

ACTS SUPPLEMENT

to The Uganda Gazette No. 44 Volume CI dated 29th August, 2008.

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

Act 14

*Law Revision (Fines and other Financial
Amounts in Criminal Matters) Act*

2008

**THE LAW REVISION (FINES AND OTHER FINANCIAL
AMOUNTS IN CRIMINAL MATTERS) ACT, 2008.**

ARRANGEMENT OF SECTIONS.

Section.

1. Application.
2. Interpretation
3. Ratio of fines to imprisonment.
4. Fines in legislation without accompanying terms of imprisonment.
5. Compensation and other financial amounts in existing legislation.
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8. Attorney General to cause Penal Code to be reprinted.

**THE LAW REVISION (FINES AND OTHER FINANCIAL
AMOUNTS IN CRIMINAL MATTERS) ACT, 2008.**

An Act to provide for the revision of fines and other financial amounts prescribed in written laws relating to criminal matters in order to cater for the fall in the value of the Uganda currency over the years owing to inflation and other causes; to provide for a standardised ratio between fines and related terms of imprisonment; to convert fines and other financial amounts in written laws in criminal matters into currency points at a prescribed value; to empower the Minister to vary the value of a currency point; and to provide for other matters related to the foregoing.

DATE OF ASSENT: 25th July, 2008.

Date of Commencement: 29th August, 2008.

BE IT ENACTED by Parliament as follows:

1. Application.

This Act applies to any written law relating to criminal matters which makes provision for fines and other financial amounts.

2. Interpretation.

In this Act, unless the context otherwise requires—

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“currency point” has the value prescribed in the Schedule to this Act;

“Minister” means Minister responsible for justice;

“written laws” includes a provision of a written law.

3. Ratio of fines to imprisonment.

(1) In any written law to which this Act applies and in force immediately before the commencement of this Act, where a fine is prescribed in relation to a term of imprisonment, the ratio of the fine to imprisonment shall be two currency points to each month of imprisonment.

(2) Subject to this Act, any penalties prescribed in any written law referred to in subsection (1) shall be read as if the ratio of fine to imprisonment prescribed by this section has been applied to them.

4. Fines in legislation without accompanying terms of imprisonment.

(1) Where any written law in force on the 15th day of May, 1987 prescribes a fine but does not prescribe any term of imprisonment in relation to the fine, then the prescribed fine shall be multiplied by a factor of ten thousand and converted into currency points at the value of currency point specified in the Schedule to this Act.

(2) Where any written law which came into force after the 15th day of May, 1987 but before the 1st day of January, 1990 prescribes a fine but does not prescribe a term of imprisonment in relation to the fine, then the fine shall be multiplied by a factor of one hundred and converted into currency points at the value of currency point specified in the Schedule to this Act.

5. Compensation and other financial amounts in existing legislation.

(1) Where any written law in force on the 15th day of May, 1987 prescribes any amount as compensation or other financial amount not being a fine, the amount shall be multiplied by a factor of ten thousand and converted into currency points at the value of currency point specified in the Schedule to this Act.

(2) Where any written law which came into force after the 15th day of May, 1987 but before the 1st day of January, 1990 prescribes any amount as compensation or other financial amount not being a fine, the amount shall be multiplied by a factor of one hundred and converted into currency points at the value of currency point specified in the Schedule to this Act.

6. Application of ratio of fines and imprisonment to specific enactments.

(1) Section 180 of the Magistrates Courts Act shall have effect as if there were substituted for the financial amounts and periods of imprisonment prescribed in paragraph (d) the following—

“Amount	Maximum Period
Not exceeding 0.5 of a currency point	7 days
Exceeding 0.5 of a currency point but not exceeding one currency point	14 days
Exceeding one currency point but not exceeding two currency points	1 month
Exceeding two currency points but not exceeding three currency points	6 weeks
Exceeding three currency points but not exceeding six currency points	3 months
Exceeding six currency points	12 months.”

(2) Section 110 of the Trial on Indictments Act relating to imprisonment for non-payment of fines shall have effect with the substitution for the fines and periods of imprisonment specified in paragraph (d) of the following—

“Amount	Maximum period
Not exceeding 0.5 of a currency point	7 days
Exceeding 0.5 of a currency point but not exceeding one currency point	14 days
Exceeding one currency point but not exceeding two currency points	1 month
Exceeding two currency points but not exceeding three currency points	6 weeks
Exceeding three currency points but not exceeding six currency points	3 months
Exceeding six currency points	12 months”

(3) For the avoidance of doubt, “currency point” as referred to in the amendments specified in subsections (1) and (2) of this section has the value specified in the Schedule to this Act.

7. Power of Minister to make statutory instruments.

(1) The Minister may, by statutory instrument, made after consultation with the Minister responsible for finance and with the approval of Parliament—

- (a) amend the value of the currency point specified in the Schedule to this Act;
- (b) amend the value of the currency point specified in any written law.

(2) The Minister may, by statutory instrument, with the approval of Parliament, modify any written law—

- (a) to give effect to the principles stated in this Act;

- (b) for the purpose of removing any doubt in the application of the provisions of this Act;
- (c) for the purpose of removing any injustice or inconsistency arising out of the application of the principles stated in this Act.

(3) For the avoidance of doubt, the Minister may, under this section, for easy application of any amount converted under this Act into currency points, cause the amount to be rounded upwards or downwards to the nearest whole amount higher or lower.

8. Attorney General to cause Penal Code Act to be reprinted.

(1) The Attorney General shall, as soon as practicable after the coming into force of this Act, cause the Penal Code Act to be reprinted in the exercise of the powers of the Attorney General under section 18 of the Acts of Parliament Act.

(2) The reprint made under this section shall reflect the amendments arising out of the application of this Act.

(3) Notwithstanding anything in the Acts of Parliament Act, the Attorney General may, in the reprint, make such adjustments in the application of the principles in this Act as appear to the Attorney General to be practical and just for the purpose of clarifying the effect of the Penal Code Act and for avoiding injustice or inconsistency.

SCHEDULE**CURRENCY POINT**

A currency point is equal to twenty thousand shillings.

Where the amount in shillings does not translate exactly into a currency point, the amount shall be expressed as a fraction of a currency point.

Thus 10,000 shillings is equal to 0.5 currency point.

Also 75,000 shillings is equivalent to 3.75 currency points.

Cross References

Acts of Parliament Act, Cap. 2.

Magistrates Courts Act, Cap. 16.

Penal Code Act, Cap. 120.

Trial on Indictments Act, Cap. 23.