

THE LEADERSHIP CODE ACT, 2002

ARRANGEMENT OF SECTIONS

PART I - PRELIMINARY

Section

1. Short title
2. Interpretation

**PART II - FUNCTIONS OF INSPECTORATE AND
DECLARATION OF INCOME, ASSETS AND
LIABILITIES**

3. Enforcement and functions of Inspectorate.
4. Declaration of income, assets and liabilities.
5. Power of the Inspector-General to require clarification etc.
6. Failure to submit correct information.
7. Declaration to be public

PART III - CONFLICT OF INTEREST

8. Conflict of interest.
9. Disclosure of interest.
10. Gifts or benefits in kind.
11. Prohibited conduct.
12. Prohibited contracts.
13. Abuse of public property.
14. Misuse of official information.
15. General prohibited conduct.

Section

PART IV - POST EMPLOYMENT

- 16. Future employment
- 17. Upon vacation of office.

PART V - PROCEEDINGS OF INSPECTORATE

- 18. Lodging of complaints.
- 19. Report of Inspectorate.
- 20. Action on report of Inspectorate.
- 21. Forfeiture and compensation.
- 22. Special powers of Inspector General.
- 23. Powers of Inspectorate to hear evidence etc.
- 24. Protection of informers and witnesses.
- 25. Procedure of Inspectorate.
- 26. Inspectorate to observe rules of natural justice.
- 27. Witnesses allowances.
- 28. Inspectorate to award costs.
- 29. Application of other powers of Inspectorate.

PART VI - GENERAL

- 30. Inspection of bank accounts.
- 31. Action against certain leaders.
- 32. Action against Chief Administrative Officer and Town Clerk.
- 33. Appeals.
- 34. Protection of officers of Inspectorate.

Section

- 35. Penalties for breach of Code.
- 36. Offences.
- 37. Annual report.
- 38. Regulations.
- 39. Amendment of Schedules
- 40. Repeal.

SCHEDULES

FIRST SCHEDULE

Currency point

SECOND SCHEDULE

Leaders

THIRD SCHEDULE

Leaders not allowed to conduct certain businesses.

THE LEADERSHIP CODE ACT 2002

An Act to provide for a minimum standard of behaviour and conduct for leaders; to require leaders to declare their incomes, assets and liabilities; to put in place an effective enforcement mechanism and to provide for other related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by the President as follows:

PART I - PRELIMINARY.

1. This Act may be cited as the Leadership Code Act, 2002. *Short title*
2. (1) In this Code unless the context otherwise requires- *Interpretation*

"agent" in relation to the business or affairs of a leader, means a person whose decisions or acts are such that they are, in assence made or done by the leader himself or herself; or the person who manages and controls the business or affairs of which the leader is the principal beneficiary;

"asset" means a thing owned by a person such as property, which has value and can be sold or used to pay a debt;

"authorised person" means a person or body authorised by law to discipline the leader in relation to whom the expression is used;

"benefit" includes any gift, payment, subscription, advance, loan, commission, forbearing, gratuity or favour whether monetary or in kind, rendering services, or deposit of money or anything of value including food, lodging, transportation or entertainment or reimbursement;

"child" means a person under eighteen years of age in relation to whom a leader is a parent or acts as a parent;

"conflict of interest" refers to a situation where a leader has got to make a decision between his or her personal interest and public interest;

"currency point" means the value of a currency point specified in the First Schedule;

"declaration" means a declaration of income, assets and liabilities required to be submitted by every leader under section 4 of this Code;

"dependant" means a person whose means of support is partially or wholly from a leader;

"foreign" when used in relation to anybody of persons or organisation, means any such body or organisation the controlling interest of which is held by persons who are not citizens of Uganda or are not Government or public bodies and also includes a body of persons or organisation not incorporated or registered in Uganda although the controlling authority in it is held by persons who are citizens of Uganda;

"Government" includes a local government;

"Inspector-General" means the Inspectorate of Government, established by article 223 of the Constitution;

"leader" means a person holding or acting in any of the offices specified in the Second Schedule;

"liability" means a debt or financial obligation;

"Minister" means the minister responsible for justice;

"public body" means Parliament, a statutory corporation, commission, board, council, authority, or other body in which Government has an interest, a co-operative union registered under the Co-operative Societies Act, 1970, anybody in which a public body has an interest and such other body as the Minister may, by regulations made under section 40 of this Code prescribe;

"spouse" means a wife or husband.

(2) The provisions of this Code shall constitute the Leadership Code of Conduct under chapter Fourteen of the Constitution.

**PARTII - FUNCTIONS OF INSPECTORATE
AND DECLARATION OF INCOME,
ASSETS AND LIABILITIES.**

- (3) (1) The Inspectorate shall enforce this Code. *Enforcement and functions of Inspectorate*
- (2) In enforcing this Code, the Inspectorate shall carry out the following functions-
- (a) to receive and examine declarations lodged with it under this Code;
 - (b) to examine whether or not a leader has corrupt influence or has corruptly entered into a contract with a government or public body or foreign business organisation contrary to this Code;
 - (c) to inquire or cause an inquiry to be conducted on its own initiative or on a complaint made by any person, into any alleged breach of this code by any leader;

- (d) to investigate and report on any allegations of high handed, outrageous, infamous or disgraceful conduct or any other behaviour or conduct on the part of a leader in accordance with the definition of the words high-handed; outrageous, disgraceful conduct and infamous to be provided for by the regulations to be made by the Minister;
- (e) to recommend awards, disbursements and such payments or rewards as it may consider appropriate in connection with any assistance rendered in the enforcement of this Code; and
- (f) to carry out any other functions prescribed by or under this Code.

(3) The Inspectorate may, for the purpose of ensuring the effective implementation of its functions under this Code, delegate any of its functions to any person or authority subject to such conditions and limitations as the Inspector-General may impose.

4. (1) A leader shall-

- (a) within three months after the commencement of this Code; and
- (b) thereafter every two years, during the month of March,

*Declaration
of income, assets
and liabilities*

submit to the Inspector-General a written declaration of the leader's income, assets and liabilities, the names, income, assets and liabilities of his or her spouse, child and dependant in the prescribed form, without prejudice to the rights of the leader's spouse, child and dependant to independently own property.

- (2) A person shall -
 - (a) within three months after becoming a leader; and
 - (b) thereafter every two years, during the month of December;

submit to the Inspector-General a written declaration of the leader's income, assets and liabilities, the names, income, assets and liabilities of his or her spouse, child, and dependant in the prescribed form, without prejudice to the rights of the leader's spouse, child and dependant to independently own property.

(3) A leader shall before the expiration of his or her term of office declare his or her income, assets and liabilities under this Code if his or her term of office expires six months after his or her last declaration.

(4) A leader shall in a declaration under subsection (1) and (2) of this section, state how he or she or his or her spouse, child or dependant acquired or incurred, as the case may be, the income, assets and liabilities.

(5) A leader shall ensure that all the information contained in the declaration submitted to the Inspector-General is true and correct to the best of his or her knowledge.

(6) A leader who without justifiable cause submits a declaration to the Inspector-General thirty days after the period prescribed under subsection (1) and (2) of this section commits a breach of this Code.

(7) Where a declaration is made by a leader in respect of himself or herself or any person under this section, where the leader or that person is found to be in possession of assets and income disproportionate to the known source of income which he or she cannot satisfactorily account for, the leader shall be taken to have breached this Code.

(8) A leader who fails without reasonable cause to submit a declaration under this section commits a breach of this Code.

5. (1) The Inspector-General may, by notice in writing, require a leader to account for any matter in connection with a declaration submitted by him or her including-

- (a) the omission of anything which in the opinion of the Inspector-General, should have been included in the declaration;

*Power of the
Inspector-
General to
require
clarification
etc*

- (b) any discrepancies appearing in the declaration, or occurring between the declaration and any other statement or information available to the Inspector-General

and the leader shall comply with that requirement.

(2) A leader who, without reasonable cause, fails to comply with the Inspector-General's request for clarification within thirty days after receipt of notice, commits a breach of this code and is liable to-

- (a) a warning or caution; or
- (b) dismissal; or
- (c) vacation of office;

6. A leader who knowingly or recklessly submits a declaration or gives an account of any matter which is false, misleading or insufficient in any material particular, commits a breach of this Code.

Failure to submit correct information

7. The contents of a declaration under this Code shall be treated as public information and shall be accessible to members of the public upon application to the Inspector-General in the form prescribed under this Code.

Declaration to be public

PART III - PROHIBITED CONDUCT.

8. (1) A leader shall not put himself or herself in a position in which his or her personal interest conflicts with his or her duties and responsibilities.

*Conflict
of interest*

(2) Conflict of interest shall be taken to arise where-

(a) a leader deals with a matter in which he or she has personal interest and where he or she is in a position to influence the matter, directly or indirectly, in the course of his or her official duties;

(b) the position the leader holds and the services he or she gives to a person or private body is or are in conflict with his or her official duties.

(3) A leader who contravenes this section commits a breach of this Code.

9. (1) A leader shall not participate in the deliberations of a public body or board or council or commission or committee, of which he or she is a member at any meeting at which any matter in which he or she has a personal interest is to be discussed.

*Disclosure
of interest*

(2) A leader attending a meeting under subsection (1) of this section shall disclose the nature and extent of his or her personal interest.

(3) A leader who fails to comply with the provisions of this section breaches this Code and shall-

- (a) cease to be a member of that public body, board, council, commission, or committee; and
- (b) where any loss is caused, make good the loss.

(4) Before a leader deals with a matter in the course of his or her duties in which he or she has a personal interest, the leader shall inform the person or public body or institution concerned, of the nature and extent of his or her interest.

(5) "Personal interest" in this section in relation to leader, includes the personal interest of a spouse, child, dependant, agent, or business associate of which the leader has knowledge or would have had knowledge if he or she had exercised due diligence having regard to all the circumstances.

10. (1) A gift or donation to a leader on any public or ceremonial occasion, or commission to a leader on any transaction shall be treated as a gift or donation or commission to the Government or institution represented by the leader and shall be declared to the Inspector-General; but the government or institution shall keep an inventory of any such gifts.

*Gifts or
benefits in
kind*

(2) A leader may accept a personal gift or donation from a relative or personal friend to such an extent and on such occasion as is recognised by custom.

(3) Notwithstanding the provisions of this section, a leader may accept a gift if the gift is in the nature of a souvenir or ornament and does not exceed five currency points in value

(4) Where a leader receives any gifts or other benefits of a value of ten currency points or above from anyone source in a twelve consecutive months period, the leader shall disclose that gift, or benefit to the Inspector-General.

(5) Where a leader is in doubt as to the need for a declaration or the appropriateness of accepting an offer of a gift, hospitality or other benefit, that leader shall consult the Inspector-General for advice.

(6) A leader who fails to comply with the provisions of this section commits a breach of this Code.

11. A leader who directly or indirectly accepts any property or gift which influences or is likely to influence the leader to do a favour to any person commits a breach of this Code.

*Prohibited
conduct*

12. (1) A leader, a leader's spouse, agent, private company or public company or business enterprise in which the leader, leader's spouse or agent has a controlling interest shall not seek, accept or hold any contract with-

*Prohibited
contracts*

- (a) any government or public body which the leader controls or directly participates in the decision making of its affairs; or
- (b) any foreign business organisation where the contract is likely to be in conflict with the public interest.

(2) A leader who contravenes subsection (1) breaches this Code and is liable to-

- (a) vacate office; or
- (b) be dismissed from the office.

13. (1) A leader shall protect and preserve public property under his or her personal use and shall not use such property or allow its use for any other purpose other than authorised purposes.

*Abuse of
public
property*

(2) In this section "public property" includes any form of real or personal property in which the Government or public body has ownership; a plant, equipment, leasehold, or other property interest as well as any right or other intangible interest that is purchased with public funds, including the services of contractor personnel, office supplies, telephones and other telecommunications equipment and services, mails, automated data, public body records, and vehicles.

(3) A leader who knowingly misuses or allows public property entrusted to his or her care to be misused, abused or left unprotected shall make good the loss occasioned to the property; and the value of the property or damage to the property shall constitute a debt from the leader to the Government or public body concerned.

(4) Notwithstanding the provisions of subsection (3) of this section, a leader who knowingly misuses or allows public property entrusted to his or her care to be misused or abused or left unprotected may, in addition to the sanctions under that subsection be-

- (a) warned or cautioned;
- (b) demoted; or
- (c) dismissed from office.

14. (1) Without derogating from any other written law, a leader shall not directly or indirectly use or allow any person under his or her control to use for furthering any private interest, whether financial or otherwise, any information obtained through or in connection with the office of the leader and not yet made available to the public.

*Misuse of
official
information*

(2) Subsection (1) of this section does not apply to the use of the information referred to in that subsection for the purpose of educational, research, literary, scientific or other similar purpose not prohibited by law.

(3) A leader who contravenes the provisions of this section commits a breach of this Code and is liable to-

- (a) be warned or cautioned;
- (b) demotion; or
- (c) dismissal; or
- (d) vacate office.

15. (1) Without derogating from any other written law, a leader shall not-

*General
prohibited
conduct*

- (a) improperly use his or her official position to obtain any property including land, buildings and business interests for himself or herself or his or her spouse, child, relation, friend or agent;
- (b) act to the detriment of Government by refusing or neglecting to settle his or her lawful financial obligations to Government or any public body;
- (c) be an agent of or allow himself or herself to be used to further the interest of any foreign government, organisation or individual in a manner detrimental to the interests of Uganda;

(e) do or direct to be done in abuse of his or her office any act prejudicial to the rights of any person or obtain an unfair advantage over his or her subordinate including abuse of the rights of a member of the opposite sex, through, among other acts, the use of coercion, threat or harassment.

(2) A leader referred to in the Third Schedule to this Act shall not, except with prior written approval of the Inspector General-

- (a) hold office of director or any other office in a foreign business organisation, firm, company or property in any such foreign organisation which is owned and or managed by foreign citizens;
- (b) operate a business as a commission agent; or
- (c) accept or be involved in the acceptance of any gift, benefit or advantage from a company or in any such company or firm which is owned and or managed by foreign citizens.

(3) A leader whom the Inspector General denies approval under subsection (2) may appeal against such decision to the High Court.

(4) "Commission agent" under this section means a person employed to sell goods or services delivered to him or her for his or her principal for a commission.

(5) A leader shall not hold any office of profit or emolument likely to compromise his or her office.

(6) Any leader who fails without any reasonable cause to comply with the provisions of this section commits a breach of this Code.

(7) Any leader who directs or concurs in the use public funds contrary to existing instructions commits a breach of this Code and shall be required to make good the loss even if he or she has ceased to hold that office.

PART IV - POST EMPLOYMENT.

16. (1) A leader shall not allow himself or herself to be influenced in the pursuit of his or her official duties and responsibilities by plans or expectations for or offers of future employment.

*Future
employment*

(2) A leader shall disclose in writing to the Inspector General all offers of future employment that could place the leader in a position of conflict of interest.

(3) A leader who accepts an offer of future employment shall immediately disclose in writing to the Inspector General as well as the authorised person the acceptance of the offer, and in such even, where it is determined by the Inspector General that the leader is engaged in significant official dealings with the future employer, the leader shall be assigned other duties and responsibilities immediately.

(4) The period spent in public office following an assignment under subsection (3) of this section shall be counted towards the limitation period on employment imposed in section 18 of this Code.

(5) A leader who contravenes the provisions of this section commits a breach of this Code.

17. (1) A former leader shall not, by acting for or on behalf of any person, entity, association, offer advice or participate in a negotiation or case to which the Government or public body is a party and where the former leader acted for or advised the Government or public body.

*Upon
vaction of
office*

(2) A former leader shall not give advice to his or her client using information that is not available to the public concerning programs or policies of Government, public body or department with which he or she had a direct or substantial relationship, during the period of one year immediately prior to ceasing to be a leader.

PART V - PROCEEDINGS OF INSPECTORATE.

18. (1) Any person who alleges that a leader has committed a breach of this Code may lodge a complaint to that effect with the Inspectorate and the Inspectorate shall register the complaint. *Lodging of complaints*

(2) Upon receipt of a complaint under subsection (1) of this section, the Inspectorate shall inquire into, or cause the complaint to be inquired into if satisfied that-

- (a) the complaint is not trivial or frivolous and is not made in bad faith; and
- (b) the subject matter of the complaint is not outside the jurisdiction of the Inspectorate.

(3) The Inspectorate's decision not to inquire into or cause a complaint to be inquired into, shall not limit the Inspectorate's power to make an inquiry generally into a matter on its own initiative.

(4) A complainant shall be entitled to be informed of any action the Inspectorate intends to take or has taken in respect of his or her complaint, and shall be afforded a hearing.

(5) Any person who knowingly gives false information to the Inspector General under this section commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred currency points or both.

19. (1) Upon the completion of an inquiry under section 20, the Inspector General shall communicate his or her decision in his or her report to the authorised person with a copy to the person in breach of this Code and require the authorised person to implement his or her decision.

*Report of
Inspectorate*

(2) The Inspector General's report under subsection (1) of this section shall be made public and shall state whether the leader is or is not in breach of this Code in respect of the specific matters inquired into, and in the case of a breach, shall set out-

(a) the nature of the breach which the leader has been found to have committed;

(b) the circumstances of the breach;

(c) a brief summary of the evidence received during the inquiry into the breach; and

(d) the findings and decisions.

(3) In the case of criminal offences, the report may contain a recommendation that criminal proceedings be commenced against the leader or any other person

20. (1) Upon receipt of a report under section 21 containing a finding of a breach of this Code, the authorised person shall effect the decision of the Inspector General in writing within sixty days after receipt of the report.

*Action on
report of
Inspectorate*

(2) The authorised person shall report to the Inspector General in writing within fourteen days after the expiration of the sixty days referred to in subsection (1) of this section, the action taken by him or her.

(3) A person dismissed, removed from office, or convicted for a breach of this Code shall not hold any other public office whether appointive or elective for five years effective from the date of dismissal or removal.

21. (1) Where according to any report submitted by the Inspector General under section 21 a leader is proved to have obtained any property through a breach of this Code, the leader shall, subject to any appeal which the leader may make under section 35, forfeit the property by virtue of that report and the property shall be held in trust for the Government or public body by an agent or broker appointed by the Inspector General until it is lawfully disposed of.

*Forfeiture
and
compensation*

(2) The Inspector General may order a leader referred to in subsection (1) to pay by way of compensation to Government or public body such sum as in his or her opinion is just, having regard to the loss suffered by the Government or public body and such order shall be deemed to be a decree under section 25 of the Civil Procedure Act and shall be executed in the manner provided under section 39 of that Act.

22. (1) The Inspector General may, during the course of his or her investigations or as a consequence of his or her findings, issue an order placing such restrictions as appear to him or her to be reasonable on the operation of any bank account of a leader or any person being investigated, for the purpose of ensuring payment to Government or public body or prevention of dissipation of any moneys derived from or related to the violation of this Code.

*Special
powers of
Inspector
General*

(2) The leader shall be allowed reasonable access to the account frozen under subsection (1) of this section and shall be allowed to withdraw such amount of money, as the Inspector General may deem reasonable in the circumstances.

(3) The Inspector General may, during the course of his or her investigations or as a consequence of his or her findings, issue an order placing such restrictions as appear to him or her to be reasonable, on the disposal of any property of a leader or any person being investigated for the purposes of compensation to the Government or public body or otherwise for the purpose of prevention of dissipation of the properties derived from or related to the violation of this Code.

23. The Inspectorate has powers and rights vested in the High Court of Uganda as regards attendance, swearing and examination of witnesses, the production and inspection of documents, enforcement of its orders and other matters necessary and proper for due exercise of its powers under this Code and, without limiting the general effect of the foregoing may-

*Powers of
Inspectorate
to hear
evidence
etc*

- (a) issue summons to any person requiring him or her to appear at the time and place mentioned in the summons, to testify to any matters before it and produce any document, book or paper relating to the allegation that he or she has in his or her possession or control;
- (b) administer oaths and examine any person on oath, affirmation or otherwise; and
- (c) during the inquiry receive such additional information as it considers relevant and necessary for dealing with the allegation before it.

24. (1) A person who provides information to the Inspectorate-

*Protection of
informers
and witnesses*

- (a) shall be protected and his or her identity shall not be disclosed; and
- (b) may be rewarded for his or her information and paid such amount of money as the Inspector - General may deem fit.

(2) A person who in good faith gives any information to the Inspectorate or assists it in the exercise of its functions shall not be punished in anyway for doing so.

(3) Any person who unlawfully discloses the identity of an informer or victimises any person for giving information to or assisting the Inspectorate commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred currency points or both.

25. Subject to the provisions of this Code, the Inspectorate may, after consultation with the Minister and the Attorney General, make rules regulating its procedure under this Code.

*Procedure of
Inspectorate*

26. When inquiring into an allegation under this Code, the Inspectorate shall observe the rules of natural justice.

*Inspectorate
to observe
rules of
natural justice*

27. Any witness called by the Inspectorate to give evidence at an inquiry by the Inspectorate shall be entitled to such allowances as may be determined from time to time by the Inspector General.

*Witnesses
allowances*

28. The Inspectorate may award costs against a person who makes allegations under this Code if the Inspectorate finds the allegations to be malicious or frivolous or vexatious or made in bad faith.

*Inspectorate
to award
costs*

29. The Inspectorate shall when enforcing this Act, have all the powers conferred on it by Chapter Thirteen of the Constitution or any other law.

*Application
of other
powers of
Inspectorate*

PART VI - GENERAL

30. (1) The Inspectorate may, for the purpose of performing its functions under this Code, by order made and signed by the Inspector General or Deputy Inspector General, authorise any person under his or her control to inspect any bank account, share account, purchase account, expense account or any other safe or deposit book in a bank.

*Inspection
of bank
accounts*

(2) An order made under subsection (1) of this section shall be sufficient authority for the disclosure or production by any person of any information, account, document or article required by the person so authorised.

(3) Any person who refuses or, who without reasonable cause, fails to comply with an order issued under this section, commits an offence and is liable on conviction to a fine not exceeding one hundred fifty currency points or imprisonment not exceeding three years or both.

31. (1) Where a Member of Parliament is in breach of this Code, the authorised person shall be the Speaker or Deputy Speaker of parliament and in case of the Speaker, the authorised person shall be the Committee of Parliament on Rules, Privileges and Discipline.

*Action
against
certain
leaders*

(2) Notwithstanding section 15 of the Local Governments Act, 1997 where the Inspector General has made findings with respect to a breach of this Code by a Chairperson of a district or subcounty, or municipality, or a member of a tender board or a district service commission, the Inspector General's decision shall be enforced without regard to the procedure laid down in that section.

*Act No. 1
of 1997*

(3) In the case of the District Chairperson, the authorised person shall be the District Council.

(4) In the case of the Subcounty Chairperson, the authorised person shall be the Subcounty Council.

(5) In the case of the District Speaker or Deputy Speaker and a member of the executive committee or councillor, the authorised person shall be the District Council.

(6) In the case of a Chairperson or Deputy Chairperson of a municipality, the authorised person shall be the Municipality Council.

(7) Notwithstanding any provision of this Code, the Inspector General and Deputy Inspector General shall declare their incomes, assets and liabilities to the Speaker of Parliament and when the Inspector General or Deputy Inspector General is in breach of this Code the authorised person shall be Parliament.

32. (1) Notwithstanding section 69 of the Local Governments Act, 1997 where the Inspector General has made findings with respect to violation of this Code by a Chief Administrative Officer or Town Clerk, the Inspector General's decision shall be enforced without regard to the procedure stipulated in that section.

*Action against
Chief
Administrative
Officer and
Town Clerk
Act No. 1 of
1997*

(2) In case of a Chief Administrative Officer, or Town Clerk or other employee of a District, the authorised person shall be the District Service Commission.

33. (1) A person aggrieved by a decision taken against him or her on the basis of findings contained in the report of the Inspector General under this Act, may appeal against the decision to the High Court

Appeals

(2) An appeal under this section shall be made within thirty days after the notice of the findings has been brought to the attention of the person against whom it is made.

34. (1) Subject to this Code, no civil or criminal liability shall attach to any officer of the Inspectorate acting on the instructions of the Inspector General or Deputy Inspector General, for anything done in good faith by that officer in the performance of his or her duties under this Code.

*Protection
of officers
of
Inspectorate*

(2) No inquiry, proceeding, process, or report of the Inspectorate shall-

- (a) be invalid only by reason of an error or irregularity of form;
- (b) be liable to be questioned, reviewed or quashed in any court except on appeal under section 35 of this Code.

35. A leader who commits a breach of this Code shall-

- (a) in the case of a breach under subsection (7) of section 4, have the excess or undeclared property confiscated and forfeited to the Government;
- (b) in the case of a breach under subsections (6) and (8) of section 4, be dismissed from or shall vacate office;

*Penalties for
breach of
Code*

- (c) in the case of a breach under subsection (6) of section 10, be liable to-
- (i) forfeit the benefit equivalent to the gift, hospitality or benefit, to the Government or institution and shall stand warned;
 - (ii) be warned in writing; or
 - (iii) dismissal.
- (d) in the case of a breach under sections 8(6), 10, 11, 14, 15(6) and 16 be liable to dismissal or shall vacate office.

36. (1) Any person who-

- (a) without justification or lawful excuse, wilfully obstructs or hinders a person acting in the exercise of functions under this Code;
- (b) divulges without lawful justification any information which he or she has obtained in the course of any duty conferred by this Code.

Offences

commits an offence and is liable on conviction to imprisonment not exceeding two years or to a fine not exceeding one hundred currency points or both.

(2) A person who is convicted of an offence under this Code for which no penalty is prescribed is liable to a fine not exceeding one hundred fifty currency points or to imprisonment not exceeding three years or to both.

- 37.** The Inspectorate shall include in its Statutory Report to Parliament under article 231 of the Constitution a report on its enforcement of this Code. *Annual report*
- 38.** (1) The Minister may in consultation with the Inspector General by statutory instrument, make regulations for better carrying out the provisions of this Code. *Regulations*
- (2) Regulations made under this section may prescribe as a penalty for contravention of any of the regulations, imprisonment not exceeding twelve months or a fine not exceeding one hundred currency points.
- 39.** The Minister may by statutory order made after prior approval of Parliament by resolution, amend the provisions of any schedule of this Code. *Amendment of Schedule*
- 40.** The Leadership Code, 1992 is repealed. *Repeal*

SCHEDULES

FIRST SCHEDULE

S.2

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

Act

Leadership Code Act

2002

SECOND SCHEDULE

S.2

PART A - POLITICAL LEADERS

1. The President.
2. Vice President.
3. Speaker and Deputy Speaker of Parliament.
4. Chairperson and Vice Chairman of the National Conference under the Movement Political System.
5. Prime Minister and Deputy Prime Minister.
6. National Political Commissar under the Movement Political System.
7. Attorney General, Minister, Minister of State and Deputy Minister.
8. Member of Parliament
9. Director and Deputy Director of Movement Political System.
10. A member of the National Executive of any Political Party or Organisation

11. Chairperson, Vice Chairperson of a District or Subcounty, a member of a District Executive Committee, a District Councillor and a Municipality Chairperson, and Speaker and Deputy Speaker of a District Council

PART B - SPECIFIED OFFICERS

12. Judges of the courts of Judicature.
13. President and Deputy President of the Industrial Court.
14. Magistrate.
15. Registrar of the courts of Judicature
16. Inspector of Courts.
17. Permanent Secretary.
18. Head of Government Department by whatever name called;
Head of Division or Section in a Government Department.
19. Presidential Advisor, Presidential Assistant.
20. Presidential Aides, Private Secretaries in President's office and
State House.
21. Ambassador and High Commissioner.
22. All Officers in the Uganda Peoples Defence Forces.

23. Director-General of the Internal Security Organisation (ISO) and Director-General of External Security Organisation (ESO) and their Deputies; Head of Division or Section in the Internal Security Organisation (ISO) and the External Security Organisation (ESO).
24. Inspector General of Government, Deputy Inspector General of Government, Head of Directorate, or Department by whatever name called, Head of Division or Section in the Inspectorate of Government.
25. Inspector General of Police, Deputy Inspector General of Police, and officer of or above the rank of Inspector of Police.
26. Commissioner of Prisons, Deputy Commissioner of Prisons, and Prisons Officer of or above the rank of Assistant Superintendent of Prisons.
27. Resident District Commissioner, Deputy and Assistant Resident District Commissioner.
28. Chief Administrative Officer, Deputy Chief Administrative Officer and Assistant District Administrative Officer, Town Clerk and Assistant Town Clerk, Treasurer, Deputy and Assistant Treasurer.
29. Head of a District Directorate or Department.
30. Head or Deputy Head of Secondary School, and Post Secondary Tertiary Institution.

31. A member and Secretary of any Commission or Board established by the Constitution or any other law.
32. Commissioner General, Deputy Commissioner General and Commissioner of the Uganda Revenue Authority and all URA employees of or above the rank of Assistant Revenue Officer.
33. Governor, Deputy Governor, Secretary, Director and Deputy Director of the Bank of Uganda, Head of Department by whatever name called, Head of Division or Section.
34. Vice Chancellor, Deputy Vice Chancellor and Secretary, Dean, Warden, Head of Department by whatever name called of a University, and Director, Deputy Director and Principal of a Tertiary Institution.
35. Auditor General and all staff in the Auditor General's office of or above the rank of Auditor.
36. Director and Manager of a Cooperative Union, Departmental head of a Cooperative Union.
37. Member of Urban or Local Government Tender Board or District Service Commission and Subcounty Chiefs.
38. Chairperson, Board members, Chief Executive and Deputy Chief Executive of a Public Body, Head of Department by whatever name called, Head of Division or Section of a Public Body, and a Member and Secretary of the Central Tender Board and

39. Accountant in a Government Department or in a Parastatal, Constitutional Commissions and all other Statutory Bodies set up by an Act of Parliament.
40. Project Manager, Project Co-ordinator, Project Administrator, Project Financial Controller Accountant of Government or Public Body Project.
41. A Manager, by whatever name called, and Secretary of a bank in which Government has a controlling interest.

Act

Leadership Code Act

2002

THIRD SCHEDULE

S.14

PART A - POLITICAL LEADERS

1. The President.
2. Vice President.
3. Speaker and Deputy Speaker of Parliament.
4. Chairperson and Vice Chairman of the National Conference under the Movement Political System.
5. Prime Minister and Deputy Prime Minister.
6. National Political Commissar and Directors or Deputy Directors under the Movement Political System.
7. Attorney General, Minister, Minister of State and Deputy Minister.

PART B - SPECIFIED OFFICERS

8. Judges of the Courts of Judicature.
9. Inspector General of Government and Deputy Inspector General of Government
10. Attorney General.

11. Chancellor or Vice Chancellor of a University.
12. Inspector General and Deputy Inspector General of Police.
13. Commissioner and Deputy Commissioner of Prisons
14. Commissioner of Immigration.
15. Auditor General.
16. Chairman of the Central Tender Board
17. Governor and Deputy Governor Bank of Uganda.
18. Managing Director, General manager or Director General of a public body.
19. Secretary to the Treasury.
20. Solicitor General.
21. Commissioner General, and Deputy Commissioner General, Commissioner of Uganda Revenue Authority.
22. Executive Director of a public body.
23. Presidential Aide.
24. Director General of the Internal Security Organisation and Director General of the External Security Organisation.
25. Army Commander and Deputy Army Commander, and Chief of Staff.

25. Army Commander and Deputy Army Commander, and Chief of Staff.
26. Permanent Secretary.
27. Ambassador or High Commissioner.
28. Chairperson, Secretary and full time Commissioner of a Constitutional Commission.
29. Director of Public Prosecutions.
30. Administrator General, Registrar General.