

STATUTORY INSTRUMENTS SUPPLEMENT
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S T A T U T O R Y I N S T R U M E N T S

2011 No. 33.

THE NATIONAL YOUTH COUNCIL (COUNCILS AND COMMITTEES)
(ELECTIONS) REGULATIONS, 2011.

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STATUTORY INSTRUMENTS

2011 No. 33.

The National Youth Council (Councils and Committees) (Elections) Regulations, 2011

(Made under section 27 of the National Youth Council Act, Cap.319)

IN EXERCISE of the powers conferred on the Minister by section 27 of the National Youth Council Act, Cap.319 and in consultation with the Council these Regulations are made this 27th day of October, 2010.

PART I—PRELIMINARY.

1. Title.

These Regulations may be cited as the National Youth Council (Councils and Committees) (Elections) Regulations, 2011.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the National Youth Council Act;

“youth” means a person between the age of eighteen and thirty years;

“youth council” includes an electoral college assembled for carrying out an election under these Regulations;

“Minister” means the minister responsible for youth.

PART II—CONDUCT OF ELECTIONS.

3. Electoral Commission to conduct elections.

(1) Elections of the national youth councils and committees under the Act shall be conducted by the Electoral Commission.

(2) All elections under sub regulation (1) shall be by secret ballot using a single ballot box.

4. Appointment of election officials.

All returning officers and presiding officers shall be appointed by the Electoral Commission.

5. Youth council to have one polling station.

There shall be one polling station for each youth council.

6. Eligibility to stand for election.

Except where they are election officials, and subject to any other relevant law in force, all youth are eligible to stand for elections.

7. Electoral Commission to appoint nomination day.

(1) The Electoral Commission shall publish in the Gazette and the local media a nomination day and the time when candidates who wish to stand for election at youth councils and committees shall be nominated.

(2) The nomination of candidates for election under these Regulations shall be made in writing supported by not less than two persons qualified to stand for election to the relevant youth council or committee.

8. Sponsorship of a candidate by a political organisation or political party.

Nomination of a candidate may be made by a political organisation or political party sponsoring a candidate or by a candidate standing for election as an independent candidate without being sponsored by a political party or political organisation.

9. Electoral Commission to designate campaign period.

The Electoral Commission shall designate a period of at least three days after nomination, for candidates nominated under regulation 7 to campaign for the election.

10. Electoral Commission to appoint election day.

The Electoral Commission shall by notice in the Gazette and the local media, appoint a day for elections at the village, parish or ward, sub county, district and national level.

11. Powers of Electoral Commission.

(1) The Electoral Commission may give guidelines as may be necessary for ensuring that the elections are conducted according to the Act and these Regulations.

(2) The Electoral Commission may apply to elections under these Regulations the provisions of any enactment relating to elections.

12. Person to second one candidate.

A person shall not second more than one candidate for the same office.

13. Representatives of youth in Parliament.

The representatives of the youth to Parliament shall be elected in the manner prescribed by regulations made under section 100 of the Parliamentary Elections Act 2005.

14. Candidate to reside in the area.

A candidate shall not be nominated for election to a youth council or committee unless he or she ordinarily resides in that area.

15. Presiding officer to declare nominated candidate.

Where in a youth council or committee election a candidate is nominated in the manner provided for under these Regulations and the presiding officer is satisfied that all the provisions of these Regulations have been complied with, the presiding officer shall declare the candidate nominated.

16. Candidate may withdraw candidature.

A candidate may, at any time before the commencement of an election, withdraw his or her candidature by informing the Electoral Commission through presiding officer in writing.

17. Presiding officer to declare elected candidate.

Where at the close of the nomination only one candidate stands nominated for an office, the presiding officer shall declare the candidate elected unopposed.

18. Presiding officer to order fresh elections.

Where in an election to a youth council or committee no candidate is nominated in accordance with these Regulations, the presiding officer shall order a fresh election to be held by the youth council or committee on the following day between 9.00 a.m. and 6.00 p.m. and if no candidate is nominated, he or she shall record that fact.

19. Commencement of elections.

The presiding officer shall commence elections only after at least five persons entitled to vote are present.

20. Elections to Youth Committee be conducted at the same time.

(1) Elections for each office of a youth committee shall take place at the same time for the following offices—

- (a) a chairperson;
- (b) a vice chairperson;
- (c) a general secretary;
- (d) a publicity secretary;
- (e) a secretary for women youth who shall be a female;
- (f) a secretary for student affairs who shall be a student;
- (g) a secretary for labour affairs;
- (h) a secretary for sports and culture; and
- (i) a secretary for finance.

(2) In the case of the national youth executive committee there shall be included the offices of—

- (a) secretary for external relations; and
- (b) secretary for legal affairs.

21. Time for holding elections.

An election to a youth council or committee shall be conducted between the hours of 9.00 a.m and 6.00 p.m.

22. Presiding officer to keep order.

(1) The presiding officer or any person acting in his or her place shall keep order at the polling station.

(2) Where a person misconducts himself or herself at a polling station or fails to obey the lawful orders of the presiding officer, that person may, by order of the presiding officer be removed from the polling station immediately by any person authorised by the presiding officer or by the returning officer.

(3) A person removed from the polling station under this regulation shall not be allowed to enter the polling station, unless permitted by the presiding officer.

23. Action to be taken by presiding officer if elections interrupted.

(1) Where the proceedings at a polling station are interrupted or obstructed by a riot, violence or any other unforeseen impediment, the presiding officer shall adjourn the proceedings until the following day and shall notify the returning officer.

(2) Where the poll is adjourned at any polling station, the hours of polling on the day to which it is adjourned shall be the same as on the original day.

24. Presiding officer to appoint enumerators.

The presiding officer in charge of a youth council election shall appoint as many persons other than the persons entitled to vote as he or she shall consider necessary to assist in counting the votes, and those persons shall be known as enumerators.

25. Votes to be counted at each polling station.

(1) Votes cast at each polling station shall be counted at the polling station immediately after the presiding officer declares the polling closed and the votes cast in favour of each candidate shall be recorded separately.

(2) Subject to regulation 23, votes shall not stay uncounted overnight and where required, the presiding officer shall provide light for the purposes of counting votes.

26. Declaration of winning candidate.

(1) The Presiding Officer shall immediately after counting the votes, or after any recount, declare elected the candidate who has obtained the largest number of votes.

(2) Notwithstanding sub regulation (1), the presiding officer may, where he or she receives a complaint from any person entitled to vote at that election and is satisfied that the complaint is not frivolous, order a recount of the votes before making the declaration.

27. Presiding officer to fill in form.

Upon completion of the counting of votes, and after the results have been declared by the presiding officer, the presiding officer shall fill in Forms Y.E.1, Y.E.2 and Y.E.3 set out in the Schedule and submit the forms to the relevant offices as indicated on the forms within two days.

28. Youth councils and committees to be set up only in existing units.

(1) For the avoidance of doubt, youth councils and committees shall be established in accordance with the existing administrative units.

(2) In the case of elections for student representatives to the National Youth Council, the procedure to be followed shall be determined by the rules and procedures provided for in the constitution of the Uganda National Students Association.

(3) Sub regulation (2) shall apply in the case of elections of student representatives to the national youth delegates conference.

(4) The youth representative of non governmental organizations to the National Youth Council shall be selected by the National Executive Committee.

PART III—MISCELLANEOUS.

29. Transitional provision.

Every incoming youth council or committee shall, before taking over, ensure that there is a formal handing-over from the outgoing youth council or committee, within fourteen days after the election of the new council or committee.

30. Offences and penalties.

A person who—

- (a) forges, fraudulently defaces or fraudulently destroys any election return, record or an official mark on an election return or record;
- (b) bribes or attempts to bribe an elector in a youth council with the intention of soliciting for his or her vote;
- (c) engages in any sectarian practice with the intention of soliciting for votes;
- (d) corruptly offers to an elector any food, drink, refreshment or provisions for the purpose of corruptly influencing the elector to vote in any manner at a youth council election;
- (e) makes use of or threatens to use force, violence or restraint, or inflicts or threatens to inflict physical or psychological injury or harm against any person for the purpose of influencing the person to vote in any manner at any youth council;
- (f) gives or lends or promises to procure any money, gift, loan, benefit or valuable consideration to an elector, or to any person on behalf of an elector in order to induce any elector to vote or refrain from voting;
- (g) accepts any money, gift, loan, benefit or valuable consideration from a candidate for purposes of voting for that candidate or influencing other candidates to vote for that candidate,

commits an offence and is liable on conviction to a fine not exceeding seventy two currency points or imprisonment for a term not exceeding three years or both and, in addition to the fine or imprisonment, to be disqualified for five years from the date of his or her conviction from holding an office on a youth committee or being a member of a youth council, other than a cell or village youth council.

31. Revocation of SI 319 - 1.

The National Youth Council (Councils and Committees) (Elections) Regulations are revoked.

SCHEDULE

Reg.27

FORMS

Form Y.E. 1.

Republic of Uganda

Polling Returns.

The National Youth Council Act, Cap. 319.

The National Youth Council (Councils and Committees) (Elections)

Regulations, 2011.

(Fill in triplicate)

District _____
Subcounty/Division _____
Parish/Ward _____
Village _____
Office contested _____

Candidates' names

No. of votes

Candidates' names	No. of votes
_____	_____
_____	_____
_____	_____

Name of presiding officer _____

Designation _____

Date _____ Signature _____

Warning—Anyone who gives false information shall be liable to prosecution.

Distribution—

Parish

Original—Subcounty headquarters.

Duplicate—Electoral commission.

Triplicate—Parish headquarters.

District

Original—Electoral Commission.

Duplicate—National Youth Council.

Triplicate—Ministry Responsible
for Youth.

Subcounty

Original—District headquarters.

Duplicate—Electoral Commission.

Triplicate—Subcounty.

National Youth Council

Original—Ministry responsible for
Youth.

Duplicate—National Youth Council.

Triplicate—Subcounty.

Form Y.E. 2.

Republic of Uganda

Declaration of Election Results.

The National Youth Council Act, Cap. 319.

The National Youth Council (Councils and Committees) (Elections)
Regulations, 2011.*(Fill in triplicate)*

District _____

Subcounty _____

Parish _____

Village _____

Office contested: YC I, II, III, V

Offices	Names and sex of elected candidates
1. Chairperson	_____
2. Vice chairperson	_____
3. General secretary	_____
4. Publicity secretary	_____
5. Secretary for women youth	_____
6. Secretary for student affairs	_____
7. Secretary for labour affairs	_____
8. Secretary for sports and culture	_____
9. Secretary for finance	_____
10. Secretary for external relations	_____
11. Secretary for legal affairs	_____

I declare that the above-named candidates have been duly elected in accordance with the established rules and regulations governing youth councils and committees elections.

Names and signatures of candidates' agents present.	Names and signatures of candidates' agents present.
1. _____	5. _____
2. _____	6. _____
3. _____	7. _____
4. _____	8. _____

Date

Designation

Name and Signature of Presiding Officer.

Note—Distribution at all levels

Distribution—

Original—National Youth Council.

Duplicate—Ministry responsible for youth.

Triplicate—Electoral Commission.

Delete as appropriate.

Form Y.E. 3.

Declaration of National Youth Council/Committee Election Results.

The National Youth Council Act, Cap. 319.

The National Youth Council (Councils and Committees) (Elections)
Regulations, 2011.

(Fill in triplicate)

District _____

Subcounty _____

Parish _____

Village _____

Office contested:

Offices	Names and sex of elected candidates
1. Chairperson	_____
2. Vice chairperson	_____
3. General secretary	_____
4. Publicity secretary	_____
5. Secretary for women youth	_____
6. Secretary for student affairs	_____
7. Secretary for labour affairs	_____
8. Secretary for sports and culture	_____
9. Secretary for finance	_____
10. Secretary for external relations	_____
11. Secretary for legal affairs	_____

I declare that the above-named candidates have been duly elected in accordance with the established rules and regulations governing youth councils and committees elections.

Names and signatures of candidates' agents present.	Names and signatures of candidates' agents present.
1.	5.
2.	6.
3.	7.
4.	8.

Date

Designation.

Name and Signature of Presiding Officer.

Delete as appropriate.

Note—Distribution at all levels

Distribution—

Original—National Youth Council.

Duplicate—Ministry responsible for youth.

Triplicate—Electoral Commission.

GABRIEL OPIO,
Minister of Gender, Labour and Social Development.