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PART I - PRELIMINARY

1 – Commencement

This Act shall come into force upon publication in the Gazette.

2 - Interpretation

In this Act, unless the Context otherwise requires –

“Gender” means male or female;

“Homosexuality” means same gender or same sex sexual acts;

“Homosexual” means a person who engages or attempts to engage in same gender sexual activity.

“Minister” means the Minister responsible for Ethics and Integrity.

“Sexual act” means –

- (a) Stimulation or penetration of a vagina or mouth or anus or any part of the body, however slight of any person by a sexual organ;
- (b) The use of any object or organ by a person on another person’s sexual organ or anus or mouth;

“Sexual organ” means-a vagina or penis.

PART II: PROHIBITION OF HOMOSEXUALITY AND RELATED PRACTICES

3. Prohibition of homosexuality

- (1) Homosexuality is prohibited.
- (2) Any person who engages in homosexuality contrary to sub-section (1) commits an offense and on conviction is liable to a fine not exceeding 500 currency points or imprisonment not exceeding 10 years or both.

4. Aggravated homosexuality

- (1) Any person who commits the offense mentioned in section 3 above with another person who is below the age of 18 years in any of the circumstances specified in sub-section (2) of this section commits the offense and on conviction is liable to suffer death.
- (2) The circumstances referred to in sub-section (1) are as follows: -
 - (a) Where the person against whom the offense is committed is below the age of 14;
 - (b) Where the offender is infected with HIV;
 - (c) Where the offender is a parent or guardian or a person in authority over, the person against whom the offense is committed;
 - (d) Where the victim of the offense is a person with disability; or
 - (e) Where the offender is a serial offender.
- (3) Any person who attempts to commit the offense of homosexuality with another person below 18 years in any of the circumstances specifies in sub-section (2), commits an offense and is liable on conviction to imprisonment for life.
- (4) Where a person is charged with the offense under this section, that person shall undergo a medical examination to ascertain his or her HIV status.
- (5) Any person who without the consent of an adult victim being under their authority or not commits the offense mentioned in this section

5. Promotion of homosexuality

- (1) Any person who,
 - (a) Participates in production, trafficking, procuring, marketing, broadcasting, disseminating, publishing homosexual materials;
 - (b) Funds or sponsors homosexuality and related activities
 - (c) Offers premises and other fixed or movable assets

(d) Uses electronic devices which include internet, films, mobile phone and

(f) Who acts as an accomplice or attempts to legitimize or in any way abets homosexuality and related practices

Commits an offense and on conviction is liable to a fine of five thousand currency points or imprisonment of atleast five years or both.

(2) Where the offender is a corporate body or a business or an association or a Non-governmental organization conviction its Certificate of Registration shall be cancelled and the Director(s) or proprietors or promoter(s) shall be criminally liable.

6. Failure to report the offense

Any person who being aware of the commission of any offense under this Act omits to report the offense to the relevant authorities within 24 hours commits an offense and on conviction is liable to a fine not exceeding five hundred currency points or imprisonment not exceeding six months year.

PART IV -JURISDICTION

7. Jurisdiction.

Save for aggravated homosexuality which shall be tried by the High Court, other offenses under this Act shall be tried by the Magistrates Court.

8. Extra – Territorial Jurisdiction.

This Act shall apply to offences Committed outside Uganda Where-

- (1) A person who, while being a citizen of, or permanently residing in Uganda, Commits an act Outside Uganda, which act would Constitute an offence had it been Committed in Uganda.
- (2) The offence was committed partly outside and or partly in Uganda.

9. Extradition.

A person charged with offence under this Act shall be liable to extradition under the existing Extradition laws.

PART V-MISCELLANEOUS

10. Nullification of inconsistent International treaties, protocols, declarations and conventions.

(1). Any international legal instrument whose provisions are contradictory to the spirit and provisions enshrined in this Act, are null and void to the extent of their inconsistency.

(2). The foreign definitions of "sexual orientation", "sexual rights", "sexual minorities", "gender identity" shall not be used in anyway to legitimize homosexuality, gender identity disorders and related practices in Uganda.

11. Regulations.

The Minister may by statutory instrument make regulations to effect implementation of the provisions of this Act, and Promote the objects of this Act.

SCHEDULE 1

CURRENCY POINT

One currency point is equivalent to twenty thousand Shillings.