

CHAPTER 247

THE TRADITIONAL RULERS (RESTITUTION OF ASSETS AND PROPERTIES) ACT.

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CHAPTER 247

THE TRADITIONAL RULERS (RESTITUTION OF ASSETS AND PROPERTIES) ACT.

Commencement: 30 July, 1993.

An Act to give effect to article 118A of the Constitution of 1967 and to restore to traditional rulers assets and properties previously owned by them or connected with or attached to their offices but which were confiscated by the State and to make other provisions relating or incidental to, or consequential upon, the foregoing.

1. Interpretation.

In this Act, unless the context otherwise requires, “traditional ruler” means king or ruler by whatever name called, as referred to in article 118(1) of the Constitution repealed by the Constitution (Amendment) Statute, 1993, and any successor of such traditional ruler.

2. Restoration of assets and properties previously confiscated by the State.

(1) Subject to the other provisions of this section, any asset or property previously confiscated by the State from or in respect of or in relation to any traditional ruler under the Constitution of 1967 is, with effect from the commencement of this Act, transferred to that traditional ruler without any further assurance than this Act.

(2) A traditional ruler to whom any asset or property is transferred under this section shall, in the case of land, have the same estate or interest as was previously held by the Uganda Land Commission in respect of that land.

(3) Notwithstanding anything in this Act, all regalia where they exist shall vest in the traditional ruler in accordance with subsection (1), without the need for negotiation.

(4) For the avoidance of doubt, in the case of Buganda, the assets and properties specified in the Schedule to this Act shall, on the commencement of this Act, vest in the traditional ruler of Buganda for the same estate or

interest as was held by the Uganda Land Commission at the commencement of this Act.

(5) In the case of traditional rulers other than the traditional ruler of Buganda, the Government shall hold negotiations with the traditional rulers concerned with a view to returning to them such assets and properties as may be agreed.

(6) Subsection (5) applies to the traditional ruler of Buganda in respect of any asset or property other than those specified in the Schedule to this Act.

(7) Where it is agreed to transfer any asset or property to a traditional ruler under subsection (5) or (6), subsection (1) shall apply to the asset or property with effect from the date approved in the agreement.

(8) Notwithstanding any provision of the Registration of Titles Act, the registrar of titles shall take all necessary steps for giving effect to the transfer of any asset or property effected by this section free from any tax, duty or fee whether by the alteration or cancellation of any relevant certificate of title, the issue of a fresh certificate of title or otherwise.

3. Reversion of certain assets and property.

For the avoidance of doubt, any asset or property vested in the Government in respect of any traditional ruler by section 3 of the Special Pensions (Former Rulers and Constitutional Heads) Act shall, upon the commencement of this Act, be deemed to have reverted to the traditional ruler concerned under section 2 of this Act and subject to subsection (5), (6) and (7) of that section.

Schedule.

s. 2.

Assets and property of the traditional ruler of Buganda.

1. The Bulaange
2. The Lubiri at Mengo
3. The Butikkiro
4. The Buganda Court Building
5. Kabaka's official 350 square miles of land
6. Namasole's ten square miles of land
7. Banalinya's land
8. Kabaka's lake
9. Former Omulamuzi and Omuwanika's official residences of Mengo
10. Land adjacent to Lubiri on which three Buganda Ministerial houses used to stand
11. All Bassekabaka's Tombs
12. Buganda Works Building at Kakeeka
13. Basiima House
14. Nalinya's house at Lubaga

History: Statute 8/1993.

Cross References

Constitution of 1967.

Constitution (Amendment) Statute, Statute 7/1993.

Registration of Titles Act, Cap. 230.

Special Pensions (Former Rules and Constitutional Heads) Act, Act 19/1967.