



NCD/ADM112/05

30th August 2021

To: All District/City/Municipal/Sub-County/Division/Town Council, Local Government Chairpersons

Dear Sir/Madam,

GUIDELINES FOR ESTABLISHMENT OF DISTRICT/CITY/MUNICIPALITY/SUBCOUNTY DIVISION/TOWN COUNCILS FOR PERSONS WITH DISABILITIES

Warm greetings from the National Council for Persons with Disabilities (NCPD).

In accordance with Sections 30(1) and 33 (1) of the Persons with Disabilities Act 2020, the respective Chairpersons of the District/City/Municipality/Sub-County/Division/Town Council, Local Governments are mandated to establish Councils for Persons With Disabilities comprised of members provided for in sections 30 (2) and 33 (2) of the Persons with Disabilities Act 2020.

For effective operationalization of this mandate by the appointing authorities, the NCPD Secretariat has developed guidelines to support the appointing authorities in conducting this exercise in their respective Local Governments as per the provisions of the Act enclosed to this communication for purposes of maintaining credibility and consistence with other systems of Government.

Please feel free to refer to the undersigned for any further clarification.

Looking forward to your usual cooperation.

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- C.C.** District/City/Municipality/Sub-County/Division/Town Council, Community Development Officer
- C.C.** Chief Administrative Officer/Town Clerk
- C.C.** Chairperson District/City/Municipality/Sub-County/Division/Town Council for Persons with Disabilities



GUIDELINES FOR ESTABLISHMENT OF LOWER COUNCILS FOR PERSONS WITH DISABILITIES (DISTRICT/CITY/MUNICIPALITY/SUBCOUNTY/DIVISION/TOWN COUNCIL)

1.0 Introduction:

Sections 30(1) and 33 (1) of the Persons with Disabilities Act 2020 provides for the establishment of the Local Government Councils for Persons with Disabilities by the respective chairpersons of the Local Governments as a monitoring and reporting body on disability issues in the Local Governments.

The Act further provides for the composition of the Local Government Councils for Persons with Disabilities in Sections 30 (2) and 33 (2) respectively.

These guidelines are therefore to support the appointing authorities in the operationalization of their mandate in the establishment of the Councils for persons with disabilities in their respective Local Governments.

For purposes of maintaining credibility and consistence with other systems of Governance, the appointing authorities of the Local Governments shall be guided by the procedure stated below as requirements for establishment of the Councils for Persons with Disabilities.

2.0. Procedure for selection of members to the local government councils for persons with disabilities:

2.1. The members of the Local Government Councils for Persons with Disabilities shall be appointed by the respective Chairpersons of the Local Governments (District/City/Municipality/Sub-County/Division/Town Councils) to serve for a period of five (5) years, renewable once.

2.2. The **Appointing Authority** shall follow the steps below when executing the exercise of the appointment of members to the Council for Persons with Disabilities:

- (a) Call for nominations from organizations of Persons with Disabilities in the respective Local Governments where they exist and/or consult the Persons with Disabilities within the Local Governments;
- (b) Shortlisting of best nominees by a Technical Committee instituted by the appointing authority;
- (c) Appointment of members; and
- (d) Election of Chairperson and Vice Chairperson of the Council for Persons with Disabilities from among the appointed members who must be Persons with Disabilities of different gender and disability category.

This process is followed when establishing a Council for Persons with Disabilities at a district that has never established one and for those whose term of office has expired.

2.3. The appointing authority shall be supported by the responsible technical Officer in Charge of Disability affairs to invite nominations from District Associations of Persons with Disabilities where they exist or consult with Persons with Disabilities within the respective Local Governments to get a list of names from which a short list of selected nominees shall be made and recommended for appointment to the Local Government Council for Persons with Disabilities in accordance with Sections 30 (2) and 33 (2) of the Persons with Disabilities Act 2020.

2.4. In order to facilitate smooth appointment of the members to the Councils for Persons with Disabilities, the Local Government Chairpersons at the various levels of jurisdiction shall be supported by selection committees constituted by the appointing authority.

3.0. Requirements for eligibility of members to be appointed to the selection committee:

For purposes of maintaining credibility and consistence with other systems of Governance, the appointing authority shall constitute a selection committee of three members, chaired by a serving Senior Administration staff to shortlist & recommend at least 12 names to the LCV Chairperson for final vetting and eventual appointment in line with the provisions in the Act.

The three-member team shall be required to have the following:

- (a) Knowledgeable in Disability Rights and Legislation;
- (b) Experience of working on Disability-related programs within and/or outside Government;
- (c) Sound-minded 18 years and above;
- (d) High moral integrity;
- (e) Objectivity;
- (e) Ability to maintain confidentiality in this exercise;
- (f) A Level Certificate as a minimum or the equivalent.

4.0. Criteria for appointment of the Council for Persons with Disabilities:

- 4.1. At least one third of the Council shall be Female
- 4.2. As far as possible, there shall be fair representation of different Disability categories
- 4.3. The composition is geographically balanced within the context of the Local Government
- 4.4. The appointing authority shall write to relevant departments provided for in Sections 30 (2 and 33 (2) of the Persons with Disabilities Act 2020 to submit names for appointment as Ex-Officio members of the Councils for Persons with Disabilities in the respective Local Governments.
- 4.5. All members of the DCPD shall be sound-minded adult Ugandans, of high moral integrity, 18 years and above.
- 4.6. All Persons with Disabilities appointed to the Council shall be nominated by a Disabled Persons Organization where they exist and/or by Persons with Disabilities within the respective Local Governments where there are no existing organizations of Persons with Disabilities.
- 4.7.1. The two Councilors representing Persons with Disabilities in the respective Local Governments shall be Ex-Officio members to the Council for Persons with Disabilities.
- 4.8. All members of the respective Councils for Persons with Disabilities shall possess minimum basic educational requirements of Primary Seven (P.7) or its equivalent.
- 4.9. All members appointed to the Councils for Persons with Disabilities shall not have been convicted of criminal activities and served a sentence of more than six months in Prison without the option of a fine.
- 4.10. Shall not have served as member of the respective Local Government Council for persons with disabilities for more than two (02) consecutive terms.

5.0. Procedure for election of Chairperson and Vice Chairperson of the Councils for Persons with Disabilities:

After the appointment of the members of the Council for persons with disabilities, a swearing in a ceremony shall be conducted for all members presided over by a Magistrate or Senior Administrator qualified to witness an Oath.

This will be followed by election for the position of Chairperson and Vice Chairperson. The procedure below shall guide the elections:

- 5.1. The Electoral College for the election of Chairperson and Vice Chairperson shall be constituted by the members appointed with the exception of the Ex-Officio members.

For avoidance of doubt, from the total of 13 (thirteen) members of the council for persons with disabilities as stipulated in section 30 (2) and 33 (2) of the Persons With Disabilities Act 2020, only 6 (six) are voting members.

- 5.2. The positions of Chairperson and Vice Chairperson shall be filled by appointed members who are Persons with Disability taking into consideration gender and disability balance. In case the Chairperson is Female with a physical disability, the Vice Chairperson shall be Male with a different disability and vice versa.
- 5.3. For one to become Chairperson or Vice Chairperson of the Council for persons with disabilities, they should be impartial, not working with any District Disabled Peoples Association in the capacity of Chairperson or Vice Chairperson.
- 5.4. Councilors representing persons with disabilities in the respective Local Governments shall not be eligible to contest for the positions of Chairperson and Vice Chairperson of the Councils for Persons with Disabilities.
- 5.5. After the election of Chairperson and Vice Chairperson, the elected persons shall be sworn in their positions presided over by a Magistrate or Senior Administrator qualified to witness an Oath.

6.0. COMPOSITION OF THE COUNCILS FOR PERSONS WITH DISABILITIES

The District, Municipal, City, Division, Municipal Division, Town or Sub-County Council for persons with disabilities shall consist of the following full/voting members, appointed by the area Local Government Council Chairperson in consultations with area disabled peoples organizations (DPOs) where they exist and /or with persons with disabilities where DPOs do not exist.

- 6.1. Two Persons with Disabilities, One of whom shall be a Woman;
- 6.2. One Parent of a Child with Learning Disability;
- 6.3. A representative of Non-Governmental or Community Based Organizations if any;
- 6.4. One person of proven integrity and commitment to Disability matters;
- 6.5. A representative of Youth with Disabilities

The following shall be appointed as Ex-Officio members of the Council for persons with disabilities at the above-mentioned Local Governments:

- 6.6. The Community Development Officer responsible for Disability, who shall be the Secretary to the Council;
- 6.7. The two Councilors representing persons with disabilities in the respective Local Governments;

- 6.8. The District/City Education Officer/the area Inspector of Schools;
- 6.9. The Director of Health Services or Officer in Charge of Health Services at that Level;
- 6.10. The District/City Finance Officer;
- 6.11. The District/City/Municipality Engineer.

Signed by:

Guzu Beatrice
EXECUTIVE SECRETARY