

THE ELECTORAL COMMISSION

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GUIDANCE TO ALL ASPIRING CANDIDATES ON TIMELINES FOR RESIGNATION AS PUBLIC SERVANTS AND ESTABLISHMENT OF ACADEMIC QUALIFICATIONS

(A) REQUIREMENT FOR RESIGNATION AND VERIFICATION OF ACADEMIC QUALIFICATIONS

1. The Electoral Commission hereby informs and guides all persons aspiring to contest for the respective elective offices of the President, Member of Parliament and District Chairpersons that they are required to prove the following: -

- (a) resignation from public office, if any; and
- (b) completion of a minimum formal education of Advanced Level standard or its equivalent, among other nomination requirements.

2. Aspiring candidates in possession of Advanced Level Certificate of Education obtained in Uganda or qualifications higher than the prescribed qualification obtained in Uganda or obtained from the former University of East Africa or any of its constituent colleges, then, shall not be required to verify their qualification with the National Council for Higher Education.

(B) ESTABLISHMENT OF ACADEMIC QUALIFICATIONS

(Section 4 (7) of Presidential Elections Act; Section 4 (5) of the Parliamentary Elections Act; and Section 111 (3a) of the Local Governments Act)

1. Under the above provisions, persons wishing to stand for the respective elective offices of the President, Member of Parliament and District Chairpersons shall be required to establish their qualifications with the Electoral Commission as persons holding a minimum qualification of advanced level or its equivalent **at least two months before nomination day.**

2. The categories of academic qualifications that should be established with the Electoral Commission are: -

- (a) Persons, who obtained their qualification from Uganda or outside Uganda, who are claiming to have their qualification accepted as equivalent to Advanced Level Education;
- (b) Persons claiming to have advanced level qualification obtained from outside Uganda; and

(c) Persons claiming to have academic degrees which were obtained from outside Uganda.

3. A person required to establish his or her qualification(s) under (2) (a) and (b) above shall do so by production of a certificate issued to him or her by the National Council for Higher Education in consultation with Uganda National Examinations Board.
4. A person who claims to possess an academic degree referred to in 2 (c) above shall, prove to the satisfaction of the National Council for Higher Education that admission to that qualification was obtained on the basis of Advanced Level Standard of Education or its equivalent, before the certificate can be issued by the National Council for Higher Education.
5. The Electoral Commission shall not accept a statutory declaration or affidavit as evidence of an academic qualification.
6. For the avoidance of doubt, establishing of any person's qualifications shall not be done by the respective Electoral District Returning Officers on nomination day.
7. Aspiring candidates shall be required to present their letters of clearance for nominations issued by the Electoral Commission upon establishing one's qualification(s).
8. The Electoral Commission will furnish the respective Electoral District Returning Officers with the list of aspiring candidates in that District who have established their academic qualification with the Electoral Commission.
9. A person shall not be regarded as duly nominated and the nomination paper of any person shall be regarded as void if the requirement for establishment of qualifications with the Electoral Commission as persons holding a minimum qualification of advanced level or its equivalent is not complied with, that is to say, two months before nomination day.
10. Subject to the legal provisions on timelines for the establishment of qualifications with the Electoral Commission as persons holding a minimum qualification of advanced level or its equivalent, aspiring candidates are required to comply with the following deadlines in Table I –

Table I: Timelines for Establishment of Minimum Qualifications

	Elective Office	Deadline
1.	Presidential	1 st September, 2020
2.	Parliamentary	11 th August, 2020
3.	Local Government Councils (District Chairpersons)	7 th July, 2020

(C) REQUIREMENTS FOR RE-VERIFICATION AND RE-ESTABLISHMENT OF ACADEMIC DOCUMENTS

1. All those persons who had their academic qualifications verified in previous elections will, for purposes of the General Elections, 2020/21, be required to:
 - (a) re-verify their academic qualifications with the National Council for Higher Education in consultation with the Uganda National Examinations Board;
 - (b) re-establish their qualifications with the Electoral Commission in accordance with Section 4 (8) of the Presidential Elections Act, Section 4 (6) of the Parliamentary Elections Act and Section 111 (3b) and (3c) of the Local Governments Act.
2. All persons previously issued with certificates under Section 4 (8) of the Presidential Elections Act, Section 4 (6) of the Parliamentary Elections Act and Section 111 (3b) and (3c) of the Local Governments Act, and have since attained higher qualifications in in Uganda shall NOT be required to verify their academic qualifications with the National Council for Higher Education in consultation with the Uganda National Examinations Board.
3. All persons previously issued with certificates under Section 4 (8) of the Presidential Elections Act, Section 4 (6) of the Parliamentary Elections Act and Section 111 (3b) and (3c) of the Local Governments Act, and have since attained higher qualifications outside Uganda shall be required to establish their academic qualifications with the National Council for Higher Education in consultation with the Uganda National Examination Board.

(D) RESIGNATION FROM PUBLIC OFFICE

(Section 4 (6) of Presidential Elections Act; Section 4(4)(a) of the Parliamentary Elections Act; and Section 116 (5) of the Local Governments Act)

- (a) A public officer or a person employed in any government department or agency of the government or an employee of a local government or any body in which the Government has controlling interest who wishes to stand for election as President shall resign his or her office before nomination day.
- (b) A public officer or a person employed in any government department or agency of the government or an employee of a local government or any body in which the government has controlling interest, who wishes to stand for election as a Member of Parliament shall resign his or her office at least **ninety days (90)** before nomination day.
- (c) A public officer or a person employed in any government department or agency of the government or an employee of a local government or anybody in which the government has controlling interest, who wishes to stand for election as a District/City Chairperson/Lord Mayor shall resign his or her office at least **thirty (30) days** before nomination day.

(d) All persons who fall under the category of Special Interest Groups aspiring to be elected to the respective Village, Parish/Ward, Sub-county/Town/Municipal Division, Municipality/City Division and District/City Older Persons (OPs) Committees, Persons with Disabilities (PWDs) Committees and Youth Committees, who are employed in any government department or agency of the government or an employee of a local government or anybody in which the government has controlling interest, who wish to stand for election shall resign his or her office before nomination day.

(e) Subject to the legal provisions on timelines for resignation before nominations, aspiring candidates are required to comply with the following deadlines in Table II

Table II: Timelines for Resignations before Nominations

No	Elective Office	Deadline
1	Presidential	31 st October, 2020
2	Parliamentary	12 th July, 2020
3	Local Government Councils	6 th August, 2020
4	Special Interest Groups ((OPs) Committees, Persons With Disabilities (PWDs) Committees and Youth Committees))	29 th June, 2020

(f) A person shall not be regarded as duly nominated and the nomination paper of any person shall be regarded as void if the requirement for resignation from public office within the prescribed timeline by law is not complied with before nomination day.

(g) Evidence of receipt of resignation shall be presented to the Returning Officer together with the Nomination Paper.

(E) PARTICIPATION IN POLITICAL ACTIVITIES OF POLITICAL PARTIES BY THE UGANDA PEOPLES’ DEFENCE FORCES, THE UGANDA POLICE FORCE, THE UGANDA PRISONS SERVICE, PUBLIC OFFICERS, AND TRADITIONAL OR CULTURAL LEADERS

A member of the Uganda Peoples’ Defence Forces, the Uganda Police Force, the Uganda Prisons Service or a public officer or a traditional or cultural leader or a person employed in a company wholly owned by the government shall not –

(a) be a founder, promoter or other member of a political party or organization;

(b) hold office in a political party or organization;

(c) speak in public or publish anything involving matters of political party or organization controversy; or

(d) engage in canvassing support of a political party or organization or a candidate standing for public election sponsored by a political party or organization.

(E) SPONSORSHIP OF CANDIDATES BY A POLITICAL ORGANISATION OR POLITICAL PARTY

(a) Nomination of candidates may be made by a registered political organisation or political party sponsoring a candidate.

(b) Where a candidate is sponsored by a political party/organisation, the nomination paper shall be endorsed and SEALED by the political party/organisation sponsoring the candidate.

(c) The Secretary General of a party or organization or a person designated by him or her shall ensure that the nomination papers are endorsed and sealed.

(d) The list of persons designated by the Secretary General of a party or organization for purposes of (c) above should be communicated to the Electoral Commission Head Office and the office of the respective Electoral District Returning Officers before the appointed nomination dates.

A handwritten signature in black ink, appearing to read 'Mugenyi Simon', is written over a light blue rectangular stamp. The signature is stylized and somewhat illegible.

Justice Byabakama Mugenyi Simon
CHAIRPERSON, ELECTORAL COMMISSION