

STATUTORY INSTRUMENTS

SUPPLEMENT No. 17

8th June, 2012

**STATUTORY INSTRUMENTS SUPPLEMENT**

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STATUTORY INSTRUMENTS 2012 No. 39.

**The Kampala Capital City (Election of Representatives of Professional Bodies),  
Regulations, 2012.**

(Under sections 13(3) and 82 of the Kampala Capital City Act, 2011 (Act No. 1 of 2011))

In the exercise of the powers conferred upon the Minister responsible for the Kampala Capital City by sections 13 (3) and 82 of the Kampala Capital City Act, 2011 and in consultation with the Electoral Commission, these Regulations are made this 12th day of April, 2012.

1. Title.

These Regulations may be cited as the Kampala Capital City (Representatives of Professional Bodies) Regulations, 2012.

2. Application.

These Regulations apply to the election of the representatives of the professional bodies for the purposes of section 6(1) (g) of the Act.

3. Interpretation.

In these Regulations, unless the context otherwise requires- “Act” means the Kampala Capital City Act, 2011;

“Authority” means the Kampala Capital City Authority;

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“Commission” means the Electoral Commission;

“election” means the election of a representative of a prescribed body under these Regulations;

“prescribed body” means a professional body referred in section 6(1) (g) of the Act;

“returning officer” means a returning officer appointed by the Commission under Regulation.

4. Electoral college for prescribed bodies.
  1. There shall be an electoral college for the election of each of the councilors representing the prescribed bodies on the Authority, consisting of the voting members of that prescribed body.
  2. The electoral college for each prescribed body shall be the governing council or such other similar body.
5. Qualifications of representatives of prescribed bodies.

For a person to qualify to represent a prescribed body on the Authority he or she shall have the following qualifications—

- a. he or she shall be a member of the prescribed body qualified to vote in elections of that prescribed body; and
  - b. he or she shall be qualified to be a councilor in accordance with section 116 of the Local Governments Act Cap. 243.
6. Resignation of representatives of prescribed bodies.

The provisions relating to resignation from office applicable to councilors under the Local Governments Act shall apply to a councilor representing a prescribed body.

7. Nomination days.
  1. The Commission shall in consultation with the prescribed body, appoint nomination days for an election under these Regulations.

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(2) The forms in the Schedule to these Regulations shall apply to the nomination of candidates for elections under these Regulations.

8. Polling days.

The Commission in consultation with the respective prescribed body shall appoint the polling days for the elections.

9. Campaign period.

The nominated candidate shall make representations to the electoral college in the presence of an observer from the Commission.

10. Vacancy in electoral college.

A vacancy which occurs in an office the holder of which is required to be a member of an electoral college under these Regulations for the purposes of an election shall not effect the result of an election.

11. Election officers.

The Commission shall appoint returning officers and other election officers as the Commission considers necessary for the purposes of an election under these Regulations.

12. Results of election.

1. The returning officer shall, as soon as possible notify the Commission of the result of an election under these Regulations.
2. A returning officer shall notify the Commission of the result of an election under these Regulations in accordance with the Local Governments Act with necessary modifications including modifications to prescribed forms as may be necessary.

13. Recall of representative.

1. A person representing a prescribed body on the Authority may be recalled and cease to be a member if that person ceases to reflect the interests of the prescribed body.
2. A person may be recalled under subregulation (1) only if a petition is submitted to the relevant electoral college by not less than three quarters of the members of the electoral in question addressed to the Lord Mayor.

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3. Upon receipt by the Lord Mayor of a petition referred to in subregulation (2) the Lord Mayor shall within seven days require the Commission to conduct an inquiry into the matters alleged in the petition and the Commission shall expeditiously conduct the necessary inquiry and report its findings to the Lord Mayor.
4. The Lord Mayor shall declare the seat of the representative vacant if the Commission reports that it is satisfied from the inquiry made with the genuineness of the petition; or declare that the petition was unjustified if the Commission reports that it is not satisfied with the genuineness of the petition.
5. The Commission shall during the inquiry under this regulation, give to the representative an opportunity to defend himself or herself against any allegation made against him or her.

14. Settlement of disputes.

The powers of the Commission to the settlement of disputes as provided in section 15 of the electoral Commission Act, Cap. 140 shall, with the necessary modifications, apply to the election of representatives of prescribed bodies under these Regulations.

15. By-elections.

A by-election arising out of the death or resignation or recall of a representative of a prescribed body or otherwise shall be conducted in accordance with the provisions governing the filing of vacancies as prescribed in the Local Governments Act with the necessary modifications.

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SCHEDULE

NOMINATION PAPER (FILL IN TRIPLICATE)

COUNCILLORS REPRESENTING PROFESSIONAL BODIES TO KAMPALA CAPITAL CITY AUTHORITY

We, the undersigned registered voters and members of.....

Professional Body (Electoral College) hereby propose the under mentioned person as a candidate for election as a Councillor representing

..... (Professional Body) in

Kampala Capital City Authority and we certify that to the best of our knowledge and belief he/she is qualified to be elected as such.

Particulars of Person to be nominated:

- Surname in full
- Other Names
- Address/Telephone No.
- Occupation/Profession
- Voter Personal ID No. (8 digits)
- Age
- Sex
- Address for Service of Process and Papers

Signature of person to be nominated

Date

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NOMINATION PAPER

Particulars of Persons Making Nomination:

	Name	Professional Body	Voter Personal ID No. (8 digits)	Signature
Proposer				
Secunder				

Certified by..... Professional Body

Name of Certifying Officer :

Designation: .....

Signature: .....

Please authenticate with the Official Stamp or Seal

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We, the undersigned registered voters and Members of.....

Professional Body (Electoral College) ....., hereby

support the nomination of.....

No.	Names of Persons Supporting Nomination of Candidate	Voter Personal ID No. (8 digits)	Profession	Occupation	Signature
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- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

Certified by..... (Professional Body)

Signature and stamp..... Date

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### APPOINTMENT OF OFFICIAL AGENT OF CANDIDATE

(To be filled in by person to be nominated as a Candidate)

I, ..... aspiring

candidate for councillor representing

(Professional Body) appoint:

Names (Surname first) .....

of Voter Personal ID No. (8 digits) .....,

Address .....,

Occupation .....,

to be my official agent for election as Councillor representing.....

(Professional Body) in Kampala Capital City Authority.

Signature of aspiring candidate..... Date:.....

ACCEPTANCE OF APPOINTMENT

(To be filled in by Official Agent)

I..... of the above names,

Voter Personal ID Number, address and occupation, do consent to my appointment as official agent of the candidate named in this Nomination Paper.

Signature of Official Agent..... Date:

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OATH AUTHENTICATING STATEMENT

- solemnly swear in the name

of the Almighty God/solemnly affirm that the statement in this Nomination Paper of my name, age, address, occupation, address for service of process and papers and the name and address of my appointed agent and membership to

..... (Professional Body) are correct to the

best of my knowledge and belief.

Signature of Person to be Nominated..... Date: .....

Before me

[A Commissioner for Oaths or Magistrate, Registrar of High Court (including Deputy and District Registrar) or other person authorised by law to administer oaths.]

Date:

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STATEMENT UNDER OATH BY PERSON TO BE NOMINATED AS A DISTRICT/CITY COUNCILLOR

I..... , do solemnly

and sincerely state that:

1. I am a citizen of Uganda.

- 2. I am not below the age of eighteen years.
- 3. I am registered as a voter in.....

Electoral Area,..... District with Voter

Personal ID No. (8 digits).....

- 4. I am not a traditional or cultural leader (as defined in clause (6) of article 246 of the Constitution of Uganda)
- 5. I do not owe allegiance to any country other than Uganda.
- 6. I am not under sentence of death or other sentence of imprisonment without the option of a fine, imposed on me by any competent court.
- 7. I have not been adjudged or otherwise declared—
  - i. Bankrupt under any law in force in Uganda from which I have not been discharged; nor
  - ii. To be of unsound mind, under any laws in force in Uganda
- 8. I am not disqualified—
  - i. by reason of my holding or acting in any office the functions of which involve a responsibility for or in connection with the conduct of an election;
  - ii. For any other reason under the Local Government Act, (Cap. 243) as amended or any other law in force in Uganda.

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Before me

[A Commissioner for Oaths or Magistrate, Registrar of High Court (including Deputy and District Registrar) or other person authorised by law to

administer oaths.]

Date:

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**CONSENT TO NOMINATION AS A CANDIDATE**

I do consent to my nomination as candidate for Councillor representing.....



(Professional Body) in Kampala Capital City Authority, and I make this solemn statement knowing and believing it to be true.

Subscribed and solemnly declared by me at..... ,

on this ..... day of ..... , 20.....

Names of person to be nominated as candidate .....

Signature of person to be nominated

Before me

[A Commissioner for Oaths or Magistrate, Registrar of High Court (including Deputy and District Registrar) or other person authorised by law to administer oaths.]

Date:

HON. WILSON MURULI MUKASA,

Minister for Security, the Minister in charge of the Presidency and

Kampala Capital City.