

Date Printed: 12/30/2008

JTS Box Number: IFES_19
Tab Number: 29
Document Title: RESISTANCE COUNCILS AND COMMITTEES
(ELECTIONS) REGULATIONS, 1989.
Document Date: 1989
Document Country: UGA
Document Language: ENG
IFES ID: EL00041



Patricia 10/18
Ray -

Uganda

Electric Laws.

For Resource

Center.

Karl Z

STATUTORY INSTRUMENTS.

1989 No. 3.

Resistance Councils And Committees (Elections) Regulations, 1989.

IN EXERCISE of the powers conferred upon the Minister by section 26 of the Resistance Councils and Committees Statute, these Regulations are hereby made this 2nd day of February, 1989.

Statute 9
of 1987.

PART I—RETURNING OFFICERS.

1. The District Administrator shall be the Returning Officer for the district for which he is the head for the purpose of any election held in accordance with these Regulations.

District Administrator to be Returning Officer.

2. The Returning Officer may appoint as many assistant returning officers and election officers as he may require to assist him when carrying out his functions under these Regulations.

Returning Officer to appoint staff.

3. Upon the appointment of any person under paragraph 2, the Returning Officer shall define and specify such person's area of operation and duties.

Returning Officer to specify duties.

4. The Returning Officer shall,

Functions of Returning Officers.

(a) generally give direction and supervision in the conduct of elections and ensure fairness, impartiality and compliance with these Regulations by assistant returning officers and election officers;

(b) issue to election officers such instructions as he may consider necessary;

(c) execute and perform all other powers and duties that these regulations confer and impose on him.

PART II—PRESIDING OFFICERS AND POLLING STATION.

5. The County Chief shall be the presiding officer of all elections taking place at the county level and shall be under the overall supervision of the Returning Officer or any other officer authorised by the Returning Officer.

County Chief to be presiding officer in County.

BD

Sub-County Chief to be presiding officer in Sub-County.

6. The Sub-County Chief shall be the presiding officer at all elections at the Sub-County Resistance Council and shall be under the overall supervision of the Returning Officer or any other person authorised by the Returning Officer.

Parish Chief to be presiding officer in other elections.

7. The Parish Chief shall be the presiding officer at all elections taking place at the parish and village level and shall be under the overall supervision of the Sub-County Chief.

District Administrator to appoint presiding officers.

8. In the case of urban areas, the District Administrator shall appoint presiding officers, polling assistants and other officers as he may consider necessary at each level for purposes of carrying out the elections.

Resistance Council to have one polling station.

9. There shall be one polling station for each Resistance Council.

PART III—NOMINATIONS.

Presiding officer to instruct Resistance Council.

10. When a Resistance Council is assembled for purposes of conducting an election, the presiding officer shall address the Resistance Council, instructing the Council how to vote.

Presiding officer to ask for nominations.

11. When a Resistance Council is assembled as provided for in these Regulations the presiding officer shall require nominations of candidates for the office to be filled.

Nomination procedure.

12. (1) The nomination of every candidate for elections shall be orally proposed by a member and be seconded by another member of the Resistance Council who is present and shall be submitted to the presiding officer at any time before the election commences:

Provided that in the case of a candidate for the National Resistance Council elections such candidate shall,

(i) fill in Forms E1 and E2 set out in the Schedule hereto in own handwriting; and

(ii) be seconded by at least four members of the electoral college.

(2) The presiding officer shall accept as many nominations as are properly nominated and seconded.

(3) After nominations have been closed, the candidate for a particular office may briefly introduce himself to the electoral college, but in any case for not more than five

minutes and then be required to withdraw from the session and stay beyond the hearing range of the electoral college after which the person nominating each candidate may briefly introduce him to the electorate and the presiding officer shall allow a brief discussion by the electoral college of the candidates in order of their nomination before the elections commence.

13. No member of the electoral college may second more than one candidate for the same office.

Member to second one candidate.

14. Nominated candidates for the office of,

(a) Secretary for women shall be from amongst the women;

Candidates for youths and women offices.

(b) Secretary for youth shall be from amongst persons between the age of eighteen and thirty-five years.

15. Except for a candidate for the National Resistance Council no candidate shall be nominated for an office of a Resistance Council unless he ordinarily resides in that area.

Candidate to have a home in area.

16. Where in any Resistance Council election, a candidate is nominated in the manner provided for under regulations 10 to 15 and the presiding officer is satisfied that all the provisions of these Regulations have been complied with, the presiding officer shall declare the candidate as nominated.

Presiding officer to declare nominated candidate.

17. A candidate may at any time before the commencement of an election, withdraw his candidature by informing the electoral college in session.

Candidate may withdraw candidature.

18. If some reasonable time elapses after the nomination of a candidate for any office and there is only one candidate nominated for the office, the presiding officer shall declare such candidate elected unopposed.

Presiding officer to declare elected candidate.

19. If in any election of an official to a Resistance Council, no candidate is nominated in terms of regulation 16, the presiding officer shall order a fresh election to be held by such Resistance Council on the following day.

Presiding Officer to order fresh election.

PART IV—ELECTION PROCEDURES.

20. (1) The presiding officer shall commence elections only after at least two-thirds of the members entitled to vote have assembled.

Commencement of elections and procedure thereof.

(2) The presiding officer shall direct the candidate for each office to stand before the Resistance Council concerned in a place where all the members of the Resistance Council can see him clearly.

(3) The presiding officer shall conduct the election by allowing the electorate to cast their votes by lining up behind the candidate of their choice.

(4) If an elector is incapacitated by blindness or other cause he shall call out loudly before the Resistance Council, the name of the candidate of his choice and the presiding officer shall then lead him to the line of the candidate of his choice.

(5) The procedure outlined in paragraphs (2), (3) and (4) shall be repeated until all the offices of the Resistance Council are filled.

Where no candidate has clear majority.

21. Where no candidate during an election for any office has polled more than half of the votes of the members present and voting, the two leading candidates shall be put to vote again :

Provided that,

- (a) no such vote shall be repeated unless at least two-thirds of the members of the electoral college are present;
- (b) if there is a tie of more than two candidates in the first position, then those tying in the first position shall be put to vote; and
- (c) if there is a tie in the second position then all those tying in the second position together with the one in the first position shall be put to vote.

Elections to follow each other consecutively

22. Elections for each office of a Resistance Committee shall take place consecutively, beginning with the Chairman, Vice-Chairman, a Secretary, a Secretary for Youth, a Secretary for Women, a Secretary for Information, a Secretary for Mass Mobilisation and Education, a Secretary for Security and a Secretary for Finance.

Votes to be up and hours of by lining polling.

23. (1) The votes at the polling station shall be given by lining up of electors behind each candidate of their choice, for a particular office and the results shall be ascertained by counting the number of electors lined up behind each candidate.

(2) In the case of elections for representatives of the District Resistance Council where two persons are required, the election shall be carried out by the nomination and election of only one person at a time and the result of the election shall be recorded in Form E.4 set out in the Schedule hereto.

(3) For avoidance of doubt, no candidate shall be declared a winner unless he has obtained an absolute majority of the members present and voting or has been elected unopposed.

(4) The poll for any Resistance Council election shall not commence before 11.00 a.m. in the morning and shall not continue beyond 6.00 p.m. in the evening.

24. Where there is no County Chief, Sub-County Chief or Parish Chief or any person acting in such office to perform the functions of the presiding office, the Returning Officer shall appoint a presiding officer in their place.

Returning Officer to appoint a presiding officer in case of none.

25. (1) The presiding officer or any person acting in his place, shall keep order at the polling station.

Presiding Officer to keep order.

(2) If any person misconducts himself at a polling station, or fails to obey the lawful orders of the presiding officer, such person may by order of the presiding officer be removed from the polling station immediately by any person authorised by the presiding officer or by the Returning Officer, and the person removed shall not, unless permitted by the presiding officer again, be allowed to enter the polling station.

26. (1) Where the proceedings at any polling station are interrupted or obstructed by riot, violence or any other unforeseen impediment, the presiding officer shall adjourn the proceedings till the following day and shall so notify the Returning Officer.

Action to be taken by presiding officer if elections interrupted.

(2) Where the poll is adjourned at any polling station the hours of polling on the day to which it is adjourned shall be the same as on the original day.

27. (1) The presiding officer-in-charge of a Resistance Council shall appoint as many persons outside the persons entitled to vote as he shall consider necessary to assist in counting the votes, and such persons shall be known as enumerators.

Presiding officer to appoint enumerators.

(2) After the counting of votes is completed at any polling station, the presiding officer shall, subject to the provisions of these Regulations, declare the winning candidate:

Provided that the presiding officer may, where he receives a complaint from any person entitled to vote at that election and is satisfied that such complaint is not frivolous order a recount of the votes before making the declaration.

Presiding officer to fill in form.

28. Upon completion of the counting of votes, and after the results have been declared by the presiding officer, the presiding officer shall fill in Forms E3 and E5 set out in the Schedule hereto and submit such forms to the relevant offices as indicated on the forms within two days.

PART V—GENERAL.

Resistance Councils and Committees to be set up only in existing units.

29. For the avoidance of doubt all Resistance Councils and Committees shall be established in accordance with the existing administrative units:

Provided that in any case where it is necessary to establish a Resistance Council or Committee, the District Resistance Council concerned shall submit its recommendation concerning such proposal to establish a Resistance Council to the Minister for approval.

Transitional provision.

30. Every incoming Resistance Committee shall, before taking over, ensure that there is a formal handing over from the outgoing Resistance Committee within the time prescribed in the Statute.

Offences and penalties.

31. Any person who,

- (a) forges, fraudulently defaces or fraudulently destroys any election return, record or any official mark on any election return or record;
- (b) publically campaigns for any office in any Resistance Council including the addressing of the public, the use of party colours, symbols, flags or advertisements;
- (c) bribes or attempts to bribe any elector in any Resistance Council with the intention of soliciting for his vote;
- (d) engages in any sectarian practice with the intention of soliciting for votes;
- (e) displays or uses any political party colours or symbols at any election polling station;

- (f) corruptly offers to any elector any food, drink, refreshment or provision for the purpose of corruptly influencing the person to vote in any manner at any Resistance Council election;
- (g) makes use of or threatens to use force, violence or restraint, or inflicts or threatens to inflict physical or psychological injury or harm against any person for the purpose of influencing the person to vote in any manner at any Resistance Council;
- (h) gives or lends or promises to procure any money, gift, loan, benefit or valuable consideration to any elector, or to any person on behalf of any elector in order to induce any elector to vote or refrain from voting;
- (i) accepts any money, gift, loan, benefit or valuable consideration from a candidate for purposes of voting for such candidate or influencing other candidates to vote for the same;
- (j) advertises or issues any handbill, placard or poster to any person or to the public for the purpose of promoting any candidate for a Resistance Council election,

commits an offence and shall be liable on conviction to imprisonment for a term not exceeding two years and in addition to the imprisonment, be disqualified, for a period of five years from the date of his conviction, from holding an office on any Resistance Committee or being a member of any Resistance Council, other than a Cell or Village Resistance Council.

32. In these Regulations, unless the context otherwise requires, Inter-
pr•tation.

“electoral college” means a Resistance Council or an assembly of members of different Resistance Councils assembled together for the purposes of carrying out an election;

“election officer” means a person appointed by the Returning Officer under paragraph 2 to assist in the conduct of elections;

“Resistance Council” includes an electoral college assembled for carrying out an election under the provisions of these Regulations.

NUWE AMANYA-MUSHEGA,
Minister of Local Government.

THE REPUBLIC OF UGANDA

RESISTANCE COUNCILS AND COMMITTEES
(ELECTIONS) REGULATIONS

NOMINATION PAPER FOR ELECTION TO
NATIONAL RESISTANCE COUNCIL

We, the undersigned, voters in the County/Municipality/
Division of do hereby nominate
the following person as a candidate of the NRC and we certify
that to the best of our knowledge and belief, he is qualified to be
elected as such:—

PARTICULARS OF CANDIDATE

Surname	Other names	Age	Education Standards	Occupation

Proposer:	Name	Address	Signature

I, of
consequent upon nomination for election as a member for
..... do declare that

1. I am a citizen of Uganda;
2. I have never served under the State Research Bureau, nor the Public Safety Unit or the National Security Agency; and
3. I am not under sentence of death or imprisonment for a period exceeding six months imposed by a court of law nor ever been convicted of an offence involving moral turpitude within the preceding six years.

SCHEDULE—*continued.*

4. I have never been declared insolvent or bankrupt under any law in Uganda.

Date *Signature*

Warning—Anyone who makes a false declaration shall be liable to prosecution.

Distribution:

- Original—NRM Secretariat.
- Duplicate—Ministry of Local Government.
- Triplicate—District Headquarters.
- Quadruplicate—County Headquarters.

FORM E2 (r.12)

THE REPUBLIC OF UGANDA
RESISTANCE COUNCILS AND COMMITTEES
(ELECTIONS) REGULATIONS
PERSONAL DATA OF NATIONAL RESISTANCE
COUNCIL CANDIDATE

(Fill in Triplicate)

Name:

Age:

Citizenship:

Educational Qualifications:

.....

.....

Resident/Non-Resident:

Period of Residence:

Place of Residence:

Village:

Parish/Ward:

Sub-County/Division:

District:

Date *Signature*

Warning—Anyone who makes a false declaration shall be liable to prosecution.

Distribution:

- Original—NRM Secretariat.
- Duplicate—District Headquarters.
- Triplicate—County Headquarters.

THE RESISTANCE COUNCILS AND COMMITTEES
(ELECTIONS) REGULATIONS

POLLING RETURNS

(Fill in Triplicate)

District:

County:

Sub-County/Division:

Parish/Ward:

Village:

Office Contested:

Candidates Names

No. of Votes

<i>Candidates Names</i>	<i>No. of Votes</i>
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Name of Presiding Officer:

Designation:

Date *Signature*

Warning—Anyone who makes a false declaration shall be liable to prosecution.

Distribution:

- | | |
|------------------------------------|---------------------------------|
| RC I and II | RC III and IV |
| Original—County Headquarters. | Original—District Headquarters. |
| Duplicate—Sub-County Headquarters. | Duplicate—County. |
| Triplicate—Parish Headquarters. | Triplicate—Sub-County. |
| NRC | RC V |
| Original—NRM Secretariat. | Ministry of Local Government. |
| Duplicate—Local Government. | NRM Secretariat. |
| Triplicate—District Headquarters. | County Headquarters. |

THE REPUBLIC OF UGANDA
THE RESISTANCE COUNCILS AND COMMITTEES
(ELECTIONS) REGULATIONS

DECLARATION OF DISTRICT RESISTANCE
COUNCIL ELECTION RESULTS

(Fill in Triplicate)

District:

County/Municipality:

Sub-County/Town Council:

*Offices Contested: Sub-County representatives, Women's representatives.

Name(s) of elected candidate(s) in order of election

.....

.....

.....

I declare that the above candidate(s) has/have been duly elected in accordance with the established rules and regulations governing Resistance Councils and Committees elections.

Name and signature of Presiding Officer

.....

Designation

Date

*Delete as appropriate.

Warning—Anyone who makes a false declaration shall be liable to prosecution.

Distribution:

Original—Ministry of Local Government.

Duplicate—District Headquarters.

Triplicate—Sub-County.

THE REPUBLIC OF UGANDA
 THE RESISTANCE COUNCILS AND COMMITTEES
 (ELECTIONS) REGULATIONS

DECLARATION OF ELECTION RESULTS

(Fill in Triplicate)

District:
 County:
 Sub-County:
 Parish:
 Village:

*Office contested RC III, V.

<i>Offices</i>	<i>Names of elected Candidates</i>
1. Chairman
2. Vice-Chairman
3. Secretary
4. Secretary for Youth
5. Secretary for Women
6. Secretary for Information
7. Secretary for Mass Mobilis- ation and Education
8. Secretary for Security
9. Secretary for Finance

I declare that the above-named candidates have been duly elected in accordance with the established rules and regulations governing Resistance Councils and Committees elections.

Name and signature of Presiding Officer

Designation:Date

*Delete as appropriate.

Warning—Anyone who makes a false declaration shall be liable to prosecution.

Distribution:

RC III	RC V
Original—Local Government.	Original—Local Government.
Duplicate—District.	Duplicate—NRM Secretariat.
Triplicate—Sub-County.	Triplicate—District Headquarters.

Date of publication: 3rd February, 1989.

STATUTORY INSTRUMENTS.

1989 No. 4.

The Urban Authorities (Classification Of Towns) (Amendment) Order, 1989.

Cap. 27
of 1964.

IN EXERCISE of the powers conferred upon the Minister by sections 3, 63 (3) and 64 of the Urban Authorities Act, 1964, this Order is hereby made this 2nd day of February, 1989.

1. The Urban Authorities are classified and categorised as shown in the Schedule to this Order.

2. This Order may be cited as the Urban Authorities (Classification of Towns) (Amendment) Order, 1989.

NUWE AMANYA-MUSHEGA,
Minister of Local Government.

SCHEDULE.

S.NO.	NAME OF TOWN	STATUS	CATEGORY
1.	Kampala	City Council	A
2.	Jinja	Municipality	B
3.	Mbale	-do-	B
4.	Masaka	-do-	B
5.	Entebbe	-do-	B
6.	Mbarara	-do-	B
7.	Fort-Portal	-do-	B
8.	Gulu	-do-	B
9.	Arua	-do-	B
10.	Kabale	-do-	B
11.	Lira	-do-	B
12.	Moroto	-do-	B
13.	Tororo	-do-	B
14.	Soroti	-do-	B

SCHEDULE—continued.

TOWN COUNCILS

1.	Bushenyi	Town Council	C
2.	Busia	-do-	C
3.	Hoima	-do-	C
4.	Iganga	-do-	C
5.	Kasese	-do-	C
6.	Kamuli	-do-	C
7.	Kayunga	-do-	C
8.	Kisoro	-do-	C
9.	Kitgum	-do-	C
10.	Kyotera	-do-	C
11.	Kumi	-do-	C
12.	Apac	-do-	C
13.	Bundibugyo	-do-	C
14.	Kapchorwa	-do-	C
15.	Kotido	-do-	C
16.	Lugazi	-do-	C
17.	Masindi	-do-	C
18.	Moyo	-do-	C
19.	Mpigi	-do-	C
20.	Mubende	-do-	C
21.	Bombo	-do-	C
22.	Mukono	-do-	C
23.	Nebbi	-do-	C
24.	Njeru	-do-	C
25.	Rukungiri	-do-	C
26.	Mityana	-do-	C
27.	Luwero	-do-	C
28.	Koboko	Town Board	D
29.	Kalangala	-do-	D
30.	Katakwi	-do-	D
31.	Nakapiripiriti	-do-	D
32.	Rakai	-do-	D
33.	Adjumani	-do-	D
34.	Bugiri/Naluwerere	-do-	D
35.	Hiima	-do-	D
36.	Kaberamaido	-do-	D
37.	Kaliro	-do-	D
38.	Kalongo	-do-	D
39.	Katwe/Kabatoro	-do-	D
40.	Lukaya	-do-	D
41.	Lyantonde	-do-	D
42.	Ntungamu	-do-	D
43.	Paidha	-do-	D
44.	Palisa	-do-	D
45.	Pakwach	-do-	D

ADMINISTRATIVE TOWN
(TRADING CENTRES)

1.	Aloi	Trading Centre	E
2.	Anaka	-do-	E
3.	Atiak	-do-	E
4.	Kabong	-do-	E
5.	Nakasongola	-do-	E
6.	Nkokojeru	-do-	E

Date of publication: 3rd February, 1989.

