

ACTS

SUPPLEMENT No. 10
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29th December, 2003.

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Act 20 *Movement (Amendment) Act* **2003**

THE MOVEMENT (AMENDMENT) ACT, 2003.

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THE MOVEMENT (AMENDMENT) ACT, 2003.

An Act to amend the Movement Act, 1997.

DATE OF ASSENT: 12th November, 2003.

Date of commencement: 11th July, 2003.

BE IT ENACTED by Parliament as follows:-

1. Short title

(1) This Act may be cited as the Movement (Amendment) Act, 2003.

(2) This Act shall be deemed to have come into force on 11th July 2003.

2. Section 2 of principal Act amended

The principal Act is amended in section 2—

(a) by renumbering the existing section as subsection (1) of section 2;

(b) by inserting immediately after the definition of “District” the following new definition—

““elder” means a person above the age of fifty years”; and

(c) by inserting immediately after the definition of “leadership training centre” the following new definition—

“lower movement organ” means a District Movement Conference or a movement organ below a District Movement Conference;”.

(d) by deleting from the definition of “National Conference” the words “or Conference”; and

(e) by inserting a new subsection (2) as follows—

“(2) For the avoidance of doubt, references to District Chairperson, District Council, District Executive Committee, City Council, Division Council, Municipal Council, Sub-County/Municipal Division Council, Town Council, Parish Council and Village Council shall be taken to be references to those authorities or bodies as they exist under the Local Governments Act, 1997.”.

3. Changing of movement committee to movement conference

The principal Act is amended by substituting for every reference to a movement committee, a reference to a movement conference.

4. Section 5 of principal Act amended

Section 5 of the principal Act is amended—

(a) in subsection (1)—

(i) by inserting immediately after paragraph (e) the following—

“(ea) the Chairperson of every District Movement Conference in each case where the person is not already a member by virtue of being a member of the District Executive Committee”;

(ii) by repealing paragraphs (i) and (j);

(b) in subsection (1), by inserting immediately after paragraph (k) the following—

“(ka) all Chairpersons of District Youth Councils under the National Youth Council Statute, 1993;

(kb) all Chairpersons of District Women's Councils under the National Women's Council Statute, 1993;

(kc) all Chairpersons of District or City Councils for Disability under the National Council for Disability Statute, 1993”.

5. Section 10 of principal Act amended

Section 10 of the principal Act is amended—

(a) in subsection (3)—

(i) by inserting immediately after paragraph (d) the following—

“(da) the Chairperson of the district movement conference.”.

(ii) by inserting immediately after paragraph (f), the following—

“(fa) five representatives of women from among the Chairpersons of the district women's council in the National Conference”;

(iii) by substituting for paragraph (m) the following—

“(m) five representatives of the youth from among the Chairpersons of district youth conference in the National Conference.;

(ma) five representatives of persons with disabilities from among the Chairpersons of District or City Councils for Disability in the National Conference.”;

(b) by renumbering the second subsection (3) as subsection (4) of section 10.

6. Section 12 of principal Act amended

Section 12 of the principal Act is amended—

(a) by substituting for subsection (1) the following new subsection—

“(1) The National Executive Committee shall meet for the dispatch of business at least once in every six months.”;

(b) by substituting for subsection (3) the following new subsection—

“(3) Except for the first meeting or in case of an emergency, a notice of not less than fourteen days shall be given for every meeting of the Committee and the notice shall state the matters to be discussed at the meeting.”.

7. Section 13 of principal Act amended

Section 13 of the principal Act is amended—

(a) by substituting for subsection (13) the following subsection—

“(13) There shall be such number of staff at the Secretariat as the National Executive Committee shall determine.”;

(b) by inserting after subsection (13), the following new subsection—

“(13a) The staff referred to in subsection (13) shall be appointed by the National Political Commissar on the recommendation of the committee responsible for human resources appointed under section 30 of the Act.”.

8. Section 16 of principal Act amended

Section 16 of the principal Act is amended by inserting immediately after paragraph (e) of subsection (2) the following new paragraph—

“(ea) all Chairpersons of sub-county, municipal division and town council movement conferences.”.

9. Section 18 of principal Act amended

Section 18 of the principal Act is amended by substituting for subsection (1) the following new subsection—

“(1) A district movement conference shall meet at least once in each year.”.

10. Section 20 of principal Act amended

Section 20 of the principal Act is amended by substituting for subsection (1) the following new subsection—

“(1) A division or municipal movement conference shall meet at least once in every six months”.

11. Replacement of sections 21 and 22 of principal Act

The principal Act is amended by substituting for sections 21 and 22 the following new sections—

21. “Subcounty, municipal division, town council movement conference

(1) There shall be for every sub-county, municipal division or town council, a sub-county, municipal division movement conference or, as the case may be, a town council movement conference.

(2) The members of the sub-county, municipal division, or town council movement conference are—

(a) the members as the case may be, of the sub-county, municipal division or town council; and

(b) all members of parish movement executive committees in the sub-county, municipal division or town council.

(3) The Chairperson of each parish movement conference shall be a member of the sub-county, municipal division or as the case may be, the town council movement conference of the sub-county, municipal division or town in which the parish falls.

(4) The Chairperson of the sub-county, municipal division or the town council movement conference shall be a person nominated by at least one quarter of the members of the sub-county, municipal division or town council movement conference and elected by that conference.

(5) A sub-county, municipal division or town council movement conference shall be responsible to the District Movement Conference in whose jurisdiction the sub-county, municipal division or town falls for policy matters of the movement with regard to the sub-county, municipal division or the town council.

22. Meetings of subcounty, municipal division or town council movement conference

(1) A subcounty, municipal division or town council movement conference shall meet at least once in every six months.

(2) Meetings of the conference shall be convened by the Chairperson of the conference.

(3) Each sub-county, municipal division, or town council movement conference shall have a Secretary who shall be appointed by the Chairperson of the conference from among the members of the conference and with the approval of the conference.”

12. Section 23 of principal Act amended

Section 23 of the principal Act is amended—

(a) by substituting for subsection (2) the following—

“(2) A parish movement conference shall consist of—

(a) all members of the parish local council; and

- (b) all members of each village movement executive committee in the parish”; and
(b) by repealing subsection (3)”.

13. Section 24 of principal Act amended

Section 24 of the principal Act is amended by substituting for subsection (1) the following new subsection—

“(1) A parish movement conference shall meet at least once in every six months.”.

14. Amendment of section 25 of principal Act

Section 25 of the principal Act is amended by substituting for subsection (3) the following new subsection—

“(3) The Chairperson of the village movement conference shall be a person nominated by at least two members of the village movement conference and elected by the village movement conference.”.

15. Section 26 of principal Act amended

Section 26 of the principal Act is amended by substituting for subsection (1) the following new subsection—

“(1) A village movement conference shall meet at least once in every six months.”.

16. New Section 26A.

The principal Act is amended by inserting immediately after section 26 the following new section—

26A “Role of lower movement organs

The role of the lower movement organs is as follows—

- (a) to be answerable to the movement organ immediately above them on policy matters relating to the movement;
- (b) to ensure the implementation of lawful decisions of the organs above them;
- (c) to spearhead the mobilisation of the people in their areas on movement policies and programmes;
- (d) to initiate policies and recommend them to the movement organs above them;
- (e) to oversee the implementation of government programmes and policies at their respective levels; and
- (f) to identify and recommend sources of funding for movement activities.”.

17. Insertion of new Part VIA of principal Act

The principal Act is amended by inserting immediately after Part VI the following new Part—

“PART VIA—EXECUTIVE COMMITTEES OF LOWER MOVEMENT ORGANS.

26B. Executive Committees of lower movement organs

Each lower movement organ shall have a movement executive committee.

26C. Composition of movement executive committees

(1) This section shall have effect with respect to the composition of movement executive committees of lower movement organs.

(2) The district movement executive committee shall comprise the following—

(a) the Chairperson of the district movement conference who shall be Chairperson of the district movement executive committee;

(b) the Secretary;

(c) Chairperson of the district women’s council under the National Women’s Council Statute, 1993;

(d) Chairperson of the district youth council under the National Youth Council Statute, 1993;

(e) Chairperson of persons with disabilities at the district level;

(f) two elders nominated by the Chairperson of the district movement conference one male, one female and approved by the district movement conference;

(g) Chairperson of the sub-county, municipal division or town council movement executive committee; and

(h) persons in charge of Central Police, local government police, prisons, army detach, if these exist at district level who shall be *ex-officio* members.

(3) A sub-county, municipal division or town council movement executive committee shall comprise the following—

(a) Chairperson of sub-county, municipal division or town council movement conference who shall be Chairperson of the sub-county, municipal division or town council movement executive committee;

(b) the Secretary;

- (c) Chairperson of the sub-county, municipal division or town council women's council under the National Women's Council Statute, 1993;
 - (d) Chairperson of the sub-county, municipal division or town council youth council under the National Youth Council Statute, 1993;
 - (e) Chairperson of persons with disabilities at sub-county, municipal division or town council level;
 - (f) two elders nominated by the chairperson of municipal division or the sub-county, or town council movement conference, one male, one female and approved by the subcounty, municipal division or town council movement conference;
 - (g) persons in charge of Central Police, local government police, prisons, army detach, if these exist, at sub-county, municipal division or town council level who shall be *ex-officio* members.
- (4) A parish movement executive committee shall comprise the following—
- (a) Chairperson of the parish movement conference who shall be Chairperson of the parish movement executive committee;
 - (b) Chairperson of the parish women's council under the National Women's Council Statute, 1993;
 - (c) Secretary;
 - (d) Chairperson of the parish youth council under the National Youth Council Statute, 1993,
 - (e) Chairperson of persons with disabilities at parish level;
 - (f) two elders nominated by the Chairperson of the parish movement conference one male, one female and approved by the parish movement conference.
- (5) A village movement executive committee shall comprise the following—
- (a) Chairperson of the village movement conference who shall be Chairperson of the village movement executive committee;
 - (b) the Secretary;
 - (c) Chairperson of the village women's council under the National Women's Council Statute, 1993;

- (d) Chairperson of the village youth council under the National Youth Council Statute, 1993;
- (e) Chairperson of persons with disabilities at village level;
- (f) two elders nominated by Chairperson of the village movement conference one male, one female and approved by the village movement conference.

26D Meetings of lower movement executive committees

(1) The district movement executive committee shall meet at least once in every six months.

(2) Each lower movement executive committee other than a district movement executive committee shall meet at least once in every month.

(3) For the avoidance of doubt, the quorum of every lower movement executive committee shall be as prescribed in section 27”.

18. Section 36 of principal Act amended

Section 36 of the principal Act is amended—

- (a) by inserting immediately after subsection (2) the following new subsections—

“(2a) In addition to the offices to be vacant under subsection (2) the offices of elders elected under Part VIA shall also become vacant in the manner prescribed in subsection (2) but the holders of such offices shall be eligible for re-election.

(2b) The election or appointment to fill any vacancy created by subsection (2) or (2a) shall take place within the last sixty days of the period of five years specified in subsection (1).”.

- (a) by inserting after subsection (5), the following subsections—

“(5a) Notwithstanding anything in this section, any person holding an office on a movement organ which is required to become vacant under this section by reason of the expiry of the period of five years prescribed in subsection (1), shall continue to hold that office until the date of expiry of the term of Parliament in 2006 subject to subsections (5c) and (5d).

(5b) For the avoidance of doubt, no elections shall be held by virtue of section 25(3) until the date referred to in subsection (5a) except—

(i) in the case of any District created after the last general elections of movement organs held before the coming into force of the Movement (Amendment) Act, 2003;

(ii) in respect of a municipal division or for the election of the two elders who are members of each movement executive committee under PART VIA of this Act.

(5c) If a decision is made under article 74 of the Constitution, to the effect that the movement political system is chosen as the political system to operate in Uganda, then notwithstanding subsection (5b) elections shall be held within sixty days after the decision to fill all vacancies occurring in offices of the movement organs.

(5d) If a decision is made under article 74 of the Constitution, to the effect that another political system is chosen as the political system to operate in Uganda in place of the movement political system then all offices in all movement organs shall, in accordance with section 39 of this Act, be deemed from the date mentioned in subsection (5a) to have been vacated.

(5e) For the avoidance of doubt, subsections (5a), (5b), (5c) and (5d) shall be subject to article 70 of the Constitution and to any law enacted by Parliament.”

19. Miscellaneous amendments.

For every reference to sub-county or town council in the principal Act there shall be substituted a reference to sub-county, municipal division or town council.