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NEW DEVELOPMENTS IN THE MAGISTRATES COURT (AMENDMENT) ACT, 2026

INTRODUCTION

The Parliament of Uganda enacted the Magistrates Courts (Amendment) Act, 2026 which was gazetted on 19th May 2026. The Amendment Act introduces the most significant structural and jurisdictional reforms to the magistracy ever since the enactment of the Magistrates Courts Act in 1971. The reforms are designed to decongest the High Court, modernise the magistracy, and align judicial capacity with Uganda's economic realities.

KEY AMENDMENTS

- Abolition of Magistrate Grade II.** The Amendment Act repeals the position of Magistrate Grade II in its entirety. The magistracy is restructured into two tiers: (a) Chief Magistrate; and (b) Magistrate (formerly Magistrate Grade I). References to “Magistrate Grade I” in the Principal Act and any other enactment are automatically substituted with “Magistrate”, while references to “Magistrate Grade II” are deleted consequentially across all legislation in force at commencement.
- Expanded Civil Pecuniary Jurisdiction.** Section 206 of the Principal Act is amended to substantially increase monetary thresholds for civil claims:

Court / Rank	Previous Limit	New Limit
Chief Magistrate	UGX 50,000,000	UGX 200,000,000
Magistrate	UGX 20,000,000	UGX 100,000,000

The Minister, on the advice of the Chief Justice and with parliamentary approval, may by statutory instrument further alter these thresholds, allowing periodic adjustment without fresh legislation.

- New Power to Withdraw and Transfer Cases.** A new section 217A is inserted granting Chief Magistrates Courts express power to:
 - Transfer any suit, appeal or proceeding pending before it to the High Court for trial or disposal; and
 - Withdraw any suit, appeal or proceeding from a Magistrate in the same magisterial area and thereafter: (i) try or dispose of it; (ii) transfer it to the High Court; or (iii) assign it to another Magistrate or return it to the originating Magistrate for disposal.

NOTE: The power is exercisable on a party’s application (after notice and hearing) or by the court on its own motion for just cause. The receiving court may retry the matter or proceed from the point of transfer, subject to any special directions.

- Enhanced Sentencing Powers (Fines).** Section 162(1)(b) is amended to raise the maximum fine a Magistrate may impose from UGX 4,800,000 (240 currency points) to UGX 10,000,000 (500 currency points), strengthening the deterrent effect of magistrate-level prosecution for statutory offences.
- Designation of Magisterial Areas.** The power to designate magisterial areas is transferred to the Chief Justice, acting on the advice of the Judiciary Council and by statutory instrument.

- Transitional Provisions.** Cases pending before the High Court that fall within the expanded jurisdiction of a Chief Magistrate shall be transferred to a Chief Magistrates Court provided hearing has not yet commenced or the High Court is satisfied that transfer is fair. Equivalent provisions apply to cases now falling within a Magistrate’s jurisdiction. The Chief Justice is mandated to issue practice directions governing these transfers.

IMPACT OF THE AMENDMENT

- Reduced Risk of Dismissal:** Whereas suits filed in Courts without the requisite pecuniary jurisdiction were previously susceptible to dismissal for want of jurisdiction, the amendment introduces the option of transferring such matters to the appropriate court, thereby mitigating the adverse consequences to litigants.
- Faster Disposal of Cases:** The transfer of a significant number of matters to lower courts is expected to reduce the heavy backlog of cases at the High Court, resulting in faster hearing and determination of cases.
- Cost Efficiency:** Litigating matters within local jurisdictions will reduce the need for clients to incur travel and accommodation expenses associated with pursuing cases in major urban centres where the High Court is situated.
- Expanded Jurisdiction of Magistrates’ Courts:** The increase in Civil jurisdiction allows Magistrates’ Courts to hear and finally determine a broader range of commercial disputes, including debt recovery claims, contractual disputes, and property matters. This is expected to promote quicker resolution of disputes and lower litigation costs due to the relative procedural efficiency of the magistracy compared to the High Court.
- Corporate and Regulatory Compliance:** The increase in the maximum fine to UGX 10,000,000 strengthens the deterrent effect of prosecutions conducted at the magistracy level for statutory offences. Companies are therefore advised to review and strengthen their compliance frameworks in relation to offences punishable under laws enforced by Magistrates’ Courts.



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LIKELY CHALLENGES ARISING FROM THE AMENDMENT

1. **Delays Due to Increased Caseloads:** Although the amendment aims to reduce backlog at the High Court, Magistrates' Courts may experience increased congestion due to the higher volume of cases now falling within their jurisdiction, potentially resulting in delays in hearing and determination of matters.
2. **Concerns Over Expertise in Complex Matters:** Some clients may be apprehensive about having complex commercial or high-value disputes determined at the magistracy level, particularly where matters involve specialised legal or technical issues.

3. **Administrative and Procedural Confusion:** Clients may experience delays arising from missing court files, scheduling conflicts, or procedural uncertainty during the transfer and reallocation of matters between courts.

CONCLUSION

The amendment to the Chief Magistrates Courts Act, 2026 introduces significant changes aimed at improving access to justice, reducing backlog, and enhancing efficiency in the court system. While it presents notable benefits, it also brings transitional and operational challenges for litigants and legal practitioners.

Clients are therefore advised to seek legal guidance and diligently follow up on their cases that are on the verge of being transferred to the Magistrates' Courts to ensure smooth progression and safeguard their interests.

Disclaimer

This Legal Alert is provided for general informational purposes only and does not constitute legal advice. The legal effect of joint tenancy or tenancy in common depends on the specific facts and registration details of each case. Readers are advised to seek professional legal guidance before making decisions relating to co-ownership or succession of property.

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