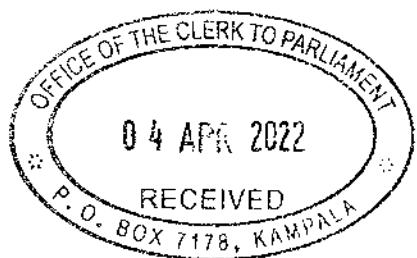




THE REPUBLIC OF UGANDA



**CERTIFICATE
OF
FINANCIAL IMPLICATIONS**

(Made under Section 76 of the Public Finance Management Act, 2015)

THIS IS TO CERTIFY that the **NATIONAL LEGAL AID BILL** has been examined for financial implications as required under Section 76 of the Public Finance Management Act 2015 (as amended) and in accordance with Article 93 of the Constitution of the Republic of Uganda 1995, as amended.

I wish to report as follows:

a) Objectives of the Bill

The purpose of the Bill is to:

- i. Establish a legal framework for the provision of legal aid services by accredited legal aid service providers;
- ii. Expand the scope of legal aid services provided by accredited legal aid service providers;
- iii. Impose a criterion for provision of legal aid by accredited legal aid service providers; and
- iv. Facilitate access to legal aid services by providing credible, accessible, affordable, sustainable and accountable legal aid services to indigent marginalised or vulnerable

b) The Expected Outputs

The Bill will:

- i. Facilitate access to legal aid services by providing credible, accessible, affordable, sustainable and accountable legal aid services to indigent and vulnerable persons in Uganda;
- ii. Provide a clear legal framework to regulate the provision of legal representation and legal aid services in Uganda;
- iii. Provide fair and speedy trials for persons charged with capital offences by operationalizing article 28 (3) of the Constitution of the Republic of Uganda, 1995;
- i. Expand the scope of legal aid services provided by an accredited legal aid service provider beyond merely providing legal counsel;
- ii. Impose a criterion for determining a person's eligibility to receive legal aid services from an accredited legal aid service provider;
- iii. Regulate the imposition of court fee, the award of costs and damages, the provision of security for costs and the enforcement of judgement, by and against an aided person;
- iv. Provide sources of funds for legal aid services; and
- v. Provide for establishment of a fund for legal aid service provision.

c) The Impact of the Bill on the economy

The Bill will make a remarkable contribution to the socio-economic development of the country by strengthening access to justice and the delivery of Justice regardless of a person's ability to pay, leading to a just, fair, equitable, humane, and efficient justice system, and a more productive population.

The Bill is therefore in line with national development objectives that emphasize equity and equality.

d) Funding and budgetary implications

The Bill confers the supervisory and regulatory functions of Legal aid service providers to the Law Council. The Law Council is an institution of Government that is also responsible for regulating private Legal Aid Service Providers as provided for by Section 3(e) of the Advocates Act Chapter 267. In this case, the Bill is not introducing any additional funding implications to the Government.

Furthermore, the Bill proposes creation of the Legal Aid Funds account, which shall be managed by the Legal Aid Committee under the Law Council. Given the Law Council is an entity of Government, the management of funds and accounts must be done within the provisions of the Public Finance Management Act, 2015.

It is noteworthy that the Ministry of Justice and Constitutional Affairs had made some progress towards developing a policy and legal framework for National

Legal Aid in Uganda, and therefore the Private Member should consult and reconcile with the Ministry.

e) Expected savings and/or revenue to Government

There are no expected revenues or savings to the Government except the funds that shall be raised from various sources, specifically earmarked for legal services.

Submitted to Parliament under my hand this 31st day of March 2022



Amos Lugoloobi - MP

**MINISTER OF STATE FOR FINANCE, PLANNING AND
ECONOMIC DEVELOPMENT (PLANNING) ALSO HOLDING THE
PORTFOLIO OF MINISTER OF FINANCE, PLANNING AND
ECONOMIC DEVELOPMENT**

Received by

Date