



THE REPUBLIC OF UGANDA

THE LOCAL GOVERNMENTS (AMENDMENT) ACT, 2020.

PARLIAMENT LIBRARY	
PO BOX 7178, KAMPALA	
★	26 AUG 2020 ★
ACC NO:
CALL NO:



THE REPUBLIC OF UGANDA

PARLIAMENT LIBRARY	
PO BOX 7178, KAMPALA	
★	26 AUG 2020 ★
ACC NO:.....	
CALL NO:.....	

I SIGNIFY my assent to the bill.

Yoweri Museveni
.....
President

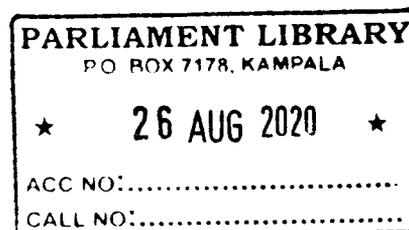
Date of assent: *17/8/2020*.....

THE LOCAL GOVERNMENTS (AMENDMENT) ACT, 2020

ARRANGEMENT OF SECTIONS

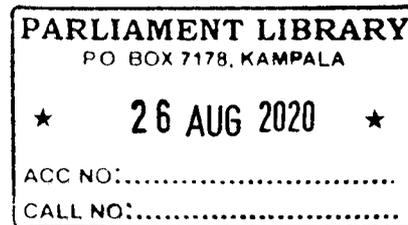
Sections

1. Amendment of Cap. 243.
2. Amendment of section 10 of principal Act.
3. Amendment of section 12 of principal Act.
4. Amendment of section 23 of principal Act.
5. Amendment of section 102 of principal Act.
6. Repeal of section 103 of principal Act.
7. Amendment of section 108 of principal Act.
8. Amendment of section 111 of principal Act.
9. Amendment of section 113 of principal Act.
10. Insertion of section 113A in principal Act.
11. Amendment of section 116 of principal Act.
12. Amendment of section 122 of principal Act.
13. Repeal of section 127 of principal Act.
14. Amendment of section 128 of principal Act.
15. Amendment of Part XII of principal Act.
16. Amendment of Seventh Schedule to principal Act.





THE REPUBLIC OF UGANDA



THE LOCAL GOVERNMENTS (AMENDMENT) ACT, 2020

An Act to amend the Local Governments Act, Cap. 243 to provide for the creation of local governments and administrative units at least six months before the due date for the next general parliamentary and local government council elections; to provide for the demarcation of electoral areas; to prescribe the manner of conducting campaigns; to bar persons not ordinarily resident in a local government area from contesting for councillor for that area; to prescribe the time within which to fill vacant positions in a local government council; to provide for the procedure for commencement of polls at each polling station and to align the Local Governments Act with the provisions of the Constitution as amended by the Constitution (Amendment) Act, 2018.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

1. Amendment of Cap. 243.

The Local Governments Act, in this Act referred to as the principal Act, is amended in section 7—

Act *Local Governments (Amendment) Act* **2020**

- (a) by substituting for subsection (9A) the following—

“(9A) Where a new local government or administrative unit is created after the local government council elections, the elections to fill the elective positions in the newly created local government or administrative unit shall be held at the next local government council elections.”; and

- (b) by inserting immediately after subsection (9A) the following—

“(9B) Where a new local government or administrative unit is created after a general election, the local government or administrative unit shall take effect six months prior to the next general parliamentary elections and local government council elections.

(9C) A new local government or administrative unit shall commence on a date appointed by the Minister by statutory instrument.”

2. Amendment of section 10 of principal Act.

The principal Act is amended in section 10(1) by substituting for paragraph (e) the following—

- “(e) a woman councillor directly elected to represent each electoral area in the district;”

3. Amendment of section 12 of principal Act.

The principal Act is amended in section 12 by repealing subsection (2) (b).

4. Amendment of section 23 of principal Act.

Section 23 of the principal Act is amended—

- (a) in subsection (1), by substituting for paragraph (e) the following—

“(e) a woman councillor directly elected to represent each parish in the subcounty.”;

- (b) in subsection (2), by substituting for paragraph (e) the following—

“(e) a woman councillor directly elected to represent each parish in the division.”;

- (c) in subsection (3), by substituting for paragraph (e) the following—

“(e) a woman councillor directly elected to represent each parish in the municipality.”;

- (d) in subsection (4), by substituting for paragraph (e) the following—

“(e) a woman councillor directly elected to represent each parish in the municipal division.”;

- (e) in subsection (5), by substituting for paragraph (e) the following—

“(e) a woman councillor directly elected to represent each ward in the town council.”

5. Amendment of section 102 of principal Act.

Section 102 of the principal Act is amended—

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

“(1) The Electoral Commission shall, by notice in the *Gazette*, appoint a returning officer and an assistant returning officer for each electoral district.”;

- (b) by inserting immediately after subsection (1), the following—

“(1a) Notwithstanding subsection (1), the Electoral Commission may, by notice in the *Gazette*, appoint a returning officer and an assistant returning officer for a municipality, city division or other area in an electoral district as the Electoral Commission determines necessary.”;

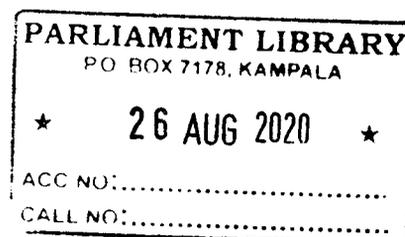
- (c) in subsections (2), (3) and (4), by inserting immediately after the words “returning officer” wherever the words appear, the words “or an assistant returning officer”;

- (d) in subsection (3)—

- (i) by substituting for paragraph (a), the following—

“(a) has been found by a court to have participated in election irregularities or illegal practices or participated in the commission of an election offence.”;

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



“(f) is transferred from the district for which he or she was appointed.”;

- (e) by inserting the following new subsections immediately after subsection (3)—

“(3a) Where a returning officer vacates his or her office in accordance with subsection (3), the assistant returning officer shall perform the functions of the returning officer until a substantive returning officer is appointed in accordance with subsection (4).

(3b) A returning officer may, in writing, delegate any of his or her duties to the assistant returning officer.”

6. Repeal of section 103 of principal Act.

Section 103 of the principal Act is repealed.

7. Amendment of section 108 of principal Act.

Section 108 of the principal Act is amended by substituting for subsection (1) the following—

“(1) Subject to article 181 of the Constitution, the Electoral Commission shall demarcate local government electoral areas in such a manner that the number of inhabitants in the electoral area is approximately—

- (a) one hundred thousand in the case of a city;
- (b) thirty thousand in the case of a district;
- (c) fifteen thousand in the case of a municipality or city division;
- (d) seven thousand in the case of a municipal division or town; and
- (e) twelve thousand in the case of a subcounty.”

8. Amendment of section 111 of principal Act.

Section 111 of the principal Act is amended—

- (a) by substituting for subsection (3b) the following—

“(3b) is ordinarily resident in that district or city;”;

- (b) by repealing subsection (3c);

- (c) by substituting for subsection (4) (b) the following—

“(b) is ordinarily resident in the municipality, town, division, or subcounty;”;

9. Amendment of section 113 of principal Act.

Section 113 of the principal Act is amended by substituting for subsection (1) the following—

“(1) Where, after the close of nomination and before closing of polls, a candidate dies, the election in the electoral area shall be postponed and the Electoral Commission shall declare another nomination day giving reasonable time to enable new candidates to be nominated.”

10. Insertion of section 113A in principal Act.

The principal Act is amended by inserting immediately after section 113, the following—

“113A. Vacancy in council.

Subject to article 81 (3) of the Constitution, where there is a vacancy in a council, the Electoral Commission shall hold a by-election to fill the vacant position in the council within ninety days from the occurrence of the vacancy.”

11. Amendment of section 116 of principal Act.

Section 116 of the principal Act is amended—

Act *Local Governments (Amendment) Act* **2020**

“(a) in subsection (2) by inserting immediately after paragraph (e) the following—

“(f) is not ordinarily resident in that local government area.”; and

(b) by inserting immediately after subsection (5) the following—

“(5a) Subsection (5) does not apply to persons representing workers.”

12. Amendment of section 122 of principal Act.

The principal Act is amended by substituting for section 122 the following—

“122. Candidates meetings.

(1) A candidate may hold individual public campaign meetings in any part of the local government electoral area for which the candidate seeks an election, between seven o’clock in the forenoon and six o’clock in the afternoon.

(2) Every candidate shall give a copy of his or her campaign programme to the returning officer and the returning officer shall ensure that campaign meetings by different candidates do not coincide.

(3) The returning officer shall forward a copy of every campaign programme submitted under subsection (2) to the Electoral Commission.

(4) The returning officer may, after consultation with all the candidates, organise one or more joint candidates’ campaign meetings for those candidates who consent to hold such meetings.

(5) A candidate or a candidate's agent authorised in writing by the candidate to do so, may hold consultative meetings with the candidate's campaign agents for the purposes of planning and organising the candidate's election campaign.

(6) A candidate shall not hold any public campaign meeting under subsection (1) except in accordance with the programme submitted by the candidate to the returning officer under subsection (2).

(7) A candidate's agent may conduct campaign meetings on behalf of the candidate and otherwise conduct any campaign which the candidate is allowed to hold under this Act.

(8) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding forty eight currency points or imprisonment not exceeding two years or both."

13. Repeal of section 127 of principal Act.

Section 127 of the principal Act is repealed.

14. Amendment of section 128 of principal Act.

Section 128 of the principal Act is amended—

- (a) by substituting for subsection (8), the following—

“(8) The presiding officer at each polling station shall, at the commencement of the poll, in the presence of at least ten voters registered to vote at the polling station, open the first ballot box, turn it upside down with the open top facing down to ensure to the satisfaction of the voters present, that the ballot box is devoid of any contents and shall thereafter place the ballot box on the table in accordance with subsection (5)(d); and where more than one ballot box

Act *Local Governments (Amendment) Act* **2020**

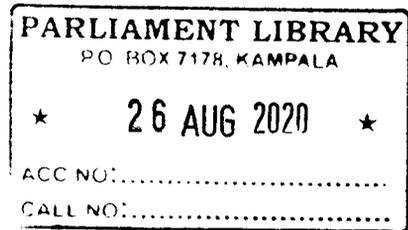
is used after the first is filled, the same procedure shall be followed in the full view of everyone present, prior to the placing on the table, of any additional ballot box.”; and

- (b) by inserting immediately after subsection (8) the following—

“(8a) A person who contravenes subsection (8) commits an offence and is liable, on conviction, to a fine not exceeding twenty-four currency points or imprisonment not exceeding one year or both.”

15. Amendment of Part XII of principal Act.
The principal Act is amended—

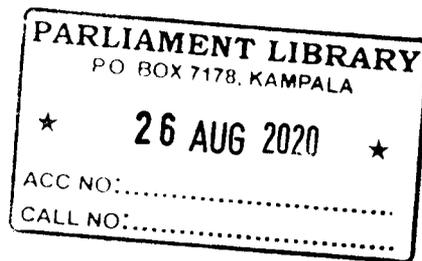
- (a) by repealing the title to Part XII; and
(b) by repealing sections 180 to 187.



16. Amendment of Seventh Schedule to principal Act.
The Seventh Schedule to the principal Act is amended in Part 1 by repealing paragraph 2 of Form EC 2.



THE REPUBLIC OF UGANDA



This printed impression has been carefully compared by me with the bill which was passed by Parliament and found by me to be a true copy of the bill.

[Handwritten Signature]

.....
Clerk to Parliament

Date of authentication: *06th/08/2020*