

CHAPTER 142A

THE REFERENDUM ACT.

Arrangement of Sections.

Section

Interpretation.

Power to order the holding of a referendum.

Persons entitled to vote in a referendum.

Regulations.

Expenses of a referendum.

- 1.
- 2.
- 3.
- 4.
- 5.

CHAPTER 142A

THE REFERENDUM ACT.

Commencement: 25 March, 1994.

An Act to provide for the submission of questions to the electorate for determination by referendum.

1. Interpretation.

In this Act, unless the context otherwise requires, “Minister” means the Minister to whom the functions of Minister under this Act have, for the time being, been assigned by the President.

2. Power to order the holding of a referendum.

(1) The Minister may, if satisfied that it will be in the public interest necessary to do so, with the approval of Parliament by resolution, direct the holding of a referendum either throughout Uganda or in any area of Uganda specified in the order on any question or series of questions specified in the order.

(2) A referendum shall also be held when the holding of a referendum is required under the provisions of any enactment.

(3) Any referendum held by the virtue of the provisions of any enactment shall be subject to the provisions of that enactment.

(4) Any question submitted to a referendum under this section shall be framed so as to require no other answer than yes or no.

(5) A statutory order made under this section may provide for the voting in a referendum to be held on different dates in different areas.

(6) Unless a greater majority is otherwise required by any enactment, any question submitted to a referendum under this Act shall be determined by the votes of a simple majority of the persons voting in the referendum.

3. Persons entitled to vote in a referendum.

- (1) The persons entitled to vote in a referendum under this Act are—
 - (a) persons registered to vote as electors for public elections on the date when the voting in the referendum is to take place; or
 - (b) where the referendum is to take place only in a particular area, the persons registered as electors for public elections in that area on the date when the voting is to take place there.
- (2) All referenda shall be conducted by the Electoral Commission.

4. Regulations.

- (1) The Minister may, by statutory instrument, make regulations prescribing the manner in which a referendum is to be held.
- (2) Without prejudice to the general effect of subsection (1), regulations may be made under it—
 - (a) to ensure the secrecy of the voting;
 - (b) applying with or without modifications, the provisions of any enactment relating to elections, including any provisions relating to election offences;
 - (c) prescribing the manner in which the results of the referendum are to be published and the particulars to be included in the results;
 - (d) prescribing penalties not exceeding imprisonment for two years or a fine not exceeding any amount prescribed in the regulations, or both, in respect of any contravention of the regulations.
- (3) Regulations under this section may be made to apply either generally or to any particular referendum.
- (4) Regulations made under this section shall be laid before Parliament within thirty-one days after they are published in the Gazette for approval before any referendum.
- (5) Any period prescribed under subsection (4) in respect of the laying or annulment of any regulations shall not run during any period while Parliament is not sitting.

5. Expenses of a referendum.

The expenses incurred in the holding of any referendum under this Act shall be paid out of funds voted by Parliament.

History: Statute 2/1994.