

THE REPUBLIC OF UGANDA
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA
(Coram: Egonda-Ntende, Musoke, Madrama, Mugenyi & Gashirabake, JJCC)

Constitutional Petition No. 48 of 2017

BETWEEN

Muslim Centre for Justice and Law=====Petitioner No. 1

Nakasi Diana (suing through a next friend Nabalamba Milly)====Petitioner No. 2

AND

Attorney General=====Respondent

JUDGMENT OF FREDRICK EGONDA-NTENDE, JCC

Introduction

- [1] Petitioner No.1 is a Non-Governmental Organisation that envisions a Ugandan society which upholds universal faith-based principles in ensuring equitable access to justice and provides legal aid to the marginalised communities. Petitioner No.2 is a minor suing through her next friend Nabalamba Milly. The petition is supported by the affidavits of Senganda Jaffer, the President of Petitioner No.1 and Nabalamba Milly.
- [2] The Petitioners contended that Section 2(2) and 42 of the Motor Vehicle Insurance (Third Party Risks) Act Cap 214 and Regulation 4 of the Motor Vehicle Insurance (Third Party Risks) Regulations, S.I 214-1 are inconsistent with and contravene articles 20(2), 22(1), 24, 43 and 45 of the Constitution.
- [3] The Petitioners contended that Regulation 4 of the Motor Vehicle Insurance (Third Party Risks) Regulations S.I 214-1 is inconsistent with and contravenes article 79 (2) of the Constitution and also contended that section 34 of the Motor Vehicle Insurance (Third Party Risks) Act Cap 214 is inconsistent with and contravenes article 26 (1) of the Constitution.