CHAPTER 66

THE UGANDA CITIZENSHIP AND IMMIGRATION CONTROL ACT.

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CHAPTER 66

THE UGANDA CITIZENSHIP AND IMMIGRATION CONTROL ACT.

Commencement: see section 2.

An Act to make provision for acquisition of citizenship of Uganda pursuant to the Constitution, to provide for the compulsory registration of all Ugandans and the issue of national identification numbers and the issue of national identity cards to citizens of Uganda; to regulate the issue of passports to citizens of Uganda, to provide for the regulation and control of aliens in Uganda; to repeal the Uganda Citizenship Act, the Immigration Act, the Passports Act and the Aliens (Registration and Control) Act; and to provide for other matters incidental or connected with the foregoing.

PART I—PRELIMINARY.

1. Commencement.

This Act shall come into force on a date appointed by the Minister by statutory instrument; and the Minister may appoint different dates for different provisions of this Act to come into force.

2. Interpretation.

In this Act, unless the context otherwise requires—

(a) "alien" means any person who is not a citizen of Uganda;
(b) "board" means the National Citizenship and Immigration Board established under article 16 of the Constitution;
(c) "chairperson" means the chairperson of the board;
(d) "child" means a person below the age of eighteen years and includes an adopted child;
(e) "Civil Aviation Authority" means any aviation body governing airline operations in Uganda;
(f) "commissioner" means the commissioner for immigration established under section 8;
(g) "convention travel document" means a travel document issued to a refugee under the relevant refugee instruments and the Control of Alien Refugees Act;

(h) "currency point" means the value specified in relation to a currency point in the First Schedule to this Act;
(i) "destitute person" means a person who is, in the opinion of the commissioner, incapable of supporting himself or herself;
(j) "document of identity" means a document establishing the nationality and identity of the holder for the time being in force issued or renewed by the government of the State of which the holder is a subject or citizen, or some valid document of identity satisfactorily establishing the holder's nationality or identity;
(k) "entry permit" means a permit granted under section 54;
(l) "function" includes a power and a duty;
(m) "habitual criminal" means a person who is not less than thirty years of age and who has been convicted at least four times since attaining the age of sixteen years of offences punishable with imprisonment of two years or more and on at least two of those occasions has been sentenced to imprisonment;
(n) "immigration officer" includes the commissioner;
(o) "Minister" means the Minister responsible for internal affairs;
(p) "pass" means a special pass, pupils or students pass, prohibited immigrant pass, interstate pass, visitors pass, in-transit pass, dependent pass and reentry pass;
(q) "parastatal" means a body in which the Government owns a controlling interest;
(r) "prescribed country" means a country declared by the Minister by statutory order with the approval of Parliament to be a prescribed country for the purposes of this Act;
(s) "refugee" means, subject to the Constitution, a person who is recognised as a refugee by the Government and the United Nations High Commissioner for Refugees (UNHCR) under the relevant refugee instruments and the Control of Alien Refugees Act;
(t) "relevant refugee instruments" means the 1951 United Nations Convention relating to the status of refugees, as amended by the 1967 protocol relating to the status of refugees and the 1969 Organisation of African Unity Convention governing specific aspects of refugees problems in Africa and any other international convention or other instrument prescribed by the Minister by statutory instrument;
(u) "undesirable immigrant" is an undesirable immigrant within the meaning of section 52(g) and (h).

3. The board.

(1) The National Citizenship and Immigration Board established by article 16 of the Constitution shall consist of a chairperson, and not more than six other persons appointed by the President with the approval of Parliament.

(2) Each member of the board shall be a citizen of Uganda and a person of high moral character and proven integrity.

(3) A member of the board may be removed from office by the President only for—

(a) inability to perform the functions of his or her office arising out of physical or mental incapacity;
(b) misbehaviour or misconduct; or
(c) incompetence.

(4) Subject to subsection (3), a member of the board shall hold office for a period of four years and is eligible for reappointment for one term only.

(5) A member of the board may be paid such remuneration as the Minister may, in consultation with the Minister responsible for finance, determine.

(6) Members of the board shall, subject to the other provisions of this section, hold office on such terms as may be determined by the Minister.

4. Seal of the board.

The board shall have a seal which shall be in such a form as the board may determine and shall, subject to the provisions of any law, be applied in such circumstances as the board may determine.

5. Meetings of the board.

The provisions of the Second Schedule to this Act shall have effect in relation to meetings of the board.

6. Secretary to the board.

The commissioner shall act as secretary to the board and shall perform such functions in relation to meetings of the board as the board may direct.

7. Functions of the board.

(1) The functions of the board shall be—

(a) registering and issuing national identity cards to citizens of Uganda;

(b) issuing Uganda passports and other travel documents;

(c) granting and cancelling citizenship by registration and naturalisation;

(d) granting and cancelling immigration permits;

(e) registering and issuing identity cards to aliens;

(f) determining any questions which may arise in the implementation of this Act or any questions which may be referred to it by the Minister;

(g) performing such other functions as may be assigned to it by or under this Act or any other enactment; and

(h) performing any other function determined by the Minister.

(2) The functions of the board set out in subsection (1)(a), (b) and (d) may be decentralised to the district level.

8. Commissioner and other immigration officers.

(1) There shall be a commissioner for immigration and such number of other immigration officers as may be necessary for the efficient implementation of this Act.

(2) The commissioner shall be responsible for giving effect to the decisions of the board and shall be assisted by immigration officers all of whom shall assist the board in the performance of its functions under this Act and shall perform such duties in relation to them as the board may direct.

(3) Any functions conferred on the commissioner and other immigration officers by this Act shall be performed on behalf of and subject to the directions of the board.

(4) Subject to this Act, the board may review any action taken by an

immigration officer on behalf of the board.

9. Minister's power of direction.

The Minister may, subject to this Act, give general policy directions to the board or any immigration officer, and the board or immigration officer shall comply with such directions.

10. Appeals.

(1) Any person aggrieved by any decision of the board under this Act may, within thirty days after the decision is communicated to him or her, appeal to the Minister against the decision.

(2) The Minister may, where it appears to him or her to be just, extend the period within which an appeal may be made under this section.

(3) The Minister may, upon application by the person aggrieved by the decision, extend the period within which any appeal may be made under subsection (2) if it appears to the Minister just so to do.

(4) The Minister may on appeal under this section confirm or reverse the decision of the board or refer the matter to the board for reconsideration.

(5) Any person aggrieved by a decision of the Minister on an appeal from a decision of the board under Part IV or V of this Act may, within thirty days after the decision is communicated to him or her, appeal to the High Court against the Minister's decision; and the decision of the High Court shall be final.

11. Protection of members of the board and immigration officers acting in good faith.

No member of the board or immigration officer or person acting on the directions of such a person shall be subject to any civil or criminal liability for anything done or omitted to be done in good faith in the exercise of the functions of the board, or a member of the board or an immigration officer.

PART III—CITIZENSHIP.

12. Citizenship by birth.

The following persons shall be citizens of Uganda by birth—

(a) every person born in Uganda one of whose parents or grandparents is or was a member of any of the indigenous communities existing and residing within the borders of Uganda as at the first day of February, 1926, and set out in the Third Schedule to the Constitution; and
(b) every person born in or outside Uganda one of whose parents or grandparents was at the time of birth of that person a citizen of Uganda by birth.

13. Foundlings and adopted children.

(1) A child of not more than five years of age found in Uganda whose parents are not known shall be presumed to be a citizen of Uganda by birth.

(2) A child under the age of eighteen years neither of whose parents is a citizen of Uganda, who is adopted by a citizen of Uganda, shall, on application, be registered as a citizen of Uganda.

(3) Subject to this Act, the procedure for registration as a citizen under subsection (2) shall be as prescribed by regulations made under section 82.

14. Citizenship by registration.

(1) Every person born in Uganda—
(a) at the time of whose birth—
(i) neither of his or her parents and none of his or her grandparents had diplomatic status in Uganda; and
(ii) neither of his or her parents and none of his or her grandparents was a refugee in Uganda; and
(b) who has lived continuously in Uganda since the ninth day of October 1962,
shall, on application, be entitled to be registered as a citizen of Uganda.

(2) The following persons shall, upon application, be registered as citizens of Uganda—
(a) every person married to a Ugandan citizen, upon proof of a legal and subsisting marriage of five years or more;
(b) every person who has legally and voluntarily migrated to and has been living in Uganda for at least twenty years;
(c) every person who, on the commencement of the Constitution had

lived in Uganda for at least twenty years.

(3) Subsection (2)(a) applies also to a person who was married to a citizen of Uganda who but for his or her death would have continued to be a citizen of Uganda under the Constitution.

(4) Where a person has been registered as a citizen of Uganda under subsection (2)(a) and the marriage by virtue of which that person was registered is—

(a) annulled or otherwise declared void by a court or tribunal of competent jurisdiction; or

(b) dissolved,

that person shall, unless he or she renounces that citizenship, continue to be a citizen of Uganda.

15. Procedure for registration of citizenship.

(1) Any person to whom section 14(1) or (2) applies may apply to the board in writing in the prescribed form, and the board shall, on proof to its satisfaction that section 14 applies to that person, register that person as a citizen.

(2) The board shall upon registration of any person under subsection (1) issue to that person in the prescribed form a certificate of registration as a citizen of Uganda.

(3) A person shall not be registered as a citizen of Uganda unless he or she—

(a) has made a declaration in writing in the form specified in Form B of the Third Schedule to this Act renouncing any other nationality or citizenship he or she may possess;

(b) has taken the oath of allegiance specified in the Fourth Schedule to the Constitution and set out in Form A in the Third Schedule to this Act;

(c) has made and registered a declaration of his or her intentions concerning residence as specified in Form C of the Third Schedule to this Act.

(4) Regulations made under section 82 may make further provision in respect of the registration of citizens by registration not inconsistent with the Constitution or this Act.

16. Citizenship by naturalisation.

(1) The board may grant to any alien citizenship by naturalisation subject to the provisions of this section.

(2) The board shall issue to a person granted citizenship under this section a certificate of naturalisation.

(3) An alien to whom a certificate of naturalisation is issued under this section shall become a citizen of Uganda by naturalisation from the date of the issue of the certificate of naturalisation.

(4) A person who wishes to be granted citizenship by naturalisation shall make an application to the board in writing in the prescribed form and shall comply with the requirements of subsection (5).

(5) The qualifications for naturalisation are that he or she—

(a) has resided in Uganda for an aggregate period of twenty years;

(b) has resided in Uganda throughout the period of twenty-four months immediately preceding the date of application;

(c) has adequate knowledge of a prescribed vernacular language or of the English language;

(d) is of a good character; and

(e) intends, if naturalised, to continue to reside permanently in Uganda.

(6) A person shall not be granted citizenship of Uganda under this section unless—

(a) he or she has made a declaration in writing in the prescribed form, renouncing any other nationality or citizenship he or she may possess; and

(b) has taken an oath of allegiance in the form prescribed in the Fourth Schedule to the Constitution and set out in Form A of the Third Schedule to this Act.

(7) The board shall refuse to grant to any alien citizenship by naturalisation if his or her immigration file contains substantial inconsistencies as to put his or her demeanour in issue.

(8) Subject to the provisions of the Constitution, the Minister may,

where he or she is satisfied that reciprocal provisions are or may be made in respect of Uganda citizens under the law of any prescribed country, as regards acquisition of citizenship in the prescribed country, and that it is desirable so to do, by statutory order, make provision for reciprocal acquisitions of citizenship by citizens from that prescribed country.

17. Loss of citizenship by registration.

(1) The board may deprive a person of his or her citizenship if acquired by registration, on any of the following grounds—

(a) voluntary acquisition of the citizenship of another country;
(b) voluntary service in the armed forces or security forces of a country hostile to or at war with Uganda;
(c) acquisition of Uganda citizenship by fraud, deceit, bribery or having made intentional and deliberate false statements in his or her application for citizenship; and
(d) espionage against Uganda.

(2) For the avoidance of doubt, this section applies to a person registered as a citizen of Uganda under section 13 or 14.

18. Deprivation of citizenship by naturalisation.

(1) Subject to this section, the board may, by order, deprive of citizenship any citizen of Uganda who is such by naturalisation, if the board is satisfied that the naturalisation certificate was obtained by means of fraud, false representation or the concealment of any material fact.

(2) Subject to this section, the board may, by order, deprive a person of his or her citizenship by naturalisation on any of the following grounds—

(a) voluntary acquisition of the citizenship of another country;
(b) voluntary service in the armed forces or security forces of a country hostile to or at war with Uganda;
(c) acquisition of Uganda citizenship by fraud, deceit, bribery or having made intentional and deliberate false statements in his or her application for citizenship; and
(d) espionage against Uganda.

19. Prohibition of dual citizenship.

(1) Subject to this section, a Uganda citizen shall not hold the

citizenship of another country concurrently with his or her Uganda citizenship.

(2) A citizen of Uganda shall cease forthwith to be a citizen of Uganda if on or after attaining the age of eighteen years he or she, by voluntary act other than marriage, acquires or retains the citizenship of a country other than Uganda.

(3) A person who—

(a) becomes a citizen of Uganda by registration; and

(b) upon becoming a citizen of Uganda, is also a citizen of another country, shall cease to be a citizen of Uganda unless he or she has—

(i) renounced his or her citizenship of that other country;

(ii) taken the oath of allegiance specified in the Fourth Schedule to the Constitution and set out in Form A of the Third Schedule to this Act;

(iii) made and registered such declaration of his or her intentions concerning residence as set out in Form C of the Third Schedule to this Act; or

(iv) obtained from the board extension of time for taking those steps and the extended period has not expired.

(4) A person shall not be required to comply with subsection (3)(b)(i), (ii) and (iii) if he or she has already complied with section 15(3)(a), (b) and (c).

(5) A Uganda citizen who loses his or her Uganda citizenship as a result of the acquisition or possession of the citizenship of another country shall, on the renunciation of his or her citizenship of that other country, become a citizen of Uganda.

(6) Where the law of a country, other than Uganda, requires a person who marries a citizen of that country to renounce the citizenship of his or her own country by virtue of that marriage, a citizen of Uganda who is deprived of his or her citizenship by virtue of that marriage shall, on the dissolution of that marriage, if he or she thereby loses his or her citizenship acquired by that marriage, become a citizen of Uganda.

20. Renunciation of citizenship.

(1) If a citizen of Uganda of full age and capacity who acquires citizenship of a foreign country makes a declaration in the prescribed manner of renunciation of citizenship of Uganda, the board shall cause the declaration to be registered; and upon registration, that person shall cease to be a citizen of Uganda.

(2) The board may refuse to register any declaration of the kind mentioned in subsection (1) if it is made during any war in which Uganda may be engaged with that foreign country or if in the opinion of the board it is otherwise contrary to public policy.

21. Effect of renunciation and of deprivation.

(1) A citizen of Uganda who is deprived of his or her citizenship by an order of the board under section 17 or 18 shall, upon the making of the order, cease to be a citizen of Uganda.

(2) The renunciation or deprivation by or of any person of his or her citizenship under this Part of this Act shall not affect the liability of that person for any offence committed by him or her before the renunciation or deprivation of his or her citizenship.

22. Evidence.

(1) Every document purporting to be a notice, certificate, order or declaration, or any entry in a register, or a subscription of an oath of allegiance or declaration of renunciation, given, granted or made under the provisions of this Part shall be received in evidence and shall, unless the contrary is proved, be taken to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

(2) Prima facie evidence of any document of the kind mentioned in subsection (1) may be given by production of a document purporting to be certified as a true copy of it by such person and in such manner as may be prescribed.

(3) Any entry in a register made under this Part, or a certified copy of such entry, shall be received as evidence of the matter stated in the entry.

(4) Every application to the board under this Part shall—

(a) be supported by such evidence of the statements made in it as may be prescribed;

(b) be verified by an affidavit or declaration made before a magistrate or a commissioner of oaths.

23. Offences and penalties under Part III.

(1) Any person who, for the purpose of procuring anything to be done under this Part, makes any statement which he or she knows to be false in a material particular commits an offence and is liable on conviction to a fine not exceeding one hundred and fifty currency points or imprisonment not exceeding two years or both.

(2) Any person who fails to comply with any requirement imposed on him or her by any regulations made under this Part of this Act with respect to the acquisition of a certificate of registration or naturalisation commits an offence and is liable on conviction to a fine not exceeding one hundred and fifty currency points or imprisonment not exceeding two years or both.

24. Revocation and cancellation of citizenship.

Where a person to whom a certificate of registration or naturalisation as a citizen of Uganda has been granted under this Act does not produce within ninety days to an officer acting on behalf of the board sufficient evidence to satisfy the officer that he or she has renounced any other nationality or citizenship which he or she may have possessed, the registration or naturalisation of that person as a citizen of Uganda shall be cancelled; and he or she shall be taken never to have been so registered.

25. Residence under authority of certain passes not to be residence for acquisition of citizenship by registration or naturalisation.

Notwithstanding any provision of this Act or of any other law, any period of residence in Uganda under the authority of any—

(a) special pass;

(b) dependent pass to a holder of an entry permit other than as wife or husband;

(c) pupils pass;

(d) visitors pass;

(e) convention travel document,

shall not be taken into account in computing the time of residence in Uganda for purposes of acquisition of citizenship by registration or naturalisation.

26. Regulations under Part III.

The Minister may make regulations under section 82 in relation to the following—

(a) prescribing any matter which is to be prescribed under this Part of this Act;
(b) prescribing the forms for application for citizenship under this Act;
(c) the registration of any matter required or authorised under this Part to be registered;
(d) the administration of or taking of the oath of allegiance under this Part and the time within which the oath of allegiance shall be taken;
(e) prescribing the procedure for applying to the board for and granting of extension of time for taking any of the steps described in section 19(3)(b);
(f) the giving of any notice required or authorised to be given to any person under this Part of the Act;
(g) cancellation and amendment of registration or naturalisation relating to persons deprived of citizenship under this Part, and requiring such certificates of registration or naturalisation to be delivered up for those purposes;
(h) prescribing forms to be used for the purposes of this Part;
(i) prescribing the payment of fees to be paid in respect of anything to be done under this Part;
(j) prescribing the evidence to be provided of any statement made in any application; and
(k) for any matters incidental to and connected with the matters mentioned in this section.

PART IV—REGISTRATION OF CITIZENS AND ISSUE OF NATIONAL IDENTIFICATION NUMBERS AND NATIONAL IDENTITY CARDS.

27. Registration of citizens and issue of national identification numbers and national identity cards.

(1) Every citizen of Uganda shall be registered as a citizen by the

board and shall, upon registration, be allocated by the board a national identification number.

(2) It shall be the duty of every citizen of Uganda to apply to the board to be registered under this section.

(3) In the case of a citizen of Uganda below the age of eighteen years, it is the duty of the parent, guardian or other person responsible for the supervision or welfare of the person to take steps to cause the person to be registered.

(4) In the case of any person incapacitated by illness, old age or other reason from applying for registration, it shall be the duty of the guardian or other person responsible for the supervision or welfare of the person to take steps to cause the person to be registered.

(5) It shall be the duty of any person or authority responsible for the registration of births under any enactment to give to the board any information that the board may reasonably require for carrying out the registration of citizens under this Part of this Act.

28. Duty to apply for and hold national identity cards.

(1) Every citizen of Uganda of or above the age of eighteen years shall apply to the board for a national identity card and upon being issued with it shall at all times hold a national identity card.

(2) The board shall issue a national identity card to every person who applies under this section if he or she is registered as a citizen under section 27 and otherwise satisfies the requirements of this Part of this Act.

(3) For the avoidance of doubt, nothing in this section shall prevent the board from issuing a national identity card to a person below the age of eighteen years who is registered as a citizen under section 27.

(4) In the case of any person incapacitated by illness, old age or other reason from applying for a national identity card, it shall be the duty of the guardian or other person responsible for the supervision or welfare of that person to take steps to cause the person to be issued with a national identity card.

(5) The national identification number allocated to a person when he or she was registered as a citizen shall be stated in the national identity card issued to that person under this section.

29. Contents of application.

(1) Every application for registration as a citizen and for a national identity card shall be made in Form D specified in the Third Schedule to this Act.

(2) An application referred to in subsection (1) shall also contain such other information as may be prescribed by regulations made under section 82.

30. National identity cards to be issued only to Ugandans.

National identity cards shall only be issued to citizens of Uganda.

31. National registration secretariat.

Every application for registration as a citizen or for a national identity card under this Part shall be dealt with by a national registration secretariat which shall consist of immigration officers and such supporting staff as may be necessary, acting on behalf of and subject to the directions of the board.

32. Verification of application and authentication.

(1) All applications referred to in section 29 shall bear three passport size photographs and shall be duly verified by a person prescribed by regulations.

(2) The board may, where necessary, call upon an applicant to authenticate any of the facts referred to in Form D in the Third Schedule and may also require the applicant to produce recommendatory letters from any persons prescribed by regulations.

33. Proof of Ugandan citizenship.

Where the applicant for registration as a citizen or for a national identity card is a citizen of Uganda by registration or naturalisation, he or she may be required to prove his or her citizenship by accompanying his or her

application with a duly certified citizenship certificate.

34. Proof of renunciation.

Where an applicant for registration or for a national identity card is a citizen of Uganda by registration or naturalisation, he or she shall provide proof of renunciation of the citizenship of any other country.

35. Persons eligible for public service.

From such time as the Minister may prescribe by regulations, any person who is not a holder of a national identity card and who is not an expatriate in a government service shall not be eligible for service in any public office or in any employment in the private sector in Uganda.

36. Registration centres.

The board may designate other places as registration centres for the purposes of processing registration of citizens and issue of national identity cards.

37. Offences and penalties under Part IV.

(1) Any person who fails without reasonable excuse—

(a) to apply for registration as a citizen or, as the case may be, to take the necessary steps to cause a person for whose supervision or welfare he or she is responsible to be registered as a citizen under section 27; or

(b) to apply for or hold a national identity card or, as the case may be, cause a person for whose supervision or welfare he or she is responsible to apply for or hold a national identity card under section 28,

commits an offence and is liable on conviction to a fine not exceeding ten currency points or imprisonment not exceeding three months or both.

(2) Any person who, without lawful authority of the board, makes, prints or binds any material whether in part or in whole with intent to produce a national identity card, or any other document related to it, commits an offence and is liable on conviction to a fine not exceeding four hundred currency points or imprisonment not exceeding five years or both.

(3) Any person who unlawfully alters, forges, causes to be altered or

forged any part of a national identity card commits an offence and is liable on conviction to a fine not exceeding one hundred and fifty currency points or imprisonment not exceeding five years or both.

(4) Any person who without lawful authority issues, distributes or has in his or her possession any national identity card commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding two years or both.

38. Regulations under Part IV.

Regulations made under section 82 of this Act may—

(a) provide for an identity card to be issued free for the first time and prescribe a fee to be levied upon replacement;
(b) prescribe the form of a national identity card;
(c) provide for the replacement of lost, defaced or destroyed national identity cards;
(d) provide for the time within which an application for registration of citizenship or for a national identity card shall be made;
(e) prescribe the purposes for which a national identity card may be used;
(f) provide for any other matter necessary or expedient for giving full effect to the provisions of this Part of this Act.

PART V—PASSPORTS.

39. Ugandan entitled to a passport.

Every Ugandan shall have the right to a passport or other travel documents.

40. Power to issue passports.

(1) There shall be a passport control officer and a deputy passport control officer who shall be immigration officers.

(2) The passport control officer and the deputy passport control officer shall, subject to this section, issue or renew on behalf of the board passports and other travel documents to persons who qualify.

(3) The board may delegate its functions relating to the issue or renewal of passports and other travel documents to Uganda diplomatic

missions abroad.

(4) The administration, control and supervision of all matters relating to passports and other travel documents shall be vested in the board.

(5) An application for a travel document shall be in Form G in the Third Schedule.

41. Types of passports.

There shall be such types and categories of passports and other travel documents as the Minister may, from time to time, prescribe by regulations made under section 82.

42. Period of validity.

(1) Any passport issued under this Act shall be valid for a period not exceeding ten years, but may be renewed for a period of ten years at a time.

(2) Other travel documents shall be valid for such period as the board may from time to time determine.

43. Passport to be valid for all countries.

A passport issued under section 40 shall be valid for all countries except for any countries specified in the passport in respect of which it is stated not to be valid.

44. Endorsement of children.

A holder of a passport may, on application, have his or her children endorsed in the passport, except a child of or above the age of sixteen years who shall hold a separate passport.

45. Requirements before issue of a passport.

Any person who applies for a passport shall produce evidence to the effect that he or she is a citizen of Uganda and may be required by the board to comply with any of the following—

(a) to produce his or her national identification number;

(b) any other requirement which may be prescribed by the board.

46. Grounds for refusal to grant a passport.

The board may refuse to issue a passport where, in its opinion, the issue of a passport to any person would be prejudicial to the public interest and, in particular, may refuse to issue a passport to any of the following—

(a) a person against whom any criminal proceedings are pending in any court;

(b) a habitual criminal.

47. Withdrawal of passports.

(1) The board may order the withdrawal or temporary seizure of a passport from any holder in the following circumstances—

(a) where the holder is lawfully charged with a felony;

(b) where the holder is a habitual criminal;

(c) where the holder is deported or repatriated to Uganda and the conditions or reasons for his or her deportation or repatriation are still standing; and

(d) subject to the Constitution, any other circumstance which, in the opinion of the board, would be prejudicial to the interests of the State or of the holder of the passport.

(2) Where a passport is withdrawn under this section, the holder or any person responsible for the holder shall return the passport to the board.

(3) Any person who contravenes subsection (2) commits an offence and is liable on conviction to a fine not exceeding thirty currency points or imprisonment not exceeding six months or both.

48. Offences and penalties under Part V.

(1) Any person who fails to surrender a passport or any travel document when required to do so by the board commits an offence and is liable on conviction to a fine not exceeding thirty currency points or imprisonment not exceeding six months or both.

(2) Any person who, without lawful authority of the board, makes, prints or binds any material, whether in part or in whole, with intent to produce a passport or any other travel document commits an offence and is liable on conviction to a fine not exceeding four hundred currency points or

imprisonment not exceeding five years or both.

(3) Any person who unlawfully alters, forges, causes to be altered or forged any part of a passport or other travel document commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding two years or both.

(4) Any person who without lawful authority issues, renews, distributes or has in his or her possession any passport or other travel document commits an offence and is liable on conviction to a fine not exceeding sixty currency points or imprisonment not exceeding two years or both.

(5) Any person who fails to comply with the terms and conditions of the issue of a passport commits an offence and is liable on conviction to a fine not exceeding sixty currency points or imprisonment not exceeding two years or both.

49. Regulations under Part V.

Regulations may be made under section 82—

(a) prescribing the form of applications under this Part;
(b) prescribing the fees to be paid on issuing of a passport and other travel documents; and
(c) generally for better carrying out the provisions of this Part of this Act.

PART VI—IMMIGRATION CONTROL.

50. Powers and duties of immigration officers.

(1) An immigration officer may, for the purposes of exercising his or her functions under this Act—

(a) without a search warrant, enter upon and search any ship, aircraft, train or vehicle in Uganda;
(b) interrogate a person whom he or she reasonably believes—
  (i) is about to enter or leave Uganda;
  (ii) is a prohibited immigrant; or
  (iii) is able to give any information regarding any infringement or suspected infringement of this Act or any regulations made under this Act;

(c) require a person who desires to enter Uganda—
  (i) to make and sign a declaration in such form as may be prescribed under this Act;
  (ii) to submit himself or herself to a medical examination by a Government medical practitioner;
(d) require the person who is in charge of a ship, aircraft, train or vehicle arriving from or leaving for any place outside Uganda to furnish a list in duplicate, signed by that person, of the names of all persons on board;
(e) if there is reasonable cause to suspect that a person has contravened any provision of this Act or that his or her presence in Uganda is unlawful, and if in order to prevent the purpose of this Act from being defeated it is necessary to arrest that person immediately, arrest that person without warrant, and the provisions of section 17 of the Criminal Procedure Code Act shall apply to that arrest;
(f) enter upon any premises during reasonable hours and investigate any matter relating to immigration.

(2) In the case of entry and search of premises under subsection (1)(f), the immigration officer shall act under the authority of a search warrant except—
(a) where the immigration officer has reasonable ground to believe that there is on the premises a person who has contravened any provision of this Act or any regulation made under it;
(b) where he or she has reasonable grounds to believe that there is in the premises evidence relating to any contravention of this Act or any regulation made under it which is likely to be lost or destroyed without such entry and search or investigation.

(3) An immigration officer may require any person—
(a) to declare whether or not he or she is carrying or conveying a document;
(b) to produce to the officer a document he or she is carrying or conveying.

(4) An immigration officer may—
(a) search a person and any baggage belonging to that person or under his or her control, in order to ascertain whether that person is carrying a document; and
(b) examine and detain for such time as the immigration officer

thinks proper for the purpose of examining, a document produced to him or her or found on search.

(5) An immigration officer may, in writing, require a person to attend at his or her office and furnish to that officer such information, documents and other particulars as are necessary for the purposes of determining whether that person should be permitted to remain in Uganda.

51. Inspectors and investigators.

The commissioner may designate from among immigration officers such number of immigration inspectors and investigators as are necessary for carrying out the purpose of this Act.

52. Prohibited immigrants.

The following persons are prohibited immigrants and their entry into or presence within Uganda is unlawful except in accordance with the provisions of this Act—

(a) a destitute person;

(b) any person who—

(i) refuses to submit to a medical examination after having been required to do so under section 50;

(ii) is certified, by a Government medical practitioner, to be suffering from a contagious or infectious disease which makes his or her presence in Uganda dangerous to the community;

(c) any person against whom there is in force an order of deportation from Uganda made under this Act or any other law for the time being in force;

(d) any person whose presence in or entry into Uganda is, or at the time of his or her entry was, unlawful under this Act or any other law for the time being in force;

(e) any person who has not in his or her possession a valid passport issued to that person by or on behalf of the Government of the State of which he or she is a subject or citizen or a valid passport or document of identity issued to him or her by an authority recognised by the Government, such document being complete and having endorsed on it all particulars, endorsements and visas required from time to time by the Government or authority issuing that document and by the Government;

(f) any person who is a drug trafficker and who is living, or who prior to entering Uganda was living, on the earnings of drugs or drug trafficking or trade;

(g) a person who as a consequence of information received from the government of any State, or any other source considered reliable by the Minister or the commissioner, is declared by the Minister or by the commissioner to be an undesirable immigrant; but every declaration of the commissioner under this paragraph shall be subject to confirmation or otherwise by the Minister;

(h) any person who, not having received a free pardon, has been convicted in any country, for murder, or any offence for which a sentence of imprisonment has been passed for any term, and who by reason of the circumstances connected with the offence is declared by the Minister to be an undesirable immigrant; except that this paragraph shall not apply to offences of a political character not involving moral turpitude;

(i) any person who is a subject or citizen of any country with which Uganda is at war;

(j) the children, if under eighteen years of age and dependents of a prohibited immigrant, and any other dependent of a prohibited immigrant; and

(k) any person convicted of any offence under this Act.

53. Entry into Uganda.

(1) Subject to this Act, no person shall enter or remain in Uganda unless that person is in possession of a valid entry permit, certificate of permanent residence, or pass, issued under this Act.

(2) This section shall not apply to such person or class of persons as the Minister, may by statutory order, declare.

(3) A person who is not a citizen of Uganda shall not be issued with an entry permit, certificate of permanent residence or pass referred to in subsection (1) unless that person is in possession of a passport, certificate of identity, convention travel document or any other valid travel document.

(4) A person intending to take on employment under entry permit class G specified in the Fourth Schedule to this Act may only enter Uganda after his or her application for the entry permit has been granted.

54. Entry permits.

(1) There shall be the classes of entry permits as specified in the Fourth Schedule to this Act.

(2) Where a person other than a prohibited immigrant makes an application for an entry permit of a particular class and satisfies the board that the conditions which must be fulfilled have been fulfilled in relation to the application, the board may issue an entry permit of that class to that person.

(3) The entry permit shall, when issued, be valid for a period determined by the board and may be renewed.

(4) The board, subject to the right of appeal under this Act, may cancel any entry permit upon a finding that—

(a) the person holding the permit has violated any of the terms of his or her stay under the entry permit;
(b) the person holding the permit has violated any of the provisions of this Act or regulations made under it;
(c) the person has become a prohibited immigrant under section 52; or
(d) the person has become an undesirable immigrant under section 52(g).

55. Certificate of permanent residence.

(1) The board may grant to a person upon application a certificate of permanent residence which shall entitle that person to remain in Uganda for such period as is stipulated in the certificate.

(2) The application referred to in subsection (1) shall be in Form E specified in the Third Schedule to this Act.

(3) A certificate of permanent residence shall only be granted to a person on proof that—

(a) that person—
    (i) has contributed to the socioeconomic or intellectual development of Uganda;
    (ii) has continuously lived legally in Uganda for ten years;
    (iii) is of good character and of proven integrity;

(iv) has not defaulted in the payment of any taxes required to be paid by him or her; and
(v) has no criminal antecedents in Uganda or outside Uganda; and
(vi) is not a bankrupt or destitute; or

(b) he or she is legally married to a Ugandan citizen and there is a subsisting marriage of three years or such other period as may be prescribed.

(4) Notwithstanding anything in subsection (3), any Uganda citizen who acquires the citizenship of another country shall be eligible on application for the grant of a certificate of permanent residence under this section.

(5) Where a person has been granted a certificate of permanent residence under subsection (3)(g) and the marriage by virtue of which that person was granted a certificate of permanent residence is—

(a) invalid or otherwise declared void by a court or tribunal of competent jurisdiction; or
(b) dissolved,

that person shall cease to hold a certificate of permanent residence.

(6) The board may cancel any certificate of permanent residence obtained under subsection (3)(g) if it is proved that the holder of the certificate conducted a marriage of convenience for the sole purpose of acquiring a certificate of permanent residence.

(7) The board may revoke any certificate issued under this section upon a finding that—

(a) the person holding the certificate has violated the terms of the certificate of permanent residence;
(b) the person holding the certificate has violated any of the provisions of this Act;
(c) the person has become a prohibited immigrant under section 52; or
(d) the person has become an undesirable immigrant under this Act.

56. Issue of aliens identity cards.

The board shall cause to be issued an aliens identity card to every alien to whom is granted under this Act an entry permit, dependent pass or pupils

pass.

57. Registers.

(1) The commissioner shall maintain a register in the prescribed form, in which shall be entered the names and such particulars as the board may require, of every person to whom an entry permit, a certificate of permanent residence or pass is granted under this Act.

(2) The board may, for the purpose of discharging its functions under this Act, at least once a year, call for and inspect registers maintained under this Act.

58. Production of entry permit, etc.

(1) A person who remains in Uganda shall at all times carry his or her entry permit, certificate of permanent residence or pass and, on being so required by an immigration officer, produce it for examination.

(2) A person who without reasonable excuse fails to comply with subsection (1) commits an offence and is liable on conviction to a fine not exceeding sixty currency points or imprisonment not exceeding twelve months or both.

59. Employment without entry permit.

(1) A person who is not a citizen of Uganda shall not, unless that person is in possession of a valid entry permit, certificate of permanent residence or special pass issued under this Act—

(a) be employed in a parastatal or private body;
(b) be employed in the public service;
(c) be employed by a private person;
(d) engage in private business in Uganda.

(2) A person who—

(a) not being a citizen of Uganda, engages in any employment or profession, whether or not for gain, contrary to subsection (1); or
(b) employs any alien, whether or not for gain, whom he or she knows or has reasonable cause to believe is contravening subsection (1),

commits an offence and is liable on conviction to a fine not exceeding one

hundred and fifty currency points or imprisonment not exceeding two years or both.

(3) Any person convicted of an offence under subsection (1)(a) is liable, in addition to any penalty imposed under that section, to a fine not exceeding two currency points in respect of each day on which he or she has acted contrary to subsection (1)(a); and the board may suspend or cancel the employer's permit, if any.

60. Deportation orders.

(1) The Minister may, in writing signed by him or her, order any prohibited immigrant or person whose presence in Uganda is unlawful to be deported out of Uganda, either indefinitely or for such period of time as may be specified in the order.

(2) An order made under this section shall be carried into effect in such manner as the Minister may direct.

(3) A person against whom a deportation order has been made may, if the Minister so directs, while waiting for deportation and being conveyed to the place of departure, be kept in custody, and while so kept shall be deemed to be in lawful custody.

(4) If a person is brought before a court by an immigration officer and the court is informed that an application for a deportation order in respect of the person has been made, the court may direct that that person be detained in custody for a period not exceeding two months.

(5) There shall be a register of all persons served with deportation orders under this section.

(6) The Minister may, at any time, vary or revoke a deportation order.

(7) A person aggrieved by a deportation order made under this section may appeal against the order of deportation within fifteen days after the date of the order to the High Court, and a person aggrieved by the decision of the High Court may appeal against it to the Court of Appeal.

(8) Upon the filing of an appeal with the registrar of the High Court under this section, the High Court may, upon application by the appellant,

make an order that the deportation order shall be stayed pending the decision of the High Court and the determination of any appeal from the High Court to the Court of Appeal; but the High Court shall give its ruling on the stay of execution of the deportation order within two working days after the application is made.

61. Application of the Interpretation Act modified.

Notwithstanding the Interpretation Act, and subject to this Act, a deportation order shall come into force on the date it is signed by the Minister or such other date as is specified by the Minister in the order.

62. Place of deportation.

A person against whom a deportation order has been made shall be deported to the place from where he or she came or to any place to which he or she consents to be deported, where the Government of that place consents to receive that person.

63. Arrest of deportees.

(1) A person who having been deported from another country enters Uganda in transit to his or her destination may be arrested without a warrant by an immigration officer and may be detained in custody until arrangements are made for the continuation of his or her journey.

(2) A person detained under this section shall be taken to be in lawful custody.

(3) A person in charge of a ship, aircraft, train or vehicle leaving for any place outside Uganda shall, if required by an immigration officer, receive on board the ship, aircraft, train or vehicle a person who is detained under this section and shall, on due payment being made, afford that person passage and accommodation for his or her onward journey to his or her destination.

64. Power of the commissioner to order an organised departure.

(1) The commissioner may make arrangements for the organised departure from Uganda of any person convicted of any offence under this Act or under any regulation made under this Act or any person who contravenes any provision of this Act or of the regulations.

(2) Any person ordered to leave Uganda under subsection (1) is liable to pay a fine equivalent to the fine payable under section 59(3).

(3) A person ordered to leave Uganda under subsection (1) shall be responsible for meeting his or her travel costs.

65. Application of Part VI.

(1) Apart from this section, the provisions of this Part of this Act do not apply to citizens of Uganda.

(2) An immigration officer may exercise any of the powers conferred upon him or her under this Act in relation to a person who is a citizen of Uganda insofar as the exercise of that power is necessary to determine the status of that person as such.

(3) A person who is a citizen of Uganda shall be liable to be proceeded against, convicted and punished in respect of—

(a) an offence under this Act in relation to a person to whom this Part of this Act applies generally; or

(b) aiding and abetting an offence under this Part of this Act.

(4) Where, for the purpose of this Part, there is a question whether a person is a citizen of Uganda, the burden of proving that he or she is a citizen of Uganda shall lie upon that person.

66. Offences and penalties under Part VI.

(1) A person who—

(a) without reasonable excuse refuses to answer any lawful or reasonable question put to him or her by an immigration officer;

(b) knowingly makes any false declaration, return or statement for the purpose of obtaining or assisting another person to obtain a permit, certificate or pass under this Act;

(c) alters a permit, certificate or pass issued under this Act;

(d) obstructs or impedes an immigration officer in the exercise of his or her duties;

(e) knowingly misleads an immigration officer seeking, in the exercise of his or her duties, information in relation to any matters under this Act;

(f) knowingly uses or has in his or her possession a forged or irregular document of identity, passport, pass or other document which has been altered or issued without lawful authority;
(g) fails to furnish any list or information required to be furnished by him or her under section 50;
(h) unlawfully enters or is unlawfully present within Uganda in contravention of the provisions of this Act or any regulations made under it;
(i) except as otherwise permitted by any provision of this Act or any regulations made under it, remains in Uganda after the expiration or cancellation of any permit, pass, certificate or other authority issued to him or her under this Act or any regulations made under it;
(j) having made an application for an entry permit or a certificate of permanent residence which has been rejected makes another such application as if he or she has not previously applied;
(k) conceals any information which could have otherwise affected his or her entry into Uganda;
(l) contravenes any term or condition subject to which any permit, certificate or pass has been issued to him or her under this Act or under any regulations made under it; or
(m) contravenes any provision of any order or direction made under this Act or under any regulation made under it,

commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding three years or both and may, in addition, be deported.

(2) Where a person is convicted of an offence under this Part of the Act, the board may, in addition to any penalty imposed for the offence, cancel any permit, certificate or pass in respect of which the offence was committed.

(3) Any person who, having been deported from any other country or ordered to leave Uganda under this Act or any other written law, returns to Uganda without the permission of the Minister commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding three years or both, and may, notwithstanding the conviction and on the expiration of the sentence of imprisonment, if any, imposed upon him or her be deported again under section 60.

(4) Where a prohibited immigrant enters Uganda from a ship, aircraft

or vehicle, whether or not with knowledge of the owner, agent or person in charge of it, the owner, agent or person in charge commits an offence and is liable on conviction to a fine not exceeding one hundred currency points; and provision shall be made by the owner, agent or person in charge, as the case may be, to the satisfaction of an immigration officer for the conveyance out of Uganda of the prohibited immigrant.

(5) Subsection (4) shall not apply in any case where the prohibited immigrant has been granted a permit or pass to enter Uganda under this Act, or any regulations made under it.

(6) Any aircraft which brings into Uganda any undesirable person shall be liable to a fine of not less than one hundred and fifty currency points and shall be required to arrange for the departure out of Uganda of the undesirable alien.

(7) The commissioner shall, from time to time, furnish a list of undesirable aliens to the Civil Aviation Authority and it shall be the duty of the authority to give notice of it to all airline operators.

(8) Notice given to Civil Aviation Authority shall be taken to be sufficient notice to all aircrafts conveying aliens into Uganda.

PART VII—REGISTRATION AND CONTROL OF ALIENS.

67. Board to be responsible for registration of aliens.

(1) For the avoidance of doubt, the board shall, in accordance with the Constitution, be responsible for the registration of aliens and generally for the administration of this Part of this Act.

(2) The board shall designate any immigration officer as a registration officer for the purposes of this Part of this Act.

68. Registration of aliens.

(1) Every alien shall, within ninety days after arrival in Uganda, register himself or herself with the registration officer and shall furnish full particulars relating to himself or herself to the registration officer as is required in Form F specified in the Third Schedule to this Act.

(2) An alien who, at the commencement of this Act, is already a resident of Uganda shall register with the registration officer within such period as the Minister may, in consultation with the board, by statutory instrument prescribe.

(3) An alien may be required by the registration officer—

(a) to produce a valid passport or other official document of identity to establish his or her identity and nationality;

(b) to produce two passport size photographs of himself or herself;

(c) to give such other information as may reasonably be required by the registration officer.

69. Aliens identity card.

Every alien resident in Uganda and holder of—

(a) an entry permit;

(b) a certificate of permanent residence;

(c) a dependent pass; or

(d) a pupils or students pass,

shall at all times hold an aliens identity card issued by the board.

70. Board to issue identification numbers to aliens.

(1) A registration officer shall, on behalf of the board, issue to an alien registered under this Part an identification number.

(2) An alien shall produce proof of his or her registration identification number and entry permit, within seven days, for inspection whenever required to do so by an immigration officer.

71. Application of sections 69 and 70.

(1) Sections 69 and 70 do not apply to the following aliens residing in Uganda—

(a) an alien in possession of a valid in-transit pass issued under regulations made under this Act;

(b) an alien who is in possession of a valid visitors or special pass whose period of stay does not exceed ninety days;

(c) an alien recognised as a refugee by the Government and the United Nations High Commissioner for Refugees.

(2) Nothing in this Act shall be construed to affect any person entitled to diplomatic immunity.

72. Registration centres.

The Minister shall, in consultation with the board, declare by notice published in the Gazette any immigration office to be a registration centre for purposes of this Part of the Act.

73. Registers of aliens.

The board shall cause to be maintained a register of all aliens in Uganda in which their local addresses shall be indicated.

74. Withdrawal of aliens identity cards.

The board shall withdraw the aliens identity card of any alien—

(a) on the holder acquiring citizenship of Uganda;

(b) on the holder's departure from Uganda with no intention of returning; or

(c) on the death of the holder.

75. Registrar of companies to furnish returns concerning alien registered businesses.

The registrar of companies and business names shall from time to time upon request by the commissioner in writing furnish to the commissioner a list of all registered businesses owned by aliens in Uganda.

76. Prohibition from membership of certain organisations.

(1) An alien shall not be a member of the executive committee of a trade union or a youth movement in Uganda.

(2) An alien shall not form, manage or join a political party, or unless authorised under any law, vote in any presidential, parliamentary or other election or in a referendum in Uganda.

77. Offences and penalties under Part VII.

(1) An alien who attempts or does any act likely to cause sedition or

disaffection among any members of the armed forces of Uganda or against the civilian population of Uganda commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty currency points or imprisonment not exceeding five years or both.

(2) If any alien promotes or attempts to promote industrial unrest in any industry in which he or she has not been bona fide engaged for at least two years immediately preceding in Uganda, he or she commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty currency points or imprisonment not exceeding five years or both.

(3) Nothing in this section shall affect the liability of a person to be prosecuted under the Penal Code Act or any other law in force in Uganda.

78. Employment disputes.

Where any complaint is lodged with the immigration office concerning the conduct of an alien in the course of his or her employment, the commissioner may forward the complaint to an industrial or labour court which shall submit its findings to him or her, and the commissioner may then take any necessary immigration action considered relevant in the circumstances.

79. Definition.

In this Part, "registration officer" means an immigration officer designated as such by the board.

PART VIII—MISCELLANEOUS.

80. General penalty.

Any person who—

(a) contravenes any term or condition subject to which any permit, certificate or pass has been issued to him or her under this Act;

(b) contravenes any other provision of this Act or of any lawful order or direction made or given under this Act,

commits an offence and where no other penalty is provided is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding two years or both.

81. Effect of declarations, returns and statements.

In any proceedings for an offence under this Act, a person shall be taken to know the contents of any declaration, return or statement which he or she has signed or marked, whether or not he or she has read that declaration, return or statement, if he or she knows the nature of the document.

82. General power to make regulations.

(1) The Minister may, by statutory instrument, in consultation with the board, make regulations for better carrying out the provisions of this Act.

(2) Without prejudice to the general effect of subsection (1), regulations made under it may—

(a) provide for anything required or authorised by any provision of this Act to be prescribed by regulations;
(b) prescribe the place where and the manner in which application to enter Uganda shall be made;
(c) prescribe the place where and times at or between which entry into Uganda may be made and the procedure to be followed by persons entering or leaving Uganda;
(d) provide for the terms and conditions subject to which an entry permit or a certificate of permanent residence may be granted or cancelled;
(e) provide for types of passes entitling persons to enter and remain temporarily in Uganda, the terms and conditions of issue and cancellation and the authority which may issue or cancel such passes;
(f) prescribe the deposit of security, if any, to be made or given by or in respect of any person granted a permit, certificate or pass under this Act or the regulations;
(g) prescribe the fees to be charged upon the issue or renewal of any permit, certificate or pass or for any other purpose under this Act or under the regulations;
(h) provide for the payment and recovery of any expenses incurred by the Government in connection with the detention, maintenance, medical treatment and deportation of prohibited immigrants;
(i) provide for the deportation of aliens from Uganda subject to this Act;
(j) prohibit aliens from residing or remaining in any specified areas

if the prohibition is in the interest of public health or public safety;

(k) prescribe the information to be furnished and the returns to be made by employers with respect to persons employed by them, including, in particular, information as to citizenship, nature of employment, qualifications and experience of those persons, and as to training schemes for Ugandan employees;

(l) prescribing the forms to be used for the purposes of this Act;

(m) provide for the imposition in respect of any contravention of the regulations of any fine not exceeding one hundred currency points or imprisonment not exceeding one year or both;

(n) provide for an additional fine in respect of continuing offences not exceeding two currency points in respect of each day on which the offence continues;

(o) provide for the forfeiture of anything involved in the commission of an offence against the regulations.

(3) Any provision of any regulation made under this section with respect to aliens may relate either to aliens in general or to any class or description of aliens.

(4) If any question arises in any proceedings under regulations made under this section or with reference to anything done or proposed to be done under any such regulations whether any person is an alien or not, the onus of proof that the person is not an alien or, as the case may be, that he or she is a citizen of Uganda shall lie upon that person.

83. Minister's powers to amend the First Schedule.

The Minister may, with the approval of the Cabinet, by statutory instrument amend the First Schedule to this Act.

84. Repeals.

The following enactments are repealed—

(a) the Uganda Citizenship Act;

(b) the Immigration Act;

(c) the Passports Act;

(d) the Aliens (Registration and Control) Act.

85. Transitional provision.

(1) Any entry permit, certificate of citizenship, certificate of permanent residence, certificate of registration for aliens or pass by whatever name called and any travel document granted under the Acts repealed by section 84 or under any law in force prior to the coming into force of this Act and which is valid immediately before the coming into force of this Act shall, so far as consistent with this Act, continue to have effect according to its terms as if it had been granted under this Act.

(2) For the avoidance of doubt, the immigration department existing immediately before the commencement of this Act shall continue serving the board notwithstanding the repeal of any of the enactments repealed by section 84 but subject to the Constitution.

SCHEDULES

First Schedule.

s. 2.

Currency point.

A currency point shall be equivalent to twenty thousand Uganda shillings.

Second Schedule.

s. 5.

Meetings of the board.

1. Meetings of the board.

(1) The board shall, for purposes of discharging its functions under this Act, meet at least two times in a month at such place and time as the chairperson shall appoint.

(2) A meeting of the board shall also be called on the request in writing by not less than one-half of all the members of the board specifying the subject to be discussed at the meeting.

2. Procedure at meetings.

(1) Meetings of the board shall be presided over by the chairperson and in his or her absence by a member of the board nominated by the chairperson or if no member is so nominated, by a member of the board appointed by members present from their number.

(2) The quorum at any meeting of the board shall be half the number of the members of the board.

(3) Questions proposed at a meeting of the board shall be determined by a simple majority of the members present through voting; and in the case of an equality of votes, the person presiding at the meeting shall have a casting vote.

(4) Except as is provided in this section, the board may regulate its own procedure.

(5) Nothing done by the board shall be treated as invalid by reason of deficiency in the number of members of the board present, if any such decision is subsequently ratified by the board.

3. Minutes of the board.

(1) The secretary of the board shall cause to be taken and maintained a record of all business transacted at every meeting of the board and all members present at the meeting.

(2) The minutes recorded under subparagraph (1) shall be submitted to and confirmed by the board at its meeting next following that to which the minutes relate, and on confirmation, the minutes shall be signed by the chairperson and the secretary in the presence of the other members present at that meeting.

4. Residual power of the board to regulate its proceedings.

Subject to this Schedule, the board may regulate its own proceedings.

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Third Schedule.

ss. 15, 16, 19,
29, 32, 40, 55, 68.

Forms.

The Republic of Uganda

Form A.
Uganda Citizenship.
Oath of Allegiance.
The Uganda Citizenship and Immigration Control Act.

I, _____, swear in the name of Almighty God/solemnly affirm that I will be faithful and bear true allegiance to the Republic of Uganda and that I will preserve, protect and defend the Constitution. (So help me God.)

_____
Deponent

Sworn/affirmed and subscribed before me this _____ day of _____ _____, 20 ____.

_____
Magistrate/Commissioner for Oaths

The Republic of Uganda

Form B.
Declaration Concerning Renunciation of Citizenship of a Country Other Than Uganda.
The Uganda Citizenship and Immigration Control Act.

I, _____, *(full name in block capitals)* do solemnly and sincerely declare—

1. That I was born at _____ in Uganda/_____ *(insert name of country)* and am of or over the age of eighteen years.

2. That I am a citizen of Uganda by *(birth/registration/naturalisation)* and am also a national of _____ *(insert name of country)* by birth/registration/naturalisation*.

3. That as I am desirous of retaining my status as a citizen of Uganda, I renounce so far as it lies within my power my status as a citizen/national of _____ *(insert name of country)* and any claim I have to the protection of that country.

_____
Signature of applicant

Declared before me at _____, this _____ day of _____, 20 ____.

_____
Magistrate/Commissioner for Oaths

**Delete as applicable.*

The Republic of Uganda

Form C.
Declaration Concerning Residence.
The Uganda Citizenship and Immigration Control Act.

I, _____,
of _____ do solemnly and sincerely declare—

1. That so far as it lies within my power, I have renounced my citizenship or nationality of _____ *(insert name of country)* and intend to reside permanently in Uganda if permitted.

2. That although I have renounced my citizenship or nationality of _____ *(insert name of country)* and intend my domicile of choice to be Uganda, it may be necessary in the course of my employment as _____ /self-employment to be absent from time to time from Uganda.

_____
Signature of applicant

Declared before me at _____, this _____ day of _____, 20 ____.

_____
Magistrate/Commissioner for Oaths

Delete paragraphs or words not applicable.

The Republic of Uganda

Form D.
Application Form for National Identification Number and National Identity Cards.
The Uganda Citizenship and Immigration Control Act.

Application.

1. Surname _____
2. Other names _____
3. Previous or maiden names *(if any)* _____
4. Sex _____
5. Age _____
6. Postal address _____
7. Residential address (*state actual village, subcounty, county and district of permanentresidence*)_____
   _____
8. Occupation _____
9. Profession _____
10. Marital status _____
11. Number, names and ages of children _____
12. Height of applicant _____
13. Colour of eyes _____
14. Colour of hair _____
15. Place and date of birth of applicant _____
16. Village, subcounty, county and district of birth _____
    _____
17. Indigenous community to which applicant belongs _____
    _____
18. Father's names and place of birth *(give particulars of clan)*
    _____
19. Mother's names and place of birth *(give particulars of clan)* _____
    _____
20. Previous nationality *(if any) (attach proof of renunciation)*
    _____
21. Two contemporary descendants _____
    _____
22. Particulars of children of applicant *(sex, date of birth)* _____
    _____

23. Passport number of applicant *(if any)* _____
    (a) Place of issue _____
    (b) Date of issue _____
    (c) Issuing authority _____
24. Applicant's blood group _____
25. Driving licence number _____
26. Tax identification number _____

Declaration.

I, _____,
declare that the above particulars are true to the best of my knowledge and belief.

Signature _____ Thumbprint _____
(Three passport size photographs should be attached.)

Date _____

FOR OFFICIAL USE ONLY

A. Remarks of prescribed person _____
_____
_____

B. Comments of registration officer _____
_____
Application received and checked by _____
Signature of registration officer _____
Date _____

C. Board's decision _____
_____

_____ _____
Date Chairperson

The Republic of Uganda

Form E.
Application for Certificate of Permanent Residence.
The Uganda Citizenship and Immigration Control Act.

1. Surname _____
2. Other names _____
3. Maiden name of applicant if married woman _____
4. Address in Uganda _____
   _____
5. Sex _____
6. Married/single _____
7. Profession/occupation _____
8. Place of birth _____
9. Date of birth _____ Country _____
10. Height _____
11. Colour of hair _____
12. Colour of eyes _____
13. Nationality of origin _____
14. Present nationality or national status _____
15. Passport/travel document number _____
    Place of issue _____
    Date of issue _____
16. How long have you been living in Uganda? _____
17. Income and source _____
18. Particulars of property in Uganda and location _____
    _____
19. Full name of spouse or spouses _____
    _____
    _____
20. Particulars of children *(if any)*—

Name	Sex	Date of birth	Place of birth

21. Particulars of other dependents—

Name	Sex	Date of birth	Relation to applicant

22. Years in respect of which income tax has been paid _____
_____

23. Other relevant information applicant wants to give _____
_____

24. Period applied for _____

25. Names and address of two referees _____
_____

26. I solemnly declare that the statements I have made in the form are true to the best of my knowledge and belief.

_____ _____
Date Signature

Board's decision.

_____
_____

_____ _____
Date Chairperson

The Republic of Uganda

Form F.
Form for Registration of Aliens.
The Uganda Citizenship and Immigration Control Act.

Photographs.

1. Surname _____
2. Other names _____
3. Previous names *(if any)* _____
   _____
4. Sex _____
5. Postal address _____
6. Residential address _____
7. Passport or travel document number _____
8. Intended place of abode in Uganda _____
   _____
9. Nationality _____
10. Place and date of birth _____
11. Date of entry into Uganda _____
12. Point of entry _____
13. Occupation/business interest in Uganda _____
    _____
14. Nature/type of permit or pass held and validity (*e.g. EP, DP, VP, CR, CTD*). _____
15. Name and address of employer in Uganda _____
    _____
16. Designation in employment service _____
17. State length of time intended to remain in Uganda _____
    _____
18. Names of any dependents _____
    _____

I declare that the above particulars are true to the best of my knowledge and belief.

_____ _____
Thumbprint Signature

N.B. Photocopies of passports or travel documents to be attached.

Endorsements and official remarks

_____
_____
_____
_____

The Republic of Uganda

Form G.
Application for a Uganda Travel Document.
The Uganda Citizenship and Immigration Control Act.

(Please read notes on the reverse before completing the form.)

Serial No. _____

1. The applicant

Surname_____
Other names _____
Sex _____
Place of birth _____
Date of birth _____
Identification number _____
National identity card number _____
Postal address _____
Residential address _____
(if outside Uganda state nearest responsible Uganda Mission)

Personal description
Profession _____
County of residence _____
Height _____ ft _____ in Colour of eyes _____
Colour of hair _____
Distinguishing features _____
_____

2. Citizenship of Uganda

By birth, by registration, by naturalisation *(delete words which do not apply)*

3. Purpose for which travel document is required (*indicate destination*)
_____
_____
_____
_____

4. Declaration—

I, the undersigned, apply for the issue of a Uganda passport.
I declare—

(a) that the information given in this application is correct to the best of my knowledge and belief;
(b) that I have not lost the status of citizen of Uganda;
(c) that I have not previously held or applied for a travel document of any description;
(d) that all previous travel documents granted to me have been surrendered other than travel document number _____ issued at _____ on _____ which is lost/destroyed/now enclosed and that I have made no other application for a passport since the attached was issued.

(Delete (c) or (d) whichever is inapplicable.)

(e) that I fully understand the legal implications of what I have stated above and as such I do accept any legal consequences that may arise out of what I have stated on this form.

Specimen Signature

Date _____, 20 ____.

Note: Your signature must fit in the box above.

5. Recommender—

I certify that the applicant is personally known to me and to the best of my knowledge and belief the facts stated on this form are correct. I am a citizen of Uganda.

Full names _____
Profession _____
Address _____
Phone _____
Signature _____

6. Declaration signature of applicant _____

_____

7. Children under 16 years of age *(if to be included in the passport):*

Forenames	Surnames	Place of birth	Date of birth	Sex and relationship to applicant

Legal guardian's consent—

I, _____, (*name*)
the _____ (*relationship*)
of the child(ren), give my consent to this endorsement.

_____ _____
Signature Date

Notes:

1. How to complete the form.

Sections 1, 2, 4 and 5 of this form must be completed by all applicants for new passports.

Section 7 must be completed if the applicant's children are to be included in the passport. Children over 16 years of age (14 years if proceeding to U.S.A.) will not be included for an adult's passport.

2. Authentication of application.

The application must be authenticated and sponsored in section 5 by a citizen of Uganda of some standing such as a Minister, Permanent Secretary, district administrator, magistrate, bank manager, head of a parastatal organisation, head of an education institution or head of a Government department.

3. Photographs.

The copies of recent photographs of the applicant must be included with the application. These photographs must be taken full face without a hat or veil and must not be mounted. This size of photographs must not be more than 2½ inches. The photographs must be printed on normal thin photographic paper and must not be glazed on the reverse side. The recommender is also required to endorse the reverse side of one copy of the photograph with the words—

> "I certify that this is a true likeness of the applicant Mr./Mrs./Miss _____."

and add his or her signature.

Footnote:
Payments for the application forms do not necessarily mean automatic acquisition of a passport.

Fourth Schedule.

ss. 53, 54.

Classes of entry permits.

Part A.

1. Class A (Government and diplomatic service)

A person in the service of the Government of Uganda or a diplomat.

2. Class A2 (Government contractors)

Persons on Government contracts, including persons serving in tertiary institutions.

3. Class B (Agriculturalists)

Persons intending to engage on their own account in the business of agriculture or animal husbandry in Uganda who satisfy the board that—

(a) permission to acquire an interest in land of an area commensurate with and suitable for the type of agriculture to be undertaken in Uganda has been granted;

(b) the amount prescribed by the responsible Ministry to be held in respect of any type of agriculture and animal husbandry is held by the applicant in his or her own right and at his or her full and free disposition; and

(c) obligations imposed by regulations made under this Act have been fulfilled.

4. Class C (Miners)

A person intending to engage on his or her own account in prospecting for minerals or mining in Uganda who satisfies the board that—

(a) he or she is in possession of, or will be able to obtain, any licence that may be necessary to enable him or her to engage in prospecting or mining; and

(b) he or she has in his or her own right and at his or her full and free disposition such sum as may be prescribed by the responsible Ministry in respect of any particular type of prospecting or mining.

5. Class D (Business and trade)

A person intending to carry on a business or trade on his or her own account, or as partners in a firm in Uganda, or who satisfies the board that—

(a) if a licence is required to enable him or her to engage in the trade or business, he or she is in possession of such licence or will be able to obtain one; and

(b) he or she has in his or her own right and at his or her full and free disposition such sum as may be prescribed by the responsible Ministry in respect of any particular trade or business.

6. Class E (Manufacturers)

A person intending to engage in manufacturing on his or her own account in Uganda who satisfies the board that—

(a) if a licence is required to enable him or her to engage in the manufacture which he or she intends to carry on, he or she is in possession of such licence or will be able to obtain one;

(b) he or she has in his or her own right and at his or her full and free disposition such sum as may be prescribed by the responsible Ministry in respect of any particular class of manufacture.

7. Class F (Professionals)

A member of a prescribed profession who intends to practise such profession in Uganda who satisfies the board that—

(a) he or she is in possession of such qualifications as may be prescribed;

(b) he or she is in possession of sufficient capital or assured income to enable him or her to give effect to his or her intention; and

(c) has registered with the relevant professional body in Uganda.

8. Class G (Employees)

A person who satisfies the board that he or she has been offered and has accepted employment in Uganda.

Part B.

All obligations imposed upon the applicants as stated by the regulations made under this Act must be fulfilled (i.e. requirements for each class of permit).

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History: Act 3/1999.

Cross References

Aliens (Registration and Control) Act, Cap. 61.
Constitution of 1995.
Control of Alien Refugees Act, Cap. 62.
Criminal Procedure Code Act, Cap. 116.
Immigration Act, Cap. 116.
Interpretation Act, Cap. 3.
Passports Act, Cap. 64.
Penal Code Act, Cap. 120.
Uganda Citizenship Act, Cap. 65.

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