

LEGAL NOTICES SUPPLEMENT

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**THE CONSTITUTION (MAGISTRATES COURTS) (STANDARDS,
UTILITIES AND WILDLIFE DIVISION) DIRECTIONS, 2016**

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The Constitution (Magistrates Courts) (Standards, Utilities And Wildlife Division) Directions, 2016.

(Under Article 133(1)(b) of the Constitution of the Republic of Uganda, 1995)

IN EXERCISE of the powers conferred upon the Chief Justice by Article 133(1)(b) of the Constitution, these Directions are issued this 14th day of July, 2016.

1. Title

These Directions may be cited as the Constitution (Magistrates Courts) (Standards, Utilities and Wildlife Division) Directions, 2016.

2. Interpretation

In these Directions, unless the context otherwise requires—

“Committee” means the Court Users’ Committee established by paragraph 10;

“Division” means the Magistrates Courts (Standards, Utilities and Wildlife) Division established by paragraph 4;

“designated magistrate” means a Chief Magistrate or Magistrate Grade 1;

“magisterial area” means any one of the areas into which Uganda is, for the time being, divided into under section 2 of the Magistrates Courts Act;

“Registrar” means the registrar of the Division.

3. Object

The objects of these Directions are—

- (a) to enhance the efficiency of the criminal justice system for the expeditious, efficient, orderly, uniform, consistent and cost-effective adjudication of criminal cases related to standards, utilities and wildlife;
- (b) to provide for specialisation in the adjudication of criminal cases involving standards, utilities and wildlife;
- (c) to facilitate reduction in case backlog and prison congestion; and
- (d) to enable the timely disposal of cases related to standards, utilities and wildlife.

4. Establishment of the Division

(1) There is established, in the Chief Magistrate's Court of Kampala, a Division to be known as the Magistrates Court (Standards, Utilities and Wildlife) Division.

(2) The Division shall be located at Buganda Road Magistrates Court in Kampala.

(3) The Chief Registrar may, in consultation with the Principal Judge and the Chief Justice, designate other places where the Division may operate.

5. Composition of the Division

(1) The Division shall be composed of—

- (a) two magistrates, one of whom shall be a Chief Magistrate; and
- (b) a Registrar.

(2) The Chief Registrar shall, in consultation with the Principal Judge, designate a Chief Magistrate, Magistrate and Registrar for the Division.

(3) Subject to subsections (1) and (2) the Chief Justice may, in accordance with section 6 of the Magistrates Courts Act, assign magistrates to work in the Division without limitation to working in any part of a Magisterial Area.

6. Administration of the Division

The Chief Magistrate shall be the Head of the Division and shall be responsible for the supervision of the Magistrate and the administration of the Division.

7. Jurisdiction of the Division

(1) The Division shall have jurisdiction to try any offence under—

- (a) the Electricity Act, Cap 145;
- (b) the Uganda Posts and Telecommunications Corporation Act, Cap 107;
- (c) the National Water and Sewerage Corporation Act, Cap. 317;
- (d) the Water Act, Cap 152;
- (e) the Uganda Communications Act, Act 1 of 2013;
- (f) the Wildlife Act, Cap 200; and
- (g) the Penal Code Act, Cap 112.

(2) A Division shall, in addition to the offences under the Acts referred to in subparagraph (1), try any other offence related to standards, consumption of utilities and conservation or protection of wildlife under any other Act.

(3) Where an accused person is charged with a capital offence and another offence related to the capital offence, the Division shall have the jurisdiction to try the related offence.

(4) A Division shall have territorial jurisdiction to try an offence specified in this paragraph, committed anywhere within Uganda.

8. Institution of proceedings

Subject to section 42 of the Magistrates Courts Act, the Director of Public Prosecutions, the Inspector General of Government or any other person authorized by law may initiate the prosecution of an offence in the Division.

9. Rules of procedure

The Division shall apply the Magistrates Courts Act and the rules of procedure applicable to criminal trials in the magistrates courts.

10. Registry

(1) There shall be a registry of the Division.

(2) The Registry shall be located at Buganda Road Magistrates Court in Kampala or in such places as the Chief Registrar may determine.

11. Court Users Committee.

(1) There is established a Court Users' Committee for the Division.

(2) The Committee shall comprise—

(a) the Head of the Division; who shall be the Chairperson;

(b) the designated magistrates of the Division;

(c) a representative of the National Water and Sewerage Corporation;

(d) a representative of the Electricity Regulatory Authority;

(e) a representative of the Uganda Posts and Telecommunications Corporation;

- (f) a representative of the Uganda Communications Commission;
- (g) a representative of the Ministry responsible for wildlife and tourism;
- (h) a representative of the Criminal Investigations and Intelligence Directorate in the Uganda Police Force;
- (i) the Registrar of the Division; and
- (j) not more than five members of the public, at least two of whom shall be women, appointed by the Principal Judge.

(3) The Committee may co-opt any person to be a member of the Committee.

(4) A person co-opted under sub paragraph (3) shall not have a right to vote in a meeting of the Committee.

(5) The Committee shall be an advisory body of the Division.

(6) The Committee shall meet at least once in every three months.

(7) The Committee shall regulate its own procedure.

12. Execution

The orders and sentences of the Division shall be enforced or executed in accordance with the Magistrates Courts Act and any other law in force relating to executions.

13. Appeals

A person aggrieved by a decision of a Magistrate in a matter tried by the Division may, within fourteen days of the decision, appeal to the High Court.

BART M. KATUREEBE,
Chief Justice/Chairperson, Rules Committee.