



# *Members* **FIRST**

## NEWSLETTER



## ULS HOLDS THE BAR BENCH FORUM

### IN THIS ISSUE

01  
THE BAR-BENCH  
INTERACTION

02  
ULS LAWYERS'  
LEAGUE 2023  
STARTS

03  
ULS LAUNCHES  
INAUGURAL JOURNAL

04  
FAQs- JOIN THE ULS  
COOPERATIVE TODAY

## Message From Members First Chairperson



**D**ear Reader,

I take this opportunity to congratulate Uganda Law Society upon the launch of the inaugural Uganda Law Society Journal which symbolizes Uganda Law Society's steadfastness towards promotion of Justice and Rule of Law.

I am also excited about the successful commencement of the Lawyers Sports League in which I am a personal participant. I must admit that it is Uganda Law Society's number one Social Event! I call upon all members to participate in the league not only because of its health benefits **BUT** also for the social benefits. I am happy to note that women are also participating and we bring you photos of two of our female colleagues enjoying the game. May the best team win the league!

In the Month of May, Uganda Law Society also held its biggest Bar Bench Forum which was well attended by over 1000 Members of the Bar, the Heads of the Divisions of the High Court of Uganda, Members of the Bench and other stakeholders. The Forum provides enhanced Justice Delivery which is the core mandate of the Bar and the Bench.

In this issue we once again share updates on Uganda Law Society Council activities, the Secretariat activities among many others.

I would like to appreciate the team that puts this work together for all your efforts. To our readers we appreciate your unwavering support and feedback which has contributed to making our Newsletter better.

**Enjoy the Read!**

**Counsel Atukunda Isaac - Chairperson Members First Newsletter**

# COUNCIL ACTIVITIES

## The Bar-Bench Interaction

The term Bar-Bench relationship pertains to the cordial or friendly relationship that advocates have with judges.

Mr. Bernard Oundo, the President of the Uganda Law Society (ULS), in his opening remarks, underscored the importance of the Bar-Bench Forum as one of the platforms that gives both the Judiciary and advocates an opportunity to air out their concerns affecting the delivery of justice in the country and can in turn be addressed.

“In a very special way, allow me to thank the honorable Attorney General, the honorable Principal Judge and the heads of divisions for their commitment to ensure that they listen to the concerns of the members. I must appreciate them for taking their time off,” Mr. Oundo said.

Adding: “This event follows the meeting we had with the Principal Judge where we agreed to have a Bar-Bench with all the heads of the divisions. Let me also thank the membership, I know we have over 100 members online. During that engagement, we agreed that it was necessary for us to share our concerns and it was also important that the Judiciary shares its concerns so that it’s a two-way dialogue.” Mr. Oundo further said that the engagement was to have a specific matrix to be used for purposes of monitoring the implementation of the issues raised.

The Bar-Bench interface held on May 10th saw advocates raise a number of issues that have

arisen during the Bar’s interaction with the Judiciary and, that may be a stumbling block to the realization of justice in the country.

Senior Counsel Moses Adriko presented the main issues on behalf of over 4,000 advocates .Some of the issues raised included; the insufficiency of judicial officers in the courts of law, huge case backlog, the questionable conduct of some judicial officers, delay in delivery of judgments, the disappearance of case files in courts, and challenges in using the Electronic Court Case Management Information System (ECCMIS).

Others included; the absence of some judges that has led to stalling of cases before them as in the case of Justice Immaculate Busingye who is currently indisposed, the implementation of internal procedures that are not specified in the Succession Act, the delay in replacement of Registrar Ajio Hellen who was transferred, the length of time spent by new judges before fixing hearing dates for matters; the unavailability in some instances and unreadiness of prosecutors in criminal proceedings, the prolonged record of pre-trial detention at the International Crimes Division, limited parking spaces some courts like at the Commercial Division , general complaints against Justice Musa Ssekaana, the absence of judicial officers from their stations and the delay in delivery of decisions.

During the plenary session, one of the advocates, Anne Karungi wondered why most judges fix all cases of the day at 9am, a move



she said derails them as there is a queue in a courtroom yet they have other cases in other courts to attend to.

But in response, Justice Stephen Mubiru defended the practice of fixing all cases of the day at 9am by his judge colleagues on grounds that incase one or two cases don't proceed, they will immediately call up other files in the queue instead of wasting time.

Counsel Maxim Mutabingwa said he knows some judges who are corrupt and that some have since died or retired.

"We request that the office of the Chief Registrar sets up a desk to receive the corruption complaints especially on the lower Bench where you see corruption written all over," he said.

Reacting to some of the issues raised by the advocates during the plenary session, Justice Lawrence Gidudu, the head of the Anti-Corruption, said some of the issues raised by advocates should be discussed in their annual judges' conference to find remedies for them.

"When we are drawing up programs for the judges' conference, we do it for ourselves, but going forward, we should do it for the public that we serve, not for ourselves," he said amidst applause from the advocates in attendance at Golf Course Hotel in Kampala.

He also wondered why some of his colleague judges put judgments on notice, arguing that the Judicial Code of Ethics does accommodate judgments on notice.

"Judgments on notice is something we can discuss internally as the Judiciary. Our Judicial Code of Conduct does not have judgments on notice. We at the Anti-Corruption Division have the Case Management Rules, Legal Notice

Number 11 of 2021 that takes care of this; so we don't have judgments on notice; we don't know where this comes from. It's not provided for," Justice Gidudu said.

Principal Judge, Dr. Flavien Zeija in his remarks, hit at some advocates, whom he accused of defying the subjudice rule when they speak to the media about the progress of their cases pending before court.

"What I have seen these days is lawyers making it a habit, immediately after attending court hearing to address a press conference where they share what went well and what did not. We should avoid this habit of playing to the gallery," the Principal Judge cautioned lawyers. Attorney General Kiryowa Kiwanuka who was the Guest of Honor, asked the Chief Registrar, Sarah Langa Siu to find a solution for those advocates who have met the requirements to have their PCs renewed, yet those charged with the clearing process, are delaying the process.

"Chief Registrar, we need to address this issue of the PCs seriously, because what happens if a lawyer has put up everything and yet the challenge is on your side," AG Kiryowa asked. He added: "I see a lawyer suing me. We can in the meantime, allow those affected to work as we process their PCs."

The Chief Registrar admitted the accusations of the delay in issuing PCs before she quickly clarified that the same was not intentional.

"We regret those delays as the same is not intentional since some of the staff who used to work on them got promoted, so it's not easy to deal with over 7000 advocates." The Chief Registrar stated.

Other judges who aired their views were Hon. Justice John Eudes Keititima, -Head of Family Division, Justice Tadeo Asiimwe, the Deputy Head, Land Division who scoffed at his



colleagues who give long adjournments for the sake of giving hearing dates, Justice Micheal Elubu, Head Criminal Division and Justice Lillian Linda Tumusiime Mugisha, the Chief Judge of the Industrial Court.



*Inset: The President of the Uganda Law Society- Mr. Bernard Oundo addressing the participants*

## ULS Lawyers' League 2023 Starts

With a view to institutionalizing the League and for imperatives of longevity, the Lawyers' League entered into a strategic partnership with the Uganda Law Society. The ULS Lawyers' League intends to promote and improve members' physical, emotional, social and psychological wellbeing and collegiality. Further, the League will enhance collaboration and networking among legal professionals, whilst creating a community of legal professionals who can connect and share knowledge from each other. The third season of the rebranded league was launched on Sunday 14th May 2023 at KCCA Philip Omondi Stadium. It was officially launched by the President of the ULS Mr. Bernard Oundo together with the ULS Lawyers' League Chairperson Advocate Adam Kyomuhendo. The launch was also attended by members of the ULS Executive Committee and ULS Lawyers' League Management Committee. When contacted for a comment, Advocate Kyomuhendo expressed his special gratitude to the ULS President Mr. Bernard Oundo for wholeheartedly embracing the League idea and supporting it deliberately. He also thanked the wider ULS Executive Committee for helping institutionalize the League, making it a formal ULS activity.



*Inset: The ULS President, Mr. Oundo shaking hands with participants as Kampala Central Member of Parliament Hon. Muhammad Nsereko in red and the CEO of the ULS, Mr. Moses Okwalinga in light blue look on.*



*Inset: Group Photo with the President of the ULS- Mr. Bernard Oundo, Honorary Secretary- Mr. Isaac Atukunda, the CEO of the ULS- Mr. Okwalinga Moses, Kampala Central MP, Muhammad Nsereko alongside other participants of the ULS Lawyers' League*





*Inset: A game ongoing during the tournament*



*Inset: A female advocate from Barapwo FC enjoys herself during the competitions*





*Inset: Name: Advocate Musunge Zamin, Position: Holding Midfielder, Team/Club: Firm Z FC, Law Firm: Nyanzi, Kiboneka & Mbabazi Advocates. Advice to fellow ladies: Come and enjoy the beautiful game and interact with colleagues.*

***Below: Final Match Results as they occurred***

**FINAL MATCH RESULT FULL TIME**

**0-4**

**BARAPWO FC** vs **DESERT LOCUSTS FC**

WARFUN KEITH MUTURI  
ONYANGO AARON NOUNA  
SAMUEL GONYE

Matchweek 1

**FINAL MATCH RESULT FULL TIME**

**0-10**

**ULS FC** vs **CHIEFS FC**

JAMES OMTUOR K2  
EDWARD KANYAMBA K3  
OMON OGAL  
JOB THINO  
HENRY KENNEDY

Matchweek 1





# Matchweek 2

## FIXTURES

Sunday 21 May 2023

10:00 am

Pitch A

Karwani FC
Vs
Kingpins FC

10:00 am

Pitch B

ULS FC
Vs
Firm Z FC

11:15 am

Pitch A

Desert Locusts FC
Vs
FC Octane

11:15 am

Pitch B

Barapwo FC
Vs
Chiefs FC

12:30pm

Pitch A

Wetege FC
Vs
Enigmas SC

12:30pm

Pitch B

Galaxy FC
Vs
UMLAS FC

Venue: KCCA Phillip Omondi Stadium, Lugogo

Matchweek 2

Powered by

The Lawyers League
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 Lawyers Leagueug

## Launch of The Inaugural Uganda Law Society Journal

On Thursday 18th May 2023, the President of the Uganda Law Society- Mr. Bernard Oundo officially launched the Inaugural Uganda Law Society Journal at the ULS Secretariat. In his remarks, he noted that the launch of the journal marked a significant milestone in our collective journey as legal professionals; saying the same symbolizes ULS's commitment to intellectual exploration, scholarly enquiry and the pursuit of excellence in the field of law. He also noted that the journal represented the embodiment of the ULS's values, its relentless pursuit of justice as well as its unwavering dedication to the rule of law. Further, he said through the journal, the Uganda Law Society will be able to provide a platform for budding legal scholars to showcase their talent, for experienced practitioners to share their wisdom and for the voices of marginalized communities to be heard. He launched the journal alongside the ULS Law Journal Committee led by Advocate Ssemambo Rashid, who were instrumental in developing the first edition of the journal.



*Inset: The President of the ULS- Mr. Bernard Oundo, members of the ULS Law Journal Committee and officials from the ULS Secretariat officially launching the ULS Law Journal.*





*Inset: The President of the Uganda Law Society- Mr. Bernard Oundo interacting with one of the authors of a paper in the ULS Journal- Counsel Mugeru Jesse.*



*Inset: The Chairperson of the ULS Law Journal Committee- Mr. Ssemambo Rashid making his remarks prior to the launch of the journal.*

# SECRETARIAT NEWS

## LEGAL AID AND PROBONO DEPARTMENT

### Legal Aid Camp for Busiro Day

On 5th May 2023, the Buganda Kingdom organized a legal aid camp for Busiro day at Sentema in Wakiso District. The Uganda Law Society through its mediation centre at Katabi-Entebbe participated in the event by exhibiting its simplified law books that were key, whilst sensitizing the attendees. The Uganda Law Society also provided and offered legal advice to the people who attended this event.



## RULE OF LAW DEPARTMENT

### Orientation and Rule of Law Awareness at Gayaza High School

The ULS Rule of Law Department together with Dr. Busingye Kabumba, a law don from Makerere University conducted a Rule of Law awareness session for the students of Gayaza High School. During this session, students were oriented on how to join the legal profession, available career options within the profession, and the nature of the journey to being a successful legal practitioner.





*Students paying attention to Dr. Kabumba during the session*

Students that attended the session were also reminded about their role in promoting equality and respect for human rights in society.



*Inset: Staff from the Uganda Law Society together with Dr. Busingye Kabumba (center with a neck-tie) from Makerere University pose for a group photo with the Members of the Rule of Law Club and their Patron.*



## ULS Rule Of Law Department Participates in Stakeholders Engagement

On 23rd and 24th May 2023 respectively, members of the ULS Rule of Law Department engaged in a two-day consultation workshop at Golf Course Hotel in Kampala, seeking to reflect on the list of issues in relation to the second periodic report of Uganda and the review of Uganda by the Human Rights Committee. The objectives of the workshop, which were moderated by the Centre for Civil and Political Rights (CCPR-Centre) as well as the National Coalition of Human Rights Defenders Uganda included the following;

- a) Deepening the understanding among Civil Society Organizations of the Treaty based Human Rights mechanism with a special focus on the UN Human Rights Committee Review Process;
- b) Maximising the impact of the utilization of Human Rights Committee review process by national civil society in Uganda, including complementing it with processes and recommendations made by other UN human rights mechanisms such as the Universal Periodic Review (UPR);
- c) Continuing with the preparation process of the joint civil society report in reply to the list of issues to be submitted to the Human Rights Committee and to validate the draft;
- d) Preparing for the advocacy activities during the review of Uganda by Human Rights Committee in Geneva, Switzerland to be held between 28 June and 26 July 2023.



*Inset: Group Photo at the Stakeholder Engagement on the Uganda Civil Society Alternative Report on the Implementation of the ICCPR in Uganda*

## Bills Passed and under consideration

BILL	STATUS
1. Anti- Homosexuality Bill	Assented to by President
2. Parliamentary Pensions (Amendment) Bill, 2022	3rd Reading
3. Income Tax (Amendment) Bill, 2023	3rd Reading
4. National Sports Bill, 2021	3rd Reading
5. The National Local Content Bill, 2022	3rd Reading
6. The Uganda Human Organ Donation and Transplant Bill, 2021	Assented to by President
7. The Kampala Capital City (Amendment) Bill, 2021	3rd Reading
8. Markets Bill, 2021	3rd Reading
9. The Mining and Minerals Bill, 2021	3rd Reading
10. The Income Tax (Amendment) (No.2) Bill, 2021	3rd Reading
11. Public Finance Management (Amendment) Bill, 2021	3rd Reading
12. The Succession (Amendment) Bill, 2021	3rd Reading
13. Local Governments (Amendment) Bill, 2019	3rd Reading
14. Electoral Commission (Amendment) Bill, 2019	3rd Reading
15. Stamp Duty (Amendment) Bill, 2020	3rd Reading
16. Local Content Bill, 2019	3rd Reading
17. National Payment Systems Bill, 2019	3rd Reading
18. Uganda National Examinations Board Bill, 2020	3rd Reading
19. Value Added Tax (Amendment) (No.2) Bill, 2020	3rd Reading
20. Estate of Missing Persons (Management) (Amendment) Bill, 2019	3rd Reading
21. Probate Resealing (Amendment) Bill, 2019	3rd Reading
22. Tax Appeals Tribunal (Amendment) Bill, 2021	3rd Reading
23. Stamp Duty (Amendment) Bill, 2021	3rd Reading
24. Prevention and Prohibition of Human Sacrifice Bill, 2020	3rd Reading
25. Micro Finance Deposit Taking Institutions Amendment Bill, 2022	2nd Reading
26. The Inland Water Transport Bill, 2020	2nd Reading
27. The Presidential Elections (Amendment) Bill, 2019	2nd Reading
28. The Labour Disputes(Arbitration and Settlement) (Amendment) Bill, 2018	2nd Reading
29. Constitutional (Amendment) Bill, 2019	2nd Reading
30. Accreditation for Conformity Assessment Bill 2018	2nd Reading
31. Excise Duty (Amendment) (No.2) Bill, 2020	2nd Reading
32. Competition Bill, 2022	1st Reading
33. National Legal Aid Bill, 2022	1st Reading

BILL	STATUS
34. Employment Amendment Bill 2022	1st Reading
35. Constitutional (Amendment) Bill (No.3) 2020	1st Reading
36. Tax Procedures Code (Amendment) Bill, 2020	1st Reading
37. The Local Governments (Amendment) Bill, 2020	1st Reading
38. Human Rights Defender's Protection Bill, 2020	1st Reading
39. Administration of Estates (Small Estates) (Special Provisions) Bill, 2019	1st Reading
40. Anti-Terrorism (Amendment) Bill, 2022	Assented to by the President
41. The Trustees Incorporation (Amendment) Bill, 2022	Assented to by the President
42. The Companies (Amendment) Bill, 2022	Assented to by the President
43. The Cooperative Societies (Amendment) Bill, 2022	Assented to by the President
44. The Insolvency (Amendment) Bill, 2022	Assented to by the President
45. The Partnerships (Amendment) Bill, 2022	Assented to by the President
46. Public Health (Amendment) Bill, 2021	Assented to by the President
47. Computer Misuse (Amendment) Bill, 2022	Assented to by the President
48. The Value Added Tax (Amendment) Bill, 2022	Assented to by the President
49. The Tax Procedures Code (Amendment) Bill, 2022	Assented to by the President
50. The Tax Appeals Tribunal (Amendment) Bill, 2022	Assented to by the President
51. The Stamp Duty (Amendment) Bill, 2022	Assented to by the President
52. The Income Tax (Amendment) Bill, 2022	Assented to by the President
53. The Excise Duty (Amendment) Bill, 2022	Assented to by the President
54. The Traffic and Road Safety (Amendment) Bill, 2022	Assented to by the President
55. The Electricity (Amendment) Bill, 2022	Assented to by the President
56. The Landlord and Tenants Bill, 2021	Assented to by the President
57. Supplementary Appropriation (No.3) Bill, 2021	Assented to by the President
58. Supplementary Appropriation (No.2) Bill, 2021	Assented to by the President
59. Fisheries and Aquaculture Bill, 2021	Assented to by the President
60. National Social Security Fund (Amendment) Bill, 2021	Assented to by the President
61. Administration of Parliament (Amendment) Bill, 2021	Assented to by the President
62. The East African Crude Oil Pipeline (EACOP) (Special Provisions) Bill, 2021	Assented to by the President
63. The Public Procurement and Disposal of Public Assets (Amendment) Bill, 2019	Assented to by the President
64. Parliamentary Elections (Amendment) Bill, 2019	Assented to by the President
65. Income Tax (Amendment) Bill, 2021	Assented to by the President
66. Micro Finance Deposit Taking Institutions (Amendment) Bill	Awaiting Assent From The President
67. The Museum and Monuments Bill, 2022	Awaiting Assent From The President



## PROFESSIONAL DEVELOPMENT AND MEMBERS AFFAIRS DEPARTMENT

### CLE Training on Commercial Contracts

On 2nd May 2023, the Professional Development and Members Affairs Department of the Uganda Law Society organised a virtual CLE training on Commercial Contracts, "What you need to Know". The key topics of the meeting which were addressed included; Structuring Smart Commercial Contracts, Drafting Dispute Resolution Clauses, Risk Management & Allocations in Commercial Contracts. The session was moderated by Ms. Agatha Gloria Etyang. The main speakers included; David Kaggwa- Chairperson CI Arb Uganda Managing Partner at Kaggwa & Kaggwa Advocates, Patson Arinaitwe- Senior Partner at Signum Advocates and Alison Karuhanga- Partner at Kampala Associated Advocates. There were more than 200 advocates in attendance at the meeting, with each of them earning 5 CLE points.



# COMMERCIAL CONTRACTS

What you need to know.



Speaker

**David Kaggwa**  
Chairperson CI Arb Uganda.  
Managing Partner Kaggwa &  
Kaggwa Advocates



Speaker

**Patson Arinaitwe**  
Senior Partner, Signum  
Advocates



Speaker

**Elison Karuhanga**  
Partner, Kampala Associated  
Advocates



Moderator  
**Agatha Gloria Etyang**



2nd May 2023  
9:00am-1:00pm

**5 CLE POINTS**

**FEE:**  
Young Lawyers: UGX 70,000/=   
Other Lawyers: UGX 100,000/=

MAKE YOUR BOOKING IN ADVANCE: 0706317017 OR 0774590680

## Release of the Continuing Legal Education Calendar

On 18th May 2023, the Professional Development and Members Affairs Department of the Uganda Law Society officially released the Continuing Legal Education (CLE) Calendar for members, for the year 2023. With over forty trainings highlighted in the calendar, members have the opportunity to attain the necessary twenty points that will enable them to renew their practicing certificates. The CLE Calendar for June is shared below;

### Upcoming CLE EVENTS



#### June 2023

CLE Event	CLE Points	Date	Fees
Accountancy for Lawyers in partnership with GAP Management Institute	5	1 June 2023	200,000 (Young Lawyers) 250,000 (Other Lawyers)
Law Firm Management Training. (6 Weeks Training)	15	June & July 2023	900,000 (Young Lawyers) 1,000,000 (Other Lawyers)
Senior Lawyers' Forum	5	8 June 2023	150,000/=
Legal and Regulatory Measures to Promote Healthy Diets & Physical Activity	5	14 June 2023	70,000 (Young Lawyers) 100,000 (Other Lawyers)
Annual Uganda Criminal Justice Day	2	15 June 2023	Free of Charge
Client Data and Information Protection	5	15 June 2023	200,000 (Young Lawyers) 250,000 (Other Lawyers)
Young Lawyers Symposium	10	22 - 23 June 2023	100,000 (Young Lawyers) 150,000 (Other Lawyers)
Social Media Law Training	5	28 June 2023	70,000 (Young Lawyers) 100,000 (Other Lawyers)

FOR BOOKING CONTACT MEMBERS' AFFAIRS OFFICE: 0703253733 and 0774590680  
EMAIL: [membersaffairs@uls.or.ug](mailto:membersaffairs@uls.or.ug)

#### How to pay:

##### Bank

Account Name: Continuing Legal Education/ULS  
Account Number: 01063500183132  
Bank and Branch: DFCU - Acacia Avenue

Account Name: Uganda Law Society/CLE  
Account Number: 9030008847583  
Bank and Branch: Stanbic Bank - Forest Mall

##### Mobile Money

**Airtel Merchant Code:** Dial \*185#, Select Option 4 Pay Bill, Select Option 9 others, Enter Business Number 1212228, Enter Amount, Enter Reference 'Intellectual Property', Enter your Airtel Money Pin.

**MTN Merchant Code:** Dial \*290\*1#, Select Option 2 Goods & Services, Enter Merchant Code T14072, Enter Amount, Enter Your Name and Purpose of Payment, Enter your Mobile Money Pin to send.



#MembersFirst

Over  
**3642**

Members have so far  
registered

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<https://members.ulsportal.or.ug/>



# NEWS FROM THE JUDICIARY-

## ANALYSIS OF COURT DECISIONS

### **1. TRANSLINK LIMITED Vs STANDARD CHARTERED BANK UGANDA LIMITED Civil Suit No 415 of 2019.**

In this case, the Plaintiff claimed that the Defendant was negligent having failed to carry out countermand instructions of the plaintiff to pay Nanjin Changwei House Electron through Halifax Bank resulting in the Plaintiff losing USD 13675. The Plaintiff through its Chief Financial Officer initiated an online payment of USD 13675 in favor of Najin Household Electron Halifax Bank UK (the beneficiary). The funds were processed and deposited into the beneficiary's account and the Plaintiff later requested the Defendant's employee to recall the payment after depositing the funds into the beneficiary's account. The Defendant's employee contacted Halifax Bank and he was informed that the transaction couldn't be reversed because the beneficiary had already withdrawn the funds, therefore, the Plaintiff instituted a suit claiming that the Defendant was negligent and breached the contractual obligation for failure to carry out a countermand of the funds deposited.

In its ruling, Court declared that Plaintiff had no cause of action against Defendant because he was not liable for negligence since he did what a prudent banker would have done in the circumstances. More, the Defendant was not liable for breach of contractual relationship since he did not breach any contractual obligation. The significance of this decision is that commercial Banks or institutions are not liable for the errors committed while carrying out transactions under given instructions by their customers.

### **2. WAKISO MIRAA GROWERS AND DEALERS ASSOCIATION LIMITED Vs THE ATTORNEY OF UGANDA Constitutional Petition No.001 of 2017.**

The Petitioners are a charitable organization incorporated in Uganda as a company limited by guarantee, comprising of advocates for the interest of the growers and dealers of (Khat) the plant locally known as Mairungi. The Petitioners claimed that they were aggrieved by the enactment of the Narcotic Drugs and Psychotropic Substance Act which was passed by the Parliament without quorum as prescribed by the Constitution of the Republic of Uganda and that some of the Act's provisions were inconsistent with the preamble and that the decisions relied on were biased since they were not backed by scientific evidence thus the consequences being biased, irrational and oppressive which would affect livelihood.

In its ruling, the court stated that Parliament passed the Act without quorum since it didn't receive a sufficient number of votes being, the majority of the quorum, and this contravened

Articles 89(1) and 88 of the Constitution and Rules of Procedure of the 9th Parliament, 2012 which renders the impugned Act null and void.

### **3. CENTRE FOR PUBLIC INTEREST LAW Vs ATTORNEY GENERAL (Constitutional Petition No.20 of 2016) [2023] UGCC99.**

The petition challenged the act of the Respondents introducing clause 21(1) (q) (a) in the Tax (Amendment) Bill 2016 which sought to exempt MPS allowances from income tax, stating that it contravenes Articles 92 and 79 (1) of the constitution of the Republic of Uganda.

The petitioners claimed that the act of exempting MPS from paying taxes is against the public interest and that exemption of MPS from paying taxes leads to a great reduction in revenue and leads to eventual poor delivery services because of limited funds.

In its determination, the constitutional court held that the Parliament amending section 21(1) of the Income Tax Act by inserting (qa) as constitutional therefore the act of exempting MPS from paying the income tax was considered constitutional.

### **4. MUGISHA NICHOLAS Vs EQUITY BANK UGANDA LIMITED Labour Dispute Reference No. 281 of 2021**

This suit was a claim for unfair dismissal from employment and the respondent's defense was that the dismissal was lawfully given that the claimant had admitted to gross misconduct and financial indiscipline. It was stated in the notice of dismissal that the claimant had admitted to soliciting, giving, and accepting bribes.

The court held that where there is an admission of misconduct by the employee, there is no need for the employer to hold disciplinary proceedings. However, such an admission to misconduct should be unequivocal and unambiguous. On reviewing the evidence, the court concluded that the claimant did not admit to any misconduct as alleged by the respondent. As such, the dismissal was wrongful as the respondent should have carried out a disciplinary hearing. The claimant was awarded general damages of UGX 52M, aggravated damages of UGX 26M, severance pay of UGX 26M, and basic compensation under S.66 of the Employment Act of UGX 13M.

This decision has an effect on employment relations because it is a tested requirement that an employer should ensure that an employee is not dismissed on account of an admission of misconduct unless the admission is unequivocal and unambiguous. To be on the safe side, the employers should at all times conduct disciplinary hearings before dismissing employees, even where it appears that the employee in question has admitted to the wrongdoing.



## 5. SILVER KAYONDO VS BANK OF UGANDA Miscellaneous Cause No. 109 of 2022

The Applicant applied to the court for judicial review seeking inter alia, a declaration that crypto assets and cryptocurrencies are legitimate digital tradeable assets in the digital economy and can be liquidated/ cashed out via mobile money and other payment systems for Uganda Shillings. The application was made in reaction to a directive by BOU barring all entities licensed under the National Payments Systems Act 2020 from facilitating cryptocurrency transactions.

The Court held that under the National Payments Systems Act 2020, cryptocurrency is illegal or unlawful and is not acceptable as a general payment instrument, and therefore Respondent had the mandate to issue the directive barring such transactions.

The significance of this decision is that all entities regulated by the Bank of Uganda should avoid cryptocurrency transactions.



### FREQUENTLY ASKED QUESTIONS – ULS MEMBERS COOPERATIVE SOCIETY



#### Who is eligible to join the COOPERATIVE?

All members of ULS, Judicial Officers, Retired Lawyers and Judges.

#### What is the procedure of joining the Cooperative ?

All eligible candidates are invited to follow the guidelines below;

- Download the membership form from either ULS Website [www.uls.or.ug](http://www.uls.or.ug) or [www.ulsmcs.co.ug](http://www.ulsmcs.co.ug).
- Print and Fill the form and ensure to attach your ULS ID or National ID plus Recent Passport Photo.
- Sign , scan and send the form and required documents to [info@ulsmc.co.ug](mailto:info@ulsmc.co.ug).
- Kindly send the original copy to our office at ULS or drop it at our Dropping Zone on Plot 90 Kanjokya House, Kanjokya Street.

#### What is the minimum number of shares one can have as a member?

The minimum number of shares one can purchase is one share that costs Fifty thousand Uganda shillings.

#### What is the monthly contribution?

Each member is required to deposit Fifty thousand Uganda shillings monthly.

#### What is the benefit of joining the COOPERATIVE?

Save and access affordable loans at conducive lending rates. Projects by the cooperative, affordable mortgage interest rates among many other benefits.



# BOOK LAUNCH

**Former Chief Justice Katureebe's turbulent times in three branches of government**



*The Former Chief Justice joined by his wife look on as the book dummy is signed at the launch.*

Former Chief Justice Bart Magunda Katureebe on May 4, launched his book detailing his life of how a last born of ten children grew and rose from the family assigned chores of herding goats to becoming the Chief Justice of Uganda, the fourth most important person in the country who also served in all the three arms of government.

He served for five years as Chief Justice, 15 years as Justice of the Supreme Court and a total of 36 years of public service including eight as State Attorney, 13 as government minister and 10 in private practice as an advocate.

Below are some of the key excerpts from his book titled: ***“My Life: Turbulent Times and Service in the Three Branches of Government”***.



## Brief about his early childhood life

Justice Katureebe was born on June 20, 1950 at Rugazi in Bunyaruguru, Rubirizi District to Yohana Magunda and Virginia Ngonzi.

He was intentionally named Katureebe (loosely meaning let's see) by his parents because they had previously lost a child so they were doubtful whether Katureebe would survive, hence the name.

Justice Katureebe was the 10th child and also the last born in his family. His father wanted him to become a medical doctor but he was very weak in science subjects and was also not interested in being a medical doctor at all.

"I wanted to be a lawyer. I made my parents aware of my choice and they supported me in my study of law and in my work as a lawyer," Justice Katureebe writes in his book.

He adds: "Later, when I got involved in politics, my father was initially uncomfortable. He however, became a pillar of strength, encouragement and guidance all through my political career until his death when I was the deputy minister for Foreign Affairs in 1990."

## Primary School Life

He started his primary one at Rugazi Boys Primary School. He excelled his Primary Leaving Examination (PLE) before joining St. Joseph's Junior School Nyamitanga, which was his first choice.

"I learnt about my admission from the Parish notice board where our names were pinned. I was very excited to learn that I would get to see Mbarara Town," he says

Adding: "I had heard many stories about the town from my father who always went to

visit my brother Butuuro and came back saying that there were so many cars and people moving and that it was difficult to cross the roads. I could not wait to see them with my own eyes. It was my first time out of Bunyaruguru."

He says that despite the excitement, he was also equally sad that he was for the first time to be away from his home.

He recalls his first attempt at a political position where he contested to become a dormitory captain of Ntare House following encouragement by then head teacher, Brother Oliver. "...All students burst into endless laughter and I cried. I felt embarrassed and thought I was going to lose. Surprisingly, they voted for me and I won. I was a house captain at 14 years of age." Justice Katureebe recalls gladly.

Later in 1965, he joined Kitunga High School for his O Level studies before joining Namilyango College for his A level studies. He recalls the good times he had at the school like the social events he participated in such as music, dance and drama, football, rugby and often invited other top schools to compete against like Gayaza, Nabingo, St Mary's Namagunga among others.

Justice Katureebe also recalls how he along with the late Joseph Bossa had a mock debate with students from Kings College Budo. Among the debaters from Budo was Ambassador Olara Otuunu, an eloquent debater who later became Uganda's permanent representative at the UN and nearly became the Secretary General of the August body.

In 1970, he joined Makerere University and resided in Mitchell Hall where he shared a room with Geoffrey Ndagije. He pursued a bachelor's degree in law.

The book launch was attended by many dignitaries and was held at Kampala Serena Hotel. The event has a lot of wonderful stories about how he met his wife, his work with government among many other stories about his life. Key among the dignitaries in attendance was Former Prime Minister Hon. Amama Mbabazi, Ambassador Olara Otunnu, The Former Vice President of Uganda Dr.

Speciosa Wandira Kazibwe among many others.

The event was presided over by Mr Steven Wako the former Kenyan Attorney General and Senator. The former Chief Justice emphasized the role of transparency and accountability as well as the important role collaboration between different arms of government.



*The book is officially launched*





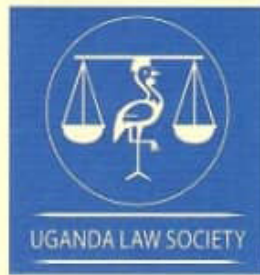
## OBITUARY

On 31st May 2023, the ULS President accompanied by Doreen Atukunda - Head Members Affairs and Professional Development paid a courtesy visit to IBC Advocates to commiserate with the Managing Partner upon the gruesome murder of the firm's employee by unknown assailants.



*Inset: The ULS President joined by Head of Members affairs at IBC Advocates office after sharing condolence message upon the death of Mr. Ronnie Mukisa.*





## **STATEMENT ON THE GRUESOME MURDER OF MR. MUKISA RONNIE**

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31<sup>st</sup> MAY 2023

Uganda Law Society (ULS) has with shock and sadness learned of the heinous murder of Mr. Mukisa Ronnie, an employee of IBC Advocates Kampala, which occurred last night on the 30<sup>th</sup> May 2023 at Kitiko Birongo, Ndejje Division, Makindye Sebagabo, Wakiso City at the hands of an unidentified assailant.

We offer our sincere condolences to Mr. Mukisa's family, colleagues at IBC Advocates, friends, and all members of the Society and stand with all law-abiding Ugandans to condemn this and all other recent acts of violence particularly those involving the illegal use of firearms.

We are aware that security agencies have already commenced investigations into this tragic crime and urge them to expedite their inquiries in order that the culprits may be identified and prosecuted under due process of law.

We further urge the Government to immediately bolster their efforts to investigate, resolve, and prevent the rising levels of violent crime in fulfillment of its fundamental duty to secure the lives and property of its people.

We once again offer our heartfelt condolences to Mr. Mukisa's family, colleagues, friends and all Ugandans at large. Our thoughts and prayers are with you at this trying time. May Mr. Mukisa's soul rest in eternal peace.

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**BERNARD OUNDO**  
**PRESIDENT, UGANDA LAW SOCIETY**



# QUICK FACTS



Annual Membership Fee is **UGX 50,000**

Minimum Share of one at **UGX 50,000**

Minimum Monthly contributions **UGX 50,000**

## How to pay:

**ACCOUNT NAME:** UGANDA LAW SOCIETY MEMBERS COOPERATIVE SOCIETY LTD

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**BANK ACCOUNT:** DFCU BANK

## After Payment ;

After Payment please send WhatsApp message with your receipt to 0772444777 or Email : [info@ulsmcs.co.ug](mailto:info@ulsmcs.co.ug)

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Download the membership form from either ULS Website [www.uls.or.ug](http://www.uls.or.ug) or [www.ulsmcs.co.ug](http://www.ulsmcs.co.ug)

## For More Information ;

Email : [info@ulsmcs.co.ug](mailto:info@ulsmcs.co.ug)

