

Legal Notice No. 9 of 2009.

**THE HIGH COURT (ANTI CORRUPTION DIVISION) PRACTICE
DIRECTIONS, 2009.**

ARRANGEMENT OF PARAGRAPHS

1. Title.
2. Interpretation.
3. Anti Corruption Division of the High Court.
4. Objective.
5. Composition.
6. Administrative set up.
7. Location.
8. Jurisdiction.
9. Prosecution of criminal cases in the Division by the Director of Public Prosecutions, the Inspector General of Government or any other person.
10. Territorial jurisdiction of magistrates.
11. Rules of procedure.
12. Registry.
13. Court User's Committee.

The High Court (Anti Corruption Division) Practice Directions, 2009.

IN EXERCISE of the powers conferred on the Chief Justice by Clause 1(a) of Article 133 of the Constitution, these Directions are issued this 18th day of August, 2009.

1. Title.

These Directions may be cited as the High Court (Anti Corruption Division) Practice Directions, 2009.

2. Interpretation.

In these practice directions, unless the context requires otherwise -

“Court” means the High Court or a court presided over by a designated magistrate;

“corruption” has the same meaning as defined in the Anti Corruption Act;

“designated magistrate” means a Chief Magistrate or Magistrate Grade I attached to the Anti Corruption Division;

“Division” means the Anti Corruption Division of the High Court as established in paragraph 3 of the Legal Notice;

“Judge” means a judge of the Division;

“Magisterial Area” has the same meaning as it has in the Magistrates Courts Act;

“Registrar” means a registrar of the Division.

3. Anti Corruption Division of the High Court.

There is established in the High Court a division to be known as the Anti Corruption Division.

4. Objective.

The Division shall operate as an orderly, expeditious, efficient and cost effective forum for adjudication of corruption and corruption related cases.

5. Composition.

(1) The Division shall initially be composed of two Judges and a Registrar.

(2) The Head of the Division shall supervise such number of magistrates, as may be designated by the Chief Justice to assist in the work of the Division.

6. Administrative set up.

- (1) The Principal Judge shall in consultation with the Chief Justice designate the Head, Deputy Head, Judges and the Registrar of the Division.
- (2) The Head of the Division, shall be responsible for the supervision and administration of the Division.
- (3) The Registrar shall be responsible for the day-to-day running of the Division and in that capacity shall assist the Head and Deputy Head of the Division.

7. Location.

The Division shall initially be located in Kampala, but may operate in such other places in Uganda as the Principal Judge may determine.

8. Jurisdiction.

- (1) The Division shall have jurisdiction to try any offence under the Anti Corruption Act, Penal Code Act, Leadership Code Act or any other law related to corruption.
- (2) Where an accused person is charged with an offence (principal offence) under sub paragraph (1) and is also charged with any other offence related to that offence, the Judge or designated Magistrate shall be competent to try the related offence.
- (3) The Division may, subject to any law relating to the transfer of criminal cases, take on any case falling under its jurisdiction from a magistrate's Court to the Division.

9. Prosecution of criminal cases in the Division by the Director of Public Prosecutions, the Inspector General of Government or any other person.

Subject to section 42 of the Magistrates Courts Act and section 26 of the Trial on Indictments Act, prosecution of offences in this Division shall be initiated by the Director of Public Prosecutions, the Inspector General of Government or any other person.

10. Territorial jurisdiction of magistrates

- (1) Designated magistrates attached to the Division shall have territorial jurisdiction to try offences specified in paragraph 8 committed anywhere within the geographical boundaries of Uganda.
- (2) In accordance with section 6 of the Magistrates' Courts Act, the Chief Justice may assign magistrates to work in the Division without any limitation to working in any or part of a Magisterial Area.

11. Rules of procedure.

- (1) The Division shall apply the rules of procedure applicable to criminal trials.
- (2) Subject to any law for the time being in force, the Division may from time to time develop case management rules for the orderly and timely disposal of cases before it.

12. Registry.

There shall be a registry of the Division located in Kampala and in such other places as the Principal Judge may determine.

13. Court User's Committee.

- (1) The Division shall have a Court Users Committee.
- (2) The Court Users' Committee shall comprise -
 - (a) the Head of the Anti Corruption Division who shall be the Chair;
 - (b) the Deputy Head of the Anti Corruption Division;
 - (c) the Attorney General or his or her representative;
 - (d) the Inspector General of Government or his or her representative;
 - (e) the Director of Public Prosecutions or his or her representative;
 - (f) the Director of Criminal Investigations Department or his or her representative;
 - (g) the President of the Uganda Law Society or his or her representative;
 - (h) the Executive Director of Public Procurement and Disposal of Public Assets or his or her representative;
 - (i) the Auditor General or his or her representative;
 - (j) not more than five members of the public appointed by the Principal Judge at least two of whom shall be women;
 - (k) the Director Legal, Ministry of Ethics and Integrity;
 - (l) a representative of the magistrates in the Division; and

- (m) the Registrar.
- (3) The Committee may co-opt any person to be a member of the committee.
 - (4) A person co-opted under sub paragraph 3 shall have no right to vote at a meeting of the Court Users' Committee.
 - (5) The Registrar of the Court, shall be the minute secretary at meetings of the Court Users' Committee.
 - (6) The Court Users' Committee shall be an advisory body to the Division.
 - (7) The Court Users' Committee shall meet at least once every quarter.
 - (8) The Court Users' Committee shall regulate its own procedure.

Cross references

1. Anti Corruption Act.
2. Leadership Code Act, Cap. 168
3. Magistrates Courts Act, Cap. 16.
4. Penal Code Act, Cap. 120.
5. Trial on Indictments Act, Cap. 23.

B. J. ODOKI,
Chief Justice.