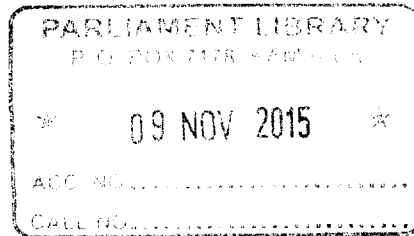




THE REPUBLIC OF UGANDA

**THE UGANDA WILDLIFE CONSERVATION EDUCATION
CENTRE ACT, 2015.**





THE REPUBLIC OF UGANDA

I SIGNIFY my assent to the bill.

Y. Museveni
.....
President

Date of assent:..... 4/11/2015.....

Act *Uganda Wildlife Conservation Education Centre Act* **2015**

THE UGANDA WILDLIFE CONSERVATION EDUCATION CENTRE
ACT, 2015

ARRANGEMENT OF SECTION

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Section

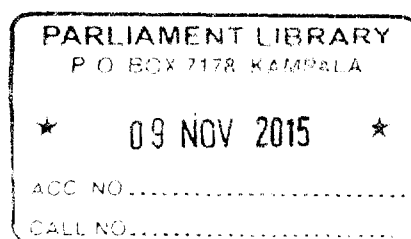
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THE REPUBLIC OF UGANDA

**THE UGANDA WILDLIFE CONSERVATION EDUCATION
CENTRE ACT, 2015**

An Act to establish the Uganda Wildlife Conservation Education Centre; to provide for the board of trustees of the Centre; to provide for promotion, conservation and sustainable development of wildlife resources through wildlife conservation education and wildlife breeding; and to provide for related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Commencement.

This Act shall come into force on a date appointed by the Minister by statutory instrument.

2. Objects of the Act.

The objects of this Act are—

- (a) to establish the Uganda Wildlife Conservation Education Centre;
- (b) to provide for a Board of Directors of the Uganda Wildlife Conservation Education Centre;

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- (c) to facilitate the promotion and conservation of Uganda's unique wildlife resources through conservation education;
- (d) to provide for showcasing Uganda's unique wildlife heritage and ecosystems through the Centre;
- (e) to provide for the establishment and management of a wildlife bio-data bank at the Centre;
- (f) to provide for the establishment and maintenance of hospitality and recreation facilities and services support for the centre.

3. Interpretation.

In this Act, unless the context otherwise requires—

- “Board” means the board of trustees established by section 7;
- “Centre” means the Uganda Wildlife Conservation Education Centre established by section 4;
- “conservation” means the wise and sustainable use of natural resources for the benefit of mankind or to preserve species diversity;
- “currency point” has the value assigned to it in Schedule 1;
- “Executive Director” means the Executive Director of the Centre appointed under section 14;
- “extension services” means educational services, including outreach programmes, performed away from the Centre;
- “Minister” means the minister responsible for wildlife;
- “renewable natural resource” means any natural resource that can be regenerated so long as sufficient parent stock is left in place such as forests, fisheries and wildlife;
- “wildlife” means any wild plant or wild animal of a species native to Uganda and includes wild animals which migrate through Uganda; and

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“wildlife bio-data bank” means the collection of genetic specimen comprising flora and fauna established by the Centre under section 5 (d).

PART II—UGANDA WILDLIFE CONSERVATION EDUCATION CENTRE

4. Establishment of the Uganda Wildlife Conservation Education Centre.

(1) There is established the Uganda Wildlife Conservation Education Centre.

(2) The Centre shall be a body corporate with perpetual succession and a common seal and may—

- (a) acquire, hold and dispose of moveable and immoveable property;
- (b) sue and be sued in its corporate name; and
- (c) do all other things a body corporate may lawfully do.

(3) The Board shall determine the form of the seal of the Centre and the circumstances in which it is applied.

5. Functions of the Centre.

The functions of the Centre are—

- (a) to conduct and manage conservation education in Uganda;
- (b) to establish and maintain conservation education facilities and programmes, on site and through extension services;
- (c) to showcase Uganda’s unique wildlife heritage and ecosystems through the Centre;
- (d) to establish and manage a wildlife bio-data bank at the centre;

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- (e) to conduct the rescue, rehabilitation and release of wildlife species;
- (f) to conduct the wildlife breeding, with a focus on rare, endangered and endemic species, as well as for commercial purposes;
- (g) to carry out stocking and restocking of indigenous and exotic wildlife;
- (h) to promote wildlife breeding for conservation and commercial purposes;
- (i) to conduct research relevant to the activities of the Centre;
- (j) to establish and maintain conservation education facilities and programmes on site and through extension services;
- (k) to promote the rescue, rehabilitation and release of wildlife;
- (l) to promote wildlife breeding, with a focus on rare, endangered and endemic species, as well as for commercial purposes; and
- (m) to collaborate with other institutions in the execution of the mandate of the Centre.

6. Powers of the Minister.

(1) The Minister may, in writing, give policy directives, to the Board and the Board shall comply with the directives.

(2) In the performance of its functions the Centre shall be under the general supervision of the minister responsible for wildlife.

(3) The Minister shall in consultation with the Board and relevant local governments, by statutory instrument establish satellite education centres under the Centre to implement the programmes of the Centre throughout the country.

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7. The Board.

(1) There is established a Board of Trustees which shall be the governing body of the Centre.

(2) The board shall be appointed by the Minister and shall consist of—

- (a) Chairperson;
- (b) Vice Chairperson;
- (c) a representative of the Local Government Associations;
- (d) a representative of the Uganda Wildlife Authority;
- (e) a representative of the Ministry responsible for Wildlife;
- (f) a representative of the Ministry responsible for Education;
- (g) three persons appointed by the Minister from the private sector;
- (h) the Executive Director who shall be an ex-officio and non-voting member.

(3) The Executive Director shall be the Secretary to the Board.

(4) The Executive Director and Vice Chairperson shall be designated from among the three members appointed under paragraph (g) of sub-section (2).

(5) The Vice Chairperson shall deputise the Chairperson.

(6) The Minister shall appoint the chairperson, Vice Chairperson and members of the board at least three months before the end of the term of office of the incumbent chairperson and members of the Board, and the appointment shall take effect on the assumption of office.

(7) At least one third of the members of the Board shall be women.

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8. Disqualification from appointment as member of the Board.

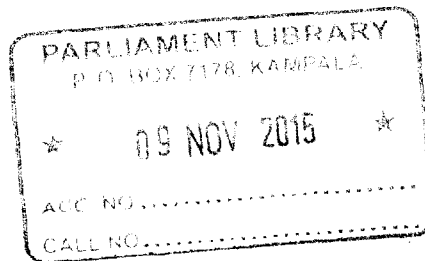
A person shall not be appointed member of the Board who—

- (a) is declared bankrupt, or has made any assignment or arrangement with his or her creditors;
- (b) is incapacitated by mental or physical illness that renders him or her incapable of performing the functions of the office; or
- (c) is convicted of an offence involving dishonesty or moral turpitude.

9. Functions of the Board.

The functions of the Board are—

- (a) to be the trustees for wildlife in the Centre;
- (b) to formulate the policies and strategies of the Centre;
- (c) to oversee the management of the Centre;
- (d) to set targets and approve work plans, budgets, reports and audited financial statements for the Centre;
- (e) to promote wildlife conservation education and public awareness of wildlife existing in Uganda;
- (f) to solicit and receive grants, donations, fees, subscriptions and any other contributions to the Centre;
- (g) to appoint, remunerate and discipline all staff of the Centre;
- (h) to oversee the functioning of the satellite education centres; and
- (i) to perform any other functions as the Minister may in writing direct.



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10. Tenure of Board.

(1) A member of the Board other than the Executive Director shall hold office for three years and is eligible for reappointment for only one consecutive term.

(2) A member of the Board may, at any time, resign his or her office in writing addressed to the Minister.

(3) The Minister may, at any time, remove a member of the Board, except the Executive Director, from office for—

- (a) inability to perform the functions of his or her office arising from infirmity of body or mind;
- (b) misbehavior or misconduct;
- (c) incompetence;
- (d) bankruptcy or insolvency;
- (e) absence without prior permission of the chairperson for more than four consecutive meetings of the Board; and
- (f) conviction of a criminal offence, in Uganda or elsewhere, in respect of which the maximum penalty exceeds six months' imprisonment without the option of a fine.
- (g) failure to declare a conflict of interest in the execution of his or her duties.

11. Remuneration of Board members.

The members of the Board shall be paid remuneration determined by the Minister in consultation with the minister responsible for finance.

12. Meetings of the Board.

Meetings of the Board shall be conducted as provided for in the schedule II.

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13. Committees of the Board.

(1) The Board may appoint committees from among their members for the effective discharge of its functions.

(2) The Board may assign to a committee appointed under this section functions of the Centre as the Board may delegate.

(3) The Board may prescribe the procedure for the meetings of its committees.

Staff of the Centre

14. The Executive Director.

(1) The Centre shall have an Executive Director.

(2) The Executive Director shall be appointed by the Minister on recommendation of the Board on terms and conditions specified in the instrument of appointment.

(3) A person shall not be appointed Executive Director unless that person has at least ten years experience in management.

15. Functions of the Executive Director.

(1) The Executive Director shall be the chief executive of the Centre and shall be responsible to the Board for the day-to-day operations of the Centre.

(2) Subject to this Act and to the general supervision and control of the Board, the Executive Director shall be responsible for—

- (a) the development of strategic plans to guide the Centre in achieving its objects;
- (b) the development of management plans for species and classes of species of wildlife in the Centre;
- (c) the development of an efficient and cost effective internal management structure and processes;

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- (d) the management and control of the staff of the Centre;
- (e) manage the procurement process for the Centre;
- (f) the proper management of the funds, property and affairs of the Centre; and
- (g) performing any other functions assigned by the Board.

16. Tenure of office of the Executive Director.

(1) The Executive Director shall hold office for five years and shall be eligible for re-appointment once.

(2) The Executive Director shall cease to hold office if—

- (a) he or she resigns;
- (b) he or she is declared bankrupt;
- (c) he or she is convicted of an offence involving dishonesty, fraud or moral turpitude; and
- (d) he or she is removed from office by the Minister on the recommendation of the Board for—
 - (i) inability to perform the functions of his or her office arising from infirmity of body or mind;
 - (ii) misbehavior or misconduct; or
 - (iii) incompetence.

17. Other staff of the Centre.

(1) The Board may appoint other staff as may be necessary for the proper and efficient discharge of the objects and functions of the Centre.

(2) The staff of the Centre appointed under this section shall hold office upon the terms and conditions determined by the Board with the approval of the Minister.

PART III—FINANCES

18. Funds of the Centre.

(1) The funds of the Centre shall consist of money appropriated by Parliament for the purposes of the Centre.

(2) The funds of the Centre shall be applied for the running of the Centre and for development of the Centre in accordance with the approved strategic plan and annual budget of the Centre.

19. Borrowing powers.

The Board may, with the approval of the Minister and in accordance with the Public Finance Management Act, borrow money as may be necessary to meet the obligations of the Centre.

20. Estimates.

(1) The Executive Director shall within three months before the end of each financial year prepare and submit to the Board for its approval, estimates of income and expenditure of the Centre and the operating plan for the next financial year.

(2) The Board shall within two months after the receipt of estimates submit the estimates approved under subsection (1) to the Minister for approval.

(3) Expenditure shall not be made out of the funds of the Centre unless the expenditure has been approved in the manner provided for in this section.

21. Financial year of the Centre.

The financial year of the Centre shall be the same as the financial year of Government.

22. Accounts.

(1) The Executive Director shall keep proper books of accounts and records of the transactions of the Centre.

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(2) Subject to any directions given by the Minister, the Board shall prepare in respect of each financial year, a statement which shall include a report on the performance of the Centre during that financial year and the statement shall comprise—

- (a) a balance sheet and a statement of income and expenditure of the Centre in respect of that financial year; and
- (b) any other information in respect of the financial affairs of the Centre as the Minister may require.

23. Audit.

(1) The accounts of the Centre shall, in respect of each financial year, be audited by the Auditor General or an auditor appointed by the Auditor General.

(2) The Centre shall, within three months after the end of each financial year, prepare and submit to the Auditor-General or his or her representative, a statement of accounts of the Centre for that financial year in a form approved by the Auditor-General.

(3) The Auditor-General or an auditor appointed by the Auditor General is entitled to inspect all books, papers and other records of the Centre relating to all matters dealt with in any statement of accounts required to be prepared under subsection (2) and is entitled to any information and explanation required in relation to those financial records.

(4) The Auditor-General shall, within three months after receiving the accounts of the Centre under subsection (3), audit and report on the accounts in accordance with article 163 of the Constitution.

24. Duty to operate on sound financial principles.

The Centre shall, in discharging its functions under this Act, operate in accordance with sound financial and commercial practice.

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25. Power to open and operate bank accounts.

(1) Subject to section 33 of the Public Finance Management Act, the Centre shall open and maintain bank accounts as are necessary for the performance of its functions.

(2) The Board shall ensure that all money received by or on behalf of the Centre is banked as soon as practicable after being received.

(3) The Board shall ensure that no money is withdrawn from or paid out of any of the bank accounts without the approval of authorised person.

PART IV—MISCELLANEOUS

26. Annual and other reports.

(1) The Board shall, within three months after the end of each financial year, make and submit to the Minister a report on the activities of the Centre during that financial year.

(2) The report referred to in subsection (1) shall include—

- (a) particulars of activities, projects and programmes relating to—
 - (i) advice furnished or assistance rendered in terms of any agreement; and
 - (ii) the management of the Centre;
- (b) the extent to which any direction given by the Minister during that financial year has been carried out;
- (c) an assessment of the achievements of the Centre; and
- (d) any other matter or activity that the Minister may direct.

(3) The Board shall submit to the Minister, together with the report referred to in subsection (1), the audited financial statements of the Centre, and the auditor's report on those statements.

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(4) The Minister shall, not later than six months after receipt of the report submitted under subsection (1), table the report before Parliament.

27. Reports to the Board.

The Executive Director shall submit to the Board quarterly reports, returns and summaries on the activities of the Centre.

28. Protection of members and employees.

A member of the Board or an employee of the Centre or a person acting on the directions of that person is not personally liable for any act or omission done or omitted to be done in good faith in the exercise of the functions of the Centre.

29. Regulations.

(1) The Minister may, on the recommendation of the Board, make regulations for—

- (a) the management of conservation education Centre;
- (b) the management of the wild-life bio-data bank of the Centre;
- (c) the establishment and maintenance of conservation education facilities and programmes on site and through extension services;
- (d) the rescue rehabilitation and release of wildlife species;
- (e) the wildlife breeding; and
- (f) any other matters for the better carrying into effect the objects and functions of the Centre and the provisions of this Act.

(2) Regulations made under this section may prescribe, in respect of a contravention of the regulations—

Act *Uganda Wildlife Conservation Education Centre Act* **2015**

- (a) a penalty of a fine not exceeding twenty four currency points or imprisonment not exceeding twelve months or both, and in the case of a continuing offence, an additional fine not exceeding two currency points in respect of each day on which the offence continues; and
- (b) a requirement that the Court shall order the forfeiture of anything used in the contravention.

30. Compensation of affected persons.

The Board shall provide compensation for individuals and communities affected by the activities of the centre.

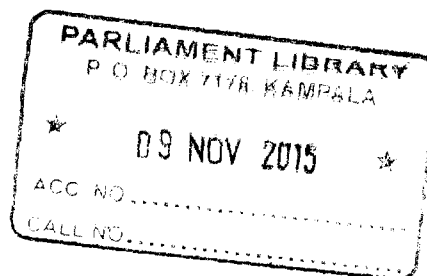
31. Power of Minister to amend Schedules.

(1) The Minister may with the approval of Cabinet by statutory instrument amend Schedule 1.

(2) The Minister may on recommendation of the Board by statutory instrument amend Schedule 2.

32. Transitional provision.

Any assets, properties, rights, liabilities and obligations of the Uganda Wildlife Education Centre Trust are, upon the commencement of this Act transferred to the Centre.



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SCHEDULE 1

Section 3

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings

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SCHEDULE 2

Section 12

MEETINGS OF THE BOARD

1. Meetings of the Board.

(1) The chairperson shall convene every meeting of the Board at a time and place as the Board may determine, and the Board shall meet for the discharge of business at least once every three months.

(2) The chairperson may, at any time, convene a special meeting of the Board and shall also call a meeting within fourteen days, if requested to do so in writing by at least five members of the Board.

(3) Notice of a Board meeting shall be given in writing to each member at least fourteen working days before the day of the meeting.

(4) The chairperson shall preside at every meeting of the Board, and in the absence of the chairperson, the members present shall elect from among their number an acting chairperson to preside at the meeting.

2. Quorum.

The quorum for a meeting of the Board is one half of the members.

3. Decisions of Board.

All decisions at a meeting of the Board shall be decided by a majority of the votes of the members present and voting, and in case of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his or her deliberative vote.

4. Power to co-opt.

(1) The Board may invite any person who, in the opinion of the Board, has expert knowledge concerning the functions of the Board, or who is likely to be of assistance to the Board to attend and take part in the proceedings of the Board.

(2) A person who attends a meeting of the Board under this section may take part in any discussion at the meeting on which his or her advice is required but shall not have a right to vote at that meeting.

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5. Validity of proceedings not affected by vacancy.

The validity of any proceedings of the Board shall not be affected by a vacancy in its membership or by a defect in the appointment or qualification of a member or by reason that a person not entitled, took part in its proceedings.

6. Disclosure of interest of members.

(1) A member of the Board who is in any way directly or indirectly interested in a contract made or proposed to be made by the Board, or in any other matter which falls to be considered by the Board, shall as soon as the relevant facts come to his or her knowledge disclose the nature of his or her interest at a meeting of the Board.

(2) A disclosure made under subparagraph (1) shall be recorded in the minutes of that meeting.

(3) A member who makes a disclosure under subparagraph (1) shall not—

(a) be present during any deliberation of the Board with respect to that matter; or

(b) take part in any decision of the Board with respect to that matter.

(4) For the purposes of determining whether there is a quorum, a member withdrawing from a meeting or who is not taking part in a meeting under subparagraph (3) shall be treated as being present.

7. Minutes of proceedings.

(1) The Executive Director shall cause the minutes of the meeting of the Board to be recorded and kept in a form approved by the Board.

(2) The minutes recorded under this paragraph shall be submitted to the Board for confirmation at its next meeting following that to which the minutes relate and when confirmed, shall be signed by the Chairperson and the secretary in the presence of the members present.

8. Board may regulate its procedure.

Subject to this Act, the Board may regulate its own procedure or any other matter relating to its meetings.

Act *Uganda Wildlife Conservation Education Centre Act* **2015**

Cross-references

The Public Finance and Accountability Act, 2003



THE REPUBLIC OF UGANDA

This printed impression has been carefully compared by me with the bill which was passed by Parliament and found by me to be a true copy of the bill.

Osibonye

.....
Clerk to Parliament

Date of authentication: *28th / OCT / 2015*