

**REPUBLIC OF UGANDA**

**IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA**

**FAMILY DIVISION**

**HCT-00-FD-MC-0001-2009**

**IN THE MATTER OF RHONA KIBUKA MUSOKE, A PERSON OF UNSOUND  
MIND**

**AND**

**IN THE MATTER OF AN APPLICATION FOR THE ADMINISTRATION OF HER  
ESTATE BY NORAH LWANGA, SARAH KIBUKA AND MABEL SITE**

**BEFORE THE HONOURABLE MR. JUSTICE FMS EGONDA-NTENDE**

**RULING**

1. Rhona Kibuka Musoke is a single woman 78 years old and is now living and being cared for by one Kamugisha at Namungona near Kampala. She is the daughter of the late Festus Kibuka Musoke and the late Elsie Nansubuga Kibuka Musoke. The applicants are her relatives. This application is supported by affidavits of Norah Lwanga and Dr. Tom Onen.
2. Medical evidence relating to the unsoundness of Rhona's mind is provided by Dr. Tom Onen in his affidavit. Dr. Onen is a Senior Consultant Psychiatrist working with Mirembe Specialist Clinic in Kampala. He deposes that he examined Rhona and found her to be a person of unsound mind.
3. The law applicable to the facts of this case is the Administration of Estates of Persons of Unsound Mind Act, Chapter 155. Under Section 2 thereof this court may appoint, among several classes of people, a relative of a person of unsound mind to be the manager of the estate of such person. The first 2 applicants are sisters to Rhona. The third applicant is a niece of Rhona. Clearly all the applicants on the face of this application qualify, either individually or jointly, as managers of the estate of Rhona.

4. This application is granted. The applicants are jointly appointed managers of the estate of Rhona Kibuka Musoke, but shall not without special permission of this court, mortgage, charge, or transfer by sale, gift, surrender, exchange or otherwise, any immovable property of which the estate may consist of; lease any such property for a term exceeding 5 years or invest in any securities other than those authorized by the Trustees Act. Likewise the managers shall not invest any funds belonging to the estate of which they are managers in any company or undertaking in which they or any one of them has an interest. Nor may the managers herein appointed purchase immovable property, without the prior consent of the court.
5. I further order the managers to file in this court within 6 months from today an inventory of the property belonging to Rhona and of all such sums of money, goods, and effects as they shall receive on account of the estate together with a statement of all the debts due to Rhona. The managers shall annually furnish this court with an account showing the sums received and disbursed on account of the estate and the balance remaining in their hands.
6. Unless otherwise ordered by this court the managers herein appointed shall serve gratuitously.

Signed, dated and delivered at Kampala this 28<sup>th</sup> day of May 2009

FMS Egonda-Ntende

Judge