

CHAPTER 150

THE NAKIVUBO WAR MEMORIAL STADIUM TRUST ACT

Arrangement of Sections

Section

1. Interpretation
2. Establishment of Nakivubo War Memorial Stadium Trust
3. Establishment and constitution of Board of Trustees
4. Chairperson of Board
5. Proceedings of Board
6. Board to keep accounts
7. Powers of Board
8. Application of trust property
9. Appointment and meetings of Management Committee
10. Functions of Management Committee
11. Protection from personal liability of members of Board, *etc.*

SCHEDULES

- | | |
|-------------------|--|
| <i>Schedule 1</i> | Scheduled Property in Freehold Register |
| <i>Schedule 2</i> | Scheduled Property in Leasehold Register |

CHAPTER 150**THE NAKIVUBO WAR MEMORIAL STADIUM TRUST ACT**

Commencement: 20 August, 1953

An Act to provide for the establishment of a trust for the furtherance of organised games and to incorporate its trustees.

1. Interpretation

In this Act, unless the context otherwise requires—

“Board” means the Board of Trustees appointed under section 3;

“Committee” means the Management Committee appointed under section 9;

“scheduled property” means the parcels of land described in the Schedules to this Act together with all buildings and erections on those parcels;

“trust property” means all land, buildings, rights, money, securities, credits, effects and all other property of or vested in the Board or to which the Board is seized, possessed or entitled and includes the scheduled property.

2. Establishment of Nakivubo War Memorial Stadium Trust

(1) There is established a trust to be known as the Nakivubo War Memorial Stadium Trust for the purpose of administering the trust property in such manner as to encourage the participation in athletic sports and games of organised bodies of the residents of Uganda.

(2) The Trust shall be administered, controlled and managed in accordance with this Act.

3. Establishment and constitution of Board of Trustees

(1) For the purpose of administering, controlling and managing the trust property there is established a Board of Trustees which shall be a body corporate by the name of “The Trustees of the Nakivubo War Memorial Stadium Trust” and by that name shall have perpetual succession and a common seal, and in connection with the purposes and subject to the

provisions of this Act, with power to purchase, hold, manage and dispose of real and personal property and such other powers as are conferred by this Act.

(2)The Board shall consist of not less than seven and not more than nine members appointed by the Minister by notice in the *Gazette*.

(3)Each member appointed to the Board shall hold office for such period as shall be specified in the notice of appointment and shall on the expiry of that period be eligible for re-appointment.

(4)If any member appointed to the Board—

- (a) dies;
- (b) resigns;
- (c) ceases to be a member by effluxion of time;
- (d) is absent from Uganda for a continuous period exceeding one year;
- (e) is declared bankrupt or enters into any composition with his or her creditors;
- (f) is convicted of any crime involving moral turpitude; or
- (g) is unable by reason of infirmity of mind or body, in the opinion of the Minister, to perform the duties of a member of the Board,

there shall be deemed to be a vacancy on the Board, and the Minister shall appoint another person to the Board in place of that member.

(5)The common seal of the Board shall be authenticated by the signatures of the Chairperson of the Board or of some other member of the Board authorised by the Board in that behalf and of one other member of the Board.

(6)The Board shall appoint a secretary to the Board who shall be an officer of the Board, but not a member of the Board, who shall conduct the correspondence and keep the records of the Board and perform such other duties as the Board may direct.

(7)The Board may appoint a treasurer to the Board who shall be an officer of the Board, but not a member of the Board, who shall keep the accounts and perform such other duties as the Board may direct.

4. Chairperson of Board

(1) The Minister shall appoint a chairperson and a vice chairperson of the Board, each of whom shall be a member of the Board appointed under section 3.

(2) Except as provided in subsection (3), the Chairperson or, in his or her absence, the Vice Chairperson shall preside at all meetings of the Board.

(3) In the absence of the Chairperson and Vice Chairperson, the members present at any meeting shall elect one of their number to be chairperson for the purpose of such meeting.

5. Proceedings of Board

(1) At any meeting of the Board four members shall constitute a quorum for the transaction of business.

(2) A decision of the majority of members present at any meeting of the Board shall be deemed to be the decision of the Board.

(3) The Chairperson or Vice Chairperson or member elected to be chairperson shall have a deliberative vote in common with the other members of the Board; and if upon any question the voting shall be equal, he or she shall, in addition, have a casting vote.

(4) The Board may appoint, from among their number, any committee for any special purpose that it may deem expedient.

(5) The Board may make rules for the transaction of the business of the Board or of any committee of the Board.

6. Board to keep accounts

(1) The Board shall keep a full and correct account of all money vested, received and expended in and by it and shall at the end of each calendar year submit to the Minister a report of the operations of the Board, accompanied by statements of assets and liabilities and revenue and expenditure.

(2) The accounts of the Board shall be subjected to an annual audit by the Auditor General or an auditor appointed by the Auditor General.

7. Powers of Board

Subject to this Act, for the purpose of the administration, control and management of the trust property the Board may—

- (a) sue and be sued in its corporate name;
- (b) acquire by purchase, gift or otherwise or hold lands and rights, easements or interests therein or thereover and any other property;
- (c) erect, alter, enlarge or improve any building or other erection upon any part of the trust property;
- (d) with the consent of the Minister, borrow and raise money upon such terms and conditions as may be approved by the Minister; except that the Board shall not permit any mortgage or other charge whether legal or equitable to be created so as to affect the scheduled property or any part of it;
- (e) sell, lease, dispose of or otherwise deal in the trust property or any part of it; except that the Board shall not sell, lease, dispose of or otherwise deal in the scheduled property or any part of it;
- (f) invest any money not immediately required in and upon any investment for the time being authorised by law for the investment of trust money and vary any such investment;
- (g) plant, drain, level and otherwise improve and alter any land forming part of the trust property;
- (h) employ upon such terms and conditions as it may determine such managers, agents, servants or workers as may be necessary;
- (i) hire or permit the use of such part of the trust property as consists of land, buildings or equipment to or by any person for the purpose of conducting any athletic or sporting contests or games, at such fee, if any, as the Board may determine;
- (j) use the trust property or any part of it for the purpose of promoting and holding any athletic or sporting contests or games;
- (k) use the trust property or any part of it for the purpose of promoting and holding a parade, exhibition, fete, bazaar or any other function for which the trust property or any part of it is or becomes suitable, or hire or permit the use of such part of the trust property as consists of land, buildings and equipment to or by any person for any such purpose, at such fee, if any, as the Board may determine;

- (l) make charges for admission to that trust property or any part of it of persons desiring to witness any athletic contests, any games or any other function, or in its discretion, permit any person or body of persons to whom the trust property or any part of it has been let, hired or permitted to be used under paragraphs (i), (j) and (k) to make such charges;
- (m) support and aid in the establishment and support, whether by the grant or loan, with or without interest, of money or otherwise, of any association or body formed for the purpose of promotion and encouragement of athletic sport and games; and
- (n) do all such acts, matters and things as may be necessary for carrying out the provisions and purposes of this Act.

8. Application of trust property

The Board shall apply the trust property and any income derived from the trust property to or for the purposes of the trust; and if any land forming the whole or part of the trust property shall be sold, the proceeds of the sale shall be paid and applied in such manner as the Minister, with the advice of the Board, shall direct.

9. Appointment and meetings of Management Committee

(1) For the purpose of advising the Board in the management and control of the trust property, the Board shall appoint a Management Committee and the Vice Chairperson of the Board shall be the chairperson of the Committee.

(2) The Committee shall consist of the chairperson and not more than twelve persons, who need not be members of the Board, appointed by the Board with the approval of the Minister.

(3) A person appointed to the Committee shall hold office for a period fixed by the Board and shall on the expiry of that period be eligible for re-appointment.

- (4) If any person appointed a member of the Committee-
 - (a) dies;
 - (b) resigns;
 - (c) ceases to be a member by effluxion of time;

(d) is absent from Uganda for a continuous period exceeding one year;

(e) is declared bankrupt or enters into any composition with his or her creditors;

(f) is convicted of any crime involving moral turpitude; or

(g) is unable by reason of infirmity of mind or body in the opinion of the Board to perform the duties of a member of the Committee,

there shall be deemed to be a vacancy on the Committee, and the Board may appoint another person to be a member in place of that person.

(5) The chairperson of the Committee shall preside at all meetings of the Committee; except that in the absence of the Chairperson, the persons present at any meeting of the Committee shall elect one of their number to be Chairperson for the purposes of the meeting.

(6) At any meeting of the Committee five persons shall constitute quorum for the transaction of business.

(7) A decision of the majority of persons present at any meeting of the Committee shall be deemed to be the decision of the Committee.

(8) The chairperson or person elected to be chairperson shall have a deliberative vote in common with the other members of the Committee, and if upon any question the voting shall be equal, he or she shall in addition have a casting vote.

10. Functions of Management Committee

(1) Subject to any general or special directions of the Board, the Committee may exercise the powers conferred upon the Board by virtue of the provisions of section 7(h), (i), (j), (k) and (l), and all acts done by the Committee in exercise of the powers conferred shall be deemed to have been done by the Board.

(2) The Committee shall submit to the Board either monthly, or at such intervals as the Board may direct, a report of the exercise of the powers specified in subsection (1), and at the same time account to the Board for all money received and expended in connection with the exercise of those powers.

(3) Subject to subsection (1), any matter relating to the administration, management or control of the trust property shall first be referred to the Committee which shall consider the matter and advise the Board upon the exercise of its powers in connection with the matter.

11. Protection from personal liability of members of Board, etc.

No matter or thing done by the Chairperson or any member, officer or employee of the Board or by any member of the Committee *bona fide* for the purpose of executing any of the provisions of this Act shall render the Chairperson, member, officer or employee personally responsible to any action, liability, claim or demand whatever.

SCHEDULES

Schedule 1

Section 1

Scheduled Property in Freehold Register

All that parcel of land situate in the Mengo district containing 11.62 acres or thereabouts and registered in Volume 3, Folio 24, of the freehold register.

Schedule 2

Section 1

Scheduled Property in Leasehold Register

All that parcel of land situate in the Mengo district containing 0.836 acre or thereabouts and contained in Volume 247, Folio 3, of the leasehold register.

History: Cap. 129 (Revised Edition, 1964); Cap. 47 (Revised Edition, 2000)
