

CHAPTER 318

THE NATIONAL WOMEN'S COUNCIL ACT.

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CHAPTER 318

THE NATIONAL WOMEN'S COUNCIL ACT.

Commencement: 30 April, 1993.

An Act to provide for the establishment of a National Women's Council and to provide for its composition, functions, objects and powers and for other connected purposes.

PART I—INTERPRETATION.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “chairperson” means the chairperson of the National Women's Executive Committee;
- (b) “council” means the National Women's Council established under section 2;
- (c) “district”, “county”, “subcounty”, “division”, “town”, “parish”, “ward” and “village” mean, respectively, “district”, “county”, “subcounty”, “division”, “town”, “parish”, “ward”, and “village” within the meaning of the Local Governments Act;
- (d) “Minister” means the Minister responsible for women in development;
- (e) “women” means all females aged eighteen years and above;
- (f) “women's committee” means a women's committee established under section 7.

PART II—ESTABLISHMENT OF THE NATIONAL WOMEN'S COUNCIL.

2. Establishment of the council.

(1) There is established a council to be known as the National Women's Council.

(2) The council shall be a body corporate, shall have perpetual succession and a common seal and may sue or be sued in its corporate name.

(3) The council may, for and in connection with its objects and functions under this Act, purchase, hold, manage and dispose of any

property, whether movable or immovable, and may enter into such contracts and other transactions as may be expedient and may do any other act or thing as in law may be done by a body corporate.

3. Objects and functions of the council.

- (1) The objects of the council are—
 - (a) to organise the women of Uganda in a unified body; and
 - (b) to engage the women in activities that are of benefit to them and the nation.

(2) For the attainment of its objects under subsection (1), the council shall have the following functions—

- (a) to inspire and promote among the women a spirit of unity and national consciousness;
- (b) to provide a unified and integrated system through which the women may communicate and coordinate their ideas and activities;
- (c) to establish channels through which economic and social services and amenities may reach the women in all areas of Uganda;
- (d) to encourage the women to consolidate their role in national development in the political, economic, social, cultural and educational fields;
- (e) to promote relations with international women's organisations with similar objectives or interests;
- (f) to do all such other things as are incidental or conducive to the attainment of the objects of the council under this Act.

4. Composition of the council.

The council shall consist of—

- (a) one representative from each district elected by the district women's council;
- (b) two representatives of nongovernmental organisations determined by the National Women's Executive Committee which are involved in women's affairs and which are registered under the Nongovernmental Organisations Act and recognised by the Minister;
- (c) two female student representatives elected by the Uganda National Students Association.

PART III—ESTABLISHMENT, COMPOSITION AND HIERARCHY OF WOMEN'S
COUNCILS AND WOMEN'S COMMITTEES.

5. Establishment of women's councils.

There is established in each district the following women's councils—

- (a) village women's councils;
- (b) parish or ward women's councils;
- (c) subcounty, division, or town women's councils;
- (d) county women's councils;
- (e) district women's councils.

6. Composition and hierarchy of women's councils.

(1) A village women's council shall consist of every woman resident in the village.

(2) A parish or ward women's council shall consist of all the members of the village women's committees in the parish or ward.

(3) A subcounty, division or town women's council shall consist of all the members of the parish or ward women's committees in the subcounty, division or town.

(4) A county women's council shall consist of all members of the subcounty, division or town women's committees in the county.

(5) A district women's council shall consist of all members of the county women's committees in the district and women's representatives in Parliament.

7. Establishment and composition of women's committees.

(1) There is established in respect of each women's council, a women's committee, which shall consist of the following—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a secretary;
- (d) a publicity secretary;
- (e) a secretary for finance;
- (f) the women's representative in Parliament in the case of the

district women's committee.

(2) The members of a women's committee shall be elected by the members of a women's council from among their number.

(3) A person shall not be a member of more than one women's committee.

(4) Where a person is elected to a higher women's committee, her office in the lower women's committee shall fall vacant, and another person shall be elected in her place.

8. National Women's Executive Committee.

(1) There shall be a National Women's Executive Committee which shall be responsible for managing the affairs of the council.

(2) The National Women's Executive Committee shall be elected by the members of the council from among their number and shall consist of—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a finance secretary;
- (f) one of the two representatives of the nongovernmental organisations appointed under section 4; and
- (g) one of the female student representatives elected under section 4.

PART IV— SECRETARIAT AND STAFF OF THE COUNCIL.

9. Secretariat.

(1) The council shall have a secretariat to assist it in carrying out its objects and functions under this Act.

(2) The secretariat shall be composed of a secretary and other staff of the council.

10. Appointment and tenure of office of the secretary.

(1) The secretary shall be appointed by the Minister on the advice of

the council.

(2) The secretary shall be appointed from among persons who are qualified in management or administrative matters.

(3) Subject to this Act, the secretary shall hold office on a full-time basis and on such terms and conditions as are specified in the instrument of appointment.

(4) The secretary may resign her office, by writing under her hand, addressed to the Minister through the council.

(5) The Minister may, on the advice of the council, remove the secretary from office for inability to perform the functions of her office as a result of infirmity of body or mind or for misbehaviour or for any other cause.

(6) In the case of removal from office of the secretary under this section on the ground of inability to perform the functions of her office as a result of misbehaviour or any other cause, the secretary shall, before removal, be given an opportunity to be heard on the allegations made against her.

(7) The secretary shall not be removed from office under this section on the ground of inability to perform the functions of her office as a result of infirmity of body or mind unless the fact of such infirmity of body or mind has been proved and certified by at least two medical practitioners appointed by the director of medical services for that purpose.

11. Functions of the secretary.

(1) The secretary shall be the chief executive officer and also the accounting officer of the council.

- (2) Subject to the general control of the council, the secretary shall—
- (a) act as secretary at meetings of the council and record the minutes of the council at those meetings;
 - (b) be responsible for the implementation of the policy decisions of the council and for the day-to-day administration of the affairs of the council and control of the other staff of the council;
 - (c) perform such other functions as may be assigned to her by the council.

(3) Where the office of the secretary is vacant or where the secretary is unable to perform the functions of her office by reason of illness, absence or other reason, the council may designate an officer of the council qualified in terms of section 10 to perform those functions until the vacancy in that office is filled or until the secretary is able again to perform those functions.

12. Other staff of the council.

(1) The council shall employ such other staff as may be necessary for the proper and efficient discharge of the functions of the secretariat under this Act.

(2) The council shall regulate the manner of appointment, terms and conditions of service and the discipline of its staff appointed under this section.

(3) Public officers may be seconded to the service of the council or may otherwise give assistance to the council.

13. Remuneration of the secretary and other staff.

The council may pay to the secretary and other staff such remuneration and allowances as it deems fit and may grant pension or retirement benefits or gratuity to them at such rates as the Minister may, after consultation with the Minister responsible for finance, determine.

PART V—FINANCE.

14. Funds of the council.

- (1) The funds and resources of the council shall consist of—
 - (a) such sums from the Consolidated Fund as may, from time to time, be appropriated by Parliament for the purpose of the council;
 - (b) any monies accruing to the council in the discharge of its functions under this Act; and
 - (c) grants, gifts or donations to the council.
- (2) All income and monies of the council shall be deposited to the credit of the council in a bank approved by the Minister and shall not be

withdrawn except with the approval of and in a manner determined by the council.

15. Borrowing powers.

(1) The council may, with the prior approval of the Minister after consultation with the Minister responsible for finance, borrow by way of overdraft or otherwise from a banker or any other person, such sums as may be necessary for meeting the obligations of the council and for carrying out the objects and functions of the council.

(2) The council may, with the prior approval of the Minister for the purpose of any borrowing under subsection (1), charge any asset or property of the council with the repayment of any money so borrowed.

16. Estimates.

(1) The council shall, within three months before the end of each financial year, cause to be prepared and submitted to the Minister for submission to the Minister responsible for finance for his or her approval estimates of the income and expenditure of the council for the next ensuing year.

(2) No expenditure shall be made out of the funds of the council unless the expenditure has been approved by the Minister.

17. Financial year of the council.

The financial year of the council shall be, in respect of any accounting period, the period of twelve months ending on the 30th June.

18. Accounts.

(1) The council shall keep proper books of account of all its income and expenditure and proper records in relation to them.

(2) Subject to any directions given by the Minister responsible for finance, the council shall cause to be prepared in respect of each financial year, a statement of account which shall include a report on the performance of the council during the financial year comprising—

(a) a balance sheet, a statement of income and expenditure and a

- statement of surplus and deficit; and
- (b) any other information in respect of the financial affairs of the council as the Minister responsible for finance may require.

19. Audit.

(1) The accounts of the council shall, in respect of each financial year, be audited by the Auditor General or by an auditor appointed by him or her.

(2) The council shall ensure that within four months after the expiry of each financial year a statement of account described in section 18 is submitted to the Auditor General for auditing.

(3) The Auditor General and any auditor appointed by him or her shall have access to all books of account, vouchers and other financial records of the council and be entitled to have any information and explanation required by him or her in relation to them as the Auditor General may think fit.

(4) The Auditor General shall, within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the council a copy of the audited accounts of the council together with his or her report on them stating any matter which in his or her opinion should be brought to the attention of the Minister.

(5) The Auditor General shall also deliver to the Minister a copy of the audited accounts together with his or her report on them.

20. Investment of surplus funds of the council.

Any funds of the council not immediately required for any purpose under this Act shall be invested in such manner as the council may, with the approval of the Minister, after consultation with the Minister responsible for finance determine.

PART VI—GENERAL.

21. Protection of members and staff from personal liability.

A member of the council or an employee of the council acting on its behalf

shall not be personally liable for any act done by him or her in good faith for the purpose of carrying into effect the provisions of this Act.

22. Annual reports.

The council shall, within three months after the end of each financial year, submit to the Minister a report on the activities of the council in respect of that financial year, and the report shall include its achievements during that financial year and its future plans.

23. Regulations.

The Minister may, after consultation with the council, by statutory instrument, make regulations for better carrying into effect the provisions of this Act.

24. Application and amendment of the Schedule.

(1) The Schedule to this Act shall apply in relation to the seal of the council, tenure of office of the council, women's councils and women's committees and to any other matter set out in that Schedule.

(2) The Minister may, by statutory instrument, amend the Schedule to this Act.

25. Vesting of assets, liabilities and pending proceedings.

The Minister may, by statutory order, make provision for the vesting of assets, liabilities and pending proceedings falling under the National Council of Women Decree.

Schedule.

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Seal, offices and meetings of the council and the committees.

1. Common seal of the council.

(1) The common seal of the council shall be such device as the council may determine and shall be kept in the custody of the secretary.

(2) The common seal shall, when affixed onto any document, be authenticated by the signatures of the chairperson and the secretary of the council.

(3) In the absence of the chairperson, the vice chairperson shall authenticate the seal in place of the chairperson; and in the absence of the secretary, the person performing the functions of the secretary shall authenticate in place of the secretary.

(4) The signatures of the chairperson, secretary or other members of the council under this paragraph shall be independent of the signing by any other person as witness.

(5) A contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed without seal on behalf of the council by the secretary or any other person authorised in that behalf by the council.

(6) Every document purporting to be—

(a) an instrument issued by the council and sealed with the common seal of the council, authenticated in the manner prescribed in this paragraph; or

(b) a contract or instrument entered into or executed under subparagraph (5) of this paragraph,

shall be received in evidence without further proof as an instrument duly issued or contract or instrument duly entered into or executed unless the contrary is proved.

2. Tenure of office of women's councils and committees.

(1) Subject to this Act, every women's council and women's committee shall remain in office for four years from the date of its inception, after which it shall automatically lapse and dissolve.

(2) A member of a women's committee vacating office at the end of her term shall, subject to this Act, be eligible for reelection.

3. Vacation of office of a member of a women's council or women's committee.

Except for a village women's council, the seat of a member of a women's council or a women's committee shall fall vacant if—

- (a) the member resigns from the women's council;
- (b) without reasonable cause or the permission of the chairperson, the member fails to attend two consecutive meetings of the council;
- (c) the member is under sentence of death or imprisonment exceeding six months, imposed on her by a court of law;
- (d) the member has been convicted of an offence involving moral turpitude within the preceding six years;
- (e) circumstances arise which disqualify a member from membership under any other law.

4. Removal of member of women's council or women's committee.

Except for a village women's council, a women's council or women's committee may remove from office any member of that council or of the women's committee of that council on any of the following grounds—

- (a) inability to perform the functions of her office, arising out of infirmity of body or mind;
- (b) habitual drunkenness;
- (c) breach of law or public trust; or
- (d) a vote of no confidence passed by a two-thirds majority of the members.

5. Filling of vacancies on councils and committees.

Except in the case of a village women's council, where the office of a member of a women's council or women's committee becomes vacant, the committee of the relevant women's council shall organise an election for the vacancy to be filled.

6. Meetings of the council.

(1) The council shall meet at such times and places as the chairperson may determine, but it shall meet at least once in each year.

(2) The chairperson shall also convene a meeting of the council if

requested to do so in writing by not less than one-third of the members of the council.

(3) The chairperson shall preside at each meeting of the council; and in her absence, the vice chairperson shall preside.

(4) In the absence of both the chairperson and vice chairperson, a member of the council elected by the members present shall preside.

(5) The quorum at any meeting of the council shall be one-third of the members of the council, and the quorum shall be maintained throughout the meeting.

(6) Any matter coming for determination by the council at any meeting shall be determined by a general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting; but in the event of an equality of votes, the chairperson or other person presiding at the meeting shall have a second or casting vote.

(7) The council may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meetings on any matter in relation to which advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(8) Subject to this paragraph, the council may regulate the procedure of its membership and any other matter relating to its meetings and may in particular prescribe the period of notice to be given in respect of any such meeting.

(9) Minutes of every meeting of the council shall be recorded in writing and shall be presented to and approved by the council at its next subsequent meeting and signed by the person presiding at the latter meeting and the secretary.

7. Meetings of women's councils.

(1) The district women's council shall meet for the discharge of its functions under this Act at least once in every six months, at such time and place as the chairperson of the district women's council may determine.

(2) The chairperson of the district women's council shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of the district women's council;
- (b) whenever she considers it necessary to do so.

(3) A women's council other than a district women's council shall meet for the discharge of its functions under this Act at least once in every three months, at such time and place as its chairperson may determine.

(4) The chairperson of a women's council referred to in subparagraph (3) of this paragraph shall also convene a special meeting—

- (a) upon the request in writing of not less than one-third of the members of that council;
- (b) whenever she considers it necessary to do so.

(5) A notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the women's council at least fourteen days before the date of the meeting.

(6) The chairperson of a women's council shall preside at every meeting of the women's council, and in her absence the vice chairperson shall preside.

(7) In the absence of both the chairperson and the vice chairperson at a meeting of a women's council, a member elected by the members present shall preside.

(8) One-third of the members of the women's council shall form a quorum at any of its meetings, and that quorum shall be maintained throughout the meeting.

(9) Any matter coming for determination at a meeting of a women's council shall be determined by general consensus, but where a consensus cannot be reached, the matter shall be determined by a simple majority of the members present and voting; but in the event of an equality of votes, the chairperson or other person presiding at the meeting shall have a second or casting vote.

(10) A women's council may co-opt any person who is not a member

to attend any of its meetings as an adviser or consultant, and that person may participate in the deliberations at the meeting on any matter in relation to which advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(11) Subject to this Schedule, a women's council may regulate its own proceedings.

8. Minutes of meetings of a women's council.

(1) The minutes of every meeting of a district women's council shall be kept.

(2) The minutes of every meeting of a women's council shall be kept, and copies of the minutes shall be sent to the chairperson of the women's council immediately higher.

(3) The minutes of the meetings of a district women's council required to be kept by this paragraph shall be in English and shall be open to inspection during normal office hours by members of the public.

(4) The minutes of the meetings of a women's council other than a district women's council required to be kept under this paragraph shall be kept in a language to be decided upon by each women's council and shall be open to inspection during normal office hours by members of the public.

9. Meetings of a women's committee.

(1) A women's committee shall meet for the discharge of its duties at least once every month at such time and place as the chairperson of the committee may direct.

(2) Notice calling a meeting, together with the agenda for that meeting, shall be circulated to each member of the women's committee, at least seven days before the date of the meeting.

(3) The chairperson of a women's committee shall preside at every meeting of the women's committee; and in her absence, the vice chairperson shall preside.

(4) In the absence of both the chairperson and vice chairperson at a

meeting of a women's committee, a member of the women's committee elected by the members present shall preside.

(5) The quorum at a meeting of a women's committee shall be three members.

(6) A women's committee may co-opt any person who is not a member to attend any of its meetings as an adviser or consultant, and that person may speak at the meeting on any matter in relation to which advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(7) Subject to this Schedule, a women's committee may regulate its own proceedings.

10. Minutes of meetings of a women's committee.

Paragraph 8 of this Schedule regarding the keeping of minutes of a women's council shall, with the necessary modifications, apply to the keeping of minutes of a women's committee meeting.

11. Service of documents.

Without prejudice to any other written law, a notice or document required to be served on the council may be served by leaving it at the office of the secretary or by sending it by prepaid registered post to the secretary.

History: Statute 3/1993; S.I. 87/2000.

Cross References

Local Governments Act, Cap. 243.

National Council of Women Decree, Decree 3/1978.

Nongovernmental Organisations Registration Act, Cap. 113.
