



THE LOCAL GOVERNMENT SYSTEM IN

UGANDA



1 INTRODUCTION

The Republic of Uganda is a unitary state in east Africa, which has a population of 30,262,610 and a land area of 236,000 sq km.¹

Uganda's head of state is the president, directly elected for a term of five years. The president holds executive powers and is responsible for nominating the cabinet, which parliament then has the power to approve or reject. The parliament is unicameral and its 304 members are elected for a five-year term. The capital city is Kampala.

There are up to five layers of local councils. The principal unit of local government is the district council. Each district contains within its boundaries a number of county and municipal councils, which in turn contain a number of

sub-county and town councils. Beneath these are the parish councils and at the lowest level is the village or ward council. There are 79 districts (including Kampala City Council) in the country.

Local government contribution to GDP is about 3.5%.²

2 POLITICAL AND ORGANISATIONAL STRUCTURE OF UGANDA

2.1 Position of local government in the state

By 1987 the National Resistance Movement (NRM) had secured power in the war-torn country. The NRM came to power by establishing liberated zones during the civil war through the establishment of resistance councils (later transformed into local councils). These were later formalised in the

Resistance Councils and Committees Statute 1987.

In 1992 the president launched a decentralisation policy and a year later the Local Governments (Resistance Councils) Statute 1993 was passed. The 1995 Constitution enshrined a decentralised structure of government.

Until 2006 political representation took place within the 'movement system'. This allowed political parties to exist and be active, but barred candidates from standing on a political ticket. Candidates were elected on individual merit. However this has changed and representation is now through political parties. The system was introduced to mitigate the worst political enmities in the aftermath of the civil war. The continuation of the movement system was put to a referendum in July 2000, when it received the support of 90% of the electorate.

Presidential, parliamentary and local elections were last held on 23 February 2006.³

The Minister for Local Government is responsible for national policy and legislation on local government. The minister plays a supervisory role and may call on appropriate bodies to conduct investigations into alleged irregularities in the activities of any particular local government. The Local Governments Act gives the minister these powers. There have been cases that have gone to trial as a result of this intervention.

There are several layers at which intervention in local government can take place. The minister may intervene, as can the Resident District Commissioner (RDC) and the Inspector General of Government (IGG). The minister or the RDC (the representative of the president in each district)⁴ can convene a meeting of the council and provide guidance to improve the situation, or call on the IGG (responsible broadly for the elimination of corruption and abuse of office in the public sector)⁵ or the Auditor General to investigate irregularities.

The minister and the RDC are not empowered to conduct investigations themselves, but the minister may instigate a commission of inquiry. The findings of the investigations either exonerate the individual

or put them before the appropriate authorities, for example the courts, for trial. In extreme cases in which the district council can no longer operate, the president is empowered to assume executive powers for that district. There has been no occasion on which this has happened.⁶

3 LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

Local government is enshrined in the 1995 Constitution in Chapter 11.

3.2 Main legislative texts

The Local Governments Act is the fundamental legislation governing local government. It is administered by the Ministry of Local Government.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Main divisions

There are five organisational tiers in rural areas and four in urban areas. Rural areas consist of:

- Village councils
- Town boards
- Parish councils
- Sub-county/town councils
- County councils. Thirteen municipal councils are urban areas within rural districts. These are accorded greater political autonomy than counties, but less than districts
- District councils.

Urban areas consist of:

- Village councils
- Ward councils
- Municipal or city division councils
- City councils.

The districts and city councils are the principal units of local government. The districts and cities delegate authority to lower-level councils. Only those, plus the 13 municipal councils, and sub-counties, are considered local governments with legislative powers.

The village, parish/ward and rural county councils are administrative units without body corporate status. However, they do have assemblies, which deliberate budget priorities and have a consultative role in relation to the district chairperson, senior administrative officers at higher levels of local government and MPs.⁷

There is a recognised rural–urban distinction in that urban councils have a number of distinct responsibilities, such as waste removal and management.

Table 1. Distribution of authorities

	Urban	Rural	Kampala	Total
County		79 districts	1	80
Municipal	13 municipal councils		–	13
Sub-county	39 municipal divisions; 92 town councils	903	5 city divisions	1,039
Total	144	982	6	1,132

4.2 Distribution of local governments and populations

There are 80 district councils including Kampala City. The average district population is 371,267 with the largest population being Mbarara at 930,772, and the smallest Kalangala at 16,371. The average district’s area is 4,512 sq km, and the largest district area is Kotido, which is 13,208 sq km.⁸

Although the urban councils (apart from Kampala City Council) fall within a district, they enjoy some autonomy from the district.⁹

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

Political representation is primarily through political parties. For district councils the sub-counties/town councils serve as electoral areas. In a typical district comprising 12 sub-counties and one town council, the district council will comprise the following: the district chairperson elected by universal suffrage of everyone aged 18 and above of the district; one councillor directly elected to represent each of the 12 sub-counties and town council; two councillors one of whom shall be a female youth; two councillors with disabilities, one of whom shall be a female; one-third of the councillors shall be women; two elderly people, one male, one female, elected by the executive committee. An MP may attend meetings of a local council in his/her constituency.¹⁰

The system of elections is first-past-the-post and candidates are elected standing on a multi-party basis. All voters must be over 18 years old. Sub-county councillors are elected by universal adult suffrage. The representatives for youth and people with disabilities, one of each of whom must be a woman, are elected by electoral colleges. The women’s representatives are elected by both men and women voters.

Elections to the lower levels of the local government structure – village and parish – are conducted by secret voting.¹¹ Only Ugandan citizens resident in a local government area for more than four months are eligible to vote.

The local populace has the power to recall the chairperson/mayor of the district/city/municipality, though only indirectly through the submission of a petition. The chairperson/mayor can be removed through a special vote

Table 2. Size of districts by population

	District councils
Smallest	16,371
Largest	930,772
Average	371,267

of no confidence carrying a two-thirds majority of the council. A tribunal that includes a judge reviews the resolution to determine whether there is a *prima facie* case against the chairperson. If so, the resolution will be debated in full council and, if passed with a two-thirds majority, will result in the termination of the chairperson’s term of office.

Likewise a councillor may be recalled by the electorate ‘for neglect of his or her duties’. A petition signed by one-third of the registered electorate must be lodged with the speaker of the council.¹²

Participatory democracy was considered the bedrock of the ‘movement system’ (the non-party politics that characterised Uganda) and was a stated requirement in the constitution, but the 2004 referendum changed the political system from ‘movement’ to multi-party. The multi-tiered local government system is designed to promote participation. Councils are not permitted to function without their full complement of women. Young people and people with disabilities are assured of democratic input through special constituencies. The village-level local councils are open forums for all residents over the age of 18 to express their views.

Each year districts hold a district budget conference, involving all stakeholders in the district, to identify priorities for the forthcoming year. It is also the forum in which the foreign NGOs (whose activities are also decentralised, ie they work through specific districts) indicate the money they intend to spend in the district.

According to estimates of ministry officials, women representatives account for about 35% of all local elected members.¹³ Each executive committee must include at least one woman secretary.

5.1 District councils

Each district council is required by law to have an executive committee composed of the chairperson, the vice-chairperson and up to

three secretaries nominated from amongst the councillors by the chairperson and approved by the council. At least one secretary must be a woman. One secretary must be responsible for health and children's welfare. The district council may establish as many other standing committees as there are secretaries on its executive committee.

The chairperson (or mayor in city and municipal councils) is the political leader of the council and is directly elected to the post for a term of five years. A speaker is elected by district councillors to preside over meetings.

In each district the executive and standing committees report to the full council. The executive committee is responsible for monitoring the implementation of council programmes and central government policies, and monitoring and coordination of NGO activities.

The executive committee initiates and formulates policy, which is put before full council for approval. Council may delegate a range of powers to the district executive committee.¹⁴ All members of the executive committee are on full-time service of the council and are paid accordingly.¹⁵

It is usual to find standing committees established to deal with education, finance, general purposes, health and welfare, public works and sanitation. These are combined in various ways by different districts.

5.2 Sub-county councils and municipal councils

These are structured as exact replicas of the districts. The democratic structure and functions are the same, but the area of their jurisdiction is smaller. Executive committee members at this level are not required to be full-time. Only the mayor/chairperson is full-time.

5.3 Administrative units: villages, parishes/wards and county councils

The administrative units have councils comprising all the councillors of one administrative level above. For example, the county councils are composed of the executive committees of all sub-counties in the area. At the village level all people 18 years and over are members of the village council.¹⁶

The counties are required to have a chairperson and a vice-chairperson, but there is no legal requirement for an executive committee.

The parishes/wards and villages are required to have executive committees comprising a chairperson; a vice-chairperson; a general secretary; and secretaries for information, education and mobilisation, security, finance, and production and environment protection. The chairperson of the

Youth Council at the parish or village level is appointed the secretary for youths, the chairperson of the Women's Council is appointed the secretary for women and the public health coordinator and the chairperson of the organisation for people with disabilities is appointed secretary with responsibility for disability affairs.¹⁷

5.4 Local government staffing¹⁸

Local government staff are recruited by the District Service Commission but employed by the individual local authority. The local authority has the power to discipline and dismiss staff.

Central government deploys staff in local government but only at the request of local councils.

Districts are required by law to appoint a number of officers, namely a chief finance officer, education officer, director of health services, district planner, chief agricultural officer and chief engineer.

At the sub-county level, the required officers are the sub-county chief and extension staff in health, agriculture and veterinary services.

The head of the paid service is the chief administrative officer, known in urban districts

as the town clerk.

The typical staff structure at the district level is chief administrative officer (CAO) and a management team including all the officers mentioned above. At the sub-county level it is the sub-county chief and the three mandatory officers. At the parish level the only member of staff is the parish chief.

5.5 Independent scrutiny

The reports from the Local Government Public Accounts Committee are submitted to the minister responsible for local governments who in turn lays them before parliament. There is a standing committee of parliament called the Local Government Public Accounts Committee which scrutinises the reports. This is a shift from the previous parliaments where the Local Government Public Accounts Committee reports were scrutinised by the Public Accounts Committee of parliament.

6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE¹⁹

The Second Schedule of the Local Governments Act lists the functions that must remain with central government. It provides an open-ended list of functions to be carried out

Table 3. Distribution of local authorities and populations

District	County	Sub-county	Population	% rural
Adjumani	1	7	97,264	93.06
Apac	5	21	454,504	98.73
Arua	7	36	538,147	n/a
Bugiri	1	19	239,307	n/a
Bundibugyo	2	10	116,566	92.09
Bushenyi	5	30	736,361	98.07
Busia	1	10	163,597	78.53
Gulu	5	23	338,427	88.68
Hoima	2	13	197,851	97.67
Iganga	4	25	489,627	n/a
Jinja	4	11	289,476	72.06
Kabale	4	19	417,218	92.99
Kabarole	3	14	303,826	n/a
Kalangala	2	7	16,371	91.59
Kampala	–	5	774,241	0
Kamuli	4	23	485,214	98.3
Kamwengye	2	8	197,401	n/a
Kanugu	1	8	160,708	n/a
Kapeworwa	3	11	116,702	96.05
Kasese	2	21	343,601	88.39
Katakwi	3	15	173,447	97.99
Kayunga	2	9	236,177	n/a
Kibaale	3	19	220,261	98.91
Kiboga	1	14	141,607	96.27
Kisoro	1	14	186,681	95.99
Kitgum	2	13	175,587	95.71
Kotido	3	20	196,006	95.05
Kumi	3	16	236,694	95.04
Kyenjojo	2	13	245,573	n/a

by the districts and states – functions which may or may not be devolved to lower levels of local government. Annex A indicates those functions that are the sole preserve of the central government, those functions which are carried out by districts, and those which may be carried out by lower-level councils. Districts are responsible for the provision of education services though some education services may be devolved to the lower councils. Education policy remains with central government. The same is true for social welfare. Public health is the responsibility of the districts, but they are also strongly urged to devolve primary care and health protection to the lower councils.

Responsibility for transport is shared between central and local government; environmental services and public sanitation is a district responsibility. Environmental protection is shared across all levels of government. Water supply, electricity, trade and industry remain under central government, while more localised economic endeavours are the responsibility of the districts and below, for example the provision of marketplaces. Poverty eradication is also devolved to lower level councils in the urban areas.

7 FINANCE²⁰

7.1 Revenue

The aggregate of locally raised revenue by the districts in 2004/2005 was US\$108.6bn (US\$64m).

The main sources of revenue for local government are:

1. Intergovernmental grants	91.2%
2. User fees and charges	3.2%
3. Property tax	2.5%
4. Others, including market dues, trade licences and rents	1.8%
5. Revenue from departments	0.7%
6. Urban authorities permits	0.6%

In rural areas the districts set taxes, and in urban areas the city, municipality and town councils set their own taxes. In rural areas, the sub-counties collect tax and non-tax revenues for local governments while in the city and municipalities it is collected by divisions and town councils. It should be noted that the local governments in Uganda only levy taxes and non-tax revenue sources prescribed by parliament.

The graduated personal tax was abolished

in 2005. From July 2005, until a replacement is found, local governments are being compensated for the loss of revenue arising from its abolition from the national budget. The Bill to replace these with a local service tax and a hotel tax has been passed.

7.2 Revenue-sharing

Locally raised revenue is by law shared as follows:

• District councils	35%
• Sub-counties	65%

In the city and municipalities, the divisions retain 50% and remit the other 50% to the higher local government. On a monthly basis, the city and municipal authorities are required to send back a minimum of 30% of what they receive from divisions, based on the prescribed formula which takes into account population, school-going age and land area. The divisions in turn are required to send 25% and 10% of the revenue to villages and wards respectively.

The law requires that town councils send 25% and 10% of their revenue to villages and wards respectively.

Graduated tax was the most important source of revenue, constituting more than 80% of the discretionary resources for local government. Conditional grants contribute up to 78.2% of overall income for local governments.

The Local Government Finance Commission advises the president on the financial position and needs of local governments. It is made up of seven members, four of whom are nominated by local governments. This body advises the president on all matters concerning the distribution of revenue between the government and local governments, and the allocation to each local government of money out of the consolidated fund, among other functions.

There are three forms of grants made by central to local government. These are:

- Conditional grant
- Unconditional grant
- Equalisation grant.

The unconditional grant is the minimum grant to finance decentralised services, allocated according to a formula provided for in the constitution. In 2006/2007 it accounted for 12.4% of central government transfers to local governments.

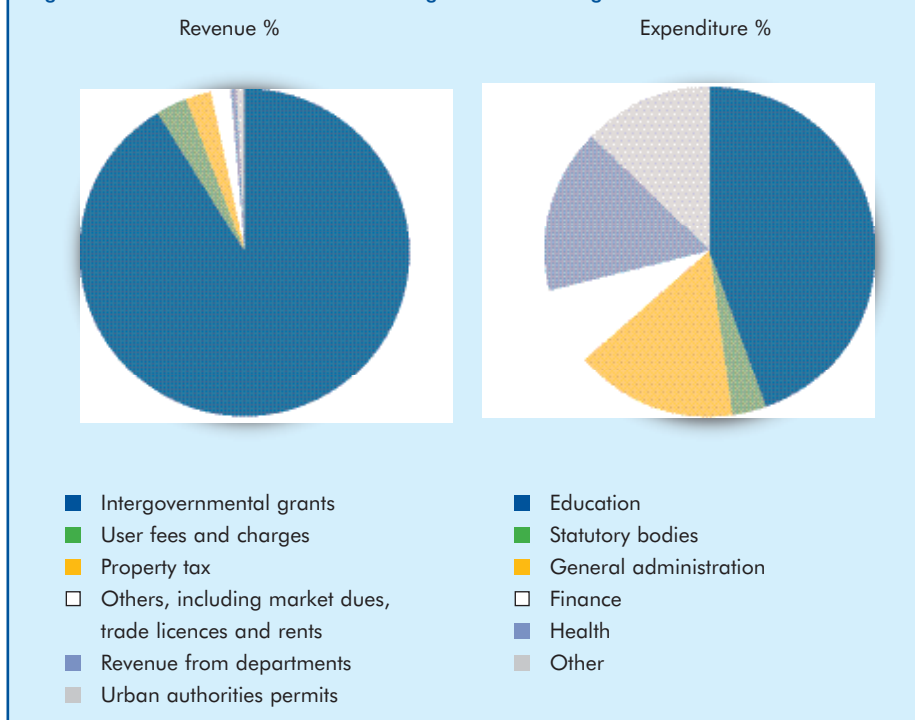
Conditional grants are given to local governments to finance programmes agreed upon between central and local governments.

Table 3. Distribution of local authorities and populations (cont'd)

District	County	Sub-county	Population	% rural
Lira	6	28	500,965	94.5
Luwero	4	21	449,691	91.88
Masaka	6	23	838,736	90.8
Masindi	4	14	260,796	94.5
Mayuge	1	6	216,849	n/a
Mbale	4	31	498,675	n/a
Mbarara	8	47	930,772	94.99
Moroto	3	11	96,833	n/a
Moyo	3	14	175,645	95
Mpigi	3	17	351,258	n/a
Mubende	4	20	500,976	93.1
Mukono	4	28	588,427	n/a
Nakapiripinti	3	10	77,584	n/a
Nakasongola	1	7	100,497	N/a
Nebbi	3	19	316,866	92.44
Ntungamo	3	14	289,222	n/a
Pader	2	13	181,597	n/a
Pallisa	4	22	357,656	99.18
Rakai	4	26	383,501	96.12
Rukungiri	2	11	230,072	96.68
Sembabule	2	5	144,039	n/a
Sironko	2	17	212,305	n/a
Soroti	4	17	204,258	n/a
Tororo	3	20	555,574	88.54
Wakiso	3	16	562,609	n/a
Yumbe	1	7	99,794	v
Total	170	918	17,899,078	87

Source: Ministry of Local Government and World Bank, 'Enter the 21st century: the World Development Report 2000'

Figure 1. The financial structure of local government in Uganda



These grants are earmarked and distributed through contracts drawn up to administrative regulations set by the relevant sector ministry. These grants are all within central government priority programme areas that include: universal primary education, feeder roads, primary healthcare, agricultural extension and rural water supply. In 2006/2007 the conditional grants accounted for 87% of central government transfers to local governments.

Equalisation grants are paid to local governments based on the degree to which an individual local government lags behind national average standards set by the central government for a particular service. The Local Government Finance Commission is responsible for advising the president on how equalisation grants are calculated and allocated to individual local governments. In 2006/2007, the equalisation grant constituted 0.4% of transfers to local government.

7.3 Expenditure

The aggregate expenditure of local governments in 2004/2005 was US\$896.4bn (US\$610m). The main items of local government expenditure were:

1. Education	42%
2. Statutory bodies	3%
3. General administration	15%
4. Finance	7%
5. Health	15%
6. Other	12%

7.4 Legal framework

The financial transactions and business of all local government councils and administrative

units, and the management of all public monies and public property, is governed by the Local Governments Financial and Accounting Regulations and the Local Governments (Procurement and Disposal of Assets) Regulations. These set out principles and policy as regards financial and procurement management in local government.

8 ORGANISATIONS OF LOCAL GOVERNMENT

There are two associations of local government, the Uganda Local Government Association and the Urban Authorities Association of Uganda. Discussions are taking place about forming a single national association.²¹ Neither of these is recognised in law. Districts are permitted to cooperate and to form secretariats or trust funds for cooperation on specified activities.

9 INTERGOVERNMENTAL RELATIONS

9.1 Relations between higher and lower councils

Higher-level councils are empowered to give lower councils guidance on how they carry out their functions. The higher councils are also required to settle disputes between lower councils should they arise. The district councils may devolve certain functions to lower levels of local government; however the transfer must be agreed to by both councils, the requisite resources must be made available for the exercise of the function and the public must be made aware of the changes.²²

9.2 Relationship between central and local government

In each district there is a resident district

commissioner appointed by the president, whose role is to represent central government and to coordinate the administration of government services in the area. The resident district commissioner is the first point of contact between local and central government. At the national level there is no permanent forum for discussion; however the local government associations and the Ministry of Local Government meet on an *ad hoc* basis.²³

10 E-GOVERNMENT

The government of Uganda has been implementing an e-government strategy which includes a local government element, the Districts Information Portal (www.dip.go.ug). This provides profiles of each district covering contact details, economic activity and news.

The government of Uganda has introduced an integrated financial management system (IFMS) starting with eight districts and five city divisional councils. IFMS is a computerised budgeting, accounting and reporting system which aims to enable each authority to plan and use their financial resources more efficiently and effectively.

The government has also adopted the Electronic Fund Transfer (EFT) system for all payments to government, including local government.

In 2005 there were an estimated 500,000 internet users in Uganda, representing less than 0.5% of the population.²⁴

11 ENVISAGED REFORMS

The government is in the process of amending the Local Governments Act to provide for additional taxes to be levied, collected and charged by local government, to provide new sources of income for local government in view of falling revenue as a result of the abolition of graduated tax.

12 MISCELLANEOUS

12.1 Traditional authorities

The role of traditional authorities in Uganda is to facilitate cultural development and exchange and to assist community development programmes and social mobilisation.²⁵ In Uganda the traditional authorities include the chiefs and kings who have influence in different parts of the country. The most notable is the king, or kabaka, of Buganda.

13 SUMMARY

The Government of Uganda is pursuing a policy of deepening decentralisation. Its local government system is characterised by a multi-layered structure organised to achieve economies of scale, while trying to create truly participatory democracy.

The district councils are the principal unit of local government and they have been given powers to oversee and monitor the governmental and developmental activities in their territory including NGOs, community-based organisations, the private sector and other stakeholders. The representative system is designed to promote inclusiveness and gender-sensitive decision-making. Local government activities continue to be hampered by limited capacity for financial management and ineffective collection of taxes.²⁶

- 25 Raphael Magyezi, Secretary General, Uganda Local Authorities Association
- 26 Further detailed information on the system of local government in Uganda may be found in 'An Overview of Uganda's Decentralisation Policy and Process', Commonwealth Local Government Handbook 2002.



References

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- 6 'Regional Report on Decentralisation: The Case of Uganda', p.7, www.mdpesa.co.zw
- 7 Local Governments Act (1997), Section 49
- 8 Hon. Major General Kahinda Otafiire, Minister of Local Government; V B Ssekono, Permanent Secretary, Ministry of Local Government
- 9 'Fiscal Decentralisation and Sub-National Government Finance in Relation to Infrastructure and Service Provision in Uganda', NALAD-EPRC, March 2000, p.68. Available on the MDPESA website
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- 13 Dorcas Wagima Okalany, Under Secretary, Ministry of Local Government, Government of Uganda
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- 15 Local Governments Act 1997, Section 20
- 16 Local Governments Act 1997, Section 47
- 17 Local Governments Act 1997, Section 48
- 18 James Kalebbo, Director, Uganda Management Institute, November 2002
- 19 Local Governments Act 1997, Second Schedule, pp.114-129
- 20 US\$1,469 = US\$1
- 21 Hon. Jaber Bidandi Ssali, Minister for Local Government, Uganda, 'Partnership between Central, Provincial and Local Government', pp.12-13
- 22 'Regional Report on Decentralisation: The Case of Uganda', p.6 on www.mdpesa.co.zw/pubs/decent4.htm
- 23 Ibid., pp.6-7
- 24 CIA World Factbook 2007

Service	Delivering authority			Remarks
	Central	Local government districts	Village and community sub-counties	
GENERAL ADMINISTRATION				
Police	●			Urban only
Fire protection		●		
Civil protection	●	●		
Criminal justice	●			
Civil justice				
Civil status register		●		
Statistical office		●		
Electoral register	●			
EDUCATION				
Pre-school		●	●	
Primary		●	●	
Secondary		●		
Vocational and technical		●		
Higher education		●		
Adult education			●	
SOCIAL WELFARE				
Kindergarten and nursery		●	●	Village councils assist in general welfare
Family welfare services		●		
Welfare homes		●		
Social security				
PUBLIC HEALTH				
Primary care		●	●	
Hospitals		●	●	
Health protection		●	●	
HOUSING AND TOWN PLANNING				
Housing			●	
Town planning		●		
Regional planning		●		
TRANSPORT				
Roads	●	●		
Transport		●		
Urban roads				
Urban rail				
Ports	●			
Airports	●			
ENVIRONMENT AND PUBLIC SANITATION				
Water and sanitation		●		Urban councils Urban councils
Refuse collection and disposal		●		
Cemeteries and crematoria		●		
Slaughterhouses		●		
Environmental protection	●	●	●	
Consumer protection		●		
CULTURE, LEISURE AND SPORTS				
Theatre and concerts		●		
Museums and libraries		●		
Parks and open spaces		●	●	
Sports and leisure		●		
Religious facilities				
UTILITIES				
Gas services				
District heating				
Water supply	●	●		
Electricity	●			
ECONOMIC				
Agriculture, forests and fisheries		●	●	Establishment of markets and poverty alleviation
Economic promotion	●			
Trade and industry	●			
Tourism		●		
Other economic services			●	