

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

2023 No. 93.

**THE ADMINISTRATION OF THE JUDICIARY (ESTABLISHMENT OF
COMMITTEES) REGULATIONS, 2023**

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STATUTORY INSTRUMENTS

2023 No. 93.

The Administration of the Judiciary (Establishment of Committees) Regulations, 2023

(Under article 133 (1) (b) of the Constitution and sections 6, 7(4) and 40 of the Administration of the Judiciary Act, 2020, Act No. 8 of 2020)

IN EXERCISE of the powers conferred upon the Minister responsible for justice by section 40 of the Administration of the Judiciary Act, 2020, these Regulations are made this **17th day of November, 2023**.

PART I—PRELIMINARY

1. Title

These Regulations may be cited as the Administration of the Judiciary (Establishment of Committees) Regulations, 2023.

2. Purpose of Regulations

The purpose of these Regulations is—

- (a) to establish committees necessary for the effective administration of the Judiciary in accordance with section 6 (1) and (2) of the Act;
- (b) to prescribe the composition and procedure of the committees in accordance with section 6 (3) of the Act; and
- (c) to prescribe the functions of the committees in accordance with sections 6(1) and 7(4) of the Act.

3. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Administration of the Judiciary Act, 2020;

“award” means a token of appreciation or recognition given to a member of staff of the Judiciary for a significant contribution towards the administration of justice or for excellent performance in the execution of his or her duties in the Judiciary Service and includes a reward;

“committee” means a committee established by section 6 of the Act and regulation 4 of these Regulations;

“Council” means the Judiciary Council as established by section 4 of the Act;

“Judiciary Service” means the Judiciary Service established by section 13 of the Act;

“member” means a member of a committee and includes a member of a subcommittee established under these Regulations;

“Minister” means the Minister responsible for Justice;

“responsible officer” means the Chief Justice, the Deputy Chief Justice, the Principal Judge, the Chief Registrar or the Secretary to the Judiciary, whichever the case may be, to whom the concerned Judicial Officer, administrative or other staff of the Judiciary reports to.

PART II—ESTABLISHMENT OF COMMITTEES

4. Establishment of committees

There is established, by the Chief Justice, the following committees for the effective administration of the Judiciary—

- (a) the planning, development and finance committee;
- (b) the human capital development, gender and equity mainstreaming committee;
- (c) the information communications technology and documentation committee;

- (d) the audit committee;
- (e) the case management committee;
- (f) the law reform committee;
- (g) the performance management and awards committee;
- (h) the disciplinary committee; and
- (i) the sexual harassment committee.

PART III—APPOINTMENT, TENURE AND POWERS OF COMMITTEES

5. Appointment of members of committees

(1) The Chief Justice shall appoint members of the committees established in regulation 4.

(2) A committee shall comprise members, including a chairperson and secretary as determined by the Chief Justice.

(3) At least one third of the members of a committee shall be female.

(4) A person may be appointed to serve on more than one committee during the same period.

(5) The chairperson, secretary or a member of the committee shall hold office on terms and conditions, determined by the Chief Justice on the recommendation of the Council, and stated in his or her instrument of appointment.

(6) A committee may co-opt a technical person to assist the committee in the execution of its functions.

6. Report of committee

The chairperson of a committee shall submit a report to the Chief Justice on a quarterly and annual basis.

7. Tenure of member

(1) A member appointed to a committee, other than a member appointed by virtue of office, shall hold office for three years and is eligible for reappointment for one further term.

(2) A member of a committee appointed by virtue of his or her office shall serve as member of the committee while he or she holds that office.

8. Removal from office

(1) A member of a committee may vacate office—

(a) where his or her appointment is revoked by the Chief Justice for failure to attend three consecutive meetings of the committee without reasonable cause, in the case of a member not appointed by virtue of office;

(b) upon resignation, where a member is not appointed by virtue of office;

(c) upon death; or

(d) upon ceasing to hold office, in the case of a member appointed by virtue of office.

(2) Where a member ceases to be a member of a committee under subregulation (1), the secretary to the committee shall notify the Chief Justice within seven working days of the vacancy.

(3) The Chief Justice shall, after being notified of the vacancy under subregulation (2), appoint another person to hold office for the remainder of the term of the previous member, in accordance with these Regulations.

9. Powers of committees

A committee shall have the power—

- (a) to require the submission and production of any document by any member of staff of the Judiciary relevant to a matter before the committee, except where the document or information is protected by law; and
- (b) to require the appearance of a member of staff of the Judiciary to make a presentation, or clarification, or to answer any question on a matter before the committee for consideration.

10. Subcommittees

(1) A committee may constitute subcommittees as may be necessary for the performance of the functions of the committee under these Regulations.

(2) A subcommittee shall consist of a chairperson, who shall be a member of the committee, a secretary and other persons, whether members of the committee or not, as the committee may determine.

(3) A subcommittee constituted under this regulation shall comprise three to seven members of the committee, depending on the total membership of the committee.

(4) A decision of a subcommittee shall be subject to adoption by the relevant committee before it is submitted to the Chief Justice for implementation.

(5) A subcommittee constituted under this regulation shall adopt the procedure of a committee under these Regulations, with such modifications as may be necessary.

11. Adhoc committees

(1) The Chief Justice may constitute an adhoc committee to handle any matter relating to the administration of justice, not provided for in these Regulations.

(2) The Chief Justice shall determine the membership and the terms of reference of an adhoc committee.

(3) The terms and conditions of an adhoc committee shall be determined by the Chief Justice, on the recommendation of the Council.

12. Delegation

(1) Where a member, for good cause, is not able to attend a meeting of the committee, the member may delegate a person knowledgeable on the subject matter to attend the meeting on his or her behalf.

(2) A member delegating a person under subregulation (1) to attend a meeting of the committee on his or her behalf shall notify the secretary to the committee of the delegation, before the meeting.

(3) A person delegated to attend a meeting of the committee shall have the same rights and privileges as a member of the committee.

(4) For the purposes of continuity, the person delegated under subregulation (1) shall be the same person delegated each time the need for delegation arises, for a meeting of the Committee.

PART IV—COMPOSITION AND FUNCTIONS OF COMMITTEES

13. Planning, development and finance committee

(1) The planning, development and finance committee shall consist of the following members—

- (a) the Deputy Chief Justice;
- (b) the Principal Judge;
- (c) one Justice representing the Supreme Court;
- (d) one Justice representing the Court of Appeal;
- (e) two Judges representing the High Court;

- (f) the Director, Judicial Training Institute;
- (g) the Chief Registrar;
- (h) the Secretary to the Judiciary;
- (i) the Registrar, High Court;
- (j) the Registrar, Inspectorate of Courts;
- (k) the Registrar, Planning, Research and Development;
- (l) the Registrar, Magistrates Affairs and Data Management;
- (m) the Under Secretary, Finance and Administration;
- (n) the Commissioner, Human Resource Management;
- (o) the Commissioner, Engineering and Technical Services;
- (p) the Commissioner, Policy and Planning Department;
- (q) the Commissioner, Information Communications Technology Department;
- (r) the Head of Accounts; and
- (s) the Head Procurement and Disposal Unit.

(2) The Deputy Chief Justice shall be the chairperson of the committee.

(3) The Commissioner, Policy and Planning Department shall be the secretary to the committee.

(4) There is established under the planning, development and finance committee, the infrastructure management subcommittee to assist the committee on matters relating to infrastructure management.

14. Functions of planning, development and finance committee

The planning, development and finance committee shall be responsible for—

- (a) the initiation, coordination and implementation of judicial policies, strategic plans, programmes and projects, including research, budgeting, allocation and utilisation of resources;
- (b) discussing the approved budgets, allocating resources, ensuring proper maintenance of movable and immovable assets and monitoring investment plans of the Judiciary;
- (c) advising the Chief Justice on the strategic direction of the Judiciary and ensuring that the Judiciary maintains proper strategic and budgetary planning;
- (d) monitoring progress in the implementation of the Judiciary strategy against agreed performance indicators and informing the Chief Justice on a quarterly basis;
- (e) periodically reviewing and submitting to the Chief Justice its recommendations on the financial flows against the broad goals and strategies of the Judiciary;
- (f) advising the Chief Justice on matters affecting the physical infrastructure of the Judiciary;
- (g) receiving, considering and approving planned physical infrastructure project proposals from the user departments;
- (h) ensuring that the Judiciary infrastructure is kept and maintained in good condition;
- (i) providing the oversight role on the Judiciary physical infrastructure projects; and
- (j) performing any other function as may be determined by the Chief Justice.

15. Human capital development, gender and equity mainstreaming committee

(1) The human capital development, gender and equity mainstreaming committee shall consist of the following members—

- (a) one Justice of the Supreme Court;
- (b) one Justice of the Court of Appeal;
- (c) four Judges of the High Court;
- (d) the Director, Judicial Training Institute;
- (e) the Chief Registrar;
- (f) the Secretary to the Judiciary;
- (g) the Registrar, Planning, Research and Development;
- (h) the Registrar, Inspectorate of Courts;
- (i) the Registrar, Magistrates Affairs and Data Management;
- (j) the Registrar, Human Resource Development and Training;
- (k) the Registrar, Public Relations and Communications;
- (l) the Under Secretary, Finance and Administration;
- (m) the Private Legal Secretary to the Chief Justice;
- (n) the Private Legal Secretary to the Deputy Chief Justice;
- (o) the Private Legal Secretary to the Principal Judge;
- (p) the Private Legal Secretary to the Chief Registrar;
- (q) the Commissioner, Human Resource Management;
- (r) the Personal Assistant to the Chief Justice;
- (s) two representatives of the Magistrates;
- (t) the Principal Communications Officer;
- (u) one Principal Assistant Secretary; and
- (v) two Protocol Officers.

(2) The Justice appointed in subregulation (1)(a), shall be the chairperson of the committee.

(3) The Commissioner, Human Resource Management shall be the secretary to the committee.

(4) There is established under the human capital development, gender and equity mainstreaming committee, the public relations, communications and protocol subcommittee.

16. Functions of human capital development, gender and equity mainstreaming committee

The human capital development, gender and equity mainstreaming committee shall—

- (a) advise the Council on the terms and conditions of service, and the training and development of the staff of the Judiciary Service;
- (b) be responsible for mainstreaming gender within the Judiciary Service by developing a gender diversity strategy, evaluating its implementation and ensuring alignment between the gender diversity strategy and the corporate and human resource strategies;
- (c) advise the Council on corporate and public relations matters and outreach programmes in the Judiciary;
- (d) disseminate and oversee the implementation and evaluation of the Judiciary Communications Strategy to promote the Judiciary to the public and other stakeholders;
- (e) ensure that the Judiciary is effectively represented in the media and that a good image of the Judiciary is maintained;
- (f) approve publicity brochures, leaflets, promotional materials and handouts relating to the Judiciary;
- (g) approve and ensure that monthly law digests, the Judiciary Insider and the Annual Performance Reports of the

Judiciary are published regularly and are updated on the Judiciary website;

- (h) make proposals to the Top Management and Senior Management of the Judiciary on how to maintain a good image of the Judiciary;
- (i) monitor publicity and conduct court user surveys to establish the concerns and expectations of stakeholders;
- (j) organise, coordinate and manage all Judiciary events; including the new law year, the annual judges conference, Benedicto Kiwanuka Memorial day, court open days, barazas, outreaches and other publicity events;
- (k) coordinate and manage protocol and hospitality functions in the Judiciary, where the Judiciary is participating;
- (l) oversee and advise the Chief Justice on the establishment and running of counseling services for staff of the Judiciary, with particular emphasis on financial matters, self-development, good health and enjoyable retirement;
- (m) monitor and evaluate the implementation of the Performance Management System established under section 18 of the Act;
- (n) coordinate the setting up of performance targets for the courts, registries, departments, units and staff of the Judiciary;
- (o) conduct periodic visits to work places in the Judiciary Service to assess the conditions of service and staff performance; and
- (p) perform any other function as may be assigned to it by the Chief Justice.

17. Information communications technology and documentation committee

(1) The information communications technology and documentation committee shall consist of the following members—

- (a) one Justice of the Supreme Court;
- (b) two Justices of the Court of Appeal;
- (c) two Judges of the High Court;
- (d) the Director, Judicial Training Institute;
- (e) the Chief Registrar;
- (f) the Secretary to the Judiciary;
- (g) the Registrar, High Court;
- (h) the Registrar, Planning, Research and Development;
- (i) the Registrar, Human Resource Development and Training;
- (j) the Registrar Magistrates Affairs and Data Management;
- (k) the Registrar, Public Relations and Communications;
- (l) the Private Legal Secretary to the Chief Registrar;
- (m) the Under Secretary, Finance and Administration;
- (n) the Commissioner, Human Resource Management;
- (o) the Commissioner, Information Communications Technology Department;
- (p) the Principal Information Technology Officer;
- (q) the Head, Statistics Unit;
- (r) the President, Uganda Law Society;
- (s) the Principal Communications Officer;

- (t) the Principal Records Officer;
- (u) the Principal Librarian; and
- (v) a representative of the National Information Technology Authority-Uganda.

(2) The Justice of the Supreme Court appointed in subregulation (1)(a) shall be the chairperson of the committee.

(3) The Commissioner Information Communications Technology Department shall be the secretary to the committee.

(4) There is established under the information communications technology and documentation committee the following subcommittees—

- (a) the library, research, law reporting and records subcommittee, to assist the committee on matters relating to the library, research, law reporting and records; and
- (b) the Electronic Court Case Management Information System (ECCMIS) subcommittee, to assist the committee on matters relating to the Electronic Court Case Management Information System.

18. Functions of information communications technology and documentation committee

The functions of the information communications technology and documentation committee are—

- (a) to advise the Chief Justice and provide specialist knowledge and functional expertise on information communications technology in the Judiciary;
- (b) advise the Chief Justice on matters affecting the intellectual and virtual infrastructure of the Judiciary;
- (c) advise the Chief Justice on library information services, research, internal law reporting and record keeping in the Judiciary;

- (d) identify, assess and mitigate constraints and risks associated with the use of information communications technology in the Judiciary;
- (e) exercise an oversight role in the implementation, review and upgrade of software applications aimed at obtaining strategic objectives and modernisation of the Judiciary;
- (f) receive, consider and approve information communications technology development project proposals from the registries, departments and units;
- (g) authorise the preparation of plans and approval of final plans for information communications technology infrastructure and make recommendations to the Chief Justice;
- (h) oversee the organisation and coordination of sensitisation and training of stakeholders on the use of information communications technology in the Judiciary;
- (i) oversee the state of all forms of information communications technology in the Judiciary;
- (j) advise on information communications technology procurement specifications and deliveries;
- (k) coordinate and supervise library information services, internal law reporting, research and record keeping in the Judiciary;
- (l) coordinate the operations of the research and law reporting teams;
- (m) conduct surveys on the library and research needs of the various courts and offices in the Judiciary;
- (n) oversee the identification of and budgeting for research materials required by user departments;

- (o) oversee all documentation and library centres of the Judiciary;
- (p) oversee the compilation of laws of Uganda for use by the Judiciary and the public;
- (q) oversee the compilation and publication of judgments delivered by all courts;
- (r) oversee the compilation of topical compendia on thematic areas of interest;
- (s) oversee the compilation, publication and dissemination of Judiciary Bench Books;
- (t) oversee the management of the Uganda legal information institute website or any other similar website that may be designed by the Judiciary;
- (u) streamline the operations of records in court registries;
- (v) streamline the maintenance and custody of public documentation kept in the Judiciary;
- (w) streamline the maintenance and custody of records in the court archives;
- (x) oversee the effective implementation of the Electronic Court Case Management Information System (ECCMIS) in the Judiciary; and
- (y) perform any other function as may be assigned by the Chief Justice.

19. Audit committee

(1) The Chief Justice shall, in consultation with the Judiciary Council, appoint an audit committee from persons of diverse skills and disciplines, who are not public officers.

(2) The audit committee shall consist of the following members—

- (a) one retired judicial officer of not less than fifteen years working experience with knowledge in public institution operations, high moral character and proven integrity;
- (b) one qualified accountant with professional accounting qualifications of not less than fifteen years working experience with high moral character and proven integrity;
- (c) one qualified auditor with not less than fifteen years working experience in auditing public institutions and donor funded projects with high moral character and proven integrity;
- (d) one qualified civil engineer of not less than fifteen years working experience in handling and supervising construction projects with high moral character and proven integrity; and
- (e) one person with vast knowledge and expertise in public administration and management of not less than fifteen years standing, holding a masters degree in a related field with high moral character and proven integrity.

(3) The Chief Justice shall designate a chairperson and a secretary to the committee from among the members of the committee.

20. Functions of audit committee

- (1) The audit committee shall—
 - (a) assist the Secretary to the Judiciary in carrying out the oversight responsibilities relating to financial practices, internal controls, corporate governance issues, compliance with laws, ethics and audit matters;
 - (b) review the arrangements established by the Secretary to the Judiciary for compliance with regulatory and financial reporting requirements;
 - (c) review the financial statements prepared by the Secretary to the Judiciary to ensure that the disclosure in the financial

statements is adequate and that fair representation is achieved;

- (d) facilitate risk assessment to determine the amount of risk exposure of the assets of the Judiciary and the possibility of loss that may occur, with a view to mitigating risks;
- (e) consider reports submitted by the internal auditor to the Secretary to the Judiciary under section 48 of the Public Finance Management Act, 2015 and make recommendations on the findings of the internal auditor; and
- (f) to report to the Chief Justice on matters relating to auditing in the Judiciary.

(2) The Secretary to the Judiciary shall report to the audit committee the actions taken or planned in response to the recommendations of the audit committee.

21. Case management committee

(1) The case management committee shall comprise of the following members—

- (a) the Deputy Chief Justice;
- (b) the Attorney General;
- (c) the Principal Judge;
- (d) one Justice of the Supreme Court;
- (e) two Justices of the Court of Appeal;
- (f) two Judges of the High Court;
- (g) the Director of Public Prosecutions;
- (h) the Chief Registrar;
- (i) the Secretary to the Judiciary;

- (j) the President of the Uganda Law Society;
- (k) the Registrar, High Court;
- (l) the Registrar, Supreme Court;
- (m) the Registrar, Court of Appeal;
- (n) the Registrar, Planning, Research and Development;
- (o) the Registrar, Alternative Dispute Resolution;
- (p) the Registrar, Magistrates Affairs and Data Management;
- (q) the Registrar, Human Resource Development and Training;
- (r) the Technical Advisor to the Judiciary;
- (s) the Director Criminal Investigations, in the Uganda Police Force;
- (t) the Commissioner, Information Communications Technology Department;
- (u) the Commissioner, Correctional Services in the Uganda Prisons Services;
- (v) the Commissioner Youth and Children Affairs in the Ministry of Gender, Labour and Social Development;
- (w) the Commissioner Local Councils Development, in the Ministry of Local Government;
- (x) the Secretary Law Council;
- (y) a Principal or Dean of a law school;
- (z) one Chief Magistrate;
- (aa) one Senior Principal Magistrate Grade one;
- (ab) two advocates nominated by the Uganda Law Society; and
- (ac) a representative of the civil society organisations.

(2) The Deputy Chief Justice shall be the chairperson of the committee.

(3) The Chief Registrar shall be the secretary to the committee.

(4) There is established under the case management committee, the following subcommittees—

(a) the alternative dispute resolution subcommittee, consisting of five members as the committee may determine from among its members, to assist the committee on matters relating to alternative dispute resolution;

(b) the bar-bench subcommittee, consisting of five members as the committee may determine from among its members, to assist the committee on matters relating to the bar-bench;

(c) the division court users subcommittee consisting of—

(i) the respective head of each High Court Division, who shall be the chairperson;

(ii) Judges of the respective High Court Division;

(iii) Deputy Registrars and Assistant Registrars of the respective High Court Division, one of whom shall be the secretary; and

(iv) key stakeholders of the respective High Court Division;

(d) the circuit coordination subcommittee consisting of—

(i) a Judge in the respective High Court Circuit who shall be the chairperson;

(ii) the Deputy Registrar in the respective High Court Circuit who shall be the secretary;

- (iii) the chairpersons of all district coordination committees within the Circuit;
 - (iv) the Regional Police Commanders in the respective High Court Circuit;
 - (v) the Regional Prisons Commanders in the respective High Court Circuit; and
 - (vi) the Justice, Law and Order actors with a regional mandate;
- (e) the district coordination subcommittee consisting of—
- (i) the Chief Magistrate in the respective magisterial area who shall be the chairperson;
 - (ii) the Magistrates in the respective magisterial area, one of whom shall be the secretary;
 - (iii) the heads of the administration of justice, law and order institutions in the district or city;
 - (iv) the representatives of the advocates within the magisterial area;
 - (v) the District Probation and Social Welfare Officer;
 - (vi) the civil society organisations and private sector organisations in the district or city, operating within the justice law and order institutions thematic areas of criminal and civil justice, juvenile justice, anti-corruption, land justice, environment justice, transitional justice and human rights;
 - (vii) the Medical Superintendent;
 - (viii) the local government representatives; and
 - (ix) co-opted members of the public, as the need may arise.

22. Functions of case management committee

The case management committee shall be responsible for—

- (a) studying the challenges to effective delivery of justice and advising on appropriate strategies to address the challenges;
- (b) conducting research, consultations and benchmarking with a view to establishing best practices and policies on alternative dispute resolution, case backlog clearance and case management for the Judiciary;
- (c) advising the Chief Justice on performance enhancement strategies across the courts;
- (d) promoting communication, cooperation and coordination among the justice service stakeholders;
- (e) coordinating the division court users, circuit and district coordination subcommittees;
- (f) initiating proposals and reforms geared towards easing access to justice through the adoption of quick, cheap and convenient processes of dispute settlement;
- (g) overseeing the use and implementation of alternative dispute resolution mechanisms by courts, making recommendations and proposing relevant reforms;
- (h) making recommendations to the Chief Justice on matters requiring policy and legislative reforms relating to case management;
- (i) studying concerns and issues raised by members of the bar and the bench in relation to the administration of justice;
- (j) formulating best practices to address issues raised by members of the bar and the bench and advising concerned staff of the Judiciary and justice, law and order institutions accordingly;

- (k) studying the state of service delivery in the courts and making recommendations on how to address any gaps identified;
- (l) conducting inspections of the justice law and order institutions and making recommendations for the effective administration and delivery of justice; and
- (m) performing any other function as may be assigned by the Chief Justice.

23. Law reform committee

(1) The law reform committee shall have the following members—

- (a) the Principal Judge;
- (b) one Justice of the Supreme Court;
- (c) three Justices of the Court of Appeal;
- (d) four Judges of the High Court;
- (e) the Chief Registrar;
- (f) the Secretary to the Judiciary;
- (g) the Registrar, High Court;
- (h) the Registrar, Human Capital Development and Training;
- (i) the Registrar, Magistrates Affairs and Data Management;
- (j) the Private Legal Secretary to the Chief Justice;
- (k) the Private Legal Secretary to the Deputy Chief Justice;
- (l) the Technical Advisor to the Judiciary;
- (m) the President of the Uganda Law Society;
- (n) the First Parliamentary Counsel;

- (o) a representative of the Law Reform Commission; and
- (p) a senior advocate nominated by the Uganda Law Society.

(2) The Principal Judge shall be the chairperson of the committee.

(3) The Chief Registrar shall be the secretary to the committee.

24. Functions of law reform committee

The law reform committee shall—

- (a) make proposals for the review of court rules of procedure and other legislation with the overall objective of—
 - (i) expediting the disposal of cases;
 - (ii) ensuring adequate preparation of cases before trial;
 - (iii) reducing delay of cases and maximising judicial time;
 - (iv) improving business processes for civil and criminal justice;
 - (v) improving access to justice for unrepresented litigants;
 - (vi) simplifying the procedures and practices of courts;
 - (vii) improving and streamlining case management;
- (b) initiate reforms to the laws and processes aimed at improving case management systems and enhancing access to justice;
- (c) undertake research and recommend reforms to the Chief Justice for follow up with the Attorney General, the Uganda Law Reform Commission and other relevant stakeholders;

- (d) conduct a survey on desired legal and procedural remedies to address gaps in the administration of justice;
- (e) hold stakeholder meetings and consultations within and out of the Judiciary to determine the need for legal reforms;
- (f) prepare drafts of rules and instruments for discussion by the rules committee;
- (g) study the various laws, practices and processes and identify any inconsistencies necessitating reforms;
- (h) carry out a comparative study of related laws of neighboring countries and make necessary recommendations to the Chief Justice;
- (i) review the application of sentencing guidelines by the courts;
- (j) initiate innovations and reforms in the administration of justice;
- (k) oversee the implementation of laws, rules, practice directions, guidelines and policies applicable to the administration of justice; and
- (l) carry out other function as may be assigned by the Chief Justice.

25. Performance management and awards committee

(1) The performance management and awards committee shall consist of—

- (a) one Justice of the Supreme Court;
- (b) one Justice of the Court of Appeal;
- (c) three Judges of the High Court;
- (d) the Chief Registrar;

- (e) the Secretary to the Judiciary;
- (f) the Registrar, High Court;
- (g) the Registrar, Inspectorate of Courts;
- (h) the Registrar, Magistrates Affairs and Data Management;
- (i) the Registrar, Human Resource Development and Training;
- (j) the Private Legal Secretary to the Chief Registrar;
- (k) the Under Secretary, Finance and Administration; and
- (l) the Commissioner, Human Resource Management.

(2) The Justice of the Supreme Court appointed in subregulation (1)(a) shall be the chairperson of the committee.

(3) The Private Legal Secretary to the Chief Registrar shall be the secretary to the committee.

26. Functions of performance management and awards committee

The performance management and awards committee shall—

- (a) provide strategic direction on the implementation of the Performance Enhancement Tool;
- (b) monitor and evaluate the implementation of the Performance Enhancement Tool and make necessary recommendations to the Chief Justice;
- (c) coordinate the setting up of performance targets for the courts in consultation with the Top Management of the Judiciary;
- (d) set performance targets for the registries, departments and units;

- (e) provide input to the planning and budgeting process for the implementation of the Performance Enhancement Tool in order to enhance performance of the Judiciary;
- (f) conduct periodic visits to courts, registries, departments and units to assess performance;
- (g) conduct surveys on staff performance;
- (h) recommend staff of the Judiciary for training, as appropriate;
- (i) recommend staff of the Judiciary to the Responsible officer for remedial action and appropriate sanction on performance, as appropriate;
- (j) identify and recommend exceptional staff of the Judiciary to the Chief Justice for annual performance recognition and award;
- (k) identify and recommend staff of the Judiciary with unsatisfactory performance to the responsible officer for appropriate action; and
- (l) carry out any other function as may be assigned by the Chief Justice.

27. Disciplinary committee

(1) The disciplinary committee shall comprise the following members—

- (a) one Justice of the Supreme Court;
- (b) one Justice of the Court of Appeal;
- (c) one Judge of the High Court;
- (d) the Registrar, High Court;
- (e) the Registrar, Inspectorate of Courts;
- (f) the Registrar, Magistrates Affairs and Data Management;

- (g) the Under Secretary, Finance and Administration; and
- (h) the Commissioner, Human Resource Management.

(2) The Justice of the Supreme Court in subregulation (1)(a) shall be the chairperson of the committee.

(3) The Registrar Inspectorate of Courts shall be the secretary to the committee.

28. Functions of disciplinary committee

(1) The disciplinary committee shall—

- (a) receive complaints made against staff of the Judiciary;
- (b) inquire into matters relating to discipline of members of staff of the Judiciary; and
- (c) make recommendations to the responsible officer for appropriate disciplinary action against members of staff, including recommending referrals to the Judicial Service Commission by the responsible officer.

(2) In executing its mandate under sub-regulation (1) above, the Committee shall observe rules of natural justice and fairness.

(3) Where a complaint discloses a *prima-facie* case, the Committee shall afford each party a hearing and shall record evidence and take exhibits, if any, which may be relied upon to reach a decision.

(4) The decision of the Committee shall—

- (a) be made in writing;
- (b) contain reasons for the decision; and
- (c) be communicated to the parties within 14 days.

(5) A person aggrieved by a decision of the Committee may appeal to the responsible officer within 14 days, after communication of the decision to him or her.

(6) Where a responsible officer finds merit in the appeal, he or she may take an appropriate action, including referring the matter back to the Committee, with his or her recommendations for reconsideration.

29. Sexual harassment committee

(1) The sexual harassment committee shall consist of—

- (a) one Justice of the Supreme Court;
- (b) one Justice of the Court of Appeal;
- (c) one Judge of the High Court; and
- (d) three other members who shall be appointed by the Chief Justice, one of whom shall be designated secretary to the committee.

(2) The Justice appointed in subregulation (1)(a) shall be the chairperson of the committee.

30. Functions of sexual harassment committee

The sexual harassment committee shall—

- (a) receive, process and manage complaints relating to sexual harassment in the Judiciary;
- (b) offer counseling and guidance to victims of sexual harassment and make appropriate referrals;
- (c) investigate and handle complaints of sexual harassment in accordance with the Anti-Sexual Harassment Policy of the Judiciary;

- (d) launch sensitisation programmes and advocacy for education about sexual harassment for staff of the Judiciary at all levels;
- (e) equip staff of the Judiciary with skills and knowledge for eliminating sexual harassment;
- (f) disseminate the Anti-Sexual Harassment Policy of the Judiciary;
- (g) integrate Anti-Sexual Harassment Policy training into programmes of induction for new staff in the Judiciary Service;
- (h) establish a gender-responsive monitoring and evaluation framework for the prevention of sexual harassment;
- (i) promote action-based research that highlights complexities of sexual harassment; and
- (j) perform any other function as may be assigned by the Chief Justice.

PART V—DUTIES OF CHAIRPERSON, SECRETARY AND
MEMBERS OF COMMITTEES

31. Duties of chairperson of committee

(1) The chairperson of a committee shall be responsible for providing leadership to the committee.

(2) Without limiting the general effect of subregulation (1), the chairperson shall be responsible for—

- (a) presiding over the meetings of the committee;
- (b) ensuring that information and documentation relating to the proceedings and activities of the committee are shared by the secretary in a timely manner;

- (c) directing discussions on matters before the committee for purposes of building and reaching consensus;
- (d) preserving order and decorum in the meeting;
- (e) ensuring that consensus is reached over any deliberations; and
- (f) stimulating discussion by drawing contributions from all the members of the committee.

(3) In the absence of the chairperson, the chairperson shall delegate a member of the committee to exercise the duties of the chairperson at the meeting of the committee.

32. Duties of secretary to committee

- (1) The secretary to a committee shall—
 - (a) maintain an attendance register to record attendance at committee meetings;
 - (b) ensure the provision of secretarial services to the committee;
 - (c) ensure the circulation of minutes of the previous meeting to the members of the committee;
 - (d) ensure that committee deliberations are recorded and reviewed before circulation to committee members;
 - (e) ensure that committee meetings are effectively organised;
 - (f) ensure that the capacity of members is regularly built to enable the members to effectively and efficiently execute their mandate;
 - (g) coordinate the compilation and dispatch of the agenda and other reference materials for committee meetings;
 - (h) ensure that members of the committee and any other person assisting the committee in the performance of its functions are remunerated in a timely manner;

- (i) ensure that all the recommendations of the committee are communicated to and implemented by the responsible persons;
- (j) prepare, at the start of every financial year, a detailed work plan and budget estimates of the activities of the committee and submit the work plan and budget to the Secretary to the Judiciary after approval by the committee.

(2) The secretary may, with the approval of the chairperson, designate a member of staff of the judiciary who may not be a member of the committee to assist him or her in taking the minutes of meetings of the committee.

33. Duties of member of committee

In the performance of the functions of a committee, a member shall—

- (a) abide by the legal and policy framework relating to the Judiciary and the relevant committee;
- (b) adhere to the principles enshrined in the Uganda Code of Judicial Conduct, the Judiciary Service Code of Conduct and the Uganda Public Service Standing Orders, 2021;
- (c) review documents relating to and adequately prepare for meetings of the committee;
- (d) attend committee meetings, as and when convened;
- (e) commit to collective advice and recommendations once consensus is reached;
- (f) carry out any tasks assigned to him or her by the chairperson;
- (g) notify the secretary to the committee of his or her inability to attend a committee meeting;
- (h) maintain objectivity, diligence and decorum in the committee proceedings and activities; and

- (i) ensure confidentiality of information obtained in the course of committee business.

PART VI—MEETINGS OF COMMITTEES

34. Meetings of committee

(1) A committee shall meet at least once in every quarter at a place and time designated by the chairperson.

(2) The chairperson may, at any time, for sufficient reason, suspend or adjourn a meeting of the committee to a date and time determined by him or her.

(3) Committee resolutions shall be arrived at by consensus.

(4) Where consensus fails on a particular matter, the chairperson may defer the decision on the matter to a later time or date, to allow members to further consult on the matter in order to reach consensus.

(5) Where consensus fails the second time, the resolution shall be arrived at through voting.

(6) The committee shall determine the mode of voting during the meeting.

(7) The validity of any proceedings, actions or advice of a committee shall not be affected by any vacancy among its members or by the fact that a person who was not entitled to participate, took part in the proceedings of the committee.

(8) The meetings of a committee shall be open to the members of the committee and any technical person invited by the committee to assist the committee in the performance of its functions.

(9) A committee may hold a meeting in camera on any matter that in the opinion of the members of the committee should be held in camera.

(10) Where for any reason, a member of a committee is not able to physically attend a meeting, the following information communications technology may be adopted to enable that member to participate in the meeting—

- (a) video conferencing;
- (b) tele-conferencing; or
- (c) any other information communications technology.

(11) For the avoidance of doubt, a member attending a meeting of the committee using any of the information communications technology specified in subregulation (10), shall have an equal right to vote.

(12) Any resolution passed by a committee prior to the coming into force of these Regulations shall be deemed to have been passed in accordance with these Regulations.

(13) A resolution of a committee pending confirmation of the minutes shall be approved in writing by the chairperson of the committee before the relevant action is taken.

(14) A resolution of a committee shall not be revoked or altered unless notice of intention to propose the revocation or alteration is given to members of the committee at least seven calendar days prior to the meeting at which the revocation or alteration is to be proposed to take place.

(15) Where the number of members present under subregulation (14) at that meeting is not equal to or greater than the number that was present when the resolution was adopted, the resolution shall not be revoked or altered.

(16) A member of a committee, except for the chairperson and the secretary, with the permission of the chairperson to the committee, shall not issue any report or purport to disclose any proceedings or resolution of the committee.

(17) Subject to these Regulations, the committee shall regulate its own procedure or any matter relating to its meetings.

35. Quorum of meetings of committee

- (1) The quorum at a meeting of a committee shall be—
 - (a) three members at every meeting, where the total number of members of the committee is between five to seven members;
 - (b) five members at every meeting, where the total number of members of the committee is between eight to twelve members;
 - (c) seven members at every meeting, where the total number of members of the committee is thirteen or fourteen members; and
 - (d) nine members at every meeting, where the total number of members of the committee is fifteen members and more.

(2) Where quorum is not realised within thirty minutes after the appointed time of the meeting, the chairperson shall declare the meeting adjourned to the next convenient date.

36. Agenda of meetings of committee

(1) The secretary to a committee shall transmit to the members, written notice of the meeting together with a copy of the agenda.

(2) For the purposes of approving the agenda, a member of a committee may propose a substantive item to be included on the agenda provided that the motion to include the substantive item is supported by one-third of the members during the meeting.

(3) Additional agenda items may be included on the agenda for a meeting of a committee, provided that the member proposing the additional agenda item gives notice to the secretary to the committee within five working days from the date of receipt of the notice for the

regular meeting of the committee and in the case of an extraordinary meeting, within three working days.

(4) The agenda at a regular meeting of a Committee shall include the following items—

- (a) prayer;
- (b) adoption of the agenda;
- (c) attendance and apologies;
- (d) declaration of conflict of interest;
- (e) communication from the chairperson;
- (f) reactions to the communication of the chairperson;
- (g) reading and confirmation of minutes;
- (h) matters arising and action reports;
- (i) core business of the Committee;
- (j) additional agenda items; and
- (k) any other business.

37. Proceedings of meetings of committee

(1) The chairperson shall take precedence over other members of the committee during the meeting.

(2) A person wishing to make a contribution during deliberations in a meeting shall signify his or her intention by raising his or her hand and where called upon, shall address the chairperson.

(3) The chairperson shall provide direction for the meetings.

(4) A member shall not reintroduce for discussion any matter that has been deliberated upon and upon which a final decision has been made by the committee during the meeting, unless the chairperson has, for sufficient reason, permitted him or her.

(5) A committee shall not discuss a matter that is sub-judice.

(6) Deliberations in a meeting may be interrupted by—

(a) a point of order being raised;

(b) a point of procedure being raised;

(c) a point of information or clarification being raised; or

(d) a matter of privilege suddenly arising.

(7) Any point raised in subregulation (6) shall take precedence over all other business, and shall immediately be open for discussion.

(8) A point of order or a point of procedure shall be raised immediately where an irregularity during deliberations occurs.

(9) The chairperson shall preserve order and decorum in the meetings and shall decide on questions of order and practice.

(10) The chairperson shall determine all questions of procedure not expressly provided for in these Regulations, in consultation with the members of the committee.

(11) The proceedings and deliberations of a committee shall be in English.

38. Declaration of conflict of interest

(1) A member of a committee who is in any way directly or indirectly interested in a matter to be deliberated upon by the committee shall disclose the nature of his or her interest at a meeting of the committee.

(2) A member who makes a disclosure under subregulation (1) shall not—

(a) be present during any deliberation of the committee with respect to that matter; or

- (b) take part in any decision of the committee with respect to that matter.

(3) A disclosure of conflict of interest under this regulation shall be recorded in the minutes of the meeting.

(4) For the purposes of determining whether there is a quorum, a member withdrawing from a meeting or who is not taking part in a meeting under subregulation (2) shall be treated as being present.

39. Confidentiality

(1) A member of a committee and a person in attendance at a meeting shall keep all committee deliberations confidential.

(2) A document labeled or indicated to be confidential shall remain in the custody of the secretary to the committee at the close of the meeting of the committee.

40. Types of meetings of committee

The committee shall have the following types of meetings—

- (a) ordinary meetings which shall be held in accordance with the approved calendar of meetings;
- (b) extra-ordinary meetings which shall be called to address a specific issue or development that is of significance to the Judiciary; and
- (c) a meeting by circular resolution which shall be held in special circumstances.

41. Notices of meetings of committee

(1) The secretary to a committee shall, in the notice to the members of the committee, specify the date, time, venue and agenda of the meeting.

(2) The secretary shall, in convening the meetings of a committee, comply with the following timelines—

- (a) notices for ordinary meetings shall be given seven days before the scheduled date of the meeting;
- (b) notices for extraordinary meetings of the Committee shall be given four days before the scheduled date of the meeting, together with the agenda for the meeting; and
- (c) notices for meetings by circular resolution shall be given five days before the scheduled date for submission of comments, together with the documents on which the comments are to be made.

(3) Notwithstanding subregulation (2), the secretary may give shorter notice in case of an emergency.

(4) A shorter notice in subregulation (3) shall not invalidate the proceedings of the committee.

42. Documents of meetings of committee

(1) The secretary shall, before a meeting of a committee, circulate all the relevant documents in both hard and soft copy to facilitate the agenda items of the meeting.

(2) The documents for an ordinary meeting shall be dispatched to the members seven days before the scheduled date of the meeting.

(3) The documents for extraordinary meetings shall be dispatched to the members three days before the scheduled date of the meeting.

(4) The documents for meetings by circular resolution shall be dispatched to the members four days before the scheduled date of the meeting.

43. Minutes of meetings of committee

(1) The proceedings of a committee shall be recorded in a minute book after approval by the committee and shall be signed by the chairperson and the secretary as being a true record of the meeting.

(2) The secretary or member of staff designated to take the minutes of a meeting of a committee shall—

- (a) prepare the minutes, immediately after the meeting has been held and shall circulate the minutes to the members, together with relevant documents in accordance with regulation 42;
- (b) keep the minutes confidential and shall not disclose the minutes to any person, except with the permission of the chairperson; and
- (c) ensure that the minutes are confirmed at the next ordinary meeting of the committee.

(3) The secretary to a committee shall be responsible for—

- (a) the dissemination of committee resolutions relating to the advice given by the committee;
- (b) preparing letters for the signature of the chairperson, where any resolutions relating to the advice or recommendation of the committee is required to be in writing; and
- (c) extracting action points from the minutes.

44. Adjournment of meetings of committee

(1) In the event that the issues on the agenda are not exhausted, the meeting may be adjourned by the chairperson to a convenient date.

(2) At the continuation of the meeting adjourned in accordance with subregulation (1), only the unfinished business for which the previous meeting was adjourned shall be transacted, except where members, by consensus, resolve to amend the agenda in accordance with these Regulations.

45. Absence of member of committee

(1) A member who is unable to attend a meeting of the committee shall inform the secretary by letter, e-mail, text message

or telephone call, and the secretary shall report the absence to the committee.

(2) Where a member, for sufficient cause, intends to be absent for a period longer than six months, he or she shall, in writing, notify the chairperson who shall seek for replacement of the member from the Chief Justice.

46. Attendance

(1) A member of a committee attending a meeting shall sign the attendance register.

(2) A member of a committee shall not sign the attendance register on behalf of another member, except where a member who is present but is unable to sign has authorised another member to sign on his or her behalf.

(3) A member shall not sign the attendance register and leave the meeting without the permission of the chairperson.

(4) Where a member attends a meeting by any of the information communications technology modes adopted by the meeting, the secretary shall sign the attendance register on his or her behalf.

PART VII—REMUNERATION OF MEMBERS OF COMMITTEE AND PERSONS INVITED TO ASSIST COMMITTEE

47. Remuneration of members of committee

(1) The chairperson and a member of a committee shall be paid such remuneration and allowances in accordance with the Judiciary Service Allowances Structure.

(2) A member who travels within or outside Uganda for purposes of conducting committee business shall be paid allowances in accordance with the applicable rates in the Judiciary Service.

48. Remuneration of persons invited to assist committee

A person invited by a committee to assist the committee in the performance of its functions shall be paid remuneration and allowances in accordance with the Judiciary Service Allowances Structure.

49. Remuneration of person giving assistance to member of committee

A person giving assistance to a member of a committee with disabilities during the committee meetings shall be paid remuneration and allowances at rates in accordance with the Judiciary Service Allowances Structure.

Cross references

Public Finance Management Act, 2015, Act No. 3 of 2015.

ALFONSE CHIGAMOY OWINY-DOLLO,
Chief Justice.