



**POLLING GUIDELINES FOR FORMATION OF ELECTORAL  
STRUCTURES/COMMITTEES OF PERSONS WITH DISABILITIES (PWDs)  
FROM VILLAGE TO DISTRICT, 2020**

*(Persons with Disabilities (PWDA) Act, 2019)*

Our Ref: **EC/15**

Date: **18th February, 2020**

**1.0 Introduction**

These guidelines shall apply to elections of Persons With Disabilities (PWDs) Electoral Structures/Committees at:

- (i) Village/Zone/Cell;
- (ii) Parish/Ward ;
- (iii) Subcounty/Town/Municipal Division;
- (iv) Municipality/ City Division; and
- (v) District/City.
- (vi) Kampala Capital City Authority (KCCA)

**2.0 Laws applicable to the Elections of PWDs Electoral Structures/Committees:**

- (a) The 1995 Constitution of the Republic of Uganda, (as amended);
- (b) The Electoral Commission Act, CAP 140, (as amended);
- (c) The Political Parties and Organizations Act, 2005, (as amended);
- (d) Persons with Disabilities (PWDA) Act, 2019; and
- (e) The Kampala Capital City Authority (KCCA) Act, 2011, (as amended).

**2.1 Person With Disability**

Is a person with a substantial functional limitation of a person's daily life activities caused by physical, sensory or mental impairment and environment barriers resulting in limited participation in society on equal basis with others and includes an impairment specified in Schedule 3, Section 1.

**2.2 Categories of Disabilities**

- i) Physical disability caused by cerebral palsy, amputation of a limb, paralysis or deformity.
- ii) Hearing disability including deafness and hard of hearing disability.
- iii) Visual disability including blindness and low vision disability.
- iv) Deaf and blind disability.
- v) Mental disability including psychiatric disability.
- vi) Little people.
- vii) Albinism.
- viii) Multiple disability.

2.3 The PWD Electoral Structures/Committees elections and these guidelines shall apply to every person with disabilities aged at least 18 years, resident and willing to be a member of a Village PWD Electoral Structure/Committee in the village of residence.

2.4 Members of the PWD Committee shall be elected by the members of the PWD Electoral Structures/Committees from among their number.

2.5 A person shall not be a member of more than one PWD Electoral Structure/Committee.

2.6 Where a person is elected to a higher PWD Electoral Structure/Committee, his or her office in the lower PWD Electoral Structure/Committee shall fall vacant and another person shall be elected in his/her place.

### **3.0 PWD Electoral Structures/Committees (Section 43(1), (PWDA)**

- 3.1 For each administrative unit, there shall be a PWD Electoral Structure/Committee consisting of the following:
- (a) a Chairperson; and
  - (b) Four members (Vice Chairperson, Secretary, Publicity Secretary and Treasurer).

#### **NB. Disability and gender balance shall be taken into consideration where applicable.**

3.2 The following PWDs Electoral Structures/Committees are established in each District:-

- (1) Village/Cell/Zone PWD Electoral Structures/Committees
- (2) Parish/Ward PWD Electoral Structure/Committee
- (3) Sub-County/Town/Municipal Division
- (4) Municipal/City Division PWDs Electoral Structures/Committees
- (5) District/City PWD Electoral Structures/Committees
- (6) Kampala Capital City Authority (KCCA) PWD Electoral structure/ Committee

### **3.3 Composition of PWDs electoral Structures**

- (i) Village/Cell/Zone PWD Electoral Structures/Committees shall comprise every willing PWDs of at least eighteen (18) years and is resident in that Village/Cell/Zone;
- (ii) Parish/Ward PWD Electoral Structure/Committee shall comprise of all members of Village/Cell/Zone PWD Electoral Structures/Committees in the Parish
- (iii) Sub-County/Town/Municipal Division PWDs Electoral Structures/Committees shall comprise all members of Parish/Ward PWD Electoral Structures /Committees in the Sub-county/Town/Municipal Division.
- (iv) Municipal/City Division PWDs Electoral Structures/Committees shall comprise all members of Parish/Ward PWD Electoral Structures /Committees in the Municipality/City Division
- (v) District PWD Electoral Structures/Committees shall comprise of all members of the Sub-County/Town/Municipal Division /Municipality PWDs Electoral Structures/Committees in the district.
- (vi) City/KCCA PWD Electoral Structure/Committee shall comprise members of the City Division PWDs Electoral Structures/Committees in the City.

### **4.0 Electoral Colleges for Election of PWD Committees (S. 43(1), PWDA)**

4.1 At Village/Zone/Cell:

- (1) For each Village/Zone/Cell, there shall be elected five PWD Committee members.
- (2) The five PWD Committee Members at the Village/Zone/Cell shall be elected by an Electoral College consisting of all registered PWDs voters resident in that Village/Zone/Cell and are willing to participate in elections of PWD electoral Structures/committees.
- (3) While electing the five delegates, disability category and gender balance shall be considered where applicable.
- (4) The elected members of each village PWD Committee shall be recorded in a Parish/Ward register book for PWDs for use at the Parish/Ward PWD Committee elections.

4.2 At Parish/Ward

- (a) For each Parish/Ward , there shall be elected five PWD Committee members.
- (b) The five PWD Committee Members at the Parish/Ward shall be elected by all Members of Village/Zone/Cell PWD Committees in the Parish/Ward, forming Electoral College as shall have been compiled in 4.1 (4) above.
- (c) The elected members of each Parish/Ward PWD Committee shall be recorded in a Subcounty/Town/Municipal Division or Municipality/City division register book for PWDs for use at the Subcounty / Town / Municipal Division or Municipality/City division PWD Committee elections.

4.3 At Subcounty/Town/Municipal Division or Municipality/City division

- (a) For each Subcounty/Town/Municipal Division or Municipality/City division, there shall be elected five PWD Committee members.
- (b) The five PWD Committee Members at the Subcounty/Town/Municipal Division or Municipality/City division shall be elected by all members of Parish/Ward PWD Committees in the Subcounty/Town/Municipal Division or Municipality/City division forming an Electoral College as shall have been compiled in 4.2 (c) above.

- (c) The elected members of each Subcounty/Town/Municipal Division or Municipality/City division PWD Committee shall be recorded in a District/City register book for PWDs for use at the District/City PWD Committee elections.

#### 4.4 At District level

- (a) For each District, there shall be five PWD Committee Members.
- (b) The five PWD Committee Members for the District level shall be elected by all members of Subcounty/Town/Municipal Division/Municipality PWD Committees in the district forming an Electoral College as shall have been compiled in 4.3 (c) above.

#### 4.5 At City/Kampala Capital City Authority Level

- (a) For City or Kampala Capital City Authority there shall be elected five PWD Committee Members.
- (b) The five PWD Committee Members for City/Kampala Capital City level shall be elected by all members of City Division PWD Committees in the City/KCCA forming an Electoral College as shall have been compiled in 4.3 (c) above.

### 5.0 A person shall not be elected a member of the electoral Structure if that person is: -

- (a) of unsound mind;
- (b) acting in or holding an office the functions of which involve a responsibility for or in connection with the conduct of an election;
- (c) a traditional or cultural leader as defined in Article 246 (6) of the Constitution;
- (d) under sentence of death or imprisonment exceeding six (6) months without the option of a fine;

### 6.0 Mode of election

The elections of all PWD Electoral Structures/Committees, with the exception of District/City/KCCA (which shall be conducted by secret ballot), shall be conducted by voters (members of the respective electoral colleges at each level) lining behind **candidates' portraits** or **candidates' symbols** or **candidates' agents** or the **individual candidates** of their choice.

#### 6.1 Presiding Officers

- 6.1.1 The Presiding Officers for the PWDs Committee elections shall be appointed by the Electoral Commission.
- 6.1.2 The Presiding Officer shall be under the overall supervision of the Returning Officer and shall have the duty of keeping order at the polling station.
- 6.1.3 There shall be **two** Polling Assistants (Enumerators) and **one** Polling Constable at each polling station, to assist the Presiding Officer in conducting the polls.

6.2 No person shall be allowed to vote if she/he is not a member of the respective Electoral College.

6.3 For all elections of members of PWDs' Committees from village to district, the polling station shall be at the place/venue where the community usually holds meetings.

6.4 The Presiding Officer shall conduct polling by allowing eligible voters to line behind **candidates' portraits** or **candidates' symbols** or **candidates' agents** or the **individual candidates** of their choice.

#### 6.5 Voting Day Program

The following program shall guide the flow of activities on polling day:

- 7.00 am – 8.00 am : Arrival of candidates and voters
- 8.00 am – 8.30 am : Voter education, briefing and sensitization of voters on voting procedures by the Presiding Officer.
- 8.30 am – 9.00 am : Verification of voters by the Presiding Officer.
- 9.00 am – 2.00 pm : Voting by the electorate lining up and counting of votes; and
- 2.00 pm – 4.00 pm : Filling of Forms and Declaration of Results.

- 6.6 Voting:
- (a) Voting shall commence immediately upon conclusion of verification by voters lining behind candidates; beginning with the Chairperson, followed by filling subsequent positions.
  - (b) Voting shall not go beyond 4:00 p.m.
- 6.7 Each Candidate may appoint not more than two agents to oversee the conduct of polling and vote counting.
- 6.8 Elections for each office of PWD Committee shall take place one after another for the following offices:
- (a) Chairperson;
  - (b) Vice chairperson;
  - (c) Secretary;
  - (d) Publicity Secretary; and
  - (e) Treasurer.

## 7.0 Vote Counting and Declaration of Results

- 7.1 The Presiding Officer and his Assistants shall count the voters lining behind each candidate at the polling station and shall record the scores for each candidate on form **PWD1** for each elective office.
- 7.2 In case of a tie of candidates in the first position, the Presiding Officer shall, after a break of five minutes, cause a repeat of the exercise by allowing voters to line up behind the candidates that tied in the first position.
- 7.3 Each Presiding Officer shall, immediately after counting of all votes for each Candidate or after a recount in case of a repeat of the exercise for candidates, who tied in the first position, declare elected a Candidate who has obtained the highest number of votes.
- 7.4 The Presiding Officer shall then submit the village election returns on **form PWD2** in triplicate, sealed in an envelope provided by the Electoral Commission, to the Parish Supervisor for purposes of compiling the village election returns in a **PWDs' Parish/Ward Register Book** provided by the Electoral Commission for elections at Parish/Ward.
- 7.5 The Subcounty Supervisor shall compile Parish/Ward election returns recorded in triplicate on **form PWD2**, in a:
- (a) Sub-County/Town/Division or Municipal **PWDs Register Book** on conclusion of elections at Parish/Ward level for elections at Sub-County/Town/Division or Municipality.
  - (b) District/City/KCCA **PWDs Register Book** on conclusion of elections at Sub-County/Town/Division or Municipal level for elections at District/City/KCCA.

## 8.0 Offences and penalties

Any person who:-

- 8.1 Forges, fraudulently defaces or fraudulently destroys any election return, record or official mark on any election return or record,
- 8.2 Bribes or attempts to bribe any voter in PWDs' Council with the intention of soliciting for his/her vote,
- 8.3 Corruptly offers to any voter any food, drink, refreshment or provisions for the purpose of influencing the person to vote in any manner at the PWDs' Council/Committee election,
- 8.4 Makes use of or threatens to use force, violence or restraint, or inflict physical or psychological injury or harm against any person for the purpose of influencing the person to vote in any manner at the PWDs' Council/Committee,
- 8.5 Gives or lends or promises to procure any money, gift, loan, benefits or valuable consideration to any voter, or to any person on behalf of any voter in order to induce any voter to vote or refrain from voting,
- 8.6 Accepts any money, gift, benefit or valuable consideration from a candidate for purpose of voting for such candidate or influencing other candidates to vote for the same, commits an offence and shall be liable on conviction, to imprisonment or a term not exceeding two years and in addition to the imprisonment, be disqualified for a period of five years from the date of his/her conviction, from holding an office on any PWDs' Committee or being a member of any PWDs' Council, other than a Village PWDs' Council.



Justice Byabakama Mugenyi Simon  
**CHAIRPERSON, ELECTORAL COMMISSION**