

CHAPTER 261

THE MOVEMENT ACT.

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CHAPTER 261

THE MOVEMENT ACT.

Commencement: 22 August, 1997.

An Act to make provision for the movement political system pursuant to article 70 of the Constitution and for related matters.

PART I—INTERPRETATION.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “chairperson” means the chairperson of the national conference and of the national executive committee;
- (b) “director” means a director of the secretariat appointed under section 12;
- (c) “district” includes a city;
- (d) “leadership training centre” means a centre established for the purpose of promoting political education;
- (e) “movement” means the movement political system referred to in article 70 of the Constitution;
- (f) “national conference” or “conference” means the national conference of the movement established by section 3;
- (g) “national executive committee” means the national executive committee established by section 9;
- (h) “national political commissar” means the national political commissar appointed under section 12; (i) “parish” includes “ward”; (j) “secretariat” means the secretariat of the movement established by section 12; (k) “subcounty” includes a division in a city or municipality.

PART II—THE MOVEMENT.

2. The movement.

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

PART III—ORGANS UNDER THE MOVEMENT.

3. National conference and other organs under the movement.

(1) The movement shall have a national conference which shall be the highest organ under the 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) division and municipal movement committees;
- (e) subcounty movement committees and town movement committees;
- (f) parish movement committees; and
- (g) village movement committees.

(3) The national conference shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its name in respect of the rights and obligations of all movement organs.

(4) The national political commissar shall be responsible for receiving all process of court and other legal documents on behalf of the national conference.

4. Composition of the national conference.

- (1) The national conference shall consist of the following persons—
 - (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) the chairpersons of all division and municipal movement committees;
 - (g) the chairperson of every subcounty movement committee;
 - (h) the chairperson of every town council movement committee;
 - (i) five members of the National Women's Executive Committee under the National Women's Council Act, elected by the National Women's Executive Committee;
 - (j) five members of the National Youth Executive Committee under

the National Youth Council Act, 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 who shall be ex officio members; (q) ten representatives of the private business sector elected under the auspices of the Uganda National Chamber of Commerce and Industry; (r) 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 two hundred members of the national conference from at least two-thirds of all the districts of Uganda 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 two hundred members of the national conference from at least two-thirds of all the districts of Uganda and elected by the conference.

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

(6) 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.

(7) The chairperson and the vice chairperson are 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.

5. Role of the national conference.

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) advise on and review implementation of key national policies;
- (d) advise Parliament and the Executive on the policy of the movement, making such recommendations as it may think fit;
- (e) promote national unity and solidarity; and
- (f) review the implementation of Government programmes and make appropriate recommendations on them to the Executive and Parliament.

6. Role of the chairperson.

- (1) Subject to 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 organs of 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 carrying out

his or her functions under this section.

7. Meeting of the national conference.

(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 President by giving not less than thirty days' notice in the national media.

(6) The chairperson of the Electoral Commission or a commissioner designated by the chairperson 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 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.

8. Meetings by requisition.

(1) At least one-quarter 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.

(2) If—

(a) the chairperson or the vice chairperson refuses or otherwise fails within a reasonable time to respond to the request made under subsection (1); or

(b) after receipt of the response of the chairperson or vice chairperson to the request, at least one-quarter of the members of the national conference are dissatisfied with the response,

then at least one-quarter 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 at a meeting by requisition of the national conference shall have the same effect as decisions and resolutions taken or passed at an ordinary meeting of the national conference.

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

PART IV—COMMITTEES OF THE NATIONAL CONFERENCE.

9. National executive committee.

- (1) There shall be a national executive committee of the national conference.
- (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) the district chairperson of every district;
 - (e) one member of Parliament from each district elected by the members of Parliament from the district;
 - (f) one-third of the district women representatives in Parliament elected by those representatives taking into account regional balance;
 - (g) 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;
 - (h) one representative of the Uganda Police Force from among the representatives of the force in the national conference;
 - (i) one representative of the Uganda Prisons Service from among the representatives of the service in the national conference;
 - (j) one representative of the private business sector elected from among the representatives of the private business sector elected under the auspices of the Uganda National Chamber of Commerce and Industry in the national conference;
 - (k) one representative of the Veterans Association from among the representatives of the association in the national conference;
 - (l) one representative of persons with disabilities from among the representatives of persons with disabilities in the national conference;
 - (m) one representative of the youth from among the representatives of the youth in the national conference;

- (n) one representative of the workers from among their representatives in the national conference.

(4) 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.

10. Functions of the national executive committee.

- (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 political commissar shall be secretary to the national executive committee.

11. Meetings of the national executive committee.

(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.

12. The secretariat.

(1) The movement shall have a secretariat headed by the national political commissar.

(2) The chairperson shall submit to the national executive committee a list of not more than three names of persons nominated by the chairperson to be candidates for the office of national political commissar.

(3) The members of the national executive committee shall elect a national political commissar from the nominees submitted by the chairperson.

(4) The national political commissar shall be secretary to the national conference.

(5) As secretary, the national political commissar shall be responsible for recording the minutes of all proceedings of the national conference and shall perform such other functions as the national conference may direct.

(6) The national political commissar may be removed from office by the chairperson on any of the following grounds—

- (a) abuse 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.

(7) Where the question of the removal of the national political commissar from office under subsection (6)(c) arises, the chairperson shall request the professional head of medical services of Uganda to constitute a medical board comprising five qualified and eminent medical specialists to examine the national political commissar and to report its finding on his or her state of health to the chairperson.

(8) The chairperson shall cause the national political commissar to

be informed within twenty-four hours of the constitution of the medical board; and the national political commissar shall submit himself or herself to the medical board for examination within seven days.

(9) If the medical board determines that the national political commissar is by reason of physical or mental incapacity unable to perform the functions of that office, the chairperson shall take steps to remove him or her from office.

(10) If the medical board, after the expiration of the period of seven days referred to in subsection (8) reports that the national political commissar has failed or refused to submit himself or herself to the medical board in accordance with that subsection, the chairperson shall take steps to remove him or her from office.

(11) 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.

(12) The directors and deputy directors shall be appointed by the chairperson with the approval of the national executive committee.

(13) There shall be such number of other staff as the national executive committee may appoint.

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

13. Censure of the national political commissar.

(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;
- (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 which may include any of the following—

- (a) reprimand;
- (b) suspension; or
- (c) dismissal.

(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.

(7) This section shall apply to a director and a deputy director as it applies to the national political commissar.

14. Role of the secretariat.

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 for facilitating the discharge of the functions of the national conference and the national executive committee;
- (c) be responsible for providing administrative and secretarial services to the national conference and the national executive committee; and
- (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 THE MOVEMENT.

15. District movement committees.

(1) There shall be a committee for each district to be known as the district movement committee.

(2) The district movement committee shall consist of—

- (a) the chairperson of the committee;
- (b) the resident district commissioner who shall be an ex officio member;
- (c) all members of the district council;
- (d) all chairpersons of city division councils and municipal councils;
- (e) all chairpersons of subcounty councils or town councils in the district;
- (f) all chairpersons of county councils in the district;
- (g) all members of Parliament from that district;
- (h) one representative of the private business sector elected under the auspices of Uganda National Chamber of Commerce and Industry branch in each district; and (i) one representative of the Veterans Association elected by the association branch in each district.

(3) The chairperson of the district movement committee shall be a person nominated by at least one-quarter of the members of the district movement committee and elected by the committee.

16. Functions of district movement committees.

The district movement committee shall be responsible to the national executive committee for policy matters of the movement with regard to the district.

17. Meetings of district movement committees.

(1) A district movement committee shall meet at least once in every four 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.

18. Division and municipal movement committees.

(1) There shall be for every division within a city and for every municipality, a division movement committee or, as the case may be, a municipal movement committee.

(2) The members of the city division council or of the municipal council shall, as the case may be, constitute the members of the division or municipal movement committee.

(3) The chairperson of each parish movement committee shall be a member of the division movement committee or, as the case may be, the municipal movement committee of the division or municipality in which the parish falls.

(4) The chairperson of the division or the municipal movement committee shall be a person nominated by at least one-quarter of the members of the division or municipal movement committee and elected by that committee.

(5) A division or municipal movement committee shall be responsible to the district movement committee in whose jurisdiction the division or municipality falls for policy matters of the movement with regard to the division or the municipality.

19. Meetings of division or municipal movement committees.

(1) A division or municipal movement committee shall meet at least once in every four months.

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

(3) Each division or municipal 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.

20. Subcounty and town council movement committees.

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

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

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

(4) The chairperson of the subcounty or the town council movement committee shall be a person nominated by at least one-quarter of the members of the subcounty movement or town council movement committee and elected by that committee.

(5) A subcounty or town council movement committee shall be responsible to the district movement committee in whose jurisdiction the subcounty or town falls for policy matters of the movement with regard to the subcounty or the town council.

21. Meetings of subcounty or town council movement committees.

(1) A subcounty or town council movement committee shall meet at least once in every four months.

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

(3) Each subcounty or town council 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.

22. Parish movement committees.

- (1) There shall be a parish movement committee for every parish.
- (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 movement committee shall be a person nominated by at least one-quarter of the members of the parish movement committee and elected by the committee.
- (5) A parish movement committee shall be responsible to the subcounty movement committee in whose jurisdiction the parish falls for policy matters with regard to the parish.

23. Meetings of parish movement committees.

- (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.

24. Village movement committees.

- (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.

25. Meetings of village movement committees.

(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.

26. Quorum.

The quorum of the national conference, the national executive committee and any other organ under the movement for any meeting shall be one-quarter of the membership of that organ.

27. Vacancy not to invalidate proceedings.

The national conference, the national executive committee and any other organ under the movement may act notwithstanding any vacancy in its membership.

28. Parliament to prescribe other principles of the movement.

Parliament may, by resolution, prescribe other democratic principles of the movement for the purposes of article 70(2)(b) of the Constitution.

29. Standing committees, etc.

The national executive committee may appoint standing and other committees to assist it in the discharge of its functions under this Act.

30. Oath of office.

(1) Before assuming the duties of his or her office, the chairperson, vice chairperson or national political commissar shall take and subscribe the oath of office specified in the Schedule to this Act.

(2) The oath of office prescribed by this section shall be administered by the Chief Justice or by a judge designated by the Chief Justice.

31. Funds of the movement.

The funds of the movement shall consist of—

- (a) monies as may from time to time be appropriated by Parliament;
- (b) grants and donations within or outside Uganda given with the approval of the Minister responsible for finance.

32. Accounts and audit.

The movement organs shall keep proper books of account and records in relation to them, and the accounts shall be audited and reported on by the Auditor General in accordance with article 163 of the Constitution.

33. Terms and conditions.

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.

34. Assets of organs to be State assets.

All assets and property of organs under the movement shall be deemed to be assets of the State.

35. Terms of movement organs.

(1) Subject to the Constitution, the term of the national conference and the national executive committee and any 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.

(2) On the expiry of the five years prescribed in subsection (1), the office of chairperson and vice chairperson and of 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 reelected or reappointed.

(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) Any person referred to in subsection (3) shall cease to be a member of the organ on the expiry of the five-year period specified in subsection (1) but is eligible to be reelected.

(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 the 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.

36. Budget.

(1) The national political commissar shall annually prepare and submit to the national executive committee a budget for the organs under the movement.

(2) After the national executive committee has approved the budget, it shall be submitted to the Minister responsible for finance in accordance with article 155 of the Constitution, in like manner as for a department of Government.

37. Regulations.

(1) The Minister responsible for the administration of this Act 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.

(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 28;
- (b) regulating the meetings of the district movement committees, division movement committees, municipal movement committees, subcounty movement committees, town council 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.

38. Act to apply only when the movement is in force.

This Act shall only have effect when the movement political system is in force in Uganda.

Oath of Office.

I, _____, swear
in
the name of the Almighty God/solemnly affirm that I will at all times well
and truly serve the Republic of Uganda in the office of chairperson/vice
chairperson of the national conference/national political commissar and will
support and uphold the Constitution of the Republic of Uganda as by law
established. (So help me God.)

History: Act 7/1997.

Cross References

Constitution of 1995.

National Womens' Council Act, Cap. 318.

National Youth Council Act, Cap. 319.