
BILLS**SUPPLEMENT No. 21****2nd December, 2022****BILLS SUPPLEMENT***to The Uganda Gazette No. 71, Volume CXV, dated 2nd December, 2022*

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Bill No. 30*Physical Activity and Sports Bill***2022****THE PHYSICAL ACTIVITY AND SPORTS BILL, 2022****MEMORANDUM****OBJECT OF BILL**

The National Council of Sports Act, Cap 48, enacted in 1948 is inadequate to address the current challenges of sports administration and management in Uganda. The Ministry of Education and Sports therefore developed the National Physical Education and Sports Policy to guide Government in the promotion of physical activities and sports, in a framework responsive to modern practices and for the direction of sports at the national and international levels.

Sports remains a key area that unifies Ugandans and which generates a spirit of patriotism and national glory for Uganda. Physical activity is also the uncontested source of excellent health, physical fitness and mental health which are a pre-requisite for a productive population to develop a nation.

The National Council of Sports Act, Cap 48, is limited to only amateur competitive sports and does not provide for commercialisation of sports or professionalism of sports, or the current global trends in sports development, management and practice and therefore to a large extent inhibits the development of sports in Uganda.

There was therefore need for the Physical Activity and Sports Bill in line with, and responsive to modern national and international sports policies, conventions and the National Physical Education and Sports Policy of Uganda of 2004.

PROVISIONS OF THE BILL

Part 1 of the Bill, clauses 3 and 4, provide for the organization of sports at the national and international levels and establish the national recognition and reward scheme, respectively.

Part II of the Bill provides for National Sports Federations, eligibility for registration as a Sports Federation, and memberships of Sports Federations. The Part provides for the functions of Sports Federations and their supervision. In clause 16, the Federations that seek to participate in sports competitions outside Uganda are required to apply to the National Council of Sports for authorization to do so. The Federations are required to submit to the National Council of Sports their financial reports and annual reports under clauses 17 and 18, respectively.

Part III of the Bill continues in existence the National Council of Sports, provides for the membership of the Council, the functions of the Council and the Secretariat of the Council.

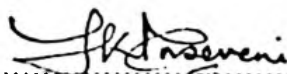
Part IV provides for the finances of the Council and the requirement to comply with the Public Finance Management Act, 2015.

Part V designated the National Council of Sports as the National Anti-Doping Organisation in Uganda and specifies the functions of the Organisation.

Part VI specifies the role of the Uganda Olympic Committee.

Part VII provides the offences under the Act including doping, unlawful utilisation of commercial rights and the unlawful use of sports results for betting. The Part specifies the prohibited acts of violence and hooliganism and prohibits the unauthorized broadcast of sports events and competitions.

PART VIII has the miscellaneous provisions including provision on the vesting of sports infrastructure in the National Council of Sports and the power of the Minister to make regulations for the management of public sports facilities and for other related matters.



HON. JANET KATAAHA MUSEVENI,
Minister of Education and Sports.

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A BILL for an Act

ENTITLED

THE PHYSICAL ACTIVITY AND SPORTS BILL, 2022

An Act to provide for the registration of national sports federations; to continue in existence the National Council of Sports; to provide for the administration and management of sports in Uganda; to designate a national anti-doping organisation; to provide for the role of the Uganda Olympic Committee; to repeal the National Council of Sports Act, Cap. 48 and to provide for other related matters.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Interpretation

In this Act, unless the context otherwise requires—

“athlete” means a person who participates in a sports event or a sports competition organised by a national sports federation or regulated by an international sports governing body;

“Board” means the Board appointed under section 29 of this Act;

“Council” means the National Council of Sports specified under section 23 of this Act;

“currency point” has the value assigned to it in Schedule 1 to this Act;

“Minister” means the minister responsible for sports;

“Ministry” means the ministry responsible for sports;

“National Anti-Doping Organisation” means the National Anti-Doping Organisation designated under section 39 of this Act;

“national sports federation” includes a national sports association, national sports union or a national sports committee;

“Prohibited List” means the list developed by the World Anti-doping Agency for purposes of identifying prohibited substances and prohibited methods;

“prohibited substance” means any substance or class of substances, prescribed on the Prohibited List;

“sports” means an activity involving physical exertion and skill in which an individual or a team competes;

“World Anti-Doping Agency” means the sports body set up for the purposes of coordinating anti-doping activities worldwide.

2. Object of Act

(1) The object of this Act is to promote recreation and sports for the citizens of Uganda by the State, in accordance with Article 8A of the Constitution and National Objective and Directive Principle of State Policy XVII.

(2) In accordance with subsection (1), Government shall—

- (a) coordinate sports activities at national level;
- (b) prescribe the standards to guide the sports industry in Uganda;
- (c) support capacity building of the human resource engaged in sports; and
- (d) facilitate the activities of national sports teams and national athletes representing Uganda in international sports competitions.

3. Organisation of sports at national and international levels

(1) Sports and sports competitions at the national level, in Uganda, shall be organised through national sports federations.

(2) Uganda shall be represented at international sports competitions and events by athletes and national sports teams identified and promoted by the national sports federations and supported by the Government.

4. National Recognition and Reward Scheme

(1) There is establish the National Recognition and Reward Scheme which shall be a scheme of Government to recognise and award outstanding and deserving sports personalities who bring honour to Uganda.

(2) The Minister may, in consultation with the Minister responsible for finance and the Minister responsible for public service, by statutory instrument, prescribe the awards including monetary payments, pension and gratuity that may be awarded to the sports personalities under the National Recognition and Reward Scheme established under subsection (1).

PART II—NATIONAL SPORTS FEDERATIONS

5. National sports federations

(1) A national sports federation shall be registered under this Act to manage a sports discipline at national level.

(2) There shall be registered only one national sports federation for a sports discipline.

6. Eligibility for registration as national sports federation

A national sports federation that wishes to be registered shall—

- (a) be incorporated as a company limited by guarantee under the Companies Act;
- (b) be engaged in a sports discipline with a national character and for this purpose shall be a sports activity—
 - (i) with the participation of Ugandans in at least seventy-five percent of the districts of Uganda; and
 - (ii) whose leadership is elected by a national delegates conference comprised of persons drawn from at least half of the districts of Uganda.

7. Application for registration

(1) A national sports federation eligible for registration under section 6 may apply to the Council for registration in the manner prescribed by regulations made under this Act and on payment of the prescribed application fee.

(2) An application for registration as a national sports federation under subsection (1) shall include—

- (a) the name and address of the applicant national sports federation;

- (b) the leadership and governance structure of the applicant national sports federation;
- (c) the sources of the funds of the applicant national sports federation;
- (d) the name and address of the accounting officer of the applicant national sports federation;
- (e) the sports discipline the applicant national sports federation intends to manage;
- (f) the symbols, slogans and colours of the applicant national sports federation;
- (g) the national and international affiliation of the applicant national sports federation, if any; and
- (h) such other information as may be prescribed by regulations.

(3) An application for registration under this section shall be accompanied by—

- (a) a certified copy of the constitution of the national sports federation;
- (b) a certified copy of a certificate of incorporation of the national sports federation;
- (c) a list of the member clubs of the national sports federation;
- (d) a report of the sports activities of the national sports federation conducted within the period of one year prior to the application;
- (e) a list of the districts of Uganda where the national sports federation has presence;
- (f) the minutes of the annual general assembly of the national sports federation that elected the leaders of the national sports federation;

- (g) evidence of payment of the application fee; and
- (h) any other information that may be prescribed by regulations.

8. Consideration of application

(1) The Council shall—

- (a) publish an application made under section 7 in a newspaper of national circulation; and
- (b) invite objections to the application from the public.

(2) An objection made under this section shall be handled in a manner prescribed by regulations.

(3) The Council may reject an application for registration as a national sports federation, where—

- (a) there is already in existence, a national sports federation responsible for the proposed sports discipline;
- (b) the proposed name of the applicant is misleading or discriminatory; or
- (c) the applicant national sports federation submitted false information in the application.

(4) Where the Council rejects an application for registration, the Council shall notify the applicant, in writing, stating the reasons for the rejection and shall give the applicant an opportunity to be heard.

9. Registration as national sports federation

(1) The Council shall, upon satisfaction that an applicant national sports federation meets the requirements for registration under this Act, register the national sports federation and issue it with a certificate of registration in the prescribed form.

(2) A certificate of registration may contain such terms and conditions as the Council may prescribe and shall be conclusive evidence of authorisation to operate as a national sports federation within Uganda.

(3) A certificate of registration issued under this section shall be valid for a period of one year from the date of issuance.

10. Membership of national sports federations

(1) A national sports federation registered under this Act shall open its membership to sports clubs or sports teams that are engaged in the sports discipline regulated and managed by the national sports federation.

(2) The membership of a national sports federation shall comprise the annual general meeting of the national sports federation.

11. Renewal of certificate of registration

(1) A national sports federation which wishes to renew its certificate of registration may apply to the Council for renewal.

(2) Sections 6, 7, 8 shall apply to the renewal of a certificate of registration.

12. Suspension or cancellation of certificate of registration

(1) The Council may suspend a certificate of registration issued under this Act where the Council is satisfied that—

- (a) the national sports federation has violated the terms or conditions of the certificate of registration;
- (b) the national sports federation no longer meets the requirements for registration as a national sports federation;
or
- (c) the national sports federation has breached the provisions of this Act or any other law.

(2) The Council may cancel a certificate of registration issued under this Act where the Council is satisfied that—

- (a) the registration was procured through misrepresentation or non-disclosure of material facts;
- (b) the national sports federation is no longer recognised by the international sports governing body to which the national sports federation is affiliated;
- (c) the national sports federation no longer serves the purpose for which it was registered;
- (c) the national sports federation is insolvent; or
- (d) the national sports federation has not remedied the condition that caused the suspension of the certificate under subsection (1), within the period specified.

(3) The Council shall, before suspending or cancelling the certificate of registration of a national sports federation, notify the national sports federation, in writing, of the intention to suspend the certificate and shall give the national sports federation an opportunity to be heard.

(4) The certificate of a national sports federation shall be suspended for a period not exceeding six months and the national sports federation shall, during the period of suspension remedy the causes of the suspension and shall not operate as a sports federation during the period of suspension.

(5) A national sports federation whose certificate of registration is cancelled shall cease to operate as a national sports federation.

(6) The Council shall for the duration of the suspension or where a certificate is cancelled, request the international sports governing body to which the national sports federation is affiliated, to

appoint a normalisation committee to take over and control the affairs of the national sports federation for the time being.

13. Functions of national sports federation

(1) A national sports federation shall, for the sports discipline for which it is registered—

- (a) for team sports, develop, promote and manage sports clubs and teams of the sports discipline of the federation;
- (b) for individual sports, develop, promote and manage the athletes of the sports discipline of the federation;
- (c) promote and co-ordinate the activities of the sports clubs and teams and for individual sports, the athletes of the federation;
- (d) develop and promote amateur and professional athletes;
- (e) organise and manage national sports competitions for the sports discipline of the federation;
- (f) train the athletes to constitute national teams to represent Uganda in international sports engagements;
- (g) represent Uganda on the international governing body for the sports discipline of the federation;
- (h) in line with the national sports policy, design and in collaboration with the stakeholders of the sports activity, implement sports development strategies for the sport; and
- (i) maintain a register of the member clubs and teams of the federation.

(2) The national sports federations shall, give accountability for all monies and donations received from the Government, international sports federations, sponsors, member clubs and teams or individuals.

(3) In performing its functions, a national sports federation shall—

- (a) liaise with the Ministry responsible for sports and the Council; and
- (b) enforce the national, regional, continental and international sports governing body, rules and regulations governing the respective sports discipline.

14. Supervision of national sports federation

(1) The Council shall supervise the national sports federations.

(2) For the purposes of subsection (1), the Council may—

- (a) inspect the offices and facilities of a national sports federation or appoint a person to inspect the offices and facilities on its behalf; and
- (b) undertake an audit of the books of accounts and records of a national sports federation.

(3) The Council shall, every year, conduct a compliance test on a national sports federation to examine the compliance of the national sports federation with this Act and the constitution of the national sports federation.

(4) The Council may appoint a person to conduct the compliance test on behalf of the Council.

15. Notification of dissolution of national sports federation

(1) A national sports federation that wishes to cease operations shall submit to the Council a report of the activities of the federation and give the Council three months' notice of the intention to cease operations.

(3) The Council shall, at the expiry of the period specified in subsection (2), cancel the certificate of registration of the national sports federation.

16. Participation in sports competition outside Uganda

A national sports federation which intends to—

- (a) participate in a sports competition outside Uganda;
- (b) enter or send a respective sports national team, representative or individual participant to an international sports competition;
- (c) hire an expatriate to undertake any activity on behalf of the national sports federation or the respective sports national team or club; or
- (d) be affiliated to an international sport governing body for the respective sports discipline,

shall apply to the Council for authorisation in a manner prescribed by regulations.

17. Annual financial report of national sports federation

(1) A national sport federation shall, within four months of the end of each financial year of the federation, submit to the Council a financial report of the federation which shall include—

- (a) the financial statements of the national sports federation, including the audited accounts of the federation;
- (b) the estimates of revenue and expenditure of the federation for the proceeding financial year; and
- (c) a report of the activities of the national sports federation conducted in the financial year.

(2) The financial report shall be accompanied by—

- (a) the minutes of the annual general meeting of the national sports federation;

- (b) a copy of the amendment to the constitution of the national sports federation, if any;
- (c) a list of member clubs or teams or athletes of the national sports federation;
- (d) a list of management personnel of the national sports federation;
- (e) a statement on the planned activities for the proceeding financial year, of the national sports federation;
- (f) a list of the sponsors of the national sports federation; and
- (g) any other information as may be requested by the Council.

(3) The Council shall examine the financial report and give directions to the national sports federation, as the Council deems necessary.

18. Annual report on activities of national sports federation

(1) A national sports federation shall, within four months after the end of each financial year, submit to the Council an annual report of its activities and operations.

(2) An annual report submitted under subsection (1) shall include—

- (a) information of the progress and policies of the national sports federation;
- (b) a copy of the audited accounts of the national sports federation in respect of that year and the report of the Auditor-General;
- (c) an assessment of the adequacy of sports projects and programme funding of a national sports federation;

- (d) a report on the condition and status of the facilities and sports programmes and the degree of change in such conditions and status since the last report;
- (e) the projected optimal level of the facilities and programmes and the extent of financing required to meet that level of a national sports federation;
- (f) a review of the technical adequacy and proven cost efficiency of sports management operations;
- (g) a progress report on coordination between the national sports federation and local governments, including challenges encountered and proposals for the future; and
- (h) any other information as the Council may in writing request.

19. Protection from liability of Board, officers and staff

A member of the Board, an officer or staff of the Council shall not be held liable for an act or omission done in good faith in the exercise of his or her functions under this Act.

20. Duty not to disclose information

(1) A member of the Board, an officer or staff of the Council shall not disclose any information obtained in the course of his or her employment.

(2) A person who contravenes this section commits an offence and is on conviction liable to a fine not exceeding forty-eight currency points or a term of imprisonment not exceeding twelve months, or both.

21. Public sports facilities

(1) The public sports facilities specified in Schedule 3 to this Act shall be managed and maintained by the Council.

(2) The Council shall permit the community and the private sector to utilise the public sports facilities.

22. Performance agreement

(1) The Council may permit a national sports federation to manage the sports programmes of the sports activities of the national sports federation and a public sports facility that is used by the national sports federation.

(2) For the purpose of subsection (1) the Council shall enter into a performance agreement with the national sports federation, as may be prescribed.

PART III—ADMINISTRATION**23. Administration of Act**

(1) The National Council of Sports in existence at the commencement of this Act shall continue in existence, subject to this Act.

(2) The National Council of Sports in existence at the commencement of this Act shall administer this Act.

(3) The Council shall be a body corporate with perpetual succession and shall have an official seal.

(4) The Council shall, in its own name, be capable of suing and being sued and may for the discharge of its functions under this Act—

- (a) acquire, hold and dispose of moveable and immovable property; and
- (b) do all acts and things as a body corporate may lawfully do.

24. Official seal of Council

(1) The official seal of the Council shall be in a form determined by the Board.

(2) The official seal shall, when affixed to any document, be authenticated by the signatures of the Chairperson and the Secretary of the Board.

(3) In the absence of the Chairperson, the person performing the functions of the Chairperson shall authenticate the seal of the Board.

(4) An instrument or contract which if executed or entered into by a person other than a body corporate would not require to be under seal may be executed or entered into on behalf of the Council by—

- (a) the Chairperson;
- (b) another member of the Board; or
- (c) any other person authorised by a member of the Board or by resolution of the Board, to execute or enter into the instrument or contract.

(5) A document purporting to be an instrument or contract executed or issued by or on behalf of the Council in accordance with this section shall be considered to be so executed or issued until the contrary is proved.

25. Functions of Council

(1) The Council shall—

- (a) recognise a sports discipline as a national sports discipline;
- (b) register national sports federations;

- (c) promote and regulate the activities of national sports federations and where necessary, award medals, diplomas, certificates, trophies and other incentives;
- (d) in collaboration with the national sports federations, local governments, educational institutions, communities and the private sector, as may be applicable—
 - (i) make provisions for sports facilities, equipment and training;
 - (ii) promote sportsmanship by searching for, identifying and developing the sporting talent and discipline among sportspersons;
 - (iii) create public awareness on matters of national interest through sporting events and on the benefits of sports to health;
- (e) organise sports clinics, provide advisory and counselling services to athletes;
- (f) manage, operate and maintain sports facilities;
- (g) establish, operate and maintain sports museums;
- (h) approve expenditure by national sports federations, of funds and grants received from the Government;
- (i) facilitate the cooperation of national sports federations;
- (j) in collaboration with the Ministry, facilitate the participation of Ugandan athletes and national sports teams in international sports competitions;
- (k) approve the hosting of international sports competitions and sports festivals by national sports federation; and
- (l) perform any other function as may be assigned to the Council by the Board.

(2) For the purposes of subsection (1) (b) the Council shall maintain a register of the national sports federations registered under this Act in a format prescribed in regulations made under this Act.

(3) The Council shall cooperate with the Ministry and other government ministries, departments and agencies in the implementation of this Act.

26. Secretariat of Council

(1) There shall be a secretariat of the Council headed by the Secretary General.

(2) The Secretariat shall perform the functions of Council under the direction and supervision of the Board.

(3) The Secretariat shall, under the direction and supervision of the Board, perform the functions of the Council, specified in section 25.

27. Secretary General

(1) The Secretary General shall be appointed by the Board on such terms and conditions as may be specified in the instrument of appointment.

(2) Notwithstanding subsection (1), the Secretary General shall hold office for five years and is eligible for reappointment for one more term.

(3) The Secretary General shall be the accounting officer of the Council.

(4) The Secretary General shall be a person of high moral character and proven integrity with knowledge and experience in sports science, law, sports administration, social sciences, humanities, development studies, development administration and management or public administration.

(5) The Secretary General shall cease to hold office where he or she resigns and shall be removed from office where—

- (a) he or she is insolvent;
- (b) he or she is convicted of a criminal offence, where the maximum penalty of the offence exceeds six months imprisonment and does not have the option of a fine; and
- (c) the Board so recommends to the Minister, for inability to perform the functions of his or her office arising from infirmity of body or mind ascertained by a medical officer or for misbehaviour, misconduct or incompetence.

(6) For the purposes of subsection (5) (c), the Board shall prior to the recommendation to the Minister, notify the Secretary General, in writing, and shall give him or her an opportunity to be heard.

28. Other officers and staff of Council

(1) The Board may, on the advice of the Secretary General, appoint other officers and staff of the Council.

(2) An officer and staff appointed under this section shall hold office on such terms and conditions as may be determined by the Board and as may be specified in his or her instruments of appointment.

29. Board of National Council of Sports

(1) The Council shall have a Board which shall be the governing body of the Council.

- (2) The Board shall consist of the following members—
 - (a) a representative of the Ministry responsible for sports;
 - (b) a representative of the Ministry responsible for local governments;
 - (c) a representative of the Ministry responsible for tourism;
 - (d) a representative of persons with disabilities;

- (e) a representative of the national sports federations, elected by the national sports federations;
- (f) a representative of the education institutions, elected by the education institutions;
- (g) a representative of the private sector nominated by the Private Sector Foundation ; and
- (h) the Secretary General who shall be an ex officio member with no right to vote, and the secretary to the Board.

(3) A member of the Board referred to in subsection (2) shall be a person with knowledge and experience in sports.

(4) The Minister shall appoint the members of the Board, taking into consideration the interests of the sports sector and the stakeholders and gender balance.

(5) The Chairperson of the Board shall be appointed by the Minister from the members of the Board and shall hold office for four years and be eligible for reappointment for one more term.

30. Tenure of office of member of Board

(1) A member of the Board shall hold office for four years and is eligible for re-appointment for one more term.

(2) A member of the Board shall hold office on terms and conditions specified in his or her instrument of appointment.

(3) A vacancy on the Board shall be filled using the procedure prescribed by regulations made under this Act.

31. Termination of appointment to Board

(1) A member of the Board may, at any time, resign his or her office by giving thirty days' notice in writing to the Minister.

(2) The Minister may, terminate the appointment of a member of the Board—

- (a) if information relating to the conduct of the member, which could have precluded his or her appointment, is brought to the attention of the Minister;
- (b) for incompetence;
- (c) for misbehavior or misconduct;
- (d) for failure to disclose, at a Board meeting, a matter in which he or she has a personal interest;
- (e) where the member is not able to perform the functions of his or her office arising from infirmity of body or mind ascertained by a medical officer;
- (f) where the member is convicted of an offence and sentenced to imprisonment for six months or more by a competent court;
- (g) where the member is insolvent; or
- (h) for absence, without prior notice to the Chairperson of the Board for more than four consecutive meetings of the Board.

32. Remuneration of Board members

The Chairperson and the members of the Board shall be paid such remuneration as the Minister may, in consultation with the Ministers responsible for finance and public service, specify in the instruments of appointment.

33. Meetings of Board

Schedule 2 to this Act shall have effect in relation to the meetings of the Board and other matters provided for in that Schedule.

34. Committees of Board

(1) The Board may constitute a committee to advise it on any matter concerning the functions of the Board as it may determine.

(2) The Board shall determine the terms of reference of a committee, the composition and in consultation with the Ministers responsible for finance and the public service, the terms and conditions of service of a member of a committee.

PART IV—FINANCES**35. Funds and sources of revenue of Council**

The funds of the Council shall consist of—

- (a) moneys appropriated by Parliament; and
- (b) grants and donations from the Government or with the approval of the Minister and the minister responsible for finance, from any other source.

36. Audit

The Auditor General or an auditor appointed by the Auditor General shall, in each financial year, audit the accounts of the Council.

37. Annual report and other reports

(1) The Board shall, within three months after the end of each financial year, submit to the Minister, a statement of the activities of the Council of the preceding financial year.

(2) The Board shall, as may be requested, submit to the Minister, such other reports on its activities or on any other matter.

(3) The Minister shall, within two months after receipt of the annual report, submit the report to Parliament with any statement which he or she considers necessary.

38. Compliance with Public Finance Management Act, 2015

The Council shall at all times comply with the Public Finance Management Act, 2015.

PART V—THE NATIONAL ANTI-DOPING ORGANISATION**39. Designation of National Anti-Doping Organisation**

(1) The Council is in accordance with the requirements of the World Anti-Doping Agency, designated as the National Anti-Doping Organisation in Uganda.

(2) The National Anti-Doping Organisation shall promote anti-doping in sports in Uganda—

(a) and shall for this purpose—

- (i) in collaboration with the Ministry, develop a national strategy to address doping in sport;
- (ii) promote and implement the World Anti-Doping Code and associated International Standards;
- (iii) periodically publish the International Standards on anti-doping in the *Gazette*;
- (iv) provide athletes and athlete support personnel with the procedures for the collection and testing of samples of specimen as specified by the World Anti-Doping Code and International Standards;
- (v) select the sportspersons to provide bodily samples for testing and collect the samples in accordance with the approved World Anti-Doping Code and International Standards; and
- (vi) implement the Anti-Doping Administration and Management System program;

- (b) by testing and analysing samples of specimen of sportspersons using laboratories accredited by the World Anti-Doping Agency and securing the safe transmission of the samples to those laboratories;
 - (c) by undertaking or co-ordinating research or causing research to be undertaken in the field of performance-enhancing substances and methods and doping practices in sports;
 - (d) by carrying out investigations in matters of doping in sports and may for this purpose, summon any person and examine any document or evidence;
 - (e) by operationalising the Prohibited List of the World Anti-Doping Agency;
 - (f) by maintaining a Whereabouts Register and a Registered Testing Pool;
 - (g) by conducting anti-doping education; and
 - (h) by carrying out any other function conferred under this Act and any other relevant treaty.
- (3) The National Anti-Doping Organisation shall in the performance of its functions—
- (a) respect the rights of every person involved in an anti-doping control process including children and persons with disabilities;
 - (b) co-operate with the Ministry and other ministries, departments and agencies of Government, non-governmental organisations; and
 - (c) not require the consent or permission of any person or be under the direction or control of any person or authority.

PART VI—UGANDA OLYMPIC COMMITTEE

40. Role of Uganda Olympic Committee

The Uganda Olympic Committee of the International Olympic Committee shall, under the direction of the Ministry and the Council—

- (a) organise the participation of Ugandan athletes in Olympic games; and
- (b) promote the development of athletes and the training of coaches and athletes to participate in Olympic games.

PART VII—OFFENCES AND PENALTIES

41. Prohibition of doping

(1) An athlete shall not use, consume or have in his or her possession a substance or use a method of sport banned by the World Anti-Doping Agency.

(2) An athlete who uses, consumes or has in his or her possession a substance or uses a method of sport banned by the World Anti-Doping Agency commits an offence and shall be subject to the World Anti-Doping Agency sanctions.

(3) A person who—

- (a) administers to an athlete a substance or uses a method of sport banned by the World Anti-Doping Agency;
- (b) encourages the use of a substance or a method of sport banned by the World Anti-Doping Agency; or
- (c) sells, displays for sale or has in his or her possession a substance or a method of sport banned by the World Anti-Doping Agency,

commits an offence and shall be subject to the World Anti-Doping Agency sanctions.

42. Prohibition of unlawful utilisation of commercial rights

A person who without authorisation of a national sports federation or an athlete, uses commercial rights granted by a national sports federation or an athlete, commits an offence and is on conviction, liable to a fine not exceeding seventy-two currency points, or a term of imprisonment not exceeding three years, or both.

43. Prohibition of unauthorised use of sports results in betting

(1) A person licensed under the Lotteries and Gaming Act, 2015 shall not allow betting on a sports activity or use results of a sports competition organised by a national sports federation, without the written authorisation of the national sports federation.

(2) A person who contravenes subsection (1) commits an offence and is on conviction liable, to a fine not exceeding two thousand currency points or to a term of imprisonment not exceeding ten years, or both and shall in addition to the penalty, pay the concerned national sports federation or athlete damages.

44. Prohibition of betting by specified persons

(1) A person who—

- (a) is a match official, referee, umpire or match adjudicator;
- (b) is a coach or trainer;
- (c) is an athlete, or a participant in a sports discipline;
- (d) is an owner of a sports club;
- (e) is a member of a national sports federation; or
- (f) is an employee of a national sports federation or sports club,

shall not bet or advise a person on any betting activity, in relation to a sports activity, event or competition organised by a national sports federation.

(2) A person who contravenes subsection (1) commits an offence and is on conviction liable to a fine not exceeding seventy two currency points, or to a term of imprisonment not exceeding three years, or both.

45. Prohibition of manipulation of sports result or sports competition

(1) A person shall not manipulate a sports result or the course of a sports competition.

(2) For purposes of subsection (1), a person shall be taken to manipulate a sports result or the course of a sports competition where the person—

- (a) directly or indirectly, promises, offers or gives undue advantage to another person with the aim of improperly altering the sports result or the course of a sports competition;
- (b) directly or indirectly, solicits or accepts undue advantage, promise or offer, for himself, herself or for another person, with the aim of improperly altering a sports result or the course of a sports competition;
- (c) predetermines a sports result or the course of a sports competition;
- (d) acts in a manner that ensures the occurrence of an improper performance, act, omission or an outcome which is the subject of an illegal bet relating to a sport or a sporting event;
- (e) provides confidential information relating to a sport or a sports competition to a person and the person to whom information is provided, uses the information to improperly alter a sports result or the course of a sports competition;
- (f) receives money or any other reward or benefit individually or collectively to underperform or to withdraw from a sports competition or sporting event;

- (g) being an umpire, match adjudicator or match referee, deliberately misapplies the rules of the sports competition or sporting event for financial reward or benefit; or
- (h) being a curator, a member of a venue staff, ground staff, support staff or any person in charge of a turf, playing ground or playing surface, receives a financial reward or benefit to prepare the turf, playing ground or playing surface of any sport or sporting event in a manner that alters a sports result or the course of a sports competition.

(3) A person who knows or has reason to believe that a person has committed or intends to commit an offence under subsection (1) shall report the matter to the Uganda Police Force, the Council or a person authorised by the Council.

(4) A person who contravenes subsection (1) or (3), commits an offence and is on conviction liable to a fine not exceeding five thousand currency points or a term of imprisonment not exceeding five years, or both.

46. Prohibition of acts of violence and hooliganism

(1) A person shall not commit an act of violence or hooliganism at a sports event or sports competition organised by a national sports federation.

- (2) A person who does an act—
 - (a) that is calculated to lead to destruction or damage to property;
 - (b) that physically injures a person;
 - (c) that disturbs the peace and order at a sports competition or a sporting event;
 - (d) with the intent to disrupt a sports competition or a sporting event or to intimidate or annoy a match official, a referee,

an umpire, a match adjudicator, a coach, a trainer, an athlete, or any other participant in a sports discipline-

- (i) threatens, injures, assaults, shoots or unlawfully restrains that person;
- (ii) throws a projectile, a liquid, a substance upon or applies a fluid or substance to that person; or
- (iii) incites a person to do an act of violence against that person,

commits an offence and is on conviction liable, to a fine not exceeding four hundred and eighty currency points or to a term of imprisonment not exceeding ten years, or both.

(3) A person convicted of an offence under subsection (1) shall, in addition to the penalty prescribed in subsection (1)—

- (a) make good the loss and damage suffered by a person as a result of the unlawful action; and
- (b) be banned from participating in or attending sports events and sports competitions for a period not exceeding three years.

47. Prohibition of exploitation of participants in sports activities

(1) A person shall not emotionally, financially or sexually exploit a participant in a sports event or sports competition organised by a national sports federation.

(2) A person who contravenes the provisions of subsection (1) commits an offence and is on conviction liable, to a fine not exceeding four hundred and eighty currency points or to a term of imprisonment not exceeding ten years, or both.

48. General penalty

A person who contravenes a provision of this Act for which no penalty is prescribed, commits an offence and is, on conviction, liable to a fine not exceeding seventy-two currency points, or a term of imprisonment not exceeding three years, or both.

49. Offences committed by body corporate

(1) A body corporate shall be deemed to have committed an offence under this Act if the act or omission constituting the offence was committed—

(a) by a person who—

(i) has the power to represent the body corporate;

(ii) has the authority to take decisions on behalf of the body corporate; or

(iii) has authority to exercise control over the affairs of the body corporate; or

(b) for the benefit of the body corporate.

(2) Where an offence prescribed under this Act is committed by a body corporate, court shall—

(a) hold the principal officer in the body corporate liable for the offence committed and penalty prescribed under this Act; and

(b) in addition to any penalty stipulated in the relevant provision impose a penalty not exceeding twenty thousand currency points on each count.

50. Prohibition of broadcast of sports events and competitions

(1) A person shall not, without the authorisation of a national sports federation, broadcast a sports competition or sporting event organised by the national sports federation.

(2) person who, contravenes the provisions of subsection (1) commits an offence and is on conviction, liable to a fine not exceeding one hundred and twenty currency points or to a term of imprisonment not exceeding five years, or both.

PART VIII—MISCELLANEOUS

51. Vesting of sports infrastructure in Council

(1) A local Government shall gazette public land for the establishment of public sports infrastructure for a national sports federation and shall cause the land to be registered in the names of the Council.

(2) For the avoidance of doubt any public land that is allocated for a national sports activity for a national sports federation or for the establishment of a public sports infrastructure, shall vest in the Council.

(3) The Council shall not, without the approval of Parliament, lease, pledge, sell or encumber the land allocated under this section, any land or public sports infrastructure owned by the Government.

(4) The Council and the respective national sports federation shall only apply the property referred to in this section and the income derived from the property, for the purposes of the concerned national sports federation.

(5) Where land referred to in this section is sold, in whole or in part, the proceeds of the sale shall be paid and applied in the manner the Minister, on the advice of the Council, shall direct.

(6) This section shall not apply to the land governed by the Nakivubo War Memorial Stadium Trust Act, Cap. 47.

52. Regulations

(1) The Minister may in consultation with the Board make regulations for the purposes of carrying into better effect the provisions of this Act.

(2) Without prejudice to subsection (1), the Minister may in consultation with the Board make regulations—

- (a) regulations to manage public sports facilities and equipment;
- (b) to prescribe for anything required to be prescribed under this Act; and
- (c) to prescribe the fees to be paid under this Act.

53. Amendment of Schedules

(1) The Minister may, with the approval of Cabinet, by statutory instrument, amend Schedule 1 to this Act.

(2) The Minister may, by statutory instrument, amend Schedule 2 and Schedule 3 to this Act.

54. Repeal and savings

(1) The National Council of Sports Act Cap. 48 is repealed.

(2) A statutory instrument made under the National Council of Sports Act repealed under subsection (1) which is in force immediately before the commencement of this Act, shall remain in force, until it is revoked by a statutory instrument made under this Act.

(3) A certificate issued by the Council or an agreement entered into by the council before the commencement of this Act shall remain valid until it is revoked under this Act.

(4) Notwithstanding subsection (3), a certificate or agreement referred to in the subsection, whose provisions are inconsistent with this Act, shall be amended by the Council within one year from the commencement of this Act.

(5) A national sports federation, which was duly registered by the Council before the commencement of this Act and which is in existence immediately before the commencement of this Act shall have effect as if it was registered under this Act.

55. Transfer of contracts, assets and liabilities

(1) On the commencement of this Act, the persons employed by the Council at the commencement of the Act, shall continue in the employment of the Council.

(2) All the property, assets, rights and interests of the Council before the commencement of this Act shall continue to be the property, assets, rights and interests of the Council.

(3) All obligations and liabilities, including gratuity and retirement benefits, subsisting against the Council before the commencement of this Act shall continue to subsist against the Council.

56. Pending court proceedings and execution of orders of court

(1) Any pending court proceedings or execution of orders of court which were enforceable by or against the Council immediately before the commencement of this Act, or which are connected with the assets vested in the Council or the functions of the Council, shall be enforceable by or against the Council as they would have been enforced by or against the Council immediately before the commencement of this Act.

(2) Any pending court proceedings or execution of orders of court against the Council arising out of matters connected with Council, shall continue against the Council until they are disposed of or satisfied.

SCHEDULES

SCHEDULE 1

section 1

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

sections 30, 53

CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARD**1. Meetings of the Board**

(1) The Chairperson shall convene meetings of the Board at times and places as the Board may determine and the Board shall meet for the discharge of business at least once every three months.

(2) The Chairperson may, at any time, convene a special meeting of the Board and shall call the special meeting within fourteen days, if requested to do so in writing by at least four members of the Board.

(3) A notice of a meeting of the Board shall be given in writing to each member at least seven working days before the day of the meeting.

(4) The Chairperson of the Board shall preside over every meeting of the Board and in the absence of the Chairperson, the members present shall appoint a member from among themselves to preside at the meeting.

2. Quorum

(1) The quorum for a meeting of the Board is five members, of the Board.

(2) Where there is no quorum at, or for the continuation of, a meeting of the Board, due to the exclusion of a member from the deliberations on a matter in which the member has disclosed a personal interest, the other members present may if they deem it expedient—

- (a) postpone the consideration of that matter until there is a quorum without that member; or
- (b) proceed to consider and decide the matter as if there was a quorum.

(3) All decisions at a meeting of the Board shall be decided by a majority of the votes of the members present and voting, and in the case of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to the deliberative vote.

3. Minutes of meetings

(1) The Secretary General shall record and keep minutes of all the meetings of the Board in a form approved by the Board.

(2) The minutes recorded under this paragraph shall be submitted to the Board for confirmation at its next meeting following to that which the minutes relate and when so confirmed, shall be signed by the Chairperson, in the presence of the members present at the latter meeting.

(3) The Chairperson of the Board shall submit to the Minister a copy of the minutes of each meeting of the Board as soon as the minutes have been confirmed.

4. Power to co-opt

(1) The Board may invite any person, who, in the opinion of the Board, has expert knowledge concerning the functions of the Board, to attend and take part in the proceedings of the Board.

(2) A person attending a meeting of the Board under this paragraph may take part in any discussion at the meeting on which his or her advice is required but shall not have any right to vote at the meeting.

5. Validity of proceedings not affected by vacancy

The validity of any proceedings of the Board shall not be affected by a vacancy in its membership or by any defect in the appointment or qualification of a member or by reason that a person not entitled, took part in its proceedings.

6. Disclosure of interest of members

(1) A member of the Board who is in any way directly or indirectly interested in any matter before the Board, shall disclose the nature of his or her interest at a meeting of the Board.

(2) A disclosure made under subparagraph (1) shall be recorded in the minutes of the meeting.

(3) A member of the Board who makes a disclosure under subparagraph (1) shall not—

- (a) be present during any deliberation of the Board with respect to that matter; or

(b) take part in any decision of the Board with respect to that matter.

(4) For purposes of determining whether there is quorum, a member withdrawing from a meeting or who is not taking part in the meeting under subparagraph (3) shall be treated as present.

7. Board to regulate its own proceedings

Subject to this Act, the Board may regulate its own procedure or any other matter relating to its meetings.

SCHEDULE 3

section 21, 52

PUBLIC SPORTS FACILITIES

PUBLIC FACILITY OR GROUND	DISTRICT
Adjumani Stadium	Adjumani
Akii Bua Olympic Stadium	Lira
Barifa Stadium	Arua
Buhinga Stadium	Kabarole
Bushenyi Sports Grounds	Bushenyi
Hoima Sports Grounds	Hoima
Kabale Stadium	Kabale
Kakindu Stadium	Jinja
Kasana Sports Grounds	Luwero
Kakyeka Stadium	Mbarara
King George VIII Stadium	Tororo
Kiprotich National High Altitude Training Centre	Kapchorwa
Mandela National Stadium	Wakiso
Masaka Municipal Stadium	Masaka
Masindi Stadium	Masindi
Mbale Municipal Stadium	Mbale
National Council of Sports Complex - Lugogo	Lugogo
Nakivubo War II Memorial Stadium	Kampala
Pece Stadium	Gulu
Soroti Sports Grounds	Soroti

Cross References

Constitution of the Republic of Uganda, 1995

Lotteries and Gaming Act, 2015

National Council of Sports Act, Cap. 48

Nakivubo War Memorial Stadium Trust Act, Cap. 47

Public Finance and Management Act, 2015