

BILLS SUPPLEMENT

Printed by UPPC, Entebbe, by Order of the Government

Bill No. 24 *Estates of Missing Persons (Management)* **2019**
(Amendment), Bill

THE ESTATES OF MISSING PERSONS (MANAGEMENT)
(AMENDMENT) BILL, 2019

MEMORANDUM

The objective of the Estates of Missing Persons (Management) (Amendment) Bill, 2019 is to—

- (a) align the age of a child in the Act to the age in the Constitution of the Republic of Uganda;
- (b) provide for the rights of children with disabilities; and
- (c) revise the monetary jurisdiction of the Magistrates courts to conform to the Magistrates Courts Act, Cap 16.

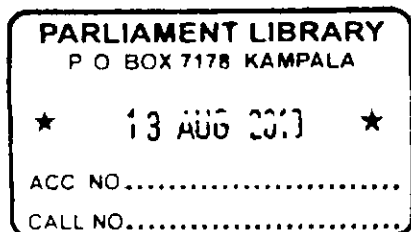
Key clauses of the Estates of Missing Persons (Management) (Amendment) Bill, 2019

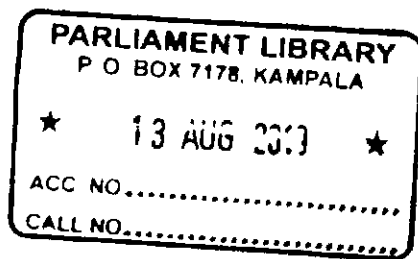
Clause 2 amends section 1 to include, in the category of the dependant relatives of a missing person, children who are above eighteen years of age but below twenty five years of age, where they are still in school and are not married and children with disabilities and amends the age of a minor from twenty-one years to eighteen years of age. The clause gives the courts the discretion to determine whether a person who is otherwise qualified to administer an estate of a missing person, is fit

and proper to do so and allows the court to refuse to grant an order for the management of an estate of a missing person, where the applicant is not suitable.

Clause 3 amends the Act by increasing the monetary jurisdiction of the Magistrate Grade I courts from a maximum value of fifty thousand shillings to a maximum value of twenty million shillings and increases the monetary jurisdiction of the Chief Magistrates Court from a maximum value of one hundred thousand shillings to a maximum value of fifty million shillings.

WILLIAM BYARUHANGA, SC
Attorney General.





A Bill for an Act

ENTITLED

**THE ESTATES OF MISSING PERSONS (MANAGEMENT)
(AMENDMENT) ACT, 2019**

An Act to amend the Estates of Missing Persons (Management) Act, Cap. 159, to align the age of children in the Act to the age in the Constitution of the Republic of Uganda, to provide for the rights of children with disabilities and to revise the monetary jurisdiction of the Magistrates courts to conform to the Magistrates Courts Act, Cap. 16.

BE IT ENACTED by Parliament as follows:

1. Short title and commencement

(1) This Act may be cited as the Estates of Missing Persons (Management) (Amendment), Act, 2019.

(2) This Act shall come into force on the date of publication in the Gazette

2. Amendment of section 1 of the Estates of Missing Persons (Management) Act

The Estates of Missing Persons (Management) Act in this Act referred to as the principal Act is amended in section 1 by—

- (a) substituting for the words, “or daughter of or above eighteen years of age” appearing in subsection (1) (b) (i), the words, “a son or daughter above eighteen years of age but below twenty five years of age, where he or she is still in school and is not married and a son or daughter with a disability.”;
- (b) substituting the words “twenty-one years” appearing in subsection (2) with the words “eighteen years”;
- (c) inserting immediately after subsection (2) the following subsection —

“(3) Notwithstanding subsection (2), courts shall have the discretion to determine whether a person who is otherwise qualified to administer an estate under the subsection, is fit and proper to do so and the court may refuse to grant an order for the management of an estate of a missing person, where an applicant is not suitable.”

3. Amendment of section 3 of principal Act

The principal Act is amended in section 3 by—

- (a) repealing subsection (1) (a);
- (b) substituting for the words “exceeds ten thousand shillings but does not exceed fifty thousand shillings” appearing in subsection (1) (b), the words “does not exceed twenty million shillings”;

- (c) substituting for the words “exceeds fifty thousand shillings but does not exceed one hundred thousand shillings” appearing in subsection (1) (c), the words “does not exceed fifty million shillings”; and
- (d) repealing subsection (1) (d).

