

**THE ARBITRATION AND CONCILIATION (AMENDMENT)
ACT, 2008.**

An Act to amend the Arbitration and Conciliation Act, (Cap. 4) in order to provide for funding of the Centre for Arbitration and Dispute Resolution by Government and to provide for other related matters.

DATE OF ASSENT: 11th June, 2008.

Date of Commencement: 27th June, 2008.

BE IT ENACTED by Parliament as follows—

Insertion of new sections 70A, 70B, 70C, 70D, 70E, 70F, 70G, 70H, 70 I, 70J, 70K, 70L and 70M in the Arbitration and Conciliation Act.

The Arbitration and Conciliation Act is amended by inserting immediately after section 70, the following—

“70 A. Funds of the Centre.

The funds of the Centre shall include the following—

- (a) sums of money issued out of the Consolidated Fund;
- (b) loans, grants, donations and gifts from sources within and outside Uganda; and

- (c) such other sums of money as may become payable to the Centre in the discharge of its functions.

70 B. Borrowing powers.

(1) The Centre may, with the prior approval of the Minister responsible for finance, borrow such sums of money required by the Centre in the discharge of its functions from such sources and on such terms as the Centre deems fit.

(2) The approval referred to in subsection (1) may be general or limited to a particular borrowing and may be unconditional or conditional.

70 C. Investment by the Centre.

The Centre may invest monies in excess of what is required for the operations of the Centre in investments determined by the Centre with the prior approval of the council.

70 D. Remuneration.

(1) There shall be paid to the members of the Council such remuneration and allowances as may be determined by the Minister with the approval of Cabinet.

(2) There shall be paid to the executive director and other staff of the Centre such remuneration as may be determined by the Council.

70 E. Centre to be self-accounting.

(1) The Centre shall be a self accounting body and shall deal directly with the Ministry responsible for finance on matters concerning its finances.

(2) All funds of the Centre shall be administered and controlled by the executive director who shall be the accounting officer in accordance with the Public Finance and Accountability Act and the regulations made under that Act.

70 F. Financial year.

The financial year of the Centre shall be the same as that of the Government.

70 G. Estimates of the Centre.

The Centre shall, before the commencement of each financial year, submit to the Minister responsible for finance, estimates of income and expenditure of the Centre for the ensuing financial year.

70 H. Accounts and audit.

(1) The Centre shall keep proper books of account in respect of its income and expenditure in a form approved by the Auditor General.

(2) The books of account of the Centre shall be audited within three months after the end of each financial year by the Auditor General or by an auditor appointed by him or her.

(3) The Auditor General or the auditor appointed by the Auditor General shall be entitled to have access to all books of account and other financial records of the Centre and to require any information and explanation in relation to those books and records.

(4) The Auditor General shall, within three months after the end of each financial year, submit to the Minister a copy of the audited accounts of the Centre together with his or her report on the accounts stating any matter which in his or her opinion has to be brought to the attention of the Minister.

(5) The Auditor General shall, within three months after the end of each financial year, submit to the Centre a copy of the audited accounts and his or her report submitted to the Minister under subsection (4).

70 I. Minister to lay Auditor General's report before Parliament.

The Minister shall, as soon as practicable after receiving the audited accounts of the Centre and the Auditor General's report under section 70.H, lay before Parliament the audited accounts of the Centre and the Auditor General's report.

70 J. Annual report.

The Centre shall make an annual report to the Minister on its operations.

70 K. Minister to lay Centre's annual report before Parliament.

The Minister shall lay before Parliament—

- (a) any program prepared by the executive director of the Centre and approved by the Council and any proposals for reform formulated by the Centre pursuant to that programme; and
- (b) the annual report of the Centre on its proceedings submitted to him or her under section 70.J with any comments on it as he or she may consider necessary.

70 L. Contracts.

(1) Any contract entered into by the Centre shall be made under the common seal of the Centre witnessed by the Executive Director and another member designated by the Council.

(2) The common seal of the Centre shall be under the custody of the Executive Director.

70 M. Fees.

(1) The Centre in the performance of its functions may charge fees for its services.

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(2) The Minister shall, by statutory instrument, prescribe the fees to be charged by the Centre.”

Cross References.

Public Finance and Accountability Act, 2003, Act No. 6 of 2003.
Stamps Act, Cap. 342.