

BILLS SUPPLEMENT

to The Uganda Gazette No. 29 Volume XC dated 2nd May, 1997.

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

Bill No. 6

Movement Bill

1997

THE MOVEMENT BILL, 1997.

MEMORANDUM

The object of this Bill is to make provision for the movement political system, to create the organs under the movement and to define the roles of those organs pursuant to article 70 of the Constitution and also to make provision for related matters.

This Bill replaces the one published in the Gazette on 20th December, 1996.

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

THE MOVEMENT BILL, 1997.

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A BILL for an Act

ENTITLED

THE MOVEMENT ACT, 1997.

AN ACT to make provision for the movement political system pursuant to article 70 of the Constitution and for related matters:

WHEREAS article 271 of the Constitution provides that the first presidential, parliamentary, local government and other public elections after the promulgation of the Constitution shall be held under the movement political system;

AND WHEREAS article 70 of the Constitution describes the nature of, and defines the principles to which the movement political system shall conform and provides in clause (2) as follows—

“(2) Parliament may—

(a) create organs under the movement political system and define their roles; and

(b) prescribe from time to time any other democratic principle of the movement political system, as it may consider necessary”:

NOW THEREFORE BE IT ENACTED by Parliament as follows—

PART I—PRELIMINARY.

Short title.

1. This Act may be cited as the Movement Act, 1997.

Inter-
pretation.

2. In this Act unless the context otherwise requires—

“Chairperson” means the Chairperson of the National Conference and of the National Executive Committee;

“Director” means a Director of the Secretariat appointed under section 13 of this Act;

“leadership training centre” means a centre established for the purpose of promoting political education;

“Movement” means the movement political system referred to in article 70 of the Constitution;”

“National Conference” or “Conference” means the National Conference of the Movement established by section 4 of this Act;

“National Executive Committee” means the National Executive Committee established by section 10 of this Act;

“National Political Commissar” means the National Political Commissar appointed under section 13 of this Act;

“parish” includes “ward”;

“Secretariat” means the Secretariat of the Movement established by section 13 of this Act.

PART II—THE MOVEMENT.

3. The movement political system, referred to in article 70 of the Constitution, shall, subject to the Constitution, operate in accordance with this Act.

The Movement.

PART III—ORGANS UNDER MOVEMENT.

4. (1) The Movement shall have a National Conference which shall be the highest organ under the Movement.

National Conference and other organs under Movement.

(2) The other organs under the Movement are—

- (a) the National Executive Committee;
- (b) the Secretariat of the Movement;
- (c) District Movement Committees;
- (d) Sub-county Movement Committees and Town Movement Committees;
- (e) Parish Movement Committees; and
- (f) Village Movement Committees.

5. (1) The National Conference shall consist of the following persons—

Composition of the National Conference.

- (a) the Chairperson;
- (b) the Vice-Chairperson;
- (c) the National Political Commissar;
- (d) all members of Parliament;
- (e) all members of every District Executive Committee;
- (f) all Mayors of Municipalities;
- (g) each Sub-county Chairperson;
- (h) the Chairperson of each town council;

Statute No.
3 of 1993.

- (i) five members of the National Womens' Executive Committee under the National Womens' Council Statute, 1993, elected by the National Womens' Executive Committee;
- (j) five members of the National Youth Executive Committee under the Youth Council Statute, 1993, elected by the National Youth Executive Committee;
- (k) five representatives of the National Organisation of Trade Unions, elected by the National Executive Committee of the National Organisation of Trade Unions;
- (l) five representatives of the National Union of Disabled persons of Uganda, elected by the National Executive Committee of that Union;
- (m) ten representatives of the Uganda Peoples Defence Forces, elected by the Uganda Peoples Defence Forces Council;
- (n) five representatives of the Uganda Police Force, elected by the Police Council;
- (o) three representatives of the Uganda Prisons Service;
- (p) all Resident District Commissioners;
- (q) ten representatives of the private business sector elected by the private sector foundation body;
- (u) five representatives of the Veterans' Association.

(2) Where the person elected President of the Republic of Uganda is not the person elected Chairperson he or she shall be a member of the National Conference.

(3) There shall be a Chairperson of the National Conference who shall be a person nominated by at least one hundred members of the National Conference and elected by the National Conference.

(4) There shall be a Vice-Chairperson of the National Conference who shall be a person nominated by at least fifty members of the National Conference and elected by the Conference.

(5) The Chairperson or Vice-Chairperson may be removed from office by resolution supported by a majority of all members of the National Conference on grounds of—

- (a) inability to perform the functions of his or her office arising out of physical or mental incapacity;
- (b) misbehaviour or misconduct;
- (c) incompetence; or
- (d) failure to convene meetings of the National Conference or the National Executive Committee as required by law.

(6) The Electoral Commission shall appoint a returning officer for the purposes of conducting any elections under this section.

(7) The Chairperson and the Vice-Chairperson is each entitled to appear at any proceedings for his or her removal and to be represented there by a lawyer or other expert or person of his or her choice.

6. The National Conference shall—

- (a) initiate, formulate and evolve national consensus on key political, economic and social policies in Uganda;
- (b) mobilise the people to ensure optimal participation in political, economic and social policies in the country;
- (c) monitor and review implementation of key national policies;
- (d) advise the Legislature and the Executive on the policy of the movement making such recommendations as it may think fit;

to be
Chairperson

Role of
National
Conference.

to ensure
National
Conference

- (e) seek to enhance national unity and solidarity; and
- (f) review the implementation of Government programmes and make appropriate recommendations on them to the Executive and the Legislature.

Role of
Chairperson.

7. (1) Subject to the provisions of this Act, the Chairperson shall—

- (a) be Head of the Movement and Chairperson of the National Conference and of the National Executive Committee;
- (b) convene and preside over meetings of the National Conference and the National Executive Committee;
- (c) ensure that the policies and principles of the Movement are implemented;
- (d) be the Chief spokesperson of the Movement;
- (e) give guidance to the Movement; and
- (f) do any other thing necessary for the good of the Movement and for the proper implementation of Movement principles and policies in consultation with the National Executive Committee.

(2) The Vice-Chairperson shall assist the Chairperson in the carrying out of his or her functions under this section.

Meetings of
National
Conference.

8. (1) The National Conference shall ordinarily meet once in every two years.

(2) The National Conference may also have extraordinary meetings as and when necessary.

(3) All meetings of the National Conference shall be convened by the Chairperson by giving not less than thirty days notice in the national media.

(4) In the absence of the Chairperson meetings may be called by the Vice-Chairperson in the manner prescribed by subsection (3).

(5) The first meeting of the National Conference shall be convened by the Chief Justice or a Judge designated by the Chief Justice by giving not less than thirty days notice in the national media.

(6) The Chief Justice or a Judge designated by the Chief Justice shall preside at any meeting for the election of a Chairperson of the National Conference.

(7) The Chairperson shall preside at an election of the Vice-Chairperson.

(8) The election of the Chairperson shall be the first business of the National Conference at any time when the office of the Chairperson is vacant.

(9) An election to the office of the Vice-Chairperson shall be held at the first meeting of the National Conference after that office becomes vacant.

(10) Subject to the provisions of this section, all meetings of the Conference shall be presided over by the Chairperson or in his or her absence, by the Vice-Chairperson; and in the absence of both of them, the meeting shall be presided over by a member of the Conference elected by the members present.

(11) All decisions at a meeting of the Conference shall be taken by consensus; and, in the absence of a consensus, by the votes of a majority of members present and voting; except that in the case of an election, the vote shall be by secret ballot.

(12) The National Conference shall otherwise prescribe its own procedure for its meetings.

9. (1) At least one third of the members of the National Conference may, in writing, signed by each of them, request the Chairperson or the Vice-Chairperson to convene an extraordinary meeting of the National Conference, specifying the agenda to be considered at that meeting.

Meetings by
requisition.

(4) In the absence of the Chairperson or in his or her absence by the Vice-Chairperson in the manner prescribed by the Chairperson or the Vice-Chairperson, if the Chairperson or the Vice-Chairperson refuses or otherwise fails within a reasonable time to respond to the request made under subsection (1), or if the Chairperson or the Vice-Chairperson, after receipt of the response of the Chairperson or Vice Chairperson to the request, at least one third of the members of the National Conference are dissatisfied with the response, then at least one third of the members of the National Conference may, by written notice signed by them, call a special meeting, in this section referred to as a "requisition meeting" and the notice shall be published in the national media appointing a date not less than thirty days from the date of publication of the notice, for the meeting and stating the place and agenda of the meeting.

(3) A meeting by requisition shall be presided over by the Chairperson or in his or her absence by the Vice Chairperson but in the absence of both of them or if they refuse or are unwilling to preside and a quorum has been realised, the members present shall elect one of their number (other than the National Political Commissar) to preside at the meeting. (4) The National Political Commissar shall act as returning officer at an election under subsection (3).

(5) All decisions taken and resolutions passed by a meeting by requisition of the National Conference shall be binding on the Movement.

(6) All expenses incurred by members in organising a meeting by requisition shall be borne by the Movement.

(1) At least one third of the members of the National Conference may, by written notice signed by them, call a special meeting, in this section referred to as a "requisition meeting" and the notice shall be published in the national media appointing a date not less than thirty days from the date of publication of the notice, for the meeting and stating the place and agenda of the meeting.

PART IV—COMMITTEES OF NATIONAL CONFERENCE
 10. (1) There shall be a National Executive Committee of the National Conference to be considered at that meeting.

National Executive Committee

(2) The National Executive Committee shall be a standing committee of the National Conference.

(3) The National Executive Committee shall consist of—

(a) the Chairperson;

(b) the Vice-Chairperson;

(c) the National Political Commissar;

(d) all Resident District Commissioners;

(e) the District Chairperson of every district;

(f) one member of Parliament from each district elected by the members of Parliament from the district;

(g) one third of the District Women Representatives in Parliament elected by those representatives;

(h) two representatives of the Uganda Peoples Defence Forces elected by the Uganda Peoples Defence Forces Council from among representatives of the Uganda Peoples Defence Forces who are representatives of the Uganda Peoples Defence Forces in the National Conference;

(i) one representative of the Uganda Police Force from among the representatives of the Force in the National Conference;

(j) one representative of the Uganda Prisons Service from among the representatives of the Service in the National Conference;

(k) one representative of the private business sector elected by the private sector foundation body from among the representatives of the private business sector in the National Conference;

(l) one representative of the Veterans' Association from among the representatives of the Association in the National Conference.

(3) Where the person elected President of the Republic of Uganda is not the person elected Chairperson he or she shall be a member of the National Executive Committee.

Functions of
National
Executive
Committee.

11. (1) The National Executive Committee shall—

(a) initiate policy and other measures considered by the National Conference;

(b) deal with policy matters on behalf of the National Conference;

(c) be responsible for the day-to-day affairs of the Conference;

(d) advise the National Conference on the performance of its functions; and

(e) perform such other functions as the National Conference may direct.

(2) The National Executive Committee shall have a Secretary who shall be a public officer seconded to the Committee by the Public Service Commission.

(3) The Secretary shall be responsible for the recording of the minutes of all proceedings of the Committee and shall perform such other functions as the Committee may direct.

Meeting of
the National
Executive
Committee.

12. (1) The National Executive Committee shall meet for the dispatch of business at least once in every four months.

(2) Meetings of the Committee shall be convened by the Chairperson or in his or her absence by the Vice-Chairperson.

(3) Except in 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.

(4) Decisions of the Committee shall be taken by consensus; and in the absence of a consensus, by a majority of the members present and voting.

(5) No member of the Committee shall have a second or casting vote.

(6) The Committee may otherwise prescribe its own procedure for its meetings.

PART V—SECRETARIAT OF THE MOVEMENT.

13. (1) The Movement shall have a Secretariat.

The
Secretariat.

(2) The head of the Secretariat shall be the National Political Commissar who shall be appointed by the Chairperson with the approval of the National Executive Committee.

(3) The National Political Commissar shall be Secretary to the National Conference.

(4) As Secretary the National Political Commissar shall be responsible for the recording of the minutes of all proceedings of the National Conference and shall perform such other functions as the National Conference may direct.

(5) The National Political Commissar may be removed from office by the Chairperson on any of the following grounds—

(a) abuse of office or wilful violation of the oath of allegiance or oath of office;

(b) misconduct or misbehaviour;

(c) physical or mental incapacity, namely that he or she is incapable of performing the functions of his or her office by reason of physical or mental incapacity;

(d) mismanagement; or

(e) incompetence.

(6) There shall be such number of Directors and Deputy Directors in charge of such directorates and leadership training centres as the National Executive Committee may establish within the Secretariat.

(7) The Directors, and Deputy Directors, shall be appointed by the Chairperson on the recommendation of the National Political Commissar.

(8) There shall be such number of other (staff as the National Executive Committee may appoint.

(9) Public officers may be seconded to the Secretariat for enabling the Secretariat to carry out its functions.

Censure of National Political Commissar.

14. (1) The National Executive Committee may, by resolution supported by more than half of all members of the Committee, pass a vote of censure against the National Political Commissar on any of the following grounds—

(a) abuse of office or wilful violation of the oath of allegiance or oath of office;

(b) misconduct or misbehaviour;

(c) physical or mental incapacity, namely that he or she is incapable of performing the functions of his or her office by reason of physical or mental incapacity;

(d) mismanagement; or

(e) incompetence.

(2) Upon a vote of censure being passed against the National Political Commissar, the Chairperson shall, unless the National Political Commissar resigns his or her office, take appropriate action in the matter.

(3) Proceedings for censure of the National Political Commissar shall be initiated by a petition to the Chairperson signed by not less than one third of all members of the National Executive Committee giving notice that they are dissatisfied with the conduct or performance of the National Political Commissar and intend to move a motion for a resolution of censure and setting out particulars of the grounds in support of the motion.

(4) The Chairperson shall, upon receipt of the petition, cause a copy of it to be given to the National Political Commissar.

(5) The motion for the resolution of censure shall not be debated until the expiry of thirty days after the petition was sent to the Chairperson.

(6) The National Political Commissar is entitled during the debate to be heard in his or her defence.

Role of the Secretariat.

15. Under the direction of the National Political Commissar, the Secretariat shall—

(a) be responsible for giving effect to the decisions of the National Conference and the National Executive Committee;

(b) be responsible for national mobilisation of the people and to facilitate the discharge of the functions of the National Conference and the National Executive Committee;

Functions of the National Movement Committee

(c) be responsible for providing administrative and secretarial services to the National Conference and the National Executive Committee; and

Functions of the National Movement Committee

(d) carry out such other functions as may be assigned to it by the Chairperson or by the National Executive Committee.

PART VI—LOWER ORGANS UNDER MOVEMENT

16. (1) There shall be a committee for each district to be known as the District Movement Committee.

District Movement Committees

(2) The District Movement Committee shall consist of—

Composition of District Movement Committees

(a) the District Chairperson who shall be the Chairperson of the Committee;

(b) the Resident District Commissioner;

(c) all members of the District Council;

- (d) all Chairpersons of Sub-county Councils or Town Councils in the district;
- (e) all Chairpersons of County Councils in the District;
- (f) all members of Parliament from that district;
- (g) one representative of the private business sector elected by the private business sector foundation body in each district; and
- (h) one representative of the Veterans' Association elected by the Association branch in each district.

Functions of
District
Movement
Committee.

17. The District Movement Committee shall be responsible to the National Executive Committee for policy matters of the Movement with regard to the district.

Meetings of
District
Movement
Committee.

18. (1) A District Movement Committee shall meet at least once in every six months.

(2) Meetings of the District Movement Committee shall be convened by the Chairperson of the Committee.

(3) Each District Movement Committee shall have/a Secretary who shall be appointed by the Chairperson of the Committee from among the members of the Committee and with the approval of the Committee.

Sub-county
and town
movement
committees.

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

(2) The members of the sub-county council or the town council shall, as the case may be, constitute the members of the sub-county or town movement committee.

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

(4) The Chairperson of the sub-county council or the town council shall, as the case may be, be the Chairperson of the sub-county or town movement committee.

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

20. (1) A sub-county or town movement committee shall meet at least once in every six months.

Meetings of sub-county or town movement committee.

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

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

21. (1) There shall be a parish movement committee for every parish.

Parish movement committees.

(2) A parish movement committee shall consist of all members of the parish council.

(3) The Chairperson of each village movement committee shall be a member of the parish movement committee of the parish in which the village falls.

(4) The Chairperson of the parish council shall be the Chairperson of the parish movement committee.

(5) A parish movement committee shall be responsible to the sub-county movement committee in whose jurisdiction the parish falls, for policy matters with regard to the parish.

Meetings of parish movement committee.

22. (1) A parish movement committee shall meet at least once in every three months.

(2) Meetings of the parish movement committee shall be convened by the Chairperson of the committee.

(3) Each parish movement committee shall have a Secretary who shall be appointed by the Chairperson of the committee from among the members of the committee and with the approval of the committee.

Village and movement committees.

23. (1) There shall be a village movement committee for every village.

(2) A village movement committee shall consist of all the adult members of the village.

(3) The Chairperson of the village local council shall be the Chairperson of the village movement committee.

(4) The village movement committee shall be responsible to the parish movement committee within whose jurisdiction the village falls, for policy matters of the movement with regard to the village.

Meetings of village movement committee.

24. (1) A village movement committee shall meet at least once in every month.

(2) Meetings of the village movement committee shall be convened by the Chairperson of the committee.

(3) Each village movement committee shall have a Secretary who shall be appointed by the Chairperson of the committee from among the members of the committee and with the approval of the committee.

PART VII—GENERAL.

25. The quorum of the National Conference, the National Executive Committee and any other organ under the Movement for any meeting shall be one third of the membership of that organ. Quorum.
26. The National Conference, the National Executive Committee and any other organ under the Movement may act notwithstanding any vacancy in its membership. Vacancy not to invalidate proceedings.
27. Parliament may, by resolution, prescribe other democratic principles of the Movement for the purposes of paragraph (b) of clause (2) of article 70 of the Constitution. Parliament to prescribe other principles of Movement.
28. The National Executive Committee may appoint standing and other committees to assist it in the discharge of its functions under this Act. Standing committees, etc.
29. Parliament shall provide such monies as may be necessary for the operation of the Movement; and the accounts of the Movement shall be subject to audit by the Auditor General who shall report on them to Parliament at such intervals as Parliament shall determine. Funds of the Movement.
30. Subject to this Act, the terms and conditions of service of members of the National Conference, the National Executive Committee and other organs under the Movement and also of employees of the Movement shall be determined by the National Executive Committee. Terms and conditions.
31. (1) Subject to the provisions of the Constitution, the term of the National Conference and the National Executive Committee and each other organ of the Movement shall be five years commencing from the first meeting of the National Conference and thereafter for five years at a time. Term of Movement organs.

(2) On the expiry of the five years prescribed in subsection (1) the office of Chairperson and Vice Chairperson and the National Political Commissar and that of the Secretary of each other organ under the Movement shall become vacant but each such person shall be eligible to be re-elected or re-appointed.

(3) Where any institution, association or body has a representative or representatives, as a member or members of the National Conference, or any other organ under the Movement, the institution, association or body shall, within the last sixty days of the period of five years specified in subsection (1), hold an election for the election of a representative or representatives on the National Conference or other organ.

(4) A person or persons referred to in subsection (3) shall cease to be a member of the Council on the expiry of the five year period specified in subsection (1) but is eligible to be re-elected.

(5) Where a person holds any office in the Movement by virtue of another office held by that person, the person shall cease to hold the office in the Movement when he or she ceases to hold that other office.

(6) Where a person is a member of the National Conference, or the National Executive Committee or a member of any other organ under Movement as a representative of any institution, association or body, that person may be recalled by that institution, association or body and upon being recalled, he or she shall cease to be a member of that organ.

(7) A person shall not be recalled under subsection (6) except on the following grounds—

- (a) that he or she has committed any act incompatible with his or her position as a representative of that institution, association or body in the Conference or other organ;

- (b) inability to perform the functions of his or her office by reason of infirmity of body or mind;
- (c) misbehaviour or misconduct;
- (d) incompetence;
- (e) persistent failure to attend meetings of the organ without reasonable excuse.

32. (1) The National Political Commissar shall annually prepare and submit to the National Executive Committee a budget for the organs under the Movement.

Budget.

(2) After the National Executive Committee has approved the budget it shall be submitted to Parliament in accordance with article 155 of the Constitution, in like manner as for a department of Government.

(3) The funds of the Movement may, with the approval of the Minister responsible for finance, include grants and donations from sources within or outside Uganda to enable the Movement to attain its objects.

33. (1) The Chairperson, may, by statutory instrument, make regulations for carrying into effect the provisions of this Act and the purposes of the provisions of the Constitution relating to the Movement.

Regulations.

(2) Without prejudice to the general effect of subsection (1), regulations may be made under that subsection—

- (a) for carrying into effect any democratic principle of the Movement prescribed by Parliament under section 27 of this Act;
- (b) regulating the meetings of the District Movement Committees, sub-county movement committees, town movement committees, parish movement committees and village movement committees;
- (c) regulating the conduct of any elections to be held for the purposes of this Act.