

ACTS SUPPLEMENT

*to The Uganda Gazette No. 2 Volume CIV dated 14th January, 2011.*

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

Act 1

*Kampala Capital City Act*

2011

THE KAMPALA CAPITAL CITY ACT, 2010

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## THE KAMPALA CAPITAL CITY ACT, 2010

An Act to provide, in accordance with article 5 of the Constitution, for Kampala as the capital city of Uganda; to provide for the administration of Kampala by the Central Government; to provide for the territorial boundary of Kampala; to provide for the development of Kampala Capital City; to establish the Kampala Capital City Authority as the governing body of the city; to provide for the composition and election of members of the Authority; to provide for the removal of members from the Authority; to provide for the functions and powers of the Authority; to provide for the election and removal of the Lord Mayor and the Deputy Lord Mayor; to provide for the appointment, powers and functions of an executive director and deputy executive director of the Authority; to provide for lower urban councils under the Authority; to provide for the devolution by the Authority of functions and services; to provide for a Metropolitan Physical Planning Authority for Kampala and the adjacent districts; to provide for the power of the Minister to veto decisions of the Authority in certain circumstances and for related matters.

DATE OF ASSENT: 28th December, 2010

*Date of Commencement:* See Section 1.

BE IT ENACTED by Parliament as follows:

## PART I—PRELIMINARY

**1. Commencement**

This Act shall come into force on a date appointed by the Minister by statutory instrument; and the Minister may appoint different dates for the commencement of different provisions.

**2. Interpretation**

In this Act, unless the context otherwise requires—

“Authority” means the Kampala Capital City Authority established by section 5;

“Capital City” means Kampala Capital City;

“councilor” means a member of the Authority, a division urban council, ward urban council or a village urban council;

“currency point” has the meaning assigned to it in the First Schedule;

“Lord Mayor” means the Lord Mayor of Kampala Capital City;

“lower urban council” means a division urban council, a ward urban council, a village urban council and a street committee within the Capital City;

“mayor” means the Chairperson of a division urban council;

“Metropolitan area” means the area of jurisdiction of the Authority together with the neighbouring districts of Mpigi, Wakiso including Mengo Municipality and Mukono;

“Metropolitan Authority” means the Metropolitan Physical Planning Authority established by section 20;

“Minister” means the Minister responsible for the Capital City.

PART II—DECLARATION OF KAMPALA AS CAPITAL CITY AND  
DELINEATION OF ITS BOUNDARY**3. Declaration of Kampala as capital city**

(1) In accordance with article 5 of the Constitution, Kampala, located in Buganda, is declared the capital city of Uganda.

(2) The Capital City shall, in accordance with article 5 of the Constitution be administered by the central government.

**4. Boundary of Capital City**

(1) The territorial boundary of the Capital City shall be as delineated in the Second Schedule to this Act.

(2) Upon the commencement of this Act, any entity that immediately before the commencement of this Act existed as a local government in the area delineated under subsection (1) shall cease to be a local government.

(3) The Minister may, in consultation with the Authority and with the approval of Cabinet, establish divisions within the Capital City and alter the boundaries of those divisions.

(4) The Minister may, in consultation with the Authority, establish within the Capital City, ward urban councils and village urban councils and may alter the boundaries of those councils.

## PART III—GOVERNANCE OF KAMPALA CAPITAL CITY

**5. Kampala Capital City Authority**

(1) There shall be an Authority to be known as Kampala Capital City Authority.

(2) The Authority shall be a body corporate with perpetual succession and may sue and be sued in its corporate name and do, enjoy or suffer anything that may be done, enjoyed or suffered by a body corporate.



(3) The Authority is the governing body of the Capital City and shall administer the Capital City on behalf of the central government subject to this Act.

(4) Any enactment that applies to a district shall, subject to this Act and with the necessary modifications, apply to the Authority.

## 6. Composition of Authority

(1) The Authority shall consist of the following members—

- (a) the Lord Mayor;
- (b) the Deputy Lord Mayor;
- (c) one councillor directly elected by secret ballot to represent each electoral area in the Capital City on the basis of universal adult suffrage;
- (d) two councillors representing the youth, one of whom shall be female;
- (e) two councillors with disability representing persons with disabilities, one of whom shall be female;
- (f) women councillors forming one third of the Authority such that the councillors elected under paragraphs (c), (d) and (e) shall form two thirds of the Authority;
- (g) one councillor representing each of the following professional bodies—
  - (i) Uganda Institution of Professional Engineers;
  - (ii) Uganda Society of Architects;
  - (iii) Uganda Medical Association;
  - (iv) Uganda Law Society.



(2) A person is not qualified to be a councillor unless he or she is a citizen of Uganda.

7. **Functions of Authority**

(1) The functions of the Authority are—

- (a) to initiate and formulate policy;
- (b) to set service delivery standards;
- (c) to determine taxation levels;
- (d) to monitor the general administration and provision of services in the divisions;
- (e) to enact legislation for the proper management of the Capital City;
- (f) to promote economic development in the Capital City;
- (g) to construct and maintain roads;
- (h) to construct and maintain major drains;
- (i) to install and maintain street lights;
- (j) to organize and manage traffic;
- (k) to carry out physical planning and development control;
- (l) to monitor the delivery of services within its area of jurisdiction;
- (m) to assist in the maintenance of law, order and security;
- (n) to draw the attention of the divisions to any matter that attracts the concern or interest of the Authority;
- (o) to mobilise the residents of the Capital City to undertake income generating activities and self-help community projects;
- (p) to assist the City division in mobilising the residents to pay local taxes;

- (q) to register the residents in their area of jurisdiction;
- (r) to register births and deaths in their area of jurisdiction; and
- (s) to perform any other function given to the Authority by the central government.

(2) Notwithstanding anything in this Act the Authority shall in addition perform the functions and services prescribed in Parts A, B and C of the Third Schedule.

(3) The Ministries responsible for health and environment shall oversee the public health and environment matters respectively in the Capital City.

(4) The Ministry responsible for the administration of the Capital City shall supervise, guide, inspect, monitor and coordinate the governance activities of the Capital City in order to ensure compliance with this Act and any other law.

## **8. Legislative powers of Authority**

(1) The Authority shall have power to make ordinances of the Authority not inconsistent with the Constitution or any other law made by Parliament.

(2) The power of the Authority to make ordinances shall be exercised by the passing of local bills into ordinances by the Authority and signed by the Lord Mayor.

(3) A local bill passed by the Authority shall, before it is signed by the Lord Mayor, be forwarded to the Attorney General through the Minister to certify that the local bill is not inconsistent with the Constitution or any other law enacted by Parliament.

(4) Where the Minister on the advice of the Attorney General is of the opinion that a bill for an ordinance contravenes or derogates from the Constitution or other law made by Parliament, he or she shall, within ninety days after receipt of the bill, return the bill with his or her comments to the Authority for modification or other appropriate action.

(5) A bill enacted by the Authority and signed by the Lord Mayor under this section shall be an ordinance of the Authority and shall be published in the *Gazette* and in the local media.

(6) Every member of the Authority has a right to introduce a bill for an ordinance in the Authority.

## 9. Lord Mayor

(1) There shall be a Lord Mayor and a Deputy Lord Mayor of the Capital City.

(2) The Lord Mayor shall be elected by universal adult suffrage through a secret ballot at an election organized by the Electoral Commission.

(3) The Deputy Lord Mayor shall be appointed from among the members of the Authority by the Lord Mayor with the approval of the Authority.

(4) The Lord Mayor and Deputy Lord Mayor shall serve on a full time basis.

## 10. Qualifications of Lord Mayor and Deputy Lord Mayor

A person is not qualified to be elected as Lord Mayor or Deputy Lord Mayor unless he or she is qualified to be elected a member of Parliament.

## 11. Functions of Lord Mayor

(1) The functions of the Lord Mayor are to—

- (a) be the political head of the Capital City;
- (b) preside over all meetings of the Authority;
- (c) perform ceremonial functions and civic functions;
- (d) host foreign and local dignitaries;
- (e) head the Authority in developing strategies and programmes for the development of the Capital City;

- (f) monitor the administration of the Capital City;
- (g) provide guidance to the division administrations; and
- (h) represent the Capital City on the Metropolitan Authority.

(2) The Lord Mayor shall in the performance of his or her functions, be answerable to the Authority and the Minister.

(3) The Deputy Lord Mayor shall assist the Lord Mayor in the performance of his or her functions and shall otherwise deputise for the Lord Mayor in his or her absence.

## 12. Vacation of office of Lord Mayor or Deputy Lord Mayor

(1) The Lord Mayor and Deputy Lord Mayor may be removed from office by the Authority by resolution supported by not less than two thirds majority of all the members of the Authority on any of the following grounds—

- (a) abuse of office;
- (b) incompetence;
- (c) misconduct or misbehavior;
- (d) physical and mental incapacity rendering him or her incapable of performing the duties of Lord Mayor or Deputy Lord Mayor;
- (e) failure to convene two consecutive meetings of the Authority without reasonable cause; or
- (f) corruption.

(2) Notwithstanding subsection (1), the seat of the Lord Mayor or Deputy Lord Mayor shall fall vacant if—