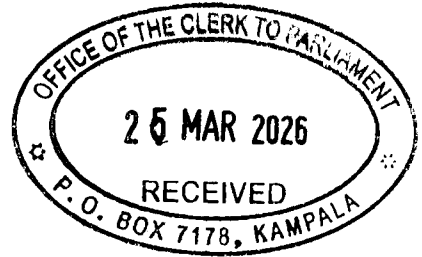




PARLIAMENT OF UGANDA



**REPORT OF THE SECTORAL COMMITTEE OF LEGAL AND  
PARLIAMENTARY AFFAIRS ON THE MAGISTRATES COURTS  
(AMENDMENT) BILL, 2026**

**OFFICE OF THE CLERK TO PARLIAMENT  
PARLIAMENT BUILDING  
KAMPALA-UGANDA**

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

**MARCH, 2026**

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

## 1.0. INTRODUCTION

On 11<sup>th</sup> March, 2026, the Magistrates Courts (Amendment) Bill, 2026 was in accordance with Rule 134 of the Rules of Procedure of Parliament, read for a first time and referred to the Committee on Legal and Parliamentary Affairs for consideration and report back to the House.

## 2.0. OBJECT OF THE BILL

The object of the Bill is to amend the Magistrates Courts Act. Cap. 19 to increase the pecuniary jurisdiction of magistrates courts, enhance their powers to impose higher fines, abolish the position of Magistrate Grade II, provide for the designation of magisterial areas and other transitional provisions.

## 3.0. METHODOLOGY

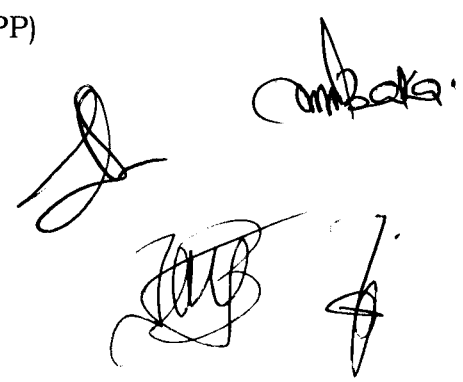
In the process of scrutinizing the Bill, the Committee

(a) held discussions with:

- i. Ministry of Justice and Constitutional Affairs;
- ii. The Judiciary;
- iii. Office of the Directorate of Public Prosecutions (DPP)
- iv. Uganda Law Reform Commission (ULRC);
- v. Law Development Centre (LDC);
- vi. Uganda Judicial Officers Association (UJOA)
- vii. Uganda Law Society (ULS)

(b) reviewed the following relevant documents:

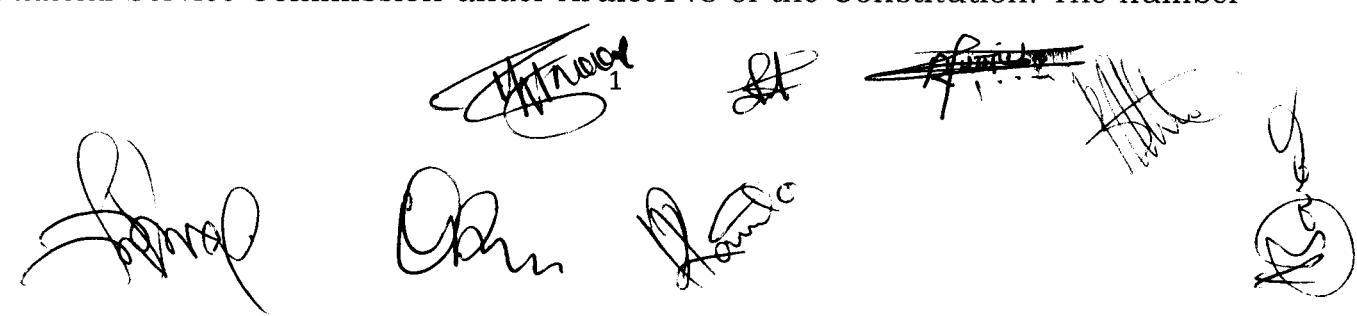
- i. the Magistrates Courts Act. Cap. 19
- ii. the Constitution of the Republic of Uganda, 1995;
- iii. Rules of Procedure of Parliament



## 4.0. STRUCTURE AND ARRANGEMENT OF MAGISTRATES COURTS IN UGANDA

Magistrates Courts are subordinate courts established under Article 129 (1) (d) of the Constitution. Magistrates Courts are regulated under the Magistrates Courts Act, Cap. 19

Persons who preside over magistrate courts are judicial officers appointed by the Judicial Service Commission under Article 148 of the Constitution. The number



of magistrates is determined by the Minister of Justice, after consultation with the Chief Justice. According to the judiciary, there are 98 Chief Magistrates and 397 magistrates of various ranks, being Chief Magistrate, Senior Principle Magistrate, Principle Magistrate, Senior Magistrate and Magistrate. These ranks are assigned to a magistrate depending on years of experience and education qualifications.

Magistrates Courts are based on magisterial areas as required in section 2 of the Magistrates Court Act. Magisterial areas are created by the Minister of Justice, after consultation with the Chief Justice, by statutory instrument and are based on districts of Uganda and in urban or high population areas, these can also be based at municipal or city divisions. According to the Magistrates Courts (Magisterial Areas and Magistrates Courts) Instrument, 2024, Uganda is divided into 157 magisterial areas. Each Magisterial Area is administered by a Chief Magistrate who has general powers of supervision over all Magistrates Courts and Local Council Courts within their areas of jurisdiction.

In a magisterial area, there is established magistrates court, as required in section 3 of the Magistrates Court Act, in such areas as the Minister may, after consultation with the Chief Justice, by statutory instrument designate for the area in respect of which it has jurisdiction. Magistrates Courts are of the following grades-

- (a) Chief Magistrate
- (b) Magistrate Grade I
- (c) Magistrate Grade II

*Handwritten signatures and initials, including the name "Cmbaka" written above a signature.*

Magistrates Courts exercise varying jurisdiction and powers as follows-

- (a) Chief Magistrate Court has powers to hear criminal and civil cases. In hearing civil cases, the powers of the Chief Magistrate extend to hearing of cases whose money value does not exceed fifty million shillings (UGX 50 Million). In criminal matters, the Chief Magistrate has powers to decide any case except those punishable with death. In cases involving customary law, the powers of the Chief Magistrate are not limited to any amount of money. Chief Magistrates Courts exercise supervisory functions for all magistrates within the jurisdiction of the Chief Magistrate.
- (b) Magistrate Grade I have both criminal and civil jurisdiction. In hearing civil cases, magistrates grade I hear cases whose monetary value does not exceed Twenty million shillings (UGX 20 Million). In criminal cases, the power of the Magistrate Grade I is limited to deciding cases that are

*Handwritten signature.*




*Handwritten signatures and initials at the bottom of the page, including the number "2" in the center.*










punishable by a sentence not exceeding ten years or a fine not exceeding four million eight hundred thousand shillings or both such imprisonment and fine. In cases involving customary law, the powers of the Magistrate Grade 1 are not limited to any amount of money.

- (c) Magistrate Grade II has both criminal and civil jurisdiction and may pass a sentence of imprisonment for a period not exceeding three years or a fine not exceeding five hundred thousand shillings or both such imprisonment and fine. This level of Magistrates is gradually being phased out by the Judiciary.

## 5.0. PROVISIONS OF THE BILL

The Bill makes provision for the following matters-

- (a) **Clause 1:** proposes to amend section 1 (2) by repealing the classification of magistrates courts from the Act. Magistrates Courts are currently classified as “first class” or “Second Class”. With the amendment, magistrate courts are to be ranked depending on their jurisdiction and the rank of the judicial officer presiding over such a court and magistrates are to be designated either as Chief Magistrate or Magistrate, without the grades;
- (b) **Clause 2:** proposes to amend section 2 of the principal Act by transferring the power to establish magistrate courts and designate magisterial areas from the Minister of Justice to the Chief Justice; 
- (c) **Clause 3:** proposes to repeal section 3 of the principal Act. Section 3 currently provides for the establishment of magistrates courts and grants the Minister responsible for justice, powers to establish magistrates' courts; 
- (d) **Clause 4:** proposes to amend section 4 of the principal Act by transferring the power to determine the number of magistrates from the Minister of Justice to the Chief Justice;
- (e) **Clause 5:** proposes to repeal section 8 from the Act. Section 8 provides for the appointment of Chief Registrars and registrars. 
- (f) **Clause 6:** proposes to amend section 161 of the principal Act to abolish magistrates courts grade II;

3

- (g) **Clause 7:** proposes to amend section 162 to increase the sentencing powers of magistrates courts grade I from 4.8 Million to 10 Million and to repeal the sentencing powers granted to magistrate grade II;
- (h) **Clause 8:** proposes to amend section 173 of the principal Act to increase the sentences imposed by Magistrate Grade I that need to be confirmed by the High Court from sentences of 2 years' imprisonment to sentences of six years' imprisonment;
- (i) **Clause 9:** proposes to amend section 203 of the principal Act to remove provisions relating to appeals from decisions of Magistrates Courts Grade II;
- (j) **Clause 10:** proposes to amend section 206 to increase the civil jurisdiction of magistrate courts, in the case of Chief Magistrate Courts from 50 Million to 100 Million and for a Magistrate Grade I, from 20 Million to 40 Million and repeal the jurisdiction of Magistrate Grade II;
- (k) **Clause 11:** proposes to amend the principal by inserting a new section 217A to empower Chief Magistrate's Courts to withdraw and transfer civil cases from magistrate grade I to courts presided over by chief magistrate courts or High Court;
- (l) **Clause 12:** proposes to amend section 218 of the principal Act to repeal the rules applicable in magistrate courts grade II;
- (m) **Clause 13:** proposes to amend section 219 of the principal Act to repeal provisions relating to civil appeals originating from magistrate courts grade II;
- (n) **Clause 14:** proposes to amend section 227 of the principal Act to repeal the power of the Minister to amend schedules 2 and 3. Those schedules provide for offences which cannot be tried and provisions which cannot be administered or enforced by Magistrates Grade II and the Civil Procedure Rules for courts presided over by Magistrates Grade II;
- (o) **Clause 15:** proposes to repeal schedules 2 and 3. Those schedules provide for offences which cannot be tried and provisions which cannot be administered or enforced by Magistrates Grade II and the Civil Procedure Rules for courts presided over by Magistrates Grade II;

4

The bottom of the page contains several handwritten signatures and initials. From left to right, there is a large signature, a signature that appears to be 'Ymca', a signature that appears to be 'D. Kame', a signature that appears to be 'P. ...', a signature that appears to be 'J. ...', and a signature that appears to be 'A. ...'. There are also some other smaller marks and initials scattered around.

(p) **Clause 16:** proposes to amend the principal Act and other enactments to remove all references to Magistrates Grade I and II;

(q) **Clause 17:** provides for transitional provisions.

## 6.0. OBSERVATIONS, FINDINGS AND RECOMMENDATIONS

This part of the report examines the proposals made by the Bill, their legality, effect and effectiveness to deal with the mischief it intends to cure.

### 6.1. Abolition of Magistrates Courts Grade II

The Committee notes that clauses 4, 6, 7, 9, 10, 12,13,14 and 15 of the Bill propose to repeal the provisions relating to the establishment, sentencing powers and jurisdiction of Magistrates Courts Grade II.

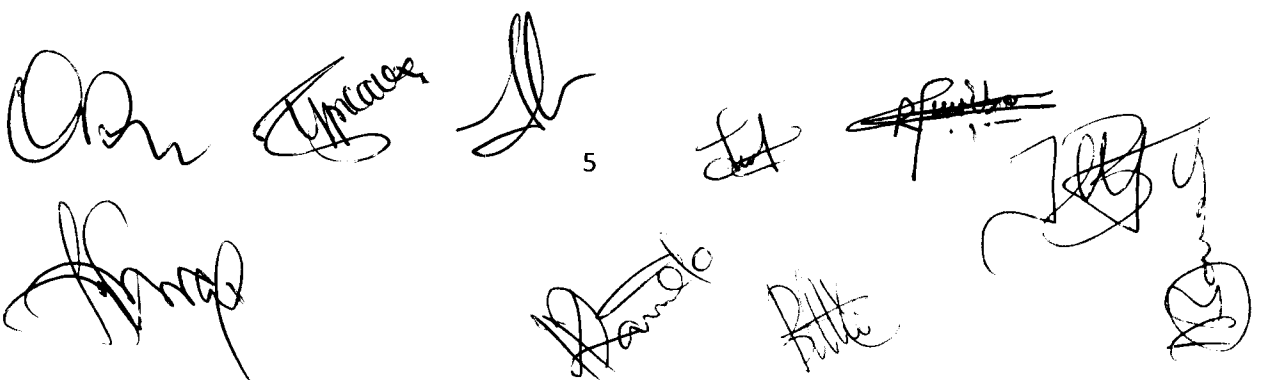
The Committee observes that Magistrates Courts Grade II are subordinate to grade I and Chief Magistrates Courts. These used to be presided over by Magistrates who usually held a Diploma in Law and had very limited criminal, civil and territorial jurisdiction. Their territorial jurisdiction is limited to their respective counties and they are normally situated at the county headquarters. Their criminal jurisdiction is limited to any offence carrying a maximum sentence of three years or a fine not exceeding twenty-five currency points. They exercised civil jurisdiction over matters whose value does not exceed five hundred thousand shillings.

The Committee was informed by the Judiciary that over the years, grade II magistrate courts have been phased out by the judiciary since their pecuniary jurisdiction is low, having been eroded by inflation and appreciation in the value of the Ugandan currency, thereby making them redundant. The Judiciary further informed the Committee that the abolition of magistrate Courts grade II is intended to harmonise the Magistrates Courts Act with the Judiciary Service Structure and Establishment and will create efficiency in the delivery of justice.

The proposal to abolish Magistrates Court Grade II was supported by all the stakeholders who appeared before the Committee.

### Recommendation

- i. *The Committee supports the proposal to abolish Magistrates Court Grade II*



A collection of approximately 12 handwritten signatures in black ink, arranged in two rows. The signatures vary in style, including some that are highly stylized or cursive. A small number '5' is written below one of the signatures in the top row. To the right of the signatures, there is a large, vertical handwritten mark that resembles a stylized '4' or a similar symbol.

- ii. *The Committee recommends that Government proactively pays compensation for Magistrates Grade II whose positions are being phased out.*

**6.2. Removing the classification of magistrates courts**

The Magistrates Courts Act in sections 1 (2) (a) and (c), 4, 161, 162 and 206 prescribe the classification of magistrates courts. In section 1(2), a magistrate court is classified as first class or second class, with a magistrate grade I being deemed to be first class and the magistrate grade II being deemed second class. This classification is continued in designating jurisdiction and powers under sections 4, 161, 162 and 206 of the Magistrates Courts Act. This classification was a colonial relic and was intended to create distinction in their jurisdiction and sentencing powers.

The Bill proposes in clauses 1, 2 and 4 to remove this classification by abolishing Magistrates Courts Grade II and designating magistrates courts either as Chief Magistrate Court or Magistrate Court.

The proposals in the Bill were supported by all the stakeholders who appeared before the Committee since it will harmonise the Magistrates Courts Act with the Judiciary Service Structure and Establishment to create efficiency in the delivery of justice.

The Committee observes that since there are only 2 types of magistrates courts, being chief magistrates and Magistrates as proposed in clause 4, the classification and grading of magistrates courts as grade I and grade II is redundant, and no longer necessary.

**Recommendation**

*mbaka*

*The Committee supports the proposal to remove the classification of Magistrates Courts*

**6.3. Creation of magisterial areas and Designating the number of Magistrates**

Section 4 (1) of the Magistrates Courts Act provides for the appointment of magistrates and requires the Minister of justice in consultation with the Chief Justice, to appoint such number of Magistrates as is required for the efficient administration of justice. Section 4 of the Act grants the Minister discretion to determine the number of Magistrates in consultation with the Chief Justice. The

*Uyona* *D* *6* *Set* *~~Am...~~* *Wawo* *W* *W* *W* *W*

Committee notes that clause 4 of the Bill proposes to amend section 4 to grant the discretion to determine the number of Magistrates to the Chief Justice.

On the establishment of magisterial areas and courts, the Committee notes that section 2 and 3 of the Magistrates Courts Act grants the Minister of Justice the power to create magisterial areas and magistrates' courts, by statutory instrument in consultation with the Chief Justice. The Bill proposes to amend section 2 and 3 by transferring these powers to the Chief Justice.

The Committee supports these amendments since they harmonize the Act with the provisions of Article 133 (1) (a) of the Constitution which designates the Chief Justice as the head of the judiciary and further bestows onto the Chief Justice, administrative and supervisory functions of all courts in Uganda.

The Committee notes that since the Chief Justice is the head of the judiciary, the establishment of magisterial areas and the determination of the appropriate number of magistrates is within the prerogative of the Chief Justice as proposed by the Bill and not the Minister as is currently the case.

However, the Committee notes that whereas it supports the proposal to have the Chief Justice designate magisterial areas, create magistrate's courts and determine the number of magistrates, the Chief Justice should in the performance of those duties and functions be guided by the Judiciary Council. The Committee notes that the Judiciary Council is established under section 5 (d) of the Administration of Judiciary Act and is mandated to advise the Chief Justice on matters of administration of justice.

### **Recommendation**

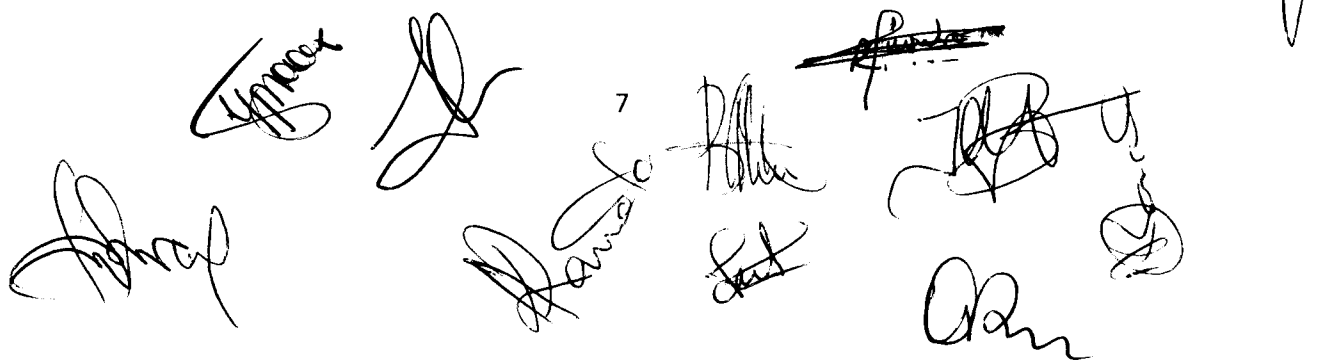


*The Committee recommends that clauses 2 and 4 be amended to require the Judiciary Council to advise the Chief Justice in designating magisterial areas, magistrates courts as well as in designating the number of magistrates.*

### **6.4. Low value of pecuniary jurisdiction for Magistrate Courts**

Clauses 7 and 10 make provision to revise the sentencing powers and the civil jurisdiction of magistrates courts.

The Committee notes that clause 7 of the Bill proposes to increase the fines that may be imposed during sentencing by a Magistrate Grade I from 4.8 Million to 10 Million and clause 10 proposes to increase the civil jurisdiction of Magistrates Courts, in the case of Chief Magistrate Courts from 50 Million to 100 Million, and for a Magistrate Grade I, from 20 Million to 40 Million.



The Committee was informed by the Judiciary that in line with its mandate to improve access to justice and enhance the efficiency of the justice system, the Judiciary, through the Bill, is undertaking a major reform aimed at expanding the pecuniary jurisdiction of Chief Magistrates and Magistrates. The objective of this reform is to broaden their authority to handle Civil, Land, Commercial, and Family matters.

The Committee notes that the current pecuniary jurisdiction of Magistrates Courts was last revised in 2007 under the Magistrates Courts (Amendment) Act, 2007, Act 7 of 2007 which prescribed jurisdiction of Chief Magistrates and Magistrates Grade I not to exceed 50 Million and 20 Million respectively. The Committee observes that due to passage of time, inflation and the depreciation of the value of the Uganda currency has eroded the values prescribed for Chief Magistrates and Magistrates, thereby rendering them low. As a result, matters that should be handled at the magisterial level end up in the High Court thereby causing backlog at the High Court.

The Committee further notes that whereas the stakeholders who interacted with the Committee agreed in principle to increase the civil jurisdiction of Magistrates courts, all of them found the proposal made in the Bill extremely low to have any meaningful effect on case backlog in the High Court.

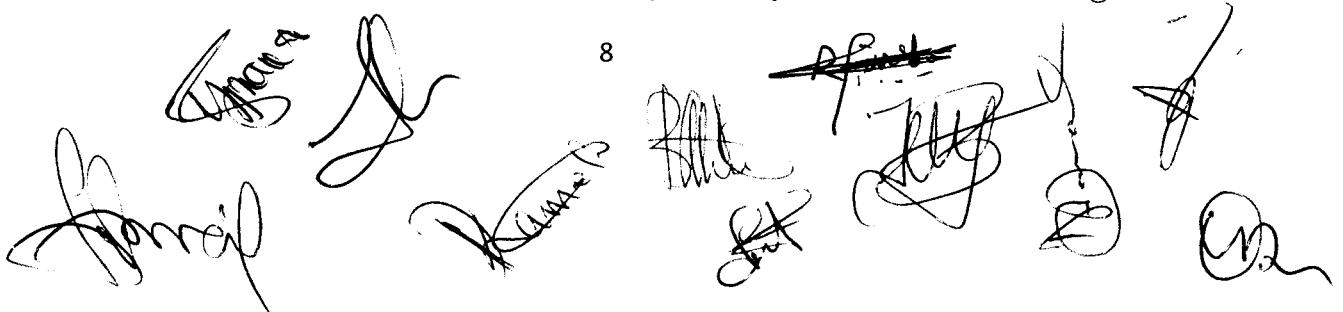
The stakeholders observed that courts in Uganda are currently grappling with the problem of case backlog. This is attributed to increase in population, crime rates and increased awareness among the public of their legal rights which has resulted in the high demand for Judiciary services and court use. This in turn has led to acute case backlog in the upper bench, composed of the Court of Appeal and the Supreme Court.

Furthermore, according to the judiciary, a case is taken to constitute backlog if the case has been in Court for two and more years from the time of its registration.

According to the letter by the Chief Justice addressed to the Attorney General of Uganda, dated 3<sup>rd</sup> March, 2026, the Chief Justice, like all the stakeholders noted that the thresholds proposed in the Bill were so low to have any meaningful effect on case backlog in courts of law. The Chief Justice proposed that instead of approving the thresholds in the Bill, the Bill should be amended to increase the civil jurisdiction of Chief Magistrate to UGX 200 Million and for all other magistrates to 100 Million.

The proposal of the Chief Justice was supported by the Minister of Justice and Constitutional Affairs, Judiciary and the judiciary noted that the High Court

8

The bottom of the page features several handwritten signatures and initials in black ink. On the left, there is a large, stylized signature. To its right are several smaller, more compact signatures and initials, some appearing to be in a shorthand or specific professional notation. The signatures are scattered across the width of the page, with some overlapping.

Divisions recorded a total of 28,388 pending cases across the Civil, Commercial, Family, and Land Divisions, with a total backlog of 8,236 cases (29.01%). Of these cases, a total of 4,712 cases (16.6% of pending cases) are eligible for transfer to Magistrates' Courts. Among these transferable cases, 1,462 (17.8% of total backlog) represent backlog. This would reduce the pending caseload load at the High Court Divisions to 23,676 and backlog to 6,774 cases.

The Chief Justice, the Judiciary, ULS, LDC, UJOA and other stakeholders also noted that the thresholds in the Bill are way below the jurisdiction exercisable by other East African Countries, albeit, with larger economies. The Committee was informed that similar courts in Kenya and Tanzania exercise way high civil jurisdiction than courts in Uganda. For instance, in Tanzania, District Court (similar to Magistrates Courts) handles Civil Cases worth TZShs.70 million (about UGX 300 million) and in Kenya the courts have the following jurisdiction-

- (a) Chief Magistrate subject matter does not exceed KES20 million (UGX 660,000,000<sup>1</sup>)
- (b) Senior Principal Magistrate – subject matter does not exceed KES15 million(UGX 495,000,000<sup>2</sup>);
- (c) Principal Magistrate – subject matter does not exceed KES10 million (UGX 330,000,000<sup>3</sup>);
- (d) Senior Resident Magistrate – subject matter does not exceed KES7 million(UGX 231,000,000<sup>4</sup>); and
- (e) Resident Magistrate – subject matter does not exceed KES5 million (UGX 165,000,000<sup>5</sup>).

*mbaka*

The Committee notes that in addition to the proposals by the Chief Justice and Judiciary, some stakeholders proposed additional amendments to be made to the Bill to further reduce case backlog and future proof jurisdiction of magistrate's court. For instance, ULS proposed that the jurisdiction of magistrates should be increased to UGX 300 Million. Furthermore, the LDC and ULS proposed amendments to be made to the Bill to grant the Minister or the Chief Justice powers to periodically review the suitability of the jurisdiction of courts and where need arises to revise the jurisdiction. The Chief Justice or

<sup>1</sup> Using the interest rate of UGX 33 to the Kenya Shilling  
<sup>2</sup> Using the interest rate of UGX 33 to the Kenya Shilling  
<sup>3</sup> Using the interest rate of UGX 33 to the Kenya Shilling  
<sup>4</sup> Using the interest rate of UGX 33 to the Kenya Shilling  
<sup>5</sup> Using the interest rate of UGX 33 to the Kenya Shilling

9

*[Handwritten signatures and initials]*

Minister should be able to issue a statutory instrument to revise the jurisdiction either for specific areas or generally across the country. In addition, the Minister should be empowered to assign jurisdiction to the different grades of magistrates to ensure that Magistrates with more experience are assigned a high pecuniary jurisdiction compared to magistrates with less experience.

Furthermore, UJOA, ULS and LDC proposed that with increased jurisdiction, there is need for Government to review and enhance the remuneration and facilitation of Magistrates to reflect the increased responsibility on magistrates. Further, various stakeholders recommended that the quality of magistrates should be enhanced in terms of training and skills development and at recruitment to ensure that the magistrates can handle the increased jurisdiction.

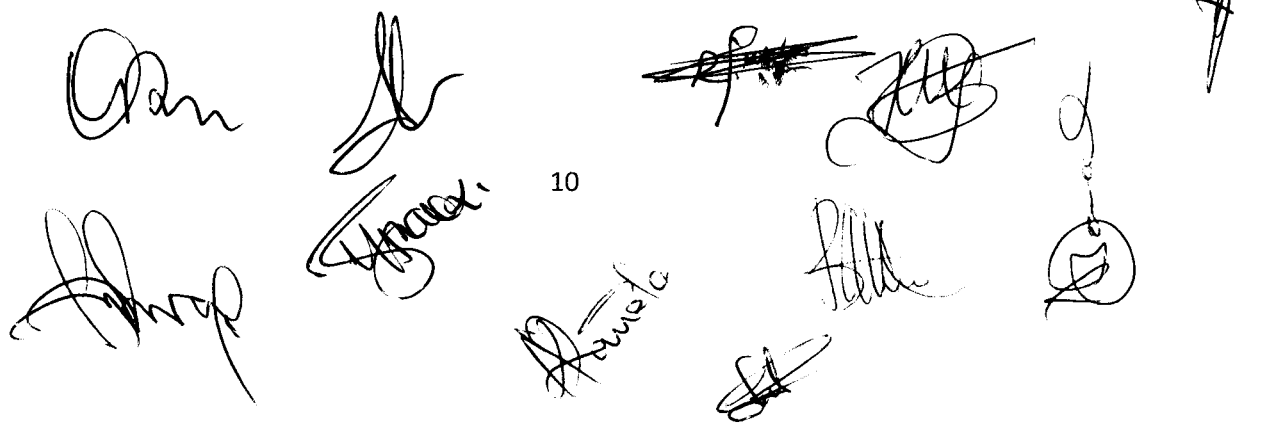
The Committee has considered the amendments proposed in the Bill and the views received from stakeholders and finds that the proposals in the Bill are low and will not result in significant reduction in case backlog. The Committee also notes that there has been a delay in revising the pecuniary jurisdiction of magistrate's court, of 19 years, which has worsened case backlog. The Committee is of the considered opinion that there is need for periodic review of the pecuniary jurisdiction of magistrates courts in order for the jurisdiction to be revised to keep up with inflation and appreciation in the value of the Ugandan currency.

### **Recommendation**



*In light of the above, the Committee recommends as follows-*

- (a) The pecuniary Jurisdiction proposed in the Bill be increased to UGX 200 Million for Chief Magistrates and UGX 100 Million for other Magistrates;*
- (b) The Minister of Justice should be empowered to keep under constant review, the jurisdiction of Magistrates Courts and where need arises, to revise that jurisdiction either generally or for specific magisterial areas.*
- (c) In light of the increased responsibility of Chief Magistrates and other Magistrates, Government should revise the terms of service of Chief Magistrates and other Magistrates and provide them adequate facilities to enable them deliver on their mandate.*



## 7.0. NEW EMERGING MATTERS

During consultation undertaken by the Committee, a number of new matters were brought to the attention of the Committee which require further and more detailed amendments to the Magistrates Courts Act, beyond what the Bill proposes.

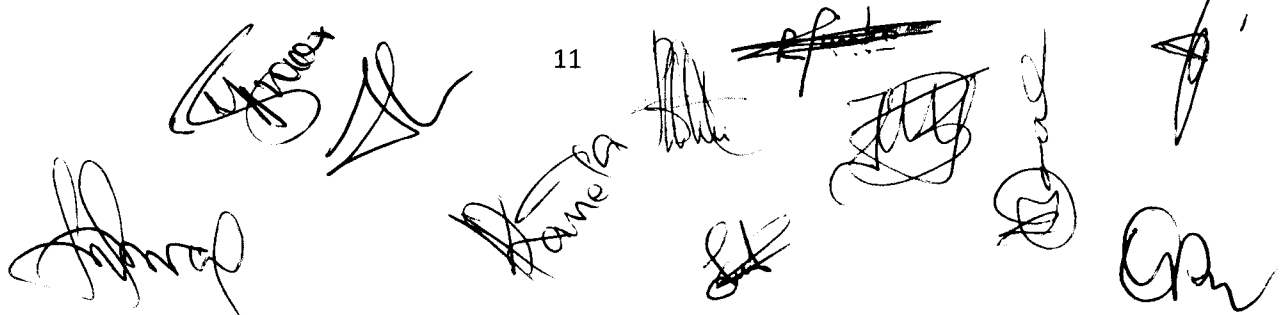
The Committee has examined the additional matters in accordance with Rule 135 (2), (3) and (4) of the Rules of Procedure of Parliament and finds merit in them.

However, the Committee is unable to amend the Bill to reflect the new emerging matters due to the limitations imposed under Article 93 of the Constitution and Rule 122 (2) of the Rules of Procedure of Parliament which prohibit amendments that carry financial implications and those that go beyond the subject matter of Bills.

Notwithstanding the above limitations, the Committee is of the considered opinion that the new proposals make valuable amendments to the Magistrates Courts Act and Government needs to study them further and carry out comprehensive amendments to the Magistrates Court Act to give effect to the new matters.

The Committee therefore recommends that Government undertakes a study of the following matters with a view of carrying out comprehensive amendments to the Magistrates Court Act to make provisions that incorporate-

- (a) digital justice to align the Act with the digital transformation of the Judiciary. The Magistrates Court Act currently is anchored in traditional physical processes such as personal service of summons, manual court seals, handwritten warrants, virtual hearings, digital evidence and other manual processes which are inconsistent with the current digitization processes undertaken by the judiciary;
- (b) expanding the criminal jurisdiction of chief magistrates and magistrate's courts to handle all criminal offences in Uganda including offences carrying the death sentence except the offences of treason and terrorism. This will enhance access to justice and reduce pre-trial remand and alleviate overcrowding in prisons. The proposal takes advantage of the structures, availability, flexibility and wide geographical reach of magistrate's court and their ability to sit all year round unlike the High Court which is limited to sitting during sessions;
- (c) codifying pre-trial disclosure practices, including the manner, extent of disclosure and sanctions for non-disclosure. Pre-trial disclosure is now a



practice which has taken root in courts of law, including magistrate's courts without legal recognition;

- (d) codifying plea-bargain in law which is currently implemented through practice directives;
- (e) management of persons of unsound mind at the time of commission of offences;
- (f) abolishing committal proceedings since they are duplicative, cause unnecessary delay in criminal justice, contribute to pre-trial remand and serve no purpose in the wider access to justice goals. It should be noted that currently, before a capital offence can be tried by the High Court, it must go through a magisterial inquiry, a preliminary examination of the prosecution evidence;
- (g) Introduction of a statutory duty on the High Court to work on a continuous basis instead of the current situation where it works in sessions. This will enable magistrates to identify matters suitable for transmission to the High Court and enable the High Court to dispense justice on a continuous and daily basis;
- (h) Qualifications and promotions of magistrates to provide a pathway to Chief Magistrate status, the High Court and other courts of record; and
- (i) The welfare of magistrates including salary, allowances, other benefits and facilities to be recognised in statute.








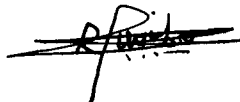
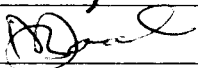

## 8.0. CONCLUSION

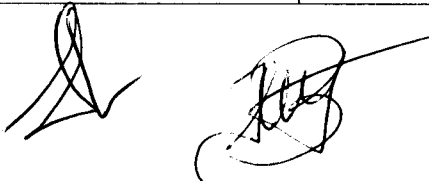
In light of the above, the Committee recommends that the Magistrates Courts (Amendment) Bill, 2026 be passed into law, subject to the following amendments.



12

**SIGNATURE SHEET FOR THE REPORT OF THE COMMITTEE OF LEGAL AND  
PARLIAMENTARY AFFAIRS ON THE MAGISTRATES COURTS  
(AMENDMENT) BILL, 2026**

	<b>NAME</b>	<b>CONSTITUENCY</b>	<b>PARTY</b>	<b>SIGNATURE</b>
1.	Baka Stephen Mugabi	Bukooli County North	NRM	
2.	Hon. Teira John	Bugabula North County	NRM	
3.	Hon. Odoi-Oylwelowo Fox	West Budama North East	NRM	
4.	Hon. Okia Joane Aniku	Dwr, Madi Okollo	NRM	
5.	Hon. Kamusime Caroline	Dwr, Rukiga	NRM	
6.	Hon. Kamugo Pamela Nasiyo	Dwr, Budaka	NRM	
7.	Hon. Achayo Lodu	Ngora County	NRM	
8.	Hon. Okiror Bosco	Usuk County	NRM	
9.	Hon. Werikye Peter Cristopher	Bubulo County West	NRM	
10.	Hon. Nkwasiibwe Henry	Ruhaama County	NRM	
11.	Hon. Oseku Richard Oriebo	Kibale County	NRM	
12.	Hon. Najjuma Sarah	Dwr, Nakaseke	NRM	
13.	Hon. Achia Remigio	Pian County	NRM	
14.	Hon. Tinkasiimire Barnanbas	Buyaga West County	NRM	
15.	Hon. Musinguzi Yona	Ntungamo Municipality	NRM	
16.	Hon. Odoi Bernad Onen	Youth Rep., Eastern	NRM	
17.	Hon. Lokkii Peter Abrahams	Jie County	NRM	



18	Hon. Lumu Richard Kizito	Mityana South	DF	
19.	Hon. Nambeshe John Baptist	Manjiya County	NUP	
20.	Hon. Malende Shamim	Dwr, Kampala	NUP	
21.	Hon. Lubega Medard Ssegoona	Busiro County East	NUP	
22.	Hon. Ssekitoleko Robert	Bamunanika County	NUP	
23.	Hon. Alum Santa Sandra	Dwr, Oyam	UPC	
24.	Hon. Odur Jonathan	Erute County South	UPC	
25.	Hon. Basalirwa Asuman	Bugiri Municipality	JEEMA	
26.	Hon. Niwagaba Wilfred	Ndorwa County East	INDEP.	
27.	Hon. Zijjan David Livingstone	Butembe County	INDEP.	
28	Hon. James Mugira	Updf	N/A	
29.	Hon. Katuntu Abdul	Bugweri County	INDEP	
30.	Hon. Nsanja Patrick Kayongo	Ntenjeru County South Kayunga	INDEP	

*J*

**AMENDMENTS TO THE MAGISTRATES COURTS (AMENDMENT) BILL, 2026**

**CLAUSE 2: AMENDMENT OF SECTION 2 OF PRINCIPAL ACT**

Clause 2 of the Bill is amended in the proposed section 2 by inserting immediately before the words “by statutory instrument”, the words “acting on the advice of the Judiciary Council”.

**Justification**

- *To require the chief justice to be advised by the Judiciary council in designating magisterial areas and magistrates courts in compliance with section in section 5 (d) of the Administration of Judiciary Act. The Judiciary Council is mandated to advise the Chief Justice on matters of administration of justice.*

**CLAUSE 4: SUBSTITUTION OF SECTION 4 OF PRINCIPAL ACT**

For clause 4, there is substituted the following-

**“4. Appointment of Magistrates**

- (1) There shall be appointed such number of magistrates of such rank as the Chief Justice shall, in consultation with the Judiciary Council and in accordance with the approved structure of the Judiciary, determine.
- (2) Magistrates shall be of the following ranks-
  - (a) chief magistrate; and
  - (b) magistrate.
- (3) The power and jurisdiction of a chief Magistrate or magistrate shall be the powers and jurisdiction vested in the Chief Magistrate or magistrate under this Act and any written law.

**Justification**

- *To remove unnecessary administrative details from the law, such as the reference to the judiciary service approved structure and establishment.*
- *To create checks and balances in the designation of magisterial areas and determining the number of magistrates by the Chief Justice by requiring the chief justice to be advised by the Judiciary council in determining the*

*number of magistrates. The Judiciary Council is mandated to advise the Chief Justice on matters of administration of justice as provided in section 5 (d) of the Administration of Judiciary Act.*

- *To clarify on the exercise of the jurisdiction and powers of magistrates in light of the abolition of magisterial classification.*

#### **CLAUSE 8: AMENDMENT OF SECTION 173 OF PRINCIPAL ACT**

For clause 8, there is substituted the following-

“8. Repeal of section 173 of principal Act

Section 173 of the principal Act is repealed.

#### **Justification**

- *Section 173 of the principal Act requires sentences of 2 years and above passed by grade I magistrates to be confirmed by the High Court. The Bill proposes to increase the sentences from 2 years to six years.*
- *The Committee proposes to delete section 173 entirely instead of amending it as proposed in the Bill since the provision is redundant owing to the existence of other remedies available to a convicted person in form of appeal or the inherent power of the High Court to revise sentences, which can be used to remedy any issues arising from sentences imposed by grade I magistrates. The provision also contributes to case backlog in the High Court since it saddles the High Court with additional unnecessary work and erodes judicial independence of magistrate’s grade by subjecting the decision of Magistrates Courts to the confirmation of the High Court.*
- *The section is a colonial imposition which was purposed to review decisions of magistrates because at the time, magistrate’s courts were presided over by lay members of society, with little or no legal training.*

#### **CLAUSE 9: AMENDMENT OF SECTION 203 OF PRINCIPAL ACT**

For clause 9, there is substituted the following-

“9. Amendment of section 203 of principal Act

Section 203 of the principal Act is amended-

- (a) In subsection (1), by repealing paragraph (b);
- (b) In subsection (4), by repealing paragraph (b);
- (c) by repealing subsection (5);
- (d) By repealing subsection (6).

**Justification**

- *Consequential amendments arising from the abolition of magistrate grade II courts.*

**CLAUSE 10: AMENDMENT OF SECTION 206 OF THE PRINCIPAL ACT**

Clause 10 is amended-

- (a) in paragraph (a), by substituting for the words “five thousand”, the words “ten thousand”;
- (b) in paragraph (b), by substituting for the words “two thousand five hundred”, the words “five thousand”;
- (c) by inserting immediately after paragraph (c), the following-
  - “(d) by inserting immediately after subsection (1), the following-

“(1a) The Minister may, acting on the advice of the Chief Justice and with the approval of Parliament, by statutory instrument, alter the civil jurisdiction of magistrates prescribed under subsection (1) (a) and (b).

**Justification**

- *To increase the civil jurisdiction of magistrate’s court in order to bring services closer to people, enhance access to justice and reduce case backlog in the High Court, by revising the pecuniary jurisdiction from 100 Million or 50 Million as proposed in the Bill, to UGX 200M for Chief Magistrates and 100 Million for other magistrates. The amounts proposed in the Bill are too low to result in any significant reduction in case backlog at the High Court.*

- *To empower the Minister to increase the jurisdiction of magistrate courts, with the approval of Parliament in order to respond quickly to changes in the matters that affect pecuniary jurisdiction of court.*

**CLAUSE 11: INSERTION OF SECTION 217A IN PRINCIPAL ACT**

Clause 11 is amended in the proposed 217A-

(a) In the proposed subsection (1), by inserting the words “for just cause” immediately after the word “motion”;

(b) In the proposed paragraph (b)-

(i) by inserting immediately after the word “magistrate” appearing in the last line, the words “in the same court or magisterial area”;

(ii) by substituting for the proposed subparagraph (iii), the following-

“(iii) transfer it to another magistrate in the same court or magisterial area for trial or disposal;”.

**Justification**

- *To harmonise the provision with the supervisory powers of the Chief Magistrate by limiting the powers of chief magistrates to transfer or withdraw matters in the same court or magisterial areas.*
- *In subparagraph (iii), to remove the option of returning a matter withdrawn from a magistrate from being returned to the same magistrate for trial since it would defeat the intention of withdrawing the matters in the first place, especially if the withdrawal is on application of a party to the matter.*

**CLAUSE 13: AMENDMENT OF SECTION 219 OF PRINCIPAL ACT**

For clause 13, there is substituted the following-

“13. Amendment of section 219 of principal Act

Section 219 of the principal Act is amended-

(a) in subsection (1), by repealing paragraph (b);

(b) by repealing subsection (2).

**Justification**

*The repeal of paragraph (b) of subsection (1) renders subsection (2) relating to powers of exercisable by magistrates' grade II redundant and therefore must be consequentially amended, hence the repeal of subsection (2).*

**CLAUSE 17: TRANSITIONAL PROVISION**

Clause 17 is amended by inserting immediately after the proposed subsection (2), the following-

“(3) The Chief Justice shall issue practice directions on the transfer the causes referred to in subsection (1) and (2).”

**Justification**

- *To empower the Chief Justice to guide court on transfer of civil matters.*