

THE REPUBLIC OF UGANDA  
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA



CONSTITUTIONAL PETITION NO. 24 OF 2022

1. VOICES FOR LABOUR LIMITED
2. PLATFORM FOR VENDORS IN UGANDA LIMITED
3. UGANDA MARKET AND ALLIED EMPLOYEES UNION
4. UGANDA ARTISANS AND GENERAL WORKERS UNION:.....PETITIONERS

VERSUS

THE ATTORNEY GENERAL OF UGANDA:.....RESPONDENT

NOTICE OF PRESENTATION OF PETITION


To: The Attorney General of Uganda

TAKE NOTICE that VOICES FOR LABOUR LIMITED, PLATFORM FOR VENDORS IN UGANDA LIMITED, UGANDA MARKET AND ALLIED EMPLOYEES UNION and UGANDA ARTISANS AND GENERAL WORKERS' UNION has filed a Petition against you in this Court.

YOU are hereby required to file an answer within 10 (ten) days after the Petition has been served on you.

SHOULD YOU fail to file an answer on or before the date above mentioned, the Petitioner may proceed with the Petition which may be determined in your absence.

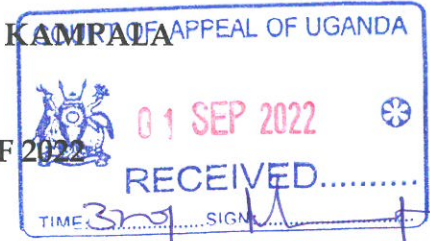
GIVEN under my Hand and Seal of this Honourable Court this.....<sup>1<sup>st</sup></sup>.....day of Sept.....2022

  
.....  
REGISTRAR CONSTITUTIONAL COURT



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IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

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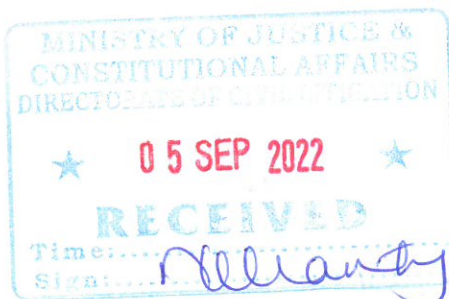
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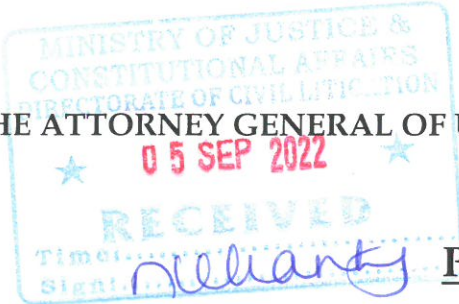
CONSTITUTIONAL PETITION NO.....OF 2022



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THE ATTORNEY GENERAL OF UGANDA.....RESPONDENT



PETITION

(Brought under Article 137(1), (3)(a) & (4) of the Constitution of the Republic of Uganda, 1995 as amended and the Constitutional Court (Petitions and References) Rules SI 91 of 2005)

THE HUMBLE PETITION of VOICES FOR LABOUR LIMITED, PLATFORM FOR VENDORS IN UGANDA LIMITED, UGANDA MARKET AND ALLIED EMPLOYEES UNION and UGANDA ARTISANS AND GENERAL WORKERS' UNION (hereinafter referred to as 'the Petitioners') whose names are stated at the front of this Petition and whose address for purpose of this Petition is stated at the foot of this Petition Showeth that:-

1. The 1<sup>st</sup> Petitioner, VOICES FOR LABOUR LIMITED is a civil society organization incorporated as a company limited by guarantee and having no share capital under the laws of the Republic of Uganda to defend and promote the rights and interests of Workers through legal aid and representation, research, advocacy, campaigns and training among other methods.
2. The 2<sup>nd</sup> Petitioner, PLATFORM FOR VENDORS IN UGANDA LIMITED is a civil society organisation incorporated as a company limited by guarantee and having no share capital under the laws of the Republic of Uganda to organise vendors and informal businesses so as to strengthen their organizational capacities to fully participate, lobby, network and contribute towards creating decent and productive work.

FEE PAID 10,000  
RECEIPT NO. 00228294  
SIGN. [Signature] TITLE KA  
DATE 11/09/22

FEE PAID 200,000  
RECEIPT NO. ....  
SIGN. [Signature] TITLE KA  
DATE 11/09/22

3. The 3<sup>rd</sup> Petitioner, UGANDA MARKET AND ALLIED EMPLOYEES UNION is a duly registered Labour Union organizing and representing employees the markets of Uganda.
4. The 4<sup>th</sup> Petitioner, UGANDA ARTISANS AND GENERAL WORKERS UNION is a duly registered Labour Union organizing and representing workers in the artisanal and other informal workers in Uganda.
5. The Petitioners herein are keen and are actively engaged in matters relating to governance, constitutionalism, recognition, promotion and enforcement of rights and interests of workers in the informal economy in Uganda.
6. The Petitioners herein are ardent believers in good governance, the rule of law, constitutional governance and fundamental human rights and freedoms. The Petitioners believe that they have a duty to protect the sanctity of the Constitution of the Republic of Uganda, 1995 as amended.
7. The Petitioners herein bring this Petition in the higher public interest, to seek the interpretation of the matters herein which they believe have created a chasm and also, continue to be a recipe for the abuse of the sanctity of the Constitution of the Republic of Uganda, 1995 as amended, as stated in the preceding paragraphs of this Petition.
8. The Respondent is the Attorney General of the Republic of Uganda and the Principal Legal Advisor to the Government of Uganda.
9. Your Petitioners allege that:-
  - (a) **Section 2 of the Labour Unions Act No.7 of 2006** is inconsistent with and in contravention of **Articles 21(1), 21(2), 29(1)(e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended** in as far as it limits the definition of a Labour Union to only employees, excluding workers in the informal economy who are in law or practice not covered or insufficiently covered by formal arrangements.
  - (b) **Section 3 of the Labour Unions Act No.7 of 2006** is inconsistent with and in contravention of **Articles 21(1), 21(2), 29(1) (e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended** in as far as it gives the right to freedom of association and collective bargaining to only employees excluding the self-employed and other categories of workers in the informal economy.

- (c) **Section 18(4) of the Labour Unions Act No.7 of 2006** which prescribes an overly lengthy period of 90 days for registration of a Labour Union; constitutes a serious obstacle to the establishment of a Labour Union and is inconsistent with and in contravention of **Articles 21(1), 21(2), 29(1) (e), 40(3), 45 of the Constitution of the Republic of Uganda, 1995 as amended.**
- (d) **Regulation 5(e) (iv) of the Labour Unions (Registration) Regulations, 2012** that requires an application for registration of a labour union to be accompanied by the *“name and address of each officer’s employer”* hinders the registration of labour unions that represent workers in the informal economy who are in law or practice not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1), 21(2), 29(1)(e), 40(3) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.**
- (e) **Section 3(1) of the Employment Act No.6 of 2006** restricts applicability of the Act to employees employed by an employer under a contract of service, expressly excluding workers in the informal economy who are in law or practice not covered or insufficiently covered by formal arrangements, and is therefore inconsistent with and in contravention of **Articles 21(1) & (2), 40(1) and 45 of the Constitution of the Republic of Uganda, as amended.**
- (f) **Sections 2 and 25 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006** restricts applicability of the said Act to persons who enters into a contract of service or an apprenticeship contract, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), 126(2)(a), of the Constitution of the Republic of Uganda, 1995 as amended.**
- (g) **Section 30 of the Labour Disputes ( Arbitration and Settlement)Act No.8 of 2006** restricts the right to participate in an industrial action or to act in contemplation or furtherance of an industrial action in connection with a labour dispute to persons who have entered into a contract of service or an apprenticeship contract, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.**

- (h) **Section 31 of the Labour Disputes ( Arbitration and Settlement)Act No.8 of 2006** restricts the right to and of picketing, to persons who have entered into a contract of service or an apprenticeship contract or officials-of a labour union representing that employees, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.**
  - (i) **Section 32 of the Labour Disputes ( Arbitration and Settlement) Act No.8 of 2006** limits the protection from acts of intimidation or annoyance to only employees, leaving out workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.**
  - (j) **Section 3 of the Workers Compensation Act, Cap.225 (2000 Edition)** restricts liability to employers who have entered into a contract of service or an apprenticeship contract, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) & (2), 40(1)(a) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.**
10. **THIS** Petition is supported by the Affidavit attached hereto, deponed by **KAGOYE ROBINAH**, and the said Affidavit shall be relied on at the hearing of this Petition, along with other Affidavits that shall be made available before the hearing.

**WHEREFORE**, your Petitioners bring this Petition in the higher public interest, for the good of the Republic of Uganda, in defence of constitutional order, good governance, promotion of rule of law and humbly pray that this Honourable Court be pleased to grant the following:

- (a) **DECLARATIONS** that;
  - (i) Section 2 of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1)(e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.

- (ii) Section 3 of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1) (e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.
- (iii) Section 18(4) of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1) (e), 40(3), 45 of the Constitution of the Republic of Uganda, 1995 as amended.
- (iv) Regulation 5(e) (iv) of the Labour Unions (Registration) Regulations, 2012 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1)(e), 40(3) and 45 of the Constitution of the Republic of Uganda Section 3(1) of the Employment Act No.6 of 2006 is inconsistent with and in contravention of Articles 21(1) & (2), 40(1) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.
- (v) Sections 2 and 25 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 are inconsistent with and in contravention of Articles 21(1) & (2), 126(2)(a), of the Constitution of the Republic of Uganda, 1995 as amended.
- (vi) Section 30 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 is inconsistent with and in contravention of Articles 21(1) & (2), 40(3) and 40(4) of the Constitution of the Republic of Uganda, 1995 as amended.
- (vii) Section 31 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 is inconsistent with and in contravention of Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.
- (viii) Section 32 of the Labour Disputes ( Arbitration and Settlement)Act No.8 of 2006 is inconsistent with and in contravention of Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.
- (ix) Section 3 of the Workers compensation Act, 2000 is inconsistent and in contravention of Articles 21(1)&(2), 40(1)(a) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.

(b) **ORDERS** that;

- (i) - The Labour Unions Act, No.7 of 2006 be amended/modified to enable Workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements to form and join (a) Labour Union(s) to all workers without discrimination.
- (ii) The Employment Act No.6 of 2006 be amended to apply without restriction, to workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
- (iii) Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 be amended to apply to workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
- (iv) The Workers Compensation Act, 2000 be amended to extend liability under the Act to employers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
- (v) Any other or further declaration and/or order that this Honourable Court may deem fit to grant.
- (vi) Each Party to meet their own Costs.

**YOUR** Petitioners' Advocates are:


- (a) **M/s Tuhimbise & Co. Advocates, Plot 54, Kampala Road, Damanico Building, 1<sup>st</sup> Floor, Office C-02, P.O Box 36340, Kampala.**
- (b) **M/s Kazimoto & Kiwa Advocates, Plot 9, Wadriff Road, Godgiven Building (Opposite former UEB Offices), above Rhema Medical Centre, 2<sup>nd</sup> Floor, Suite 9, P.O Box 1102 Arua.**

**DATED** at Kampala this 31<sup>st</sup> day of August 2022



.....  
**1<sup>st</sup> PETITIONER**



 STEPHEN ODARO STEPHEN: DIRECTOR

.....  
2<sup>nd</sup> PETITIONER

 MWAJUKA JESCA (DEPUTY GENERAL SECRETARY)

.....  
3<sup>rd</sup> PETITIONER

 ANTHONY WANYAMA (GENERAL SECRETARY)

.....  
4<sup>th</sup> PETITIONER

**To be served on:**

The Attorney General of Uganda,  
Attorney General's Chambers,  
Ministry of Justice & Constitutional Affairs,  
Queens Chambers, Plot 1, Parliament Avenue,  
Kampala.

**Drawn & filed by:**

M/s Tuhimbise & Co. Advocates,  
Plot 54, Kampala Road  
Damanico Building, Office C-02,  
P.O Box 36340, Kampala  
e-mail: [alexthimbise83@gmail.com](mailto:alexthimbise83@gmail.com)  
Tel. 0782576807

&

M/s Kazimoto & Kiwa Advocates  
Plot 9, Wadriff Road,  
Godgiven Building, 2<sup>nd</sup> Floor, Suite 9, Kampala  
P.O Box 1102, Arua  
e-mail: [kkazimoto92@gmail.com](mailto:kkazimoto92@gmail.com)  
Tel. 0771-620-626/0703-287-744

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VERSUS

THE ATTORNEY GENERAL OF UGANDA.....RESPONDENT

AFFIDAVIT IN SUPPORT OF THE PETITION

I, KAGOYE ROBINAH of C/o M/s Tuhimbise & Co. Advocates, Plot 54, Kampala Road, Damanico Building, 1<sup>st</sup> Floor, Office C-02, P.O Box 36340, Kampala, Uganda do hereby make an oath and swear as follows:-

1. THAT I am a female adult Ugandan of sound mind and the Director of VOICES FOR LABOUR LIMITED (the 1<sup>st</sup> Petitioner) also with the authorisation to swear this Affidavit on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Petitioners' behalf and I swear this affidavit in that capacity (see copy of authorisation annexed as "A").
2. THAT I am Lawyer with a specialised training and experience in Labour and Employment with a keen interest in Constitutionalism. I am also an ardent researcher on topical issues revolving around labour law and practice. I firmly consider it my duty as a good citizen to safeguard, ensure and generally protect the sanctity of the Constitution of the Republic of Uganda.
3. THAT further, as a responsible Citizen, a Labour Rights Activist and by virtue of my legal training, I am aware of my duties as enshrined in the Constitution of the Republic of Uganda, 1995 as amended including but not restricted to safeguarding the Constitution of the Republic of Uganda and promoting the rule of law and Democracy.

4. THAT Article 137(3)(b) of the Constitution of Republic of Uganda, 1995 as amended allows me or any other person who alleges or believes that an Act of Parliament or any other law or anything in or done under the authority of any law, to petition the Constitutional Court for a declaration to that effect and for redress where appropriate.
5. THAT by virtue of my training and experience, I know that Articles 29(1)(e) and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended, guarantee the right of every worker to form or join a trade union or labour union of his or her own choice for the promotion and protection of his or her economic and social interests, to collective bargaining and representation and to withdraw his or her labour according to law.
6. THAT I also know that the Constitution of the Republic of Uganda provides equal protection of the law in all spheres of political, economic, social and cultural life, protects them from discrimination based on sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability as stipulated in Articles 21(1) and (2) of the Constitution of the Republic of Uganda as amended.
7. THAT I am also aware that the Parliament of Uganda is obligated to enact laws which provide for the right of persons to work under satisfactory, safe and healthy conditions as stipulated in Article 40(1)(a) of the Constitution of the Republic of Uganda, 1995 as amended.
8. THAT the Government of Uganda ratified the **International Labour Organisation's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)** on the 2<sup>nd</sup> day of June, 2005 and is therefore obligated to enforce the rights stated in the said Convention No. 87.
9. THAT the Government of Uganda ratified the **International Labour Organisation's Right to Organise and Collective Bargaining Convention, 1949 (No. 98)** on the 4<sup>th</sup> day of June, 1963 and is therefore obligated to enforce the rights stated in the said Convention No. 98.

10. That both Conventions No. 87 and 98 do recognise and promote the rights of workers including persons in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
11. **THAT** in the course of implementing the 1<sup>st</sup> Petitioner's activities, I noted that the definition of Labour Unions under the Labour Unions Act is restricted to any organization of employees created by employees for the purpose of representing the rights and interests of employees, unfairly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and who constitute 87% of Uganda's Labour force.
12. **THAT** I observed that such restrictive definition of Labour Unions unfairly excludes workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and therefore contravene Articles 29(1)(e), 40(3), and 21(1) and (2) of the Constitution of the Republic of Uganda, 1995 as amended.
13. **THAT** further in contravention of Articles 29(1)(e), 40(3) and 21(1) &(2) of the Constitution of the Republic of Uganda, 1995 as amended, Section 3(1) of the Labour Unions Act No.7 of 2006 provides the right to freedom of association and collective bargaining to only employees excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
14. **THAT** Sections 2 and 3 of the Labour Unions Act No.7 of 2006 is discriminatory towards informal economy workers who do not enjoy a defined employment relationship or contract of service in as far as it bars them from enjoying their constitutionally guaranteed rights of freedom of association and collective bargaining.
15. **THAT** in contravention of Articles 29(1)(e) and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended, Section 18(4) of the Labour Unions Act gives a period of 90 (ninety) days to the Registrar of Labour Unions within which to register a Labour union which is overly long and may constitute a serious obstacle to the establishment of workers' organizations:

16. THAT I am aware that the International Labour Organisation's Committee on Freedom of Association has advised Uganda to amend Section 18 of its Labour Unions Act to provide for shorter period of registering a Labour Union (see copy of the observation of the ILO Committee on Freedom of Association is attached hereto and marked as annexure "B").
17. THAT in contravention of Articles 29(1)(e) and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended, Regulation 5(e) (iv) of the Labour Unions (Registration) Regulations, 2012 requires an application for registration of a Labour Union to be accompanied by the "**name and address of each officer's employer**" which hinders the registration of informal economy Labour Unions seeking to represent workers who are purely in the informal economy that do not enjoy employer- employee relationships.
18. THAT the Registrar of Labour Unions has on certain and numerous occasions rejected applications by organisations of employees in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements, for registration as (a) labour union(s), on *interalia* the premise that the affected applicant(s) did not provide proof of Employer- Employee relations (see copies of correspondences the said rejections by the Registrar of Labour Unions are hereto attached and marked as annexures "C1" and "C2").
19. THAT I am privy to information that when the 3<sup>rd</sup> Petitioner for whom the 1<sup>st</sup> Petitioner provides legal advisory services, applied for registration before the Registrar of Labour Unions, the said registration was conditioned to the requirement that the Petitioner's name mandatorily include the word "*employees*" yet the 3<sup>rd</sup> Petitioner was by nature of operation only concerned with membership of market vendors who fall under the category of self-employed/own account workers (see copy of the Petitioner's Certificate of Registration annexed as "D").
20. THAT the Registrar of Labour Unions advised the 3<sup>rd</sup> Petitioner to limit its membership to only employees who are employed by Employers in markets.

21. **THAT** for the 4<sup>th</sup> Petitioner who draws some of its membership from the informal economy, its operations have been frustrated by the unfavourable and discriminative provisions of the Labour Unions Act No.6 of 2006 in as far as enforcing the right to collective bargaining is concerned.
22. **THAT** in contravention of Articles 21(1) & (2), 40(1) of the Constitution of the Republic of Uganda, 1995 as amended, Section 3(1) of the Employment Act No.6 of 2006 makes the application of the whole Act to only employees employed by an employer under a contract of service expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
23. **THAT** in further contravention of Articles 21(1) & (2), and 40(1) of the Constitution of the Republic of Uganda, 1995 as amended, Section 3(1) of the Employment Act No.6 of 2006 extends protection to only employees in a personal and bilateral employment relationship excluding workers in triangular and multilateral employment relationships.
24. **THAT** in contravention of Articles 21(1) &(2), 126(2)(a), of the Constitution of the Republic of Uganda, 1995 as amended, Sections 2 and 25 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 seeks to resolve disputes or conflicts between employees and employers, between employees, or between Labour Unions expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
25. **THAT** in contravention of Articles 21(1) & (2) and 40(3) & (4) of the Constitution of the Republic of Uganda, 1995 as amended, Section 30 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 gives the right to industrial action to only employees expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
26. **THAT** in contravention and inconsistent with Articles 21(1) & (2), 40(1)(a) and 45 of the Constitution of the Republic of Uganda, as amended, Section 3 of the Workers compensation Act, 2000 places liability on only employers in a defined employment relationship with employees excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.

27. THAT the majority of the 3<sup>rd</sup> and 4<sup>th</sup> Petitioners' members do not enjoy an employee- employer relationship and as such they fall out of employment protection accorded by all the existing labour legislations in Uganda.
28. THAT I swear this Affidavit challenging the constitutionality of Sections 2, 3 and 18(4) of the Labour Unions Act No.7 of 2006, Regulation 5(e)(iv) of the Labour Unions( Registration) Regulations, 2012, Section 3(1) of the Employment Act No.6 of 2006, Sections 2, 25, 30, 31 and 32 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006.
29. THAT whatever I have stated hereinabove is true and correct to the best of my knowledge.

SWORN at Kampala

this...31<sup>st</sup>...day of...August.....2022

by the said KAGOYE ROBINAH

.....  
  
 DEPONENT

Before me:



**Drawn & filed by:**

M/s Tuhimbise & Co. Advocates,  
 Plot 54, Kampala Road,  
 Damanico Building, Office C-02,  
 P.O Box 36340, Kampala  
 e-mail: alextuhimbise83@gmail.com  
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 e-mail: kkazimoto92@gmail.com  
 Tel No: 0771-620-626/0703-287-744


A

**AUTHORITY TO SWEAR AN AFFIDAVIT**

We, M/s PLATFORM FOR VENDORS IN UGANDA LIMITED, M/s UGANDA MARKET AND ALLIED EMPLOYEES' UNION and M/S UGANDA ARTISANS & GENERAL WORKERS' UNION do hereby authorize **KAGOYE ROBINAH** on our behalf, to swear/ depone the Affidavit in support of this Constitutional Petition against the Attorney General of Uganda before the Constitutional Court of Uganda.

Dated at Kampala this .....<sup>31<sup>st</sup></sup>.....day of .....<sup>August</sup>.....2022


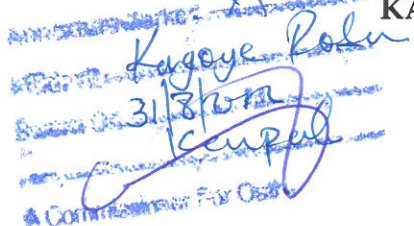
Signed by:   
.....  
**PLATFORM FOR VENDORS IN UGANDA LTD  
(DIRECTOR)**

Signed by:   
.....  
**UGANDA MARKET & ALLIED EMPLOYEES UNION  
(GENERAL SECRETARY)**

Signed by:   
.....  
**UGANDA ARTISANS & GENERAL WORKERS' UNION  
(GENERAL SECRETARY)**

I, **KAGOYE ROBINAH** being the Director of **VOICES FOR LABOUR LIMITED** (the 1<sup>st</sup> Petitioner in the above captioned matter), do hereby accept to swear/ depone the Affidavit in support of the Petition on behalf of M/s **PLATFORM FOR VENDORS IN UGANDA LIMITED**, M/s **UGANDA MARKET AND ALLIED EMPLOYEES UNION** and M/S **UGANDA ARTISANS & GENERAL WORKERS' UNION**.

Dated at Kampala this .....<sup>31<sup>st</sup></sup>.....day of .....<sup>August</sup>.....2022

  
.....  
**KAGOYE ROBINAH**  
  
Kagoye Robinah  
31/8/22  
Kampala



B

## Observation (CEACR) - adopted 2019, published 109th ILC session (2021)

### Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) - Uganda (Ratification: 2005)

The Committee recalls that, in reply to the International Trade Union Confederation's observations of 2012 and 2013 relating to allegations of restrictions to freedom of assembly imposed by the Public Order Management Act 2013, the Government had indicated that the Act was applied so as to ensure that public gatherings take place in harmony and peace. The Committee had noted that the Act provides that organizers of public meetings, who fail to comply with its requirements (including time frames for giving notice of the meetings and time limits during which public meetings can take place), commit an act of disobedience of statutory duty which is punishable under the Penal Code with imprisonment, and had requested the Government to discuss with the social partners the application and impact of the Public Order Management Act and to provide information on the outcome of the discussions. The Committee notes the Government's statement that it will implement the Committee's recommendation with urgency. **Consistent with this statement, the Committee expects the Government will soon be in a position to provide information on developments in this regard.**

Articles 2 and 3 of the Convention. Legislative matters. In its previous comments, the Committee had requested the Government to take measures to amend or repeal the following provisions of the Labour Unions Act of 2006 (LUA):

- -Section 18 (process of registration of a labour union shall be completed within 90 days from the date of application). The Committee had recalled

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Handwritten signature: Sifa  
Handwritten signature: Kaggwa  
Stamp: A COMMITTEE FOR OBIT

that registration procedures that are overly lengthy may constitute serious obstacles to the establishment of organizations, and had requested the Government to take the necessary measures to amend section 18 of the LUA so as to shorten the time frame for registration of a trade union.

- -Section 23(1) (interdiction or suspension of union officers by the Registrar). The Committee had recalled that: (i) any removal or suspension of trade union officers, which is not the result of an internal decision of the trade union, a vote by members, or normal judicial proceedings, seriously interferes with the right of trade unions to elect their representatives in full freedom, enshrined in *Article 3* of the Convention; (ii) provisions which permit the suspension and removal of trade union officers by the administrative authorities are incompatible with the Convention; and (iii) only the conviction on account of offences, the nature of which is such as to prejudice the aptitude and integrity required to exercise trade union office may constitute grounds for disqualification from holding such office. The Committee had requested the Government to take steps to amend section 23(1) of the LUA so as to ensure that the Registrar may only remove or suspend trade union officers after conclusion of the judicial proceedings and only for reasons in line with the principle cited above.
- -Section 31(1) (eligibility condition of being employed in the relevant occupation). The Committee had noted the Government's indication of its intention to contact the trade unions so that they could express their views on this issue, and had requested it to take the necessary measures to amend section 31(1) of the LUA in conjunction with such consultations so as to introduce flexibility either by admitting as candidates for union office persons who have previously been employed in that occupation, or by exempting from that requirement a reasonable proportion of the officers of an organization.
- -Section 33 (excessive regulation by the Registrar of an organization's annual general meeting; contravention subject to sanction under section 23(1)). The Committee had requested the Government to provide

information regarding the steps taken to repeal section 33 to guarantee the right of organizations to organize their administration.

The Committee welcomes the Government's indication that it has initiated the process to review the LUA and that the Committee's recommendations will be taken into consideration. ***The Committee requests the Government to provide information on any developments in this regard.***

In its previous comments, the Committee had also requested the Government to take the necessary measures to amend section 29(2) of the Labour Disputes (Arbitration and Settlement) Act of 2006 (LDASA) so as to ensure that the responsibility for declaring a strike illegal does not lie with the Government, but with an independent body that has the confidence of the parties involved. The Committee notes the Government's indication that an amendment bill 2019 to the LDASA is before Parliament for discussion. ***Trusting that section 29(2) of the LDASA will be amended to ensure that the responsibility for declaring a strike illegal does not lie with the Government, but with an independent body that has the confidence of the parties involved, the Committee requests the Government to provide information on any developments in this regard.***

Finally, concerning Schedule 2 of the LDASA (list of essential services), the Committee had noted the Government's indication that the harmonization of the list of essential services in the LDASA with that in the 2008 Public Service Act (Negotiating, Consultative and Disputes Settlement Machinery) was going to be undertaken by the new Labour Advisory Board, which was appointed in October 2015, and had therefore requested the Government to provide information on this matter. The Committee notes the Government's indication that an amendment bill 2019 to the LDASA is before Parliament for discussion. ***Trusting that the harmonization of the list of essential services will be part of the new legislation, the Committee -***

*requests the Government to provide information on any further developments in this regard.*

TELEPHONES:  
SWITCHBOARD: 041-4347854  
041-4347855  
PERMANENT SECRETARY: 041-4343572  
FAX: 041256374  
E-MAIL: [ps@mglisd.go.ug](mailto:ps@mglisd.go.ug)  
WEBSITE: <http://www.mglisd.go.ug>



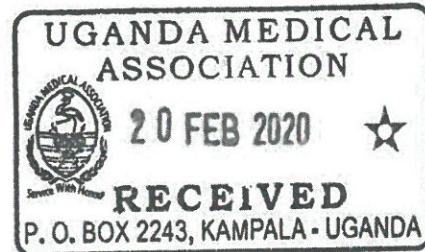
THE REPUBLIC OF UGANDA

Ministry of Gender, Labour  
and Social Development  
P.O. Box 7136  
Kampala  
Uganda

In any correspondence on  
this subject please quote No. **LEI 145/232/01**

20<sup>th</sup> December 2019

The General Secretary  
Uganda Medical Association  
**KAMPALA**



## APPLICATION OF REGISTRATION AS A LABOUR UNION

Reference is made to your application, ref UMA/SECRETARIAT/20190812, dated 12<sup>th</sup> August 2019, for registration as a labour union.

You are hereby notified that the registration of your organization, **"Uganda Medical Association"** as a labour union under the Labour Unions Act, 2006 and Labour Unions (Registration) Regulations 2011 is refused.

The grounds of the refusal are as follows:-

- i. The objectives of the union are not in line with the objects of a labour union as provided for under the Labour Unions Act 2006;
- ii. You did not provide proof of employer/employee relations, a key requirement for assessing provisions under Section 2 of the Labour Unions Act 2006;
- iii. The application was not accompanied with certificate of inspection prescribed in Form LU-3, contrary to Regulation 5 (d) of the Labour Unions (Registration) Regulations 2012; and
- iv. The constitution of the union fell short of some of the important requirements under Schedule 2 of the Labour Unions Act, 2006 and had the following gaps, among others:-
  - a. No clear objects for the union and conditions under which members may become entitled to any benefits issued.

TR

b. No amount of subscription and fees payable by a member.

*M. Wandera*

Martin Wandera

**REGISTRAR OF LABOUR UNIONS**

Copy to: Minister of Gender, Labour and Social Development  
Permanent Secretary, Ministry of Gender, Labour and Social  
Development  
Commissioner, Labour Industrial Relations and Productivity

C<sub>2</sub>

TELEPHONES  
SWITCHBOARD 041-4347804  
041-4347855  
PERMANENT SECRETARY 041-4343972  
FAX 041256374  
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THE REPUBLIC OF UGANDA

Ministry of Gender, Labour  
and Social Development  
P.O. Box 7136  
Kampala  
Uganda

REGISTRATION OF SOCIETIES ACT  
Registration Number: **LEI 145/232/01**

*Kagame Robert*  
*3/9/2021*  
*to [unclear]*  
COMMUNICATIONS SECTION

2<sup>nd</sup> September, 2021.

The General Secretary,  
National Union of Informal, Dependent and  
Industrial Out- Workers (NUIDIWO),  
KAMPALA.

**NOTIFICATION OF REFUSAL OF REGISTRATION AS A LABOUR UNION**

Reference is made to your application, dated 28<sup>th</sup> May 2021, for registration of a labour union.

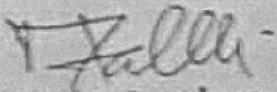
Pursuant to Section 19 (2) of the Labour Unions Act, you are hereby notified that the registration of your organization, "National Union of Informal, Dependent and Industrial Out- Workers (NUIDIWO)", as a labour union under the Labour Unions Act, 2006 and Labour Unions (Registration) Regulations, 2012 is refused.

The grounds of the refusal are as follows:-

1. The application was not made in the prescribed format, that is Form LU- 1 contrary to Regulation 3 of the Labour Unions (Registration) Regulations 2012;
2. The copies of the constitution were not certified, contrary to Section 15 (2) of the Labour Unions Act 2006;
3. Your application did not include:-
  - i. Particulars of the members making the application namely, the number, nationality, occupation and address of the members, contrary to Regulation 3 (a) of the Labour Unions (Registration) Regulations 2012;
  - ii. Particulars of each officer of the labour union namely, the name, title, nationality, age, address, contrary to Regulation 3 (c) of the Labour Unions (Registration) Regulations 2012;
  - iii. The occupation of the members, contrary to Regulation 3 (d) of the Labour Unions (Registration) Regulations 2012;
  - iv. Evidence of the name of the labour union reserved by the Registrar of companies, contrary to Regulation 5 (c) of the Labour Unions (Registration) Regulations 2012;
  - v. A certificate of inspection prescribed in Form LU-3 in the Third Schedule of the (Labour Unions (Registration) Regulations, 2012)

*TR*

issued by the Registrar, contrary to Regulation 5 (d) of the Labour Unions (Registration) Regulations 2012.



Martin Wandera

**REGISTRAR OF LABOUR UNIONS**

Copy to: Permanent Secretary, Ministry of Gender, Labour and Social Development  
Commissioner, Labour Industrial Relations and Productivity



D

FORM LU-3



THE REPUBLIC OF UGANDA  
THE LABOUR UNIONS ACT  
No. 7 OF 2006

*D'*  
*Kagye Robert*  
*31/10/2006*  
*Kagye*  
COMMISSIONER OF LABOUR

CERTIFICATE OF REGISTRATION  
(Under Section 18 of the Act)

I HEREBY CERTIFY that UGANDA MARKET & ALLIED EMPLOYEES  
UNION (UMAEU)

Has this day been registered pursuant to section 18 of the Labour  
Unions Act No. 7 of 2006

Dated at Kampala, this 18TH Day of OCTOBER 2006

*[Signature]*  
REGISTRAR OF LABOUR UNIONS

COMMISSIONER  
LABOUR, EMPLOYMENT & INDUSTRIAL RELATIONS

REGISTER No. LU 23

**THE REPUBLIC OF UGANDA  
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA**

**CONSTITUTIONAL PETITION NO.....OF 2022**

- 1. VOICES FOR LABOUR LIMITED**
- 2. PLATFORM FOR VENDORS IN UGANDA LIMITED**
- 3. UGANDA MARKET AND ALLIED EMPLOYEES UNION**
- 4. UGANDA ARTISANS AND GENERAL WORKERS UNION:.....PETITIONERS**

**VERSUS**

**THE ATTORNEY GENERAL OF UGANDA:.....RESPONDENT**

**SUMMARY OF EVIDENCE**

The Petitioners will prove that the provisions in Respondent's legislations complained of in the Petition and supporting Affidavit are inconsistent and in contravention with the provisions of the Constitution of Uganda and International law.

**LIST OF WITNESSES**

1. The Petitioners' Officials.
2. Others with leave of Court

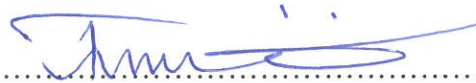
**LIST OF DOCUMENTS**

1. All annexures attached to and/or documents referred to in the Petitioners' Affidavit.
2. Others with leave of court

**LIST OF AUTHORITIES**

1. The Constitution of the Republic of Uganda, 1995
2. The Labour Unions Act No.7 of 2006
3. The Employment Act No.6 of 2006
4. The Labour Disputes( Arbitration and Settlement) Act, No.8 of 2006
5. The Occupational Safety and Health Act No. 9 of 2006
6. The Workers Compensation Act, 2000
7. International instruments and/or Conventions
8. Others with leave of Court

DATED at Kampala this 31<sup>st</sup> day of August 2022



.....  
**COUNSEL FOR THE PETITIONERS**

**Drawn & filed by:**

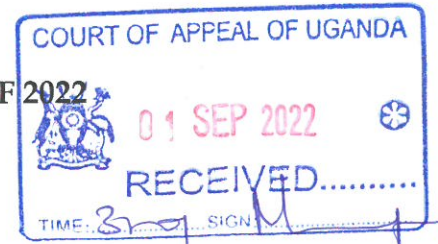
*M/s Tuhimbise & Co. Advocates,  
Plot 54, Kampala Road  
Damanico Building, Office C-02,  
P.O Box 36340, Kampala  
e-mail: [alexthimbise83@gmail.com](mailto:alexthimbise83@gmail.com)  
Tel. 0782576807*

&

*M/s Kazimoto & Kiwa Advocates  
Plot 9, Wadriff Road,  
Godgiven Building, 2<sup>nd</sup> Floor, Suite 9, Kampala,  
P.O Box 1102, Arua,  
e-mail: [kkazimoto92@gmail.com](mailto:kkazimoto92@gmail.com)  
Tel. 0771-620-626/0703-287-744*

THE REPUBLIC OF UGANDA  
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

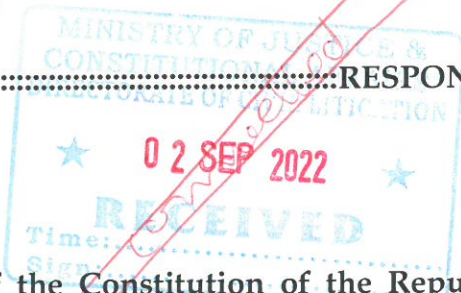
CONSTITUTIONAL PETITION NO.....24.....OF 2022



1. VOICES FOR LABOUR LIMITED
2. PLATFORM FOR VENDORS IN UGANDA LIMITED
3. UGANDA MARKET AND ALLIED EMPLOYEES UNION
4. UGANDA ARTISANS AND GENERAL WORKERS UNION.....PETITIONERS

VERSUS

THE ATTORNEY GENERAL OF UGANDA.....RESPONDENT



PETITION

(Brought under Article 137(1), (3)(a) & (4) of the Constitution of the Republic of Uganda, 1995 as amended and the Constitutional Court (Petitions and References) Rules SI 91 of 2005)

THE HUMBLE PETITION of VOICES FOR LABOUR LIMITED, PLATFORM FOR VENDORS IN UGANDA LIMITED, UGANDA MARKET AND ALLIED EMPLOYEES UNION and UGANDA ARTISANS AND GENERAL WORKERS' UNION (hereinafter referred to as 'the Petitioners') whose names are stated at the front of this Petition and whose address for purpose of this Petition is stated at the foot of this Petition Showeth that:-

1. The 1<sup>st</sup> Petitioner, VOICES FOR LABOUR LIMITED is a civil society organization incorporated as a company limited by guarantee and having no share capital under the laws of the Republic of Uganda to defend and promote the rights and interests of Workers through legal aid and representation, research, advocacy, campaigns and training among other methods.
2. The 2<sup>nd</sup> Petitioner, PLATFORM FOR VENDORS IN UGANDA LIMITED is a civil society organisation incorporated as a company limited by guarantee and having no share capital under the laws of the Republic of Uganda to organise vendors and informal businesses so as to strengthen their organizational capacities to fully participate, lobby, network and contribute towards creating decent and productive work.

FEES PAID.....10,000  
RECEIPT NO.....002282294  
SIGN..... [Signature] TITLE..... [Signature]  
DATE..... 1/09/22

FEES PAID.....200,000  
RECEIPT NO.....  
SIGN..... [Signature] TITLE..... [Signature]  
DATE..... 1/09/22

3. The 3<sup>rd</sup> Petitioner, UGANDA MARKET AND ALLIED EMPLOYEES UNION is a duly registered Labour Union organizing and representing employees the markets of Uganda.
4. The 4<sup>th</sup> Petitioner, UGANDA ARTISANS AND GENERAL WORKERS UNION is a duly registered Labour Union organizing and representing workers in the artisanal and other informal workers in Uganda.
5. The Petitioners herein are keen and are actively engaged in matters relating to governance, constitutionalism, recognition, promotion and enforcement of rights and interests of workers in the informal economy in Uganda.
6. The Petitioners herein are ardent believers in good governance, the rule of law, constitutional governance and fundamental human rights and freedoms. The Petitioners believe that they have a duty to protect the sanctity of the Constitution of the Republic of Uganda, 1995 as amended.
7. The Petitioners herein bring this Petition in the higher public interest, to seek the interpretation of the matters herein which they believe have created a chasm and also, continue to be a recipe for the abuse of the sanctity of the Constitution of the Republic of Uganda, 1995 as amended, as stated in the preceding paragraphs of this Petition.
8. The Respondent is the Attorney General of the Republic of Uganda and the Principal Legal Advisor to the Government of Uganda.
9. Your Petitioners allege that:-
  - (a) **Section 2 of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1)(e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended** in as far as it limits the definition of a Labour Union to only employees, excluding workers in the informal economy who are in law or practice not covered or insufficiently covered by formal arrangements.
  - (b) **Section 3 of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1) (e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended** in as far as it gives the right to freedom of association and collective bargaining to only employees excluding the self -employed and other categories of workers in the informal economy.

- (c) **Section 18(4) of the Labour Unions Act No.7 of 2006** which prescribes an overly lengthy period of 90 days for registration of a Labour Union; constitutes a serious obstacle to the establishment of a Labour Union and is inconsistent with and in contravention of **Articles 21(1), 21(2), 29(1) (e), 40(3), 45 of the Constitution of the Republic of Uganda, 1995 as amended.**
- (d) **Regulation 5(e) (iv) of the Labour Unions (Registration) Regulations, 2012** that requires an application for registration of a labour union to be accompanied by the *"name and address of each officer's employer"* hinders the registration of labour unions that represent workers in the informal economy who are in law or practice not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1), 21(2), 29(1)(e), 40(3) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.**
- (e) **Section 3(1) of the Employment Act No.6 of 2006** restricts applicability of the Act to employees employed by an employer under a contract of service, expressly excluding workers in the informal economy who are in law or practice not covered or insufficiently covered by formal arrangements, and is therefore inconsistent with and in contravention of **Articles 21(1) & (2), 40(1) and 45 of the Constitution of the Republic of Uganda, as amended.**
- (f) **Sections 2 and 25 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006** restricts applicability of the said Act to persons who enters into a contract of service or an apprenticeship contract, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), 126(2)(a), of the Constitution of the Republic of Uganda, 1995 as amended.**
- (g) **Section 30 of the Labour Disputes ( Arbitration and Settlement)Act No.8 of 2006** restricts the right to participate in an industrial action or to act in contemplation or furtherance of an industrial action in connection with a labour dispute to persons who have entered into a contract of service or an apprenticeship contract, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.**

- (h) **Section 31 of the Labour Disputes ( Arbitration and Settlement)Act No.8 of 2006** restricts the right to and of picketing, to persons who have entered into a contract of service or an apprenticeship contract or officials of a labour union representing that employees, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.**
  - (i) **Section 32 of the Labour Disputes ( Arbitration and Settlement) Act No.8 of 2006** limits the protection from acts of intimidation or annoyance to only employees, leaving out workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.**
  - (j) **Section 3 of the Workers Compensation Act, Cap.225 (2000 Edition)** restricts liability to employers who have entered into a contract of service or an apprenticeship contract, expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and is therefore inconsistent with and in contravention of **Articles 21(1) & (2), 40(1)(a) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.**
10. **THIS** Petition is supported by the Affidavit attached hereto, deponed by **KAGOYE ROBINAH**, and the said Affidavit shall be relied on at the hearing of this Petition, along with other Affidavits that shall be made available before the hearing.

**WHEREFORE**, your Petitioners bring this Petition in the higher public interest, for the good of the Republic of Uganda, in defence of constitutional order, good governance, promotion of rule of law and humbly pray that this Honourable Court be pleased to grant the following:

- (a) **DECLARATIONS** that;
  - (i) Section 2 of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1)(e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.

- (ii) Section 3 of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1) (e), 40(3), 21(1)(2) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.
- (iii) Section 18(4) of the Labour Unions Act No.7 of 2006 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1) (e), 40(3), 45 of the Constitution of the Republic of Uganda, 1995 as amended.
- (iv) Regulation 5(e) (iv) of the Labour Unions (Registration) Regulations, 2012 is inconsistent with and in contravention of Articles 21(1), 21(2), 29(1)(e), 40(3) and 45 of the Constitution of the Republic of Uganda Section 3(1) of the Employment Act No.6 of 2006 is inconsistent with and in contravention of Articles 21(1) & (2), 40(1) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.
- (v) Sections 2 and 25 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 are inconsistent with and in contravention of Articles 21(1) & (2), 126(2)(a), of the Constitution of the Republic of Uganda, 1995 as amended.
- (vi) Section 30 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 is inconsistent with and in contravention of Articles 21(1) & (2), 40(3) and 40(4) of the Constitution of the Republic of Uganda, 1995 as amended.
- (vii) Section 31 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 is inconsistent with and in contravention of Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.
- (viii) Section 32 of the Labour Disputes ( Arbitration and Settlement)Act No.8 of 2006 is inconsistent with and in contravention of Articles 21(1) &(2), and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended.
- (ix) Section 3 of the Workers compensation Act, 2000 is inconsistent and in contravention of Articles 21(1)&(2), 40(1)(a) and 45 of the Constitution of the Republic of Uganda, 1995 as amended.



(b) **ORDERS** that;

- (i). The Labour Unions Act, No.7 of 2006 be amended/modified to enable Workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements to form and join (a) Labour Union(s) to all workers without discrimination.
- (ii) The Employment Act No.6 of 2006 be amended to apply without restriction, to workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
- (iii) Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 be amended to apply to workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
- (iv) The Workers Compensation Act, 2000 be amended to extend liability under the Act to employers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
- (v) Any other or further declaration and/or order that this Honourable Court may deem fit to grant.
- (vi) Each Party to meet their own Costs.

**YOUR** Petitioners' Advocates are:

- (a) **M/s Tuhimbise & Co. Advocates, Plot 54, Kampala Road, Damanico Building, 1<sup>st</sup> Floor, Office C-02, P.O Box 36340, Kampala.**
- (b) **M/s Kazimoto & Kiwa Advocates, Plot 9, Wadriff Road, Godgiven Building (Opposite former UEB Offices), above Rhema Medical Centre, 2<sup>nd</sup> Floor, Suite 9, P.O Box 1102 Arua.**

DATED at Kampala this.....31<sup>st</sup>.....day of.....08.....2022

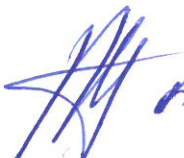
.....  
  
.....  
**1<sup>st</sup> PETITIONER**

 STEPHEN ODARO PAODE (GENERAL SECRETARY)  
PLAVU.

.....  
2<sup>nd</sup> PETITIONER

 MWIJUKA JESCA (DEPUTY GENERAL SECRETARY)

.....  
3<sup>rd</sup> PETITIONER

 ANTHONY WANYAMA (GENERAL SECRETARY)

.....  
4<sup>th</sup> PETITIONER

**To be served on:**

The Attorney General of Uganda,  
Attorney General's Chambers,  
Ministry of Justice & Constitutional Affairs,  
Queens Chambers, Plot 1, Parliament Avenue,  
Kampala.

**Drawn & filed by:**

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P.O Box 36340, Kampala  
e-mail: [alexthimbise83@gmail.com](mailto:alexthimbise83@gmail.com)  
Tel. 0782576807

&

M/s Kazimoto & Kiwa Advocates  
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Godgiven Building, 2<sup>nd</sup> Floor, Suite 9, Kampala  
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Tel. 0771-620-626/0703-287-744

THE REPUBLIC OF UGANDA  
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

CONSTITUTIONAL PETITION NO.....OF 2022 COURT OF APPEAL OF UGANDA



1. VOICES FOR LABOUR LIMITED
2. PLATFORM FOR VENDORS IN UGANDA LIMITED
3. UGANDA MARKET AND ALLIED EMPLOYEES UNION
4. UGANDA ARTISANS AND GENERAL WORKERS UNION.....PETITIONERS

VERSUS

THE ATTORNEY GENERAL OF UGANDA.....RESPONDENT

AFFIDAVIT IN SUPPORT OF THE PETITION

I, KAGOYE ROBINAH of C/o M/s Tuhimbise & Co. Advocates, Plot 54, Kampala Road, Damanico Building, 1<sup>st</sup> Floor, Office C-02, P.O Box 36340, Kampala, Uganda do hereby make an oath and swear as follows:-

1. THAT I am a female adult Ugandan of sound mind and the Director of VOICES FOR LABOUR LIMITED (the 1<sup>st</sup> Petitioner) also with the authorisation to swear this Affidavit on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Petitioners' behalf and I swear this affidavit in that capacity (see copy of authorisation annexed as "A").
2. THAT I am Lawyer with a specialised training and experience in Labour and Employment with a keen interest in Constitutionalism. I am also an ardent researcher on topical issues revolving around labour law and practice. I firmly consider it my duty as a good citizen to safeguard, ensure and generally protect the sanctity of the Constitution of the Republic of Uganda.
3. THAT further, as a responsible Citizen, a Labour Rights Activist and by virtue of my legal training, I am aware of my duties as enshrined in the Constitution of the Republic of Uganda, 1995 as amended including but not restricted to safeguarding the Constitution of the Republic of Uganda and promoting the rule of law and Democracy.

4. THAT Article 137(3)(b) of the Constitution of Republic of Uganda, 1995 as amended allows me or any other person who alleges or believes that an Act of Parliament or any other law or anything in or done under the authority of any law, to petition the Constitutional Court for a declaration to that effect and for redress where appropriate.
5. THAT by virtue of my training and experience, I know that Articles 29(1)(e) and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended, guarantee the right of every worker to form or join a trade union or labour union of his or her own choice for the promotion and protection of his or her economic and social interests, to collective bargaining and representation and to withdraw his or her labour according to law.
6. THAT I also know that the Constitution of the Republic of Uganda provides equal protection of the law in all spheres of political, economic, social and cultural life, protects them from discrimination based on sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability as stipulated in Articles 21(1) and (2) of the Constitution of the Republic of Uganda as amended.
7. THAT I am also aware that the Parliament of Uganda is obligated to enact laws which provide for the right of persons to work under satisfactory, safe and healthy conditions as stipulated in Article 40(1)(a) of the Constitution of the Republic of Uganda, 1995 as amended.
8. THAT the Government of Uganda ratified the **International Labour Organisation's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)** on the 2<sup>nd</sup> day of June, 2005 and is therefore obligated to enforce the rights stated in the said Convention No. 87.
9. THAT the Government of Uganda ratified the **International Labour Organisation's Right to Organise and Collective Bargaining Convention, 1949 (No. 98)** on the 4<sup>th</sup> day of June, 1963 and is therefore obligated to enforce the rights stated in the said Convention No. 98.

10. That both Conventions No. 87 and 98 do recognise and promote the rights of workers including persons in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
11. **THAT** in the course of implementing the 1<sup>st</sup> Petitioner's activities, I noted that the definition of Labour Unions under the Labour Unions Act is restricted to any organization of employees created by employees for the purpose of representing the rights and interests of employees, unfairly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and who constitute 87% of Uganda's Labour force.
12. **THAT** I observed that such restrictive definition of Labour Unions unfairly excludes workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements and therefore contravene Articles 29(1)(e), 40(3), and 21(1) and (2) of the Constitution of the Republic of Uganda, 1995 as amended.
13. **THAT** further in contravention of Articles 29(1)(e), 40(3) and 21(1) &(2) of the Constitution of the Republic of Uganda, 1995 as amended, Section 3(1) of the Labour Unions Act No.7 of 2006 provides the right to freedom of association and collective bargaining to only employees excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
14. **THAT** Sections 2 and 3 of the Labour Unions Act No.7 of 2006 is discriminatory towards informal economy workers who do not enjoy a defined employment relationship or contract of service in as far as it bars them from enjoying their constitutionally guaranteed rights of freedom of association and collective bargaining.
15. **THAT** in contravention of Articles 29(1)(e) and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended, Section 18(4) of the Labour Unions Act gives a period of 90 (ninety) days to the Registrar of Labour Unions within which to register a Labour union which is overly long and may constitute a serious obstacle to the establishment of workers' organizations.

16. THAT I am aware that the International Labour Organisation's Committee on Freedom of Association has advised Uganda to amend Section 18 of its Labour Unions Act to provide for shorter period of registering a Labour Union (see copy of the observation of the ILO Committee on Freedom of Association is attached hereto and marked as annexure "B").
17. THAT in contravention of Articles 29(1)(e) and 40(3) of the Constitution of the Republic of Uganda, 1995 as amended, Regulation 5(e) (iv) of the Labour Unions (Registration) Regulations, 2012 requires an application for registration of a Labour Union to be accompanied by the **"name and address of each officer's employer"** which hinders the registration of informal economy Labour Unions seeking to represent workers who are purely in the informal economy that do not enjoy employer- employee relationships.
18. THAT the Registrar of Labour Unions has on certain and numerous occasions rejected applications by organisations of employees in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements, for registration as (a) labour union(s), on *interalia* the premise that the affected applicant(s) did not provide proof of Employer- Employee relations (see copies of correspondences the said rejections by the Registrar of Labour Unions are hereto attached and marked as annexures "C1" and "C2").
19. THAT I am privy to information that when the 3<sup>rd</sup> Petitioner for whom the 1<sup>st</sup> Petitioner provides legal advisory services, applied for registration before the Registrar of Labour Unions, the said registration was conditioned to the requirement that the Petitioner's name mandatorily include the word **"employees"** yet the 3<sup>rd</sup> Petitioner was by nature of operation only concerned with membership of market vendors who fall under the category of self-employed/own account workers (see copy of the Petitioner's Certificate of Registration annexed as "D").
20. THAT the Registrar of Labour Unions advised the 3<sup>rd</sup> Petitioner to limit its membership to only employees who are employed by Employers in markets.

21. **THAT** for the 4<sup>th</sup> Petitioner who draws some of its membership from the informal economy, its operations have been frustrated by the unfavourable and discriminative provisions of the Labour Unions Act No.6 of 2006 in as far as enforcing the right to collective bargaining is concerned.
22. **THAT** in contravention of Articles 21(1) & (2), 40(1) of the Constitution of the Republic of Uganda, 1995 as amended, Section 3(1) of the Employment Act No.6 of 2006 makes the application of the whole Act to only employees employed by an employer under a contract of service expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
23. **THAT** in further contravention of Articles 21(1) & (2), and 40(1) of the Constitution of the Republic of Uganda, 1995 as amended, Section 3(1) of the Employment Act No.6 of 2006 extends protection to only employees in a personal and bilateral employment relationship excluding workers in triangular and multilateral employment relationships.
24. **THAT** in contravention of Articles 21(1) &(2), 126(2)(a), of the Constitution of the Republic of Uganda, 1995 as amended, Sections 2 and 25 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 seeks to resolve disputes or conflicts between employees and employers, between employees, or between Labour Unions expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
25. **THAT** in contravention of Articles 21(1) & (2) and 40(3) & (4) of the Constitution of the Republic of Uganda, 1995 as amended, Section 30 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006 gives the right to industrial action to only employees expressly excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.
26. **THAT** in contravention and inconsistent with Articles 21(1) & (2), 40(1)(a) and 45 of the Constitution of the Republic of Uganda, as amended, Section 3 of the Workers compensation Act, 2000 places liability on only employers in a defined employment relationship with employees excluding workers in the informal economy who are in law or practice, not covered or insufficiently covered by formal arrangements.

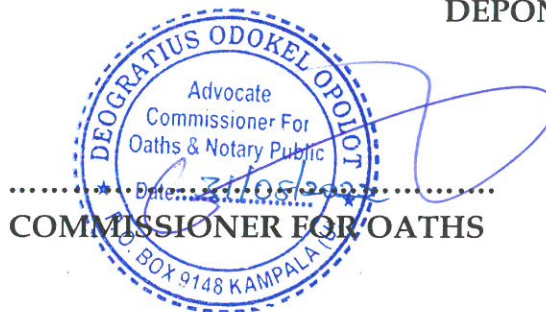
27. THAT the majority of the 3<sup>rd</sup> and 4<sup>th</sup> Petitioners' members do not enjoy an employee- employer relationship and as such they fall out of employment protection accorded by all the existing labour legislations in Uganda.
28. THAT I swear this Affidavit challenging the constitutionality of Sections 2, 3 and 18(4) of the Labour Unions Act No.7 of 2006, Regulation 5(e)(iv) of the Labour Unions( Registration) Regulations, 2012, Section 3(1) of the Employment Act No.6 of 2006, Sections 2, 25, 30, 31 and 32 of the Labour Disputes (Arbitration and Settlement) Act No.8 of 2006.
29. THAT whatever I have stated hereinabove is true and correct to the best of my knowledge.

SWORN at Kampala  
this...31<sup>st</sup>...day of...August.....2022  
by the said **KAGOYE ROBINAH**



DEPONENT

Before me:

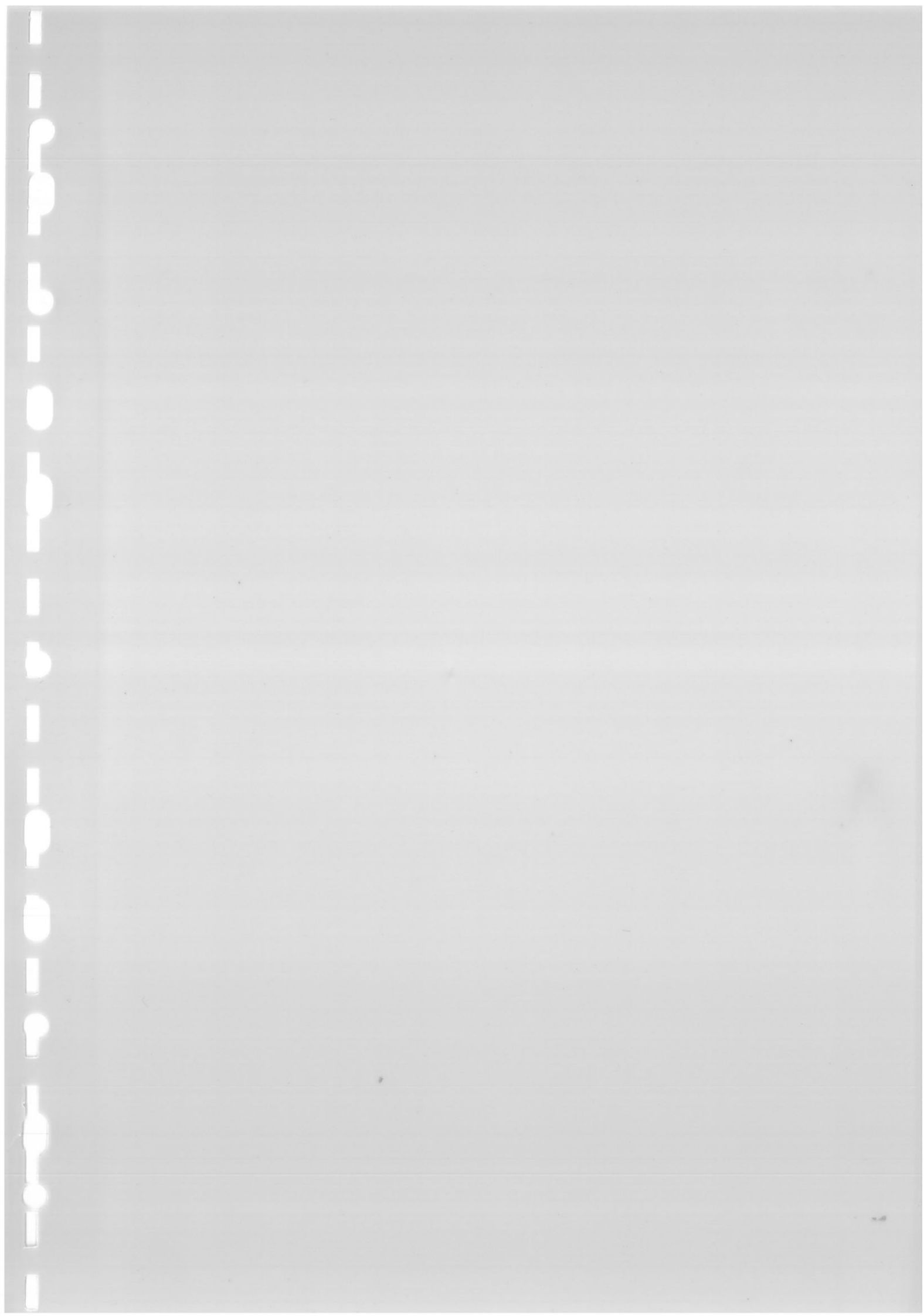


**Drawn & filed by:**

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A

**AUTHORITY TO SWEAR AN AFFIDAVIT**

We, M/s PLATFORM FOR VENDORS IN UGANDA LIMITED, M/s UGANDA MARKET AND ALLIED EMPLOYEES' UNION and M/S UGANDA ARTISANS & GENERAL WORKERS' UNION do hereby authorize KAGOYE ROBINAH on our behalf, to swear/ depone the Affidavit in support of this Constitutional Petition against the Attorney General of Uganda before the Constitutional Court of Uganda.

Dated at Kampala this 31<sup>st</sup> day of August 2022

Signed by: [Signature] STEPHEN ODARO PADOE  
PLATFORM FOR VENDORS IN UGANDA LTD  
(DIRECTOR)

Signed by: [Signature] MUTUKA JESCA  
UGANDA MARKET & ALLIED EMPLOYEES UNION  
(GENERAL SECRETARY)

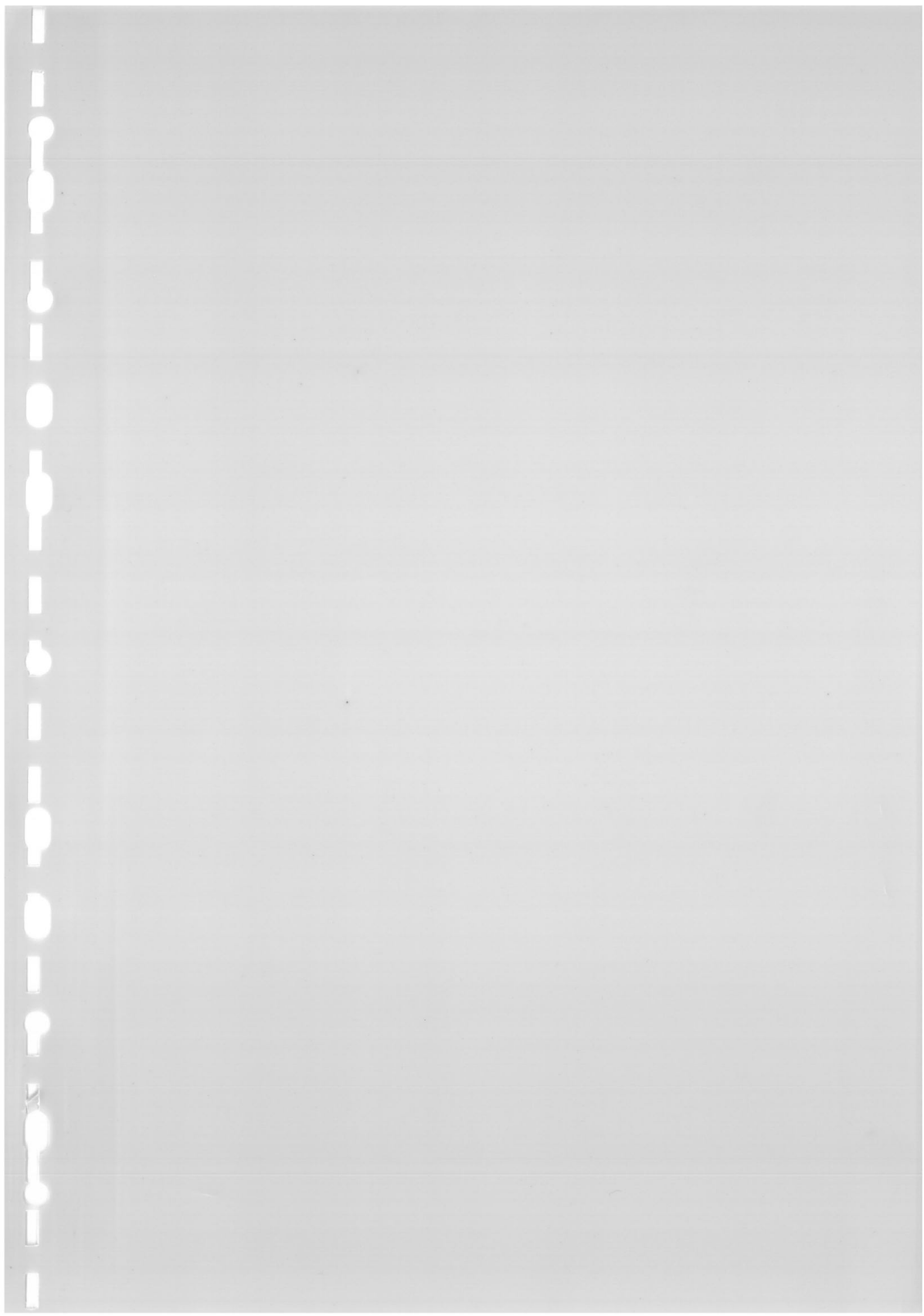
Signed by: [Signature] ANTHONY WANYAMA  
UGANDA ARTISANS & GENERAL WORKERS' UNION  
(GENERAL SECRETARY)

I, KAGOYE ROBINAH being the Director of VOICES FOR LABOUR LIMITED (the 1<sup>st</sup> Petitioner in the above captioned matter), do hereby accept to swear/ depone the Affidavit in support of the Petition on behalf of M/s PLATFORM FOR VENDORS IN UGANDA LIMITED, M/s UGANDA MARKET AND ALLIED EMPLOYEES UNION and M/S UGANDA ARTISANS & GENERAL WORKERS' UNION.

Dated at Kampala this 31<sup>st</sup> day of August 2022

[Signature]  
KAGOYE ROBINAH

Administrative  
Stamp: KAGOYE ROBINAH  
31/08/2022  
KAMPALA  
A Court of Appeals For Civil



B

Observation (CEACR) - adopted 2019,  
published 109th ILC session (2021)

Freedom of Association and Protection of the Right to  
Organise Convention, 1948 (No. 87) -  
Uganda (Ratification: 2005)

The Committee recalls that, in reply to the International Trade Union Confederation's observations of 2012 and 2013 relating to allegations of restrictions to freedom of assembly imposed by the Public Order Management Act 2013, the Government had indicated that the Act was applied so as to ensure that public gatherings take place in harmony and peace. The Committee had noted that the Act provides that organizers of public meetings, who fail to comply with its requirements (including time frames for giving notice of the meetings and time limits during which public meetings can take place), commit an act of disobedience of statutory duty which is punishable under the Penal Code with imprisonment, and had requested the Government to discuss with the social partners the application and impact of the Public Order Management Act and to provide information on the outcome of the discussions. The Committee notes the Government's statement that it will implement the Committee's recommendation with urgency. **Consistent with this statement, the Committee expects the Government will soon be in a position to provide information on developments in this regard.**

Articles 2 and 3 of the Convention. Legislative matters. In its previous comments, the Committee had requested the Government to take measures to amend or repeal the following provisions of the Labour Unions Act of 2006 (LUA):

- -Section 18 (process of registration of a labour union shall be completed within 90 days from the date of application). The Committee had recalled

that registration procedures that are overly lengthy may constitute serious obstacles to the establishment of organizations, and had requested the Government to take the necessary measures to amend section 18 of the LUA so as to shorten the time frame for registration of a trade union.

- -Section 23(1) (interdiction or suspension of union officers by the Registrar). The Committee had recalled that: (i) any removal or suspension of trade union officers, which is not the result of an internal decision of the trade union, a vote by members, or normal judicial proceedings, seriously interferes with the right of trade unions to elect their representatives in full freedom, enshrined in *Article 3* of the Convention; (ii) provisions which permit the suspension and removal of trade union officers by the administrative authorities are incompatible with the Convention; and (iii) only the conviction on account of offences, the nature of which is such as to prejudice the aptitude and integrity required to exercise trade union office may constitute grounds for disqualification from holding such office. The Committee had requested the Government to take steps to amend section 23(1) of the LUA so as to ensure that the Registrar may only remove or suspend trade union officers after conclusion of the judicial proceedings and only for reasons in line with the principle cited above.
- -Section 31(1) (eligibility condition of being employed in the relevant occupation). The Committee had noted the Government's indication of its intention to contact the trade unions so that they could express their views on this issue, and had requested it to take the necessary measures to amend section 31(1) of the LUA in conjunction with such consultations so as to introduce flexibility either by admitting as candidates for union office persons who have previously been employed in that occupation, or by exempting from that requirement a reasonable proportion of the officers of an organization.
- -Section 33 (excessive regulation by the Registrar of an organization's annual general meeting; contravention subject to sanction under section 23(1)). The Committee had requested the Government to provide

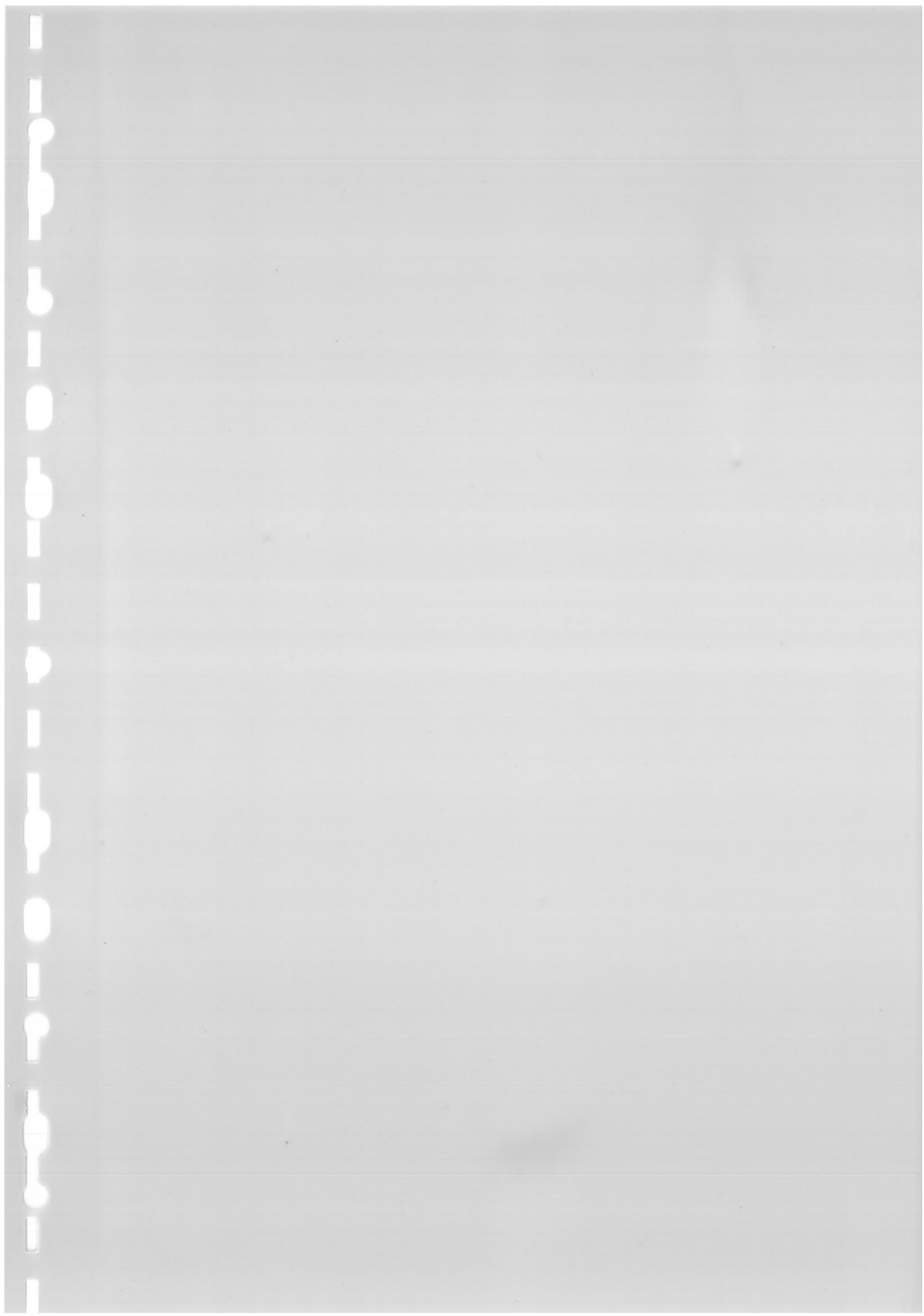
information regarding the steps taken to repeal section 33 to guarantee the right of organizations to organize their administration.

The Committee welcomes the Government's indication that it has initiated the process to review the LUA and that the Committee's recommendations will be taken into consideration. ***The Committee requests the Government to provide information on any developments in this regard.***

In its previous comments, the Committee had also requested the Government to take the necessary measures to amend section 29(2) of the Labour Disputes (Arbitration and Settlement) Act of 2006 (LDASA) so as to ensure that the responsibility for declaring a strike illegal does not lie with the Government, but with an independent body that has the confidence of the parties involved. The Committee notes the Government's indication that an amendment bill 2019 to the LDASA is before Parliament for discussion. ***Trusting that section 29(2) of the LDASA will be amended to ensure that the responsibility for declaring a strike illegal does not lie with the Government, but with an independent body that has the confidence of the parties involved, the Committee requests the Government to provide information on any developments in this regard.***

Finally, concerning Schedule 2 of the LDASA (list of essential services), the Committee had noted the Government's indication that the harmonization of the list of essential services in the LDASA with that in the 2008 Public Service Act (Negotiating, Consultative and Disputes Settlement Machinery) was going to be undertaken by the new Labour Advisory Board, which was appointed in October 2015, and had therefore requested the Government to provide information on this matter. The Committee notes the Government's indication that an amendment bill 2019 to the LDASA is before Parliament for discussion. ***Trusting that the harmonization of the list of essential services will be part of the new legislation, the Committee -***

*requests the Government to provide information on any further developments in this regard.*

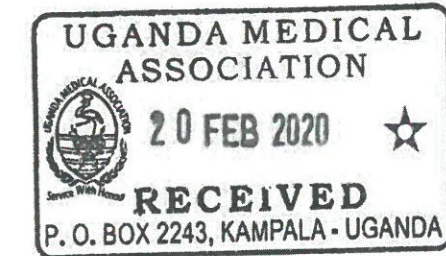




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FAX: 041256374  
E-MAIL: [ps@mglsd.go.ug](mailto:ps@mglsd.go.ug)  
WEBSITE: <http://www.mglsd.go.ug>



THE REPUBLIC OF UGANDA



**Ministry of Gender, Labour  
and Social Development**  
P.O. Box 7136  
Kampala  
Uganda

In any correspondence on  
this subject please quote No. **LEI 145/232/01**

20<sup>th</sup> December 2019

The General Secretary  
Uganda Medical Association  
**KAMPALA**

## APPLICATION OF REGISTRATION AS A LABOUR UNION

Reference is made to your application, ref UMA/SECRETARIAT/20190812, dated 12<sup>th</sup> August 2019, for registration as a labour union.

You are hereby notified that the registration of your organization, **"Uganda Medical Association"** as a labour union under the Labour Unions Act, 2006 and Labour Unions (Registration) Regulations 2011 is refused.

The grounds of the refusal are as follows:-

- i. The objectives of the union are not in line with the objects of a labour union as provided for under the Labour Unions Act 2006;
- ii. You did not provide proof of employer/employee relations, a key requirement for assessing provisions under Section 2 of the Labour Unions Act 2006;
- iii. The application was not accompanied with certificate of inspection prescribed in Form LU-3, contrary to Regulation 5 (d) of the Labour Unions (Registration) Regulations 2012; and
- iv. The constitution of the union fell short of some of the important requirements under Schedule 2 of the Labour Unions Act, 2006 and had the following gaps, among others:-
  - a. No clear objects for the union and conditions under which members may become entitled to any benefits issued.

TR

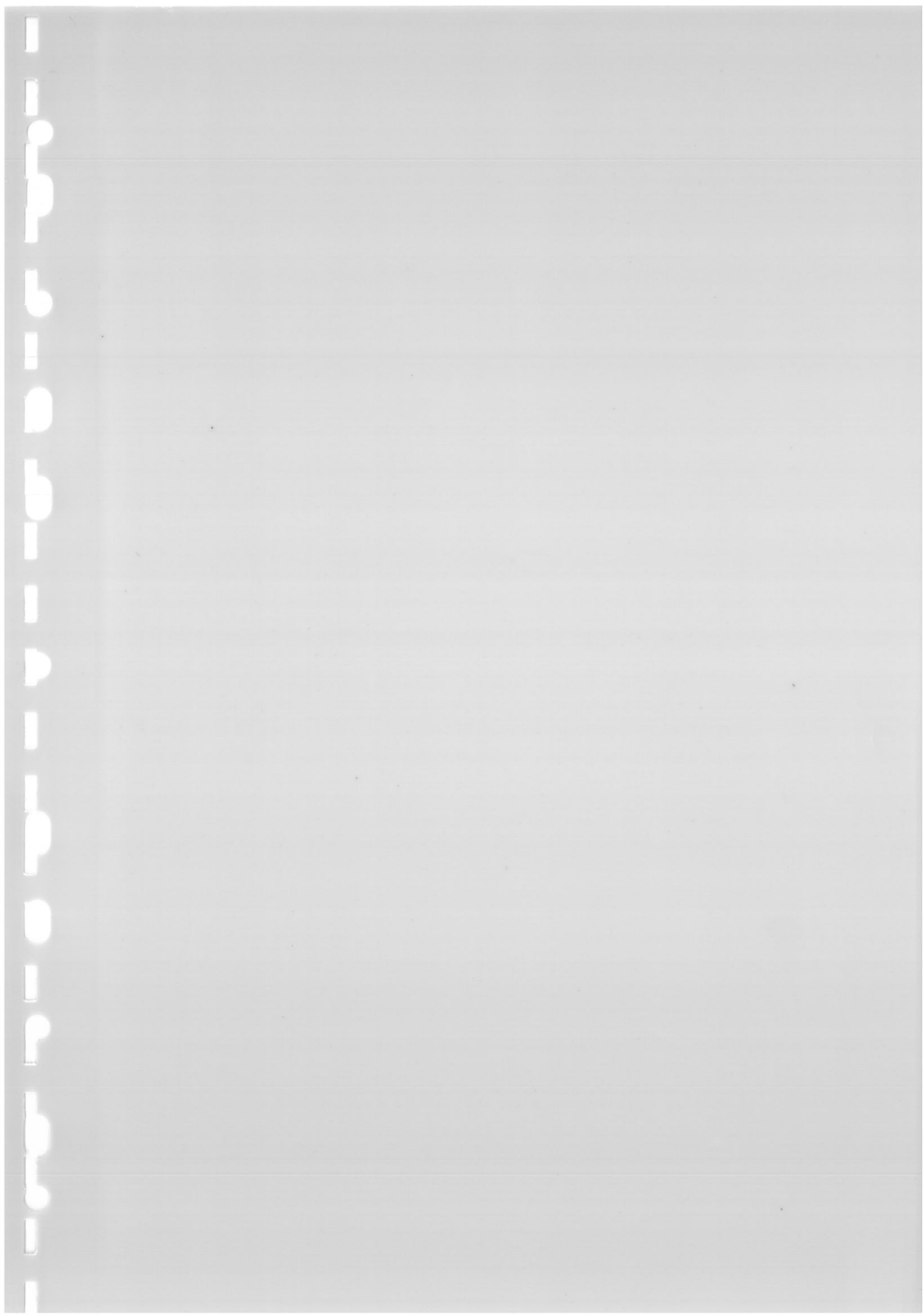
b. No amount of subscription and fees payable by a member.



Martin Wandera

**REGISTRAR OF LABOUR UNIONS**

Copy to: Minister of Gender, Labour and Social Development  
Permanent Secretary, Ministry of Gender, Labour and Social  
Development  
Commissioner, Labour Industrial Relations and Productivity



Advertisement Services  
KAGOME RUBINAH  
31/08/2022  
KAMPALA  
Commissioner For Oats

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041-4347855  
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THE REPUBLIC OF UGANDA

Ministry of Gender, Labour  
and Social Development  
P.O. Box 7136  
Kampala  
Uganda

For any correspondence on  
the subject please quote Ref No: **LEI 145/232/01**

2<sup>nd</sup> September, 2021.

The General Secretary,  
National Union of Informal, Dependent and  
Industrial Out- Workers (NUIDIWO),  
KAMPALA.

**NOTIFICATION OF REFUSAL OF REGISTRATION AS A LABOUR UNION**

Reference is made to your application, dated 28<sup>th</sup> May 2021, for registration of a labour union.

Pursuant to Section 19 (2) of the Labour Unions Act, you are hereby notified that the registration of your organization, "**National Union of Informal, Dependent and Industrial Out- Workers (NUIDIWO)**", as a labour union under the Labour Unions Act, 2006 and Labour Unions (Registration) Regulations, 2012 is refused.

The grounds of the refusal are as follows:-

1. The application was not made in the prescribed format, that is Form LU- 1 contrary to Regulation 3 of the Labour Unions (Registration) Regulations 2012;
2. The copies of the constitution were not certified, contrary to Section 15 (2) of the Labour Unions Act 2006;
3. Your application did not include:-
  - i. Particulars of the members making the application namely, the number, nationality, occupation and address of the members, contrary to Regulation 3 (a) of the Labour Unions (Registration) Regulations 2012;
  - ii. Particulars of each officer of the labour union namely, the name, title, nationality, age, address, contrary to Regulation 3 (c) of the Labour Unions (Registration) Regulations 2012;
  - iii. The occupation of the members, contrary to Regulation 3 (d) of the Labour Unions (Registration) Regulations 2012;
  - iv. Evidence of the name of the labour union reserved by the Registrar of companies, contrary to Regulation 5 (c) of the Labour Unions (Registration) Regulations 2012;
  - v. A certificate of inspection prescribed in Form LU-3 in the Third Schedule of the (Labour Unions (Registration) Regulations, 2012)

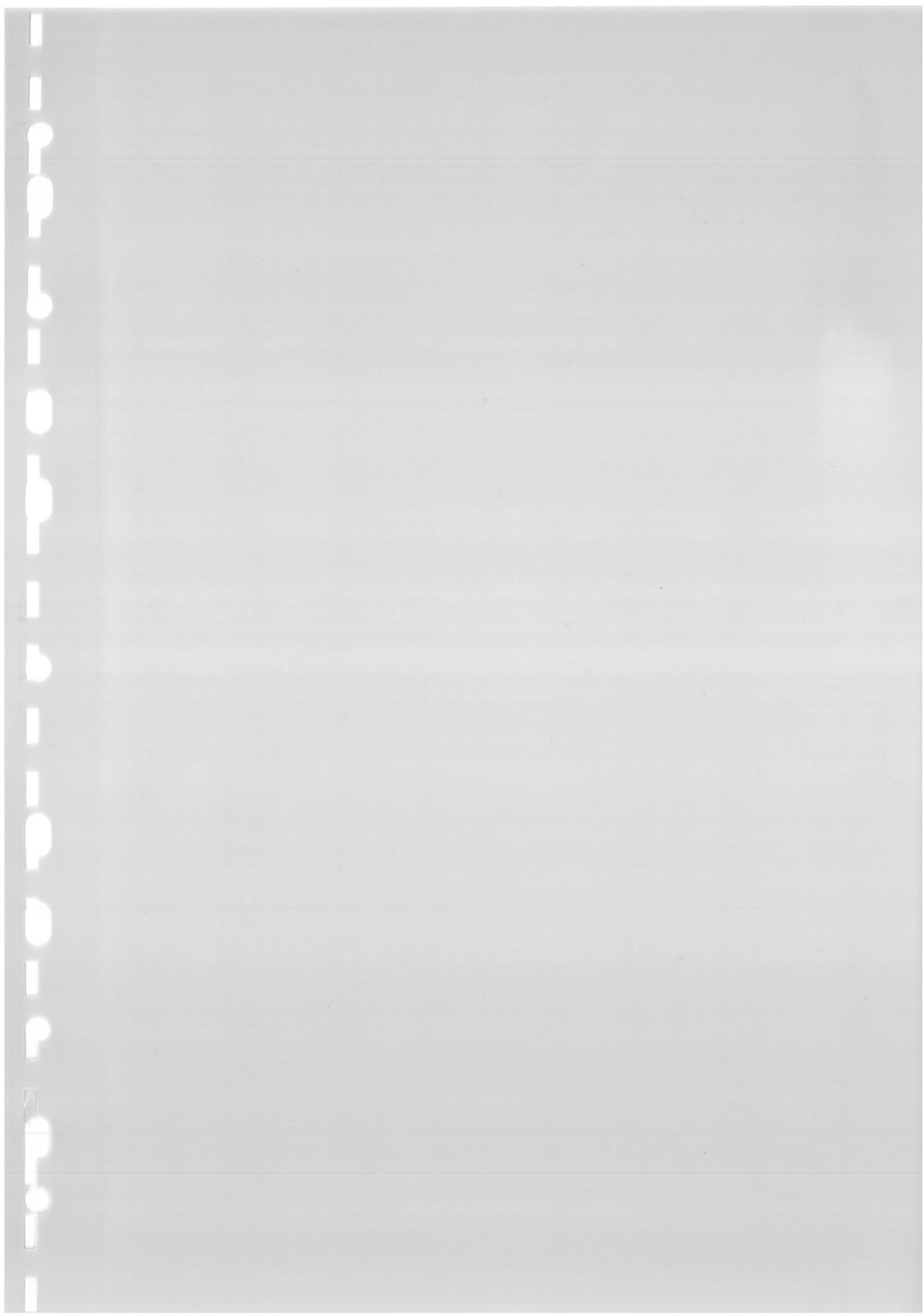
*TR*

issued by the Registrar, contrary to Regulation 5 (d) of the Labour Unions (Registration) Regulations 2012.

*M. Wandera*  
Martin Wandera

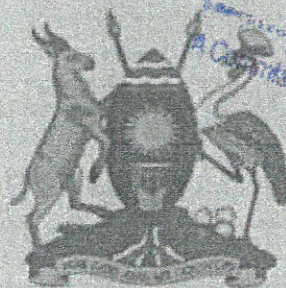
**REGISTRAR OF LABOUR UNIONS**

Copy to: Permanent Secretary, Ministry of Gender, Labour and Social Development  
Commissioner, Labour Industrial Relations and Productivity



D

REGISTRATION NO. LU 23  
KAGAYE ROBINAH  
31st/05/2022  
KAMPALA  
A Certificate for Office



THE REPUBLIC OF UGANDA  
THE LABOUR UNIONS ACT  
No. 7 OF 2006

CERTIFICATE OF REGISTRATION  
(Under Section 18 of the Act)

I HEREBY CERTIFY that UGANDA MARKET & ALLIED EMPLOYEES  
UNION (UMAEU)

Has this day been registered pursuant to section 18 of the Labour  
Unions Act No. 7 of 2006

Dated at Kampala, this 18TH Day of OCTOBER 2006

*[Signature]*  
REGISTRAR OF LABOUR UNIONS

COMMISSIONER  
LABOUR, EMPLOYMENT & INDUSTRIAL RELATIONS

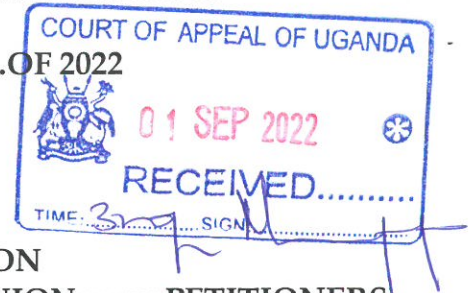
REGISTER No. LU 23





THE REPUBLIC OF UGANDA  
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

CONSTITUTIONAL PETITION NO.....OF 2022



1. VOICES FOR LABOUR LIMITED
2. PLATFORM FOR VENDORS IN UGANDA LIMITED
3. UGANDA MARKET AND ALLIED EMPLOYEES UNION
4. UGANDA ARTISANS AND GENERAL WORKERS UNION:.....PETITIONERS

VERSUS

THE ATTORNEY GENERAL OF UGANDA:.....RESPONDENT

SUMMARY OF EVIDENCE

The Petitioners will prove that the provisions in Respondent's legislations complained of in the Petition and supporting Affidavit are inconsistent and in contravention with the provisions of the Constitution of Uganda and International law.

LIST OF WITNESSES

1. The Petitioners' Officials.
2. Others with leave of Court

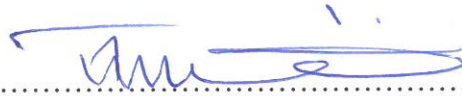
LIST OF DOCUMENTS

1. All annexures attached to and/or documents referred to in the Petitioners' Affidavit.
2. Others with leave of court

LIST OF AUTHORITIES

1. The Constitution of the Republic of Uganda, 1995
2. The Labour Unions Act No.7 of 2006
3. The Employment Act No.6 of 2006
4. The Labour Disputes( Arbitration and Settlement) Act, No.8 of 2006
5. The Occupational Safety and Health Act No. 9 of 2006
6. The Workers Compensation Act, 2000
7. International instruments and/or Conventions
8. Others with leave of Court

DATED at Kampala this <sup>31<sup>st</sup></sup>.....day of <sup>August</sup>.....2022



.....  
**COUNSEL FOR THE PETITIONERS**

**Drawn & filed by:**

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&

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