

**BILLS SUPPLEMENT**

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**Bill No. 25**

*Probate (Resealing) (Amendment) Bill*

**2019**

**THE PROBATE RESEALING (AMENDMENT) BILL, 2019**

**MEMORANDUM**

The objective of the Probate Resealing (Amendment) Bill is to—

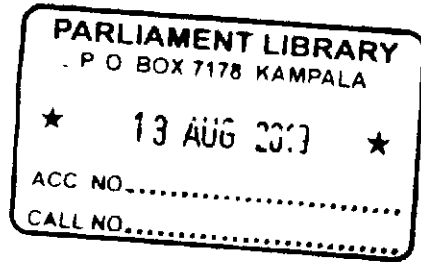
- (a) repeal any reference to the Commonwealth and British courts in the Act; and
- (b) align the Act to the Constitution of the Republic of Uganda.

**Key clauses of the Probate Resealing (Amendment) Bill, 2019**

**Clauses 2 and 3** repeal the reference to the Commonwealth and British court.

**Clause 4** amends section 3 to provide that probate or letters of administration granted by a court of a country other than Uganda shall only be resealed in a court in Uganda, where the relevant laws of that country would not be deemed to be contrary to the Constitution of the Republic of Uganda.

WILLIAM BYARUHANGA, SC  
*Attorney General*



A BILL for an Act

Entitled

**THE PROBATE (RESEALING) (AMENDMENT) ACT, 2019**

An Act to amend the Probate (Resealing) Act, Cap 160, to repeal any reference to the Commonwealth and British courts and to align the Act to the Constitution of the Republic of Uganda.

BE IT ENACTED by Parliament as follows:

**1. Short title and commencement**

(1) This Act may be cited as the Probate (Resealing) (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 Probate (Resealing) Act**

The Probate (Resealing) Act in this Act referred to as the principal Act is amended in section 1 by repealing paragraphs (a) and (c).

**3. Amendment of section 2 of the principal Act**

Section 2 of the principal Act is amended by substituting the words “of probate in any part of the Commonwealth in any foreign country, or a British court in a foreign country, has either before or after the passing of this Act granted” with the words, “of any country other than Uganda, grants”.

**4. Amendment of section 3 of principal Act**

Section 3 of the principal Act is amended by numbering the provision as subsection (1) and inserting a new subsection (2) as follows—

“(2) Probate or letters of administration granted by a court of a country other than Uganda shall only be resealed in a court in Uganda where the relevant laws of that country would not be deemed to be contrary to the Constitution of the Republic of Uganda.

