

ACTS

SUPPLEMENT No. 7

6th October, 2003.

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Act 12 *National Youth
Council (Amendment) Act* **2003**

THE NATIONAL YOUTH COUNCIL (AMENDMENT) ACT, 2003.

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THE NATIONAL YOUTH COUNCIL (AMENDMENT) ACT, 2003.

An Act, to amend the National Youth Council Statute, 1993, to provide for the recomposition of the National Youth Council, the National and District Youth Committees, and other matters related to the foregoing.

DATE OF ASSENT: 6th August, 2003.

Date of commencement: 6th October, 2003.

BE IT ENACTED by Parliament as follows—

1. Short title

This Act may be cited as the National Youth Council (Amendment) Act, 2003, and shall be read as one with the National Youth Council Statute, 1993, in this Act referred to as the “principal enactment”.

2. Amendment of section 2

The principal enactment is amended in section 2 by deleting the definition of “conference” starting in the fifth line of the section.

3. Amendment of section 4

The principal enactment is amended in section 4 subsection (2) by—

(a) inserting between the words “shall” and “have” appearing in the second line the following clause—

“be the policy making body and”

(b) inserting a new paragraph (ff) to read as follows—

“(ff) to make or amend the Constitution of the National Youth Council.

4. Amendment of section 5

The principal enactment is amended by substituting section 5 with the following—

5(1) “Composition of the Council

The Council shall consist of—

(a) the National Youth Executive Committee;

(b) the Chairperson of every District youths Council;

(c) the Secretary for Female Youths at the District level;

(d) the Secretary for Finance at the District level;

(e) eight representatives of Non-Governmental Organisations involved in youths activities nominated on regional basis by the National Executive Committee in consultation with the Non-Governmental Organisations Board;

(f) a representative of Youth persons with disabilities;

- (g) four students’ representatives elected by the Uganda National Students’ Association, two of whom shall be female and one from a Secondary School;
- (h) the executive Secretary of the National Council;
- (i) Members of Parliament, representing the Youths.

(2) The members of the Council in paragraphs (e), (h) and (i) of subsection (1) shall be *ex-officio* members who shall participate in the deliberations of the Council without a deciding vote”.

5. Amendment of section 7

Section 7 of the principal enactment is amended —

(i) by replacing subsection (3) with the following—

(3) A Sub-county, Division, Municipal or Town Youths Executive Committee shall consist of—

- (a) the Sub-county, Division, Municipal or Town Youths Executive Committee;
- (b) all members of the Parish Youths Committees in Sub-county, Division, Municipality or Town;
- (c) two students elected by the Sub-county, Division, Municipality or Town Executive Committee in consultaion with the Uganda National Students’ Association in the District, one of whom shall be a female;
- (d) one youth with disability nominated by the organisations of persons with disabilities in the Sub-county, Division, Municipality or Town;
- (e) the two youths Councillors on the Sub-county, Division, Municipality or Town, local government council as an *ex-officio* member;
- (f) the Sub-county, Division, Municipality or Town community officer as an *ex-officio* member;
- (g) the Executive Secretary at the Sub-county, Division, Municipality or Town level as *ex-officio*.

(ii) subject to subsection (2) of section 28B by deleting subsection (4);

(iii) by substituting subsection (5) with the following—

“A District Youth Council shall consist of—

- (a) the District youths Committee;

- (b) the Chairperson of every Sub-county, Division, Municipality or Town Youth Council;
- (c) the Secretary for Women Affairs at the Sub-county, Division, Municipality or Town level;
- (d) the Secretary responsible for finance at the Sub-county, Division, Municipality or Town level;
- (e) one representative of Non-Governmental Organisations involved in youth activities in the District to be nominated by the District Youth Council Committee;
- (f) one Youth with disability nominated by organisations of persons with disability in the District;
- (g) the District Officer in charge of Youth Affairs;
- (h) two student representatives nominated by the Uganda National Students' Association in the District one of whom shall be female;
- (i) the two Youths Councillors on the District local government council;
- (j) the Executive Secretary of the District Secretariat.

(6) The members of the Council in paragraphs (e), (g), (i), (j) shall be *ex-officio* members who shall participate in the deliberations of the Council without a deciding vote.

(7) A District Youth Council shall be a body corporate and may sue or be sued in its corporate name and shall carry out any other activities carried out by a body corporate.”

6. Deletion of section 8

The principal enactment is amended by deleting section 8.

7. Amendment of section 9

Section 9 of the principal enactment is amended by —

- (a) deleting the words “or to continue to hold office” appearing in the second line from the bottom of subsection (3);
- (b) adding after subsection (5) the following new subsections—

“(6) Where the office of a member of the National Youth Council falls vacant by virtue of death, resignation, abscondment, or any other cause, for more than six months, the secretary shall, as soon as possible, supervise elections and fill the vacant position in the relevant council and the secretary shall notify the Electoral Commission of the results.

(7) No person shall be elected a member of any Youth Council and Youth Committee unless he or she submits a statutory declaration, or birth certificate or proves his or her age before the commencement of an election.

(8) All youth council elections at the National and District levels shall be by secret ballot”.

(9) For the avoidance of doubt, any person holding an office in a Youth Council shall not vacate office on the sole reason that he or she has attained thirty years of age at any time during his or her term of office.”

8. Amendment of section 12

Section 12 of the principal enactment is amended by replacing subsection (1) as follows—

“(1) The Secretary shall be appointed by the Minister on the advice of the Public Service Commission.”

9. Amendment of section 13

Section 13 of the principal enactment is amended by adding after paragraph (c) the following new paragraph—

“(d) the Executive Secretary shall attend meetings of Executive Committee.”

10. Insertion of new sections 15A and B

The principal enactment is amended by inserting new sections 15(A) and 15(B) as follows—

15A “District Seretariat and Secretary

(1) The District Youth Council shall have a Secretariat to assist in carrying out of its functions under the Statute.

(2) The Secretariat shall have an Executive Secretary who shall be appointed by the District Chief Administrative Officer on the advice of the District Service Commission.

(3) The District Youth Council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the Secretariat under this Statute.

(4) The other employees of the Council shall be appointed by the District Chief Administrative Officer following procedures applicable to appointments by the District Service Commission on terms applicable to the Public Service.

15B Sub-county Council to have Secretariat

(1) The Sub-county, Division, Municipal and Town Youth Council shall have a Secretariat to assist in carrying out its functions under this Statute.

(2) The Secretariat shall have an Executive Secretary who shall be appointed by the District Chief Administrative Officer on the advice of the District Service Commission.

(3) The Sub-county, Division, Municipal and Town Youth Council shall employ such other staff who shall be appointed by the District Service Commission on terms applicable to the Public Service.

(4) The provisions of this section shall come into force on a date to be determined by the Minister by statutory instrument.

11. Repeal of Part V

The principal enactment is amended by repealing Part V which includes sections 16, 17 and 18.

12. Insertion of new section 19A

The principal enactment is amended by inserting a new section 19A as follows—

“19A (1) The funds and resources of the District and lower Youth Council shall consist of—

- (a) such sums as may be appropriated by Parliament for the purpose of the District and Lower Youth Councils;
- (b) such sums as may be appropriated by the relevant Local Government Council for the purposes of the Youth Council.
- (c) any monies accruing to the relevant Youth Council in the discharge of its functions under this Statute;
- (d) grants, gifts or donations to the relevant council.

(2) The monies appropriated under subsection (1)(a) shall be decentralised as conditional grants to the relevant Local Government Councils and directly transferred to District through the prescribed accounting system for the benefit of the relevant Youth Councils by the Treasury.

(3) All income and monies of a Council shall be deposited to the credit of the Council in a bank approved by the District Youth Council and shall not be withdrawn except with approval of the Youth Council.

(4) The account shall be operated by the signature of the Chief Administrative Officer or any person authorised by him or her and such other signatures as the Council may determine.

(5) The provision of section 20 to 25 shall apply to the District and other lower Youth Councils.

13. Insertion of new sections 28A and 28B

The principal enactment is amended by inserting new sections 28A and 28B after section 28 as follows—

28A Tenure of office of Youth Council Committee

(1) Subject to this Statute, every Youth Council and Youth Committee shall remain in office for a period of four years from the date of its inception, after which it shall automatically lapse and dissolve.

(2) A member of a Youth Committee or Youth Council vacating office at the end of his or her term shall, subject to this Statute, be eligible for re-election.

28B Transition period

(1) As a transition for the districts where delegates were elected, the delegates will fill the office of the Secretary for finance in the district, in the National Youth Council until the expiry of the office of delegate .

(2) As a transition the County Councils which elected the executive committees may continue to function as they have been functioning until the expiry of their term of office.

“ As a transition, the members of the District Youth Councils at the commencement of this act shall remain in office until the expiry of their term and thereafter the composition under this Act shall apply.”

14. Consequen-tial Amendment of section 29

Section 29 of the principal enactment is amended in subsection (1) by deleting the expression “tenure of office of the Council, Youth Councils and Youth Committees” beginning from the end of the second line to the end of the third line.

15. Amendment of Schedule

The Schedule to the principal enactment is amended by deleting paragraph 2 and substituting for paragraph 9 (1) the following—

“(1) Except for the National Youth Executive Committee which shall meet once in three months, a youth committee shall meet for the discharge of its duties at least once every month at such time and place as the Chairperson of the Committee may direct”.