

# **THE UGANDA PEOPLES' DEFENCE FORCES ACT.**

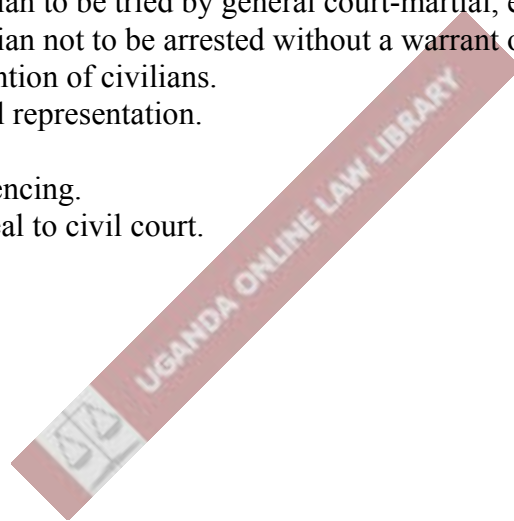
Statutory Instrument 307—8.

## **The Uganda Peoples' Defence Forces (Application to Civilians) Regulations.**

### **Arrangement of Regulations.**

#### Regulation

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## **The Uganda Peoples' Defence Forces (Application to Civilians) Regulations.**

*(Under section 105(2)(j) of the Act).*

### **1. Citation.**

These Regulations may be cited as the Uganda Peoples' Defence Forces (Application to Civilians) Regulations.

### **2. Application of Act to civilians.**

The provisions of the Uganda Peoples' Defence Forces Act shall apply to civilians as modified by these Regulations.

### **3. Civilian to be tried by general court-martial, etc.**

A civilian to whom the provisions of the Act apply shall be tried only by the division court-martial, general court-martial and court-martial appeal court.

### **4. Civilian not to be arrested without a warrant of arrest.**

A civilian shall not be arrested by a soldier without a warrant of arrest issued by a competent military court unless that person is found in circumstances whereby any person is, under the Criminal Procedure Code Act, empowered to arrest that person without a warrant of arrest.

### **5. Detention of civilians.**

(1) Upon the arrest of a civilian, that civilian may be detained in a military cell and shall be brought before a military court not later than forty-eight hours after his or her arrest.

(2) When a civilian is brought before a military court under subregulation (1) of this regulation, the military court shall remand that person in a civil prison from where, whenever that person is required to be produced before the military court, he or she shall be brought.

(3) The case against a civilian held under this regulation shall be heard as soon as possible.

#### **6. Legal representation.**

(1) A civilian to whom these Regulations apply shall be entitled to be represented before a military court by a lawyer of his or her own choice.

(2) Where a civilian is unable to afford a lawyer then that person shall, in case he or she is charged of a capital offence, and at the expense of the State, be provided a lawyer to represent him or her.

#### **7. Bail.**

(1) A military court may grant bail to a civilian brought before it on the same considerations that regulate the granting of bail in civil courts.

(2) In respect of a capital offence, a civilian shall only be granted bail after the expiry of 360 days from the date on which that person was remanded by a military court.

#### **8. Sentencing.**

A military court shall, in sentencing a civilian under the Act, pass the sentence with such modifications as the court may deem appropriate in the circumstances.

#### **9. Appeal to civil court.**

(1) A civilian who is tried by a court-martial appeal court and upon whom a death sentence or life imprisonment sentence is passed shall have a right of appeal to the Court of Appeal.

(2) The rules of procedure that govern appeals to the Court of Appeal shall apply to appeals made under this regulation.

**History:** S.I. 44/1996.

#### **Cross Reference**

Criminal Procedure Code Act, Cap. 116.

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