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**BILLS  
SUPPLEMENT No. 13**

**BILLS SUPPLEMENT**

*to The Uganda Gazette Extraordinary No. 62 Volume LXXXIX, dated 11th November, 1996.*

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CALL NO.

**THE ELECTORAL COMMISSION BILL, 1996.**

**MEMORANDUM.**

The object of this Bill is to make miscellaneous provisions relating to the Electoral Commission as established by article 60 of the Constitution and in particular to enact certain provisions in relation to the Commission which are envisaged by the Constitution to be provided by Parliament for enabling the permanent Commission, i.e as distinguished from the Interim Electoral Commission under article 264, to function effectively. For instance, to enable the Commission to carry out the demarcation of constituencies under article 63, the Bill provides that Parliament may divide Uganda into the number of constituencies fixed by Parliament by resolution—pursuant to article 63 (1). The Bill also provides for the oath of office of members of the Commission, the manner of taking its decisions, the Commission's seal and the office of Secretary to the Commission.

2. As is well known, the Presidential Elections (Interim Provisions) Statute, 1996 (Statute No. 3 of 1996) and the Parliamentary Elections (Interim Provisions) Statute, 1996 (Statute No. 4 of 1996) were intended under article 264 of the Constitution to cater for the election of the first President and the first Parliament under the new Constitution. In time therefore new legislation will be needed to make permanent and detailed provision for Presidential and Parliamentary elections.

3. The present Bill is to enable the Electoral Commission to exist and to function and to administer the respective elections laws and the law on referenda. Article 61 of the Constitution in setting out the general functions of the Electoral Commission, included among them in paragraph (h), “to perform such other functions as may be prescribed by Parliament by law”. The Bill therefore in Part II provides for additional functions of the Commission as envisaged by the Constitution.

4. Further, Part III of the Bill makes detailed provisions for the maintenance of the national register of voters and the appointment and functions of the relevant registration officers in line with the powers of Parliament under article 76 of the Constitution. Again, in line with Parliament’s powers under article 76, Part IV of the Bill caters for the appointment of returning officers and other election officers for the purposes of elections and referenda.

5. The other matters to be provided for by law under article 76 and other provisions of Chapter Five of the Constitution, will be catered for in detail by the respective electoral laws. The Bill provides for the permanent Commission to succeed to the assets and liabilities of the Interim Electoral Commission.

**EMMANUEL KIRENGA,**  
*Minister of State for Justice and Constitutional Affairs.*

THE ELECTORAL COMMISSION BILL, 1996.

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*Clause.*

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A Bill for an Act

ENTITLED

**THE ELECTORAL COMMISSION ACT, 1996.**

**An Act to make miscellaneous provisions relating to the functions of the Electoral Commission under the Constitution and to provide for other related matters.**

Be it enacted by Parliament as follows:

PART I—GENERAL.

1. This Act may be cited as the Electoral Commission Act, 1996. Short title.
2. In this Act, unless the context otherwise requires— Inter-pretation.
  - “Commission” means the Electoral Commission established by article 60 of the Constitution;
  - “constituency” means one of the constituencies into which Uganda is divided under article 63 of the Constitution, for the purpose of elections;
  - “currency point” means the value specified in relation to a currency point in the First Schedule to this Act;

“election officer” includes a returning officer, assistant returning officer, registration officer, assistant registration officer and any other officer appointed by or under the authority of the Commission with responsibility for registration of voters for, or for presiding over voting in any election or referendum, or for counting votes at any election or referendum;

“Minister” means the Minister responsible for public elections and referenda;

“polling day” means a day appointed under any enactment for the casting of votes for an election or a referendum;

“returning officer” means a person appointed under any law relating to any elections to be in charge of an electoral district for the purposes of any such election or for the purpose of the registration of voters within the district;

“Secretary” means the Secretary to the Commission appointed under section 5 of this Act.

**3. (1)** Subject to subsection (2) of this section, every member of the Commission shall, before assuming his or her duties as Commissioner, take and subscribe the oath specified in the Second Schedule to this Act.

(2) Where before the commencement of this Act any person has been appointed a member of the Commission, that person shall, as soon as practicable, take and subscribe the oath referred to in subsection (1) of this section.

**4.** The members of the Commission shall hold office on a full time basis.

Oath of  
Commissioners.

Commissioners to  
work on full  
time basis.

5. (1) The Commission shall have a Secretary who shall be a public officer appointed by the Commission acting in consultation with the Public Service Commission upon such terms and conditions as may be determined by the Commission in consultation with the Public Service Commission and specified in his or her instrument of appointment.

Secretary  
and other  
staff of  
Commission.

(2) The Secretary shall be a person of high moral character and proven integrity, possessing the relevant qualifications and proven ability in the field of public administration and qualified to be appointed to the office of Permanent Secretary.

(3) The Secretary shall, subject to the provisions of section 7 of this Act, perform such functions as may be assigned to him or her by the Commission.

(4) The Secretary may be removed by the Commission only for—

- (a) inability to perform the functions of his or her office arising out of physical or mental incapacity; or
- (b) misbehaviour or misconduct; or
- (c) incompetence.

(5) The Commission shall also have such other officers and employees as may be necessary for the discharge of its functions.

(6) The officers and employees referred to in subsection (5) shall be appointed by the Commission acting in consultation with the Public Service Commission, and shall hold office upon such terms and conditions as shall be determined by the Commission in consultation with the Public Service Commission.

(7) Public officers may be seconded to the service of the Commission.

Decisions of  
Commission.

6. (1) Every decision of the Commission shall, as far as possible, be by consensus.

(2) Where on any matter consensus cannot be obtained, the matter shall, as required by article 251 of the Constitution, be decided by voting; and the matter shall be taken to have been decided if supported by the votes of a majority of all the members of the Commission.

(3) In any vote under subsection (2), each member of the Commission shall have one vote and none shall have a casting vote.

(4) The quorum of the Commission at any meeting shall be five.

(5) As provided by article 251 of the Constitution, the Commission may act notwithstanding the absence of any member or any vacancy in the office of a member.

(6) The Secretary shall cause to be recorded minutes of all proceedings of the Commission.

(7) The Secretary shall have custody of the minutes of the Commission.

Funds and  
expenses of  
Commission.

Cap. 149.

7. (1) All funds provided to the Commission under article 66 of the Constitution or under this Act shall be administered and controlled by the Secretary who shall be the accounting officer in accordance with the Public Finance Act.

(2) All monies required to defray all expenses that may be incurred in the discharge of the functions of the Commission or in the carrying out of the purposes of this Act, are charged on the Consolidated Fund.

Seal of  
Commission.

8. The Commission shall have a seal which shall be in such form as the Commission may determine and shall, subject to the provisions of any law, be applied in such circumstances as the Commission may determine.

9. (1) Subject to article 63 of the Constitution, Uganda shall be divided into such number of constituencies as Parliament may, by resolution prescribe and the constituencies as prescribed by Parliament shall be demarcated by the Commission under that article.

Constituent-  
cies.

(2) The number of constituencies prescribed under subsection (1) shall be published in the *Gazette*.

(3) Until Parliament prescribes the constituencies under subsection (1), Uganda shall be divided into the number of constituencies prescribed by section 13 of the Parliamentary Elections (Interim Provisions) Statute, 1996.

Statute No.  
4 of 1996.

#### PART II—PARTICULAR FUNCTIONS OF COMMISSION.

10. (1) The Commission shall, subject to, and for the purposes of carrying out its functions under Chapter Five of the Constitution and this Act, have the following powers—

Additional  
powers of  
Commission.

- (a) to appoint a polling day for any election subject to any law;
- (b) to design, print, distribute and control the use of ballot papers;
- (c) to provide and distribute ballot boxes;
- (d) to create polling divisions and establish and operate polling stations;
- (e) to take measures for ensuring that the entire electoral process is conducted under conditions of freedom and fairness;
- (f) to establish secure conditions necessary for the conduct of any election in accordance with this Act or any other law;
- (g) to promote, through appropriate means, civic education of the citizens of Uganda on the purpose, and voting procedures, of any election, including where practicable, the use of sign language;

- (h) to ensure that the candidates campaign in an orderly and organised manner;
- (i) to accredit any non-partisan individual, group of individuals or an institution or association, to carry out voter education subject to guidelines determined by the Commission and published in the *Gazette*;
- (j) to ensure compliance by all election officers and candidates with the provisions of this Act or any other law;
- (k) to pay such allowances, as the Minister responsible for finance may approve, to election officers and other persons assisting the Commission in carrying out the purposes of this Act or any other law;
- (l) subject to paragraph (m), and in consultation with the Minister, to engage on such terms as the Commission may determine, the services of any person whose special expertise may be required for the proper discharge of the functions of the Commission;
- (m) to pay to any person engaged under paragraph (l) remuneration at such rates as may be determined by the Commission in consultation with the Minister responsible for finance;
- (n) to produce and submit to Parliament through the Minister a report on any election or referendum conducted by it within six months after the declaration of the results of the election or the referendum; and
- (o) to discharge such other functions as are conferred upon the Commission by this Act or any other law made under this Act or as are necessary for the proper carrying out of the purposes of this Act.

(2) For the avoidance of doubt, the Commission may exercise its powers under article 251 of the Constitution to regulate its own procedure

11. (1) The Commission shall, in designing and printing ballot papers, ensure that they are convenient and easily understandable by the voters in exercising their choice of the candidates standing for election.

Authority to print ballot papers.

(2) Every ballot paper shall be authenticated by a security mark to be determined by the Commission.

(3) The ballot paper shall be bound or stitched in books containing such number of ballot papers as may be suitable for supplying the polling stations, taking account of the number of voters registered for the polling divisions served by the polling stations.

12. (1) The Commission may assign to any election officer, public officer, member of staff of the Commission or any organisation or institution or group, such duties for promoting the discharge of the functions of the Commission as the Commission may think fit and subject to such conditions and restrictions as the Commission may direct.

Assignment of duties by Commission, etc.

(2) The Commission may revoke or transfer to any person, organisation, institution or group or assume the performance of any duties assigned by it under subsection (1) of this section.

(3) The Commission may also, where necessary assume the performance of any function of an election officer under any law.

13. (1) Any complaint submitted in writing alleging any irregularity with any aspect of the electoral process at any stage, if not satisfactorily resolved at a lower level of authority, shall be examined and decided by the Commission; and where the irregularity is confirmed, the Commission shall take necessary action to correct the irregularity and any effects it may have caused.

Power of Commission to resolve complaints.

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(2) An appeal shall lie to the High Court against a decision of the Commission confirming or rejecting the existence of an irregularity.

(3) The appeal shall be made by way of a petition, supported by affidavits of evidence, which shall clearly specify the declaration that the High Court is being requested to make.

(4) On hearing a petition under subsection (2), the High Court may make such order as it thinks fit and its decision shall be final.

(5) The High Court shall proceed to hear and determine an appeal under this section as expeditiously as possible and may, for that purpose, suspend any other matter pending before it.

(6) The Chief Justice shall, in consultation with the Attorney-General, make rules of Court for regulating the procedure in respect of any appeals under this section and may, for that purpose, adopt any procedure prescribed by any enactment, subject to such modifications as the Chief Justice may specify.

**14.** (1) The Commission may, at any election or referendum, accredit any individual, group or institution to act as election observers or monitors.

(2) The Commission shall issue guidelines to observers and monitors or other persons, groups or institutions involved in the electoral process.

(3) Without prejudice to the general effect of subsection (2), guidelines issued under that subsection may specify the objectives of the steps to be taken under the accreditation granted under subsection (1).

(4) No person, group or institution shall observe or monitor any election unless the person, group or institution has obtained prior accreditation from the Commission.

(5) Any individual, group or institution accredited as an election observer or monitor under this section shall make a written report to the Commission on his or her or its observation or monitoring not later than six months after the declaration of the results of the election or referendum or such earlier date as the Commission may specify in writing.

(6) Any person who contravenes subsection (4) or (5) commits an offence and is liable on conviction, to a fine not exceeding fifteen currency points or imprisonment not exceeding six months or both.

15. For the purpose of performing its functions, the Commission may bring an action before any court in Uganda and may seek from the court any remedy which may be available under the law.

Right of Commission to bring actions.

PART III—NATIONAL REGISTER OF VOTERS AND VOTERS' ROLLS.

16. (1) The Commission shall compile, maintain and update, on a continuing basis, a national voters' register, in this Act referred to as the voters' register, which shall include the names of all persons entitled to vote in any national or local government election or referendum.

National voters' register and voters' rolls.

(2) The Commission shall maintain as part of the voters' register, a voters' roll for each constituency under this Act.

(3) The Commission shall maintain as part of the voters' roll for each constituency, a voters' roll for each polling station within the constituency as prescribed by law.

17. (1) Any person who—

(a) is a citizen of Uganda; and

(b) is eighteen years of age or above,

shall apply to be registered as a voter in a polling division where the person—

Registration of voters.

- (i) originates from; or
- (ii) resides; or
- (iii) works in gainful employment.

(2) Subject to this Act, a voter has a right to vote in the polling division where he or she is registered.

(3) Subject to subsection (1), if a registered voter wishes to vote in a polling division other than the one in which he or she is registered, the voter shall apply to transfer his or her registration to the polling division where the voter wishes to vote; except that a transfer may only be effected under this subsection during any period when the voters' register is being revised or updated.

(4) When updating the voters' register, the Commission shall update it to such date as the Minister may, by statutory instrument appoint as the date on which the updating shall end.

Electoral  
districts.

**18.** (1) For the purposes of this Act, there shall be as many electoral districts as there are administrative districts.

(2) Where a district is established after proceedings for an election in the area of the district have commenced, the new district shall only become an electoral district for subsequent elections.

District  
registrars.

**19.** (1) For the purpose of maintaining and updating the voters' register on a continuing basis for each district, each returning officer shall designate a district registrar who shall be a public officer.

(2) The registrar shall exercise such functions as may be specified by the Commission or the returning officer in relation to the registration of voters, and in the exercise of his or her functions, the registrar shall not be subject to the direction or control of any other person or authority other than the returning officer and the Commission.

20. (1) For each constituency there shall be—

Assistant registrars and update officers.

(a) an assistant registrar; and

(b) an appropriate number of register update officers, who may be appointed by the returning officer whenever a general update of the voters' register is about to take place and only for such period and on such terms as the Commission may determine.

(2) An assistant registrar shall exercise such functions as are specified by the returning officer of the district in which the constituency for which he or she has been appointed assistant registrar falls or as may be delegated to him or her from time to time by the district registrar.

21. (1) Each district registrar shall have charge and custody of the voters' register for his or her district under the general supervision of the returning officer and the Commission.

Duties of registrars and assistant registrars.

(2) The voters' register shall be kept in such form as may be prescribed by the Commission by statutory instrument.

(3) For the purpose of updating the voters' register, a district registrar shall use application forms provided by the Commission.

(4) In the performance of his or her duties under this Act, a district registrar and an update officer may—

(a) demand from any applicant any information necessary to enable him or her to ascertain whether the applicant is qualified to be registered as a voter;

(b) require any voter or applicant to complete an application within a period specified by him or her.

Inspection of constituency voters' rolls.

22. (1) The voters' roll for every constituency shall be open to inspection by the public, free of charge, at the office of the returning officer during office hours and shall also be made available at the county headquarters.

(2) A person inspecting the voters' roll for a constituency may, without payment of any inspection fee, make copies of the roll or make extracts from it in each case at his or her expense during office hours but without removing the roll from the office of the returning officer.

(3) The Commission shall cause the voters' roll for each constituency to be printed, and any person may obtain from the Commission, on payment of such charges and subject to such conditions as may be prescribed, copies of any voters' roll for the constituency or for a polling division within it so printed.

(4) Where the voters' roll for any constituency has been printed under subsection (3) immediately before a general election or a by-election or election to the office of the President, or a local government election, and it contains the names of the voters who will be entitled to vote at that election, the Commission shall publish a notice in the *Gazette* declaring that the printed voters' roll shall be used for the purpose of the identification of voters at that election.

Display of copies of the voters rolls.

23. (1) Before any election is held, the Commission shall, by notice in the *Gazette*, appoint a period, of not less than fourteen days, during which a copy of the voters' roll for each polling division shall be displayed for public scrutiny and during which any objections or complaints in relation to the names included in the voters' roll or in relation to any necessary corrections, shall be raised or filed.

(2) The display of a copy of the voters' roll referred to in subsection (1) shall be carried out in a public place within each polling division.

(3) During the period of the display of the voters' roll under this section, any person may raise an objection against the inclusion in the voters' roll of any name of a person on grounds that the person is not qualified to vote or to be registered as a voter, in the constituency or polling division or that the name of a person qualified to vote or to be registered has been omitted.

(4) An objection under subsection (3) shall be addressed to the returning officer through the LC II Chairman of the parish of the person raising the objection.

(5) The returning officer shall appoint a tribunal comprising five members to determine objections received by him or her under subsection (4).

(6) The tribunal shall comprise—

(a) at least three members of the LC Executive Committee at least one of whom shall be a woman; and

(b) at least one each of the following—

(i) elders;

(ii) chiefs.

(7) The following shall apply to decisions of a tribunal appointed under this section—

(a) all decisions shall as far as possible be by consensus;

(b) in the absence of a consensus on any matter, decision on it shall be taken by vote, each member having one vote and none having a casting vote;

(c) in case of voting, any matter shall be taken to have been decided if supported by the votes of a majority of members of the tribunal present and voting.

(8) Any decision of a tribunal appointed under subsection (5), shall be subject to review by the Commission.

(9) No person is entitled to make an objection under this section if he or she failed to apply to be registered when the register was last open for registration or updating.

Power to  
print and  
issue voters'  
cards.

**24.** (1) The Commission may design, print and control the issue of voters' cards to voters whose names appear in the voters' register.

(2) No voter shall hold more than one valid voter's card.

(3) Any person who contravenes subsection (2) commits an offence and is liable, on conviction, to a fine not exceeding ten currency points or imprisonment not exceeding two years or both.

(4) The Commission may, whenever it considers it necessary, recall all or any voters' cards for the time being held by voters and, in exchange, issue new voters' cards.

Power to  
issue  
duplicate  
voters'  
cards.

**25.** (1) Whenever a voters' card is lost, destroyed, defaced, torn or otherwise damaged, the voter shall, at least seven days before polling day, notify in writing the returning officer or any other officer duly authorised for that purpose by the returning officer, stating the circumstances of that loss, destruction, defacement or damage.

(2) If the returning officer or that other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the voter's card, he or she shall issue to the voter a duplicate copy of the voter's original voter's card with the word "DUPLICATE" clearly marked or printed on it.

(3) No duplicate voter's card shall be issued to any voter on polling day or within three days before polling day.

(4) Any person who contravenes subsection (3) commits an offence and is liable on conviction, to a fine not exceeding ten currency points or imprisonment not exceeding one year or both.

26. (1) The property in any voter's card issued to any voter shall vest in the Commission.

Offence of buying or selling voter's card

(2) The Commission may withdraw a voters' card from any person who ceases to be a voter.

(3) Any person who—

(a) is unlawfully in possession of any card whether issued in the name of any voter or not; or

(b) sells or attempts to sell or offers to sell any voter's card whether issued to any voter or not; or

(c) buys or offers to buy any voter's card whether on his or her own behalf or on behalf of any other person,

commits an offence and is liable, on conviction, to a fine not exceeding fifteen currency points or imprisonment not exceeding three years or both.

27. (1) Any person who—

(a) makes a false statement of fact in any application for registration as a voter knowing it to be false; or

(b) after demand or requisition made of him or her under paragraph (a) or (b) of subsection (4) of section 21, without just cause, fails to give any such information as he or she possesses or unreasonably delays in giving the information; or

(c) fails to comply with any requirement made under section 21; or

Offences relating to registration of voters.

- (d) in the name of any other person, whether living, dead or fictitious, signs an application form for registration as a voter to have that other person registered as a voter; or
- (e) transmits or is concerned in transmitting to any person as genuine a declaration relating to registration which is false in any material particular, knowing it to be false; or
- (f) by himself or herself or any other person procures the registration of himself or herself or any other person on a voters' roll for a constituency, knowing that he or she or that other person is not entitled to be registered on that voters' roll or is already registered on it or on another voters' roll; or
- (g) by himself or herself or any other person procures the registration of a fictitious person,

commits an offence and is liable on conviction to a fine not exceeding fifteen currency points or imprisonment not exceeding one year or both.

(2) Any person who—

- (a) by duress, including threats to invoke any supernatural means whatsoever or reference to such supernatural means; or
- (b) by any fraudulent device or contrivance, causes or induces any person or attempts to cause or induce any person or persons generally to refrain from registering as a voter or voters, as the case may be,

commits an offence and is liable on conviction, to a fine not exceeding fifteen currency points or imprisonment not exceeding three years or both.

PART IV—RETURNING OFFICERS AND  
OTHER ELECTION OFFICERS.

28. (1) The Commission shall, by notice in the *Gazette*, appoint a returning officer for each electoral district; and the person appointed shall be a person of high moral character and proven integrity.

Appoint-  
ment of  
returning  
officers, etc.

(2) The office of a returning officer shall not become vacant unless the holder dies or, with the prior permission of the Commission, he or she resigns, or unless he or she is removed from office under subsection (3).

(3) The Commission may, by notice in the *Gazette* remove from office any returning officer where the returning officer—

- (a) is appointed by virtue of a public office, and the person appointed returning officer ceases to hold public office;
- (b) ceases to be ordinarily resident in the district for which he or she is appointed returning officer;
- (c) is incapable, by reason of illness, or physical or mental infirmity of satisfactorily performing his or her duties as returning officer;
- (d) is incompetent;
- (e) has been proved to be partial in the performance of his or her duties; or
- (f) has since his or her appointment, behaved in a corrupt manner in relation to his or her duties as returning officer.

(4) Where the office of returning officer becomes vacant, the appointment of a returning officer for that electoral district under subsection (1), shall be made within fourteen days from the date on which the Commission is informed of the vacancy.

**29.** (1) Every returning officer shall, upon his or her appointment, appoint in writing with the approval of the Commission, an assistant returning officer, who shall be a competent person who is qualified as voter, and resident in the electoral district, and notice of the appointment shall be published in the *Gazette*.

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

**30.** (1) An assistant returning officer may be removed from office by the returning officer by whom he or she is appointed with the approval of the Commission.

(2) Where the returning officer dies or his or her term of office expires, the assistant returning officer shall continue in office until the successor of the returning officer has appointed a new assistant returning officer.

(3) Where an assistant returning officer dies, becomes disqualified or incapable of acting or refuses to act, or is removed from office for any other reason, the returning officer for his or her electoral district shall, immediately, appoint a substitute, under section 29.

**31.** (1) Each returning officer shall, with the approval of the Commission, create in each constituency within his or her electoral district as many polling divisions as are convenient for the casting of votes by voters taking into account the distances to be travelled by voters to polling stations, the number of registered voters in the constituency and the geographical features of the constituency.

(2) Subject to subsection (3), each polling division shall have one polling station and where it is not possible to have a separate polling station for each polling division, a polling centre serving more than one polling division may be created at a single location, so that voters from one polling division vote at a distinct polling station within the polling centre.

Appoint-  
ment of  
assistant  
returning  
officers.

Replace-  
ment of  
assistant  
returning  
officer.

Polling  
divisions,  
polling  
stations and  
polling  
centres.

(3) Where there is more than one polling station at a polling centre, the returning officer shall ensure that steps are taken to inform voters as early as possible of the particular polling station at which they are required to vote, that the polling stations are separated by a sufficient distance and that the circumstances of voting are such as to guarantee orderly voting without confusion.

32. (1) Each returning officer—

Appoint-  
ment of  
presiding  
officers.

(a) shall appoint one presiding officer and not more than three polling assistants for each polling station;

(b) may, for good cause, at any time, before polling day replace any presiding officer or polling assistant; and

(c) may, for each constituency, appoint not more than four counting officers to assist him or her in taking the votes cast by voters on polling day.

(2) Where a presiding officer dies after his or her appointment or is unable to act as presiding officer on polling day, the returning officer may appoint another person in his or her place as presiding officer; and if no such appointment is made, one of the polling assistants, who is oldest in age, shall act as presiding officer.

PART V—MISCELLANEOUS.

33. (1) No person shall hinder any person from registering as a voter or from voting.

Offence of  
hindering a  
person from  
registering  
or voting.

(2) Any person who contravenes subsection (1) commits an offence and is liable on conviction, to a fine not exceeding ten currency points or imprisonment not exceeding one year or both.

Exemption  
from  
liability.

34. A member of the Commission or an employee of the Commission or any other person performing any function of the Commission under the direction of the Commission, shall not be personally liable to any civil proceedings for any act done in good faith in the performance of those functions.

Special  
powers of  
Commission.

35. Where, during the course of an election, it appears to the Commission that, by reason of any mistake, miscalculation, emergency or unusual or unforeseen circumstances, any of the provisions of this Act or any law relating to the election other than the Constitution, does not accord with the exigencies of the situation, the Commission may, by particular or general instructions, extend the time for doing any act, increase the number of election officers or polling stations or otherwise adapt any of those provisions as may be required to achieve the purposes of this Act or that law to such extent as the Commission considers necessary to meet the exigencies of the situation.

Regulations.

36. (1) The Minister shall, in consultation with the Commission, by statutory instrument, make regulations for the effective performance of the Commission's functions under this Act, and in particular, for the registration of voters and the conduct of public elections.

(2) Any regulations made under this section shall, within fourteen days after being published in the *Gazette*, be laid before Parliament and may be annulled by Parliament by resolution within twenty one days after being so laid.

(3) The Minister may, in any regulation made under this section, adopt the provisions of any enactment subject to such modifications as the Minister may, on the recommendation of the Commission, consider reasonable.

(4) Any period specified in subsection (2) shall not run during any time when Parliament is not sitting.

Amendment  
of Schedule.

37. The Minister may, by statutory instrument, with the approval of the Cabinet, amend the First Schedule to this Act.

**38.** All assets, rights, obligations and liabilities which immediately before the coming into force of this Act, were vested in or subsisted against the Interim Electoral Commission under the Parliamentary Elections (Interim Provisions) Statute, 1996 shall, on the coming into force of this Act, vest in or subsist against the Commission as the case may be.

Commission to succeed to assets of the Interim Commission. Statute No. 4 of 1996.

**39.** Sections 4 to 29, 30, 31, 32, 33, 34, 54 and 55 of the Parliamentary Elections (Interim Provisions) Statute, 1996 are repealed.

Repeal. Statute No. 4 of 1996.

**40.** (1) For the avoidance of doubt, the Interim Electoral Commission established under the Parliamentary Elections (Interim Provisions) Statute, 1996 shall cease to exist.

Transitional provisions.

(2) Pending the enactment of any law to replace the Parliamentary Elections (Interim Provisions) Statute, 1996, the functions of the Interim Electoral Commission under that Statute shall, upon the coming into force of this Act, vest in the Commission.

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**SCHEDULES.**

**FIRST SCHEDULE .**

Section 2

**CURRENCY POINT.**

A currency point shall be equivalent to twenty thousand shillings.

**SECOND SCHEDULE.**

Section 3

**OATH OF MEMBER OF ELECTORAL COMMISSION.**

I ..... being appointed Chairperson/Member of the Electoral Commission, swear in the name of the Almighty God/ solemnly affirm that I will well and truly exercise the functions of Chairperson/Member of the Electoral Commission in accordance with the Constitution and the laws of the Republic of Uganda without fear or favour, affection or ill will. (So help me God).