

Uganda

## Identification of Offenders Act

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## Uganda

**Identification of Offenders Act****Chapter 119****Commenced on 1 September 1960***[Up to date as at 30 September 2020]*

*[Note: The version of the Act as at 31 December 2000 was revised and consolidated by the Law Reform Commission of Uganda. All subsequent amendments have been researched and applied by Laws.Africa for ULII.]*

**An Act to make provision for the identification of offenders by means of fingerprints, footprints, palmprints, photographs and measurements.**

**1. Interpretation**

In this Act, unless the context otherwise requires—

- (a) “**authorised officer**” means—
- (i) any police officer as defined in the Police Act;
  - (ii) any prison officer as defined in the Prisons Act; and
  - (iii) any person appointed by the Minister by notice in the Gazette to be an authorised officer for the purpose of this Act;
- (b) “**Fingerprint Bureau**” means the office established under [section 3](#).

**2. Taking of fingerprints, etc.**

- (1) Any authorised officer may take, or cause to be taken in his or her presence, for the purpose of record and identification, the fingerprints, footprints and casts thereof, palmprints, photographs and measurements of any person in lawful custody.
- (2) The Minister may prescribe the form upon which fingerprints, palmprints or footprints shall be taken; and the authorised officer who took the prints or caused them to be taken shall certify on the form that he or she took the prints or caused them to be taken in his or her presence and that the particulars on the form are correct to the best of his or her information, knowledge and belief.
- (3) If a person whose fingerprints, footprints or palmprints have been taken is convicted of any offence, the conviction and the sentence imposed in respect of it shall be recorded by an authorised officer on a form prescribed by the Minister which the authorised officer shall then send to the Fingerprint Bureau in order that the conviction may be entered on the form referred to in subsection (2) relating to the convicted person.
- (4) If a person whose fingerprints, footprints or casts thereof, palmprints, photographs or measurements have been taken is acquitted of any offence with which he or she is charged or is discharged from custody and if he or she has not previously been convicted such fingerprints, footprints, casts, palmprints, photographs and measurements and any record of them shall be destroyed.
- (5) Any person who, being required under subsection (1) to have any print, cast, photograph or measurement taken, refuses to comply with the requirement commits an offence and is liable on conviction to a fine not exceeding five hundred shillings.
- (6) Where any person is convicted of an offence under subsection (5), the court may make an order authorising the taking of any print, cast, photograph or measurement from the convicted person; and an authorised officer shall be entitled thereupon to take such print, cast, photograph or measurement using

the force as may be necessary so to do.

### 3. Fingerprint Bureau

- (1) There shall be established an office for the comparison of fingerprints, footprints or casts thereof and palmprints and for the preservation and indexing of the forms upon which any prints are taken.
- (2) The Fingerprint Bureau established under the Fingerprints Ordinance repealed by this Act shall be deemed to have been established under subsection (1).

### 4. Fingerprint forms to be evidence

Any form prescribed under [section 2\(2\)](#) and certified in the manner described in there shall be admissible in evidence without proof and shall be *prima facie* evidence—

- (a) that any fingerprint, footprint or palmprint recorded on the form was taken from the person who it is stated in the form to have been taken; and
- (b) that the person has been convicted of the offence recorded on the form.

### 5. Rules

The Minister may make rules—

- (a) prescribing the manner in which fingerprints, footprints and casts thereof, palmprints, photographs and measurements shall be taken under this Act;
- (b) prescribing anything required to be prescribed under the Act;
- (c) regulating the work of the Fingerprint Bureau; and
- (d) for better carrying out the purposes of this Act.

### 6. Saving

Any fingerprints taken pursuant to the Fingerprints Ordinance shall be deemed to have been taken pursuant to this Act, and any fingerprint or certificate which was admissible in evidence without proof or was *prima facie* evidence under that Ordinance shall so remain admissible without proof or *prima facie* evidence, as the case may be.