Paper meeting at Esella Country Hotel	James Musaaazi
14 th Jan	Immigration laws review at Ministry of Internal Affairs	Jackie Akuno
15 th Jan	Financial leasing meeting at Ministry of Finance Planning and Economic Development	Khaukha Andrew
23 rd Jan	Plea bargainig in Masaka High Court	Khaukha Andrew
23 rd Jan	Human rights review of recommendations at Protea Hotel	Annet Koote
28 th Jan	Stakeholders' meeting to discuss complementary and adjudication of cyber crime	Jero Akubu, Jane Frances Adongo, Patrick Nyakaana
28 th Jan	Meeting at MFPED on Financial leasing	Khaukha Andrew
28 th Jan	JLOS Access to justice meeting at the Ministry of justice	Kisamba Agnes
9 th – 13 th Feb	Meeting with NITA (U) at Esella Country Hotel to finalise Data Protection and Privacy Bill	Lillianne Kiwanuka
13 th Feb	Stakeholders meeting on HIV/AIDS at the Aids Commission	Irakiza Barbra
18 th Feb	Finalising a multisectoral framework for monitoring and reporting on Gender Empowerment and Women Equality	James Musaaazi
18 th Feb	Preliminary consultation of succession laws at Fida (U)	Annet Koote
20 th Feb	Plea bargaining session at Kampala High Court	Annet Koote
3 rd – 5 th Mar	Stakeholders' meeting on the Draft Financial Institutions (Amendment) Bill, 2014	Kisamba Agnes
5 th Mar	National monitoring and evaluation technical working group meeting at OPM	James Musaaazi
6 th Mar	Validation meeting at HURIPEC, MUK	Koote Annet
11 th Mar	TIER 4 Meeting at the MoFPED	Agnes Kisamba
12 th Mar	Validation workshop for the HRBA tools at Imperial Royale	James Musaaazi
16 th Mar	TIER (4) meeting at MoFPED	Kisamba Agnes
16 th – 17 th Mar	GHAPR retreat at OPM	James Musaaazi
17 th Mar	Launch of the Roll out Alternative Dispute Resolution, Ministry of Justice, Imperial Royale	Kisamba Agnes
30 th Mar	EAC meeting of the National Implementation Committee (NIC), Imperial Royale	Isabel Omal
31 st Mar – 1 st Apr	Consultative meeting on the Refugee Act, 2006, Imperial Royale	Koote Annet
31-Mar	Launch of the National Policy on EAC intergration (NPEACI), Imperial Royale	Isabel Omal
9 th Apr	TIER (4) Bill meeting, Ministry of MoFPED	Kisamba Agnes

9 th Apr	Meeting with Religious leaders to discuss the Marriage and Divorce Bill at Namirembe	Kiwanuka Lillianne
24 th – 25 th Apr	Uganda Law society AGM and Annual Conference	Kisamba Agnes
	Meeting with world Bank Consultant on Financial leasing	Khaukha Andrew
14 th May	International family Day symposium (Imperial Royale)	Irakiza Barbra
26 th – 28 th May	Training in indicator profiling and setting at Civil Society College – Jinja	Musaazi James
21 st – 22 nd May	Meeting to discuss Registration of persons Registration at Sheraton Kampala	Kiwanuka Lillianne
26 th – 27 th Jun	Annual Retreat LMS for HIV/AIDS Source of the Nile Hotel Jinja	Babra Irakiza

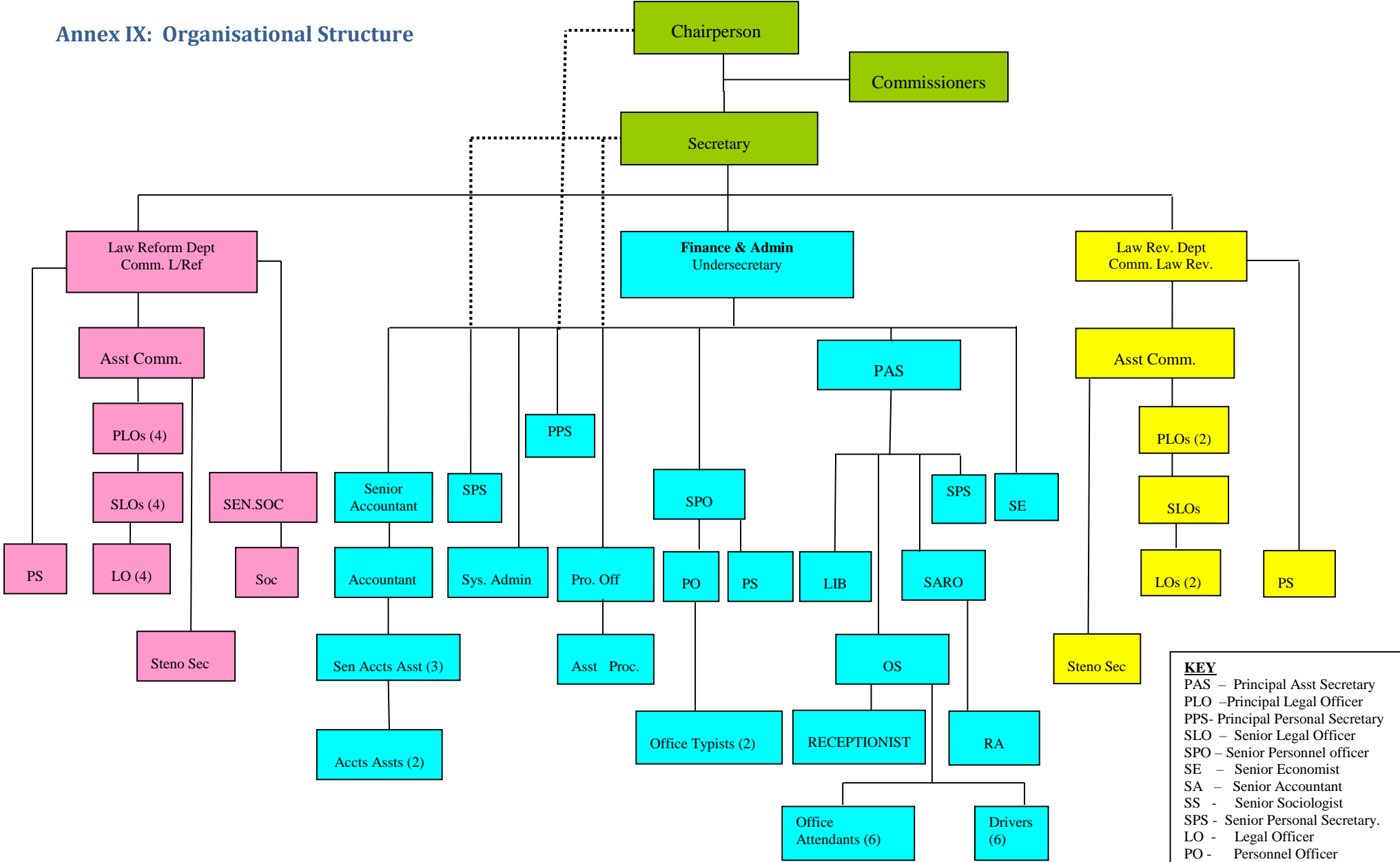
Annex VI: Other publications

Publication	Status	Amount (Ushs)
Revised subsidiary laws 2000.	Available	1,000,000
Revised Subsidiary Laws (2001 – 2004), Set.	Available	300,000
Revised Principal Laws (2001 -2004), Set.	Available	400,000
Index of laws of Uganda as at Dec 2013.	Available	40,000
Compendia of Commercial laws.	Available	200,000
Compendia of Land Laws.	Available	120,000
Pocket size constitution.	Available	25,000
Publications for free distribution		
Simplified Constitution of Uganda (<i>Runyoro-Rutooro</i>).	Available	N/A
Pocket size Contracts Act and Mortgage Act.	Available	
Uganda Living Law Journal.	available	

Annex VIII: Acts of Parliament made in 2015.

1. The HIV and AIDS Prevention and Control Act, 2015, Act No. 1 of 2015
2. The Supplementary Appropriation Act, 2015, Act No. 2 of 2015
3. The Public Finance Management Act, 2015, Act No. 3 of 2015
4. The Registration of Persons Act, 2015, Act No. 4 of 2015
5. The Value Added Tax (Amendment) Act, 2015, Act No. 5 of 2015
6. The Business Licences (Miscellaneous Repeals) Act, 2015, Act No. 6 of 2015
7. The Excise Duty (Amendment) Act, 2015, Act No. 7 of 2015
8. The Finance Act, 2015, Act No. 8 of 2015
9. The Anti-Terrorism (Amendment) Act, 2015, Act No. 9 of 2015
10. The Appropriation Act, 2015, Act No. 10 of 2015
11. The Income Tax (Amendment) Act, 2015, Act No. 11 of 2015
12. The Constitution (Amendment) Act, 2015, Act No. 12 of 2015
13. The Public Private Partnerships Act, 2015, Act No. 13 of 2015
14. The Presidential Elections (Amendment) Act, 2015, Act No. 14 of 2015
15. The Parliamentary Elections (Amendment) Act, 2015, Act No. 15 of 2015
16. The Local Governments (Amendment) Act, 2015, Act No. 16 of 2015
17. The National Women’s council (Amendment) Act, 2015, Act No. 17 of 2015
18. The National Council for Older Persons (Amendment) Act, 2015, Act No. 18 of 2015
19. The National Council for Disability (Amendment) Act, 2015, Act No. 19 of 2015
20. The National Youth Council (Amendment) Act, 2015, Act No. 20 of 2015
21. The Anti-Corruption (Amendment) Act, 2015, Act No. 21 of 2015
22. The Tobacco Control Act, 2015, Act No. 22 of 2015
23. The Public Finance Management Act, 2015, Act No. 23 of 2015
24. The Parliamentary Pensions (Amendment) Act, 2015, Act No. 24 of 2015
25. The Parliamentary Amendment (Amendment) (No.2) Act, 2015, Act No. 25 of 2015
26. The Uganda Wildlife Conservation Education Centre Act, 2015, Act No. 26 of 2015
27. The Hotel and Tourism Training Institute (HTT) Act, 2015, Act No. 27 of 2015
28. The Trade (Licensing) (Amendment) Act, 2015, Act No. 28 of 2015

Annex IX: Organisational Structure



- KEY**
- PAS – Principal Asst Secretary
 - PLO –Principal Legal Officer
 - PPS- Principal Personal Secretary
 - SLO – Senior Legal Officer
 - SPO – Senior Personnel officer
 - SE – Senior Economist
 - SA – Senior Accountant
 - SS - Senior Sociologist
 - SPS - Senior Personal Secretary.
 - LO - Legal Officer
 - PO - Personnel Officer
 - PS - Personal Secretary
 - Soc. - Sociologist
 - Pro.Off – Procurement Officer
 - Lib – Librarian
 - SARO – Sen Asst Records Off
 - OS - Office Superintendent