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THE PRESIDENTIAL ELECTIONS  
(INTERIM PROVISIONS) STATUTE, 1996.

A Statute to provide for the election to the office of President  
and other related matters.

DATE OF ASSENT: 20th February, 1996.

*Date of commencement:* 26th February, 1996.

BE IT ENACTED by the President and the National  
Resistance Council as follows:

1. This Statute may be cited as the Presidential Elections  
(Interim Provisions) Statute, 1996. Short title.

2. In this Statute, unless the context otherwise requires— Interpre-  
tation.

“candidate” means a person duly nominated as a candi-  
date in a presidential election under section 4;

“Commission” means the Interim Electoral Commi-  
ssion established under section 3 of the Interim  
Electoral Commission Statute, 1995;

Statute  
No. 3  
of 1995.

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“Legislature” means the body empowered to enact laws for the whole of Uganda;

“Minister” means the Minister responsible for Presidential and Parliamentary elections and referenda.

Qualifi-  
cations for  
candidates.

**3.** (1) A person is not qualified for election as President unless that person is—

(a) a citizen of Uganda by birth;

(b) not less than thirty-five years and not more than seventy-five years of age; and

(c) a person qualified to be a member of Parliament.

(2) The Commission shall request such evidence as it thinks necessary of the qualifications specified in subsection (1).

Election of  
President.

**4.** (1) The election of the President shall be by universal adult suffrage through a secret ballot using one ballot box for all candidates at each polling station.

(2) A person shall not be a candidate in a presidential election unless—

(a) that person submits to the Commission on or before the day appointed as nomination day in relation to the election, a document in this Statute referred to as a nomination paper, in the form specified in the First Schedule to this Statute, which is signed by that person, nominating him or her as a candidate; and

(b) the nomination is supported by one hundred voters in each of at least two thirds of all the districts in Uganda.

(3) A candidate shall be proposed and seconded in the manner specified in the First Schedule to this Statute.

(4) Each candidate shall attach to his or her nomination paper a list of names of one hundred registered voters from each of at least two thirds of all the districts in Uganda; and each of the one hundred registered voters shall, in the presence of the Returning Officer for the district in question or a public officer designated by him or her for the purpose, append to that list his or her name, signature, physical address and voter's registration number as specified in the First Schedule.

(5) A person shall not subscribe to more than one nomination paper and no person shall give his or her support under subsection (4) to more than one candidate.

(6) A person who contravenes subsection (5) commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or imprisonment not exceeding six months or both.

(7) The nomination paper shall be accompanied by—

(a) a declaration in the form specified in the Second Schedule to this Statute;

(b) a declaration of income, assets and liabilities in the form specified in the Third Schedule to this Statute;

(c) a non-refundable fee of eight million shillings payable to the Uganda Administration in cash or bank draft; and

(d) three postcard size copies of a recent photograph of the proposed candidate.

(8) No person shall be taken to have been duly nominated as a candidate unless he or she has complied with the provisions of subsection (7).

5. The fee paid by a candidate under section 4 shall be received by the Commission and the Commission shall—

Payment of  
non-refund-  
able fee.

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(a) issue a general receipt in respect of the fee; and

(b) deliver the fee to the Secretary to the Treasury to be credited to the Consolidated Fund.

Public  
campaign  
meetings.

6. (1) Subject to article 269 of the Constitution, every candidate may hold individual public campaign meetings in any part of Uganda in accordance with any existing law.

(2) The Commission may, after consultation with all the candidates, organise one or more joint candidates' campaign meetings for those candidates who consent to such a meeting.

(3) A candidate or a candidate's agent authorised in writing by the candidate to do so, may hold a consultative meeting with the candidate's campaign agents for the purposes of planning and organising the candidate's election campaign.

(4) A candidate shall not hold any public campaign meeting under subsection (1) except in accordance with a programme of meetings submitted by the candidate to the Commission.

(5) All candidates shall be given equal time and space in the State-owned media to present their programmes to the people.

Security and  
facilitation  
of candi-  
dates.

7. (1) The Commission shall provide security for the protection of each candidate.

(2) The Commission shall, as soon as possible, but before nomination day, with the approval of the Legislature signified by resolution, offer such facilities and funds to candidates as the Commission may consider appropriate; and any facilities and funds offered by the Commission shall be used exclusively for election purposes.

(3) Subject to this section, a candidate or a candidate's agent may raise additional assistance for the candidate's campaign through lawful means.

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(4) A candidate or a candidate's agent shall not—

(a) obtain, solicit or receive any financial or other assistance for the purpose of the candidate's campaign, from any foreign Government, institution, body or person which or who has demonstrated an intention to overthrow the lawfully established Government of Uganda, or to endanger the security of Uganda;

(b) employ for the purposes of the candidate's campaign any financial or other assistance from any Government, institution, body or person described in paragraph (a) of this subsection whether the assistance was obtained before or after the commencement of this Statute;

and for the purposes of this section, a candidate may obtain the necessary information as to prohibited foreign Governments, institutions, bodies or persons from the Commission.

(5) Every candidate shall maintain a record of all assistance obtained or solicited under this section.

(6) Each candidate shall, within thirty days after the  
ction—

(a) account to the Commission for the facilitation given to him or her under subsection (2);

(b) submit a return to the Commission disclosing all assistance obtained by the candidate from any source.

(7) The Commission shall have the right at any time to demand the production of any record to be maintained under subsection (5) or any information relating to it.

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(8) A candidate or a candidate's agent who contravenes subsection (4) of this section or a candidate who—

- (a) contravenes subsection (5) or (6) of this section; or
- (b) refuses or neglects without lawful excuse to produce any record or information demanded by the Commission under subsection (7); or
- (c) for the purposes of subsection (6) or (7) of this section makes a statement which he or she knows to be false in any material particular.

commits an offence.

(9) A person who commits an offence under subsection (8) of this section is liable on conviction—

- (a) in the case of an offence under subsection (4) of this section, to a fine not exceeding ten million shillings or imprisonment not exceeding five years or both; and
- (b) in any other case, to a fine not exceeding three million shillings or imprisonment not exceeding three years or both.

Use of  
Government  
resources.

**8. (1)** Except as authorised under this Statute, no candidate shall use Government resources for the purpose of campaigning for election.

(2) Notwithstanding subsection (1), a candidate who for the time being is holding the office of President, or who is the holder of another political office or a public office, may continue to use during the campaign but shall use only, those Government facilities which are ordinarily attached to and utilised by the holder of that office.

Where a  
candidate  
dies, etc.

**9. (1)** Where in a presidential election, after the close of nominations and before the closing of polls, a candidate dies or ceases to be a candidate by reason of his or her ceasing to be



qualified for election, the Commission shall fix fresh nomination days for giving such time as it thinks reasonable for enabling a new or new candidates to be nominated and may, for that purpose postpone the elections.

(2) Where fresh nomination days are fixed under subsection (1), the remaining candidate previously validly nominated shall not be required to be renominated.

(3) Where fresh nomination days are fixed under subsection (1), the Commission shall, where necessary, postpone the election to a convenient date.

(4) An election arising out of a postponement under subsection (1) shall, as far as possible, be conducted in accordance with the provisions of this Statute.

**10.** (1) A candidate shall not be declared elected as President unless the number of votes cast in favour of that candidate at the presidential election is more than fifty percent of the valid votes cast at the election.

Result of  
presidential  
election.

(2) Where at a presidential election there are more than two candidates and no candidate obtains the number or percentage of votes specified in subsection (1), a second election shall be held within thirty days after the declaration of the results in which election the two candidates who obtained the highest number of votes shall be the only candidates.

(3) The Commission shall ascertain, publish and declare in writing under its seal, the results of the presidential election within forty-eight hours from the close of polling.

(4) A declaration executed by the Commission under subsection (3) of this section and bearing the seal of the Commission, shall be evidence that the person named in the declaration has been elected President.

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Challenging  
Presidential  
election.

**11.** (1) Any aggrieved candidate may petition the Supreme Court for an order that a candidate declared elected as President was not validly elected.

(2) A petition, under subsection (1) shall be in a form prescribed by the Chief Justice under subsection (10) of this section and shall be lodged in the Supreme Court registry within ten days after the declaration of the election results.

(3) The Supreme Court shall inquire into and determine the petition expeditiously and shall declare its findings not later than thirty days from the date the petition is filed.

(4) Where no petition is filed within the time prescribed under subsection (2), or where a petition having been filed, is withdrawn by the person who filed it or is dismissed by the Supreme Court, the candidate declared elected shall conclusively be taken to have been duly elected as President.

(5) After due inquiry under subsection (3) of this section, the Supreme Court may—

(a) dismiss the petition; or

(b) declare which candidate was validly elected; or

(c) annul the election.

(6) The election of a candidate as President shall only be annulled on any of the following grounds if proved to the satisfaction of the court—

(a) non-compliance with the provisions of this Statute or where applicable, the Parliamentary Elections (Interim Provisions) Statute, 1996, relating to elections, if the court is satisfied that the election was not conducted in accordance with the principles laid down in those provisions and that the non-compliance affected the result of the election in a substantial manner;

(b) that the candidate was at the time of his or her election not qualified or was disqualified for election as President.

(7) Nothing in this section confers on the Supreme Court when hearing an election petition, power to convict a person for a criminal offence.

(8) Where it appears to the Supreme Court on hearing an election petition under this section that the facts before it disclose that a criminal offence may have been committed, it shall make a report on the matter to the Director of Public Prosecutions for appropriate action to be taken.

(9) Where an election is annulled, a fresh election shall be held within twenty days from the date of the annulment.

(10) The Chief Justice may, in consultation with the Attorney-General, make rules providing for the conduct of petitions under this Statute.

**12.** Subject to the Constitution and to this Statute, the provisions of the Parliamentary Elections (Interim Provisions) Statute, 1996 as may be necessary or practical shall apply to the election of a President.

Application of provisions of the Parliamentary Elections (Interim Provisions) Statute, 1996.

**13.** A person who—

False declarations.

(a) makes a declaration under paragraph (a) of subsection (7) of section 4 of this Statute which that person knows to be false in a material particular or has no reasonable ground to believe to be true; or

(b) makes a declaration of assets and liabilities, which that person knows to be false in a material particular or has no reasonable ground to believe to be true;

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commits an offence and is liable on conviction, to a fine not exceeding one million shillings or imprisonment not exceeding two years or both.

Non-partisan or non-sectarian campaign.

**14.** (1) No person shall use or attempt to use any political party colour, or symbol or any political party, tribal or religious affiliation or any other sectarian ground as a basis for the candidature of any person for election or in support of that person's campaign.

(2) Any person who contravenes subsection (1) of this section commits an offence and is liable on conviction to a fine not exceeding two hundred thousand shillings or imprisonment not exceeding one year or both.

Bribery.

**15.** Any person who whether before or during an election, with intent, either directly or indirectly to influence another person to vote or to refrain from voting for any candidate, directly or indirectly gives, provides or causes to be given or provided any money or gift or other consideration to that other person, commits the offence of bribery and is liable on conviction to a fine not exceeding five hundred thousand shillings or imprisonment not exceeding five years or both.

Regulations.

**16.** The Minister may, with the approval of the Legislature, and on the recommendation of the Commission, by statutory instrument make regulations for giving effect to the provisions of this Statute.

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**SCHEDULES.**

**FIRST SCHEDULE.** Section 4.

**NOMINATION PAPER FOR PRESIDENTIAL ELECTIONS.**

We, the undersigned, being registered voters, nominate the undermentioned person as a candidate at the presidential election.

Candidates's Name in full	Other names	Place of Residence and address	Occupation or profession	Voters' Registration Number	Age and Sex

*Name*                      *Signature*      *Voters Reg. Number*

Proposer \_\_\_\_\_

Seconder \_\_\_\_\_

**PROPOSED CANDIDATE**

I, \_\_\_\_\_ consent to my nomination as a candidate for the presidential election and my name and address for serving papers are—

\_\_\_\_\_ *name in full (Block Capitals)*

Address \_\_\_\_\_

\_\_\_\_\_ *Signature* \_\_\_\_\_

\* Attach list of names of ONE HUNDRED supporters from each of at least two thirds of all the districts in Uganda in the attached form.

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Sections 4 (2) (b), 4 (4).

NOMINATION OF PRESIDENTIAL CANDIDATE

We the undersigned support the candidature of .....  
for election to the office of the President.

NAME OF DISTRICT.....

Serial No.	Names of Supporter (Surname & other names)	Signature/ thumbprint	Voter Number	Age	Sex	Constituency	Parish	Village
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								

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SECOND SCHEDULE. Section 4.

DECLARATION OF A PERSON SEEKING TO BE  
NOMINATED AS A CANDIDATE FOR ELECTION  
AS PRESIDENT OF UGANDA.

I ..... do solemnly and  
sincerely declare that—

1. I am a citizen of Uganda by birth.
2. I have attained the age of thirty five years and I do not exceed seventy five years of age.
3. I am registered as a voter in the ..... con-  
stituency with voter's registration number .....
4. I have the following educational qualification for standing for  
election .....
5. I do not owe allegiance to any country other than Uganda.
6. (i) I have paid all the taxes due from me; or  
(ii) I have made arrangements satisfactory to the appropriate  
authority for the payment of my taxes.  
*(delete where inapplicable)*
7. I have not been adjudged or otherwise declared—
  - (i) bankrupt under any law in force in Uganda from  
which I have not been discharged; nor
  - ~~(ii)~~ to be of unsound mind under any law in force in  
Uganda.
8. I am not under sentence of death or other sentence of imprison-  
ment exceeding nine months without the option of a fine, imposed on  
me by any competent court.
9. I am not disqualified by reason of my holding or acting in any  
office the functions of which involve a responsibility for or in connec-  
tion with the conduct of an election.

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I make this solemn declaration knowing and believing it to be true.

Subscribed and solemnly declared by me

on this ..... day of ..... 19 .....

.....  
Candidate

Before me .....

A Commissioner for Oaths/Magistrate, Registrar of High Court (including deputy and district registrar) or other person authorised by law to administer oaths.

THIRD SCHEDULE.

Section 4.

DECLARATION OF INCOME, ASSETS AND LIABILITIES

1. Full Names .....  
(Surname)      (First Name)      (Other Names)

2. Date of birth .....sex .....

3. Place of birth (Village, Parish, Sub-County, County and District).....  
.....  
.....

4. Present address (physical and postal).....  
.....

5. Present profession/present occupation .....  
.....



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- 6. (a) Name of employer .....
- (b) Date of employment .....
- (c) Salary (U) Shs. ....
- (d) Subsidy .....
- (e) Other emoluments .....
- (f) Rewards for personal services for consultancy, lecturing,  
             research.....
- (g) Details of employment (Permanent, Contract, Temporary,  
             etc.) .....
- (h) Others .....
- 7. If self employed, income per annum .....
- 8. Present assets, business interests and contracts.

Statement of Assets held by person or his or her nominee	Location	Approx. Value (Shs.)
(i) Land .....		
(ii) Building .....		
(iii) Farms .....		
(iv) Ranches .....		
(v) Vehicles types and make		
(vi) Boat/ship/aircraft.....		
(vii) Shares .....		
Bank deposit/investment incomes and incomes incidental to these .....		
(viii) Any other additional information, if any.....		

**9. Present indebtedness (or liabilities) if any**

Statement of indebtedness of person or his or her nominee	Location	Total (Shs.)
Details of liabilities— Overdrafts, loans and securities in respect of— (i) Land ..... (ii) Building ..... (iii) Farms ..... (iv) Ranches ..... (v) Vehicles types and make (vi) Boat/ship/aircraft (vii) Shares ..... Bank deposit/investment incomes and incomes incidental to these ..... (viii) Any other additional information, if any		

**10. Do you have any interests which are likely to conflict with your duties and responsibilities? .....**  
 if so, state interests—

I ....., solemnly declare that the information I have given above is truthful, complete and correct to the best of my knowledge and I declare that I have no objection to this declaration being made public.

Date ..... Signature .....

Signature of witness .....

Full name of witness .....

Address of witness .....

**N.B.—If you find this form not adequate for your purposes, please state the rest of your information on sheets of paper and attach them to the form.**