

THE ADVOCATES ACT.

Statutory Instrument 267—1.

The Advocates (Enrollment and Certification) Regulations.

Arrangement of Regulations.

Regulation

1. Citation.
2. Professional skill and experience.
3. Recognised legal qualifications, etc.
4. Application for certificate.
5. Mode of application.
6. Advertisement of application.
7. Action on application for certificate.
8. Application for enrollment.
9. Advertisement of application for enrollment.
10. Action on application for enrollment.
11. Certificate of enrollment.
12. Application for practising certificate.
13. Right of audience.
14. Application for renewal of practising certificate.
15. Declaration and subscription to the Law Society.
16. Fee for special practising certificate.

Schedules

First Schedule Recognised legal qualifications and designated countries.

Second Schedule Forms.

Third Schedule Fees.

THE ADVOCATES ACT.

Statutory Instrument 267—1.

The Advocates (Enrollment and Certification) Regulations.

(Under sections 8 and 11 of the Act.)

1. Citation.

These Regulations may be cited as the Advocates (Enrollment and Certification) Regulations.

2. Professional skill and experience.

The requirements as to the acquisition of professional skill and experience under section 8(1) of the Act shall be—

- (a) in the case of a person specified in section 8(5)(a) of the Act, attendance of a postgraduate bar course conducted by the Law Development Centre and award of a diploma in legal practice by the Law Development Centre on successful completion of the course; or
- (b) in the case of a person specified in section 8(5)(b) of the Act who has been entered on the roll as a legal practitioner (by whatever name called) in a country specified in Part I of the First Schedule to these Regulations, work under the surveillance and in the chambers of an advocate enrolled under the Act or in the service of the Government as a State attorney at the commencement of his or her practice in Uganda for a period of not less than six months and who satisfies any regulations which may be made under section 8(7) of the Act.

3. Recognised legal qualifications, etc.

(1) The legal qualifications set out in Part I of the First Schedule to these Regulations are recognised by the Law Council for the purposes of section 8(5)(a) of the Act.

(2) The countries set out in Part II of the First Schedule to these Regulations are designated countries for the purposes of section 8(5)(b) of the Act.

4. Application for certificate.

(1) In an application for a certificate under section 8(2) of the Act, there shall be stated—

- (a) the name and address of the applicant;
- (b) the qualifications of the applicant, being one or more of the qualifications set out in section 8(5) of the Act, and the date of the qualifications;
- (c) the date and place of birth of the applicant;
- (d) if the applicant was not born in Uganda, the aggregate period of continuous residence in Uganda during the twelve months immediately preceding the date of the application or the aggregate period during which he or she has been in practice as an advocate in any of the countries specified in Part II of the First Schedule to these Regulations;
- (e) whether the applicant is at the date of the application subject to any disentitlement or disciplinary proceedings, and whether he or she has been convicted in or is subject to any pending or present criminal proceedings described in section 12(1)(h) of the Act;
- (f) whether the applicant is an undischarged bankrupt or the subject of any bankruptcy proceedings in any country.

(2) The application shall conclude with a prayer that the applicant be granted a certificate of eligibility for enrollment as an advocate.

(3) The application shall be supported by an affidavit by the applicant verifying the facts set forth in the application.

5. Mode of application.

(1) An application for a certificate of eligibility for enrollment shall be made by delivering or sending to the secretary of the Law Council—

- (a) the application;
- (b) the affidavit supporting the application;
- (c) the certificate or other document which the applicant submits as evidence of his or her qualifications, professional skill and experience;
- (d) testimonials from two advocates whose names have been on the roll for at least three years, certifying that the applicant is a fit and proper person to be enrolled as an advocate.

(2) The application and affidavit shall each be accompanied by a copy thereof.

6. Advertisement of application.

An advertisement of an application for a certificate of eligibility for enrollment shall be made by publication in one issue of the Gazette and shall be in Form 1 in the Second Schedule to these Regulations.

7. Action on application for certificate.

(1) The applicant shall appear before the Law Council, if the Law Council so directs, at such time and place as may be notified by the secretary.

(2) The secretary shall notify an applicant of the decision of the Law Council in respect of the application.

(3) A certificate issued by the Law Council shall be in Form 2 of the Second Schedule to these Regulations.

8. Application for enrollment.

(1) An application for enrollment under section 8(3) of the Act shall be by petition to the Chief Justice praying that the name of the petitioner be entered on the roll of advocates.

(2) The petition shall be accompanied by—

- (a) the certificate of eligibility for enrollment issued by the Law Council;
- (b) a certified copy of the statement referred to in regulation 4(1) of these Regulations;
- (c) the certificate or other document which the petitioner submits as evidence of his or her qualifications, professional skill and experience;
- (d) the fee specified in section 8(3) of the Act, which fee shall be returned to the petitioner if his or her application is refused; and
- (e) testimonials from two advocates whose names have been on the roll for at least three years, certifying that the applicant is a fit and proper person to be enrolled as an advocate.

9. Advertisement of application for enrollment.

An advertisement of an application for enrollment shall be made by publication of the advertisement in one issue of the Gazette and shall be in Form 3 of the Second Schedule to these Regulations.

10. Action on application for enrollment.

(1) If the Chief Justice has given directions for that purpose, the applicant shall appear before the Chief Justice at such time and place as may be notified by the registrar.

(2) The registrar shall notify an applicant for enrollment of the decision of the Chief Justice in respect of the application.

11. Certificate of enrollment.

Whenever the name of a person is entered on the roll to practise as an advocate under the Act, the Chief Justice shall cause to be issued to the advocate a certificate of enrollment under his or her hand.

12. Application for practising certificate.

An application under section 11(1) of the Act for a practising certificate shall be in Form 4 of the Second Schedule to these Regulations and shall be accompanied by—

- (a) a statutory declaration on oath that the applicant is not a person to whom section 12(1) of the Act applies; and
- (b) the fee specified in the Third Schedule to these Regulations.

13. Right of audience.

A person to whom section 8(5)(a) of the Act applies and who is entered on the roll of advocates shall, for a period not less than nine months after that entry, have a right of audience only in a magistrate's court, and the practising certificate as issued to him or her shall be endorsed accordingly.

14. Application for renewal of practising certificate.

An application under section 11(2) of the Act for the renewal of a practising certificate shall be in Form 5 of the Second Schedule to these Regulations,

and there shall be paid therefor the fee specified in the Third Schedule to these Regulations.

15. Declaration and subscription to the Law Society.

An application for renewal of a practising certificate under section 11(2) of the Act shall be in Form 5 of the Second Schedule to these Regulations and shall be accompanied by—

- (a) a statutory declaration on oath that the applicant is not a person to whom section 12(1) of the Act applies;
- (b) a receipt or such other documentary evidence as the registrar may deem sufficient to satisfy himself or herself that the applicant has paid his or her subscription for a current year as a member of the Law Society; and
- (c) the fee specified in the Third Schedule to these Regulations.

16. Fee for special practising certificate.

For the issue of a special practising certificate under section 13 of the Act, there shall be paid the fee specified in the Third Schedule to these Regulations.

SCHEDULES

First Schedule.

regs. 2, 3, 4.

Recognised legal qualifications and designated countries.

Part I.

Recognised legal qualifications.

1. A degree in law from any of the following universities—
 - (a) the University of Nairobi;
 - (b) the University of Dar-es-Salaam;
 - (c) the University of Zambia.
2. A legal qualification which entitles a person to be called to the bar in England and Wales, Scotland, Northern Ireland or the Republic of Ireland.

3. A legal qualification which entitles its holder to be enrolled as a solicitor of the Supreme Court of England and Wales, Scotland, Northern Ireland or the Republic of Ireland.

Part II.
Designated countries.

1. Kenya
2. Tanzania
3. Zambia
4. Any other country with reciprocal arrangements in force in favour of Uganda

Second Schedule.

regs. 6, 7(3), 9, 12, 15.

Forms.

reg. 6.

Form 1.

Advertisement.

Application for Certificate of Eligibility for Enrollment.

The Advocates Act.

It is notified that an application has been presented to the Law Council by _____ (*name of applicant*),
who is stated to be _____ (*qualifications*),
for the issue of a certificate of eligibility for entry of his or her name on the
roll of advocates for Uganda.

Secretary, Law Council

reg. 7(3).

Form 2.
Law Council.
Certificate of Eligibility for Enrollment.
The Advocates Act.

This is to certify that _____
_____ (*name of applicant and qualifications*)
has complied with the requirements as to acquisition of professional skill and
experience and is an eligible, fit and a proper person to be an advocate.

Chairperson, Law Council

reg. 9.

Form 3.
Advertisement.
Application for Enrollment of Advocate.
The Advocates Act.

It is notified that a petition has been presented to the Chief Justice by
_____ (*name of*
applicant), who is stated to be _____ (*qualifications*),
for the entry of his or her name on the roll of advocates for Uganda.

Registrar, High Court of Uganda

Form 4.
Application for Practising Certificate.
The Advocates Act.

To: The Registrar
The High Court of Uganda
Kampala

1. I, _____, (*name and address of applicant*) whose name was entered in the roll of advocates for Uganda on _____ (*date*), apply for the issue of a practising certificate.
2. Attached to this application is proof of my having paid my subscription for the current year as a member of the Uganda Law Society.
3. I send with this application the sum of 20,000 shillings for payment of the prescribed fee.

Signed

Date _____, 20 ____

Form 5.
Application for Renewal of Practising Certificate.
The Advocates Act.

1. I, _____, (*name and address of applicant*) to whom a practising certificate was issued on _____ (*date*), and was last renewed on _____¹ (*date*), apply for a further¹ renewal of that certificate.
2. Attached to this application is proof of my having paid my subscription for the current year as a member of the Uganda Law Society.
3. I send with this application the sum of 20,000 shillings for payment of the prescribed fee.

Signed

Date _____, 20 _____

¹Delete if inapplicable.

Third Schedule.

regs. 12, 14, 16.

Fees.

The Advocates Act.

	Shs.
1. For the issue of a practising certificate	20,000
2. For the renewal of a practising certificate	20,000
3. For the issue of a practising certificate—	
(a) in the case of a person entitled to practise as an advocate from the countries designated in Part II of the First Schedule to these Regulations	200,000
(b) in the case of any other person	400,000

History: S.I. 164/1971; S.I. 37/1974; S.I. 19/1978; S.I. 34/1984; S.I. 266/1994.
