

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2020 No. 95.

**THE POLITICAL PARTIES AND ORGANISATIONS (CONDUCT OF
MEETINGS AND ELECTIONS) REGULATIONS, 2020**

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STATUTORY INSTRUMENTS

2020 No. 95.

The Political Parties and Organisations (Conduct of Meetings and Elections) Regulations, 2020

(Under sections 10 and 27(1) of the Political Parties and Organisations Act, 2005)

IN EXERCISE of the powers conferred upon the Minister responsible for justice and constitutional affairs by section 27 of the Political Parties and Organisations Act, 2005, and with the approval of Parliament, these Regulations are made this 23rd day of July, 2020.

1. Title

These Regulations may be cited as the Political Parties and Organisations (Conduct of Meetings and Elections) Regulations, 2020.

2. Application

These Regulations apply—

- (a) to a political party or organisation that intends to conduct a meeting or elections during a period when public health restrictions relating to infectious disease notified under sections 10, 11, and 27 of the Public Health Act, Cap. 281 exist in Uganda; and
- (b) to exigencies posed by a state of emergency or a state of war in Uganda or in any part of Uganda that may affect the holding of normal political party or organisation activities.

3. Objectives

The objective of these Regulations is—

- (a) to safeguard the health of participants in activities organised by a political party or organisation;

- (b) to enable a political party or organisation to elect leaders and sponsor candidates for nomination for general elections without compromising the health and safety of its members or the public;
- (c) to enable a political party or organisation to elect leaders and sponsor candidates for nomination for general elections within the limitations imposed by the Public Health Act and the Rules made thereunder relating to public health restrictions or measures.

4. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Political Parties and Organisations Act, 2005;

“executive committee” means the governing body of a political party or organisation by whatever name called;

“infectious disease” means any disease which can be communicated directly or indirectly by any person suffering from it to any other person;

“phased election” means the conduct of an election that would otherwise be held on the same day or at the same time for the same geographical area, on different days or different times covering smaller units of the same geographical area;

“public health restrictions” means measures imposed by law to avert the spread of infectious diseases which prevent or restrict the holding of meetings, elections, conferences or other gatherings in such numbers or in such form as is required under the constitution of a political party or organisation;

“resolution by circulation” means a written resolution circulated to members, who are not physically located together, as are entitled to vote on a matter contained in the resolution which provides for the resolution to be signed to signify assent or dissent on the same document or in counterpart on a separate document;

“sponsored candidate” means a candidate sponsored by a political party or organisation for an election conducted by the Electoral Commission;

“virtual meeting” means a meeting held with the use of video or audio technology allowing members, regardless of their location, to share information and data in real-time without being physically located together.

5. Internal organisation of political parties and organisations

(1) A political party or organisation shall, in the conduct of its internal affairs, in addition to complying with articles 71 and 72 of the Constitution, adhere to the Public Health Act and rules made thereunder for the control of infectious diseases.

(2) In accordance with section 10 of the Act, and notwithstanding any provision in the constitution of a political party or organisation, a political party may, where acting in accordance with its constitution would contravene the provisions of the Public Health Act and rules made thereunder for the control of infectious diseases, hold a meeting or an election for members of its executive committee, members of its organs or sponsored candidates by any of the following means—

- (a) virtual meetings;
- (b) resolutions by circulation;
- (c) phased elections;

- (d) secret ballot;
- (e) open ballot;
- (f) lining up behind the candidate of choice;
- (g) election by an electoral college comprising members of an organ of the political party or organisation;
- (h) election by an organ of a political party or organisation, other than that designated by the constitution of the political party or organisation, whose membership is of a number that can lawfully convene without contravening the provisions of the Public Health Act and rules made thereunder for the control of infectious diseases;
- (i) any combination of the means specified in paragraphs (a) to (h) or any other method of meeting or conducting an election approved by the Electoral Commission of a political party or organisation.

(3) Notwithstanding any provision in the constitution of a political party or organisation, the executive committee shall have the power to employ the method of election or meeting in subregulation (2), that allows the holding of the election or meeting without contravening the provisions of the Public Health Act and rules made thereunder for the control of infectious diseases.

(4) Subject to section 10(3) of the Act, the executive committee of a political party or organisation may extend the term of office of elected members of organs of the political party or organisation, other than the term of the executive committee, where it is not practical to hold elections for the membership of such organs as result of the restrictions or other measures imposed by the Public Health Act and rules made thereunder for the control of infectious diseases.

(5) The extension of the term of office of elected members of organs of the political party or organisation referred to in subregulation (4), shall be for a period not exceeding six months from the date of lifting of the restrictions or other measures imposed by the Public Health Act, and rules made thereunder for the control of infectious diseases.

6. Validity of elections and resolutions

(1) An election held under these Regulations shall be considered valid, as if it had been held at a duly convened meeting, convention or conference organised by a political party or organisation under the constitution of its political party or organisation.

(2) A resolution passed under these Regulations shall be considered valid, as if it had been passed at a duly convened meeting or convention under the constitution of its political party or organisation.

7. Termination

These Regulations shall terminate upon the notification, by the Minister responsible for health, of the expiration of the public health restrictions.

PROFESSOR EPHRAIM KAMUNTU,
Minister of Justice and Constitutional Affairs.