

Uganda

## New Vision Printing and Publishing Corporation Act Chapter 320

Legislation as at 31 December 2000

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PDF created on 21 January 2025 at 06:13.

*Collection last checked for updates: 31 December 2000.*

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FRBR URI: /akn/ug/act/statute/1987/8/eng@2000-12-31

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# Uganda

## New Vision Printing and Publishing Corporation Act Chapter 320

Published

Commenced on 4 September 1987

*[This is the version of this document at 31 December 2000.]*

*[Note: This legislation was revised and consolidated as at 31 December 2000 and 31 December 2023 by the Law Reform Commission of Uganda. All subsequent amendments have been researched and applied by Laws.Africa for ULII.]*

**An Act to establish the New Vision Printing and Publishing Corporation and for other matters connected therewith.**

### Interpretation

#### 1. Interpretation

In this Act, unless the context otherwise requires—

- (a) "**board**" means the board of directors established under [section 5](#);
- (b) "**corporation**" means the New Vision Printing and Publishing Corporation established under [section 2](#);
- (c) "**financial year**" means the period of twelve months beginning on the 1st day of July and ending on the 30th day of June;
- (d) "**Minister**" means the Minister responsible for information.

### Establishment, seal, functions and powers of the corporation

#### 2. Establishment of the corporation

- (1) There is established a corporation to be known as the New Vision Printing and Publishing Corporation.
- (2) The corporation shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name and subject to this Act may do or suffer all such other things as bodies corporate may lawfully do or suffer.
- (3) The application of the seal of the corporation on any document shall be authenticated by the signatures of the chairperson, the managing director and such other director as may be authorised.
- (4) In the absence of the chairperson, two other directors may sign in his or her place, and the person performing the functions of the managing director may sign in the absence of the managing director.
- (5) The signatures of the chairperson, the director and the managing director shall be independent of the signature of any other person who may sign any such document as a witness.
- (6) Every document purporting to be an instrument issued by the corporation and to be sealed by the corporation seal authenticated in the manner provided by this section shall be received and be deemed to be such an instrument without further proof unless the contrary is shown.

### 3. Functions of the corporation

The functions of the corporation shall be to provide printing and publication facilities to both the Government and the general public; and without prejudice to the generality of the foregoing, the corporation may do the following—

- (a) publish Government-owned newspapers in English and vernacular languages;
- (b) publish booklets or other publications which project the good name of Uganda and enhance the welfare and unity of its people;
- (c) print Government departments' documents;
- (d) print both text and exercise books, or any other books for general reading;
- (e) provide office stationery such as envelopes, desk calendars, letterheads, visiting cards, file folders or other stationery for office use;
- (f) provide annual report forms;
- (g) provide business and accounting stationery such as receipt forms, cash books and ledger books;
- (h) produce advertising and other forms of posters;
- (i) provide technical drawings and architectural plans;
- (j) carry out binding services on books, magazines or other documents;
- (k) produce paper bags, paper boxes and other paper packing containers;
- (l) carry out typesetting jobs for private publications;
- (m) carry out any other activity that may be carried on by a printing press or publishing house.

### 4. General powers of the corporation

The corporation may do all such things as are calculated to facilitate or are incidental or conducive to the better carrying out of its functions and may, without prejudice to the generality of the foregoing—

- (a) acquire, take on lease, purchase, hold and enjoy any property and sell or otherwise dispose of that property;
- (b) establish and maintain offices and printing presses in any place in Uganda;
- (c) enter into any contract;
- (d) borrow or otherwise raise money on such security as may be necessary, and for that purpose charge all or any part of the property of the corporation, subject to the prior approval of the Minister;
- (e) charge for any service provided by the corporation.

## The board

### 5. Board of directors

- (1) The governing body of the corporation shall be a board which shall consist of the managing director and not less than four and not more than eight other directors, one of whom shall be the chairperson.
- (2) A director shall be appointed by the Minister from among prominent and capable Ugandans.
- (3) A director shall be appointed for a period of three years and upon such terms and conditions as may be specified in the instrument of appointment.

- (4) A director may resign his or her office by writing under his or her hand addressed to the Minister, and the Minister may remove any member from office for inability to perform the functions of his or her office or for any other sufficient reason.
- (5) If the office of a director becomes vacant otherwise than by effluxion of time, the Minister may appoint another person to hold office in his or her place.
- (6) A person appointed under subsection (5) shall cease to hold office on the date when the person in whose place he or she holds office would have ceased to hold office in accordance with this Act.
- (7) A director ceasing to hold office shall be eligible for reappointment.

## **6. Meetings of the board**

- (1) The board shall meet for the discharge of its duties at least once every three months or upon the request in writing to the chairperson by at least three directors of the board, at such time and place as the chairperson may appoint.
- (2) The chairperson shall preside at all meetings of the board at which he or she is present; and in his or her absence such director, other than the managing director, as the directors present may elect, shall preside.
- (3) Four directors, including the chairperson, shall form a quorum at every meeting of the board.
- (4) The board may invite any person to act as a consultant or adviser at any of its meetings.
- (5) Questions proposed at any meeting of the board shall be determined by a simple majority of votes of the members present and voting; and in the case of equality of votes, the person presiding at the meeting shall have a second or casting vote.
- (6) Any director who has any personal interest in any transaction of the board or any matter before the board shall disclose the nature of his or her interest to the board and shall be disqualified from taking part in the deliberations of the board with respect to that transaction or matter, and failure to make the disclosure required by this section may constitute a sufficient reason for the removal of that member from the board.
- (7) Subject to the foregoing provisions, the board may regulate its own procedure.

## **7. Remuneration of directors**

The directors or any other person attending any meeting of the board may be paid such remuneration or allowance as the Minister may, in consultation with the Minister responsible for finance, determine.

## **Staff**

## **8. Managing director**

- (1) There shall be a managing director who shall be the executive officer of the corporation.
- (2) The managing director shall be appointed by the Minister for such period and upon such terms as the Minister may determine.
- (3) The managing director shall, from time to time, keep the chairperson informed of the progress of the business of the corporation.
- (4) The chairperson may, from time to time, in writing, direct the managing director to submit a report on any matter affecting the affairs of the corporation.
- (5) Subject to this Act and the general supervision and control of the board, the managing director shall be responsible for the management of the funds, property and business of the corporation and for the administration, organisation and control of the staff of the corporation.

## 9. Editor-in-chief and deputy editor-in-chief

- (1) There shall be an editor-in-chief who shall be responsible for all the editorial work of the corporation.
- (2) There shall be a deputy editor-in-chief who shall perform the duties of the editor-in-chief in his or her absence and such other duties as may be assigned to him or her.
- (3) The editor-in-chief and the deputy editor-in-chief shall be appointed by the Minister on the advice of the board on such terms and conditions as he or she may determine.

## 10. Secretary

- (1) There shall be a secretary to the board who shall be appointed by the Minister on the advice of the board on such terms and conditions as the Minister may determine.
- (2) In addition to any other functions that may be conferred upon him or her by the Minister, the secretary shall have the custody of the seal of the corporation and be responsible for—
  - (a) taking the minutes of the meetings of the board; and
  - (b) keeping the records of all transactions of the corporation.

## 11. Other staff

- (1) There shall be such other officers and employees as the board may, from time to time, determine.
- (2) Public officers may be seconded to the corporation.
- (3) Nothing done by an officer or employee of the corporation shall, if done *bona fide* for the purpose of carrying the provisions of this Act into effect, subject him or her to any civil liability.

## Financial provisions

### 12. Funds of the corporation

- (1) The funds of the corporation shall consist of—
  - (a) any grant of a capital nature from the Government;
  - (b) any loan from the Government, organisations or any person;
  - (c) any monies that may become payable to the corporation in the discharge of its functions;
  - (d) donations that may be made to the corporation.
- (2) All income and monies of the corporation shall be deposited to the credit of the corporation in a bank approved by the Minister and shall not be withdrawn except in accordance with the manner provided by the board.

### 13. Borrowing powers

- (1) The corporation may, subject to the approval of the Minister in consultation with the Minister responsible for finance, borrow sums required by it for meeting any of its obligations or performing any of its functions under this Act.
- (2) An approval given under subsection (1) may be either general or limited to a particular borrowing or otherwise and may be unconditional or subject to conditions.
- (3) A person lending money to the corporation shall not be bound to inquire whether the borrowing of money is within the powers of the corporation.

**14. Estimates**

- (1) The board shall, within three months before the end of each financial year, make and submit to the Minister for his or her approval estimates of the income and expenditure of the corporation for the next ensuing year.
- (2) No expenditure shall be made out of the funds of the corporation unless the expenditure has been approved by the Minister under the estimates for the year in which the expenditure is to be made or in any other estimates supplementary to those estimates.

**15. Accounts**

- (1) The corporation shall keep books of account of all its income and expenditure and proper records in relation to them.
- (2) Subject to such directions as the Minister responsible for finance may give, the corporation shall prepare, in respect of each financial year, a statement of account which shall include—
  - (a) a balance sheet, a statement of income and statements of surplus or deficit; and
  - (b) such other information in respect of the financial affairs of the corporation as the Minister responsible for finance may require.

**16. Audit**

- (1) The accounts of the corporation shall in respect of each financial year be subject to audit by the Auditor General or an auditor appointed by him or her.
- (2) The board shall ensure that within three months from the end of each financial year a statement of account of the corporation is prepared and submitted to the Auditor General for auditing.
- (3) The Auditor General shall audit and deliver to the board a copy of the audited accounts together with his or her report on the accounts not later than three months from the date of his or her receipt of the statement of account from the board.
- (4) The board shall within one month from the receipt of the audited accounts and the Auditor General's report on the accounts deliver copies of them to the Minister who shall present them to Cabinet.

**17. Investment of surplus funds**

Such funds of the corporation as are not immediately required for use shall be invested in such manner as the board may, with prior approval of the Minister in consultation with the Minister responsible for finance, determine.

**18. Corporation to operate on sound financial principles**

In the performance of its functions under this Act, the corporation shall have due regard to sound financial principles and shall conduct its business in such manner that taking one transaction with another, and taking one year with another—

- (a) its revenue is sufficient for meeting all charges, including interest on capital and loans properly chargeable to revenue account;
- (b) sufficient provision is made to provide for depreciation of assets; and
- (c) where any loss or bad debt arises in respect of any transaction, provision is made in respect of other transactions, whether of a similar nature or otherwise, to offset the amount of that loss or debt.

## Miscellaneous

### 19. Editorial policy

In carrying out its functions and, in particular, the function of publishing the Government newspapers, the board shall have as its editorial policy—

- (a) to establish an effective machinery for a wide coverage of events all over the world and Uganda in particular;
- (b) to voice public opinion and criticisms of a given Government policy in a fair and objective manner without becoming an institutional opponent to the Government or its interests;
- (c) to uphold the integrity of the Republic of Uganda and promote harmonious relationships among its people, its neighbours and the world at large;
- (d) to propagate news and comment truthfully, honestly and fairly without jeopardising peace and harmony in the country;
- (e) to respect and uphold the sovereignty and unity of Uganda and to come out firmly on its side on matters affecting such sovereignty and unity without affecting the truth which must at all times be the guiding line and governing principle of the newspapers.

### 20. Service of document

Any notice or document required to be served on the corporation may be served by leaving it at the office of, or by sending it by registered post to the managing director.

### 21. Annual report

The board shall within three months after the end of each calendar year send to the Minister a report on the activities of the corporation for that year, and the Minister shall lay the report before Parliament.

### 22. Regulations

The Minister may, by statutory instrument, make regulations generally for better carrying out the provisions of this Act.