

MOTION SEEKING LEAVE OF THE HOUSE TO INTRODUCE A PRIVATE MEMBER'S BILL ENTITLED "THE NATIONAL SPORTS BILL"

(Moved under Rules 56, 121 and 122 of the Rules of Procedure of Parliament)

WHEREAS article 79 of the Constitution of the Republic of Uganda, 1995 empowers Parliament to make laws on any matter for the peace, order, development and good governance of Uganda;

AND WHEREAS Article 94(4) (b) of the Constitution and Rules 120 and 121 of the Rules of Procedure of Parliament permit a Member of Parliament to move a Private Members' Bill;

AWARE THAT Uganda has embraced a number of sports disciplines and each sports discipline is organised and regulated by a national sports association which are all affiliated to their respective international sports governing body;

NOTING THAT the national sports associations regulate amateur and professional sports disciplines including sports clubs participating in sports discipline; all regulated by the National Council for Sports;

RECOGNISING THAT currently in Uganda national sports associations and sports clubs are incorporated under various laws, including the Trustees Incorporation Act Cap 165, National Council for Sports Act, Cap. 48, the Companies Act, 2010, the Partnerships Act, 2010 and the Non-Governmental Organisations Act, 2016;

CONCERNED THAT the lack of a single piece of legislation governing the incorporation and operation of national sports associations and sports clubs has resulted in governance and administration challenges including, lack of legal personality, multiple reporting and regulatory legal regimes;

NOTING THAT whereas national sports associations play a vital role in the development of professional and amateur sports in Uganda and nurturing stronger communities by bringing people together, the operation and existence of national sports associations and sports clubs in Uganda is threatened by lack

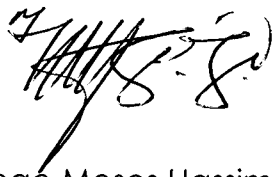
of clarity in the legal regime relating to their incorporation, operation and regulation resulting in under development of sports in Uganda;

COGNIZANT THAT there is need to enact legislation to streamline the incorporation, registration, management and recognition of national sports associations and sports clubs, national sports association in order to achieve the objectives of their creation;

NOW THEREFORE, be it resolved by Parliament that leave be granted to me to introduce a Private Member's Bill, entitled "The National Sports Bill" a draft of which is attached hereto;

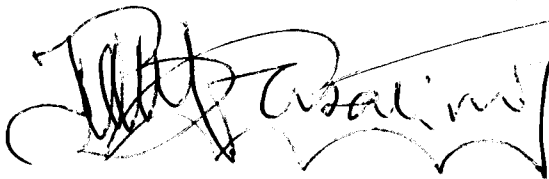
AND do order the publication of the said Bill in preparation for its FIRST READING.

I beg to move.



MOVER: Magogo Moses Hassim (MP)

BUDIOPE EAST, BUYENDE DISTRICT,



SECONDER: Asuman Basalirwa (MP)

BUGIRI MUNICIPALITY



Geoffrey Kayemba Ssolo (MP)

BUKOMANSIMBI SOUTH CONSTITUENCY

THE NATIONAL SPORTS BILL, 2021

MEMORANDUM

1. Principles of the Bill.

The object of the Bill is to repeal the National Council of Sports Act. Cap 48; to establish the Uganda Sports Commission; consolidate and modernize the law relating to the incorporation and registration of national sports organisations and community sports clubs; to provide for the management, promotion, development and regulation of professional, amateur and recreational sports in the Uganda; to streamline the recreation, registration and management national sports organisations and community sports clubs; to codify the obligations of the State under international sports governing statutes; to prevent match fixing, corruption, illegal manipulation and illegal betting in sports; encourage and promote drug-free sports; to dissolve the National Council of Sports and reconstitute a new body known as the Uganda Sports Commission; and to provide for related matters.

2. Gaps in existing Laws

Uganda has embraced a number of sports disciplines including football, baseball, cricket, tennis, Archery golf, swimming, cycling, boxing, Netball, golf, lawn tennis, handball, hockey, wood ball, motor sport, kayak, rugby, weightlifting, taekwondo, volley Ball and athletics and Uganda is recognized the world over as a sports loving country.

Each sports discipline is organised and regulated by a national sports association including Uganda Athletics Federation, Uganda Archery Federation, Uganda Badminton Association, Federation of Uganda Basketball Association, Uganda Netball Federation, Uganda Boxing Federation, Uganda Canoe/Kayak Federation, Federation Of Motor Sports Clubs Of Uganda, Uganda Cycling Association, Uganda Lawn Tennis Association, Uganda Taekwondo Federation Uganda Volleyball Federation Uganda Weightlifting Federation Uganda Wrestling Federation, Uganda Shooting Federation, Uganda Hockey Federation, Uganda Handball Federation, and Federation of Uganda Football Association, which are all affiliated to their respective international sports governing body.

The above national sports associations and federations are all incorporated and registered under various laws, including the Trustees Incorporation Act Cap 165, National Council for Sports Act, Cap 48, the Companies Act, 2010, the Partnerships Act, 2010 and the Non-Governmental Organisations Act, 2016.

The lack of uniformity in the registration and incorporation of national sports associations and federations has resulted in governance and administration challenges including, lack of legal personality, multiple reporting and regulatory legal regimes, forum shopping by sports clubs and national sports associations, interference and lack of independence of national sports associations contrary to international sports governing body regulations, existence of numerous national sports associations regulating a single sports discipline, disputes and wrangles, wastage and mal-administration of the affairs and funds of national sports associations and federations.

The lack of a single piece of legislation regulating the incorporation and registration of national sports associations and federations has resulted in little or no oversight by the National Council for Sports since the requirements for registration and incorporation under the different laws are different, thereby resulting in different obligations being imposed on the different national sports associations and federations under the relevant laws under which they are incorporated.

3. Remedies

This Bill there seeks to-

- (a) consolidate and update the law on incorporation and registration of national sports associations and federations;
- (b) regulate the operation and administration of national sports associations and federations and community sports clubs;
- (c) regulate the raising, funding and management of national and representative teams;
- (d) to codify the obligations of the State under international sports governing statutes;
- (e) create a Tribunal for purposes of settlement of sports disputes;
- (f) create a Sports Fund for purposes of providing a predictable and sustainable means of funding national sports in Uganda;
- (g) Prohibition various vices prevalent today in sports administration including doping, violence and hooliganism, manipulation of sports results, dealing with counterfeit sports products, unauthorized use of sports results in betting as well as abuse of the commercial rights of national sports associations and federations;

Provisions of the Bill

The Bill has 75 clauses, divided into eight parts.

Part I—Preliminary

This part incorporates clauses 1 and 2 dealing with commencement of the Bill and Interpretation of the major words and phrases used in the Bill.

Part II- establishment of Uganda sports commission

This part incorporates clauses 3 to 18 dealing with establishment of the Uganda Sports Commission, Functions of the Commission, Powers of the Commission, Headquarters of the Commission, Composition of the Commission, Tenure of Office member of the Commission, Remuneration of Members of the Commission, Appointment of Committees, Meetings of the Commission, Delegation of functions of the Commission, Secretariat of the Commission, General Secretary, Functions of General Secretary, Other officers and staff of the Commission, Independence of the Uganda Sports Commission and Directions by the Minister;

Part III -recognition, registration and incorporation of national sports organisations

This part incorporates clauses 19 to 31 dealing with declaration of national sports discipline, incorporation and registration of a community sports club, registration and recognition of a national sports association, incorporation and registration of a National Sports Federation, rejection of applications for registration or incorporation, register of national sports organisations, revocation and suspension of national sports organisation, functions of the national sports organisations, independence of a national sports organisation, general provisions relating to national sports organisations, dissolution of a National Sports Organisation, compliance of National Sports Organisations and report on activities of national sports federations.

Part IV - Financial provisions

This part incorporates clauses 32 to 40 dealing with duty to operate on sound financial principles, power to invest funds, commission to prepare budget, accounts of Fund, financial year, financial Management of National Sports Organisations, funds of national sports organisations, vesting of property in national sports associations and asset register of a national sports organisation.

Part V- National sports fund

This part incorporates clauses 41 to 44 dealing with the Sports Fund, objects of the Fund, source of money for the Fund and administration of the Fund.

Part VI – Arbitration Of Sports Disputes

This part incorporates clauses 44 to 50 dealing with establishment of Tribunal, Jurisdiction of the Tribunal, Arbitration to be provided in constitution,

constitution of Tribunal for exercise of powers, powers of the Tribunal and Procedure of the Tribunal.

Part VII – Offences and Penalties

This part incorporates clauses 51 to 63, dealing with prohibition of unlawful utilization of Commercial Rights, prohibition of electronic media production of sporting events and competitions, prohibition of broadcast of sporting events and competitions, prohibition of dealing with counterfeit Materials, prohibition of unlawful access to sports events and competitions, prohibition of unauthorized use of sports results in betting, prohibition of betting by specified persons, manipulation of sports result or competition, prohibition of Doping, prohibition of acts of violence and hooliganism, offences committed by legal persons, imposition of administrative penalties and general Penalty.

Part VIII—Miscellaneous

This part deals incorporates clauses 64 to 75 dealing with absence of National Sports Organisation, national Olympics Committee, national Anti-Doping Committee, international Affiliation of national sports organisation, management of sports teams and athletes, vesting of sports infrastructure in the Commission, effect of registration on existing sports associations or federations, report on enforcement of this act, repeal of Cap 48, savings and transitional Provisions, regulations and amendment of Schedules.

Magogo Moses Hassim, MP,
Budiope East, Buyende District,

THE NATIONAL SPORTS BILL, 2021

ARRANGEMENT OF CLAUSES

Clauses

PART I—PRELIMINARY

1. Commencement
2. Interpretation

PART II – ESTABLISHMENT OF UGANDA SPORTS COMMISSION

3. Establishment of the Uganda Sports Commission
4. Functions of the Commission
5. Powers of the Commission
6. Headquarters of the Commission
7. Composition of the Commission
8. Tenure of Office member of the Commission
9. Remuneration of Members of the Commission
10. Appointment of Committees
11. Meetings of the Commission
12. Delegation of functions of the Commission
13. Secretariat of the Commission
14. General Secretary
15. Functions of General Secretary
16. Other officers and staff of the Commission
17. Independence of the Uganda Sports Commission
18. Directions by the Minister

PART III –Recognition, Registration and Incorporation of National Sports Organisations

19. Declaration of national sports discipline
20. Incorporation and registration of a community sports club
21. Registration and recognition of a national sports association
22. Incorporation and registration of a National Sports Federation
23. Rejection of applications for registration or incorporation
24. Register of national sports organisations
25. Revocation and suspension of national sports organisation
26. Functions of the national sports organisations
27. Independence of a national sports organisation
28. General provisions relating to national sports organisations

29. Dissolution of a National Sports Organisation
30. Compliance of National Sports Organisations
31. Report on activities of national sports federations

PART IV - FINANCIAL PROVISIONS

32. Duty to operate on sound financial principles
33. Power to invest funds
34. Commission to prepare budget
35. Accountability for funds
36. Financial year
37. Financial Management of National Sports Organisations
38. Funds of national sports organisations
39. Vesting of property in national sports associations
40. Asset register of a national sports organisation

PART V- NATIONAL SPORTS FUND

41. The Sports Fund.
42. Objects of the Fund
43. Source of money for the Fund
44. Administration of the Fund.

PART VI – ARBITRATION OF SPORTS DISPUTES

45. Establishment of Tribunal
46. Jurisdiction of the Tribunal
47. Arbitration to be provided in constitution
48. Constitution of tribunal for exercise of powers
49. Powers of the Tribunal
50. Procedure of the Tribunal

PART VII – OFFENCES AND PENALTIES

51. Prohibition of unlawful utilization of Commercial Rights
52. Prohibition of electronic media production of sporting events and competitions
53. Prohibition of broadcast of sporting events and competitions
54. Prohibition of dealing with counterfeit Materials
55. Prohibition of unlawful access to sports events and competitions
56. Prohibition of unauthorized use of sports results in betting
57. Prohibition of betting by specified persons

- 58. Manipulation of sports result or competition
- 59. Prohibition of Doping
- 60. Prohibition of acts of violence and hooliganism
- 61. Offences committed by legal persons
- 62. Imposition of administrative penalties
- 63. General Penalty

PART VIII—MISCELLANEOUS

- 64. Absence of National Sports Organisation
- 65. National Olympics Committee
- 66. National Anti-Doping Committee
- 67. International Affiliation of national sports organisation
- 68. Management of sports teams and athletes
- 69. Vesting of sports infrastructure in the Commission
- 70. Effect of registration on existing sports associations or federations
- 71. Report on enforcement of this act
- 72. Repeal of Cap 48
- 73. Savings and transitional Provisions
- 74. Regulations
- 75. Amendment of Schedules

SCHEDULE 1: Currency Point

SCHEDULE 2: National Sports Disciplines

A Bill for an Act

ENTITLED

THE NATIONAL SPORTS ACT, 2021

An Act to repeal the National Council of Sports Act. Cap 48; to establish the Uganda Sports Commission; consolidate and modernize the law relating to the incorporation and registration of national sports organisations and community sports clubs; to provide for the management, promotion, development and regulation of professional, amateur and recreational sports in the Uganda; to streamline the recreation, registration and management national sports organisations and community sports clubs; to codify the obligations of the State under international sports governing statutes; to prevent match fixing, corruption, illegal manipulation and illegal betting in sports; encourage and promote drug-free sports; and for any other related matter; to dissolve the National Council of Sports and reconstitute a new body known as the Uganda Sports Commission; and to provide for related matters.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Commencement

This Act shall commence on a date appointed by the Minister, by statutory instrument.

2. Interpretation

In this Act, unless the context otherwise requires—

"athlete" means any person who competes in amateur or professional sport;

"Amateur sport" means an activity involving physical exertion or skill in which an individual or team competes against another for pleasure or as past time or for recreational or health purposes or as training to become professional;

"Brand" means a name, term, design, symbol, or other feature that distinguishes an organization or product;

"Betting" means setting, making or accepting a bet on –

- (a) the outcome of a race, competition or other sports event or process;

(b) the likelihood of any sports occurrence or none occurrence;

(c) the likelihood of anything occurring or not occurring; or

(d) whether anything is true or not true;

“Betting Organisations” means organisation licensed under The Lotteries and Gaming Act to operate a betting business;

“Commercial Rights” means any and all rights of a commercial nature connected with a sports event, including image rights, audio-visual broadcasting rights, new media rights, endorsement and official supplier rights, sponsorship rights, merchandising rights, licensing rights, advertising rights, hospitality rights, promotional rights, incorporeal rights and rights arising under copyright law and all intellectual property rights;

“Commission” means the Uganda Sports Commission established under section 3;

“Community Sports Club” means an organisation incorporated, recognised and registered by the Commission under section 27;

“Currency points” has the value assigned to it in Schedule 1;

“doping” means the use of prohibited substances and methods in any sporting activity whether competitive or recreational in order to artificially enhance performance;

“event” means a series of separate competitions conducted by a national sports association;

“Fund” means the National Sports Fund established under section 40;

“International Federation” means a recognised international sports governing body that oversees, manages and regulates a particular sports discipline;

“Minister” means the Minister responsible for sports;

“National Sports Association” means a sports association recognised and registered by the Commission to manage, develop, promote and regulate an amateur sports discipline;

“national sports federation” means an organization incorporated, recognised and registered by the Commission to manage, develop, promote and regulate a professional and amateur sport discipline;

“National Sports Organisation” means a community sports club, a national sports association and a national sports federation;

“Olympic Sport” means a sport, discipline or event recognized by the International Olympics Committee.

“Physical Activity” means any bodily movement produced by skeletal muscles that requires energy expenditure;

“Professional sport” means an activity involving physical exertion and or skill in which an individual or team competes against another as an economic activity with the objective of earning fees or making profit;

“sport” means an activity involving physical exertion and or skill in which an individual or team competes against another or others;

“Sports competition” means any sport event organized in accordance with the rules set by a national sports association;

“Tribunal” means the National Sports Tribunal established under section 45;

“Ugandan Sports Branded Material” means any material having the brand of a national sports federation or a recognized by the National Council of Sports and any material having the brand of members of an NSF

“WADA” means the World Anti-Doping Agency.

PART II – ESTABLISHMENT OF UGANDA SPORTS COMMISSION

3. Establishment of the Uganda Sports Commission

- (1) The National Council of Sports established in section 2 of the National Council for Sports Act is continued in existence and shall be known as the Uganda Sports Commission.
- (2) The Commission shall be a body corporate with perpetual succession and a common seal and may, in its corporate name, for and in connection with its objects and functions under this act –
 - (a) acquire, hold and dispose of movable and immovable property;
 - (b) sue or be sued;
 - (c) enter into any contract and other transaction as may be expedient;
 - (d) do all such other acts and things for the proper discharge of its functions as may lawfully be done by a body corporate.

4. Functions of the Commission

The functions of the Commission shall be to -

- (a) incorporate, recognise and register national sports federations;
- (b) to recognise a sports discipline as a national sports discipline;
- (c) regulate the national sports federations registered under this Act by ensuring that national sports federations strictly abide by their respective constitutions and this Act;
- (d) acquire, construct, rehabilitate, maintain and manage all Government-owned sports facilities;
- (e) establish and manage sports infrastructure for the utilization of national sports federations and their members;
- (f) undertake sports research, education and training of sports administrators and other sports human resources;
- (g) formulate Government policies on sports;

- (h) to make recommendations to the Minister in relation to the enactment of laws and regulations governing sports in Uganda;
- (i) to fund and facilitate the activities of national sports teams, National Athletes and sports clubs representing Uganda in international sports competitions;
- (j) make recommendations to the Minister on any matter relating to the management and administration of a sports discipline;
- (k) approve the expenditure of national sports federations in receipt of grants made by or through the Commission;
- (l) collaborate with respective national sports federations in the identification and development of sporting talent, provision of sports equipment, facilities and technical training;
- (m) encourage and facilitate cooperation among national sports federations and to be a liaison body between national sports federations and Government in regard to all matters relating to sport and recreation;
- (n) develop guidelines for the promotion and development of professional sport, mass sport, recreation and physical education;
- (o) approve international and national sports competitions and festivals organized by a national sports federation or the affiliate members of national sports federations;
- (p) perform any other function incidental or consequential to the above functions as may be necessary for the better promotion and development of sports in Uganda.

5. Powers of the Commission

The Commission may–

- (a) purchase, hold, manage and dispose of any property whether moveable or immovable;
- (b) enter into any contract or other transaction as may be expedient;

- (c) charge fees for services provided by it;
- (d) impose a fine on a person who contravenes any of the provisions of this Act;
- (e) arrange with local authorities for the provision of sporting facilities at the local government;
- (f) appoint the members of the National Sports Tribunal;
- (g) consider compliance reports of a national sports federation;
- (h) require the national sports federations to inculcate patriotism, sportsmanship and discipline in all sportspersons;
- (i) award, in consultation with national sports federations, medals, trophies and other incentives for the encouragement and promotion of sporting activities; and
- (j) regulate the activities of national sports federations to ensure compliance with the respective constitution of the national sports federation.

6. Headquarters of the Commission

The Commission shall have its head office in Kampala and may establish branches in other areas of Uganda as it may deem appropriate.

7. Composition of the Commission

- (1) The Commission shall consist of the following members-
- (a) a chairperson and a deputy chairperson;
 - (b) one representative appointed each of the national sports federation;
 - (c) the head of Uganda Olympic Committee;
 - (d) a representative of the Ministry responsible for Sports;
 - (e) a representative of the Ministry responsible for Finance, Planning and Economic development;

- (f) a representative of the Ministry responsible for Trade, Industry and Cooperatives;
- (g) a representative of the Ministry responsible for Gender, Labour and Social Development;
- (h) a representative of the Ministry responsible for Tourism, Wildlife and Antiquities; and
- (i) the General Secretary.

(2) Members of the Commission shall elect amongst their membership, a Chairperson and Deputy Chairperson.

(3) A person elected Chairperson or Deputy Chairperson shall be replaced by the entity the person represents in the Commission.

8. Tenure of Office member of the Commission

(1) A member of the Commission shall hold office for a period of five years and the appointment may be renewed for one more term only.

(2) A member of the Commission may, at any time, resign his or her office by a letter addressed to the General Secretary.

(3) A member of the Commission shall cease to be a member of the Commission where the member-

(a) dies;

(b) is recalled by the entity the member represents in the Commission;
or

(c) ceases to hold an office in the entity that the member represents in the Commission.

(4) Where a vacancy exists in the membership of the Commission, the General Secretary shall notify the relevant authority of such vacancy and the relevant authority shall appoint another person to fill the vacancy.

(5) Any person appointed under subsection (4) shall hold office for the remainder of the term of the previous member and shall be eligible for reappointment for one more term only.

9. Remuneration of Members of the Commission

Save for the General Secretary who shall be paid such remuneration as shall be specified in his or her instrument of appointment, a Member of the Commission shall be paid by the entity the member represents.

10. Appointment of Committees

- (1) The Commission may appoint such Committees as it considers necessary to discharge its functions under this Act.
- (2) A Committee established under subsection (1) shall comprise of members of the Commission and such other person as the Committee may consider necessary.
- (3) The Committee shall be chaired by a member of Council and shall carry out such functions as the Commission may assign to it.

11. Meetings of the Commission

- (1) The Commission shall meet to discharge its functions at least once every three months at such time and place as the Chairperson may appoint.
- (2) The Chairperson shall preside over the meetings of the Commission and in the absence of the Chairperson, the Deputy Chairperson shall preside.
- (3) Where at a meeting of the Commission, the chairperson and deputy chairperson of the Commission are unable or unavailable to preside over a meeting of the Commission, the meeting shall be presided over by a person elected by the members of the Commission from among their number.
- (4) The quorum at any meeting of the Commission shall be half of the members of the Commission and the quorum shall only be required for voting.
- (5) All decisions at a meeting of the Commission shall be by simple majority of the votes of all members of the Commission present and where there is equality of votes, the person presiding shall have a casting vote.
- (6) The Commission may co-opt any person to advise the Commission and the person co-opted shall have no vote on any matter for decision by the Commission.
- (7) The validity of any proceedings of the Commission shall not be affected by any vacancy among its members or any defect in the appointment or nomination of any member of the Commission.

- (8) Any member having personal interest in any matter before the Sports Council shall disclose his or her interest and shall have no vote on that matter.

12. Delegation of functions of the Commission

- (1) The Commission may, by instrument of delegation, delegate to the Chairperson, Deputy Chairperson, a member of the Commission or a committee established under section 10, any of the powers, duties or functions under this Act.
- (2) The terms and conditions regulating the exercise of the powers delegated under this section shall be contained in the instrument of delegation.

13. Secretariat of the Commission

- (1) There shall be established a Secretariat of the Commission which shall be responsible for executing the functions and policies of the Commission.
- (2) The Secretariat shall consist of –
- (a) the General Secretary, who shall be the head of the Secretariat; and
 - (b) other officers and staff, as the Commission may determine.

14. General Secretary

- (1) There shall be a General Secretary who shall be appointed by the Minister on the recommendation of the Commission on terms and conditions that the Commission may determine.
- (2) The General Secretary shall be a person having considerable knowledge and experience in commerce, finance, law or sports administration.
- (3) The General Secretary shall hold office for a period of five years and shall be eligible for re-appointment for a one more term only.
- (4) The Minister may, on the recommendation of the Commission, terminate the services of the General Secretary for justifiable cause.
- (5) The General Secretary shall be responsible for the day to day operations of the Commission.

15. Functions of General Secretary

- (1) Subject to the general supervision and control of the Commission, the General Secretary shall –
 - (a) be the Chief Executive of the Commission;
 - (b) the day-to-day operation and administration of the Uganda Sports Commission;
 - (c) implement the policies and programs agreed objectives, performance targets and service standards agreed upon by the Commission;
 - (d) manage the funds and property of the Commission;
 - (e) advice the Commission on matters relating to sports and other functions of the Commission;
 - (f) administer, organise, supervise and exercise disciplinary control over the staff of the Commission;
 - (g) keep records of all the transactions of the Commission;
 - (h) keep the minutes of meetings and other records of the Commission;
 - (i) liaising with the relevant national sports federation with a view of implementing the functions of the Commission and promoting sports in Uganda; and
 - (j) performing any other function necessary for the proper implementation of this Act or as may be assigned by the Commission.
- (2) The General Secretary shall in the performance of his or her functions be answerable to the Commission.

16. Other officers and staff of the Commission

- (1) The Commission shall appoint such other officers and staff of the Commission as may be necessary for the proper and efficient functioning of the Commission.
- (2) The officers and employees appointed under this section shall hold office on such terms and conditions as may be determined by the Commission.

17. Independence of the Uganda Sports Commission

The Commission shall be independent in the performance of its functions, duties and the exercise of its powers under this Act.

18. Directions by the Minister

The Minister may, in writing, give directions to the Commission with respect to the policy to be observed and implemented by the Commission.

PART III –Recognition, Registration and Incorporation of National Sports Organisations

19. Declaration of national sports discipline

- (1) The Commission shall, on application, declare a sports discipline, a national sport.
- (2) A person intending to have a sports discipline declared a national sport shall, in the prescribed form, make an application to the Commission.
- (3) The application referred to in subsection (1) shall be made by a citizen of Uganda or by a person resident in Uganda and shall be accompanied by the prescribed fee.
- (4) The Commission shall, in determining whether a sports discipline is eligible for declaration as a national sport, take into account-
 - (a) the nature of the sport;
 - (b) the popularity of the sport;
 - (c) the potential socio-economic impact of the sport;
 - (d) the recognition of the sport by an International sports governing body;
 - (e) the presence of facilities to play the sport;
 - (f) the plan of the national sports federation to promote the sport in Uganda; and
 - (g) any other factor the Commission determines necessary.
- (5) The Commission may, on application or on its own volition, withdraw the recognition of a sports discipline as a national sports discipline.
- (6) Notwithstanding subsection (1), the sports disciplines listed in schedule 2 of this Act shall, from the commencement of this Act, be deemed to have been recognised as national sports disciplines and shall continue to exist as if the sports discipline was declared a national sports discipline in accordance with this Act.

20. Incorporation and registration of a community sports club

- (1) A person shall not operate a community sports club unless the community sports club is registered by the Commission in accordance with this section.

- (2) A person intending to incorporate a community sports club shall make an application to the Commission in the prescribed form.
- (3) The application shall be accompanied by the prescribed fee and-
 - (a) the constitution of the community sports club;
 - (b) a description of the identifying symbols, slogans and colors of the community sports club;
 - (c) a letter of recommendation from the local Government Council of the area the community sports club intends to operate;
 - (d) proof that the members of community sports club are citizens of or residents in Uganda; and
 - (e) any other matter as may be prescribed by the Minister, by regulations.
- (4) Where the Commission is satisfied that the applicant is eligible for incorporation and registration as a community sports club, the Commission shall, in the prescribed form, issue a certificate of incorporation to the community sports club and register the community sports club in the register of community sports clubs.
- (5) The incorporation and registration of community sports club under this section will empower a community sports club participate in amateur and professional sports disciplines organized by a national sports association or national sports federation.
- (6) A community sports club shall, upon incorporation and registration be deemed to be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name and to do or suffer to be done all things which may be or are suffered by a body corporate.

21. Registration and recognition of a national sports association

- (1) A person shall not operate a national sports association unless the national sports association is registered by the Commission in accordance with this section.
- (2) A person intending to operate a national sports association shall make an application to the Commission in the prescribed form.
- (3) The application shall be accompanied by the prescribed fee and-
 - (a) the name of the association;
 - (b) the constitution of the association;
 - (c) the names of all leaders of the association;
 - (d) the sports discipline the association intends to govern;
 - (e) the governance structure of the association;
 - (f) a list of all the members of the association;

- (g) a description of the identifying symbols, slogans and colours of association;
 - (h) evidence that-
 - (i) the sports discipline is a national sport;
 - (ii) the association has presence in at least half of all districts of Uganda; and
 - (iii) the leaders of the association were elected by a national delegates conference comprised of persons drawn from at least half of all districts of Uganda;
 - (i) the head office and postal address of the association; and
 - (j) any other information as the Council may prescribe.
- (4) The Commission shall examine the application and cause independent inquiries to be made in order to ascertain the truth or correctness of the information contained in the application.
- (5) The Commission shall publish the application in a newspaper of wide national circulation inviting objections from the public and a person may, fourteen days from the date of publication, object to the registration of the association as a national sports association.
- (6) The Commission shall examine any objection raised against the registration of the association, if any, and shall inform the applicant of the objection.
- (7) The applicant shall within seven days from date of notification referred to in subsection (6) respond to the objection in writing.
- (8) The Commission shall upon being satisfied that the association is eligible for registration as a national sports association, issue a certificate of registration to the association and register the association in the register of national sports associations.
- (9) The certificate of registration issued under this section shall be valid for a period of one year and shall be renewed by the Commission, upon payment of the prescribed fees.
- (10) The relationship between or among members of a national sports association registered under this section shall be deemed to be a partnership in accordance with Partnerships Act, 2010.

22. Incorporation and registration of a National Sports Federation

- (1) A national sports association desirous of being incorporated as a national sports federation shall, in the prescribed form, make an application to the Commission.

- (2) The application shall be accompanied by the prescribed fee and a certificate of registration as a national sports association issued by the Commission under section 21.
- (3) The Commission shall only incorporate a national sports association as a national sports federation upon satisfaction that the national sports association has capacity to manage, develop, promote and regulate a professional and amateur sport discipline and has operated as a national sports association for a period of one year.
- (4) The Commission shall upon being satisfied that a national sports association is eligible for incorporation and registration as a national sports federation, issue a certificate of incorporation and register the association in the register of national sports federations.
- (5) Upon incorporation, the national sports federation shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name and to do or suffer to be done all things which may be or are suffered by a body corporate.
- (6) A national sports federation incorporated under this Act shall be deemed a company limited by guarantee.

23. Rejection of applications for registration or incorporation

- (1) The Commission may reject an application made under section 21, 22 and 23 if the commission is satisfied that-
 - (a) the applicant is not eligible for incorporation or registration under sections 21, 22 or 23;
 - (b) there is already in existence, a national sports association or national sports federation responsible for the proposed sports discipline;
 - (c) the proposed name of the applicant is misleading or discriminatory; or
 - (d) for any other justifiable reasons.
- (2) The Commission shall, within thirty days and in writing, notify the applicant of the rejection of its application.
- (3) A person aggrieved by the decision of the Commission may, within twenty-one days from the date of the decision of the Commission and upon payment of the prescribed fees, appeal to the Tribunal, whose decision shall be final.

24. Register of national sports organisations

- (1) The Commission shall keep and maintain a register for National Sports Organisations.
- (2) The register shall contain the following information-

- (a) the name of the national sports organisation;
 - (b) the registered office and address of the national sports organisation;
 - (c) the names of the persons managing the affairs of the national sports organisation;

 - (d) the national sports discipline the national sports association or national sports federation governs; and
 - (e) the national sports disciplines in which the community sports club participates in;
 - (f) any other information as may be prescribed by the Minister, by regulations.
- (3) The register may be accessed by the public upon payment of the prescribed fee.
- (4) The National Sports Organisation entered on the register shall remain registered until-
- (a) its registration is cancelled; or
 - (b) the National Sports Organisation is voluntarily by its own decision deregistered, wound up or dissolved.
- (5) A national sports organisation shall in writing, notify the Commission any changes in its registered information.

25. Revocation and suspension of national sports organisation

- (1) The recognition or registration or incorporation of a national sports organisation may be suspended or revoked by the Commission where-
- (a) the recognition or registration or incorporation of the national sports organisation was obtained by fraud or deception;
 - (b) the national sports organisation no longer meets the criteria for recognition or registration or incorporation as a national sports organisation;
 - (c) the national sports organisation is no longer recognised by the international sports governing body or in the case of a community sports club, by the relevant national sports association or national sports federation;
 - (d) the national sports organisation no longer serves the purpose for its recognition, registration or incorporation;
 - (e) the national sports organisation is insolvent.
- (2) The Commission shall before revoking or suspending the recognition or registration or incorporation of a national sports organisation inform the national sports organisation of its intention and request the national

sports organisation to show cause why its recognition or registration or incorporation should not be suspended.

- (3) The national sports organisation shall, within seven days of receipt of the notice referred to in subsection (2), respond in writing, to the Commission.
- (4) The Commission shall in deciding whether to revoke or suspend the recognition, registration or incorporation of the national sports organisation, notify, in writing, the international sports governing body to which the national sports organisation is affiliated to, if any.
- (5) The international sports governing body shall, within thirty days of receipt of the notification referred to subsection (4), respond to the notice, in writing and the Commission may consider such response when making a decision under this section.
- (6) The Commission shall, before revoking the incorporation or registration of the national sports association suspend its operation for a period not exceeding six months to enable the national sports organisation remedy the causes of the suspension.
- (7) Where after the expiration of the period referred to in subsection (6) the national sports organisation has not remedied the causes of suspension to the satisfaction of the Commission, the Commission shall revoke the recognition or registration or incorporation of the national sports organisation.
- (8) Where the recognition, registration or incorporation of the national sports organisation is suspended or revoked, the national sports organisation shall cease operations and the Commission may request the respective international governing body to appoint a normalization committee to take over and control the affairs of the national sports discipline until the suspension terminates or until a new national sports organisation is registered by the Commission.

26. Functions of the national sports organisations

- (1) A national sports organisation shall perform the following functions-
 - (a) in the case of a community sports club, to-
 - (i) protect the interests of its constituent members;

- (ii) participate in a sports discipline organized by a national sports association or national sports federation; and
- (iii) own assets of that belong to the community sports club

(b) in the case of a national sports association or national sports federation, to-

- (i) own assets of that belong to the National Sports Federation;
- (ii) manage, develop, regulate, promote and protect amateur in the case of a national sports association and in the case of a national sports federation, to manage, develop, regulate, promote amateur and professional sports in its respective sports discipline;
- (iii) promote and co-ordinate all activities of its respective sports discipline;
- (iv) protect the interests of its constituent members;
- (v) develop and manage the national teams, athletes and teams representing Uganda of the respective sports discipline;
- (vi) liaise with the Commission to ensure the provision of the necessary facilities required to promote the national sports in Uganda;
- (vii) organize and regulate sports competitions in the respective sports discipline;
- (viii) to develop and enforce rules and regulations governing the respective sports discipline;
- (ix) to represent the sports discipline on the National Olympics Committee;
- (x) to represent Uganda on the international governing body for the sports discipline; and
- (xi) to carry out any other functions as empowered by the constitution of the national sports association or national sports federation.

(2) Notwithstanding subsection (1), a national sports organisation shall, with the written approval of the Commission-

- (a) organize or host a sports completion in Uganda;

- (b) participate in a sports competition outside the territorial jurisdiction of Uganda;
- (c) enter or send the respective sports national team, representative or individual participant in a sports competition outside the territorial jurisdiction of Uganda;
- (d) hire a non-Ugandan expatriate to undertake any activity on behalf of the national sports organisation or the respective sports national team or club ; or
- (e) be affiliated to an international sport governing body for the respective sports discipline.

(3) A national sports organisation intending to do any of the activities under subsection (2) apply to the Commission for authorization.

(4) The Commission shall within five working days from the date of application made under subsection (3) respond to the application by either granting the authorization sought, with or without conditions, or in writing, reject the application.

(5) Where the Commission does not respond to the application within the time prescribed in subsection (4), the application shall be deemed to have been granted.

(6) Where the Commission rejects the application, the national sports organisation may appeal the decision to the Tribunal, whose decision shall be final.

27. Independence of a national sports organisation

(1) A national sports organisation shall be independent in the-

(a) performance of its functions, duties and the exercise of its powers;
and

(b) interpretation and application of the statutes and regulations of the sporting discipline as set by the national sports organisation itself or its respective international affiliation body.

- (2) Notwithstanding subsection (1), the Commission may by notice in writing served on a national sports organisation give to the national sports organisation directions consistent with the applicable law, the rules of the sports discipline developed by the international governing body for the sports discipline and best sports practices to ensure proper administration and management of the national sports organisation.

28. General provisions relating to national sports organisations

- (1) Each national sports discipline shall be organized, promoted, regulated, managed and supervised exclusively by a registered and recognised national sports association or national sports federation.
- (2) The commission shall recognise, register or incorporate only one national sports association or national sports federation for each national sports discipline.
- (3) The name adopted by the national sports organisation shall not be the same as the name adopted or used by another organisation, person or entity.
- (4) A national sports organisation shall conduct its affairs in a transparent manner and with strict compliance with the constitution of the respective national sports organisation, the relevant laws and lawful directions of the Commission.
- (5) The Commission shall only recognize leaders of national sports organisations that are elected or appointed in accordance with the constitution of the respective National Sports Organisation and registered with the Commission.
- (6) Where a National Sports Organisation is unable to fulfill its financial obligations to its creditors, the management of the National Sports Organisation in accordance with its constitution or any creditor may, in accordance with the Insolvency Act, 2011 may declare the National Sports Organisation insolvent.
- (7) The certificates of registration shall authorise the national sports organisation to exercise the functions of a national sports organisations prescribed in this Act.
- (8) A person shall not operate as a national sports organisation unless recognised or registered or incorporated by the commission in accordance with this Act.
- (9) Any person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or imprisonment for a period not exceeding three years or to both fine and imprisonment.

29. Dissolution of a National Sports Organisation

- (1) A national sports organisation may be dissolved either voluntarily or involuntarily in accordance with this Act.
- (2) A national sports organisation may be dissolved by the Commission where-
 - (a) the activities of the national sports organisation contravene any of the provisions of this Act or any other law; or
 - (b) the national sports organisation has acted against the security, unity and territorial integrity of Uganda.
- (3) Notwithstanding subsection (2), the members of a national sports organisation may voluntarily dissolve their Organisation in accordance with their own Constitution.
- (4) In accordance with the respective constitution of a national sports organisation, the management of a national sports organisation, shall, within seven days of making the decision to dissolve a national sports organisation, notify the commission, in writing.
- (5) The Commission may, upon receipt of the notice referred to in subsection (4), issue a certificate of dissolution to the respective national sports organisation.

30. Compliance of National Sports Organisations

- (1) The Commission shall annually conduct a compliance test on a national sports organisation to examine the national sports organization's compliance with this Act or the constitution of the national sports organisation.
- (2) The compliance test referred to in subsection (1) may be carried out by the by the Commission or by any other person or entity as determined by the Commission.
- (3) A national sports organisation shall co-operate with the Commission or by a person or entity determined by the Commission under subsection (2).
- (4) A national sports organisation shall, within one month of being requested by the Commission or the person or entity appointed by the

Commission, submit to the Commission or the person or entity appointed by the Commission, information relating to any matter of interest to the Commission or the person or entity appointed by the Commission.

- (5) The results of a compliance test shall be submitted to the Commission and the Commission shall in case take of non-compliance by a national sports organisation, inform the national sports organisation and direct the national sports organisation to remedy the non-compliance immediately, but in any case not later ninety days from the date of notification of non-compliance.
- (6) Where a national sports organisation does not remedy the causes of its non-compliance within the time prescribed in subsection (5), the Commission shall suspend the activities of the national sports organisation until it remedies the causes of its non-compliance.
- (7) Where the activities of a national sports organisation-
 - (a) the Commission shall inform the international sports governing body to which the national sports organisation is affiliated to, the suspension of a national sports organisation; and
 - (b) national sports organisation shall be barred from receiving any financial support from the Commission or any other person.
- (8) Where a national sports organisation is suspended under subsection (6) for a period exceeding six months and the national sports organisation does not, to the satisfaction of the Commission, remedy the causes of the suspension, the Commission shall terminate the registration and incorporation of the national sports organisation.
- (9) A person aggrieved by the decision of the Commission under this section may appeal the decision to the Tribunal and the decision of the Tribunal shall be final.

31. Report on activities of national sports federations

- (1) A national sport federation shall, within four months of the end of each financial year, submit to the Commission an annual report of the activities and operations of a national sports federation.
- (2) The report referred to in subsection (1) shall be accompanied with-
 - (a) financial statements of a national sports federation, including its audited books of accounts;

- (b) estimates of revenue and expenditure for the next financial year;
 - (c) a report on the activities of a national sports federation;
 - (d) approved minutes of the annual general meeting of a sports federation;
 - (e) a copy of the constitution of a national sports federation;
 - (f) a list of members of a national sports federation;
 - (g) a list of the persons in administration of a national sports federation;
 - (h) a statement on the planned activities of a national sports federation;
 - (i) a list of sponsors of a national sports federation to be awarded certificate of sports value addition; and
 - (j) any other information as may requested by the Commission or as may be prescribed by the Minister, by regulations.
- (3) The Commission shall examine the report and give directions to the national sports federation as the Commission deems necessary.

PART IV - FINANCIAL PROVISIONS

32. Duty to operate on sound financial principles

In performing its functions under this Act, the Commission shall have due regard to sound financial principles.

33. Power to invest funds

The Commission shall, with approval of the Minister responsible for Finance, invest any surplus money from the Fund in conformity with good commercial principles.

34. Commission to prepare budget

- (1) The General Secretary, three months before the beginning of each financial year, prepare and submit to the Commission for approval, estimates of the income and expenditure of the Commission.
- (2) The estimates of income and expenditure approved under subsection (1) shall be submitted to the Minister, for approval.

- (3) The Commission shall not incur any expenditure exceeding its budget without the approval of the Minister.

35. Accountability for funds

- (1) The Commission shall keep proper books of accounts and records of its transaction and affairs.
- (2) The Commission shall prepare annual accounts within three months of the close of its financial year and shall promptly submit the accounts to the Auditor General.
- (3) The Auditor General shall audit the accounts within two months of receipt of the annual accounts of the Commission, and shall submit the report on the audited accounts to Parliament.

36. Financial year.

The financial year of the Commission shall be the twelve months beginning on the first day of July of each year and ending on the last day of June in the following calendar year.

37. Financial Management of National Sports Organisations

- (1) A national sports organisation that shall keep proper books of accounts and records of its transaction and affairs and report about the finances received in accordance with this Act.
- (2) A national sports organisation shall in discharge of its functions have regard to sound financial and commercial principles.
- (3) A national sports organisation shall cause to be prepared and submitted to the Commission, a statement of accounts including-
 - (a) balance sheet, an income and expenditure account and a source and application of funds statement; and
 - (b) any other information in respect of the financial affairs of the national sports organisation as the Minister may, by statutory instrument, prescribe.

38. Funds of national sports organisations

- (1) A national sports organisation may solicit, receive and utilize financial resources or assistance from a domestic or international source.
- (2) Without limiting the general effect of subsection (1), the funds of a national sports organisation may consist of—
 - (a) grants, gifts, donations, loans or other endowments given to a national sports organisation;

- (b) dividends or income from investments or from the sale, lease and disposal of property by a national sports organisation;
- (c) funds made available to a national sports organisation by the Commission; or
- (d) funds from any other source received by the national sports association or sports club in the performance of its functions under this Act.

39. Vesting of property in national sports associations

- (1) All property belonging to a national sports organisation shall vest in the national sports organisation and shall be registered in the name of the national sports organisation.
- (2) The property belonging to a national sports organisation shall only be applied for the activities of the national sports organisation or for activities that benefit the national sports organisation and its members.
- (3) Property belonging to a national sports organisation shall not be sold, transferred, assigned or otherwise disposed of except as provided for in the constitution of the national sports organisation.

40. Asset register of a national sports organisation

- (1) A national sports organisation shall keep and maintain an asset register for all assets owned by the national sports organisation.
- (2) The asset register shall be regularly up dated by the management of a national sports organisation and may be accessible by the public.

PART V- NATIONAL SPORTS FUND

41. The Sports Fund.

- (1) There is established a Fund to be known as the National Sports Fund.
- (2) The Fund shall vest in and be managed by the Commission.

42. Objects of the Fund

The object of the Fund is to secure a predictable and sustainable means of funding national sports in Uganda by providing a source of funds to support the activities of the Commission and national sports organisations regulate, manage and promote national sports in Uganda.

43. Source of money for the Fund

The moneys of the Fund shall consist of-

- (a) money appropriated by Parliament for the purposes of the Fund;
- (b) money borrowed by the Commission, with the approval of the Minister responsible for Finance;
- (c) money received for the purposes of the Fund by way of voluntary contributions;
- (d) grants, gifts or other endowments and donations made to the Fund, with the approval of the Minister responsible for finance, by a foreign government, national or international agency, foreign and national institutions or person, body or entity;
- (e) income derived from operations of this Act or otherwise accruing to the Fund;
- (f) payment from fees, fines and charges imposed on any person under this Act; and
- (g) any other money received by the Commission in the performance of its functions under this Act.

44. Administration of the Fund.

- (1) The Fund shall be administered by the Commission.
- (2) The General Secretary shall ensure that all monies collected by the Commission are immediately deposited into the Fund.
- (3) The Commission may authorise the General Secretary to make withdrawals from the Fund for purposes of offsetting the expenses of the Commission in accordance with the approved annual work plan and budget.
- (4) The Minister shall, in consultation of national sports organisations and acting on the advice of the Commission, by statutory instrument, make regulations for the management of the Fund.

PART VI – ARBITRATION OF SPORTS DISPUTES

45. Establishment of Tribunal

- (1) There is established a Tribunal to be known as the National Sports Tribunal.

- (2) The Commission shall provide and regularly update a list of arbitrators from whom a panel of arbitrators shall be appointed by parties to a suit.
- (3) A person shall not be qualified to be included on the list of arbitrators referred to in subsection (2) unless that person is-
- (a) a judge or justice of a court of judicature in Uganda;
 - (b) an advocates of the High Court qualified for appointment as a judge of the High Court; and
 - (c) an experienced football administrators with a legal background.
- (4) The Commission shall publish the list referred to in subsection (2) in the gazette and a newspaper of wide national circulation.

46. Jurisdiction of the National Sports Tribunal

The Tribunal shall have jurisdiction over all sports disputes arising between-

- (a) the Commission and a national sports organisation;
- (b) a national sports organisation and its members;
- (c) national sports organisations; and
- (d) parties to the dispute who have agreed to refer disputes to the Tribunal.

47. Arbitration to be provided in constitution

- (1) There shall be a provision in the constitution of every national sports organisation-
- (a) recognizing the jurisdiction of the Tribunal and obligating the settlement of sports disputes between the national sports organisation and its members, by the Tribunal;
 - (b) recognizing the decision of the Tribunal as final;
 - (c) obligating a national sports organisation and its members to respect and comply with the decision of the Tribunal; and
 - (d) prohibiting the settlement of sports disputes between the national sports organisation and its members by courts of judicature, including the interpretation and application of the constitution and regulations of the national sports organisation.

- (2) A constitution of a national sports organisation that deviates or does not make provision for the matters referred to in subsection (2) shall be null and void.
- (3) The Commission shall not recognize, register or incorporate a national sports organisation that does not include provisions prescribed in subsection (2) in their respective Constitutions.

48. Constitution of tribunal for exercise of powers

- (1) Save as may be otherwise agreed between parties to the dispute, the tribunal shall be constituted for a proceeding when all the members appointed by the parties to the dispute are present.
- (2) For the avoidance of doubt, each party to the dispute shall appoint one arbitrator from the list of arbitrators

49. Powers of the Tribunal

- (1) The Tribunal shall make such orders and give such directives as it considers necessary.
- (2) The tribunal may, on its own volition or upon application by an aggrieved party, review its judgments and orders.
- (3) Judgments and orders of the tribunal shall be executed and enforced in the same manner as judgments and orders of the High Court.
- (4) The Tribunal may, in determining disputes under this Act, apply alternative dispute resolution methods for sports disputes and provide expertise and assistance regarding alternative dispute resolution to the parties to a dispute.

50. Procedure of the Tribunal

- (1) The tribunal shall meet as and when there is need to exercise its jurisdiction under this Act.
- (2) A decision of the tribunal shall be binding if it is supported by a majority of the members of the Tribunal.
- (3) A witness before the tribunal shall have the same immunities, obligations and privileges as a witness before the High Court.
- (4) The tribunal shall conduct its proceedings without procedural formality but shall observe the rules of natural justice.
- (5) Except as prescribed in this Act, the tribunal may regulate its own procedure.

PART VII – OFFENCES AND PENALTIES

51. Prohibition of unlawful utilization of Commercial Rights

- (1) A person who utilizes or enjoys the commercial rights of national sports organisation without the written consent of a national sports organisation commits an offence and is liable, on conviction, to imprisonment for a period not exceeding five years or to a fine not exceeding one hundred and twenty currency points, or to both fine and imprisonment.
- (2) A person who contravenes subsection (1) shall, in addition to the fine or penalty imposed under subsection (1), pay a national sports organisation damages and compensation for the loss suffered by the national sports organisation.

52. Prohibition of electronic media production of sporting events and competitions

- (1) A person who, without authorization of a national sports organisation, captures by camera the still or moving pictures or records by an audio recorder, activities at an event or competition organised by a national sports organisation or the member of a national sports organisation commits an offence and is liable on conviction, to imprisonment for a period not exceeding five years or to a fine not exceeding one hundred and twenty currency points, or to both fine and imprisonment.
- (2) A person who contravenes subsection (1) shall, in addition to the fine or penalty imposed under subsection (1), pay a national sports organisation damages and compensation for the loss suffered by the national sports organisation.

53. Prohibition of broadcast of sporting events and competitions

- (1) A person who, without the authorization of a national sports organisation, broadcasts an event or competition organised by a national sports organisation commits an offence and is liable on conviction, to imprisonment for a period not exceeding five years or to a fine not exceeding one hundred and twenty currency points, or to both fine and imprisonment.
- (2) A person who contravenes subsection (1) shall, in addition to the fine or penalty imposed under subsection (1), pay the national sports

organisation damages and compensation for the loss suffered by the national sports organisation.

- (3) Notwithstanding subsection (1), the Minister shall, acting on the advice of the Commission, by statutory instrument, regulate the broadcasting of events and competitions by media house.

54. Prohibition of dealing with counterfeit Materials

(1) A person who-

- (a) imports, manufactures, distributes, produces, distributes, sells or offers for sale or trades or displays for sale any counterfeited Ugandan sports branded materials, attire, apparel or any other item without the authorization of a national sports organisation;
- (b) has in his or her possession or has on his or her body or any part of the body any counterfeited Ugandan sports branded materials, attire, apparel or any other item;

commits an offence and is liable on conviction, to imprisonment for a period not exceeding five years or to a fine not exceeding one hundred and twenty currency points, or to both fine and imprisonment.

- (2) A person who contravenes subsection (1) shall, in addition to the fine or penalty imposed under subsection (1), pay the national sports organisation damages and compensation for the loss suffered by the national sports organisation.

55. Prohibition of unlawful access to sports events and competitions

- (1) A person who, without authorization, enters, stays, remains or allows a person to enter, stay, remain or access a sports event or competition organised by a national sports organisation commits an offence and is liable on conviction, to imprisonment for a period not exceeding five years or to a fine not exceeding one hundred and twenty currency points, or to both fine and imprisonment.
- (2) A person who contravenes subsection (1) shall, in addition to the fine or penalty imposed under subsection (1), pay the national sports organisation damages and compensation for the loss suffered by the national sports organisation.

56. Prohibition of unauthorized use of sports results in betting

- (1) A person licensed under the Lotteries and Gaming Act, 2015 shall not allow betting on sports action or use results of sports competitions

organized or authorized by a national sports organisation without the written authorization of a national sports organisation.

- (2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a fine not exceeding two thousand currency points or to imprisonment for a period not exceeding ten years, or to both fine and imprisonment.
- (3) A person who contravenes subsection (1) shall, in addition to the fine or penalty imposed under subsection (2), pay the national sports organisation damages and compensation for the loss suffered by the national sports organisation.

57. Prohibition of betting by specified persons

- (1) A person, being-
 - (a) a match official, referee, umpire, match adjudicator or any such person whatever name called;
 - (b) a coach, trainer or any such person whatever name called;
 - (c) an athlete, footballer, participant in sports discipline or any such person whatever name called;
 - (d) the owner of a sports club;
 - (e) a member of the national sports association; or
 - (f) an employee of a national sports association or sports club;

shall not bet or advise a person on any betting activity in relation to a sports activity, event or competition organized by a national sports organisation.

- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to imprisonment for a period not exceeding ten years.

58. Manipulation of sports result or competition

- (1) A person who manipulates a sports result or course of a sports competition commits an offence and is liable on conviction to imprisonment for five years.
- (2) For purposes of subsection (1), a person shall be taken to manipulate a sports result or the course of a sports competition where that person-
 - (a) directly or indirectly, promises, offers or gives any undue advantage to another person with the aim of improperly altering the result or course of a sports competition;
 - (b) directly or indirectly, solicits or accepts any undue advantage, promise or offer, for himself, herself or for any other person, with the aim of improperly altering the result or course of a sports competition; or

- (c) predetermines a sporting occurrence or result of a sports competition;
 - (d) acts in a manner that ensures the occurrence of any improper performance, act, omission or an outcome which is the subject of an illegal bet relating to a sport or any sporting event;
 - (e) provides confidential information relating to a sport or a sporting event to any person and the person to whom information is provided, uses the information to improperly alter the result or course of a sports competition;
 - (f) receives money or any other reward or benefit individually or collectively to underperform or to withdraw a sports completion or event;
 - (g) being the umpire, match adjudicator, match referee or any other person by whatever name called, deliberately misapplies the rules of the sport or sporting event for financial reward or benefit; or
 - (h) being a curator, a member of a venue staff, ground staff or support staff or any person in charge of a turf, playing ground or playing surface, by whatever name called, receives a financial reward or benefit to prepare any turf, ground or playing surface of any sport or sporting event in a manner that alters the result or course of a sports competition.
- (3) A person who knows or has reason to believe that a person has committed or intends to commit an offence under subsection (1) shall report the matter to the police, the Commission or other authorized person.
- (4) A person who knows or has reason to believe that a person has committed or intends to commit an offence and does not report to police, Commission or other authorized person as required in subsection (3), commits an offence and is liable on conviction to imprisonment for five years or a fine not exceeding five thousand currency points or to both fine and imprisonment.
- (5) A person who reports the commission of an offence under this section shall be treated a whistleblower and shall be protected from victimization.
- (6) A person who victimizes a person who has reported an offence as required in subsection (3) commits an offence and is liable on conviction to imprisonment for five years.

59. Prohibition of Doping

- (1) A sportsperson who uses, consumes or has in his or her possession a substance or method of sport banned by the World Anti-Doping Agency commits an offence and is liable, on conviction, to imprisonment for a period not exceeding five years.
- (2) A person who –
 - (a) administers to a sportsperson a substance or a method of sport banned by the World Anti-Doping Agency;
 - (b) encourages the use of a substance or a method of sport banned by the World Anti-Doping Agency; or
 - (c) sells, displays for sell or has in his or her possession a substance or a method of sport banned by the World Anti-Doping Agency, commits an offence and is liable, on conviction, to imprisonment for a period not exceeding five years.
- (3) A sportsperson convicted of an offence under subsection (1) shall, in addition to the penalty prescribed in subsections (1) and (2) be banned from participating in amateur or professional sport for a period as may be determined by the Committee or any other government anti-doping body.
- (4) In this section, a “sportsperson” means a person participating in a sporting event or sports competition organized by a national sports organisation or regulated by an international sports governing body.

60. Prohibition of acts of violence and hooliganism

- (1) A person who, while being a spectator at a sporting event or sports competition organized by a national sports organisation, does any act-
 - (a) calculated to lead to destruction or damage to any property;
 - (b) that leads to physical injury to any person;
 - (c) that disturbs the peace and order at a sporting event or sports competition;
 - (d) with intent to disrupt a sporting event or competition or to intimidate or annoy any person or a match official, referee, umpire, match adjudicator, coach, trainer, an athlete, footballer or participant in sports discipline or any such person whatever name called-
 - (i) threatens to or injures, assaults, shoots, strikes or unlawfully restrains such a person;
 - (ii) throws or casts a projectile, a liquid or a substance upon such a person, or otherwise applies any such fluid or any matter to such a person;
 - (iii) incites any person to do an act of violence against such person;

(iv) abuses, uses obscene language or gesture or does any indecent act aimed at such a person; commits an offence and is liable, on conviction, to imprisonment for a period not exceeding ten years or to a fine not exceeding four hundred and eighty currency points or to both fine and imprisonment.

- (2) A person convicted of an offence under subsection (1) shall, in addition to the penalty prescribed in subsection (1),-
- (a) be banned from participating in or attending sports events and competitions for a period not exceeding three years; and
 - (b) make good the loss and damage suffered by any person as a result of the unlawful action.

61. Offences committed by legal persons

- (1) A legal person shall be deemed to commit an offence under this Act if the act or omission constituting the offence was committed—
- (a) by a shareholder, director, employee, manager, officer or any other principal officer or natural person in the legal person who—
 - (i) has the power to represent the legal person;
 - (ii) the authority to take decisions on behalf of the legal person; or
 - (iii) has authority to exercise control over the affairs of the legal person; or
 - (b) for the benefit of the legal person.
- (2) The liability of a legal person shall not exclude criminal proceedings against a natural person who—
- (a) participates in the commission of an offence; or
 - (b) actually, does the act or omission that constitute an offence under this Act.
- (3) Where an offence prescribed under this Act is committed by a legal person, court shall—

- (a) hold a shareholder, director, employee, manager, officer or any other principal officer in the legal person to be responsible for the actions of the legal person and therefore, liable for the offence committed and punished as provided in this Act; and
- (b) in addition to any penalty stipulated in the relevant provision-
 - (i) impose a penalty not exceeding twenty thousand currency points on each count;
 - (ii) order for the cancellation of the registration of the legal person as a corporate body; or
 - (iii) temporarily or permanently disqualify the legal person from the practice of any commercial activity.

62. Imposition of administrative penalties

- (1) The Commission, may in addition to or as an alternative to the prescribed penalty, impose administrative penalties on a person, body or entity that infringes the provisions of this Act.
- (2) The administrative penalties imposed by the Commission shall not exceed the fine imposed for breach of the relevant provision of this Act and where no fine is imposed, the administrative penalty shall not exceed five hundred currency points.

63. General Penalty

A person who contravenes a provision of this Act for which no penalty has been prescribed shall, on conviction, be liable to a fine not exceeding one hundred currency points or imprisonment for a period not exceeding one year.

PART VIII—MISCELLANEOUS

64. Absence of National Sports Organisation

- (1) Where a national sports discipline-
 - (a) has no respective national sports organisation to regulate or manage or promote it;
 - (b) has its respective national sports organisation de-registered by the commission as provided for in this Act; or

(c) has its respective national sports organisation dissolved or wound up,

the Commission shall, in consultation with the international sports governing body to which the national sports discipline is meant to be affiliated, appoint a committee to manage the affairs of the national sports organisation and undertake processes leading to the creation of a substantive national sports organisation for the national sports discipline.

(2) The Commission may, in addition to or as an alternative to subsection (1), take custody of the assets of the national sports organisation until a national sport organisation is established, incorporated or registered as required in this Act.

65. National Olympics Committee

- (1) There is established a committee to be known as the National Olympics Committee.
- (2) The National Olympics Committee shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name and to do or suffer to be done all things which may be or are suffered by a body corporate.
- (3) The National Olympics Committee shall comprise of-
 - (a) a representative of the Commission;
 - (b) a representative from each of the national sports organisation governing an Olympics sport; and
 - (c) any other person as prescribed in the constitution of the National Olympics Committee.
- (4) The Minister shall, by statutory instrument, prescribe the functions and management of the National Olympics Committee.

66. National Anti-Doping Committee

- (1) There is established a Committee to be known as the National Anti-doping Committee.
- (2) The Anti-doping Committee shall develop and implement policies, systems and procedures to ensure proper implementation of policies and programs against doping in sports.

(3) The Minister shall, by statutory instrument, prescribe the functions and management of the Anti-doping Committee.

67. International Affiliation of national sports organisation

- (1) A national sports organisation may, in accordance with this Act, affiliate with an international sports governing body responsible for the relevant sports discipline.
- (2) For the avoidance of doubt, a national sports organisation that is, before the Commencement of this Act, affiliated to an international sports governing body, shall continue to be affiliated to that international sports governing body.
- (3) For purposes of affiliating to an international sports governing body, the certificate of incorporation or registration issued to a national sports organisation shall, in addition to other requirements that may be prescribed by the Minister, by regulations, be required and submitted prior to approval of affiliation by the Commission.
- (4) The interpretation and application of this Act shall recognise the provisions of the statutes and regulations of the international sports governing body to which a national sports organisation is affiliated to.

68. Management of sports teams and athletes in international sports competitions

- (1) A national team shall only be constituted by a national sports association or a national sports federation for a recognised sports discipline.
- (2) A national sports association or a national sports federation shall be responsible for developing, selecting, summoning and managing the national team or a representative team for the respective sports discipline.
- (3) A national sports association or a national sports federation shall regulate the management of a national team and a representative team for the respective sports discipline.
- (4) Without limiting the general effect of subsection (2), a national sports association or a national sports federation shall-
 - (a) be responsible for selecting the sports national teams;
 - (b) facilitate the preparation and participation of a sports national team and sports national representatives in international sports events and competitions;

- (c) finance a sports national team and national representative teams participating in international sports competitions and events
 - (d) facilitate the preparation and participation of the sports national team representing Uganda in international sports competitions;
 - (e) mobilise, solicit and manage funds of the sports national team, including funds received from the Government to finance the expenses of the sports national team;
 - (f) manage the welfare of members of the national sports teams;
 - (g) employ and appoint coach and other technical personnel for the national sports teams; and
 - (h) coordinate Government and the Commission's involvement in matters relating to a sports national team.
- (5) A national sports association or a national sports federation shall seek the written approval of the commission to prior to-
- (a) entering or participating the sports national team or individual athletes in international sports competitions;
 - (b) hosting an international team in any competition organised by a national sports association or national sports federation; or
 - (c) hiring a non-citizen to provide technical expertise to a national sports organisation or one of its constituent clubs or teams.
- (6) The Minister shall by statutory instrument regulate the management of national teams and athletes in multi-discipline international sporting events and competitions.

69. Vesting of sports infrastructure in the Commission

- (1) All the public land allocated to sports activities, sports stadia, buildings and sports infrastructure owned by Government shall vest in the Commission.
- (2) Land titles and ownership documentations of the public land and sports infrastructure shall be transferred and issued in the names of the Commission.
- (3) The Commission shall keep, maintain, repair and manage all public sports infrastructure.

- (4) A local Government shall gazette and set aside public land to be used for promotion and development of sports and the establishment of public sports infrastructure.
- (5) The Commission shall not lease, pledge, sale or otherwise encumber the land allocated for sports activities, a sports stadium or any other sports infrastructure owned by Government without the approval of Parliament.
- (6) The Commission shall only apply the trust property and any income derived from the trust property to or for the purposes of the trust and if any land forming the whole or part of the trust property shall be sold, the proceeds of the sale shall be paid and applied in such manner as the Minister, with the advice of the Commission, shall direct.
- (7) This section shall not apply to land governed by the Nakivubo War Memorial Stadium Trust Act, Cap. 47.

70. Effect of registration on existing sports associations or federations

- (1) Upon the registration and incorporation of an existing Sports Association or Federation under this Act;
 - (a) all land, buildings, rights, funds, securities and credits possessed or owned by a national sports organisation and benefit of all contracts entered into by a national sports organisation prior to the commencement of this Act, shall vest in a national sports organisation as they were previously vested in that national sports organisation prior to the commencement of this Act.
 - (b) all rights, powers, liabilities and duties, whether arising under any written law or otherwise, which immediately before the commencement of this Act were vested in, imposed on or enforceable by or against a national sports organisation prior to the commencement of this Act, shall be vested in, imposed on or be enforceable by or against that national sports organisation as they existed prior to the commencement of this Act.

71. Report on enforcement of this act

The Commission shall annually prepare and submit to the Minister, a report on the enforcement of this Act.

72. Repeal of Cap 48

- (1) The National Council of Sports Act, Cap. 48 is repealed.
- (2) Notwithstanding the repeal of the National Council of Sports Act-
 - (a) all persons who were employed by the National Council of Sports immediately before the commencement of this Act shall be deemed to have transferred their services to the Commission.
 - (b) all property, assets, rights and interests of the National Council of Sports under the revoked Act shall vest in the Commission; and
 - (c) all obligations and liabilities subsisting against the National Council of Sports under the revoked Act shall continue to subsist against the Commission.
- (3) The employees of the National Council of Sports whose services are transferred to the Commission shall transfer to the Commission on similar terms as those enjoyed by the employees before the transfer.
- (4) Any pending court proceedings, court actions, judgments or court orders which were enforceable by or against the National Council of Sports immediately before the commencement of this Act, and are connected with the assets vested in the Commission or the functions of the Commission, shall be enforceable by or against the Commission as they would have been enforced by or against the National Council of Sports immediately before the commencement of this Act.
- (5) Subject to this Act, anything commenced under the revoked Act may be continued and completed under this Act.

73. Savings and transitional Provisions

- (1) A national sports association or a national sports federation in existence immediately before the commencement of this Act shall continue to exist as if the same had been incorporated under this Act.
- (2) A national sports association or a national sports federation existing immediately before the commencement of this Act shall, within six months from the commencement of this Act, comply with the provisions of this Act relating to incorporation and registration of national sports associations or national sports federations and shall be issued with a certificate of incorporation or registration as required by this Act.

- (3) Land, buildings, rights, funds, securities and credits possessed or owned by and the benefit of all contracts entered into by a national sports association or national sports federation prior to the commencement of this Act, shall vest in that national sports association or national sports federation as they were previously vested in that national sports association or national sports federation prior to the commencement of this Act.
- (4) All rights, powers, liabilities and duties, whether arising under any written law or otherwise, which immediately before the commencement of this Act were vested in, imposed on or enforceable by or against a national sports association or national sports federation prior to the commencement of this Act, shall be vested in, imposed on or be enforceable by or against that national sports association or national sports federation as they existed prior to the commencement of this Act.
- (5) A national sports association or federation which fails to fulfill the requirements for registration or incorporation of national sports organisations within the time prescribed in subsection (2) shall be deemed to have ceased to exist as a national sports organisation except that where –
- (a) an application for registration has been made and has not been rejected; or
 - (b) an appeal has been lawfully made and remains undetermined,
- the national sports association or federation shall continue to exist until the Commission or the Tribunal determines the status of the applicant.
- (6) Where a national sports association or federation ceases to exist under subsection (1), the Commission shall by notice in the gazette inform the general public of the cessation of existence of the national sports association or federation.
- (7) A person interested in incorporating or registering national sports association or federation shall comply with the provisions of this Act relating to registration and incorporation of national sports associations or federations.

74. **Regulations**

The Minister may, after consultation with the Commission, by statutory instrument, make regulations for better carrying into effect the purposes and provisions of this Act and, in particular, for the following matters—

- (a) the establishment, incorporation and registration of national sports associations and federations;

- (b) the functions of national sports associations and federations;
- (c) the establishment and composition of national committees, including subcommittees, other than committees of national associations;
- (d) the management and control of the Fund, the National Olympics Committee and the National Anti-doping Committee; and
- (e) the operation and procedures of the Tribunal.

75. Amendment of Schedules

The Minister may, by statutory instrument and with the approval of Cabinet, amend the Schedules to this Act.

SCHEDULE 1

Section 2

Currency Point

A currency point is equivalent to Twenty Thousand Shillings.

SCHEDULE 2

Section 19

NATIONAL SPORTS DISCIPLINES

- 1 American Football
- 2 Archery
- 3 Athletics
- 4 Badminton
- 5 Baseball and Softball
- 6 Basketball
- 7 Body Building and Fitness
- 8 Boxing
- 9 Canoe Kayak
- 10 Chess
- 11 Cricket
- 12 Cycling
- 13 Darts
- 14 Deaf Sports
- 15 Dragon Boat
- 16 Draughts
- 17 Fencing
- 18 Floorball
- 19 Football
- 20 Golf
- 21 Gymnastics
- 22 Handball
- 23 Hockey
- 24 Judo
- 25 Kabadi
- 26 Kick Boxing
- 27 Lacrosse
- 28 Ludo
- 29 Motor Sports Associations
- 30 Netball
- 31 Paralympic
- 32 Pool
- 33 Roll Ball
- 34 Rowing
- 35 Rugby
- 36 Scrabble

- 37 Skating
- 38 Sports Climbing
- 39 Squash Rackets
- 40 Swimming
- 41 Table Tennis
- 42 Taekwondo
- 43 Tennis
- 44 Ultimate Frisbee
- 45 University Sports
- 46 Volleyball
- 47 VX
- 48 Weightlifting
- 49 Woodball
- 50 Wrestling
- 51 Zurkhaneh Sports.