

**BILLS
SUPPLEMENT No. 13**

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Bill No. 23

Judicature (Amendment) Bill

THE JUDICATURE (AMENDMENT) BILL, 2006

MEMORANDUM.

1. The object of this Bill is to prescribe the number of justices on the Supreme Court and on the Court of Appeal in accordance with articles 130(b) and 134(1) (b) of the Constitution.
2. In relation to the composition of the Supreme Court, article 130 states as follows—

“Supreme Court of Uganda

130. The Supreme Court shall consist of—

- (a) the Chief Justice; and
- (b) such numbers of justices of the Supreme Court not being less than six, as Parliament may by law prescribe.”

3. In relation to the composition of the Court of Appeal, article 134(1) (b) states as follows—

“Court of Appeal of Uganda

134. (1) The Court of Appeal of Uganda shall consist of—

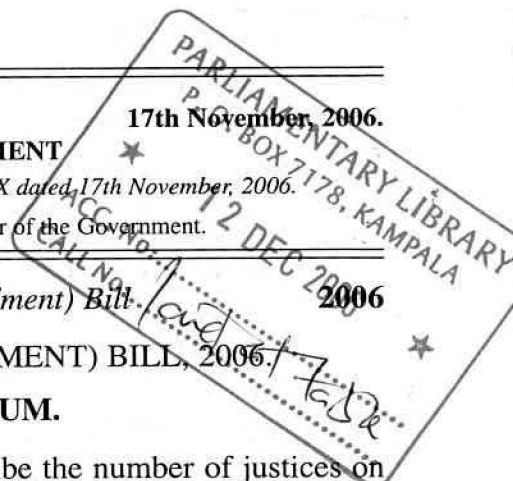
- (a) the Deputy Chief Justice; and
- (b) such number of Justices of Appeal not being less than seven as Parliament may by law prescribe.”

4. Section 3 of the Judicature Act gives effect to article 134 (1)(b) and currently provides as follows—

“3. Supreme Court of Uganda

The Supreme Court of Uganda shall consist of—

- (a) the Chief Justice; and



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- (b) six justices of the Supreme Court or such higher number of justices of the Supreme Court as Parliament may by resolution prescribe.”

The Bill seeks to replace section 3 with the following section—

“3. Supreme Court of Uganda

The Supreme Court shall consist of—

- (a) the Chief Justice; and
(b) ten Justices of the Supreme court.”

Similarly, section 9 of the Judicature Act which gives effect to article 134(1) provides as follows—

“9. Court of Appeal of Uganda

The Court of Appeal of Uganda shall consist of—

- (a) the Deputy Chief Justice; and
(b) seven justices of the Court of Appeal or such higher number of justices of the Court of Appeal as Parliament may by resolution prescribe.”

The Bill proposes to replace section 9 with the following new 9—

“9. Court of Appeal of Uganda

The Court of Appeal of Uganda shall consist of—

- (a) the Deputy Chief Justice; and
(b) eleven Justices of Appeal.”

This will have the effect of prescribing the additional number of Justices required under article 130(b) 134(1) (b) by law made by Parliament instead of by Parliamentary resolution as currently provided by sections 3 and 9 of the Judicature Act, Cap.13.

HON. (DR.) E. KHIDDU-MAKUBUYA (MP),
*Attorney General and
Minister of Justice and Constitutional Affairs.*

A Bill for an Act

ENTITLED

THE JUDICATURE (AMENDMENT) ACT, 2006

An Act to amend the Judicature Act to prescribe the number of Justices on the Supreme Court and on the Court of Appeal in accordance with articles 130 and 134 of the Constitution.

BE IT ENACTED by Parliament as follows—

1. Replacement of section 3 of the Judicature Act

For section 3 of the Judicature Act, there is substituted the following—

“3. Supreme Court of Uganda

The Supreme Court shall consist of—

- (a) the Chief Justice; and
- (b) ten Justices of the Supreme Court.”

2. Replacement of section 9 of the Judicature Act

For section 9 of the Judicature Act, there is substituted the following—

“9. Court of Appeal of Uganda

The Court of Appeal of Uganda shall consist of—

- (a) the Deputy Chief Justice; and
- (b) eleven Justices of Appeal.”

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