

The National Laws of Uganda Concerning PWDs

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1. Introduction

The National Laws of Uganda concerning PWDs are mainly made to;-

- a. To provide Legal Protection for PWDs in service provision.
- b. To eliminate all forms of discrimination against PWDs.
- c. To provide a framework for Equalization of opportunities to PWDs.
- d. To consolidate the laws governing individual Employment relations.
- e. To enhance empowerment, participation and protection of rights of PWDs.
- f. To guide and inform the planning process resource allocation, implementation, monitoring and evaluation of activities in respect to PWDs concern at all levels.

2. General Laws

The constitution of Uganda (1995).

- a. Objective (vi) of the constitution ensures gender balance and fair representation of marginalized groups on all constitutional and other bodies.
- b. Objective (xxiv) provides for promotion of sign language for the deaf.
- c. Article 21 (2) provides that a person shall not be discriminated against on the ground of disability.
- d. Article 32 (1) state shall take affirmative action in favour of groups marginalized on the basis of disability.
- e. Article 35 (1) provides that PWDs have aright to respect and human dignity rand 35 (2) provides that Parliament shall enact laws for the protection of PWDs.
- f. Article 59 (4) provides that Parliament shall make laws to provide for the facilitation of citizens with disabilities to register and vote.
- g. Article 78 (1) provides that Parliament shall consist of representatives of PWDs.
- h. Article 78 (2) provides that after every five years Parliament shall review the representation of PWDs to Parliament for the purposes of retaining, increasing or abolishing the representation.

3. The Children Statute 1996

- a. Section 10 of the Statute focuses on children with disabilities and States that the parents of children with disabilities and State shall;-
 - 1. See that the children with disabilities are assessed as early as possible.
 - 2. Offered appropriate treatment
 - 3. Provide facilities for rehabilitation and equal opportunities to Education.
- b. Section 11 (5) provides that Local Government Council shall keep a register of disabled children within its area of jurisdiction.

4. The Local Government Act 1997

- a. PWDs are represented by 2 persons (one man and one woman).
- b. PWDs are represented at Lower Local Government Council L.C. III or Gombolola or Division as the above in all councils (L.C. II and L.C. I.)
- c. The Land Act - 1998
 - 1. Section 28 provides for the rights of PWDs in respect to Customary Land – It provides for access to ownership, occupation or use of Land.
- d. Rules of Procedure of Parliament – 1996
 - i. Allows any person who is not an MP to give assistance to a member of disability in the House or Committee.
 - ii. Allows a member with disability to bring into the House crutches or any other aid needed owing to his or her disability so as to participate in the proceedings of House or Committee.
- e. The Uganda Communications Act 1998

Section 8 provides for research into the development and use of new communication, techniques and technologies to provide accessibility of hearing impaired people to communication services.
- f. Uganda Traffic and Road Safety Act 1998
 - i. Section 42 provides that no person with a disability shall be denied a driving permit by reason of his or her disability.

- ii. Section 132 provides for use of bells, alarms, direction indicator to access PWDs to roads, railways and airports.

g. The Movement Act 1998

The movement Act provides for representation of PWDs as follows;-

- i. At all Lower Levels PWDs are represented by councilors for PWDs.
- ii. At National Level 5 MPs
- iii. At Movement National Conference
- iv. At National Executive Committee of the movement

h. The Local Government (Amendment) Act 2001

Section 55 provides for the representation of PWDs on

- i. District Service Commission
- ii. District Tender Board

i. The Universities and Tertiary Institutions Act 2001

- i. The Act provides for the Establishment of the National Council for Higher Education which shall consist of one person with disability appointed by the Minister.
- ii. Section 28 provides for affirmative action in admission to a Public University.

Specific Laws for PWDs

The above discussed Laws are very general in nature and have no specify sanctions or penalties. However there are laws that can be quoted especially by parents, individual citizens, or PWDs or the National Council for Disabilities in Courts of Laws.

1. The Policy on Disability in Uganda - 2006

Provides areas of focus by all stakeholders in;-

1. Accessibility
2. Participation of PWDs and Caregivers.
3. Capacity Building
4. Awareness Raising
5. Prevention and Management of Disabilities
6. Care and Support (i.e. provision of basic, Physical and Psychosocial needs of PWDs and their caregivers
7. Research
8. Communication – use of sign language, tactile and Braille Literacy.

2. The National Council for Disability Act 2003

- i. Can sue and be sued
- ii. It's a monitoring and Evaluation Mechanism
- iii. Established at ;-
 - a. National
 - b. District
 - c. Sub-county
- iv. Promotes Equalization of opportunities for PWDs
- v. Advises Electoral Commission in Elections of PWDs
- vi. Representatives Come from
 - a. PWDs (all types) in respect to gender
 - b. Government representatives from line Ministries
 - c. Parents of PWDs
 - d. Youth representative with disability.

vii. Financial Matters

Provides for funds of the councils to come from;-

- a. Government
- b. Fund Raising
- c. Any other sources council may source
- d. Funds to be released on the request of council
- e. Can appoint their own Executive Secretaries who might be the accounting officers.
- f. Members to serve for only two terms.
- g. Hold Annual General Meeting of PWDs representatives once a year.

3. The persons with Disability Act 2006.

Provides for;-

- a. Disability coding
- b. Rights to quality Education and Health
- c. Employment of PWDs
- d. Accessibility
- e. Discrimination in relationship to goods services and facilities.
- f. Other Social Rights
- g. Exemptions
- h. Complaints and Judicial Proceedings
- i. Offences and Penalty
- j. Currency Points

In conclusion, I expect all districts, and sub-counties to have copies of the above Laws to assist PWDs without favour.