

**ACTS SUPPLEMENT**

*to The Uganda Gazette No. 38 Volume CVI dated 26th July, 2013.*

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

---

---

**Act 5**                      *Local Governments (Amendment) Act*                      **2013**

**THE LOCAL GOVERNMENTS (AMENDMENT) ACT, 2013**

**An Act to amend the Local Governments Act to abolish county councils; to provide for the transmission of an electronic version of the voters’ register to registered political parties and organisations in the case of local council elections; to provide for the publication of the voters’ register in the Gazette and the posting of relevant parts of the voters’ register on notice boards in every parish; to provide for appointment of tribunals for village and parish elections and for related matters.**

DATE OF ASSENT: 27th June, 2013.

*Date of Commencement:* 26th July. 2013.

BE IT ENACTED by Parliament as follows:

**1. Amendment of the Local Governments Act, Cap. 143.**

The Local Governments Act, in this Act referred to as the principal Act is amended in section 45 by—

- (a) repealing the words “the county” appearing in paragraph (a)(i) of subsection (1);

(b) substituting for subsection (2) the following—

“(2) There shall be a council at each level of the administrative unit except in the case of a county.”;

(c) inserting a new provision after subsection (2) to read as follows—

“(3) The provisions of subsection (2) shall not apply to municipalities.”

**2. Amendment of section 46 of the principal Act.**

Section 46 of the principal Act is amended—

(a) in subsection (1) by repealing paragraph(a);

(b) in subsection (2) by repealing paragraph (a).

**3. Amendment of section 47 of the principal Act.**

Section 47 of the principal Act is amended—

(a) in the headnote by repealing the words ‘county chairperson’; and

(b) by repealing subsection (1).

**4. Amendment of section 48 of the principal Act.**

Section 48 of the principal Act is amended—

(a) by repealing paragraph (b);

(b) in paragraph (c) by repealing the words ‘county and’.

**5. Amendment of section 50 of the principal Act.**

Section 50 of the principal Act is amended in paragraph (a) by repealing the words ‘county and’ and ‘county or’

**6. Insertion of new sections 101A and 101B.**

The principal Act is amended by inserting immediately after section 101 the following—

**“101A. Transmission of voters’ register to political parties and organizations.**

(1) Notwithstanding section 18A of the Electoral Commission Act—

- (a) the Electoral Commission shall not be required to provide paper copies of the voters’ register to registered political parties and organisations in the case of local council elections;
- (b) the Electoral Commission shall provide, as soon as practicable after nomination but in any case not later than two weeks before polling day, an updated electronic version of the voters’ register to political parties and organizations or an independent nominated candidate participating in the local council elections;
- (c) for the avoidance of doubt, the voters’ register in respect of local council elections shall not require photographs;
- (d) the Electoral Commission shall develop an electronic signature which can be read using an electronic device that shall be availed to the district Registrar’s office.

**101B. Publication of voters register in the Gazette and posting of relevant parts of the register on notice boards in every parish.**

Notwithstanding section 33 of the Electoral Commission Act, in the case of local council elections, the Electoral Commission shall—

- (a) publish the voters’ register in the Gazette;

- (b) cause to be posted on notice boards in every parish that part of the voters register relating to that parish.”

**7. Amendment of section 118 of the principal Act.**

Section 118 of the principal Act is amended by substituting for subsection (2) the following—

“(2) A councilor representing Persons with Disability shall be elected in accordance with the electoral structure provided for in the National Council for the Disability Act as follows—

- (a) in case of the village council, all willing Persons with Disabilities in each village shall assemble to elect five executive members, at least one of whom shall be a woman;
- (b) the chairperson of the Persons with Disabilities executive committee shall become the secretary for disability affairs at the village council;
- (c) in case of the parish, the five persons with disabilities executive committee members for each village shall assemble at the parish or ward to elect the executive committee members for Persons with Disabilities;
- (d) the chairperson of the Persons with Disabilities executive committee at the parish level or ward level shall become the representative of Persons with Disabilities at the parish council;
- (e) in case of a sub-county, division council, or town council, the five persons with Disabilities from each parish or ward shall assemble at the sub-county

division or town council to elect two councilors representing persons with disability, male and female, to the sub-county, division or town council;

- (f) in case of a district or city council, the five executive members from each sub-county or division council or town council shall assemble at the district or city council to elect two representatives male and female to the district council.”

### **8. Amendment of section 159A of the principal Act.**

Section 159A of the principal Act is amended—

- (a) by repealing the words ‘and county’;
- (b) in paragraph (b) by inserting immediately after the word “tribunal” the following—

“comprising the chairperson and four other members at least one of whom shall be a woman,”;
- (c) by substituting for paragraph (d) the following—

“(d) in the case of village and parish elections, objections shall be decided by the tribunal appointed under section 25 (5) of the Electoral Commission Act”;
- (d) by repealing paragraph (e);
- (e) in paragraph (f) (i) by repealing the word ‘village’.
- (f) by inserting immediately after paragraph (f) the following new paragraphs—

“(g) the tribunal shall be at parish level;

(h) a person who is aggrieved by the appointment of any member to the tribunal may appeal to the presiding officer of the sub-county.”.

**9. Amendment of section 161A of the principal Act.**

Section 161A of the principal Act is amended by repealing the words ‘and county’.

**10. Amendment of section 162 of the principal Act.**

Section 162 of the principal Act is amended—

- (a) in the headnote, by repealing ‘and county’;
- (b) in subsection (1) by repealing the words ‘or county’;
- (c) in subsection (2) by repealing the words ‘or in the case of a county, unless the members of the executive committees of at least half or the sub counties in the county are present’.

**11. Substitution of section 168 of the principal Act.**

For section 168 of the principal Act there is substituted the following—

**“168. Election petition for a village or parish.**

An election petition relating to elections at a village or parish shall be filed in the magistrate grade 1 court having jurisdiction in that constituency.”

**12. Amendment of the Seventh Schedule to the principal Act.**

The Seventh Schedule to the principal Act is amended in form EC11, in the title of the form, by repealing the word ‘county’.

**Cross References**

Electoral Commission Act Cap. 140.

National Council for the Disability Act, 2003.