

CHAPTER 301

THE NATIONAL SECURITY COUNCIL ACT.

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CHAPTER 301

THE NATIONAL SECURITY COUNCIL ACT.

Commencement: 23 June, 2000.

An Act to establish in accordance with article 219 of the Constitution a National Security Council as an advisory body to the President on all matters relating to national security and other matters connected therewith or incidental thereto.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “council” means the National Security Council;
- (b) “joint intelligence committee” means a technical committee appointed by the President and composed of the various security experts from security agencies.

2. Establishment of the council.

There is established a council to be known as the National Security Council.

3. Functions of the council.

- (1) The functions of the council shall be—
 - (a) to inform and advise the President on matters relating to national security;
 - (b) to coordinate and advise on policy matters relating to intelligence and security;
 - (c) to review national security needs and goals;
 - (d) to brief the Cabinet regularly on matters relating to national security;
 - (e) to receive and act on reports from the joint intelligence committee;
 - (f) to carry out any other function as Parliament may assign to the council.
- (2) The council may appoint such technical committees as it considers necessary to guide it in the performance of its functions under subsection (1).

(3) For the avoidance of any doubt, the functions of the council under subsection (1) shall be performed without prejudice to the functions of any other security agencies with related functions.

(4) The council in the performance of its functions shall coordinate with any security agency involved in security or other related fields.

4. Composition of the council.

- (1) The council shall be composed of—
- (a) the President who shall be the chairperson;
 - (b) the Vice President;
 - (c) the Minister responsible for internal affairs;
 - (d) the Minister responsible for finance;
 - (e) the Attorney General;
 - (f) the Minister responsible for foreign affairs;
 - (g) the Minister responsible for security;
 - (h) the Minister responsible for defence;
 - (i) other members not exceeding five appointed by the President and approved by Parliament.

(2) The following officers shall be ex officio members of the security council—

- (a) the Inspector General of Police;
- (b) the Army Commander;
- (c) the Director General of Internal Security Organisation;
- (d) the Director General of External Security Organisation;
- (e) the director of special branch;
- (f) the director of the criminal investigations department;
- (g) the Chief of Military Intelligence;
- (h) the Commissioner of Prisons.

(3) The joint intelligence committee referred to in section 1 shall be the technical committee of the National Security Council.

5. Meetings of the council.

(1) The council shall meet at least once a month at such place as the President may specify.

(2) The President shall preside at any meeting of the council.

(3) Without prejudice to the general effect of subsection (2), the President, in his or her absence and in the absence of the Vice President, may designate a Minister to preside at a meeting of the council.

(4) The quorum of the National Security Council and that of the district and subcounty security committees respectively shall be half of the total membership.

(5) Subject to this section, the council shall regulate its own procedure.

6. District security and intelligence committees.

(1) There shall be established in every district a committee to be known as the district security committee.

(2) The district security committee shall be composed of—

- (a) the resident district commissioner, who shall be the chairperson;
- (b) the district internal security officer, who shall be the secretary;
- (c) the district chairperson;
- (d) the secretary responsible for defence in the district council committee;
- (e) the chief administrative officer of the district;
- (f) the district police commander;
- (g) the Uganda Peoples' Defence Forces commanding officer or the reserve force commander in the district;
- (h) the district prisons commander;
- (i) the district criminal investigations department officer; and (j) any other person whom the committee deems fit to co-opt on the committee.

(3) There shall be established in every district a committee to be known as the district intelligence committee which shall be composed of—

- (a) the resident district commissioner who shall be the chairperson;
- (b) the district internal security officer who shall be the secretary;
- (c) the district special branch officer;
- (d) the military intelligence officer in the district; and
- (e) any other person whom the committee deems fit to co-opt on the committee.

- (4) The district security committee shall, within the district—
 - (a) inform and advise the National Security Council on matters relating to security in the district;
 - (b) coordinate and advise on policy matters relating to intelligence and security;
 - (c) review and forward to the council the security needs and goals in the district;
 - (d) receive reports from the district intelligence committee;
 - (e) advise on any other security matter which may arise in the district from time to time;
 - (f) carry out any other function as the council may assign to the committee.

(5) The district intelligence committee shall collect intelligence within the district and report to the district security committee.

7. Secretariat and secretary to the council.

(1) There shall be a secretariat to the council.

(2) The secretariat shall be in the office of the President and shall be a public office.

(3) The President shall assign a secretary who is at the level of Permanent Secretary and who shall be head of the secretariat.

(4) Subject to article 172(2) and (3) of the Constitution, the secretary shall, in the performance of his or her duties under subsection (3) be assisted by such other officers and staff assigned, with the consent of the President, to the secretariat.

(5) The officers and staff of the council shall be public officers.

(6) The members of the secretariat shall, in the performance of their functions under this Act, be responsible and accountable to the President.

8. Subcounty intelligence committees.

(1) There shall be established in every subcounty a committee to be known as the subcounty security committee.

- (2) The subcounty security committee shall be composed of—
 - (a) the chairperson of the subcounty local council who shall be the chairperson;
 - (b) the internal security officer at the subcounty who shall be the secretary;
 - (c) the subcounty chief;
 - (d) the secretary responsible for defence in the subcounty local council committee;
 - (e) the area police commander;
 - (f) all secretaries for defence of the parish council committees in the subcounty; and
 - (g) the chairperson of the subcounty womens council.
- (3) The subcounty security committee shall within the subcounty—
 - (a) inform and advise the district security committee on matters relating to security in the subcounty;
 - (b) coordinate and advise on matters relating to intelligence and security in the subcounty;
 - (c) forward to the district security committee the security needs of the subcounty;
 - (d) carry out any other function as the district security committee or the council may assign to the committee.

9. Observance of human rights by council, etc.

Members and staff of the council and committees shall observe and respect human rights and freedoms in the execution and the performance of their functions.

10. Regulations.

The Minister may, by statutory instrument, make regulations giving guidelines for the operations and meetings of the district security committees, the district intelligence committees and the subcounty security committees.

11. Oaths and obligations of council members and secretariat.

(1) A member of the council or a person serving in the secretariat shall observe the oath of allegiance, oath of Minister or oath of secrecy which he or she has taken and subscribed to.

(2) Without prejudice to the general effect of subsection (1), a member of the council or person serving in the secretariat shall not without lawful authority, communicate, release or disclose, whether verbally, in writing, by conduct or in any other manner, to any person, any information relating to his or her duties or those of any other officer, employee or former employee of the council.

(3) For the purpose of subsection (2), “lawful authority” means written authority by the President, Vice President or Minister designated by the President.

(4) A person who contravenes subsection (2) commits an offence and is liable on conviction to imprisonment not exceeding fourteen years.

History: Act 12/2000.

Cross Reference

Constitution of 1995.