

BILLS SUPPLEMENT

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Bill No. 2 *Administration of the Judiciary Bill* **2018**

THE ADMINISTRATION OF THE JUDICIARY BILL, 2018

MEMORANDUM

1. Policy and principles

The policy behind the Bill is to operationalise the Constitutional provisions relating to the Judiciary by providing for the further application and enforcement of Chapter Eight of the Constitution.

Chapter Eight buttresses the institutional, operational and administrative independence of the Judiciary. Article 126 provides for the source and exercise of judicial power. Article 127 provides for the participation of the people in the administration of justice. The Constitution under article 128 provides for the independence of the Judiciary, it makes the Judiciary self-accounting and protects the administrative expenses and emoluments for persons serving in the Judiciary by charging them on the Consolidated Fund. It empowers the Judiciary to deal directly with the Ministry responsible for finance in determining the retirement benefits payable to or in respect of persons serving in the Judiciary.

Article 133 vests the administration and supervision of the Judiciary in the Chief Justice and in that capacity empowers him to issue orders and directions to the courts for the proper and efficient administration of justice.

However, whereas there is guidance on the functioning and administration of the judiciary in the Constitution, there is no law that operationalises Chapter Eight of the Constitution. This has resulted in a lack of clarity, ineffectiveness and wasteful duplication of the judicial structures at the expense of the administration of justice.

This Bill therefore seeks to translate and amplify the principles set out in Chapter Eight of the Constitution through legislative provisions to deepen further the independence of the Judiciary and make the Judiciary more effective and accountable to the people.

2. Defects in the existing law

The Constitution, under Chapter Eight makes provision for the institutional, operational and administrative independence of the Judiciary. It also makes provision for retirement benefits.

The provisions of Chapter Eight have not been operationalized through an Act of Parliament as provided for by article 150.

There are currently some provisions related to the Judiciary in the Judicature Act, Cap 13. However, these provisions are not comprehensive and do not extensively elaborate or translate the principles set out under Chapter 8 of the Constitution.

There is also no law that comprehensively provides for the retirement benefits of judicial officers as is the case for the other two arms of Government; the Executive and the Legislature. The President, Vice President and Prime Minister's retirement benefits are provided for by the Emoluments and Benefits of the President, Vice President and Prime Minister Act, 2010 while the Speaker and Deputy Speaker's retirement benefits are provided for by the Parliamentary Pensions Act, 2007.

There is therefore urgent need to translate and elaborate the principles set out in Chapter Eight of the Constitution into legislative principles.

3. Remedies proposed in the Bill

The object of the Bill is to comprehensively provide for the functioning, institutional operation and administrative independence of the Judiciary, as well as the retirement benefits of judicial officers.

The Bill elaborates and cements the independence of the Judiciary by making it self-accounting and protects the administrative expenses, emoluments and retirement benefits of judicial officers.

4. Salient provisions of the Bill

The Bill makes provision for—

- (a) the administration of the Judiciary by the Chief Justice who may, in consultation with the Judicial Service Commission, create, classify, change and abolish offices within the judicial service for the efficient functioning of the Judiciary;
- (b) the establishment of the Judiciary Advisory Committee to advise the Chief Justice on the functions and administration of the Judiciary. The Committee shall be composed of at least 14 persons from all levels of the Judiciary, representatives of the Solicitor General, the Secretary to the Treasury, the Judicial Service Commission, the Uganda Law Society and at least two members of the public;
- (c) the establishment and appointment of the Inspectorate of the Judiciary to receive and process internal and external complaints against any staff of the Judiciary;
- (d) the Judiciary Service; which shall consist of judicial officers and other staff, who in the discharge of the functions of the Judiciary Service shall be guided by the Constitution to promote honesty, integrity and transparency in the Judiciary;
- (e) the formal appointment of the Chief Registrar and Registrars under article 145(2) of the Constitution;
- (f) the formal recognition of the Secretary to the Judiciary and gives functions to the Secretary to Judiciary similar to those of Permanent Secretaries under article 174 of the Constitution and section 10 of the Public Service Act, 2008;

- (g) the establishment of a Performance Management System and the establishment of the Judicial Training Institute;
- (h) the retirement benefits of judicial officers;
- (i) the funds of the Judiciary; to include, money appropriated by Parliament and grants or donations. The moneys approved by Parliament to defray expenses incurred in the discharge of the Judiciary shall be charged on the Consolidated Fund;
- (j) the Judiciary Fund, into which all the funds of the Judiciary shall be paid. It also provides for the bank accounts, financial year and books of accounts of the Judiciary; and
- (k) the power of the Chief Justice to make Regulations for the better carrying into effect of the provisions of the Act.

MAJ. GEN (RTD.) KAHINDA OTAFIIRE,
Minister of Justice and Constitutional Affairs.

THE ADMINISTRATION OF THE JUDICIARY BILL, 2018

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A Bill for an Act

ENTITLED

THE ADMINISTRATION OF THE JUDICIARY ACT, 2018.

An Act to give effect to Chapter Eight of the Constitution relating to the Judiciary; to provide for the efficient and effective administration of the Judiciary; to establish the Judiciary Advisory Committee to advise the Chief Justice on the administration of justice and the courts; to establish a Judiciary Service within the Judiciary; to strengthen the independence of the Judiciary by streamlining the provision and management of funds for the Judiciary and establishing structures within the Judiciary to improve the performance of the Judiciary; to provide for retirement benefits of judicial officers and for related matters.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Interpretation.

In this Act, unless the context otherwise requires—

“Commission” means the Judicial Service Commission established by article 146 of the Constitution;

“Committee” means the Judiciary Advisory Committee established by section 4;

“Institute” means the Judicial Training Institute established by section 19;

“judicial officer” means the Chief Justice, the Deputy Chief Justice, the Principal Judge, a Justice of the Supreme Court, a Justice of the Court of Appeal, a Judge of the High Court, the Chief Registrar, a Registrar of a Court, a Magistrate or such other person holding any office connected with court as may be prescribed by law;

“Judiciary Service” means the Judiciary Service established by section 13;

“Judiciary staff” means all judicial officers, administrative and other staff appointed by the Judicial Service Commission to perform judicial, administrative and other functions of the Judiciary;

“lower bench” means a magistrates court or other court lower than the High Court;

“Minister” means the Minister responsible for justice;

“superior courts” means the Supreme Court, the Court of Appeal and the High Court.

2. Object of the Act.

The object of this Act is—

- (a) to operationalise Chapter Eight of the Constitution relating to the Judiciary;
- (b) to facilitate the improvement of the efficiency and effectiveness of the courts of judicature;
- (c) to establish the Judiciary Advisory Committee to advise the Chief Justice in the administration of the Judiciary and justice;
- (d) to strengthen the independence of the courts in accordance with the Constitution;

- (e) to streamline the administration of the courts;
- (f) to facilitate a judicial process that is committed to the expeditious determination of disputes;
- (g) to establish the Judicial Training Institute; and
- (h) to provide for the retirement benefits of judicial officers.

PART II—ADMINISTRATION OF THE JUDICIARY.

3. Administration of the Judiciary by the Chief Justice

(1) Subject to the Constitution, the Chief Justice may, in consultation with the Judicial Service Commission, create, classify, change and abolish offices within the judicial service to ensure the efficient functioning of the Judiciary.

(2) The Chief Justice may, in exercise of his administrative and supervisory authority under article 133 of the Constitution—

- (a) assign administrative duties of a higher status to judicial officers other than Judges for a specified period of time;
- (b) establish performance and evaluation systems for the Judiciary; and
- (c) take any other action appropriate to the exercise of the powers conferred on the Chief Justice by article 133 of the Constitution.

4. Establishment of the Judiciary Advisory Committee.

(1) The Chief Justice shall constitute a Judiciary Advisory Committee consisting of—

- (a) the Chief Justice;
- (b) the Deputy Chief Justice;
- (c) the Principal Judge;

- (d) one Justice representing the superior courts;
- (e) one judicial officer representing the lower bench;
- (f) the Solicitor General or his or her representative;
- (g) the Chief Registrar;
- (h) the Secretary to the Judiciary;
- (i) the Secretary to the Treasury or his or her deputy;
- (j) a representative of the Justice Law and Order Sector institutions, other than the Ministry responsible for justice;
- (k) the President of the Uganda Law Society;
- (l) the Chairperson of the Law Council or his or her representative; and
- (m) two members of the public; male and female, of high moral character, proven integrity and competence nominated by the Chief Justice.

(2) The Chief Justice shall be the chairperson of the Committee and shall preside at the meetings of the Committee, and in his or her absence, the Deputy Chief Justice shall preside.

(3) The Chief Justice or the Committee may invite any person or representative of any organisation or department of Government to attend the meetings of the Committee.

(4) The Committee shall meet at least once in every three months at a place and time determined by the Chief Justice.

(5) Subject to this Act, the Committee shall determine its own procedure or any other matter relating to the meetings of the Committee.

(6) The Chief Registrar shall be the secretary to the Committee.

5. Functions of the Committee.

The Committee shall be responsible for advising the Chief Justice on—

- (a) the policies for planning and development of the Judiciary;
- (b) ethics and integrity within the Judiciary;
- (c) ways and means of securing adequate financing for the Judiciary;
- (d) matters relating to personnel or staff development and welfare;
- (e) improvement of the administration of justice;
- (f) policies for continuous monitoring and evaluation of the Judiciary; and
- (g) any other matter relating to the administration or operation of the Judiciary.

6. Establishment of subcommittees within the Judiciary.

(1) The Chief Justice shall establish the following subcommittees within the Judiciary—

- (a) the planning, development and judiciary resources subcommittee;
- (b) human capital development and gender mainstreaming subcommittee;
- (c) information, communications technology and documentation subcommittee; and
- (d) any other subcommittee required for the administration of the Judiciary.

(2) The Chief Justice shall, in consultation with the Committee determine the composition and procedures of the subcommittees established under subsection (1).

(3) The Members of a subcommittee established under subsection (1) shall hold office on terms determined by the Chief Justice, on the recommendation of the Committee.

7. Functions of subcommittees.

(1) The subcommittee on planning, development and Judiciary resources shall be responsible for—

- (a) initiation, coordination and implementation of judicial policies, strategic plans, programmes and projects including research, budgeting, allocation and utilisation of resources; and
- (b) discussing the approved budgets, allocating resources, ensuring proper maintenance of movable and immovable assets and monitoring investment plans of the Judiciary.

(2) The subcommittee on human capital development and gender mainstreaming shall, among other things, advise the Committee on the terms and conditions of service, training and development of Judiciary staff, mainstreaming gender within the Judiciary, corporate and public relations issues and outreach programmes in the Judiciary.

(3) The subcommittee on information, communications technology and documentation shall be responsible for library information services, internal law reporting and information technology in the Judiciary.

(4) The Chief Justice shall, on the advice of the Committee, determine the functions of any other subcommittee established under section 6 (1) (d).

PART III—THE INSPECTORATE OF COURTS

8. Inspectorate of Courts.

(1) There is established an Inspectorate of Courts within the Judiciary.

(2) The Inspectorate shall be headed by a Chief Inspector of Courts designated by the Chief Justice from among the Justices of the Supreme Court.

(3) The Chief Inspector of Courts shall hold office for a renewable period of three years.

(4) The Chief Inspector of Courts shall report to the Chief Justice in the discharge of his or her duties.

9. Functions of the Inspectorate.

(1) The functions of the Inspectorate are—

- (a) to receive and process internal and external complaints against any staff of the Judiciary;
- (b) to investigate cases of maladministration of justice or any matter within its mandate;
- (c) to examine and take custody of any judicial and administration records necessary for its investigations;
- (d) to take remedial action as appropriate, during inspection to correct cases of maladministration in the Judiciary;
- (e) to interface with and sensitize stakeholders and the general public on the administration of justice; and
- (f) to enforce the Judicial Code of Conduct and the Public Service Code of Conduct in the Judiciary.

(2) In the performance of its functions, the Inspectorate shall observe the principles of equity, natural justice and impartiality.

10. Types of inspection

The Inspectorate shall carry out its mandate through the following activities—

- (a) *ad hoc* inspections;
- (b) scheduled inspections;
- (c) extended or comprehensive inspections;
- (d) special inspections;
- (e) surveys; and
- (f) investigations.

11. Powers of the Inspectorate.

In the exercise of its functions, the Inspectorate—

- (a) shall have access to all court records or official records kept by a judicial officer;
- (b) may require any person to supply any information or answer any question relating to the conduct of a case or trial; and
- (c) may compel the attendance of any person before the Inspectorate or require a person to produce any document necessary for the discharge of the functions of the Inspectorate.

12. Secretariat of the Inspectorate.

(1) The Inspectorate shall have a Registrar and such number of Deputy Registrars and administrative staff as shall be determined and designated by the Chief Justice.

(2) The Registrar shall head the secretariat of the Inspectorate.

PART IV — THE JUDICIARY SERVICE

13. The Judiciary Service.

(1) There is established within the Judiciary, a service known as the Judiciary Service.

(2) The Judiciary Service shall consist of judicial officers and staff of the judiciary.

(3) The staff of the Judiciary specified in Schedule 1 shall be appointed by the Judicial Service Commission.

14. Standard of service.

In the discharge of its functions, the Judiciary Service shall—

- (a) be guided by the Constitution;
- (b) uphold and be bound by the Judicial Code of Conduct and any other codes applicable to the professional bodies to which the judicial officers and staff belong; and
- (c) promote honesty, integrity and transparency.

15. Chief Registrar.

(1) A person shall not be appointed Chief Registrar or Registrar under article 145(2) of the Constitution unless that person—

- (a) is eligible for appointment as a Judge of the High Court; and
- (b) has served for at least ten years as a judicial officer.

(2) The Chief Registrar shall be assisted by a Deputy Chief Registrar designated by the Chief Justice from Registrars appointed under article 145(2) of the Constitution.

(3) The Chief Registrar is responsible for—

- (a) performing judicial functions vested in the Chief Registrar by law;
- (b) giving effect to policies and directions of the Chief Justice, Deputy Chief Justice and Principal Judge;
- (c) effectively overseeing judicial operations of all the courts of judicature;
- (d) monitoring and enhancing the quality of services and official procedures;
- (e) communicating with the Government and the public on matters relating to the Judiciary or any other matters which Government may be concerned with;
- (f) implementing the judicial activities in the Judiciary Strategic Plan;
- (g) assisting the Chief Justice, Deputy Chief Justice and the Principal Judge in the facilitation and supervision of the courts;
- (h) linking the Judiciary and the Judicial Service Commission on appointments, promotions and disciplinary matters relating to Registrars and Magistrates; and
- (i) any other matter assigned by the Chief Justice, Deputy Chief Justice or Principal Judge.

(4) Except for the functions under subsection (3)(a), in the exercise of the functions under subsection (3), the Chief Registrar shall report to the Chief Justice.

16. Registrars.

There shall be a Registrar responsible for—

- (a) the registry at—
 - (i) the Supreme Court;
 - (ii) the Court of Appeal; and
 - (iii) the High Court;
- (b) planning, research and development;
- (c) human resource development and training;
- (d) any other matter assigned by the Chief Justice or Chief Registrar.

17. Secretary to the Judiciary.

(1) There shall be a Secretary to the Judiciary who shall be appointed by the President under article 174 of the Constitution.

(2) The Secretary to the Judiciary shall be responsible for—

- (a) the organisation of the Judiciary;
- (b) tendering advice to the Chief Justice in respect of the administrative business of the Judiciary;
- (c) implementing policies of the Government of Uganda;
- (d) implementing the administrative activities in the Judiciary Strategic Plan;
- (e) subject to article 164 of the Constitution, the expenditure of public funds by or in connection with the Judiciary;
- (f) any other duty assigned by the Chief Justice, Deputy Chief Justice or Principal Judge.

(3) In the performance of his or her duties, the Secretary to the Judiciary shall be answerable to the Chief Justice.

PART V—PERFORMANCE MANAGEMENT SYSTEM

18. Performance Management System.

(1) The Chief Justice shall establish a Performance Management System within the Judiciary.

(2) The Performance Management System shall consist of a computer based means of enhancing the performance of the Judiciary.

PART VI—JUDICIAL TRAINING INSTITUTE

19. Judicial Training Institute.

(1) There shall be a Judicial Training Institute.

(2) The Institute shall provide specialized and continuous education to the Judiciary Service.

(3) The Institute may provide training to any other person or institution approved by the Director.

(4) The Chief Justice shall designate a Judge to be the Director of the Institute.

PART VII—SERVICE IN OTHER INSTITUTIONS

20. Service in other institutions.

(1) Where a judicial officer or a person in the Judiciary Service is appointed, seconded or assigned to an institution outside the Judiciary, that officer or person shall apply to the Chief Justice for leave of absence from the Judiciary.

(2) The Chief Justice may grant to an applicant under subsection (1), leave of absence without pay and other benefits for a period not exceeding five years.

(3) The period of absence granted to a person under this section shall be counted as part of the officer's period of service.

(4) The Chief Justice may request the appointing authority to appoint another person to serve in the capacity of the officer who has been granted leave of absence on such terms and conditions as the Commission may determine.

PART VIII—RETIREMENT BENEFITS FOR JUDICIAL OFFICERS

21. Retirement benefits for Chief Justice and Deputy Chief Justice.

A Chief Justice and Deputy Chief Justice shall, on retirement from office in accordance with article 144 of the Constitution, be granted the retirement benefits prescribed respectively in relation to their offices in Schedule 2 to this Act.

22. Funeral of Chief Justice and Deputy Chief Justice.

The funeral of a person who dies while holding the office of Chief Justice or Deputy Chief Justice shall be conducted in accordance with Schedule 3 to this Act.

23. Retirement benefits for a Justice of the Supreme Court and Justice of the Court of Appeal.

A Justice of the Supreme Court and a Justice of the Court of Appeal shall, on retirement from office in accordance with article 144 of the Constitution, be granted the retirement benefits specified in Schedule 4 to this Act.

24. Retirement benefits for Principal Judge and Judge of the High Court.

A Principal Judge and a Judge of the High Court shall, on retirement in accordance with article 144 of the Constitution, be granted the retirement benefits specified in Schedule 5 to this Act.

25. Retirement benefits for other judicial officers.

A judicial officer, other than the Chief Justice, Deputy Chief Justice, Justice of the Supreme Court, Justice of the Court of Appeal, Principal Judge or Judge of the High Court who retires from office shall receive the benefits specified in Schedule 6 to this Act.

26. Retirement benefits to be charged on Consolidated Fund.

(1) The retirement benefits granted under this Part shall be charged on the Consolidated Fund.

(2) The retirement benefits payable to a judicial officer under this Part shall be exempt from tax.

27. Disapplication of the Pensions Act, Cap. 286.

(1) The Pensions Act shall not apply to a judicial officer to whom this Part applies.

(2) For the purposes of this Part, “judicial officer” means the Chief Justice, the Deputy Chief Justice, the Principal Judge, a Justice of the Supreme Court, a Justice of the Court of Appeal, a Judge of the High Court, the Chief Registrar, a Registrar of a court and a Magistrate.

(3) A judicial officer to whom this Act applies, and who on the commencement of this Act was receiving a pension, shall on the commencement of this Act, cease to receive the pension and shall receive the retirement benefits granted to him or her under this Part.

28. Repeal of section 46(3) of the Judicature Act, Cap.13.

Section 46(3) of the Judicature Act, Cap.13 is repealed.

PART IX—FINANCES

29. Funds of the Judiciary.

The funds of the Judiciary shall include—

- (a) money appropriated by Parliament for the purposes of the Judiciary;
- (b) grants or donations approved by the Minister responsible for finance; and
- (c) all other moneys received by the Judiciary in the exercise of its functions.

30. Expenses of the Judiciary.

All moneys approved by Parliament to defray the expenses incurred in the discharge of the functions of the Judiciary or in carrying out the purposes of this Act shall be a direct charge on the Consolidated Fund.

31. The Judiciary Fund.

(1) There shall be a Judiciary Fund.

(2) All the funds of the Judiciary under section 29 shall be paid into the Judiciary Fund.

32. Bank accounts.

The Judiciary shall open and maintain such bank accounts with the approval of the Accountant General as are necessary for the exercise of the functions of the Judiciary and shall pay into them all monies received for the purposes of the Judiciary or this Act.

33. Financial year of the Judiciary.

The financial year of the Judiciary shall be the same as the financial year of Government.

34. Books of account.

The Judiciary shall keep proper books of accounts and records, and the accounts shall be audited by the Auditor General in accordance with the National Audit Act, 2008.

PART X—MISCELLANEOUS

35. Annual report of the Judiciary.

(1) The Chief Justice shall, as soon as practicable, publish an annual performance report concerning all activities of the Judiciary during the financial year.

(2) The report shall include information on the state of the Judiciary in the country.

(3) The Chief Justice shall cause to be distributed, copies of the annual performance report to the President, the Speaker, and any other stakeholder.

36. Regulations.

(1) The Chief Justice may, after consultation with the Minister, by statutory instrument, make regulations for better carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of subsection (1) the Chief Justice may make regulations relating to—

- (a) the structure and staff of the Institute;
- (b) the management of the Judiciary Fund; and
- (c) the manner of applying for leave of absence under section 20.

SCHEDULES*Section 13 (3)**Schedule 1***STAFF OF THE JUDICIARY TO BE APPOINTED BY THE JUDICIAL
SERVICE COMMISSION**

1. Court administrators.
2. Court attendants.
3. Court clerks and court interpreters.
4. Court drivers.
5. Court legal officers and research assistants.
6. Court librarians.
7. Court transcribers.
8. Court training officers.
9. Process servers.
10. Public relations officers for the Judiciary or any court.

Schedule 2**Benefits Payable to a Retired Chief Justice and Deputy Chief Justice****A. Chief Justice**

1. A monthly allowance equivalent to the basic salary payable to a sitting Chief Justice. The allowance shall be paid to the retired Chief Justice for life.
2. A furnished house or a one-off payment of UShs. 400,000,000, payable in lieu of a house.
3. An annual medical allowance equivalent to the medical allowance payable to a sitting Chief Justice.
4. A chauffeur driven car or a one off payment of UShs. 200,000,000 in lieu of a car.
5. Travel 1st class where the retired Chief Justice is required to travel abroad on official business.
6. Security provided by the State or an allowance of UShs. 15,000,000 per year payable in lieu of security.
7. Fuel to attend to any official Government business or State function.
8. Two domestic servants or payment of UShs. 300,000 per month payable in lieu of two domestic servants.
9. Secretarial services allowance of UShs. 150,000 per month.
10. Subsistence allowance at the prevailing Government rate where the retired Chief Justice is required to travel inland on official Government business.
11. Subsistence allowance at the prevailing Government rate where the retired Chief Justice is required to travel abroad on official Government business.
12. A fuel and vehicle repairs allowance of UShs. 2,000,000 per month.
13. A consolidated allowance of UShs. 235,000 per month to cater for airtime and internet.

B. Deputy Chief Justice

1. A monthly allowance equivalent to the basic salary payable to a sitting Deputy Chief Justice. The allowance shall be paid to the retired Deputy Chief Justice for life.
2. A monthly housing allowance equivalent to the housing allowance payable to a sitting Deputy Chief Justice or a one-off payment of UShs. 380,000,000, payable in lieu of a house.
3. An annual medical allowance equivalent to the medical allowance payable to a sitting Deputy Chief Justice.
4. A chauffeur driven car or a one off payment of UShs. 180,000,000 in lieu of a car.
5. Travel 1st Class where the retired Deputy Chief Justice is required to travel abroad on official business.
6. Security provided by the State or an allowance of UShs. 6,000,000 per year payable in lieu of security.
7. Fuel to attend to any official Government business or State functions.
8. Subsistence allowance at the prevailing Government rate where the retired Deputy Chief Justice is required to travel inland on official business.
9. Subsistence allowance at the prevailing Government rate where the retired Deputy Chief Justice is required to travel abroad on official Government business.
10. A fuel and vehicle repairs allowance of UShs. 1,800,000 per month.
11. A consolidated allowance of UShs. 205,000 per month to cater for airtime and internet.

Schedule 3**Funeral arrangements for Chief Justice and Deputy Chief Justice**

1. A person who dies while holding the office of Chief Justice or Deputy Chief Justice shall be accorded a State funeral.
2. Thirty percent of the gross annual salary of the Chief Justice or Deputy Chief Justice shall be used towards funeral expenses.
3. An official statement about the death of the Chief Justice or Deputy Chief Justice shall be made on television, radio, print media and other electronic media.
4. National flags shall be flown at half-mast during the mourning period.
5. The casket shall be draped in the national flag.
6. The casket cortege shall be escorted by the Uganda Police Force in top roof flash light vehicles.
7. The casket shall be carried by ceremonially uniformed pall bearers from the Uganda Police Force.
8. The body shall lie in State for one day, for public viewing.
9. A condolence book shall be opened for signing by political leaders, dignitaries and the public.
10. An official guard shall keep vigil and a bright light shall light the casket throughout the night.
11. Parliament shall pay tribute to the Chief Justice or Deputy Chief Justice with a band in attendance playing dirges.
12. A funeral service shall be held in honour of the late Chief Justice or Deputy Chief Justice in a place of worship or in a place designated by Cabinet.
13. The casket shall be transported to the burial place by a hearse.

Schedule 4

Benefits payable to a retired Justice of the Supreme Court and Justice of the Court of Appeal**A. Justice of the Supreme Court**

1. A monthly allowance equivalent to the basic salary payable to a sitting Justice of the Supreme Court. The allowance shall be paid to the retired Justice of the Supreme Court for life.
2. A monthly housing allowance equivalent to the housing allowance payable to a sitting Justice of the Supreme Court or a one off payment of UShs. 300,000,000, payable in lieu of a house.
3. An annual medical allowance equivalent to the medical allowance payable to a sitting Justice of the Supreme Court.
4. A chauffeur driven car or a one off payment of UShs. 150,000,000, payable in lieu of a car.

B. Justice of the Court of Appeal

1. A monthly allowance equivalent to the basic salary payable to a sitting Justice of the Court of Appeal. The allowance shall be paid to the retired Justice of the Court of Appeal for life.
2. A monthly housing allowance equivalent to the housing allowance payable to a sitting Justice of the Court of Appeal or a one off payment of UShs. 300,000,000, payable in lieu of a house.
3. An annual medical allowance equivalent to the medical allowance payable to a sitting Justice of the Court of Appeal.
4. A chauffeur driven car or a one off payment of UShs. 150,000,000, payable in lieu of a car.

Schedule 5**Benefits payable to a retired Principal Judge and a Judge of the High Court****A. Principal Judge**

1. A monthly allowance equivalent to the basic salary payable to a sitting Principal Judge. The allowance shall be paid to the retired Principal Judge for life.
2. A monthly housing allowance equivalent to the housing allowance payable to a sitting Principal Judge or a one off payment of UShs. 350,000,000, payable in lieu of a house.
3. An annual medical allowance equivalent to the medical allowance payable to a sitting Principal Judge.
4. A chauffeur driven car or a one off payment of UShs. 160,000,000, payable in lieu of a car.

B. Judge of the High Court

1. A monthly allowance equivalent to the basic salary payable to a sitting Judge of the High Court. The allowance shall be paid to the retired Judge of the High Court for life.
2. A monthly housing allowance equivalent to the housing allowance payable to a sitting Judge of the High Court or a one off payment of UShs. 300,000,000, payable in lieu of a house.
3. An annual medical allowance equivalent to the medical allowance payable to a sitting Judge of the High Court.
4. A chauffeur driven car or a one off payment of UShs. 150,000,000, payable in lieu of a car.

Schedule 6

Retirement Benefits of other Judicial Officers.**A. Chief Registrar**

A monthly allowance equivalent to the basic salary payable to a serving Chief Registrar. The allowance shall be paid to the retired Chief Registrar for life.

B. Registrar

A monthly allowance equivalent to the basic salary payable to a serving Registrar. The allowance shall be paid to the retired Registrar for life.

C. Deputy Registrar

A monthly allowance equivalent to the basic salary payable to a serving Deputy Registrar. The allowance shall be paid to the retired Deputy Registrar for life.

D. Assistant Registrar

A monthly allowance equivalent to the basic salary payable to a serving Assistant Registrar. The allowance shall be paid to the retired Assistant Registrar for life.

E. Chief Magistrate

A monthly allowance equivalent to the basic salary payable to a serving Chief Magistrate. The allowance shall be paid to the retired Chief Magistrate for life.

F. Senior Principal Magistrate Grade One

A monthly allowance equivalent to the basic salary payable to a serving Senior Principal Magistrate Grade One. The allowance shall be paid to the retired Senior Principal Magistrate Grade One for life.

G. Principal Magistrate Grade One

A monthly allowance equivalent to the basic salary payable to a serving Principal Magistrate Grade One. The allowance shall be paid to the retired Principal Magistrate Grade One for life.

H. Senior Magistrate Grade One

A monthly allowance equivalent to the basic salary payable to a serving Senior Magistrate Grade One. The allowance shall be paid to the retired Senior Magistrate Grade One for life.

I. Magistrate Grade One

A monthly allowance equivalent to the basic salary payable to a serving Magistrate Grade One. The allowance shall be paid to the retired Magistrate Grade One for life.

J. Senior Principal Magistrate Grade Two

A monthly allowance equivalent to the basic salary payable to a serving Senior Principal Magistrate Grade Two. The allowance shall be paid to the retired Senior Principal Magistrate Grade Two for life.

K. Principal Magistrate Grade Two

A monthly allowance equivalent to the basic salary payable to a serving Principal Magistrate Grade Two. The allowance shall be paid to the retired Principal Magistrate Grade Two for life.

L. Senior Magistrate Grade Two

A monthly allowance equivalent to the basic salary payable to a serving Senior Magistrate Grade Two. The allowance shall be paid to the retired Senior Magistrate Grade Two for life.

M. Magistrate Grade Two

A monthly allowance equivalent to the basic salary payable to a serving Magistrate Grade Two. The allowance shall be paid to the retired Magistrate Grade Two for life.

Cross references

The Constitution

Judicature Act, Cap. 13

National Audit Act, 2008

Pensions Act, Cap. 286