

## **CHAPTER 319**

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## **CHAPTER 319**

### **THE NATIONAL YOUTH COUNCIL ACT.**

*Commencement:* 30 April, 1993.

**An Act to provide for the establishment of a National Youth Council  
and to provide for its composition, objects and functions,  
administration and finances and for other connected purposes.**

#### **PART I—INTERPRETATION.**

##### **1. Interpretation.**

In this Act, unless the context otherwise requires—

- (a) “chairperson” means the chairperson of the national youth executive committee elected under section 9;
- (b) “conference” means the national youth delegates conference referred to in section 7;
- (c) “council” means the national youth council established under section 2;
- (d) “district”, “county”, “subcounty”, “division”, “town”, “parish”, “ward”, and “village” have the meanings ascribed to them under the Local Governments Act;
- (e) “Minister” means the Minister responsible for youth affairs;
- (f) “secretary” means the secretary of the council appointed under section 11;
- (g) “youth” means a person between the age of eighteen and thirty years;
- (h) “youth committee” means a youth committee established in respect of each youth council.

#### **PART II—ESTABLISHMENT OF THE NATIONAL YOUTH COUNCIL.**

##### **2. Establishment of the council.**

- (1) There is established a council to be known as the National Youth Council.
- (2) The council shall be a body corporate, shall have perpetual succession and a common seal and may sue and be sued in its corporate

name.

(3) The council may, for and in connection with its objects and functions under this Act, purchase, hold, manage and dispose of any property, whether movable or immovable, and may enter into any contract and other transaction as may be expedient and may do any other act or thing as in law may be done by a body corporate.

### **3. Objects of the council.**

- (1) The objects of the council are—
  - (a) to organise the youth of Uganda in a unified body;
  - (b) to engage the youth in activities that are of benefit to them and the nation; and
  - (c) to protect the youth against any kind of manipulation.
- (2) For the attainment of its objects under subsection (1), the council shall have the following functions—
  - (a) to inspire and promote among the youth a spirit of unity and national consciousness;
  - (b) to provide a unified and integrated system through which the youth may communicate and coordinate their ideas and activities;
  - (c) to establish channels through which economic and social services and amenities may reach the youth in all areas of Uganda;
  - (d) to encourage the youth to consolidate their role in national development in the economic, social, cultural and educational fields;
  - (e) to initiate and encourage the formation of youth organisations and to facilitate communication among them;
  - (f) to promote relations between youth organisations in Uganda and international youth organisations and other bodies with similar objects or interests; and
  - (g) to do all such other things as are incidental or conducive to the attainment of the objects of the council under this Act.

### **4. Composition of the council.**

The council shall consist of—

- (a) one representative from each district elected by the members of the district youth council;
- (b) two student representatives elected by the Uganda National

Students Association, one of whom shall be a female; (c) ten female representatives elected by the conference from among the female members of the conference, at least two to represent a region.

PART III—ESTABLISHMENT, COMPOSITION AND HIERARCHY OF YOUTH COUNCILS AND YOUTH COMMITTEES.

**5. Establishment of youth councils.**

The following youth councils are established in each district—

- (a) village youth councils;
- (b) parish or ward youth councils;
- (c) subcounty, division or town youth councils;
- (d) county youth councils; and
- (e) a district youth council.

**6. Composition and hierarchy of youth councils.**

(1) A village youth council shall consist of every person who has attained the age of eighteen years but is below the age of thirty years and is a resident of the village.

(2) A parish or ward youth council shall consist of all the members of the village youth committees in the parish or ward.

(3) A subcounty, division or town youth council shall consist of all the members of the parish youth committees in the subcounty, division or town.

(4) A county youth council shall consist of all the members of the subcounty, division or town youth committees in the county.

(5) A district youth council shall consist of—

- (a) the chairperson, vice chairperson, secretary, publicity secretary and finance secretary of each county youth committee in the district; and
- (b) one male representative and one female representative of each subcounty youth council in the district elected by the subcounty youth council.

**7. National youth delegates conference.**

(1) There shall be held once in every year a national youth delegates conference which shall be the main policymaking body of the council.

(2) The national youth delegates conference shall consist of—

- (a) the chairperson of every county youth council;
- (b) the chairperson of every district youth council;
- (c) the secretary for women youth at the district level; and
- (d) eighteen students elected by the Uganda National Students Association.

(3) Subject to this section, the conference shall have the power to make or amend the constitution of the National Youth Council.

**8. Establishment and composition of youth committees.**

(1) There is established in respect of each youth council a youth committee, which shall consist of the following—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a secretary for women youth who shall be a female;
- (f) a secretary for student affairs who shall be a student;
- (g) a secretary for labour affairs;
- (h) a secretary for sports and culture; and
- (i) a secretary for finance.

(2) The members of a youth committee shall be elected by the members of a youth council from among their number.

(3) A person shall not be eligible to be elected a member of a youth committee unless he or she has attained the age of eighteen years, and a person shall not be eligible to be so elected or to continue to hold office in a youth committee if he or she has attained the age of thirty years.

(4) A person shall not be a member of more than one youth committee.

(5) Where a person is elected to a higher youth committee, his or her

office in the lower youth committee shall fall vacant and another person shall be elected in his or her place.

**9. National youth executive committee.**

(1) There shall be a national youth executive committee which shall be responsible for managing the affairs of the council.

(2) The national youth executive committee shall be elected by the members of the council from among their number and shall consist of—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a secretary for women youth who shall be a female;
- (f) a secretary for student affairs;
- (g) a secretary for labour affairs;
- (h) a secretary for sports and culture;
- (i) a secretary for external relations;
- (j) a secretary for finance; and
- (k) a secretary for legal affairs.

**PART IV—SECRETARIAT AND STAFF OF THE COUNCIL.**

**10. Secretariat.**

(1) The council shall have a secretariat to assist it in carrying out its objects and functions under this Act.

(2) The secretariat shall be composed of a secretary and other staff of the council.

**11. Appointment and tenure of office of the secretary.**

(1) The secretary shall be appointed by the Minister on the advice of the council.

(2) The secretary shall be appointed from among persons who are qualified or experienced in management or administrative matters.

(3) Subject to this Act, the secretary shall hold office on a full-time

basis and on such terms and conditions as are specified in the instrument of appointment.

(4) The secretary may resign his or her office, by writing under his or her hand, addressed to the Minister through the council.

(5) The Minister may, on the advice of the council, remove the secretary from office for inability to perform the functions of his or her office as a result of infirmity of body or mind or for any other cause or for misbehaviour.

(6) In the case of removal from office of the secretary under this section on the ground of inability to perform the functions of his or her office as a result of misbehaviour or of any other cause other than infirmity of body or mind, the secretary shall, before removal, be given an opportunity to be heard on the allegations made against him or her.

(7) The secretary shall not be removed from office under this section on the ground of inability to perform the functions of his or her office as a result of infirmity of body or mind unless the fact of such infirmity of body or mind has been proved and certified by at least two medical practitioners appointed by the director of medical services for that purpose.

## **12. Functions of the secretary.**

(1) The secretary shall be the chief executive officer and also the accounting officer of the council.

- (2) Subject to the general control of the council, the secretary shall—
  - (a) act as secretary at meetings of the council and record the minutes of the council at those meetings;
  - (b) be responsible for the implementation of the policy decisions of the council and for the day-to-day administration of the affairs of the council and the control of the other staff of the council;
  - (c) perform such other functions as may be assigned to him or her by the council.

(3) Where the office of the secretary is vacant or where the secretary is unable to perform the functions of his or her office by reason of illness, absence or other reason, the council may designate an officer of the council qualified in terms of section 11 to perform those functions until the vacancy



in that office is filled or, as the case may be, until the secretary is able again to perform those functions.

### **13. Other staff of the council.**

(1) The council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the secretariat under this Act.

(2) The council shall regulate the manner of appointment, terms and conditions of service and the discipline of its staff appointed under this section.

(3) Public officers may be seconded to the service of the council or may otherwise give assistance to the council.

### **14. Remuneration of the secretary and other staff.**

The council may pay to the secretary and other staff such remuneration and allowances as it deems fit and may grant pension or retirement benefits or gratuity to them at such rates as the Minister may, after consultation with the Minister responsible for finance, determine.

## **PART V—ELECTION OF REPRESENTATIVES OF THE YOUTH IN PARLIAMENT AND NATIONAL YOUTH CONSULTATIVE FORUM.**

### **15. Election of representatives of the youth in Parliament.**

(1) The conference shall, at its first meeting, elect five youth representatives, at least two of whom shall be female, from the members of the council to represent the youth in Parliament.

(2) The qualifications, tenure of office and other matters relating to the membership of a member of Parliament elected under subsection (1) shall be governed by the provisions of the Constitution and any other written law in force relating to them.

(3) In electing the five youth representatives under subsection (1), the conference shall ensure that one representative is elected from each of the following regions: northern, western, eastern, central and Buganda.

#### **16. National youth consultative forum.**

There shall be a national youth consultative forum which shall consist of—

- (a) the members of the national youth executive; and
- (b) at least five representatives of nongovernmental organisations determined by the national youth executive committee, which are involved in youth affairs and which are registered under the Nongovernmental Organisations Act.

#### **17. Functions of the national youth consultative forum.**

(1) It shall be the duty of the youth consultative forum to liaise between the council and the nongovernmental organisations.

(2) The national youth consultative forum shall regulate its own meetings and procedure.

### **PART VI—FINANCE.**

#### **18. Funds of the council.**

- (1) The funds and resources of the council shall consist of—
  - (a) such sums from the Consolidated Fund as may, from time to time, be appropriated by Parliament for the purposes of the council;
  - (b) any monies accruing to the council in the discharge of its functions under this Act; and
  - (c) grants, gifts or donations to the council.

(2) All income and monies of the council shall be deposited to the credit of the council in a bank approved by the Minister and shall not be withdrawn except with the approval of, and in a manner determined by, the council.

#### **19. Borrowing powers.**

(1) The council may, with the prior approval of the Minister after consultation with the Minister responsible for finance, borrow by way of overdraft or otherwise from a banker or any other person, such sums as may be necessary for meeting the obligations of the council and for carrying out the objects and functions of the council.

(2) The council may, with the prior approval of the Minister for the purposes of any borrowing under subsection (1), charge any asset or property of the council with the repayment of any money so borrowed.

## **20. Estimates.**

(1) The council shall, within three months before the end of each financial year, cause to be prepared and submitted to the Minister for submission to the Minister responsible for finance for his or her approval estimates of the income and expenditure of the council for the next ensuing year.

(2) No expenditure shall be made out of the funds of the council unless the expenditure has been approved by the Minister.

## **21. Financial year of the council.**

The financial year of the council shall be in respect of any accounting period the period of twelve months ending on the 30th June.

## **22. Accounts.**

(1) The council shall keep proper books of account of all its income and expenditure and proper records in relation to them.

(2) Subject to any directions given by the Minister responsible for finance, the council shall cause to be prepared in respect of each financial year, a statement of account which shall include a report on the performance of the council during the financial year comprising—

- (a) a balance sheet, a statement of income and expenditure and a statement of surplus and deficit; and
- (b) any other information in respect of the financial affairs of the council as the Minister responsible for finance may require.

## **23. Audit.**

(1) The accounts of the council shall, in respect of each financial year, be audited by the Auditor General or by an auditor appointed by him or her.

(2) The council shall ensure that within four months after the expiry of each financial year, a statement of account described in section 22 is submitted to the Auditor General for auditing.

(3) The Auditor General and any auditor appointed by him or her shall have access to all books of account, vouchers and other financial records of the council and be entitled to have any information and explanation required by him or her in relation to them as he or she may think fit.

(4) The Auditor General shall, within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the council a copy of the audited accounts of the council together with his or her report on them stating any matter which in his or her opinion should be brought to the attention of the Minister.

(5) The Auditor General shall also deliver to the Minister a copy of the audited accounts together with his or her report on them.

#### **24. Investment of surplus funds of the council.**

Any funds of the council not immediately required for any purpose under this Act shall be invested in such manner as the council may, with the approval of the Minister after consultation with the Minister responsible for finance, determine.

### **PART VII—GENERAL.**

#### **25. Protection of members and staff from personal liability.**

A member of the council or an employee of the council acting on its behalf shall not be personally liable for an act done by him or her in good faith for the purpose of carrying into effect this Act.

#### **26. Annual reports.**

The council shall, within three months after the end of each financial year, submit to the Minister a report on the activities of the council in respect of that financial year, and the report shall include its achievements during that financial year and its future plans.

## **27. Regulations.**

The Minister may, after consultation with the council, by statutory instrument, make regulations for better carrying into effect this Act.

## **28. Application and amendment of the Schedule.**

(1) The Schedule to this Act shall apply in relation to the seal of the council, the tenure of office of the council, youth councils and youth committees and to any other matter set out in that Schedule.

(2) The Minister may, by statutory instrument, amend the Schedule to this Act.

### *Schedule.*

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#### **Seal, offices and meetings of the council and committees.**

##### **1. Common seal of the council.**

(1) The common seal of the council shall be such device as the council may determine and shall be kept in the custody of the secretary.

(2) The common seal shall, when affixed onto any document, be authenticated by the signatures of the chairperson and the secretary of the council.

(3) In the absence of the chairperson, the vice chairperson shall authenticate the seal in place of the chairperson; and in the absence of the secretary, the person for the time being performing the functions of the secretary shall authenticate in place of the secretary.

(4) The signature of the chairperson, secretary or other member of the council under this paragraph shall be independent of the signing by any other person as witness.

(5) A contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed without seal on behalf of the council by the

secretary or any other person authorised in that behalf by the council.

- (6) Every document purporting to be—
  - (a) an instrument issued by the council and sealed with the common seal of the council, authenticated in the manner prescribed in this paragraph; or
  - (b) a contract or instrument entered into or executed under subparagraph (5) of this paragraph,

shall be received in evidence without further proof as such an instrument duly issued or a contract or instrument duly entered into or executed, as the case may be, unless the contrary is proved.

## **2. Tenure of office of youth councils and committees.**

(1) Subject to this Act, every youth council and youth committee shall remain in office for a period of three years from the date of its inception, after which it shall automatically lapse and dissolve.

(2) A member of a youth committee vacating office at the end of his or her term shall, subject to this Act, be eligible for reelection.

## **3. Vacation of office of a member of a youth council or a youth committee.**

Except for a village youth council, the seat of a member of a youth council or a youth committee shall fall vacant if—

- (a) the member resigns from the youth council;
- (b) without reasonable cause or the permission of the chairperson, the member fails to attend two consecutive meetings of the council;
- (c) the member is under sentence of death or imprisonment exceeding six months, imposed on him or her by a court of law;
- (d) the member has been convicted of an offence involving moral turpitude within the preceding six years;
- (e) circumstances arise which disqualify a member from membership under any other law.

## **4. Removal of a member of a youth council or a youth committee.**

Except for a village youth council, a youth council or a youth committee may remove from office any member of that council or of the youth committee of

that council on any of the following grounds—

- (a) inability to perform the functions of his or her office, arising out of infirmity of body or mind;
- (b) habitual drunkenness;
- (c) breach of law or public trust; or
- (d) a vote of no confidence passed by a two-thirds majority of the members.

## **5. Filling of vacancies on councils and committees.**

Except in the case of a village youth council, where the office of a member of a youth council or a youth committee becomes vacant, the committee of the relevant youth council shall organise an election for the vacancy to be filled.

## **6. Meetings of the council.**

(1) The council shall meet at such times and places as the chairperson may determine, but it shall meet at least once in each year.

(2) The chairperson shall also convene a meeting of the council if requested to do so in writing by not less than one-third of the members of the council.

(3) The chairperson shall preside at each meeting of the council, and in his or her absence the vice chairperson shall preside.

(4) In the absence of both the chairperson and the vice chairperson, a member of the council elected by the members present shall preside.

(5) The quorum at any meeting of the council shall be one-third of the members of the council, and the quorum shall be maintained throughout the meeting.

(6) Any matter coming for determination by the council at any meeting shall be determined by a general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting; but in the event of an equality of votes, the chairperson or other person presiding at the meeting shall have a second or casting vote.

(7) The council may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(8) Subject to this paragraph, the council may regulate the procedure of, and any other matter relating to, its meetings and may, in particular, prescribe the period of notice to be given in respect of any such meeting.

(9) Minutes of every meeting of the council shall be recorded in writing and shall be presented to and approved by the council at its next subsequent meeting and signed by the person presiding at the latter meeting and the secretary.

## **7. Meetings of youth councils.**

(1) A district youth council shall meet for the discharge of its functions under this Act at least once in every six months at such time and place as the chairperson of the district youth council may determine.

(2) The chairperson of the district youth council shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of the district youth council;
- (b) whenever he or she considers it necessary to do so.

(3) A youth council other than a district youth council shall meet for the discharge of its functions under this Act at least once in every three months, at such time and place as its chairperson may determine.

(4) The chairperson of a youth council referred to in subparagraph (3) of this paragraph shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of that council;
- (b) whenever he or she considers it necessary to do so.

(5) A notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the youth council at least fourteen days before the date of the meeting.



(6) The chairperson of a youth council shall preside at every meeting of the youth council, and in his or her absence the vice chairperson shall preside.

(7) In the absence of both the chairperson and the vice chairperson at a meeting of a youth council, a member of the youth council elected by the members present shall preside.

(8) One-third of the members of a youth council shall form a quorum at any of its meetings, and that quorum shall be maintained throughout the meeting.

(9) Any matter coming for determination at a meeting of a youth council shall be determined by general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting; but in the event of an equality of votes, the chairperson or other person presiding at the meeting shall have a second or casting vote.

(10) A youth council may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(11) Subject to this Schedule, a youth council may regulate its own proceedings.

## **8. Minutes of meetings of a youth council.**

(1) The minutes of every meeting of a district youth council shall be kept.

(2) The minutes of every meeting of a youth council other than a district youth council shall be kept, and copies of the minutes shall be sent to the chairperson of the youth council immediately higher.

(3) The minutes of the meetings of a district youth council required to be kept by this paragraph shall be in English and shall be open to inspection during normal office hours by members of the public.

(4) The minutes of the meetings of a youth council other than a district youth council required to be kept under this paragraph shall be kept in a language decided by each youth council and shall be open to inspection during normal office hours by members of the public.

**9. Meetings of a youth committee.**

(1) A youth committee shall meet for the discharge of its duties at least once every month at such time and place as the chairperson of the committee may direct.

(2) Notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the youth committee at least seven days before the date of the meeting.

(3) The chairman of a youth committee shall preside at every meeting of the youth committee, and in his absence the vice chairman shall preside.

(4) In the absence of both the chairperson and vice chairperson at a meeting of a youth committee, a member of the youth committee elected by the members present shall preside.

(5) The quorum at a meeting of the youth committee shall be six members.

(6) A youth committee may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may speak at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(7) Subject to this Schedule, a youth committee may regulate its own proceedings.

**10. Minutes of meetings of a youth committee.**

Paragraph 8 of this Schedule regarding the keeping of minutes of a youth council shall, with the necessary modifications, apply to the keeping of minutes of a youth committee meeting.

## **11. Service of documents.**

Without prejudice to any other written law, a notice or document required to be served on the council may be served by leaving it at the office of the secretary or by sending it by prepaid registered post to the secretary.

**History:** Statute 2/1993; Act 6/1998.

### **Cross References**

Constitution of 1995.

Local Governments Act, Cap. 243.

Nongovernmental Organisations Registration Act, Cap. 113.