



# Uganda Independence Act 1962

## 1962 CHAPTER 57

### **1 Provision for fully responsible status of Uganda**

- (1) On the ninth day of October, nineteen hundred and sixty-two (in this Act referred to as "the appointed day"), the territories which at the passing of this Act are comprised in the Uganda Protectorate (that is to say, all those territories which, whether designated as kingdoms, districts or otherwise, are specified in section one of the Constitution set out in the Second Schedule to the existing Constitution Order, and whose boundaries are as mentioned in section two of that Constitution) shall together form part of Her Majesty's dominions under the name of Uganda; and as from the appointed day Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Uganda or any part thereof.
- (2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Uganda, or any part of Uganda, as part of the law thereof; and as from that day the provisions of the First Schedule to this Act shall have effect with respect to legislative powers in Uganda.
- (3) The agreements which, in the Second Schedule to this Act, are specified by their titles as mentioned in that Schedule, and any agreement (whether made before or after the passing of this Act) whereby any of those agreements is varied or superseded, shall cease to have effect as from the appointed day.
- (4) Subsection (1) of this section shall not affect the operation in Uganda or any part thereof of any enactment, or any other instrument having the effect of law, passed or made before the appointed day.

### **2 Consequential modifications of British Nationality Acts**

- (1) As from the appointed day, the British Nationality Acts, 1948 and 1958, shall have effect as if—
  - (a) in subsection (3) of section one of the said Act of 1948 (which provides for persons to be British subjects or Commonwealth citizens by virtue of citizenship of certain countries) there were added at the end the words " and Uganda ";

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*Status: This is the original version (as it was originally enacted).*

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- (b) in the First Schedule to the British Protectorates, Protected States and Protected Persons Order in Council, 1949, the words " Uganda Protectorate " were omitted:

Provided that a person who, immediately before the appointed day, is for the purposes of the said Acts and Order in Council a British protected person by virtue of his connection with the Uganda Protectorate shall not cease to be such a British protected person for any of those purposes by reason of anything contained in the preceding provisions of this Act, but shall so cease upon his becoming a citizen of Uganda under the law thereof.

- (2) Subject to the following provisions of this section, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if—
- (a) under the law of Uganda he becomes on that day a citizen of Uganda ; and
  - (b) he, his father or his father's father was born in Uganda.
- (3) Subject to subsection (8) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under the last preceding subsection if he, his father or his father's father—
- (a) was born in the United Kingdom or in a colony; or
  - (b) is or was a person naturalised in the United Kingdom and Colonies; or
  - (c) was registered as a citizen of the United Kingdom and Colonies; or
  - (d) became a British subject by reason of the annexation of any territory included in a colony.
- (4) A person shall not cease to be a citizen of the United Kingdom and Colonies under subsection (2) of this section if he was born in a protectorate or protected state, or if his father or his father's father was so born and is or at any time was a British subject.
- (5) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be such a citizen under subsection (2) of this section unless her husband does so.
- (6) Subsection (2) of section six of the British Nationality Act, 1948 (which provides for the registration as a citizen of the United Kingdom and Colonies of a woman who has been married to such a citizen) shall not apply to a woman by virtue of her marriage to a person who ceases to be such a citizen under subsection (2) of this section, or who would have done so if living on the appointed day.
- (7) Subject to the next following subsection, the reference in paragraph (b) of subsection (3) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the British Nationality Act, 1948, have become a person naturalised in the United Kingdom and Colonies by virtue of subsection (6) of section thirty-two of that Act (which relates to persons given local naturalisation before that commencement in a colony or protectorate).
- (8) Any reference in subsection (3) or subsection (4) of this section to a colony, protectorate or protected state shall, subject to the next following subsection, be construed as a reference to a territory which is a colony, protectorate or protected state on the appointed day; and the said subsection (3) shall not apply to a person by virtue of any certificate of naturalisation granted or registration effected by the

governor or government of a territory outside the United Kingdom which is not a colony, protectorate or protected state on that day.

- (9) The protectorates of Northern Rhodesia and Nyasaland shall be excepted from the operation of any reference in subsection (4) or subsection (8) of this section to a protectorate.
- (10) Part III of the British Nationality Act, 1948 (which contains supplemental provisions) shall have effect for the purposes of subsections (2) to (9) of this section as if those subsections were included in that Act.

### **3 Consequential modification of other enactments**

- (1) Notwithstanding anything in the Interpretation Act, 1889, the expression " colony " in any Act of the Parliament of the United Kingdom passed on or after the appointed day shall not include Uganda or any part thereof.
- (2) The expression "colony" in the Army Act, 1955, the Air Force Act, 1955, and the Naval Discipline Act, 1957, shall not include Uganda or any part thereof; and, as from the appointed day, in the definitions of " Commonwealth force " in subsection (1) of section two hundred and twenty-five and subsection (1) of section two hundred and twenty-three respectively of the said Acts of 1955, and in the definition of " Commonwealth country " in subsection (1) of section one hundred and thirty-five of the said Act of 1957, at the end there shall be added the words " or Uganda ".
- (3) No Order in Council made on or after the appointed day under section one of the Army and Air Force Act, 1961, shall operate to continue either of the said Acts of 1955 in force as part of the law of Uganda or any part thereof.
- (4) As from the appointed day, the provisions specified in the Third Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule, and Her Majesty may by Order in Council, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make such further adaptations in any Act of the Parliament of the United Kingdom passed before this Act, or in any instrument having effect under any such Act, as appear to Her necessary in consequence of section one of this Act; and any Order in Council made under this subsection may be varied or revoked by a subsequent Order in Council so made, and, though made alter the appointed day, may be made so as to have effect from that day.
- (5) The last preceding subsection shall not extend to Uganda, or any part of Uganda, as part of the law thereof.

### **4 East African Common Services Organisation**

- (1) For the purposes of the making of loans to the East African Common Services Organisation, and in relation to loans made at any time to that organisation, section two of the Colonial Development and Welfare Act, 1959 (which authorises the making of loans by the Secretary of State) shall have effect on and after the appointed day as if Uganda had not ceased to be a colony within the meaning of that Act.
- (2) In this section " the East African Common Services Organisation" means the organisation established under that name by an agreement made on the ninth day of December, nineteen hundred and sixty-one, between the Governments of Tanganyika, Kenya and Uganda.

## **5 Interpretation**

- (1) In this Act " the existing Constitution Order " means the Uganda (Constitution) Order in Council, 1962, made on the twenty-sixth day of February, nineteen hundred and sixty-two.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

## **6 Short title**

This Act may be cited as the Uganda Independence Act, 1962.