



THE REPUBLIC OF UGANDA

**THE JUDICIAL SERVICE COMMISSION  
REGULATIONS, 2025**

*S.I. No. 4 of 2025*

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y   I N S T R U M E N T S

2025 No. 4

THE JUDICIAL SERVICE COMMISSION REGULATIONS, 2025

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# STATUTORY INSTRUMENTS

2025 No. 4

## THE JUDICIAL SERVICE COMMISSION REGULATIONS, 2025

*(Under section 28 of the Judicial Service Act, Cap. 87)*

IN EXERCISE of the powers conferred upon the Judicial Service Commission by section 28 of the Judicial Service Act, these Regulations are made this 21st day of January, 2025.

### PART I—PRELIMINARY

#### 1. Citation

These Regulations may be cited as the Judicial Service Commission Regulations, 2025.

#### 2. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Judicial Service Act;

“appointment” includes appointment on promotion or in an acting capacity or on probation or appointment on transfer of service or appointment on transfer within service;

“appointing authority” means the President or the Judicial Service Commission or relevant authority or person as prescribed by law;

“assignment” refers to an administrative arrangement by a supervisor where a judicial officer or administrative or other staff of the Judiciary Service is required to temporarily discharge responsibilities of a higher office for a specific period of time due to the exigencies of the service;

“Chief Registrar” means the Chief Registrar of the Courts of Judicature;

“Commission” means the Judicial Service Commission established by Article 146 of the Constitution;

“contract appointment” means an agreement of employment in which a specific period of employment of service is expressed;

“currency point” means the value assigned to a currency point in Schedule 1 to these Regulations;

“date of assumption of duty” means the date specified by the appointing authority or the date a judicial officer or administrative and other staff of the Judiciary assumes the duties of the office after the directive of the appointing authority and approval of Parliament where it is required, which is always a future date;

“disciplinary committee” means the disciplinary committee of the Commission constituted under regulation 16;

“disciplinary subcommittee” means the disciplinary subcommittee of the Commission constituted under regulation 18;

“effective date of appointment” is the date on which a judicial officer or administrative or other staff of the Judiciary assumes duty or the date specified by the appointing authority as the effective date of appointment;

“gross misconduct” refers to any offence against discipline as specified in regulation 40;

“judicial officer” means the Chief Justice, Deputy Chief Justice, Principal Judge, Justice of the Supreme Court, Justice of the Court of Appeal, Judge of the High Court, Registrar, a Magistrate and such other person holding any office connected with court as prescribed by law;

“Judiciary Service” means the Service established by section 13 of the Administration of the Judiciary Act;

“lower bench” means a magistrate’s court or other court lower than the High Court;

“members of the Commission” are those members appointed to serve on the Commission under Article 146(2) of the Constitution;

“misconduct” refers to any offence against discipline as specified in regulation 40;

“pensionable service” means service which may be taken into account in computing pension and gratuity benefits;

“probation” means six months of continuous service in office following the date of assumption of duty in that office;

“promotion” means the appointment of a judicial officer or an administrative or other staff of the Judiciary to a higher office, with an immediate or potential increase in salary;

“responsible officer” means the Chief Justice, Deputy Chief Justice, Principal Judge, Chief Registrar or the Secretary to the Judiciary, whichever the case may be, to whom the concerned member of staff of the Judiciary reports to;

“Secretary” means the Secretary to the Commission appointed under Article 146(8) of the Constitution;

“staff of the judiciary” means all judicial officers, administrative and other staff appointed by the Judicial Service Commission to perform judicial, administrative and other functions of the Judiciary;

“superior courts” means the Supreme Court, the Court of Appeal and the High Court;

“tribunal” means a body established by law with quasi-judicial powers to adjudicate assigned types of disputes.

## PART II—OATHS, MEETINGS AND OTHER MATTERS RELATING TO COMMISSION

### 3. Oath on appointment

(1) A member of the Commission shall, before assuming the functions of the office of Commissioner—

- (a) take and subscribe the official oath as required by section 2 of the Oaths Act; and
- (b) take and subscribe the oath specified in Part I of Schedule 2 to these Regulations.

(2) An oath taken by a member of the Commission shall be administered by the Chief Justice or, in his or her absence, by the Deputy Chief Justice.

(3) The Secretary shall, before assuming the functions of office, take and subscribe the oath specified in Part II of Schedule 2 to these Regulations.

(4) The oath taken by the Secretary shall be administered by the Head of the Public Service.

(5) The oath taken by officers of the Commission shall be administered by the Secretary.

### 4. Meetings of Commission

(1) A meeting of the Commission may be by physical, virtual or by hybrid attendance.

(2) The Chairperson of the Commission shall preside at all meetings of the Commission.

(3) Subject to subregulation (2), in the absence of the Chairperson of the Commission, the deputy Chairperson shall preside at a meeting of the Commission and in the absence of both the Chairperson and the Deputy Chairperson, a member of the Commission representing the Judiciary shall preside.

(4) The quorum at a meeting of the Commission shall be six members.

(5) Every decision of the Commission shall, so far as possible, be by consensus.

(6) Where there is no consensus, decisions shall be by a majority of all the members present.

(7) The Commission may regulate its own procedure.

(8) In any matter of discipline or of a proposal to remove a judge or other judicial officer, the decision shall be carried by at least six members of the Commission at a meeting at which the Attorney General is present.

## **5. Decision by circulation of papers**

(1) Except for matters of appointment, discipline, review or making of recommendations on the terms and conditions of service of judicial officers, or a proposal to remove a judicial officer, decisions may be made by the Commission without a meeting, by circulation of the relevant documents among the members and the expression of their views in writing.

(2) Any member of the Commission may require that any decision referred to in subregulation (1) be deferred until the subject matter is considered at a physical meeting of the Commission.

## **6. Record of proceedings**

The Secretary shall keep a record of the members present and of the business transacted at every meeting of the Commission.

## **7. Dissent**

A member of the Commission may dissent from a decision of the Commission and the reasons for the dissent shall be set out in the records of proceedings of the Commission.

## **8. Attendance before Commission**

The Commission may summon any person to attend and give evidence concerning any matter before it, which it may properly consider in the exercise of its functions and may require the production of any documents relating to any such matter by a person attending before it.

## **9. Attendance allowance**

A person attending a meeting of the Commission at the request of the Commission, other than a person applying for appointment to the Judiciary Service or to a tribunal or a staff of the Judiciary who appears before the Commission on a matter of discipline, may be paid an allowance by the Commission in accordance with the applicable rate of Government duty facilitating allowance.

## **10. Failure to appear or produce documents or obey orders of Commission**

A person, other than a person notified to appear before the Commission solely in connection with his or her application for appointment to the Judiciary Service or to a tribunal, who—

- (a) without reasonable cause fails to appear before the Commission when notified to do so;
- (b) willfully fails to produce any document in his or her possession when requested to do so by the Commission; or
- (c) willfully fails to obey or carry out a lawful order of the Commission, commits an offence and is liable, on conviction, to a fine not exceeding fifteen currency points or to imprisonment not exceeding six months or both.

## PART III — COMMITTEES AND SUBCOMMITTEES OF COMMISSION

### 11. Delegation of functions of Commission to committees or subcommittees

(1) The Commission may delegate any of its functions to a committee or subcommittee, to perform specific duties.

(2) Subject to subregulation (1), the Commission may establish committees and subcommittees of the Commission as follows—

- (a) search and recruitment committee;
- (b) disciplinary committee;
- (c) legal education, public affairs and research committee;
- (d) anti-corruption committee;
- (e) search and recruitment subcommittee; and
- (f) disciplinary subcommittee.

(3) The Commission may establish any other committee or subcommittee from time to time as the Commission may deem fit.

### 12. Composition of search and recruitment committee

(1) The search and recruitment committee of the Commission shall comprise of the following members of the Commission—

- (a) the Chairperson;
- (b) the Deputy Chairperson;
- (c) the member representing the Judiciary on the Commission;
- (d) the Attorney General; and
- (e) the member of the Commission chairing the search and recruitment subcommittee.

(2) The quorum of a meeting of the search and recruitment committee shall be two members.

### **13. Functions of search and recruitment committee**

The search and recruitment committee shall—

- (a) consider applications and submissions from the Judiciary for filling of vacant positions for judicial officers;
- (b) initiate a search and recruitment programme upon receipt of a declaration of vacancies in accordance with regulation 25;
- (c) recommend the confirmation of judicial officers in the Judiciary Service;
- (d) review the search and recruitment policy, guidelines and procedures for staff of the Judiciary and make recommendations to the Commission, as may be appropriate;
- (e) recommend the appointment of judicial officers serving in acting capacity to service in substantive capacity in accordance with regulation 32;
- (f) recommend the confirmation in service of judicial officers on probation; and
- (g) perform any other duty that may be assigned by the Commission.

### **14. Composition of search and recruitment subcommittee**

(1) The search and recruitment subcommittee of the Commission shall comprise of the following members—

- (a) the chairperson, who shall be a member of the Commission; and
- (b) two officers of the Commission, one of whom shall act as the secretary to the subcommittee.

(2) The chairperson of the search and recruitment subcommittee shall be nominated by the Chairperson of the Commission and approved by the Commission.

(3) The quorum of the meeting of the search and recruitment subcommittee shall be two members.

(4) A search and recruitment subcommittee may invite any person to attend any of its meetings to provide technical guidance and may co-opt any person to the committee, but that person shall not vote on any matter coming before the committee for a decision.

## **15. Functions of search and recruitment subcommittee**

The search and recruitment subcommittee shall—

- (a) assess and recommend to the search and recruitment committee, declared vacancies to be filled for administrative and other staff of the Judiciary;
- (b) render recommendations arising from the search and recruitment process for filling of vacancies for administrative and other staff of the Judiciary to the search and recruitment committee; and
- (c) perform any other duty that may be assigned by the Commission.

## **16. Composition of disciplinary committee**

(1) The disciplinary committee of the Commission shall consist of a chairperson, a deputy chairperson and three other members of the Commission nominated by the Chairperson of the Commission and approved by the Commission.

(2) The quorum of a meeting of the disciplinary committee shall be two members.

(3) Where the disciplinary committee is unable to raise quorum, it shall request the Chairperson of the Commission to appoint another member of the Commission to the committee.

(4) A member of the disciplinary committee shall disqualify himself or herself from attending a meeting of disciplinary proceedings on the following grounds—

- (a) conflict of interest; or
- (b) bias.

(5) Where a member of the disciplinary committee does not disqualify himself or herself from attending a meeting of disciplinary proceedings in accordance with subregulation (4), and the other members of the disciplinary committee are of the view that bias or conflict of interest exists, they shall notify the Chairperson of the Commission to rule on the matter.

(6) The procedure of the disciplinary committee shall be as prescribed in these regulations.

## **17. Functions of disciplinary committee**

The functions of the disciplinary committee are—

- (a) to process complaints and disciplinary matters against judicial officers;
- (b) to recommend and propose sanctions to the Commission concerning complaints handled with stated reasons as appropriate;
- (c) to consider reports of the disciplinary subcommittee in respect of complaints handled against administrative and other staff of the Judiciary and submit reports to the Commission; and
- (d) to perform any other duty that may be assigned by the Commission.

**18. Composition of disciplinary subcommittee**

(1) The disciplinary subcommittee of the Commission shall comprise of the following members—

- (a) a chairperson, who shall be a member of the Commission; and
- (b) two officers of the Commission, one of whom shall be the secretary to the subcommittee.

(2) The chairperson and other members of the subcommittee shall be nominated by the Chairperson of the Commission and approved by the Commission.

(3) The quorum for the subcommittee shall be two members.

(4) Where the disciplinary subcommittee is unable to raise quorum, it shall notify the Chairperson of the Commission to appoint another member of the Commission or officer of the Commission to the subcommittee.

(5) A member or officer of the disciplinary subcommittee shall disqualify himself or herself on the following grounds—

- (a) conflict of interest; or
- (b) bias.

(6) Where a member of the disciplinary subcommittee does not disqualify himself or herself from attending a meeting of disciplinary proceedings in accordance with subregulation (5), and the other members of the disciplinary committee are of the view that bias or conflict of interest exists, they shall notify the Chairperson of the Commission to rule on the matter.

**19. Functions of disciplinary subcommittee**

The functions of the disciplinary subcommittee shall include—

- (a) processing complaints against administrative and other staff of the Judiciary;
- (b) making recommendations to the disciplinary committee on complaints processed against administrative and other staff of the Judiciary; and
- (c) performing any other function as may be assigned by the Commission.

**20. Composition of legal education, public affairs and research committee**

(1) The legal education, public affairs and research committee shall comprise of a chairperson and three other members of the Commission.

(2) The chairperson and members shall be nominated by the Chairperson of the Commission and approved by the Commission.

(3) The quorum of a meeting of the legal, education, public affairs and research committee shall be two members.

(4) Where the legal, public affairs and research committee is unable to raise quorum, the committee shall request the Chairperson of the Commission to appoint another member to the committee.

**21. Functions of legal education, public affairs and research committee**

The functions of the legal education, public affairs and research committee are—

- (a) to oversee the preparation and implementation of legal education programmes for judicial officers and administrative and other staff of the Judiciary Service and the public;
- (b) to receive and consider reports on feedback from the public on the law and administration of justice;

- (c) to provide direction for research projects of the Commission;
- (d) to report to the Commission on matters it has handled; and
- (e) to perform any other function as may be delegated by the Commission.

## **22. Composition of anti-corruption committee**

(1) The anti-corruption committee shall comprise of a chairperson and four other members of the Commission.

(2) The chairperson and members of the anti-corruption committee shall be nominated by the Chairperson of the Commission and approved by the Commission.

(3) The quorum of a meeting of the anti-corruption committee shall be two members.

(4) Where the anti-corruption committee is unable to raise a quorum, the anti-corruption committee shall request the Chairperson of the Commission to appoint another member of the Commission to the committee.

## **23. Functions of anti-corruption committee**

The functions of the anti-corruption committee are—

- (a) to educate and create awareness on anti-corruption measures to judicial officers, administrative and other staff of the Judiciary and the public;
- (b) to initiate programmes for public mobilisation, sensitisation, awareness rising measures to combat and prevent corruption within the Judiciary Service and to enforce anti-corruption measures at the Judiciary and other quasi-judicial institutions;

- (c) to adopt procedures for effective and efficient investigation of corruption related complaints against staff of the Judiciary Service and officials of quasi-judicial bodies;
- (d) to monitor implementation of the anti-corruption strategy of the Commission;
- (e) to report to the Commission on the matters handled; and
- (f) to perform any other function as may be delegated by the Commission.

#### **PART IV—APPOINTMENTS AND CONFIRMATION OF APPOINTMENTS IN THE JUDICIARY SERVICE**

##### **24. Staff establishment status report**

(1) The Chief Registrar shall furnish the Commission, before the 30th of September of a financial year, a staff establishment status report on judicial officers showing how many have resigned from the service, been promoted or demoted, on suspension, on interdiction, dismissed, retired, due to retire, and deceased.

(2) The Secretary Judiciary shall furnish the Commission, before the 30th of September of a financial year, a staff establishment status report on administrative and other staff of the Judiciary showing how many have resigned from the service, been promoted or demoted, on suspension, on interdiction, dismissed, retired, due to retire, or deceased.

(3) In the case of a tribunal, the responsible officer shall forward the staff establishment status report with the necessary notifications, for Chairperson, members and registrar, to the Secretary by 30th September in a financial year.

(4) The Commission may, where the exigencies of the service require, undertake a validation exercise for the staff of the Judiciary.

## **25. Declaration of vacancies**

(1) Where a vacancy occurs in the office of the Chief Justice, Deputy Chief Justice, Principal Judge, a Justice of the Supreme Court, Justice of the Court of Appeal, Judge of the High Court, Chief Registrar, Registrar, Deputy Registrar and Assistant Registrar, the Chief Justice shall immediately declare the vacancy to the Commission.

(2) Where it is known that a vacancy will occur in the office of the Chief Justice, Deputy Chief Justice, Principal Judge, Justice of the Supreme Court, Justice of the Court of Appeal, Judge of the High Court, Chief Registrar, Registrar, Deputy Registrar or Assistant Registrar, the Chief Justice shall declare the vacancy to the Commission at least six months before the due date.

(3) The Chief Justice shall forward to the Commission a list of all judicial officers in the relevant cadre or post who are eligible to fill the vacancies specified in subregulation (1) and (2), together with their performance records and recommendations, as well as a seniority list.

(4) Where a vacancy occurs on the lower bench, the Chief Registrar shall immediately declare the vacancy to the Commission.

(5) Where it is known that a vacancy will occur on the lower bench, the Chief Registrar shall declare the vacancy to the Commission at least six months before the due date.

(6) The Chief Registrar shall forward to the Commission a list of all judicial officers in the relevant cadre or post who are eligible to fill the vacancies specified in subregulation (4) and (5), together with their performance records and recommendations, as well as a seniority list.

(7) Where a vacancy occurs in any position of the administrative or other staff of the Judiciary, the Secretary to the Judiciary shall immediately declare the vacancy to the Commission.

(8) Where it is known that a vacancy will occur in any position of the administrative or other staff of the Judiciary, the Secretary to the Judiciary shall declare the vacancy to the Commission at least four months before the due date.

(9) The Secretary to the Judiciary shall forward to the Commission a list of all the administrative and other staff of the judiciary in the relevant cadre or post who are eligible to fill the vacancies specified in subregulation (7) and (8), together with their performance records and any recommendations.

(10) Where a vacancy occurs in a tribunal, the responsible officer shall immediately declare the vacancy, together with any recommendations to the Commission.

(11) Where it is known that a vacancy will occur on a tribunal, the responsible officer in the tribunal shall declare the vacancy, together with any recommendations to the Commission at least six months before the due date.

(12) Where any recommendation under this regulation involves the supersession of a member of staff of the Judiciary, reasons for the supersession shall be given.

## **26. Advertisement of vacancies**

(1) Where a vacancy exists in the Judiciary Service, the vacancy may be advertised by the Commission.

(2) The Commission shall determine the content and form of the advertisement to be issued.

(3) The Commission may share the content and form of the advertisement with the Chief Justice for further input before it is published.

(4) The advertisement may—

- (a) be restricted to persons already in the Judiciary Service;
- (b) be unrestricted;
- (c) run for not less than fourteen days; and
- (d) run in both print and electronic media.

## **27. Procedures and forms**

- (1) The Commission shall determine the procedure for applications for appointment of judicial officers, administrative and other staff of the Judiciary or a tribunal.
- (2) All applications for appointment in the Judiciary Service shall be in the Form set out in Schedule 3 to these Regulations.

## **28. Matters to be considered for appointment**

- (1) In the performance of its functions in connection with the appointment of staff of the Judiciary and members of a tribunal, the Commission shall have regard to the principles of independence, propriety, integrity, impartiality, equality, competence and diligence of any such person and shall take into account the academic qualifications, character, merit, relevant skills and professional experience of a candidate.
- (2) In the case of appointment of staff of the Judiciary already in service, the Commission shall take into account all the qualities specified in subregulation (1) before seniority.
- (3) The appointment of Chairpersons, members and staff of a tribunal shall be in accordance with the applicable law establishing the tribunal.
- (4) A person is not eligible for appointment to any office in the Judiciary Service if he or she—
  - (a) has been convicted of an offence involving moral turpitude; or

(b) has been dismissed from any public or private employment on ground of dishonesty or fraud.

## **29. Appointments**

(1) The Commission may advise the appointing authority on the nature of appointments to be made, including substantive, acting, contract, temporary or probation in respect of judges and registrars and shall have powers to appoint under any nature of appointment in respect of other judicial officers.

(2) Appointments of judicial officers or administrative and other staff of the Judiciary shall include—

(a) permanent appointments which shall be attained—

- (i) on confirmation, following a period of probation, where the judicial officer or administrative and other staff of the Judiciary had no previous non-pensionable service;
- (ii) on confirmation, where the period of probation has been waived;
- (iii) on transfer from the Public Service to the Judiciary Service;
- (iv) on appointment on promotion; or
- (v) on appointment from one cadre to another within the Judiciary Service; or

(b) contract appointments which shall be—

- (i) on contract in which both the period of employment and terminal gratuity are specifically expressed;
- (ii) on acting basis; or

(iii) on a temporary basis for a period not exceeding twelve months.

(3) Except on promotion, a person shall not be appointed on pensionable terms as an administrative or other staff of the Judiciary, if from the date of his or her appointment, he or she will not have completed ten years of qualifying service before attaining the mandatory retirement age.

(4) Appointment in the Judiciary Service on transfer from a ministry, department or agency of Government or from a local government shall follow the appointment procedure of the Commission.

(5) A non-citizen may be appointed into the Judiciary Service on contract where he or she possesses a rare skill that is not available in Uganda.

(6) Any appointment of staff of the Judiciary not effected by the appointing authority into the Judiciary Service shall be null and void.

### **30. Acting appointments**

(1) An acting appointment of a judicial officer effected by the appointing authority shall be for a fixed duration of time as may be specified in the instrument of appointment.

(2) A judicial officer appointed in acting capacity shall be subjected to an assessment on key performance indicators during the period in question by the Judiciary and the Commission to assess the judicial officer's suitability for substantive appointment.

(3) The Chief Justice shall render performance reports to the Commission in respect of an acting judicial officer of the High Court and make a recommendation before the due date of expiry of the acting tenure for the Commission to render advice to the appointing authority for the appointment of the said judicial officer in substantive capacity.

(4) The Chief Registrar shall render performance reports to the Commission in respect of judicial officers of the lower bench serving in an acting capacity and make a recommendation before the due date of expiration of the acting tenure for the Commission to appoint the said judicial officers in a substantive capacity.

(5) Where there is an adverse performance report in respect to a judicial officer, the Commission shall summon the concerned officer to make a response and the Commission shall make an appropriate decision.

### **31. Probationary appointments**

(1) Probationary appointments shall apply to persons appointed to the Judiciary Service as a judicial officer of the lower bench or an administrative or other staff of the Judiciary, unless that person is eligible to be appointed on transfer of service.

(2) A probationary appointment shall be for a period of six months, effective from the date of assumption of duty, and if circumstances so require, it may be extended by the appointing authority for not more than six months.

(3) A member of staff of the Judiciary on probation shall not—

- (a) be considered for promotion or assigned duties of a higher office;
- (b) be granted leave without pay; or
- (c) be granted training exceeding a period of two months.

(4) The Chief Registrar shall, immediately upon the expiry of the probation period, submit a performance report to the Secretary on the performance of a judicial officer of the lower bench in order for the Commission to determine whether—

- (a) the judicial officer should be confirmed or not in the Judiciary Service on permanent terms;
- (b) additional information is required for the Commission to make a decision; or
- (c) the probationary period may be extended for another six months.

(5) The responsible officer shall, immediately upon the expiry of the probation period, submit a performance report to the Secretary on the performance of administrative or other staff of the Judiciary in order for the Commission to determine whether—

- (a) the administrative or other staff of the Judiciary should be confirmed or not in the Judiciary Service on permanent and pensionable terms;
- (b) additional information is required for the Commission to make a decision; and
- (c) the probationary period may be extended for another six months.

(6) Where the report received by the Commission in accordance with subregulations (4) and (5) is adverse, the judicial officer of the lower bench or the administrative or other staff of the Judiciary shall be heard before a decision is made.

(7) Upon the conduct of the hearing in accordance with subregulation (6), the Commission shall take a decision on the matter and if the decision is not to confirm the appointment of the judicial officer of the lower bench or the administrative or other staff of the Judiciary, the reason for the decision shall be stated on the record.

(8) Where any member of staff of the Judiciary referred to in subregulation (1) has been confirmed in a pensionable office and is

appointed to another pensionable office on promotion, he or she shall not be required to serve a probationary period.

(9) Where a member of staff of the Judiciary who fails to fulfil the requirements for probation, with or without extension, the probationary appointment shall terminate.

### **32. Confirmation in appointment**

(1) A responsible officer shall issue a letter of confirmation to a member of staff in the Judiciary Service.

(2) The confirmation of a staff of the Judiciary Service on permanent terms shall be effective from the date of assumption of duty of the probationary appointment or acting appointment.

### **33. Contract appointment to superior courts**

(1) Appointments on contract for judicial officers of superior courts shall be by the appointing authority acting on the advice of the Commission and with the approval of Parliament.

(2) Subject to subregulation (1), appointments on contract may be made where—

- (a) the office of a judicial officer of a superior court is vacant;
- (b) a judicial officer of a superior court is for any reason unable to perform the functions of his or her office; or
- (c) the Chief Justice advises the Commission that the state of business in the superior courts so requires.

(3) The President may, acting on the advice of the Commission, appoint a person qualified for appointment as a judicial officer of the superior court on contract to act as such a justice or judge even though that person has attained the age prescribed for retirement in respect of that office.

(4) A person appointed under subregulation (3) shall continue to act for the period of the appointment or, if no period is specified, until the appointment is revoked by the President acting on the advice of the Commission, whichever is earlier.

#### **34. Contract appointments of administrative and other staff of Judiciary**

(1) Contract appointments for administrative and other staff of the Judiciary shall be by the Commission where the exigencies of the service so require.

(2) A contract appointment for administrative or other staff of the Judiciary shall—

- (a) not be for more than twenty four months; and
- (b) be renewable once, subject to satisfactory performance.

(3) Where any administrative or other staff of the Judiciary is serving on contract, the Secretary to the Judiciary shall forward to the Commission, four months before the expiry of the contract, a recommendation whether the contract should be renewed or not.

(4) Where an administrative or other staff of the Judiciary on contract terms is offered a different appointment, the existing contract shall terminate on the date he or she vacates the office or accepts the new appointment.

(5) An administrative or other staff of the Judiciary employed on contract terms may be eligible to receive a gratuity in respect of his or her contract of service.

#### **35. Criteria for appointment on promotion**

(1) A member of staff of the Judiciary shall not be considered for promotion—

- (a) until he or she has served for a minimum of two years in his or her substantive position;
- (b) unless a vacancy exists; and
- (c) where there is availability of funds for wage and non-wage expenses.

(2) A member of staff of the Judiciary shall not be appointed on promotion in the Judiciary Service—

- (a) while on probation; or
- (b) during his or her absence on—
  - (i) a scholarship or training course, if, after the promotion he or she will not be able to assume duty within one month;
  - (ii) leave without pay, sabbatical leave, study leave, leave to serve in other institution, if, after the promotion he or she shall not be able to assume duty within one month; or
  - (iii) interdiction.

(3) Without prejudice to the general effect of subregulation (2), seniority in the Judiciary Service may be taken into account while evaluating candidates for promotion.

### **36. Assignment of duty**

(1) Assignment of duty shall arise when the exigencies of the service require the immediate deployment of a member of staff of the Judiciary to execute duties in a higher office.

(2) Assignment of duty may not necessarily attract an acting allowance and shall not be considered in the computation of retirement benefits.

(3) Where a judicial officer on the lower bench is for any reason unable to perform the functions of his or her office for one month, or if for any reason it is necessary to assign a judicial officer to execute duties in a higher capacity, and the Chief Registrar is of the opinion that some other judicial officer should be assigned to perform such duties, the Chief Registrar shall effect the assignment and notify the Commission of the reasons for the assignment

(4) The assignment by the Chief Registrar shall be limited to a period of three months, renewable once.

(5) Where an administrative or other staff of the Judiciary is for any reason unable to perform the functions of his or her office for one month, or if for any reason it is necessary to assign an officer, and the Secretary to the Judiciary is of the opinion that some other officer should be assigned to perform such duties, the Secretary to the Judiciary shall effect the assignment and notify the Commission of the reasons for the assignment.

(6) The reasons referred to in subregulations (3) and (5) include—

- (a) where the officer or member of staff of the Judiciary is undergoing extended treatment certified by a government medical officer; or
- (b) where the officer or member of staff of the Judiciary is sick for an extended period of time as certified by a government medical officer.

(7) Where the assignment in subregulations (3) and (5) involve the supersession of a senior officer, the Chief Registrar or the secretary to the Judiciary shall inform the Commission of his or her reasons for recommending the supersession of such officer.

### **37. Appointment formalities**

- (1) The appointment of any member of staff of the Judiciary shall be effected by—
  - (a) an instrument of appointment signed by the appointing authority;
  - (b) a letter of appointment; and
  - (c) an acceptance letter.
- (2) The responsible officer shall issue a letter of appointment within thirty days from the date of receipt of the instrument of appointment.
- (3) The appointee shall submit his or her acceptance letter to the responsible officer within fourteen (14) days from the date of receipt of the appointment letter.
- (4) Where the offer of appointment has not been accepted within fourteen (14) days from the date of receipt of the appointment letter, the responsible officer shall immediately inform the Commission.
- (5) The effective date of appointment shall be the date of assumption of duty.
- (6) The Responsible Officer shall in respect of a judicial officer or administrative or other staff of the Judiciary furnish the Commission with each judicial officer's or administrative and other staff of the Judiciary the effective date of appointment, personal record, medical record, date of acceptance of appointment and periodic performance reports.

**PART V – DISCIPLINE, DISCIPLINARY PROCEDURES AND  
DISCIPLINARY ACTIONS**

**38. Grounds of complaint**

A complaint may be made to the Commission against a member of staff of the Judiciary on one or more of the following grounds —

- (a) misbehaviour or misconduct of a member of staff of the Judiciary;
- (b) corruption or abuse of office of a member of staff of the Judiciary;
- (c) neglect of duty or incompetence of a member of staff of the Judiciary;
- (d) maladministration of justice of a member of staff of the Judiciary; or
- (e) indiscipline of a member of staff of the Judiciary.

**39. Persons to be complained against**

A complaint may be made against any of the following persons —

- (a) the Chief Justice, Deputy Chief Justice, Principal Judge; or
- (b) a Justice of the Supreme Court, a Justice of the Court of Appeal and a Judge of the High Court; or
- (c) the Chief Registrar, a Registrar, a Deputy Registrar or Assistant Registrar of a court; or
- (d) a Chief Magistrate, a Senior Principal Magistrate Grade One, a Principal Magistrate Grade One, a Senior Magistrate Grade One, a Magistrate Grade One or a Magistrate Grade two; or
- (e) an administrative or other staff of the Judiciary.

#### **40. Acts constituting misconduct**

(1) Any act done without reasonable excuse by a judicial officer or administrative or other staff of the Judiciary, which amounts to failure to perform any duty assigned to him or her, or which contravenes any of the laws relating to the Judiciary Service and the Public Service in general or which is otherwise prejudicial to the efficient conduct of the Judiciary Service or tends to bring the Judiciary Service into disrepute constitutes misconduct or gross misconduct.

(2) Misconduct includes the following—

- (a) disclosure of information in contravention of the law;
- (b) acts that bring the Judiciary Service into disrepute;
- (c) bullying or victimisation;
- (d) threatening behavior;
- (e) fighting or assault at the place of work;
- (f) financial embarrassment;
- (g) engaging in private interests at the expense of his or her official duties;
- (h) breach of trust or confidentiality;
- (i) issuing media statements or granting media interviews without authority;
- (j) misuse of electronic and social media;
- (k) unauthorised use and possession of property or facilities of the Judiciary;
- (l) soliciting or receiving bribes;
- (m) rude, abusive and disrespectful or use of vulgar language;

- (n) holding more than one full time employment concurrently;
- (o) uttering false statements;
- (p) driving a vehicle assigned to the Judiciary under the influence of liquor or stupefying drug;
- (q) incitement with intent to cause disobedience;
- (r) use and abuse of drugs or alcohol;
- (s) absence from duty without permission;
- (t) disregarding the chain of command in his or her place of employment without reasonable excuse;
- (u) refusal to comply with a posting instruction or order;
- (v) insubordination;
- (w) abuse of judicial authority;
- (x) habitual late coming;
- (y) neglect of duty; and
- (z) noncompliance with performance management requirements.

(3) Misconduct shall result in disciplinary measures, other than removal or dismissal from the Judiciary Service.

(4) Gross misconduct is conduct which destroys the relationship of trust and confidence between the member of staff of the Judiciary and the Judiciary Service and renders the working relationship untenable.

(5) Gross misconduct shall result in retirement in the public interest, removal or dismissal, and includes—

- (a) commission of offences under the Anti-Corruption Act, the Leadership Code Act and the Penal Code Act in the course of one's duty;
- (b) breach of health and safety rules endangering safety and lives of others;
- (c) unauthorised destruction or misuse of official documents and records;
- (d) contravention of the Uganda Code of Judicial Conduct, the Judicial Oath or any other oath subscribed;
- (e) contravention of the Public Service Code of Conduct;
- (f) disclosure of information prejudicial to national security;
- (g) misuse or malicious damage to Judiciary property;
- (h) failure to account for public resources;
- (i) disregard of or breach of laws, regulations or procedures causing loss;
- (j) discrimination, contrary to the provisions of the Constitution; and
- (k) sexual harassment.

(6) Where a member of staff of the Judiciary is suspected to have been involved in an act or acts constituting gross misconduct, the Commission shall frame charges with full particulars of the case, including the applicable provisions of the law.

#### **41. Disciplinary penalties which may be imposed by Commission**

(1) Subject to the provisions of the Constitution, the Commission may impose any one or more of the following disciplinary penalties on a judicial officer of the lower bench, a member of a

tribunal or an administrative or other staff of the Judiciary as a result of proceedings taken under these Regulations—

- (a) dismissal from the Judiciary Service;
- (b) retirement in the public interest;
- (c) caution;
- (d) suspension;
- (e) reduction in rank or demotion;
- (f) order for a written undertaking from the officer not to repeat the offence;
- (g) stoppage of increments;
- (h) deferment of increments;
- (i) severe reprimand;
- (j) reprimand;
- (k) order for payment of compensation;
- (l) order for refund of monies;
- (m) the recovery of the cost or part of the cost of any loss or damage caused by default or negligence, whether by deduction from salary or gratuity or otherwise; or
- (n) order for supervision for a stated period of time.

(2) Nothing in this regulation shall—

- (a) limit the powers conferred on the Commission by these Regulations to retire a judicial officer of the lower bench from the Judiciary Service in the public interest;

- (b) restrict the authority of the Chief Registrar or the responsible officer, subject to any instructions issued by the Treasury, to order the recovery of the cost or part of the cost of any loss or damage caused by any default or negligence of the member of staff of the Judiciary; or
- (c) restrict the authority of the responsible officer to recover from the salary of any member of staff of the Judiciary who has been found culpable for being absent from duty without leave or without reasonable excuse, after giving to the member of staff of the Judiciary, where practicable, an opportunity to be heard, an amount which bears the same proportion to his or her annual salary as the period of absence bears to one year.

#### **42. Time within which complaint may be made**

(1) A complaint against a judicial officer of the lower bench or an administrative or other staff of the Judiciary shall be made within two years from the time when the complaint took place.

(2) Notwithstanding subregulation (1), a complaint brought to the attention of the Commission after two years, for good cause, may be received and processed by the Commission.

#### **43. Preliminary evaluation of complaint**

A complaint shall be evaluated to establish whether it falls within regulation 38, 39 and 40 of these Regulations.

### **PART VI — DISCIPLINE AND REMOVAL OF JUSTICES OR JUDGES**

#### **44. Initiation of disciplinary inquiry against justice or judge**

A disciplinary inquiry against a Justice of the Supreme Court, Justice of Court of Appeal or a Judge of the High Court may be initiated by-

- (1) the Commission, arising out of its own initiated inquiry; or

(2) a member of the public or any person or institution filing a complaint against a Justice or a Judge with the Commission.

#### **45. Commission to inform Chief Justice**

The Commission may, before instituting a disciplinary inquiry against a Justice or Judge, inform the Chief Justice in writing about the complaint raised against a Justice or Judge.

#### **46. Procedure for handling disciplinary inquiry against Justice or Judge**

Regulations 48, 49, 50, 51 and 52 relating to the lodging of complaints, rejection of complaints and service of complaints respectively, shall apply to complaints lodged against a Justice or Judge, with the necessary modifications.

#### **47. Procedure of inquiry by Commission**

(1) The Commission shall conduct an evaluation of the complaint.

(2) Upon completion of the evaluation, a preliminary inquiry into the allegation shall be conducted to establish whether the allegation discloses grounds for disciplinary control or removal of the Justice or Judge from office in accordance with Article 147(1)(a) of the Constitution.

(3) A Justice or Judge shall be furnished with a copy of the complaint made against him or her and shall be required to respond to the allegation within fourteen (14) days from the date of receipt of the complaint.

(4) The Commission may undertake further inquiry in respect of the response of the concerned Justice or Judge.

(5) The Commission may interface with the Justice or Judge to give him or her a hearing in respect of the preliminary findings.

(6) A Justice or Judge shall have a right to legal representation when appearing before the Commission.

(7) The Commission shall consider the matter against a Justice or Judge and decide whether the matter is one for disciplinary control or for removal from office.

(8) The Commission shall communicate the outcome of the inquiry to the Justice or Judge concerned.

(9) The Commission, after consideration of the findings of the inquiry, may—

- (a) close the matter, where there is no information of an actionable nature disclosed in the findings;
- (b) recommend disciplinary action to the appointing authority where the findings do not warrant the removal from office; or
- (c) where the findings warrant consideration for removal from office, advise the appointing authority to set up a tribunal to investigate the question of whether the Justice or Judge should be removed from office in accordance with the Constitution.

#### **PART VII — COMPLAINTS MANAGEMENT FOR JUDICIAL OFFICERS OF THE LOWER BENCH AND ADMINISTRATIVE AND OTHER STAFF OF THE JUDICIARY**

##### **48. Complaints**

(1) A person, organisation or corporate entity aggrieved by the misconduct or gross misconduct of a judicial officer of the lower bench or an administrative or other staff of the Judiciary may make a complaint to the Commission.

(2) The Commission may commence an inquiry or

investigation against a judicial officer of the lower bench or an administrative or other staff of the Judiciary on its own initiative.

#### **49. Form and management of complaint**

(1) A complaint submitted to the Commission may either be in writing or orally.

(2) An oral complaint shall be reduced to writing either by the complainant or an officer designated by the Commission to handle complaints.

(3) The complaint shall be written in English or, if written in any other language, be translated into English.

(4) Where an aggrieved person or party cannot make a complaint on his or her own, a relative, friend or legal representative may make the complaint on his or her behalf.

#### **50. Submission of complaint**

A complaint may be lodged with the Commission using the complaint form set out in Part I of Schedule 4 to these Regulations in any of the following ways—

- (a) by submitting the duly completed complaint form to the Chairperson of the Commission;
- (b) by submitting the completed complaint form to the Secretary or any other designated officer of the Commission either physically or by email;
- (c) by referral by the Chief Registrar;
- (d) by electronic media; or
- (e) by making an oral complaint to a desk officer or any other person designated by the Commission, who shall fill

the complaint form, read it back to the complainant and have the complainant sign or thumbprint it to confirm its accuracy.

### **51. Designated officers**

The Commission shall designate officers to receive, transmit, translate, transcribe or evaluate and process complaints against judicial officers of the lower bench and administrative or other staff of the Judiciary.

### **52. Rejection of complaint**

- (1) A complaint may be rejected if the complaint —
  - (a) does not disclose any of the grounds set out in regulation 38;
  - (b) does not deal with the conduct of a judicial officer of the lower bench or an administrative or other staff of the Judiciary performing judicial functions;
  - (c) is manifestly frivolous, vexatious, unwarranted or unfounded in law;
  - (d) contains insults against a judicial officer of the lower bench or an administrative or other staff of the Judiciary; or
  - (e) is in relation to a judicial officer of the lower bench or an administrative or other staff of the Judiciary who has retired or left the Judiciary Service.
- (2) Where a complaint is rejected, the Commission shall inform the complainant in writing of the reasons why his or her complaint was rejected.

### **53. Withdrawal of complaint**

A complaint shall not be withdrawn except with the approval of the Commission.

#### **54. Closure of complaint**

An inquiry into a complaint may be closed by the Commission if the complainant fails, ignores or neglects to comply with any of the requirements of these Regulations.

#### **55. Service of complaint to respondent**

The judicial officer of the lower bench or administrative or other staff of the Judiciary against whom a complaint is made shall be served with the copy of the complaint and any other information or documents related to it and shall be required to file a response to the complaint within fourteen (14) days from the date of service.

#### **56. Response to complaint by respondent**

The judicial officer of lower bench or administrative or other staff of the Judiciary against whom a complaint is made shall submit a response to the complaint, in the form set out in Part II of Schedule 4 to these Regulations.

#### **57. Procedure for conduct of investigations**

(1) On receipt of a complaint and the response to the allegation by the concerned judicial officer of the lower bench or administrative other staff of the Judiciary, the Commission shall expeditiously conduct investigations into the allegations contained in the complaint and the substance of the response made.

(2) An investigation may proceed if the judicial officer of the lower bench or administrative or other staff of the Judiciary fails to provide a response.

(3) Investigations shall be carried out by the Commission or by any other person or institution authorised by the Commission.

(4) Investigations shall include—

(a) interviewing the complainant, the concerned judicial officer of the lower bench or administrative and other staff of the Judiciary, the supervisor of the judicial officer of the lower bench or administrative and other staff of the

Judiciary, any of their witnesses, and any other person with information on the matter;

- (b) reviewing witness statements and documents filed by either party in the matter;
- (c) visiting any court premises or relevant place in the matter; and
- (d) collecting any other information as may be required.

(5) Where investigations of a complaint reveal that it involves a judicial officer of the lower bench or an administrative and other staff of the Judiciary acting in collusion with other persons not employed or associated with the Judiciary in any way, the Commission shall refer such other persons to the relevant agency.

#### **58. Investigation report and findings of complaint of actionable nature**

(1) The investigation report shall be evaluated to determine whether an actionable case is established and is sufficient to warrant the laying of a disciplinary charge against the judicial officer of the lower bench or the administrative or other staff of the Judiciary.

(2) Where an actionable case has been established, the disciplinary committee shall set down the complaint for hearing.

(3) Where the disciplinary committee finds that no actionable case is made out, it shall make a recommendation to the Commission for the dismissal of the complaint.

#### **59. Preparation of charge sheet**

(1) Where there is an actionable case, the Commission shall prepare a charge sheet containing the statement of the disciplinary offence, the provisions of the law applicable or Uganda Code of Judicial Conduct where applicable and the statement of the particulars of the offence.

(2) The charge sheet shall be prepared and signed by a designated officer.

**60. Hearing, prosecution and resolution of complaint by Commission**

(1) Once a hearing date has been fixed, a hearing notice shall be prepared for service to the parties, together with a copy of the charge sheet and shall enclose copies of witness statements and documents filed in the matter.

(2) Personal service shall be effected by tendering a copy of the complaint to the party in person, and where personal service cannot be effected, service may be by e-mail, phone message, or by registered post or through the party's legal representative or supervisor or by any other mode the Commission may deem fit.

(3) A period of fourteen (14) days shall lapse between the service of the notice and the day set out for the hearing of the complaint.

(4) The hearing notice shall be in the form set out in Schedule 5 to these Regulations.

(5) Where any of the parties to the proceedings fails to appear on the hearing date, the Commission may upon proof of service of the hearing notice proceed to hear and resolve the matter in his or her absence.

(6) Where the complaint has been determined by the Commission in the absence of either party to the proceedings, the party or both parties who failed to appear may apply to the Commission for the re-hearing of the complaint.

(7) Where the Commission is satisfied that the hearing notice was not duly served or that the party who failed to appear at the hearing date was prevented from appearing for good cause, it may order re-hearing of the complaint in the presence of both parties.

(8) The application for a re-hearing referred to in sub-regulation (7) shall be made within fourteen (14) days from the date of the decision of the Commission, but the Commission may extend the period for good cause.

(9) The Commission may accept evidence by witness statements or affidavit at a hearing, if it considers that the parties shall not be prejudiced.

(10) The Commission may request any person, other than the parties or their witnesses, to attend before it to give evidence that may be of assistance to the Commission, in the resolution of the complaint.

(11) Where the disciplinary committee has received evidence by a sworn witness statement or affidavit and the other party wishes to cross-examine the person making the statement, the Commission shall require the person making the sworn statement to appear before the disciplinary committee for cross-examination at such place and time as the Commission may direct.

## **61. Laying of charge to respondent**

(1) At the commencement of the hearing of the matter, the Chairperson of the disciplinary committee shall read the statement of offence and the particulars of the offence and determine that the concerned judicial officer of the lower bench or the administrative or other staff of the Judiciary has fully understood the nature of the accusation before the concerned judicial officer of the lower bench or the administrative or other staff of the Judiciary can be required to respond to the charge.

(2) Upon the disciplinary committee being satisfied that the concerned judicial officer of the lower bench or administrative or other staff of the Judiciary has understood the accusation, it shall require the respondent to answer to the charge.

(3) The answer to the charge shall be recorded in the actual words used by the concerned judicial officer of the lower bench or administrative or other staff of the Judiciary.

(4) Where the concerned judicial officer of the lower bench or administrative or other staff of the Judiciary does not admit the accusation, the disciplinary committee shall proceed to conduct the disciplinary hearing of the matter.

(5) Where the concerned judicial officer of the lower bench or administrative or other staff of the Judiciary admits the charge or accusation as laid out and where the members of the disciplinary committee are satisfied that the admission is made truthfully and voluntarily without any qualification or reservation, the disciplinary committee shall record the actual words used and enter on the record that the concerned judicial officer of the lower bench or administrative or other staff of the Judiciary has admitted the charge as laid.

(6) In the circumstances in subregulation (5), the disciplinary committee shall consider the matter and render a report and recommendations to the Commission for a final decision.

(7) Upon consideration of the report, the Commission shall afford the parties an opportunity to be heard before the pronouncement of the decision of the Commission is made.

## **62. Amendment to charge sheet**

Where, during the course of the hearing, it appears to the disciplinary committee that there is need to amend the charge sheet, the charge sheet may be amended and the parties shall be given an opportunity to respond to any such amendment.

## **63. Hearing of complaint**

(1) Where the disciplinary committee commences the hearing of the matter, it shall receive and consider the witness statements of the complainant and his or her witnesses and any other information and documents relevant to the matter.

(2) The disciplinary committee shall afford the respondent an opportunity to cross-examine the complainant and his or her witnesses.

(3) Where the disciplinary committee considers that the evidence adduced by the complainant requires the respondent to reply to the charge, the disciplinary committee shall require the respondent to reply and defend himself or herself.

(4) The disciplinary committee shall receive and consider the witness statements of the concerned judicial officer of the lower bench or administrative and other staff of the Judiciary and his or her witnesses and any other information and documents relevant to the matter.

(5) The disciplinary committee may afford the complainant an opportunity to cross-examine the respondent and his or her witnesses in the matter.

(6) The disciplinary committee shall consider the matter and render a report and recommendations to the Commission for a final decision.

#### **64. Decision of Commission**

(1) After the consideration of the disciplinary committee report and recommendations, the Commission shall make a decision.

(2) Where the Commission's decision is that the complaint does not warrant disciplinary action, the matter shall be closed and the parties informed.

(3) Where the Commission's decision is that the complaint warrants disciplinary action, the parties shall be summoned and informed of the intended decision and reasons for the decision and for the respondent to show cause why the penalty should not be effected.

(4) Following the interface with the respondent, the Commission shall make its final decision and pronounce it to the parties.

(5) Where the decision of the Commission is reserved, the Secretary shall communicate to the parties to the proceedings a notice of the date on which the decision of the Commission is to be pronounced.

(6) The decision of the Commission shall be in writing.

**65. Notification of Commission's decision**

- (1) The Commission may notify the following of its decision—
  - (a) the Judiciary;
  - (b) persons, organisations or institutions that have an interest in the proceedings;
  - (c) a department or tribunal concerned;
  - (d) upon request, to any member of the legal profession or any legal institution, on payment of a fee prescribed by the Commission; and
  - (e) the media, where the case involves dismissal or retirement in the public interest of a judicial officer of the lower bench or an administrative or other staff of the Judiciary.
- (2) The Commission shall avail a copy of the decision to all parties to the proceedings.

**66. Review**

The Commission may review its decision and make any other decision that it deems fit, and the Commission may, in particular, vary, confirm or set aside any disciplinary action imposed, as the case may require.

**67. Appeals**

(1) A judicial officer of the lower bench or a member of a tribunal who is dissatisfied with the decision of the Commission, may appeal to a panel of three Judges of the High Court by filing a memorandum of appeal within thirty (30) days after the decision has been made.

(2) An administrative or other staff of the Judiciary who is dissatisfied with the decision of the Commission, may appeal to a Judge of the High Court by filing a memorandum of appeal within thirty (30) days after the decision has been made.

## PART VIII — GENERAL

### 68. Rules of natural justice

In dealing with matters of discipline and removal of a judicial officer, member of a tribunal or an administrative or other staff of the Judiciary, or an inquiry, the Commission shall observe the rules of natural justice and, in particular, the Commission shall ensure that an officer against whom disciplinary or removal proceedings or an inquiry is being undertaken is—

- (a) informed about the particulars of the case against him or her;
- (b) given the right to defend himself or herself and present his or her case at a meeting of the Commission or at any inquiry set up by the Commission for the purpose;
- (c) where practicable, given the right to engage an advocate of his or her own choice; and
- (d) told the reasons for the decision of the Commission.

### 69. Adjournments

The Commission, the disciplinary committee or disciplinary subcommittee may at any stage of consideration of a matter, adjourn proceedings for sufficient cause.

### 70. Interdiction

(1) Where the Chief Registrar or the responsible officer considers that the public interest requires that a judicial officer of the lower bench or an administrative or other staff of the Judiciary should cease to perform the functions of his or her office, the Chief Registrar or responsible officer may interdict the judicial officer of the

lower bench or the administrative or other staff of the Judiciary from the performance of the functions of his or her office if disciplinary proceedings are being taken or are about to be taken or if criminal proceedings are being instituted against the judicial officer of the lower bench or the administrative or other staff of the Judiciary.

(2) Where the Commission has facts relating to gross misconduct of a judicial officer of the lower bench or an administrative or other staff of the Judiciary, the Commission may direct the Chief Registrar or the responsible officer to interdict the judicial officer of the lower bench or administrative or other staff of the Judiciary.

(3) A judicial officer of the lower bench or administrative or other staff of the Judiciary who is interdicted shall receive at least half of his or her salary.

(4) Where disciplinary or criminal proceedings have been taken or instituted against a judicial officer of the lower bench or an administrative or other staff of the Judiciary on interdiction and the judicial officer of the lower bench or the administrative or other staff of the Judiciary is not dismissed or convicted as the case may be, as a result of those proceedings, the whole or any of his or her salary withheld under subregulation (3) shall be restored upon the termination of the proceedings.

(5) A member of staff of the Judiciary on suspension or interdiction shall not leave Uganda without the permission of—

- (a) the Chief Justice in consultation with the Commission, in the case of a Justice or a Judge, the Chief Registrar or a Registrar;
- (b) the Chief Registrar, in the case of a Deputy Registrar, Assistant Registrar, or a Magistrate; and
- (c) the responsible officer, in the case of an administrative or other staff of the Judiciary.

## **71. Report on institution of criminal proceedings**

(1) If criminal proceedings of a nature likely to warrant disciplinary proceedings are instituted against a judicial officer of the lower bench or an administrative or other staff of the Judiciary in any court, the Chief Registrar or the responsible officer shall immediately report the facts to the Secretary as to whether the officer has or has not been indicted from the performance of his or her functions.

(2) Notwithstanding the institution of criminal proceedings in any court against a judicial officer of the lower bench or an administrative or other staff of the Judiciary under subregulation (1), disciplinary proceedings upon any grounds in a criminal charge may be taken against that officer and the decision of the Commission under this regulation shall not in any way be influenced by the decision of the court.

## **72. Procedure after acquittal on criminal charge**

A judicial officer or administrative or other staff in the Judiciary Service acquitted of a criminal charge in any court shall not be dismissed or otherwise punished on any charge upon which he or she has been acquitted, but nothing in this regulation shall prevent the judicial officer or administrative or other staff of the Judiciary from being dismissed or otherwise punished on any other charges arising out of his or her conduct in the matter.

## **73. Procedure for disciplinary action after criminal conviction**

(1) Where a judicial officer of the lower bench or administrative or other staff of the Judiciary is adjudged guilty in any court of a criminal charge, the Chief Registrar or the responsible officer shall obtain a copy of the charges, the judgment and the proceedings of the court and forward them to the Secretary.

(2) Notwithstanding subregulation (1), the Commission may, in its discretion, obtain a copy of the charges, the judgment and the proceedings of the court.

(3) Where a judicial officer of the lower bench or an administrative or other staff of the Judiciary is convicted of an offence under the Penal Code Act or any other written law, the procedure for handling the officer shall be as follows—

- (a) the Magistrate or Registrar of the court or tribunal, as applicable, which convicted the judicial officer of the lower bench or the administrative or other staff of the Judiciary shall write to the Chief Registrar or responsible officer, as the case may be, informing him or her of the conviction;
- (b) the Chief Registrar or the responsible officer shall assess—
  - (i) the gravity of the offence;
  - (ii) whether the offence was committed at the work place or outside the work place and the officer's record; and
  - (iii) the severity of the sentence; and
- (c) the Chief Registrar or the responsible officer, as the case may be, shall make a recommendation to the Commission for appropriate action.

#### **74. Service of documents**

(1) Where, under these Regulations it is necessary to serve any notice, charge or other document upon a staff of the Judiciary, service shall be effected by tendering a copy of the complaint to the party in person.

(2) Where it is not possible to effect service of notice, charge or any other document in person, service may be by e-mail, phone message, or registered post or through the party's legal representative or through the supervisor or any other mode the Commission may deem fit.

(3) Where service has been effected under subregulation (1) or (2), the serving officer shall swear an affidavit stating the date, time, place, the manner in which the service was effected, and the name and address of the person, if any, identify the person being served and/or witnessing the delivery or tender.

#### **75. Exercise of disciplinary control**

The Commission shall not be deprived of the right to exercise disciplinary control against any judicial officer or administrative or other staff of the Judiciary by intimation of early retirement, resignation or transfer before any pending disciplinary proceedings are concluded.

#### **76. Correspondences**

All correspondence and documents for the Commission shall be addressed to the Chairperson and the Secretary.

#### **77. Consent to prosecution**

A prosecution in a court of law in respect of any offence under these Regulations shall not be instituted except with the written consent of the Director of Public Prosecutions.

#### **78. Retirement**

A member of staff of the Judiciary may retire from the Judiciary Service—

- (a) upon the attainment of the constitutional and statutory minimum or mandatory retirement age; or
- (b) on medical grounds upon presentation of medical evidence to the satisfaction of the Commission acting on the advice of the medical board.

#### **79. Early retirement**

(1) Where a judicial officer of the superior courts applies for early retirement in accordance with Article 144(1) (a), (b) or (c) of the Constitution and section 27 of the Administration of the Judiciary Act, the application shall be made to the Commission by the concerned

judicial officer with all the relevant information and the judicial officer shall notify the responsible officer.

(2) The Commission, shall upon receipt of a request for early retirement from a judicial officer of the superior court under subregulation (1) shall render advice to the appointing authority for consideration.

(3) A request for early retirement of a judicial officer of the lower bench shall be made to the Commission with notification to the Chief Registrar and the responsible officer.

(4) Where an administrative or other staff of the Judiciary applies for early retirement, the application shall be made to the Commission by the concerned officer with notification to the responsible officer.

(5) A request for early retirement of a member of staff of the Judiciary shall not be considered while he or she is subject to disciplinary proceedings.

## **80. Retirement in public interest**

(1) Where the Chief Registrar, the responsible officer or the Commission considers that a judicial officer on the lower bench or an administrative or other staff of the Judiciary should be retired from the Judiciary Service in the public interest, the Chief Registrar, or responsible officer or the Commission shall—

- (a) obtain from the responsible officer, reports on the work performance and conduct of the staff; and
- (b) give the member of staff of the Judiciary an opportunity to receive and consider the reports in order to be better placed to show cause why he or she should not be retired from the Judiciary Service.

(2) Where the Chief Registrar or the responsible officer, after considering the statement of the member staff of the Judiciary, and having regard to all the circumstances of the case, is of the opinion that the officer should be retired in the public interest from the Judiciary Service, he or she shall forward the reports obtained and the statement of the member of staff to the Commission under subregulation (1) (a), together with his or her recommendations.

(3) The Commission shall determine the action to be taken against the member of staff of the Judiciary.

(4) Upon consideration of the report on the member of staff of the Judiciary, the Commission may retire the staff of the Judiciary in the public interest.

## **81. Lapse of acting appointments and probationary appointments**

A staff of the Judiciary may exit the Judiciary Service where—

- (a) an acting appointment has lapsed and the staff of the Judiciary has not been appointed in a substantive capacity; or
- (b) a probationary appointment has lapsed and the staff of the Judiciary is not confirmed into permanent and pensionable service.

## **82. Resignation**

(1) A member of staff of the Judiciary may resign from the Judiciary Service in writing signed by the member of staff of the Judiciary and addressed to the appointing authority with notice to the responsible officer.

(2) The resignation shall not be effective until the acceptance of the resignation by the appointing authority is communicated to the member of staff of the Judiciary.

(3) The resignation from the Judiciary Service by a judicial officer of the lower bench or an administrative or other staff of the Judiciary appointed by the Commission may not be accepted where there is a pending disciplinary matter against the officer.

(4) Upon resolution of the disciplinary matter, the Commission may consider the request for resignation of the judicial officer of the lower bench or the administrative or other staff of the Judiciary, where the circumstances so warrant.

### **83. Leave to serve in other institutions**

(1) Where a judicial officer in the Judiciary Service—

- (a) is appointed to an institution outside the Judiciary, that judicial officer shall apply to the Commission for leave of absence without pay from the Judiciary; or
- (b) is seconded to an institution outside the Judiciary, that judicial officer shall apply to the Commission for leave of absence from the Judiciary.

(2) The Commission may grant to an applicant under subregulation (1), the leave applied for in each case for a period not exceeding three years.

(3) A judicial officer or a person in the Judiciary Service who is appointed to an institution outside the Judiciary for a period exceeding three years may, in consultation with the Commission, retire from the Judiciary.

(4) The period of three years prescribed in subregulation (3) does not apply to a judicial officer who is appointed to an institution outside the Judiciary—

- (a) against a national quota of personnel vacancies required to be filled by Uganda and when it is in the interest of Uganda to fill its quota of places on the staff of that body; or

(b) in accordance with any law, treaty or convention to which Uganda is a State Party.

(5) A judicial officer appointed to an institution outside the Judiciary Service in accordance with subregulation (4) is entitled to leave of absence without pay for the duration of the period for which the judicial officer is appointed.

(6) The period of absence granted to the judicial officer in respect of service under subregulation (1)(a) shall not be counted as part of the officer's period of service for purposes of computing the one-off lumpsum retirement benefit.

(7) Where a Justice of the Supreme Court, Justice of the Court of Appeal or a Judge of the High Court is granted leave of absence without pay in accordance with this regulation, the President may, acting on the advice of the Commission, appoint, in accordance with article 142 of the Constitution, an acting Justice of the Supreme Court, Justice of the Court of Appeal or Judge of the High Court as the case maybe, to act in place of the judicial officer, but the person appointed shall not be entitled to retirement benefits granted under the Act..

(8) This regulation does not apply to a judicial officer in the Judiciary Service who is assigned to perform a specific task in addition to his or her routine duty for a period not exceeding two years.

#### **84. Sabbatical leave**

(1) Sabbatical leave shall be granted to a member of staff of the Judiciary for the purpose of study tour or research for a limited period.

(2) Sabbatical leave may be granted by the Commission on the recommendation of the Responsible Officer—

(a) to a member of staff of the Judiciary who is confirmed in appointment and has served the Judiciary for a continuous period of at least ten years;

- (b) for a maximum of twelve months with pay, once in every ten years;
- (c) upon evidence that the leave will benefit both the member of staff of the Judiciary and the Judiciary Service; and
- (d) the Judiciary shall not provide duty facilitating allowances to a member of staff proceeding on sabbatical leave.

#### **PART IX—MISCELLANEOUS**

##### **85. Application of Uganda Public Service Standing Orders**

In respect of any matter for which these Regulations have not expressly or by necessary implication made provision, the Uganda Public Service Standing Orders applicable to civil servants in the Public Service shall apply, subject to the provisions of the Judicial Service Act.

##### **86. Revocation of S.I No. 87 of 2005 and S.I No. 88 of 2005.**

(1) The Judicial Service Commission Regulations, 2005 and the Judicial Service (Complaints and Disciplinary Proceedings) Regulations, 2005 are revoked.

##### **87. Savings and transition**

Any disciplinary proceedings that had commenced under the Judicial Service Commission Regulations, and the Judicial Service (Complaints and Disciplinary Proceedings) Regulations, shall be continued and completed under these regulations.

## **SCHEDULES**

### **SCHEDULE 1**

*Regulation 2*

#### **Currency Point**

One currency point is equivalent to twenty thousand shillings.

## SCHEDULE 2

*Regulation 3 (1)(b)*

### **OATHS**

#### **PART 1**

##### **OATH OF MEMBER OF JUDICIAL SERVICE COMMISSION**

I, ..... , being appointed Chairperson/ member of the Judicial Service Commission swear in the name of the Almighty God/ solemnly affirm that I will well and truly exercise the functions of Chairperson/member of the Judicial Service Commission in accordance with the Constitution and the laws of the Republic of Uganda without fear or favour, affection or ill will. (So help me God).

#### **PART II**

*Regulation 3 (3)*

##### **OATH OF SECRETARY OR OFFICER OF THE JUDICIAL SERVICE COMMISSION**

I, ..... , being appointed secretary to/officer of/ the Commission, being called upon to perform the functions of secretary to/ officer of/ the Commission, swear in the name of the Almighty God/ solemnly affirm that I will not directly or indirectly reveal to any unauthorized person or otherwise than in the course of duty, the contents or any part of the contents of any documents, communication or information whatsoever which may come to my knowledge in the course of my duties as such. (So, help me God).

## SCHEDULE 3

*Regulation 27(2)*

Application form for appointment to the Uganda Judiciary Service

### THE REPUBLIC OF UGANDA JUDICIAL SERVICE COMMISSION FORM (JSCF.1 of 20....)

Attach colour passport size photograph here



Note: Please study the form carefully before completing it.

#### APPLICATION FOR APPOINTMENT TO THE UGANDA JUDICIARY SERVICE

1. Applications should be submitted online to the Secretary, Judicial Service Commission.
2. Applicants should attach to this Form, an up to date Curriculum Vitae (CV) with names, contacts and recommendation letters of at least two (2) professional and two (2) character referees, a recent passport size photograph, copies of academic certificates and transcripts certified by the issuing institution(s) and a copy of the National ID. Applicants in the Judiciary Service/Public Service should attach a certified copy of their latest, complete Declaration of Income, Assets and Liabilities from the Inspectorate of Government. In addition, all applicants for any of the positions on offer, are required to submit an applicants' self-assessment declaration on competences whose details and format can be accessed at [www.jsc.go.ug](http://www.jsc.go.ug)
3. This Form should be completed in typed letters. **HANDWRITTEN FORMS WILL NOT BE ACCEPTED.**

4. Any part of this form that is not completed will render the application non-responsive.
5. This application is subject to all the terms and conditions set out in the Advert No.

---

1. Position applied for and Reference Number

---

---

2.(i) Full name (Surname first in capital letters)

---

---

(ii) Date of birth .....

---

(iii) National Identification Number

---

(iv) Religion

---

(v) Sex .....

---

(vi) Physical and Postal Address .....

---

---

(vii) E-mail Address .....

---

(viii) Telephone Numbers: .....

---

3. Nationality.....

District of Origin .....

County.....

Sub-county:.....

Village: .....

4. Are you a temporary or permanent resident in Uganda?

.....  
.....

5. Present employer or place of work (if applicable)

.....  
.....  
.....

6. Present post and date of appointment to it (if applicable)

.....  
.....  
.....

7. Terms of employment (Tick as appropriate)

Temporary/Contract/Probation/Permanent/ Others(Specify)

.....  
.....  
.....

8. Marital Status (Tick as appropriate).

Married /Single/ Widowed/Divorced/Separated

9. Name of spouse(s) (if applicable)

.....  
.....  
.....

10. Number and age of Children (if applicable)

.....  
.....  
.....

11. Details of Schools/Institutions attended: Starting with the most current

| Years | Period | School | Institution/<br>University | Award/Qualifications<br>attained |
|-------|--------|--------|----------------------------|----------------------------------|
|       |        |        |                            |                                  |
|       |        |        |                            |                                  |
|       |        |        |                            |                                  |
|       |        |        |                            |                                  |
|       |        |        |                            |                                  |

12. Employment record: Starting with the most recent

| Year/Period | Position held/<br>Designation | Employer i.e. Name<br>and Address |
|-------------|-------------------------------|-----------------------------------|
|             |                               |                                   |
|             |                               |                                   |
|             |                               |                                   |
|             |                               |                                   |

13. Deployment record and details of supervisor : Starting with the most recent

| Year/Period | Position held/<br>Designation | Duty station | Supervisor's<br>details |
|-------------|-------------------------------|--------------|-------------------------|
|             |                               |              |                         |
|             |                               |              |                         |
|             |                               |              |                         |

14. Do you have a Certificate of Enrollment as an Advocate of the Courts of Judicature?

.....  
.....

If so, when was it granted?

.....  
.....

15. Are you Information Communication Technology (ICT) proficient?

.....  
.....

State the level of proficiency.

.....  
.....

16. Have you ever been a subject of criminal investigations or charged with a criminal offence?

.....  
.....

If so, give details

.....  
.....

17. Have you been a subject of a disciplinary investigation?

If so, give details

18. How soon would you be available to take up duty if appointed?

19. Names and addresses of two (2) professional and two (2) character referees:

Professional Referees Character Referees:

1. .... 1. ....

2. .... 2. ....

20. I hereby certify that to the best of my knowledge and belief, the particulars given in this form are true and complete in all respects.

Signature of candidate ..... Date .....

Certified copies of documents or other evidence should be attached.

SCHEDULE 4  
**COMPLAINTS**  
**PART I**

*Regulation 50*

COMPLAINT REGISTRATION FORM

JUDICIAL SERVICE COMMISSION

P. O. Box 7679 Kampala

Tel: 256-414-344154, 256-414-311600;

Toll free number: 0800100221

Email: [psc@psc.go.ug](mailto:psc@psc.go.ug)

COMPLAINT REGISTRATION FORM

1. Particulars of Complainant

First name.....

Surname.....

Any other names .....

Physical address: (please include street, LC1, village, town, parish, sub-county, county and district)

.....  
.....

Age: .....

Postal address: i.e. P.O. Box.....

Telephone number: .....

Email address: .....

Next of kin's name: .....

Next of kin's address: .....

Next of kin's telephone number: .....

If the complainant is an organisation or institution or group of persons, contact details of the organisation/institution/group of persons or that of their legal representative should be availed

Name: .....

Physical address: .....

Telephone number: .....

Email address: .....

2. Name and particulars of Judicial Officer or administrative or other staff of Judiciary being complained against

First name: .....

Surname: .....

Any other names: .....

Job title: .....

Duty station: .....

District: .....

Telephone number: .....

3. Summary of material facts constituting the specific ground(s) of the complaint and dates when the acts or omissions complained of occurred.

Give information on the alleged misconduct complained about and include what happened, when and where it happened, who was involved, witnesses that were present and saw what happened etc. (Additional information may be included on an extra sheet)

4. Names, telephone and email contact and physical address of the proposed witnesses with knowledge of the substance of the complaint.

Witness 1: .....

Witness 2: .....

Attach witness statements, of all the witnesses intended to be relied upon at the hearing of the matter. (The witness statements shall give material facts that are relevant to the complaint being made)

5. Any other information or documentation relevant to the complaint intended to be relied upon during the hearing of the matter. (Attach copies of the information/documents to be relied on)

.....  
.....

6. Has this complaint been reported to any other authority and what action has been taken by that authority?

.....  
.....

7. What damage or loss have you suffered on account of this complaint?

.....  
.....

8. What is your request or prayer to the Commission?

.....  
.....

Name of complainant: .....

Signature of complainant: .....

Date: .....

## **PART II**

*Regulation 56*

### **COMPLAINT RESPONSE FORM**

#### **JUDICIAL SERVICE COMMISSION**

P. O. Box 7679 Kampala

Tel: 256-414-344154, 256-414-311600;

Toll free number: 0800100221

Email: [psc@psc.go.ug](mailto:psc@psc.go.ug)

### **COMPLAINT RESPONSE FORM**

#### **1. Particulars of respondent**

Title: .....

First name: .....

Surname: .....

Any other names: .....

Physical address: (please include street, LC1, village, town, parish, sub-county, county, and district)

.....

.....

.....

.....

Age: .....

Postal address: i.e. P.O. Box .....

Current station: .....

Telephone number: .....

Email address: .....

2. Summary of material facts constituting the response to the complaint

.....  
.....  
.....  
.....

3. Names, telephone and email contact details of proposed witnesses in support of the response;

Witness 1: .....

Witness 2: .....

Attach witness statement, of all the witnesses intended to be relied upon at the hearing of the matter.

4. Any other information or documentation relevant to the response to the complaint to be relied upon. (Please attach the information/document to be relied on)

.....  
.....

Signature of the respondent:

.....

Date: .....

## SCHEDULE 5

*Regulation 60(4)*

### HEARING NOTICE

THE REPUBLIC OF UGANDA  
THE JUDICIAL SERVICE COMMISSION AT .....

COMPLAINT No. .... of..... 20....

IN THE MATTER OF ..... (COMPLAINANT)  
AND ..... (RESPONDENT)

### HEARING NOTICE

*(Under regulation 60(4) of the Judicial Service Regulations, 2025)*

To.....

The above named complainant has instituted a complaint against the above named respondent(s) for (subject of complaint).

You are hereby required to appear before the Commission on the..... day of..... at..... o'clock in the forenoon/afternoon and to bring your witnesses with you.

You are required to furnish the Secretary to the Commission with a copy of each of the documents you intend to rely on at the hearing. If no appearance is made by you or by a person authorised by law to act for you, the matter may be heard and decided in your absence.

Dated this..... day of..... 20.....

.....  
SECRETARY



HON. JUSTICE BENJAMIN KABIITO,  
*Chairperson, Judicial Service Commission.*

## **Cross References**

Administration of Judiciary Act, Cap. 4

The Constitution

The Judicial Service Act, Cap. 87

Oaths Act, Cap. 21

Leadership Code Act, Cap. 33

Penal Code Act, Cap. 128