

**Reference No. 24 of 2020 Male H. Mbirizi K. Kiwanuka v. The Attorney General of the Republic of Uganda.**

**Coming up for Delivery of Judgement:** on the 26<sup>th</sup> day of March,2026.

**Filed on:** the 11<sup>th</sup> day of August, 2020

**Under Articles:** 23(1),27(1) &30(1) of the Treaty for the Establishment of the East African Community.

**Under Rules:** 25(1) of the East African Court of Justice rules of Procedure ,2019.

**Subject matter:** The decision of the judge about the money lenders Association.

**Summary;**

The Applicant in this reference against the Respondent alleges that the action of making a decision outside the 60 days required by the Uganda Judicial code of ethics. The Applicant alleges that the action to proceed with determination of the respondent`s preliminary objections before determination of the objections raised against the submissions within which the said objections were raised.

The reference is brought by the Applicant against the Respondent on grounds that the decision that the Applicant required a power of Attorney or to be an advocate duly appointed to act on behalf of money lenders Association of Uganda Ltd, where he is a General Secretary/ Director and MK financiers Ltd, where he is the managing Director to institute the cause and to appear and have audience in Court on behalf of the two companies,

The Applicant states that the decision that Uganda Registration services bureau could not be sued in respect of the decision it made which affected the Applicants interests in Moneylenders Association of Uganda Ltd and those of MK Financiers Ltd, where the Applicant is the managing Director,

Its further stated by the Applicant that the decision not to address the issues agreed upon to resolve the grievances of the parties on the basis that the Applicant herein had no locus and that a wrong party was sued.

And that the decision of dismissing Company Cause No.11 of 2019 with costs are unlawful and infringements on the fundamental and operational principles of the East African Community which include good governance including adherence to the principles of democracy, the rule of law, accountability, transparency and the maintenance of universally accepted standards of human Rights.

The Applicant seeks the following relief;

Applicant prays that this Honorable Court makes declaration that the process and the decisions of The Republic of Uganda1s High Court Commercial Judge are unlawful and

infringements on the fundamental and operational principles of the East African Community Treaty.

The Applicant prays for an Order annulling the process, actions and decisions of the Republic of Uganda`s High Court Judge.

Not only that, the Applicant also seeks an Order that Applicant herein is competent to institute a suit in Uganda High Court and represent money lenders Association of Uganda Ltd, where he is the General Secretary/ Director and MK Financiers Ltd, where he is a managing director, in Uganda Court,

Furthermore, Applicant seeks an Order that Uganda Registration Services Bureau can be sued over the decisions it makes in exercise of its statutory mandate.

This Honorable Court issues a permanent injunction restraining UGANDA Courts of Judicature from preventing the Applicant from representing Money lenders Association of Uganda Ltd, where he is the General/Secretary and MK Financiers Ltd, where he is the managing Director, in Uganda Courts,

Awards general damages to the Applicant due to disturbances and anguish caused to the Applicant arising out of the actions, decisions and directives complained against in this Reference.

Awards Costs of the Reference to the Applicant.

Awards an interest of 6% per annum on the damages awarded to the Applicant from the time of filling this reference till payment in full.

Finally, the Applicant prays that an interest of 6% per annum on damages award to each Ugandan flogged, arrested, charged, prosecuted and /or convicted out of the actions, decisions and directives complained against in this Reference.

*This is a document produced by the Registry to assist in understanding forthcoming matters before the Court. It does not bind the Court. For authoritative Decisions, Judgments and general information about the Court please visit <https://www.eacj.org> Contact: Registrar, East African Court of Justice, P.O. Box 1096 Arusha, Tanzania Tel: +255 27 2506093 Fax: +255 27 27 2509493 Email: [eacj@eachq.org](mailto:eacj@eachq.org)*