

Uganda

Uganda Foundation for the Blind Act Chapter 58

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Uganda Foundation for the Blind Act
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Uganda Foundation for the Blind Act

Chapter 58

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An Act to establish a trust to promote the welfare, education, training and employment of the blind and to prevent and alleviate blindness and to incorporate the trustees thereof.

1. Interpretation

In this Act, unless the context otherwise requires—

- (a) "**board**" means the board of trustees appointed under [section 3](#);
- (b) "**committee**" means the executive committee appointed under [section 10](#);
- (c) "**contributor**" means any life contributor and any person over the age of eighteen years who within twelve months of the relevant date for any purpose has contributed the sum of five shillings or more to the fund;
- (d) "**foundation**" means the trust known as the Uganda Foundation for the Blind established under [section 2](#);
- (e) "**fund**" means the sums of money raised by public subscription and includes the amount of money contributed by the Government;
- (f) "**life contributor**" means any person who, whether before or after the commencement of this Act, has contributed by one payment the sum of not less than two hundred shillings to the fund or to the foundation;
- (g) "**society**" means the British Empire Society for the Blind, Uganda Branch;
- (h) "**trust property**" means all land, buildings, rights, monies, securities, credits, effects, and all other property whatsoever vested in the board or of or to which the board is at any time seized, possessed or entitled, and includes the fund;
- (i) "**year**" means the period between two annual general meetings of contributors.

2. Establishment of trust

- (1) There is established a trust to be known as the Uganda Foundation for the Blind for the purpose of administering the trust property in such manner as to make provision for the promotion of the welfare, education, training and employment of blind persons (including persons who are totally or partially blind, or who are intermittently deprived of sight or who are threatened with blindness) and for the prevention and alleviation of blindness.
- (2) The trust shall be administered, controlled and managed in accordance with this Act.

3. Establishment and constitution of board

- (1) For the purpose of administering, controlling and managing the trust property there is established a board of trustees which shall be a body corporate by the name of "The Trustees of the Uganda Foundation for the Blind" and by that name shall have perpetual succession and a common seal and in connection with the purposes and subject to the provisions of this Act with power to purchase, hold, manage and dispose of real and personal property and such other powers as are conferred by this Act.
- (2) The board shall consist of six members appointed by the Minister by notice published in the *Gazette*.
- (3) Members of the board shall hold office for a period of two years but shall be eligible for reappointment.
- (4) If any member appointed to the board—
 - (a) dies;
 - (b) resigns;
 - (c) is absent from Uganda for a continuous period exceeding one year;
 - (d) is declared a bankrupt or enters into any composition with his or her creditors;
 - (e) is convicted of any crime involving moral turpitude; or
 - (f) is unable by reason of any infirmity of mind or body, in the opinion of the Minister, to perform the duties of a member of the board,the Minister may appoint another person to the board in place of that member.
- (5) The common seal of the board shall be authenticated by the signatures of the chairperson of the board or of some other member of the board authorised by the board for that purpose and of one other member of the board.

4. Chairperson of board

- (1) The board shall elect a chairperson from among the members appointed under [section 3](#).
- (2) The chairperson shall preside at all meetings of the board; but in the absence of the chairperson the members present at any meeting may elect one of their number to be chairperson for the purposes of such meeting.

5. Proceedings of board

- (1) At any meeting of the board three members shall constitute a quorum for the transaction of business.
- (2) A decision of the majority of the members present at any meeting of the board shall be deemed to be the decision of the board.
- (3) The chairperson at any meeting shall have a deliberative vote in common with the other members of the board; and if upon any question the voting shall be equal, the chairperson shall in addition have a casting vote.
- (4) The board may appoint from among the members of the board any committee for any special purpose that it may deem expedient.
- (5) The board may from time to time make rules for the transaction of the business of the board or of any committee of the board.

6. Accounts

- (1) The board shall keep a full and correct account of all monies vested, received and expended in and by the board or on its authority and shall within three months after the end of each calendar year submit to the Minister a report of the operations of the board, accompanied by statements of assets and liabilities and revenue and expenditure.
- (2) The accounts of the board shall be subjected to an annual audit by an auditor approved by the Minister and after being audited shall be published in the *Gazette*.

7. Powers of board

Subject to this Act, for the purpose of the administration, control and management of the trust property, the board may—

- (a) sue and be sued in its corporate name;
- (b) acquire by purchase, gift or otherwise or hold lands and rights, easements or interests in or over lands and any other property;
- (c) collect voluntary contributions and donations for any purposes in connection with the objects of the foundation;
- (d) erect, alter, enlarge or improve any building or other erection upon any part of the trust property;
- (e) with the consent of the Minister, borrow and raise money upon such terms and conditions as may be approved by the Minister;
- (f) sell, lease, dispose of or otherwise deal with the trust property or any part of it;
- (g) invest any monies not immediately required in and upon any investment for the time being authorised by law for the investment of trust monies and vary any such investment;
- (h) with the consent of the Minister carry on any business which will be of direct benefit to the blind;
- (i) plant, drain, level and otherwise improve and alter any land forming part of the trust property;
- (j) employ upon such terms and conditions as it may determine such managers, agents, servants and workers as may be necessary; and
- (k) do all acts, matters and things as may be necessary for carrying out the provisions and purposes of this Act.

8. Vesting of the fund in board

On the commencement of this Act, the fund, whether held in the name of the society or in the name of any person or persons in trust for the society and whether then consisting of money or investments or securities for money, is vested in the board; and the fund together with all contributions, donations and any other additions to it received or to be received shall be held by the board for the uses and purposes provided in this Act.

9. Application of trust property

The board shall apply the trust property and any income derived from it to and for the purposes of the foundation.

10. Appointment of committee

- (1) There shall be established an executive committee which shall consist of fifteen members of whom four shall be appointed members and eleven shall be elected members.

- (2) The appointed members shall consist of—
 - (a) a person appointed by the chief medical officer;
 - (b) a person appointed by the chief education officer;
 - (c) a community development officer appointed by the Minister;
 - (d) the East African regional adviser of the Royal Commonwealth Society for the Blind.
- (3) Elected members shall be elected by the annual general meeting of contributors and shall hold office for two years but shall be eligible for reelection.
- (4) If any elected member—
 - (a) dies;
 - (b) resigns;
 - (c) is absent from Uganda for a continuous period exceeding one year;
 - (d) is declared bankrupt or enters into any composition with his or her creditors;
 - (e) is convicted of any crime involving moral turpitude; or
 - (f) is unable by reason of any infirmity of mind or body in the opinion of the board to perform the duties of a member of the committee,

the board may appoint another person to be a member in place of that member until the next annual general meeting of contributors.
- (5) The committee shall appoint from among its members a chairperson and a vice chairperson.
- (6) The chairperson or, in his or her absence, the vice chairperson, shall preside at all meetings of the committee; but in the absence of the chairperson and the vice chairperson the members present at any meeting of the committee may elect one of their number to be chairperson for the purposes of the meeting.
- (7) At any meeting of the committee five members shall constitute a quorum for the transaction of business.
- (8) A decision of the majority of members present at any meeting of the committee shall be deemed to be the decision of the committee.
- (9) The chairperson, vice chairperson or person elected to be chairperson for the purposes of any meeting of the committee shall have a deliberative vote in common with the other members of the committee; and if upon any question the voting shall be equal, he or she shall, in addition, have a casting vote.
- (10) The committee may from among its members appoint a subcommittee for any special purpose that it may deem expedient.
- (11) The committee and any subcommittee appointed under subsection (9) may co-opt any person in an advisory capacity.

11. Powers and duties of committee

- (1) The committee may exercise such of the powers of the board as the board may delegate to it, and all acts done by the committee in exercise of any powers so delegated shall be deemed to have been done by the board.
- (2) The committee may at any time call a meeting of contributors and shall call such a meeting if required to do so by the board.

- (3) Notwithstanding subsection (2), the committee shall call an annual general meeting of contributors at periods of not less than ten months or not greater than fourteen months.
- (4) The committee may invite any person who has furthered the objects of the foundation to be a patron of the foundation.

12. Meetings of contributors

- (1) The chairperson of the committee or in his or her absence the vice chairperson shall preside at all meetings of contributors. In the absence of both the chairperson and vice chairperson, the committee shall appoint a person to preside.
- (2) The committee shall prepare standing orders for the conduct of meetings of contributors.
- (3) The agenda for meetings of contributors shall be prepared by the committee, but any twenty contributors may require any matter relating to the purposes for which the committee is responsible to be placed on the agenda and may also require the committee to call a special meeting of contributors to discuss any such matter.
- (4) At the annual general meeting of contributors any vacancies on the committee shall be filled by election by the contributors present and voting at the meeting.

13. Protection from personal liability of members of board, etc.

No matter or thing done by the chairperson or any member, officer or employee of the board or by any member of the committee *bona fide* for the purpose of executing any of the provisions of this Act shall render the chairperson, member, officer or employee personally responsible to any action, liability, claim or demand.

14. Subscriptions or donations

Except with the written permission of the Minister, no person, other than the board, shall seek subscriptions or donations for any of the purposes for which the foundation is established.