

BILLS SUPPLEMENT

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Bill No. 75 *The National Sports (Amendment) Bill* **2024**

THE NATIONAL SPORTS (AMENDMENT) BILL, 2024

MEMORANDUM

1. Object

The object of the National Sports (Amendment) Bill, 2024 is to align the provisions of the National Sports Act, Cap. 151 relating to anti-doping with the World Anti-Doping Code and to provide for related matters.

2. Defects in the existing law

The National Sports (Amendment) Bill, 2024 is designed to address the gaps in the National Sports Act, Cap. 151 relating to anti-doping. Uganda ratified the UNESCO International Convention against Doping in Sport on 30th May, 2007, however, the provisions in the National Sports Act relating to anti-doping are not aligned with the World Anti-Doping Code.

Uganda will be banned from participating in international sports competitions if the National Sports Act is not aligned with the World Anti-Doping Code.

3. Remedies

The National Sports (Amendment) Bill, 2024 therefore seeks to align the National Sports Act, Cap. 151 with the World Anti-Doping Code.

In this regard, the provisions in the National Sports Act, Cap. 151 relating to anti-doping will comply with the requirements of the World Anti-Doping Code and the UNESCO International Convention against Doping.

4. Provisions of the Bill

The National Sports (Amendment) Bill, 2024 consists of four clauses.

Clause 1

Clause 1 amends the definition of doping to include any violation of Article 2 of the World Anti-Doping Code.

Clause 2

Clause 2 deals with the independence of the National Anti-Doping Organisation.

Clause 3

Clause 3 deals with the publication of international standards on anti-doping in a timely manner.

Clause 4

Clause 4 prohibits an athlete or any person from using, administering, attempting to administer, trafficking or attempting to traffick a prohibited substance or prohibited method of sport banned by the World Anti-Doping Agency In – Competition or Out-of-Competition.

HON. JANET KATAHA MUSEVENI,
Minister of Education and Sports

THE NATIONAL SPORTS (AMENDMENT) BILL, 2024

ARRANGEMENT OF CLAUSES

Clauses

1. Amendment of the National Sports Act, Cap. 151
3. Amendment of section 53 of principal Act
4. Amendment of section 59 of principal Act
2. Amendment of section 52 of principal Act

A Bill for an Act

ENTITLED

THE NATIONAL SPORTS (AMENDMENT) BILL, 2024

An Act to amend the National Sports Act, Cap. 152 to align the provisions of the Act on Anti-Doping with the World Anti-Doping Code and to provide for related matters.

BE IT ENACTED by Parliament as follows:

1. Amendment of the National Sports Act, Cap. 151

The National Sports Act, Cap. 151 in this Act referred to as the “principal Act” is amended in section 2 by inserting immediately after the word “performance” in the definition of “doping” the following—

“or any violation of Article 3 of the World Anti-Doping Code”.

2. Amendment of section 52 of principal Act

The principal Act is amended in section 52 as follows—

(a) by substituting for subsection (2) the following—

“(2) Members of the National Anti-Doping Organisation, including staff and Directors, shall be appointed based on the terms and conditions outlined in the internal regulations adopted by the Minister.”

(b) by substituting for subsection (4) the following—

“(4) A member of the National Anti-Doping Organisation, including staff and Directors, shall be paid such remuneration as specified in the internal regulations.”

(c) by inserting immediately after section 52 the following—

“52A. Independence of National Anti-Doping Organisation
Subject to this Act, the National Anti-Doping Organisation shall be independent and shall not, in the performance of its duties and the recruitment and remuneration of its staff, be subject to the direction or control of any person or authority.”

3. Amendment of section 53 of principal Act

The principal Act is amended in section 53 as follows—

(a) by substituting for paragraph (iii) of subsection (1) (a) the following—

“(iii) publish in the Gazette and in media of wide circulation, the international standards on anti-doping in a timely manner following the adoption or amendment of the standards by the World Anti-Doping Agency;” and

(b) by substituting for the words “performance enhancing” in subsection (1) (c) the word “prohibited”.

4. Amendment of section 59 of principal Act

The principal Act is amended in section 59 as follows—

(a) by substituting for subsection (1) the following—

“(1) An athlete shall not—

- (a) use or have in his or her possession a prohibited substance;
- (b) use or have in his or her possession a prohibited method; or
- (c) contravene any rule on anti-doping under Article 2 of the World Anti-Doping Code.”;
- (b) by substituting for subsection (2) the following—

“(2) An athlete who contravenes subsection (1), commits an offence and is subject to the provisions of the World Anti-Doping Code.”; and

- (c) by substituting for subsection (3) the following—

“(3) Any athlete or person who –

- (a) contrary to section 2.8 of the World Anti-Doping Code administers or attempts to administer to any athlete In-Competition any prohibited substance or prohibited method that is prohibited In-Competition, or administers or attempts to administer to any athlete Out-of-Competition any prohibited substance or prohibited method that is prohibited Out-of-Competition;
- (b) contrary to section 2.7 of the World Anti-Doping Code traffics or attempts to traffic in any prohibited substance or prohibited method; or
- (c) contravenes any rule on anti-doping under Article 2 of the World Anti-Doping Code,
commits an offence and is subject to the provisions of the World Anti-Doping Code.”

