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THIRD SESSION - 29TH SITTING - THIRD MEETING

Tuesday, 23 April 2024

Parliament met at 10.04 a.m. in Parliament House, Kampala.

In memory of the First Lady, let us stand up and observe a moment of silence.

PRAYERS

(The House rose and observed a moment of silence.)

(The Speaker, Ms Anita Among, in the Chair.)

The House was called to order.

THE SPEAKER: Thank you very much. We have a very busy Order Paper. I wish you nice deliberations. Yes, Leader of the Opposition?

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, I welcome you to this morning's meeting. As you are aware, we have been handling the Rationalisation of Agencies and Public Expenditure (RAPEX) Bills. I sincerely thank you for the commitment you have put into these Bills and into offsetting the outstanding business.

10.09

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you, Madam Speaker. We have seen communication from the Minister for the Presidency that her ministry has appointed two Assistant Resident District Commissioners per district and city - about 300 of them. We would like to be kept in the loop to understand a couple of things.

I urge you to continue with that dedication in your work; we are doing what we ought to do. If, by God's grace, we finish the RAPEX Bills today, we will then start on the tax Bills. We need to take our time on them. Even if we pass one Bill a day, we will because we should handle them systematically.

One, the Government has been pushing us on rationalisation, saying we need to rationalise entities and send them back to the ministries so that we can save taxpayers' money and cut down on Government expenditure. That justification makes sense, but as we are doing that, we are seeing *-(Interruption)*

Honourable members, I have been informed of the demise of the former First Lady, *Nnalongo Kasalina Zawedde Muwanga*, the widow to the 6th President of Uganda, the late Paulo Muwanga. On behalf of Parliament and on my behalf, I relay condolences to the bereaved family and all the loved ones, Buganda and Uganda at large. May her soul rest in eternal peace.

THE SPEAKER: What is the point of order?

MR MACHO: Madam Speaker, this regime is for the National Resistance Movement and the National Unity Platform should allow the NRM to organise Government. This helps us to understand – *[Hon. Batuwa: "Order"]* –

THE SPEAKER: You cannot have an order on a point of order. Allow him to conclude his point of order. Why don't we be civilised, for heaven's sake?

MR MACHO: Madam Speaker, I would like to thank you for your words of wisdom; civilisation is key in political leadership. The Opposition should leave the ruling Government to organise its system. If we do not have a proper system to run a country, we shall not have effective service delivery.

I, therefore, do not know whether the Leader of the Opposition is to bring such an issue when we have very many burning issues in this country. Thank you.

THE SPEAKER: Thank you. I was trying to understand what the Leader of the Opposition was saying, but he was prematurely stopped. I request that we first understand what he wants to say then we make a pronouncement on it. (*Applause*) If it is in line with what Hon. Macho was saying, I will still give a ruling to that effect. So, let us first hear what the Leader of the Opposition is saying.

MR SSENKYONYI: Thank you, Madam Speaker. It is important that we also keep educating ourselves about our roles. The role of the Leader of the Opposition is to keep the Government in check. I just thought that I should educate my colleague.

Back to the issue I was raising, the Government has been pushing us to rationalise, the justification being to cut down on Government expenditure. As I was saying, that is a compelling argument. However, while we are rationalising to save taxpayers' money and to cut down on Government expenditure, here comes another huge Government expenditure that we need to understand.

You cannot preach water and then drink wine. What do I mean? You cannot say, "Let us rationalise and cut down on Government expenditure" and in the same breath, you are bringing in new people within the system that have got to be paid by the taxpayer. What sense

does it make, Madam Speaker? What role are the Assistant RDCs going to play that RDCs and Deputy RDCs cannot play? We need to have a good understanding of that.

The Minister for the Presidency has said, in her communication, that the Assistant RDCs are going to play three roles:

1. To promote patriotism;
2. To carry out mobilisation; and
3. To fight corruption.

We need to be helped to understand whether Assistant RDCs are now taking over the work of the Inspectorate of Government because there seems to be a lot of duplication. Also, if you are saying they are meant to carry out mobilisation, what is it for exactly? Is it mobilisation for the NRM? Is it mobilisation for Parliament? Mobilisation for what exactly? This needs to be broken down.

Finally, Madam Speaker, when you read Section 70 of the Local Governments Act, it provides for the calibre of people that should be appointed RDC. That is the legal provision, but by extension, we can cascade that down to anybody occupying or within the Office of the RDC.

Section 70 provides that these are meant to be people of high moral integrity; people whose conduct is not questionable. One of the people that have been appointed to this position of Assistant RDC, which position we are yet to fully understand, is a one Yiga Kisakyamukama. This person has been posted as Assistant RDC to Gomba District. In 2021, videos of this person made rounds –

THE SPEAKER: Honourable LOP, just a minute. You are raising a very important point, but I would like to ask the Government Chief Whip - We have so many ministers under that docket, let him call them. I do not want him to involve himself.

Wait and bring it as it is, even if it is in the middle of the debate or when we are at the Committee Stage. You will repeat your issue

because it is a very important point to be noted. Government -

10.16

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, I thank the Leader of the Opposition for raising this matter to seek clarity. He states, in clear terms, that his role is to keep the Government in check, but our role in Government is also to sustain our stay through the support of the people of Uganda. *(Applause)*

That said, I wish to request you, Madam Speaker, to give time to the Minister for the Presidency to come and provide clarification on the appointment of the Assistant Resident District Commissioners and Assistant Resident City Commissioners, their roles and responsibilities and why the National Resistance Movement Government thought it wise that we need to empower those officers that exist in our districts and cities.

In the circumstances, we could proceed with the items on the Order Paper. If that pleases you, you could give her the appropriate time to come and explain. Thank you.

THE SPEAKER: Government Chief Whip, can you first try to call her and tell us her availability before we decide to give her time?

10.18

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, I want to comment on what the Leader of the Opposition (LOP) said and also for the House to keep reflecting on this particular issue.

When we sit and approve these items - I remember in this budget, we approved money for assistant Resident District Commissioners (RDCs). The minister has taken action and then we come back *-(Interjection)-* no, this financial year, which is ending in June. The Government takes action and then you come back as if you were not involved; you were involved in approving this position.

THE SPEAKER: Let us get a report to that effect and get to know. If it is true that the money was approved, how much was it? Also, it still brings you to the calibre of people that the Leader of the Opposition is talking about. Do you bring in RDCs who just go on a rampage like the one of - I do not want to mention the name; let us get a paper to that effect. If we approved the money and the criteria -

10.19

MR DAN KIMOSHO (NRM, Kazo County, Kazo): Thank you, Madam Speaker. I agree with the minister that we approved the money. The major issue is, like any civil servants and public officers, they need serious scrutiny and to go through the process.

Looking through, even in the qualifications, there is no specific qualification for an RDC and that leaves it hanging for anyone – *(Interjections)*– Yes, it is part of what we should focus on; to develop some of those rules that govern the process of even appointing RDCs. You should be this person -

THE SPEAKER: Honourable members, I have already made a ruling to that effect. Let us come up with a paper to show that this amount of money was appropriated for the recruitment of deputy RDCs, this is the criteria and these are the requirements of a person.

You cannot pick somebody from anywhere to come and claim to be an RDC when the person has a bad track record. They must do due diligence on that.

MR SSENKYONYI: Madam Speaker, just to get quick guidance from you -

THE SPEAKER: There is a procedural matter.

MR KIBALYA: Thank you, Madam Speaker. It is good you have ruled that we shall receive a report from the minister, but we request that as the Whip talks to the minister to bring it, we already have challenges with some of these people because they did not go through the right channel.

We have experiences like those of Mr Anderson, the former RCC for Rubaga Division. Everybody has read what he has been writing; his arrogance and how he has handled - that shows the type of people that we have been having.

Now if the likes of Mr Anderson exist, the current ones that they have appointed - I have an example of one who did not go to school at all, but is also posing as the Assistant Resident District Commissioner.

Therefore, as the minister comes with his report, let him also show us those people he is appointing and their qualifications.

THE SPEAKER: Honourable, conclude. I have made a ruling to that effect.

MR SSENKYONYI: I want you to guide me further.

THE SPEAKER: For me, it is not about education, but the character of a person.

MR SSENKYONYI: The character is very important because we cannot have people who are occupying public offices, earning from the Consolidated Fund and they undress in public, hurl insults at people and traditional leaders like this Yiga person. It is unacceptable. If you could guide me further because you had asked the Government Chief Whip -

THE SPEAKER: I would like to refer you to Article 203 -

“Resident District Commissioner

- (1) *There shall be, for each district, a Resident District Commissioner who shall be appointed by the President.*
- (2) *For a person to be appointed a Resident District Commissioner, he or she shall be a citizen of Uganda and qualified to be a Member of Parliament.”*

An equivalent of a Member of Parliament and that is senior six.

- (3) *“The functions of a Resident District Commissioner are...”* - You will continue

from there, but what is paramount is that you should qualify to be a Member of Parliament.

MR SSENKYONYI: Thank you, Madam Speaker, for that pointer. There is a clear yardstick; academically, character-wise, moral-wise and all that is not mentioned here. You had asked the Government Chief Whip to step out and establish the availability of the minister, but then there is also the paper that should be presented to the Parliament -

THE SPEAKER: We should avoid this aspect of somebody working in the district where he was born because that is how they start fighting the sitting leadership. I am going to get a paper to that effect and we are going to scrutinise it. Next item. I am even losing my voice. Hon. Ssewungu -

MR SSEWUNGU: Madam Speaker, I am seeking your indulgence. As the other minister comes, would it not be procedurally okay to also invite the Minister of Works and Transport here? Because Masaka Road broke down and there are a lot of challenges along this road.

They worked on the Katonga Bridge, but ever since they put a provision, they have not done anything. It is sinking day by day and people are suffering. Most parts of this road are breaking day by day, but the Uganda National Roads Authority (UNRA) is not doing very well.

THE SPEAKER: Let us discuss that when discussing the rationalisation of UNRA, which will be around midday. We shall discuss that – and you may not put all the blame on UNRA because the money has to be released. They cannot do more than what they can.

Honourable minister, when will the minister bring a report?

10.25

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, the Minister for the Presidency has requested that the ministry be allotted space on the Order Paper tomorrow for them to come and brief Parliament on the appointment of the assistant

resident district and city commissioners. So, the Ministry for the Presidency will brief the House, with your affirmation, tomorrow.

THE SPEAKER: Thank you. Next item.

BILLS
SECOND READING

**THE NON-GOVERNMENTAL
ORGANISATIONS (AMENDMENT) BILL,
2024**

10.26

THE MINISTER OF STATE FOR DEFENCE AND INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Speaker, I beg to move that the Bill entitled, “The Non-Governmental Organisations (Amendment) Bill, 2024” be read for the second time.

THE SPEAKER: Is it seconded? (*Members rose*) It is seconded by Hon. Nathan Byanyima, Hon. Luttaguzi, Member for Aruu – by the whole House. Would you, please, speak to your motion?

GEN. MUHOOZI: Madam Speaker, the purpose of the Bill is to rationalise Government agencies and attendant public expenditure, but in particular, to mainstream the activities of the NGO bureau into the Ministry of Internal Affairs.

THE SPEAKER: Honourable committee chairperson, I am informed that this Bill has a minority report so, we will hear the summaries of both.

10.27

THE CHAIRPERSON, COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS (Mr Wilson Kajwengye): Madam Speaker, the committee sat and processed the Bill. Permit me to lay on the Table the minutes and a copy of the report. I beg to lay.

THE SPEAKER: Please, lay.

MR KAJWENGYE: Madam Speaker, I am also duly informed that there is a minority report.

Madam Speaker, the minister has ably given us the objectives. This committee sat and considered the Bill under Rule 129 of the Rules of Procedure. It is a short report.

Background

On the background to the Bill – the report was uploaded last week, so, I have a feeling that honourable colleagues have ably interacted with the report.

Policy and principles of the Bill

The policy behind the Bill is, precisely, to give effect to the Government policy for Rationalisation of Agencies and Public Expenditure (RAPEX) adopted by the Cabinet on 22 February 2021.

Remedies proposed in the Bill

The Bill seeks to amend the Non-Governmental Organisations Act, 2016, Act 5 of 2016, to:

- a) Enable the mainstreaming and rationalisation of the functions of the bureau into the ministry responsible for internal affairs, thereby, inter alia, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure of maintaining a fully-fledged corporate National Bureau for Non-Governmental Organisations, yet the functions of the bureau may be performed by a department in the ministry like it was before 2016 when the bureau was a department in the ministry;
- b) Facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the ministry responsible for internal affairs in relation to the functions of the bureau and other Government agencies and departments, thereby avoiding duplication of mandates and functions;
- c) Promote coordinated administrative arrangements, policies and procedures for:

- (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of the Government agencies and departments;
 - (ii) enabling the Government to play its proper role more effectively; and
 - (iii) enforcing accountability;
- d) To restructure and re-organise the bureau by eliminating bloated structures and financial ambiguities to operate effectively as a department in the ministry.

The wage bill allocation does not accommodate the costs of the NGO Board and Adjudication Committee, which are entitled to sitting allowances, mileage allowances and communication allowances when called for meetings. Further, they are also entitled to an additional monthly retainer.

The ministry further informed the committee that due to the lack of provision for funds for these allowances, the NGO Board and Adjudication Committee had accumulated arrears of Shs 1.173 billion.

Methodology

We met both the ministry and the National Bureau for Non-Governmental Organisations. We also reviewed the Constitution and the Act of 2016.

Salient observations on the Bill

During deliberations on the rationalisation of agencies, officials from the Ministry of Public Service informed the committee that the overall objective of implementing the recommendations of RAPEX was to eliminate the mandate, structural and functional duplications and overlaps, eliminate wasteful expenditures, and realise short-term and long-term savings to be utilised for the provision of other critical Government services.

As such, the committee has made observations on mainstreaming the functions of the National Bureau for Non-Governmental Organisations into the ministry and the NGOs (Amendment) Bill, 2024 as demonstrated below.

Budget implications for the transfer of the National Bureau for NGOs to the Ministry of Internal Affairs

During the deliberations on the ministerial policy statement for the Financial Year 2024/2025, the Ministry of Internal Affairs informed the committee that the current establishment of the National Bureau for Non-Governmental Organisations comprises 21 staff who form the bureau's secretariat, costing Shs 1.377 billion in wage bill.

Additionally, the ministry informed the committee that Non-Tax Revenue (NTR) collected by the bureau from the NGOs has been growing steadily over the years, as demonstrated in the table below. This was attributed to the increased number of NGOs applying for certificates and permits. According to the ministry, the NGO database, as of 31 December 2023, indicated a number of 5,916 NGOs duly registered in Uganda.

The committee observes that mainstreaming the bureau into the Ministry of Internal Affairs' department will save the ministry from accumulating arrears and costs of facilitating the NGO Board and Adjudication Committee, whose budget is not funded. The NTR collected from the NGOs' registration will also be mainstreamed in the budget.

Recommendation

The committee, therefore, recommends that the National Bureau for NGOs be mainstreamed as a department in the Ministry of Internal Affairs.

Dissolution of the National Bureau for NGOs and composition of the bureau

The committee observed that the Bill proposes to dissolve the National Bureau for NGOs established under Act 5 of 2016 as a distinct entity and provides for its existence as a Government department within the structure of the ministry responsible for internal affairs.

Clause 11(c) of the Bill provides for the composition of the Bureau to consist of a chairperson, vice-chairperson, two NGO representatives and three other persons, all of whom are to be appointed by the minister and approved by the Cabinet does not conform to the structure of a Government department.

The committee opines that having appointees of a minister mainstreamed in the ministry department does not only contravene the Public Service staffing establishment, but also creates conflicts in the reporting and accountability mechanisms. It is standard practice in the Public Service that the accounting officer who superintends over the ministry or departments is the permanent secretary.

Furthermore, as proposed in the Bill, the appointment of persons in the Public Service in Uganda by the minister contravenes Article 172 of the Constitution, since the appointment of persons in Public Service is restricted to the President and the service commissions created under the Constitution. Therefore, creating a bureau as a department with members appointed by the minister will be equivalent to usurping the supervisory and management authority of the permanent secretary of the minister.

To mitigate this structural conflict, the committee proposes that the ministry's permanent secretary be given the authority to designate members of the bureau from within the ministry.

We recommend that the proposal in clause 11 be dropped and the permanent secretary be granted authority to designate members of the bureau from within the ministry.

In conclusion, the committee reviewed the Bill and made proposals deemed fit to achieve the set objectives of RAPEX. Therefore, the committee recommends that the Bill be considered for second reading, subject to the proposed amendments attached hereto and any other modifications this august House may propose and approve. I beg to report. *(Applause)*

THE SPEAKER: Thank you, committee chairperson. Can we hear the minority report?

10.37

CAPT. (RTD) DONONZIO KAHONDA (NRM, Ruhinda South County, Mitooma): Thank you, Madam Speaker. The minority report is brief. I will probably not go through the introduction and the background because it is also in the main report.

I would like to say that the Bill was established with a more significant mandate of regulating, coordinating, monitoring, inspecting and overseeing all the activities of the non-governmental organisation sector in the country to mitigate serious threats posed to indigenous traditions and practices that undermine our sovereignty, peace and stability.

However, on 22 February 2021, the Cabinet approved the rationalisation to mainstream this agency. It is against this background that this minority report presents the implications of rationalising the NGO Bureau into a department of Ministry of Internal Affairs.

There are salient observations on the Bill. The minority position is that the spirit of rationalisation is good for the country, but only if conducted on a case-by-case basis and not in an omnibus manner.

Pursuant to the ongoing Government Rationalisation and Public Expenditure exercise, the National Bureau of Non-Government Organisations, under the Ministry of Internal Affairs, will be dissolved and mainstreamed into the Ministry of Internal Affairs' structure as a department. As such, the minority report makes the following observations:

Budget implications for transferring the National Bureau of NGOs to the Ministry of Internal Affairs

The committee posits that mainstreaming the bureau into a department of the Ministry of Internal Affairs will save the ministry from accumulating arrears and costs of facilitating

the NGO Board and the adjudication committee whose budget is not funded. It further argues that the NTR collected from NGO registration will also be mainstreamed into the ministry on this basis. The committee makes a case to rationalise and mainstream the bureau as a department of the ministry.

However, assessing the broader mandate of the bureau *vis-à-vis* the cost saving is critical. The minority report posits that since its establishment, the bureau has enhanced registration, regulation, monitoring and inspection of the NGO sector. A verified and validated reliable database of all NGOs is now in place. This was not the case before when the function was still mainstreamed as a department under the ministry.

The bureau attributes this success to the development capacity of district and subcounty NGO monitoring committees that have enhanced effective monitoring from the district to the grassroots levels. It has reduced the turnaround time for services in registration and renewals, investigations, dispute resolutions, searches and certifications and an efficient appeals mechanism, facilitated by the adjudication committee to handle appeals by aggrieved parties dissatisfied with any decision of the NGO bureau, among others.

Notably, the bureau conducted the first terrorism financing assessment of all NGOs, CBOs, charitable trusts and faith-based organisations operating in Uganda to establish the risk levels. Uganda is a member of the Eastern and Southern Africa Anti-money Laundering Group (ESAAMLG). This regional body subscribes to the 40 recommendations of the Financial Action Task Force, an intergovernmental body that sets standards and promotes policies to protect the global financing system against money laundering, organised crimes, terrorism and weapons of mass destruction.

According to the mutual evaluation report of 2016, concerns were raised about Uganda, especially on the NGO sector, its vulnerability to terrorism financing and its possibility of being abused as a conduit to channel funds for

terrorism financing activities. It was established that there were deficiencies in the NGO laws on issues of countering money laundering and terrorism financing.

Following the mutual evaluation, Uganda was put on the Finance Action Task Force grey list and was at risk of being blacklisted. The implication includes strict scrutiny of financial transactions originating from Uganda, which results in high transaction costs and a rise in completing transactions, difficulty in accessing loans from international lenders and expulsion from the society, for worldwide interbank financing telecommunication, all which negatively impact on Uganda's international trade.

Madam Speaker, Uganda addressed all these concerns and among these was underfunding of the Department of NGO Bureau because, at that time, the NGO Bureau was getting only Shs 340 million. This Parliament enhanced it to Shs 4.4 billion. Another reason that was advanced was the lack of the regulator, which is the NGO Bureau now.

Uganda addressed all these concerns and just recently, on 23 February 2024, it was removed from the grey list. Following this decision, the Financial Action Task Force demanded Uganda remove NGOs from the Accountable Persons List, which is under the Second Schedule (Section 1) of the Ant-Money Laundering Act.

Therefore, the minority concerns are that if the National Bureau for NGOs is dissolved yet the NGOs are to be removed from the list of accountable persons -

THE SPEAKER: It is not going to be dissolved, it will be mainstreamed. These are two different words. There is "dissolution" and "mainstreaming". When you mainstream, it becomes a department in the main ministry. So, when you are talking, let it be about mainstreaming, not dissolution.

CAPT. (RTD) KAHONDA: Madam Speaker, I am talking about the Board because the Bill is proposing that the Board be dissolved and this

is a critical time when the international body is already demanding Uganda, as a country, to remove NGOs from the list of accountable persons. There will be a high-risk gap created which will undo all the positive contributions achieved by overseeing NGOs' operations in Uganda.

The minority would like to point out the Certificate of Financial Implication issued for the NGO (Amendment) Bill, 2024. It assumes that the 26 staff will be laid off with an estimation of Shs 2.7 billion for retrenchment costs and severance packages that will be borne by the Government against the estimated savings.

They are expected to save Shs 4.4 billion, which is the entire budget for the NGO Bureau, including wages. This does not address the evident broader mandate to regulate the growing and highly-funded sector.

Madam Speaker, attempting to argue the case of departmentalisation would imply that the Bureau, as a department, would have to institute a similar infrastructure to fulfil this mandate at a broader scale, meaning that the ministry would have to recruit more personnel and establish departmental, regional and district offices, resulting in high wage bill for the government and effectively not achieving the spirit of RAPEX.

Having a department whose decision-making structure is subject to high technical authority, and preoccupied by several other critical issues as mandated by the law, would create a long lead time in decision-making, ineffective operations, and overseeing activities in NGOs.

Recommendation

The minority recommends that the current establishment of the National Bureau of NGOs be maintained considering the vulnerability within the sector and the need to comply with international obligations.

3.2. Dissolution of National Bureau for Non-Government Organisations and the composition of the Bureau

Madam Speaker, the Bureau is the only regulator of this unique, fluid, sensitive and dynamic NGO sector, and its rationalisation will weaken the capacity to oversee NGO operations in the country.

The Bureau has aligned functions, structures, plans and budgets, and there are no functional ambiguities, duplication, or overlap with any other Government institution. This has streamlined legal and institutional frameworks accountable under the line ministry.

The NGO is not a Vote; it is only a subversion. As such, there are no duplications whatsoever with any other Government department or agency. As rightly put by the majority report -

THE SPEAKER: Honourable member, just hold on. I see these little angels going, please hold on. Are those students of Gertrude Academy Primary School from Kagoma County, Jinja District? Are you the one? Please stand up and wave at your MPs. They are represented by Hon. Moses Walyomu and Hon. Katali. Please join me and welcome the young angels. Thank you, have journey mercies.

CAPT. (RTD) KAHONDA: Thank you, Madam Speaker. As rightly put by the majority report, the Non-Tax Revenue (NTR) collected by the Bureau from NGOs has been growing steadily -

THE SPEAKER: Can you summarise?

CAPT. (RTD) KAHONDA: I am summarising, Madam Speaker - has been growing steadily. Before this entity was created, the ministry was generating between Shs 80-120 million, but since 2016 when it was created, it has grown from Shs 146 million in 2015 up to Shs 2 billion now. The Bureau generates Shs 2 billion out of the Shs 4.4 billion that is given to them.

If I recollect very well, on Friday you guided that all the agencies that do not generate money

the capacity to oversee all NGOs and CBOs nationwide. These NGOs, if not adequately inspected and monitored, are potential conduits of money laundering, cultural erosion, political sabotage and fraud.

Therefore, the committee's recommendation to grant the permanent secretary authority to designate members of the Bureau from within the ministry will deny the Government the expertise required to organise and regulate NGO activities due to the lack of representation of the NGOs in the decision-making structure.

The representatives of the NGO sector provide insight into the organisation and management of NGO activities. Therefore, setting up effective policies for effective management of the NGO sector without insight into the players who can be accommodated through their representation on the Board will cause governance inadequacies. The NGO Board now has a representation of the NGOs and proposing that it should be removed -

THE SPEAKER: Is that a report?

CAPT. (RTD) KAHONDA: Yes. The minority's concern is that mainstreaming the Bureau as a department will deny the country the unique specialised expertise required to oversee a rather complex and dynamic NGO sector.

The current establishment provides a more robust hedge against the high risk associated with a growing NGO sector. It only requires strengthening and adequate funding. Otherwise, making it a department will subject its planning and budget to the priority needs of the ministry, which already has a broader mandate.

The minority report recommends that the National Bureau for NGOs be excluded from rationalisation because mainstreaming it into the ministry as a department would jeopardise the already built capacity and potentially compromise the country's national security.

In conclusion, the committee reviewed the Bill and made proposals deemed fit to achieve

the set objectives of RAPEX. However, it is noteworthy that the National Development Plan outlines civil society as the third sector in the country, with NGOs constituting a significant part of achieving Vision 2040.

The National Bureau of NGOs is the only regulator that needs to be fully empowered to make timely decisions and interventions in the affairs of NGOs in the country. Mainstreaming it into a department of the ministry will be counter-productive and contrary to the original position of the Government.

Streamlining the NGO sector, whose activities are global and dynamic, could result in far-reaching political, financial, social, security, and economic consequences on the well-being of Ugandans.

Therefore, the minority report strongly calls upon Parliament to reject proposals of the Non-Governmental Organisations (Amendment) Bill, 2024 in its entirety. Hon. Katabaazi has one additional point to add to our report and we beg to report.

THE SPEAKER: Under which rule? No, now I am not using my powers. Members, if you have finished, can we debate? Hon. Muzaale, Hon. Isaac Modoi, Hon. Peter Okeyoh, Hon. Christine and Hon. Allan.

10.57

MR MARTIN MUZAALE (NRM, Buzaaya County, Kamuli): Thank you, Madam Speaker -

THE SPEAKER: Let's use two minutes each, we have a bloated Order Paper.

MR MUZAALE: I would like to begin by thanking the mover of the minority report as well as the chairperson of the committee. The rationale for rationalising these agencies is majorly cost-saving and efficiency.

However, if you look at the two reports, both from the chairperson of the committee and the minority report, one of the minority reports has given us the multiplier effect of having the

Bureau in existence by giving us statistics of Shs 4.5 trillion that comes into the country as a result of the efficiency of the bureau -

THE SPEAKER: How does it come into the country? Is it through the back door? And I want you people to be careful when talking about NGOs because this is where money is being laundered into the country. It is also how homosexuality money is coming into the country. *(Applause)* I want you to be very careful when you are speaking about this. I am not debating. *(Laughter)*

MR MUZAALE: Madam Speaker, in my constituency, I have a number of NGOs who are doing a good job. I have not come across any information regarding those who are supporting funny activities in my constituency. However, I will agree with the majority report and concede otherwise -

THE SPEAKER: Honourable members, the reports that we are looking at are basically informative. Next -

11.01

MR ISAAC MODOI (NRM, Lutseshe County, Bududa): Thank you, Madam Speaker. First of all, I would like to thank the mover of the motion and support that the NGO Bureau should be mainstreamed. It has been doing supplementary work for the government, but now it is coming to the mainstream of the ministry.

I would like to be brief because the minority report mangles up the objectives and the purpose of the merger because, when it mentions the budget implication and the financial inflows, it seems to be overlooking the mandate of the financial intelligence tracking system which looks at all the inflows of funds in the country and also checks financial laundering which can affect the national objectives.

I personally think that mainstreaming is very important and RAPEX will improve on the national objectives of this country. When we allow the NGOs to operate separate from the state, the objectives of our nation and

the protection of our people will be muddled through. I believe that mainstreaming is critical and should be allowed.

THE SPEAKER: Thank you. Peter -

MR OKEYOH: Thank you, Madam Speaker. I would like to give information to this House that the minority report rightly points out that Shs 4.4 billion was given to the NGO Bureau for its activities. But I also want to inform this same House that Shs 3.4 billion was spent on rent. The Bureau takes an entire floor of the -

THE SPEAKER: Are you a Member of the committee?

MR OKEYOH: Yes, that is why I am giving information. I am not debating.

THE SPEAKER: No, let him give the information.

MR OKEYOH: Thank you Madam Speaker. Secondly, I am giving information for the House to make an informed position.

THE SPEAKER: He is making a maiden speech. *(Laughter)*

MR OKEYOH: Secondly, when this House amended the Anti-Money Laundering Act and Anti-Terrorism Act, it helped Uganda to leave the grey list.

THE SPEAKER: Hon. Sarah Opendi and Hon. Asuman. Thank you.

11.03

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you Madam Speaker. I would like to thank the committee for its report, but also the minority report because it raises very serious issues that cannot be ignored. I am aware of some of the NGOs that have been operating and doing things contrary to our values and culture. However, I believe that the police and other agencies have been dealing with those NGOs.

NGOs employ quite a number of people in this country, but my concern is that there is dual registration. Most of the NGOs register with the NGO Board and, at the same time, with Uganda Registration Services Bureau (URSB).

The certificate of financial implications that was issued does not tell us how much we are going to save. If you are going to mainstream this into a department, you are going to employ some people to continue handling this work of the NGOs. Therefore, I find this certificate defective because it does not tell us the actual cost of the entire rationalisation.

Secondly, Madam Speaker, we are looking at Shs 4.4 billion as savings. According to the certificate, the amount spent on rent is Shs 1 billion, as opposed to Shs 4 billion as said by the previous speaker. I wonder why we do not allow URSB to handle the registration of NGOs and they file returns with URSB.

THE SPEAKER: Is that what is proposed in the original Bill? Do we have the power to make amendments on the Floor? Hon. Sarah, I thought you were more senior than all of us here. Hon. Christine?

11.06

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Thank you, Madam Speaker. I support the minority report. We are battling with the issue of timely inspection. When you look at the NGOs that have annoyed us – those that bring in funny money – it will be very difficult for the timely inspection of their activities and the fake money sent to them.

Madam Speaker, look at the NGOs. We would be strengthening them while taking them away and ensuring that they maintain their watchdog function. The moment the NGO board, which comprises a representative from the National NGO Forum and which has District NGO fora is dissolved, it will be a difficult moment. The touch of non-governance is going to get lost.

Madam Speaker –

THE SPEAKER: So, you are saying that we should retain it as it is.

MS KAAYA: We should retain it as it is because they are bound by donors. Donors and their specifications need timely responses. We know their contributions in terms of fundraising for the nation, especially now that most of the departments do not matter a lot in the faces of some of these international donors. Therefore, we would use this hand and strengthen it – *(Member timed out.)*

THE SPEAKER: Hon. Allan?

11.08

MR ALLAN MAYANJA (NUP, Nakaseke Central County, Nakaseke): Thank you, Madam Speaker, for the opportunity. Let me make it categorically clear that I support the minority report.

Madam Speaker, for 31,333 NGOs to get just a department in the ministry, the department cannot monitor these NGOs thoroughly –

THE SPEAKER: How many are there?

MR MAYANJA: 31,333 NGOs –

THE SPEAKER: Out of those 31,333 – if that is the number – we have to review and look at what NGO does what, where and when.

MR MAYANJA: Madam Speaker, you can clearly see that just a department in the ministry cannot monitor these NGOs. Therefore, I support that the entity remains and not be mainstreamed.

Lastly, when you look at that Shs 4.5 trillion that is remitted annually to the Consolidated Fund, this is a huge amount of money. Therefore, I support the minority report that this entity should not be mainstreamed. Thank you.

THE SPEAKER: Thank you. Hon. Asuman?

11.10

MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri): Madam Speaker, I would like to support the view of

the majority as presented by the chairperson of the committee. I am not sure whether we have much experience dealing with the NGO board.

Madam Speaker, when you look at the arguments being put out here, I would like colleagues, who have dealt with the NGO bureau, to provide information. There are about three fundamental challenges that we are facing:

1. Excessive bureaucracy: Madam Speaker, getting information or renewal of licences from the NGO bureau is extremely difficult. I am not so sure whether the argument that – The fact that even basic things are a challenge in the bureau, I do not think its stay is still justified.
2. Madam Speaker, there has been the financial argument, but this has been made across –

THE SPEAKER: Which report are you supporting? What you are saying is in favour of the majority report, but you said you are supporting the minority report.

MR BASALIRWA: No, I was very clear, Madam Speaker, and you know I am sober. I – *(Member timed out.)*

THE SPEAKER: Finish.

MR BASALIRWA: Madam Speaker, the financial argument being raised from the minority report has been addressed, even with the other agencies. I understand and I have heard it here – the Government being clear on the ability to address the issue related to finances.

The fundamental issue is: if the Government is saying that they have the capacity to accommodate an agency as a department within its systems and procedures, who are you to say: “No, that will not happen?”

I, therefore, stand here to support the majority view that the NGO board should be rationalised.

THE SPEAKER: Mainstreamed – yes, there is a motion.

11.14

MR ENOS ASIMWE (NRM, Kabula County, Lyantonde): Thank you, Madam Speaker. I move under Rule 81 of the Rules of Procedure that the question now be put because we have to make a decision as a committee. Honestly, we have the same arguments. The best way is that the question be put and we decide by a vote. Thank you so much.

THE SPEAKER: Thank you. It is seconded by Hon. Peter, Member from Isingiro, Hon. Isaac –

MR ONGIERTHO: Madam Speaker, some of us would like to share experiences –

THE SPEAKER: No, Hon. Emmanuel. It is seconded by Hon. Olanya, members of the Front Bench - Congratulations, General, for becoming a presidential advisor.

It is further seconded by Hon. Hanifa - You will vote to the question. You know what we have always done; we vote to the question. If you do not want it -

I put the question that the Non-Governmental Organisations (Amendment) Bill, 2024 be read for the second time.

(Question put and agreed to.)

BILLS
COMMITTEE STAGE

THE NON-GOVERNMENTAL
ORGANISATIONS (AMENDMENT) BILL,
2024

11.17

New clause

THE CHAIRPERSON: New clause, Chairperson -

THE CHAIRPERSON, COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS (Mr Wilson Kajwengye): Madam Chairperson, the following are the proposed amendments to the Non-Governmental Organisations (Amendment) Bill, 2024.

Insertion of clause immediately before clause 1

The Bill is amended by inserting, immediately before clause 1, the following:

“Commencement

The Act shall come into force on a date appointed by the minister by statutory instrument”.

The justification for this is to empower the minister to commence the Bill where the resources have been made available. I beg to move.

THE CHAIRPERSON: Minister -

GEN. MUHOOZI: I concur, Madam Chairperson.

THE CHAIRPERSON: Leader of the Opposition -

MR SSENYONYI: This one is not controversial, Madam Chairperson.

THE CHAIRPERSON: I put the question that the proposed new clause stands part of the Bill.

(Question put and agreed to.)

New clause, agreed to.

Clause 1, agreed to.

Clause 2

MR ODUR: Madam Chairperson, I just want to point out the contradiction in the drafting language and the choice by the Legislative Council.

Clause 2 is about the objectives and it reads, among others, specifically clause 2(1) - “The main objective of this Act is to give effect to the Government Policy for Rationalisation...”

Madam Chairperson, this is not a stand-alone Act. This is a Bill amending an existing Act. In the principal Act, we have section (4) which talks about the objects of this Act. Once we

pass this standalone objective, how do you then make them stand as one law? It is like having two Acts within an Act - an Act with an objective to rationalise, but when you go to section (4) of the main Act, you will again have the objectives also listed there.

This is why my proposal initially was that clause 2 should be amending section (4) of the principal Act so that you can merge the two. The correct way should have been like this: clause 2 in the Bill should be amending clause 4 of the principal Act, but the confusion is too much to be even sorted.

THE CHAIRPERSON: Actually, the objective should have been on the principles of the Bill; what is quoted here so kindly redraft for me when we remove this from the objectives.

MR ODUR: We do not need to redraft clause 2. Clause 2 should actually now be deleted or if it pleases you, it should go to preliminaries because the objectives have been explained in the memorandum.

Madam Chairperson, clause 2 and clause 3 should not be there.

THE CHAIRPERSON: Honourable minister, are you following? He is saying what is quoted in clause 2 is already in the objectives of the Bill. It is repeated here and also in clause 3, which is the purpose of the Bill. It has already been covered so having it here is repetitive. It is about drafting.

GEN. MUHOOZI: I agree entirely with what he said, but with a slight proposal only to the extent that it does not invoke the provisions of the bureau as it was, so we can adjust.

I agree that this one -

THE CHAIRPERSON: It does not.

GEN. MUHOOZI: I agree that the one we have in the Bill is mostly general to the exercise of Rationalisation of Agencies and Public Expenditure that we had forgotten to put.

THE CHAIRPERSON: I think there is also a problem with the person drafting these laws. The person drafting these laws must take it seriously. Chairperson -

MR KAJWENGYE: Madam Chairperson, I fully understand.

THE CHAIRPERSON: Can we first sort out the -

MR ATWIJUKIRE: Madam Chairperson, we had an incident in this House where the Attorney-General turned against our position. He said he had advised us and at that time, he was around. Right now, he is not around. He is even in a better position and advantaged place to turn against us because he is not around. He can say he did not have an input. It is well known to the Office of the Attorney-General that we are doing this exercise at least for this week. Are we, therefore, proceeding in the right way to -

THE CHAIRPERSON: We are proceeding very well because they are not the only ones who have gone to school. Even the sponsor of the Bill is an advocate. Isn't that so, General? Even the shadow minister on this side - the Minister of Justice and Constitutional Affairs is also an advocate. Even the Leader of the Opposition (LoP) - LOP, congratulations. Honourable members, our LoP graduated the other day and it is not an easy thing. That is like a panacea. Congratulations, LoP. Thank you.

MR BASALIRWA: Madam Chairperson, the Supreme Court said that the advice of the Attorney-General on Parliament is not binding. It is an actual advisory. If they choose not to be around for reasons known to them, it is okay. We will proceed. The LoP is a lawyer, this Front Bench here consists of lawyers. We will proceed. You have guided me well, Madam Chairperson. Even the chairperson -

THE CHAIRPERSON: By the way, the chairperson of the committee has a first-class law degree.

MR BASALIRWA: Yes. We are proceeding well.

THE CHAIRPERSON: Honourable members, are you okay with the deletion? Minister, are you okay with the deletion?

MR KAJWENGYE: I pronounce that I am okay with the amendment proposed.

THE CHAIRPERSON: Proposed by Hon. Odur.

GEN. MUHOOZI: I concur with the proposal.

THE CHAIRPERSON: I put the question that clause 2 be deleted as proposed by Hon. Odur.

(Question put and agreed to.)

Clause 2, deleted.

Clause 3

MR KAJWENGYE: Madam Chair, the purpose of the amendment of the Act 5 of 2016. Clause 3 is amended in subclause 2 by deleting the following words, “Board of Directors”

Justification

It is to remove the reference to the Board of Directors since it is not a distinct legal entity. I beg to propose.

MR ODUR: Madam Chair, my view remains the same, that Clause 3 and even 4 should be amending some provision of the existing Act. In the absence of that clarity, they become redundant or will cause more confusion. It is as if this is going to be a stand-alone piece of legislation.

THE CHAIRPERSON: Honourable Chair, when you look at the purpose of this amendment of the Non-Governmental Act, 2016, Act 5 of 2016 is to mainstream the functions of the national bureau.

Now, the subsequent clauses talk about mainstreaming. Why Hon. Odur is saying

that we deleted this is that we are removing the national bureau and we go on with the mainstreaming. Therefore, that deletion is okay. It becomes consequential to (2). If you look at (4), it will look at the dissolution of the National Bureau.

Can you act fast? It is not only your Bill we are looking at.

MR KAJWENGYE: Thank you, Chair. I find no offence in accepting the proposed amendment so that we have a free-flowing law that has no ambiguities and calls for further interpretation.

GEN. MUHOOZI: I concur, Madam Chair.

THE CHAIRPERSON: Thank you. I put the question that Clause 3 be deleted as proposed by Hon. Odur.

(Question put and agreed to.)

Clause 4

MR ODUR: On clause 4, Madam Chair, the chairperson of the committee had proposed the insertion of a new clause which is on commencement- they did and we passed it.

If I heard the chairperson right, he moved an amendment that this Act would take effect on a date to be – a new clause. That is what I am saying. I wanted to propose that these two subclauses are also on commencement. Therefore, they should be merged with the new insertion proposed by the chairperson.

I wanted to propose that these two subclauses on dissolution – because when you see them, they are on commencement – that on commencement of this Act, and the new insertion was also on commencement. Therefore, these two be transferred under the new insertion, so that (a) reads what the chairperson of the committee proposed, then the one here now becomes (b) or (2) and then the (2) here becomes (c) or (3) with the other new clause.

Madam Chair, if we pass the principle here, the drafting team can then ensure that the spirit is captured. So we pass it as it is, but then it comes under commencement.

THE CHAIRPERSON: Yes, the drafting team should put it together. I put the question that clause 4 stands part of the Bill.

(Question put and agreed to.)

Clause 5

MR KAJWENGYE: Amendment of long title, Act 5 of 2016. Clause 5 is substituted with the following;

“5. Amendment of long title to Act 5 of 2016. The long title to the Non-Governmental Organisations Act, 2016, hereinafter referred to as the “principle Act”, is amended by repealing the phrase. “to provide for the Board of Directors”; “to make provision for the corporate status of the National Bureau for Non-Government Organisations’ activities”; “to provide for the board of directors”; “to provide for the establishment of branches for the Bureau”.

Justification

It is to harmonise the long title in the principal Act with the amendments proposed in the Bill, including the repeal of the corporate status of the National Bureau for Non-Governmental Organisations’ activities, branch offices, and dissolution of the board of directors. I beg to move.

THE CHAIRPERSON: Hon. Odur, use the microphone. Are you okay?

MR ODUR: I am okay.

GEN. MUHOOZI: I am okay.

MR SSENKYONYI: We just need to be alert and hopefully this can be rectified by the drafting people because here, in the amendment, you are saying, “into the ministry responsible for internal affairs, to give effect to the government ‘police’ on rationalisation”

THE CHAIRPERSON: Policy.

MR SSENKYONYI: The drafting people will need to sort that out so that it is captured properly.

THE CHAIRPERSON: Yes, it is government policy. I put the question that clause 5 be amended as proposed and with the amendment from the Leader of the Opposition.

(Question put and agreed to.)

Clause 5, as amended, agreed to.

Clause 6

MR KAJWENGYE: Amendment of Section 3 of the Act, No. 5 of 2016. For clause 6, there is substituted the following, “Amendment of Section 3 of the Principal Act. Section 3 of the Principal Act is amended;

- i) by repealing the definitions of the “board of directors”, “chairperson” and the “executive director”.
- ii) by inserting the definition of the word “minister” as follows; “Minister” means the “minister responsible for internal affairs”.
- iii) the definition of the word “permit” by substituting for the word “Board” the word “Bureau.”

Justification

This is a consequential amendment arising from the abolishment of the board of directors that has been replaced with the Bureau. I beg to move.

GEN MUHOOZI: I agree with the chairperson.

MR ODUR: In the principal Act, the minister is already defined as the minister responsible for internal affairs. I do not know if that is exactly what they wanted or something else.

THE CHAIRPERSON: Thank you. I put the question that clause 6 be amended as proposed.

(Question put and agreed to.)

Clause 6, as amended, agreed to.

Clause 7, agreed to

Clause 8, agreed to.

Clause 9

MR KAJWENGYE: Amendment of Section 8 of the Act, No.5 of 2016. For Clause 9, there is substituted with the following: “Repeal of section 8 of the principal Act. Section 8 of the principal Act is repealed.”

Justification

The bureau is part of the ministry and there is no need to have a common seal of the bureau, since it is no longer a distinct legal entity. I beg to move.

THE CHAIRPERSON: Minister?

GEN. MUHOOZI: I agree, Madam Chairperson.

THE CHAIRPERSON: Hon. Jonathan Odur?

MR ODUR: Madam Chairperson, under clause 9, I have nothing useful to add.

THE CHAIRPERSON: Okay. I put the question that clause 9 - I did not hear from the minister -

GEN. MUHOOZI: I did consent, but I was conferring with the committee chairperson that the amendment of section 8 retains the word “secretary” to substitute for Executive Director (ED).

However, I take strong exception against the wording of the amendment as is. I agree with the principle, but the wording needs to be corrected because ED will be replaced by a commissioner, according to the public service.

THE CHAIRPERSON: Honourable minister, the Bill is yours and it came with the word

“secretary,” so you may designate the title, administratively, as a commissioner. I put the question that clause 9 be amended as proposed.

(Question put and agreed to.)

Clause 9, as amended, agreed to.

Clause 10, agreed to.

Clause 11

THE CHAIRPERSON: Committee Chairperson.

MR KAJWENGYE: Clause 11 is the amendment of section 9 of the principal Act. It is substituted with the following: The principal Act is amended by substituting for section 9 the following:

“Composition of Bureau.” Members of the bureau shall be designated by the permanent secretary of the ministry from among the public officers in the ministry.

Justification

The appointment of persons in public service of Uganda by the minister, as proposed in the Bill, contravenes Article 172 of the Constitution of the Republic of Uganda, since the appointment of persons in public service is restricted to the President and service commissions, created under this Constitution. I beg to move.

GEN. MUHOOZI: I concur, Madam Chairperson.

MR ODUR: Madam Chairperson, I beg to disagree because these are not strictly public servants, in my understanding. This is an ad hoc team that is assembled to help the minister exercise oversight over the NGOs.

As and when they are required, they will be asked to come and sit because there are already two representatives from the Non-Government Organisation sector, who are going to sit on it and three other persons who may come from out. My understanding is that this is not strictly

an appointment or recruitment into government service. This is a –

THE CHAIRPERSON: A designation.

MR ODUR: Yes, to help the minister exercise the function. For example, if there are complaints, they will sit and recommend. It is not full-time employment.

THE CHAIRPERSON: Honourable minister, have you got his point?

GEN. MUHOOZI: I get the logic of Hon. Odur because the composition comprises representatives of the NGO forum and to that extent, qualifying it as public service may be problematic. So, we can leave out public servants and just say, “designated by the Permanent Secretary.”

THE CHAIRPERSON: Let us leave the Bill the way it is. I put the question that clause 11 stands as part of the Bill.

(Question put and agreed to.)

Clause 12

MR KAJWENGYE: Clause 12 deals with the amendment of section 10 of the principal Act. Clause 12 is substituted with the following: “Repeal of section 10 of the Principal Act. Section 10 of the principal Act is repealed.”

The justification is that the tenure of office of the members of the bureau is provided under the instruments of the appointment since they are public officers and the bureau is a government department under the ministry. I beg to propose.

MR KAHONDA: Thank you so much, Madam Chairperson. In the previous clause, we left it as it is. In this particular clause-

THE SPEAKER: It is consequential.

MR KAHONDA: Therefore, it remains as it is, because it is now the committee-

THE CHAIRPERSON: Honourable minister, this clause is consequential to the one we have just passed, clause 11. It remains as it is in the Bill.

GEN. MUHOOZI: I agree, Madam Chairperson.

THE CHAIRPERSON: Attorney-General.

MR KAFUUZI: I agree, Madam Chairperson.

THE CHAIRPERSON: Thank you. I put the question that clause 12 stands part of the Bill.

(Question put and agreed to.)

Clause 13, agreed to.

Clause 14

MR KAJWENGYE: Madam Chairperson, clause 14 is the amendment of section 12 of the principal Act. For clause 14 is with the following: “Repeal of section 12 of the principal Act.

Section 12 of the Principal Act is repealed.”

Justification, the bureau shall conduct meetings in accordance with the manner in which meetings are conducted in the ministry.

I beg to propose.

THE CHAIRPERSON: That is consequential to clause 11, so, it does not need to change.

GEN. MUHOOZI: I agree, Madam Chairperson.

MR KAFUUZI: We concede.

THE CHAIRPERSON: Thank you. I put the question that clause 14 stands part of the Bill.

(Question put and agreed to.)

Clause 14, agreed to.

Clause 15, agreed to.

Clause 16

MR KAJWENGYE: Clause 16: Amendment of section 14 of the principal Act

For clause 16, there is substituted the following -

“Amendment of section 14 of the principal Act
Section 14 of the principal Act is amended by -

- (a) Substituting for the words “board of directors”, wherever the words appear in the provision, with the word “bureau”, and
- (b) Inserting immediately after subsection (2), the following -“(2a) *The bureau may co-opt any person who, in the opinion of the bureau, has expert knowledge concerning the functions of the bureau to attend and take part in the proceedings of the bureau.*
- (2b) *A person co-opted under subsection (2a), may take part in any discussion at the meeting of the bureau on which his or her advice is required, but shall not have any right to vote at that meeting.*”

The justification we are putting across, Madam Chairperson, is that this is to empower the bureau to co-opt any person with expert knowledge to support the bureau in its functions.

I beg to submit.

THE CHAIRPERSON: Thank you. (*Mr Kahonda rose*)- Doesn't it have a cost implication? Doesn't it affect Article 93, when you co-opt a person at any time?

MR KAFUZI: Madam Chairperson, besides the cost implication, I am also not comfortable because we may be opening the door to a lot of uncertainty. For the person you co-opt, is he a government official, civil servant or an expert per se? I think we would leave room for abuse.

The proposed amendment should be left out.

CAPT. (RTD) KAHONDA: Madam Chairperson, we have already allowed the committee and the committee, in the Bill that was presented, has membership and that membership has the representation of the NGO. Therefore, the committee remains as it is. This is where they were proposing that the permanent secretary should appoint the technical staff and co-opt any other two members. This one is okay because when you refer to the principal Act, the powers to co-opt is by the board.

THE CHAIRPERSON: When you look at section 11(2), it says: “*The members of the bureau shall be appointed by the Minister and approved by Cabinet and shall consist of-*

- (a) *a chairperson;*
- (b) *a vice-chairperson;*
- (c) *two representatives from the non-governmental organisation sector in Uganda; and*
- (d) *any other three persons.*”

“Any other three” can be the experts in that particular area.

MR ODUR: Madam Chairperson, I would persuade the committee chairperson to drop the amendment because under paragraph 5 of Schedule 2, regarding the meetings of the board that will now be replaced with the wordings “meetings of the bureau”, under paragraph 5(2), it says “power to co-opt”. So, in the schedule, there is already that power to co-opt. Therefore, when the bureau is sitting and maybe the organisation that has applied is in the area of say, oil and gas, they can invite a person with expertise in oil and gas to come and sit.

Therefore, paragraph 5(2), of the schedule takes care of his proposal.

THE CHAIRPERSON: Thank you. Minister?

GEN. MUHOZI: No harm, Madam Chairperson.

THE CHAIRPERSON: Thank you. I put the question that clause 16 stands part of the Bill.

(Question put and agreed to.)

Clause 16, agreed to.

Clause 17, agreed to.

Clause 18, agreed to.

Clause 19, agreed to.

Clause 20

MR KAJWENGYE: Madam Chairperson, clause 20 deals with the substitution of section 16 of the principal Act.

Clause 20 is amended in the proposed section 16 –

- (i) by substituting for the proposed subsection (1) the following-
“The Bureau shall have a secretary attended by the Permanent Secretary or any other person nominated by the Permanent Secretary from within the ministry.”
- (ii) By deleting the proposed subsections (2), (3) and (4)

Justification:

- (a) To designate the permanent secretary of the ministry as the permanent secretary of the bureau.
- (b) The proposed designated functions of the permanent secretary of the bureau are the administrative functions ordinarily carried out by the permanent secretary of the ministry.

Madam Chairperson, I also propose to insert a new clause immediately after clause 24.

The Bill is amended by inserting immediately after clause 24, the following -

THE CHAIRPERSON: That is a new clause.

MR KAJWENGYE: Let us, first, deal with that. I beg to report.

THE CHAIRPERSON: When you look at your justification to designate the permanent secretary as a permanent secretary for the bureau, the permanent secretary is the one appointing a commissioner responsible as a secretary. So, you are now making the permanent secretary to be responsible, which is wrong – and that is premised on section 11.

GEN. MUHOOZI: Madam Chairperson, he specifically said “or a person designated by the Permanent Secretary”.

THE CHAIRPERSON: “...to designate the permanent secretary of the ministry as the Permanent Secretary of the bureau.” I am reading from his text, not from what he said.

The proposed designated functions of the permanent secretary of the bureau are the administrative functions ordinarily carried out by the permanent secretary of the ministry.

CAPT. (RTD) MR KAHONDA: Madam Chairperson, again, the same Bill proposes that the bureau be headed by the secretary. So, why do now we say the “permanent secretary”? I propose that we leave the secretary as it is in the Bill.

GEN. MUHOOZI: Madam Chairperson, the purpose of this Bill is to avoid bureaucratisation. This is because as is, it was like replicating the bureau into the ministry with all that paraphernalia of staff. What we are saying is that, it is a department run by the permanent secretary and staff of the ministry.

THE CHAIRPERSON: Yes. That is what the original Bill says, not the amendment.

GEN. MUHOOZI: What? I beg your pardon?

THE CHAIRPERSON: The amendment is creating another layer – the PS, secretary and what – but if you took what the original Bill and what it wants, then you would achieve what you want.

MR KAJWENGYE: The original Bill actually made a provision for a secretary.

THE CHAIRPERSON: Yes.

MR KAJWENGYE: We thought that was actually a contradiction. You are mainstreaming, but also creating another layer.

In our amendments to the Bill, we are giving powers to the permanent secretary so that there is no other layer of authority, either at the same level or above him. That is the essence of our amendment.

MR KAFUZI: Madam Chairperson, I just want to reiterate what the chairperson of the committee has said. The proposed amendment is not dealing away with the position of the secretary. It is simply disempowering the secretary and giving the powers to the permanent secretary.

The powers of the Permanent Secretary besides his role as permanent secretary in the ministry will include; the day-to-day running of the bureau, the management of the funds of the bureau, administration and management of the property of the bureau and others listed up to (i).

THE CHAIRPERSON: Minister, are you okay with that amendment?

GEN. MUHOOZI: I am perfectly okay with it, Madam Chairperson.

MR ODUR: Madam Chairperson, I was convinced by the original text in the Bill and I thought it was in a very good faith.

The danger is that this proposed amendment they are bringing will likely cause a lot of confusion. This is because we have already agreed that this is going to be an equivalent of a department and every department is headed by the head of the department.

THE CHAIRPERSON: Maybe just as a recap - clause 20(16)(1) that is the secretariat of the bureau reads, “The *Bureau shall have a secretariat in the ministry which shall be headed by a secretary whose office shall be a public office within that Ministry*”.

Remember, the technical person in that ministry is the PS. Now, this person; the secretary is going to be under the PS. Isn't that what you wanted? I do not know why you are changing. Which is better?

It is just like the Clerk to Parliament. He is the technical head of the institution. All these people work under him. When you call him “clerk”, it is the Clerk to Parliament you are calling. They work for and on his behalf.

Also subsection (2) tells you the functions.

MR KAFUZI: I want to agree with you because when we take away the powers of the secretary, we now need to prescribe terms of reference for the secretary which are reflected in (2).

Maybe, we can maintain the PS in his supervisory role and the powers envisaged in clause 20(4) (a) to (i), remain with the secretary. We can maintain the Bill as it is.

THE CHAIRPERSON: We maintain the Bill as it is.

MR KAJWENGYE: Madam Chairperson, I concede.

THE CHAIRPERSON: Thank you. Honourable minister, this is going to be one of the best Bills.

GEN. MUHOOZI: I concede.

THE CHAIRPERSON: Thank you. I put the question that clause 20 stands part of the Bill.

(Question put and agreed to.)

Clause 20, agreed to.

Clause 21, agreed to.

Clause 22, agreed to.

MR ODUR: Madam Chairperson, before clause 23, in the principal Act, there is section (19) which talks about branch offices of the bureau. When the committee reported, the

spirit I got from the Chairperson was that they did not want to have branches anymore. Yet, in the principal Act, we still have section (19), branch offices of the bureau. So, they can now address us at this moment. Do you want to keep it? If not, in that spirit, then section (19), paragraph (1), must be repealed. Unless you think the branches will be established.

CAPT. (RTD) KAHONDA: Madam Chairperson, further to that, these district branches are the ones that deal with the registration, monitoring and inspection of these Community Based Organisations (CBOs). Therefore, it is very paramount that this clause is maintained so we have branches in the districts.

THE CHAIRPERSON: That is okay. It is just like the passport offices have branches.

GEN. MUHOOZI: The branches will be retained, Madam Chairperson.

THE CHAIRPERSON: Thank you. I put the question that clause 23 stands part of the Bill.

(Question put and agreed to.)

Clause 23, agreed to.

Clause 24, agreed to.

New clause

MR KAJWENGYE: Madam Chairperson, after clause 24 -

THE CHAIRPERSON: I had not finished, clause 24.

MR KAJWENGYE: Okay.

THE CHAIRPERSON: So, new Clause.

MR KAJWENGYE: Madam Chairperson, we propose to insert a new clause immediately after clause 24. The Bill is amended by inserting immediately after clause 24 the following:

Repeal of Schedule 2 to the principal Act

Schedule 2 to the principal Act is repealed.

The justification is that this is a consequential amendment to the establishment of a bureau as a government department and clause 14. I beg to propose.

CAPT. (RTD) KAHONDA: Madam Chairperson, we have already replaced the board with the committee. Schedule 2 of the Principle Act talks about the meetings, quorum, power to co-opt. If we delete that, it means we shall not have served the purpose. I propose that we maintain it.

THE CHAIRPERSON: We retain. Unless you want to replace the word “board” with “the bureau” in the schedule. You can amend.

MR KAJWENGYE: Permit me, Madam Chairperson, to replace the word “board” with “bureau”, in Schedule 2. I beg to propose.

THE CHAIRPERSON: Honourable members, I put the question that the new clause be amended as proposed by the Chairperson.

(Question put and agreed to.)

The new clause, as amended, agreed to.

Clause 25

MR KAJWENGYE: Madam Chairperson, clause 25 is a saving provision for Act 5 of 2016. Clause 25 is amended by deleting subclause (6).

The justification for this is that the provision is redundant because the claim for compensation is dependent on the terms of service of the person involved, so having a legal provision would bar such a person. I beg to propose.

THE CHAIRPERSON: Honourable minister?

GEN. MUHOOZI: I concede.

THE CHAIRPERSON: Hon. Odur?

MR ODUR: Madam Chairperson, it is going to be a little bit problematic because we still have sections of the law that have not been repealed. I hope I can find them, for example, section 58, which will not be touched. It reads like this: “Continuation of the Bureau and employment of employees of the Board.”

Notwithstanding the repeal in this section, the Board established under the NGO Act shall continue to operate until the minister appoints. The point I would like to make is that this Bill should have gone ahead to look at the sections that have not been touched because those sections will remain in force and any employee can actually argue that “under section 58, you have no right to terminate me or take me anywhere. I should automatically be absorbed into the service.”

It is complex. Even when you look at the vesting of assets, that section has not been touched; I think section 57 still vests assets in the Bureau, yet it should now be in either the Government of Uganda or the ministry. If you go there, it may open up many things. They will maybe see how to handle it.

THE CHAIRPERSON: Section 58 says, “Every person who, immediately before the commencement of this Act, was employed by the Board becomes an employee of the bureau and shall continue to be employed by the bureau.”

What we want to delete under clause 25 is that compensation is not payable to any member of the Board of Directors of the Non-Governmental Organizations’ Bureau, for loss of office resulting from the abolition of the Board of Directors of this Act.

In the other section, you are saying that you automatically become an employee. Here, you are now saying that “if we lay you off, you do not claim for any compensation”. You would maybe handle that administratively.

MR KAFUZI: Madam Chairperson, clauses 27, 28 and others are in part XII of the Act. The heading is “Savings and Transitional”. They

were transitional, meaning that until certain actions took effect, the clauses would remain. Once that action took effect, the clauses would collapse automatically, just like the vesting of assets and others.

These were there for transitional purposes and even in this new law, they continue until their intention or intended purpose is achieved. Once that is done, they automatically collapse. That is what it means; they are transitional clauses. I beg to submit.

THE CHAIRPERSON: When you look at part VII of the parent Act, it talks about savings and transition. Section 57 is the vesting of assets and liabilities. Section 58 is on the continuation of the Bureau and employment of employees of the Board.

MR ODUR: Madam Chairperson, this is where my argument is. There will no longer be a Board after this.

THE CHAIRPERSON: We are saying wherever there is a Board, there will be a Bureau. That is what the LOP even said in our drafting.

MR ODUR: That is correct, but in the principal Act, the Bureau is also a corporate entity, meaning that there was a bureau existing before as a distinct corporate entity with its own personality to employ and disemploy.

You are now giving a second definition of a Bureau under the department; a bureau which is a department. You must distinguish those two because there will be employees of the other Bureau which had legal capacity and now there is this Bureau which is just a department. That is why I am saying that in the drafting, this section should have also been amended either by repealing or inserting a new transitional clause that touches on sections 57, 58 and etc.

Right now, the former Bureau, the one existing in law, has its own properties. There are properties invested in them, but you are now removing that corporate veil or personality from them. I hope you see what I am trying to address.

THE CHAIRPERSON: Actually, clause 25 should have addressed sections 57, 58 and then others. Attorney-General, can the draftsmen clean up using clause 25?

MR KAFUZI: Yes, Madam Chairperson. We can embed the concerns under clause 25. We will have a redraft of clause 25 to embed the concerns raised by Hon. Odur. Thank you.

THE CHAIRPERSON: So, do we take the proposed amendment of clause 25 or do we leave it to the drafts people to do the amendment?

MR KAJWENGYE: Madam Chairperson, the spirit and letter of all the concerns are all provided for. I propose that we go with the amendment, then the draftsman or woman, for that case, will clean up the text.

THE CHAIRPERSON: Okay. I put the question that clause 25 be amended, as proposed.

(Question put and agreed to.)

Clause 25, as amended, agreed to.

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

12.12

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House resumes and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

THE SPEAKER: Honourable minister-

12.13

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled, The Non-Governmental Organisations (Amendment) Bill, 2024 and passed it with amendments.

MOTION FOR ADOPTION OF THE REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

12.13

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Speaker, I beg to move that the report from the Committee of the whole House be adopted.

THE SPEAKER: I put the question that the report from the committee of the whole House be adopted.

(Question put and agreed to.)

Report adopted.

BILLS THIRD READING

THE NON-GOVERNMENTAL ORGANISATIONS (AMENDMENT) BILL, 2024.

THE SPEAKER: Minister -

12.14

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Speaker, I beg to move that the Bill entitled the Non-Governmental Organisations (Amendment) Bill, 2024, be read the third time and do pass.

THE SPEAKER: I put the question that the Non-Governmental Organisations (Amendment) Bill, 2024, be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED,
“THE NON-GOVERNMENTAL
ORGANISATIONS (AMENDMENT) ACT,
2017”

THE SPEAKER: Title settled and the Bill passed. Congratulations. (*Applause*)

Honourable members, in the public gallery this afternoon, we have pupils and teachers from Glory Moon Children’s School, Kira Municipality, represented by Hon. Ibrahim Ssemujju Nganda and Hon. Betty Ethel Naluyima. You are most welcome. Please stand up. (*Applause*) Thank you. You are very smart.

BILLS
SECOND READING

THE NATIONAL LIBRARY
(AMENDMENT) BILL 2024

THE SPEAKER: Honourable minister -

12.15

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John-Chrysostom Muyingo): Madam Speaker, I beg to move that the National Library (Amendment) Bill, 2024, be read the second time.

THE SPEAKER: Is the Bill seconded? Seconded by the Government Chief Whip, by the Chairman, the Attorney-General, the Prime Minister, by the Generals- by all the members of Parliament. Could you speak to your Bill before we hear from the committee chairperson?

DR MUYINGO: Madam Speaker -

THE SPEAKER: Honourable ministers, you will forgive me when I do not mention your

name especially if you are an ex-officio member because I will be asked why I allowed an ex-officio member to second. Please just bear with me. That is why I skipped an ex-officio and mentioned another because you never know, somebody can drag us to court. Thank you. Speak to your Bill, Honourable Minister-

DR MUYINGO: The purpose of amending the National Library Act, 2003, is to transfer the responsibility for the management of the National Library from the National Library Board to the Ministry responsible for Education.

This is because there was no policy guidance for the community libraries, they were all scattered and the functions being performed by the national libraries are closely related to the education and training other than cultural functions.

The suitable home to provide policy, administration and coordination is definitely the ministry responsible for education and sports under a department of libraries, e-Learning and Information Technology (IT). I beg to move.

THE SPEAKER: Thank you. Committee chairperson, can you give us a summary?

12.18

THE CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr John Twesigye): Madam Speaker, I hereby present a report of the Committee on Education and Sports on the National Library (Amendment) Bill, 2024. Before I proceed, allow me to lay on the Table a copy of the report and the minutes. I beg to lay.

As you already guided, i will not consider the section on policy and principles and defects in the law because it is the similar information already mentioned in other Bills.

4.0 Object of the Bill

The main objective of this Bill is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure

(RAPEX) adopted by Cabinet on the 22 February 2021; this has already been explained before.

5.0 Methodology

We held meetings with the Ministry of Education and Sports and the National Library, reviewed the Constitution of the Republic of Uganda, 1995, as amended, the National Library Act, 2003 and written memoranda from the National Library.

6.0 Background to the National Library of Uganda

The National Library of Uganda which was established by the National Library Act, 2003, replaced the Public Libraries Board established by Public Libraries Act, 1964.

The National Library of Uganda is responsible for standards, guidelines and advocacy for libraries and the distribution of over 30,000 books to over 50 public libraries and community libraries across Uganda.

The other details are indicated in the report which was uploaded. The minister has ably talked about the purpose of the Bill therefore, allow me to go to salient observations of the committee.

- a) The committee had an interaction with the Director and other staff of the Secretariat of the National Library Board of Uganda and analysed their written memoranda, in addition to interacting with the ministry.

The National Library of Uganda welcomed the Bill, however, they had concerns about repealing Section 9 of the Principal Act and the saving provisions that relate to staff and payment of terminal benefits.

The National Library stated that the staff were worried about the continuity of the National Library operations when the Bill came into force.

- b) The National Library of Uganda was established and was under the Committee on Social Services. According to the Certificate of Financial Implication, the Bill is envisaged to result in savings to the Government through a reduced wage Bill and personnel-related costs amounting to Shs 1.282 billion in the Financial Year 2024-2025 and Shs 1.622 billion in the Financial Year 2025-2026. The details are indicated in the table on the next page.

- c) The committee further observed that the National Library of Uganda has been a subvention under the Ministry of Gender, Labour and Social Development.

The amendment proposes that the management of the National Library and the functions that were performed by it are transferred to the ministry responsible for education for better management.

We, therefore, recommend as a committee that the National Library of Uganda is mainstreamed into the Ministry of Education and Sports and that terminal benefits of the staff be expeditiously handled.

Conclusion

Madam Speaker, the Committee on Education and Sports recommends that the Bill, as proposed, be passed. I beg to report.

THE SPEAKER: Thank you. It is basically transferring the functions from the gender ministry to the Ministry of Education and Sports and it has no amendments. That is what the Bill is seeking to do.

In the public gallery this afternoon, we have students from Samson Memorial High School, Kyebando. They are represented by Hon. Shamim Malende and the Leader of the Opposition, Hon. Joel Ssenyonyi. You are most welcome. Please stand up. Thank you for coming. *(Applause)*

Honourable members, you have heard the Bill and it is straight forward. Yes, Hon. Denes?

MR SEKABIRA: Thank you, Madam Speaker. I need clarification on how much we are looking at in terms of the terminal benefits that the committee did not put out in the report. How much are they saving in Financial Year 2024/2025?

THE SPEAKER: They are not saving anything. They are transferring it from one place to another. It is like you transferring from NUP to NRM. *(Laughter)* Honourable members, there is a cost – all these Bills have a cost, especially in terms of payment of staff. Remember the issue of the Rural Electrification Agency (REA)? Up to today, most of the REA staff have not been paid.

So, the issue of the costs must be handled by the receiving ministry. As the House that does appropriation, you must budget for it.

I put the question that The National Library (Amendment) Bill, 2024 be read for the second time.

(Question put and agreed to.)

**BILLS
COMMITTEE STAGE**

**THE NATIONAL LIBRARY
(AMENDMENT) BILL, 2024**

Clause 1

THE CHAIRPERSON: I put a question that clause 1 stands as part of the Bill.

(Question put and agreed to.)

Clause 1, agreed to.

Clause 2, agreed to.

Clause 3, agreed to.

Clause 4, agreed to.

Clause 5, agreed to.

Clause 6, agreed to.

Clause 7, agreed to.

Clause 8, agreed to.

Clause 9, agreed to.

Clause 10, agreed to.

Clause 11, agreed to.

Clause 12, agreed to.

Clause 13, agreed to.

Clause 14, agreed to.

Clause 15, agreed to.

Clause 16, agreed to.

Clause 17, agreed to.

Clause 18, agreed to.

Clause 19, agreed to.

Clause 20, agreed to.

Clause 21, agreed to.

Clause 22, agreed to.

Clause 23, agreed to.

Clause 24, agreed to.

Clause 25, agreed to.

Clause 26, agreed to.

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

THE CHAIRPERSON: Honourable minister?

12.29

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Muyingo): Madam Speaker, I beg to move that the House resumes

and the Committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House resumes and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT OF THE COMMITTEE OF THE
WHOLE HOUSE

THE SPEAKER: Honourable minister?

12.30

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Muyingo): Madam Speaker, I beg to report that the Committee of the Whole House has considered the Bill entitled, “The National Library (Amendment) Bill, 2024” and passed it without amendments.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE OF THE
WHOLE HOUSE

THE SPEAKER: Honourable minister?

12.31

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Muyingo): Madam Speaker, I beg to move that the report from the Committee of the whole House be adopted by this House.

THE SPEAKER: I put the question that the report of the Committee of the whole House be adopted by this House.

(Question put and agreed to.)

Report, adopted.

BILLS
THIRD READING

THE NATIONAL LIBRARY
(AMENDMENT) BILL, 2024

THE SPEAKER: Honourable minister?

12.31

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Muyingo): Madam Speaker, I beg to move that the Bill entitled, “The National Library (Amendment) Bill, 2024” be read for the third time and do pass.

THE SPEAKER: I put the question that “The National Library (Amendment) Bill, 2024” be read a third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED, “THE
NATIONAL LIBRARY (AMENDMENT)
BILL, 2024”

THE SPEAKER: Title settled and the Bill passed. Congratulations. *(Applause)*

BILLS
SECOND READING

THE NATIONAL PLANNING AUTHORITY
(AMENDMENT) BILL, 2024

MR SSEWUNGU: Madam Speaker, the minister is going out and I have a procedural matter. With your powers, Madam Speaker, whether it will be procedurally okay for the minister to make a commitment as per the report that they will clear these people who are leaving the job. Can he put it on record? He knows I am a minister as well and I will come back here to ask the same thing. It is in a good spirit. Our Bill has not had any issues, so can he make a commitment on the Floor before we go for further matters.

Gen. Katumba is laughing. He does not know that I am a minister. He is aware of those with the lead cars and pickups, but I am one with none.

THE SPEAKER: Honourable minister, the shadow minister is asking you to give him assurance that those people will be catered for where need be.

DR MUYINGO: Thank you, Madam Speaker. I would like to thank my shadow minister for following whatever has been taking place very keenly. I want to assure him that now that it is a law, everything is going to be implemented as the law says. Thank you.

THE SPEAKER: Thank you. Next item.

BILLS
SECOND READING

THE NATIONAL PLANNING
AUTHORITY (AMENDMENT) BILL,
2024

12.34

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Speaker, I beg to move that the National Planning Authority (Amendment) Bill, 2024 be read for the second time.

THE SPEAKER: Thank you. Is it seconded? It is seconded by Hon. Loy, Hon. Acrobert, Hon. Tonny, Member of Parliament for Isingiro, Member of Parliament for Iganga, Hon. Olobo, Hon. Solomon, Member of Parliament for Aruu, Hon. Patrick, Hon. Oulanyah, Hon. Susan Amero and Hon. Mamawi James. Thank you. Can you speak to your motion?

MR HARUNA KASOLO: Thank you, Madam Speaker. The purpose of this amendment is to give the National Planning Authority additional functions, which were performed by the dissolved National Population Council and the National Physical Planning Board thereby, inter-alia, relieving the Government of the financial drain on its resources and the burden of wasteful administration expenditure of mainstreaming three agencies, yet one agency may ably perform all the functions.

THE SPEAKER: Committee chairperson, present the report.

12.37

THE CHAIRPERSON, COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Amos Kankunda): Madam Speaker, the committee has considered and hereby reports on the National Planning Authority (Amendment) Bill 2024. I hereby lay the minutes, the Acts thereof, presentations and supporting documents in the original reports.

THE SPEAKER: Please lay.

MR KANKUNDA: The committee considered the Bill and hereby reports. At the 22nd Sitting of the Third Session of the Parliament held on 9 April 2024, the Minister of State for Finance, Planning and Economic Development (General Duties), Hon. Henry Musasizi, moved that the National Planning Authority (Amendment) Bill, 2024 be read for the first time in accordance with Rule 128(2) of the Rules of Procedure of Parliament.

In a matter of summary, I would like to move direct to the objectives of the Bill.

The object of the National Planning Authority (Amendment) Bill, 2024

The object of the National Planning Authority (Amendment) Bill, 2024 is to amend the National Planning Authority Act, 2002 to transfer to the National Planning Authority the functions performed by:

- a) The National Population Council established by the National Population Council Act, 2014 (Act 8 of 2014), and
- b) The National Physical Planning Board, established by the Physical Planning Act, 2010, (Act 8 of 2010).

The National Planning Authority (NPA) Act, 2002 was enacted in 2002. The Act establishes the NPA and provides for its composition and functions in accordance with Article 125 of the Constitution.

The primary function of the Authority is to produce comprehensive and integrated development plans for the country elaborated in terms of their prospective vision and the long-term and medium-term plans.

The additional functions of the authority are to:

- a) co-ordinate and harmonise development plans in the country;
- b) monitor and evaluate the effectiveness and impact of the development programmes and the performance of the economy of Uganda;
- c) advise the President on policies and strategies for the development of Uganda;
- d) support local capacity development for national planning and in particular, provide support and guidance to the national and local bodies responsible for the centralisation plan process.
- e) study and publish independent assessments of the key economic and social policy issues and options so as to increase public understanding and participation in the economic and social policy debate.
- f) liaise with the private sector and civil society in evaluation of the Government's performance and identifying filling gaps in the government's policies and programmes.
- g) review priority development issues and needs and to make recommendations.
- h) ensure that all international plans are gender and disability sensitive, and
- i) design and implement programmes to develop planning capacity in local government.

Committee's findings, observations and recommendations

The National Planning Authority (Amendment) Bill, seeks to transfer the function of the National Population Council to the National Planning Authority under clause 4 of the Bill.

The committee observed that the National Planning Authority Act was enacted in 2002. The functions of the authority are:

- a) to co-ordinate and harmonise development planning in the country,
- b) to monitor, evaluate the effectiveness and the impact of development programmes and performance of the economy of Uganda,
- c) advise the President in policy strategies – they go on like I had read before.

The committee further noted that the mission of the National Planning Authority is to produce comprehensive economic development plans for the country. The NPA is also mandated to co-ordinate development planning in the entire country and to advise the Executive branch on the best policies and strategies for the development of the country.

The agency is charged with the economic evaluation of public projects and programmes in collaboration with the civil society and the private sector. It is also responsible for the development of the local enterprise in the development planning nationally and at the district level.

The National Planning Authority's mandate of producing comprehensive and integrated development plans for the country is elaborate in terms of the national vision framework, the long-term perspective plans, and the medium-term plans as enshrined in the National Planning Authority Act, 2002.

The authority has continued guiding the country in its different development agendas aimed at achieving socio-economic transformation for all Ugandans. Over time, the NPA has been at the forefront of guiding the socio-economic development of the country in accordance with international, regional, and national development agendas.

The committee noted that the transfer of the function of the National Fiscal Planning Board and the National Population Council to the National Planning Authority improves coordination between physical planning and national development strategies. This ensures that the infrastructural developments, urban planning, and land use considerations are

directly linked with the national economic goals, health care, education, and social service planning.

The committee further noted that the transfer of the functions of the National Physical Planning Board and the National Population Council to the National Planning Authority promotes a holistic planning approach. Integrating physical planning with broader economic planning encourages a more holistic approach to sustainable development. It ensures that the physical infrastructure development supports broader economic and social goals.

The Committee observed that the transfer of the functions of the National Physical Planning Board to the National Planning Authority achieves the Government policy of rationalisation. The functions of the National Planning Authority shall be efficiently and effectively achieved and relieves the government of the financial drain on its resources and the burden of wasteful administration and expenditure.

The committee further observed that the outputs of the National Population Council and the National Fiscal Planning Board should best be integrated into the plans of different sectors under the supervision of the National Planning Authority.

However, the committee notes that the Bill does not have a commencement date for the Bill. The absence of the commencement date means that the law will commence on publication and yet the agency may need more time to adequately prepare for the rationalisation policy.

Therefore, there is a need to provide in the Bill a commencement date to accommodate the time for the rationalisation period.

Recommendation

The committee recommends that the National Planning Authority Bill be passed subject to the proposed amendments that will follow at the committee stage. I beg to submit.

THE SPEAKER: Thank you. Yes, Procedure?

MS OPENDI: Thank you, Madam Speaker. I thank the chairperson and his committee for this report. However, we are guided by our rules, and the laws that we pass in this House.

Section 76(2) of the Public Finance Management Act, states that the Certificate of Financial Implication issued under subsection 1 shall include the estimates of revenue and expenditure over the period of not less than two years after the coming into effect of the Bill when passed.

Madam Speaker, I have looked at the Certificate of Financial Implication attached to this bill - under number 3, it is stated that there will be costs expected from the absorption of the functions of the National Population Council and the National Physical Planning Board. The certificate is silent and does not state these costs.

Therefore, I find this certificate defective. Therefore, is it procedurally right for us to proceed with this particular Bill when the certificate attached is defective?

MR KANKUNDA: Madam Speaker and colleagues, the Certificate of Financial Implication was presented. Under this particular Bill - we are only taking the two agencies, which are the National Physical Planning Board and the National Population Council. The figures are here- non-wage recurrent is Shs 4.549 and under National Population Council is Shs 10.88 billion and they are moving to the National Planning Authority.

THE SPEAKER: You are moving it from one institution to the other and there are only two clauses.

12.49

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala): Thank you, Madam Speaker. I understand the rationale of trying to rationalise and save money. But let us address our minds to reality. The National Planning Authority's

cardinal role is advising on the economic macro and micro policy of a country. The role of the National Physical Planning Board is particularly on land use, management and distribution of resources.

How will history judge us that we sat here to merge responsibilities from a physical planning body to an economic macro and micro planning authority?

Now let us look for all the justifications that you would borrow - the Minister of Public Service - is it that there is expertise in the National Planning Authority for land use, management and distribution?

Under the National Physical Planning Act, we stated that the role of this is to be used as a precursor for land registration, land use, land management and land redistribution-

THE SPEAKER: There is clarification from Hon. Onzima.

MR ONZIMA: Thank you, Madam Speaker. The clarification I seek from Hon. Nsereko is that- I wanted to know if you were saying that, the National Physical Planning Authority joins the National Planning Authority - are we taking away their responsibility? Or we are saying they should come and operate under the same umbrella? Because the way you are raising it -

THE SPEAKER: Since they have more of the same roles.

MR ONZIMA: Yes, they do not have the same roles - I thought what you are saying is instead of them operating under different roofs, they should come and operate under the same roof. From your implication, it is as if you are saying they should abandon their roles to be taken by the National Planning Authority. Thank you.

MR NSEREKO: Thank you, comrade. In the performance of your duties, you are guided by a board. It is not a mere roof. Sharing a roof or sharing working premises can be done. You can even have all ministries work in one area - I understand your issue.

But the issue here is the functions. If you say I move my functions - because your functions are perfectly well prescribed through the performances of the board- you report to a given board- you understand what I am saying? This means that your managerial functions become limited by your performance and your constitution.

You can argue against that today But we had similar arguments in 2010, but people on the National Physical Planning Board have given expertise that people at the National Planning Authority do not have.

MR ENOS ASIIMWE: Hon. Nsereko, let us take an example of the Ministry of Finance, Planning and Economic Development; the function of finance, the function of planning and the function of economic development are all under one ministry, one leadership, one Permanent Secretary and yet different departments or different state ministers. They are all doing these three functions under one roof.

The argument here is that the National Planning Authority and the National Physical Planning Authority are more or less planning. We are saying, can they be under one roof? Do their planning, but still maintain their independent roles or functions as stipulated in the Act.

MR KANKUNDA: I would like to appreciate -

THE SPEAKER: Honourable member, you started a debate before I opened it. I thought you were seeking clarification, which clarification the owner of RAPEX wants to give.

Let us first get the clarification because we are now talking about the National Population Council and National Physical Planning Board being taken to the National Planning Authority. Maybe he has a reason as to why he wants it that way. Honourable minister -

12.54

THE MINISTER OF PUBLIC SERVICE

(Mr Muruli Mukasa): Thank you, Madam Speaker. I would like to also thank Hon. Nsereko for raising some of these issues. We made that proposal under the RAPEX programme because we looked at the whole planning function in the country.

At the strategic level, the National Planning Authority (NPA) gives us all the plans and gives strategic direction to whatever function that is going to be done in Government.

After that, the other ministries, agencies or departments break down this strategic plan into manageable and executable levels in their various ministries and departments.

This strategic level of planning done at National Physical Planning Authority level should now go to NPA and then to the other agencies, it does not mean that they are not going to plan or implement.

Most of these other agencies are now operational agencies, translating the strategic plans into actions which lead to the development of the country.

In other words, strategic level means a masterplan; the whole bigger, macro idea of a plan which is going to be reduced into implementable, actionable programmes. That is all.

THE SPEAKER: Honourable minister, what does the National Population Council do, in regards to planning population?

MR MURULI MUKASA: Well, it looks at the nation's demographic picture, the characteristics -

THE SPEAKER: Honourable members, first listen. It will help you.

MR MURULI MUKASA: - its characteristics and the trajectories that the population is likely to take. After that, other aspects regarding the improvement, development and visions of the population are done by the various ministries

concerned with that subject.

THE SPEAKER: What about the role of the National Physical Planning Board?

MR MURULI MUKASA: This is largely in the Ministry of Lands, Housing and Urban Development; all the physical plans, how they are executed, the actual implementation and oversight over the things are left to the ministry responsible for physical planning; that is the Ministry of Lands, Housing and Urban Development.

THE SPEAKER: Why are you moving it away from Lands and Housing?

MR MURULI MUKASA: We are looking at the strategic level –(*Interjection*)- otherwise, all the other plans that we follow are done by the National Planning Authority. At that strategic level, we have the macro plan and then below it are these other operational agencies. We break that into actionable points and they are executed.

THE SPEAKER: What does the National Planning Authority do?

MR MURULI MUKASA: It is NPA that gives us the strategic micro plan. And then below it, we have these other agencies translating the strategy.

THE SPEAKER: Honourable members, let us hear what the minister is saying.

MR MURULI MUKASA: For instance, we have Vision 2040, and Vision 2030, all that is contained in the NPA purview. Below that, we have the various agencies and departments, which reduce this strategic plan into actionable plans and they are executed for the overall development of the country.

THE SPEAKER: There is a point of clarification from the chairperson of the Committee on Physical Infrastructure.

MR ATWIJUKIRE: Thank you, Madam Speaker, I think the word that has confused

us and led us where we are is “planning” *-(Laughter)-* the National Planning Authority is at policy, formulation and strategic level.

You are now talking about the National Physical Planning Board; it even has a component of enforcement from the national to the subcounty level. You are talking about a country whose land use is one of the most disorganised. People build on top of trenches, but you are getting it from the Ministry of Lands to the National Planning Authority? *(Laughter)*

We should condemn the word “planning” because it has confused us. Madam Speaker, I would like to move that we look at this word. I am not against mainstreaming it, but my concern is; where are we taking it? We are moving as a misguided missile on this, we should reconsider our position.

1.01

MR HERBERT TAYEBWA (NRM, Kashongi County, Kiruhura): Thank you, Madam Speaker. The National Planning Authority has a major mandate of making comprehensive, integrated development plans. I would like us to mark the words “integrated” and “comprehensive”. Therefore, you cannot make any other development plans without looking at the physical space and human resources. *(Applause)*

That is why we have that feeling that if the integrated comprehensive planning is under the same house, there will be a lot of coordination. However, physical planning is done separately. The National Population Council – on demographic planning – is also done separately. That is why we have failed to do planning the way it is supposed to be. All these linkages must be coordinated.

I thank you, Madam Speaker.

THE SPEAKER: Yes, Hon. Richard?

1.02

MR RICHARD WANDA (NRM, Bungokho Central County, Mbale): Thank you Madam Speaker. I would like to join my colleague,

Hon. Herbert, on this matter. When you are planning for national development – and as he put it: “integrated” – you are planning for resources and their usage. To plan for resources, you need to know the population that you are looking at. You need to look at the resources and their usage.

The biggest problem we have had in the country is planning in silos. When the National Population Council is doing their work, they are not cognizant of the fact that physical planning is done by another entity. So, our belief and support for this rationalisation is that when they are under one body, they will work effectively.

Madam Speaker, the fear that we will lose technical staff should not stand because NPA will absorb the technical people and work with them. I thank you.

THE SPEAKER: Yes, youth representative?

MR BONIFACE OKOT: Thank you, Madam Speaker. I rise on a procedural matter. Hon. Sarah Opendi has raised a very important matter that touches on our rules. She said that the certificate of financial implications is defective because it does not have estimates of the revenues and expenditures, as required by the Public Finance Management Act, 2015.

Madam Speaker, one of the things you have insisted on –

THE SPEAKER: Can you, first, get that from the Attorney-General because it was responded to? Attorney-General?

1.04

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you, Madam Speaker. When a law is made, the intention is to achieve a particular purpose. This means that you have identified a mischief and the ways to address it. I would like to read an extract from the report of the functional analysis for the merger of NPA and the National Physical Planning Board under the National Planning Authority.

It says: “The functions of national physical planning are aligned to those of the National Planning Authority and operationalised under the department of infrastructure, industry and physical planning. Therefore, the coordination of strategic physical planning functions (that is, the development of the country’s master plan at the national level), will be the responsibility of the National Planning Authority and the operational physical planning functions (the approval of detailed plans for the local governments), will remain a responsibility of the Ministry of Lands, Housing and Urban Development.”

I beg to submit.

THE SPEAKER: Thank you. (*Members rose*) You wait. Hon. Oboth?

1.06

THE MINISTER OF DEFENCE AND VETERAN AFFAIRS (Mr Jacob Oboth): Madam Speaker, after listening to the Deputy Attorney-General and the contributions from Hon. Herbert Tayebwa and Hon. Wanda, it can only be fair for this House to promote integrated planning.

Planning, even at a family level, if done in a disintegrated manner, the home will be disorganised. (*Applause*) The Government should be given credit for thinking through this aspect of planning and accepting to bring it into one house. The clarification given by the Deputy Attorney-General would put this House in a comfort zone to make a decision even right now, to support the move so that we all – if you are a planner, people are worried about the physical planning. It is all planning, but we are talking about not getting enough because of poor planning.

We all know where all this will end because we have a ministry in charge of planning and finance. Madam Speaker, it will only serve this House right to take a decision because it is much clearer now than it has ever been. Thank you.

THE SPEAKER: Thank you.

1.07

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala City): Thank you, Madam Speaker. I would like to continue submitting that physical planning is specific and requires a body of professionals that oversee physical planning, lest Uganda goes down the annals of history as the biggest slum in the world – I am telling you this and you can quote me. The reason is that we do not take what is cardinaly important in planning – land use and land use management – to be a priority.

We have looked at different loans that have been extended to Uganda. One of the biggest comments has been land use and operationalisation of the functions of the committee of the board on physical planning, nationally.

With over 241,000 square kilometres, 7.2 per cent is probably water bodies, 82.7 per cent is covered by land and the rest are national parks, et cetera. I do not think – and I beg to submit – that the National Planning Authority has the expertise and capabilities. With this integration, I can say –(*Interjection*)– you may differ as you wish because you normally do so. However, I would like to state clearly that the National Planning Authority does not have the expertise and capability to perform this duty to the letter.

I can see the rush for rationalisation. I have looked for the justification – the Speaker normally asks for the qualitative and quantitative analysis and cost-economic benefits that have been applied, but on this, I see a waiver. I can see my brother from Karamoja saying that I have not been following. However, I appreciate how much Karamoja is well planned for and I can see your comfort.

History will register –(*Interjection*)– please, give me the information –

THE SPEAKER: Honourable members, I do not know why we are over dwelling on this. We are talking about NPA and physical planning and he says they have engineers who do it. If

we can get technical people – like we have passed in the other Bills. Let us get technical people from physical planning and take them to NPA. Get people from the population council and take them to NPA so that we have a one-stop centre that will be running the country. *(Applause)*

At the end of the day, when National Planning Authority is planning for this country, it has to know how many people it has in the country, it has to know what kind of roads it is dealing with. – Motion?

MR NSEREKO: Madam Speaker, let us be given some little time to debate. We are not saying that expertise cannot be reallocated to that area. We are only saying that the National Planning Authority itself is a failure. You are saying that we are justifying migration –

THE SPEAKER: No, but we have not got - Hon. Nsereko we cannot say NPA has failed. All these budgets that you are passing go through NPA. Everything you are doing goes through NPA. Yes, Minister-

MR NSEREKO: Madam Speaker, we were making an argument for the National Forestry Authority and the -

MR HARUNA KASOLO: I am on the Floor. (Mr Nsereko: “Order, Hon. Kasolo”)

THE SPEAKER: Hon. Nsereko, I have never known you for that. I know you as a gentleman.

MR HARUNA KASOLO: He is from Kampala. Madam Speaker, maybe the reason Hon. Nsereko is accusing NPA of being a failure is because we have been planning in silos.

THE SPEAKER: Do not answer, Hon. Nsereko. Defend your position.

MR HARUNA KASOLO: Thank you, Madam Speaker.

THE SPEAKER: Honourable members, I put the question that “The National Planning

Authority (Amendment) Bill, 2004” - let me have the Shadow Minister of Justice and Constitutional Affairs-

1.14

MR JONATHAN ODUR (UPC, Erute County South, Lira): Madam Speaker, you invited the chairperson of the committee, the minister responsible, and the Deputy Attorney-General even solicited extra reinforcement from the minister responsible for defence to clarify on the point of law.

Madam Speaker, once a point of law is raised in the House unless it is disposed of; the proceeding would be an irregularity. I want to invite you, Madam Speaker, at this point, you are estopped from proceeding without addressing the preliminary issues raised by Hon. Sarah Opendi.

THE SPEAKER: It was answered by him.

MR ODUR: None of them answered the requirements under Rule 118 of our Rules of Procedure. If they cannot answer, it means at this stage, we are going to be debating in futility.

THE SPEAKER: Honourable, can you answer the issue of financial implication? The issue that we are talking about - there is nowhere in the amendment I see that we are going to sack these people. We are transferring the expertise to NPA because the presumption is the people in NPA may not be able. Answer the issue of the certificate.

MR KAFUZI: Madam Speaker, I am going to repeat what you have just said. The intention of the Bill, unlike the others on rationalisation where we say, we are repealing and we are saving this much, here, we are not repealing or even disbaring. We are maintaining and mainstreaming. We are bringing the functions of these bodies under one umbrella called the National Planning Authority, but maintaining them as they are.

THE SPEAKER: All these implications may not be quantitative. Hon. Jonathan -

MR ODUR: Madam Speaker, I am a little bit surprised.

THE SPEAKER: Help us if you can since you are the Shadow Minister of Justice and Constitutional Affairs.

MR ODUR: Madam Speaker, the only help I can render to this House would be to be honest. Whenever you are part and parcel of an institution, there is what we call the duty, that you bear to the House to render good advice and where necessary to concede.

The Attorney-General being a very senior lawyer knows that once a point of law is clear, you do not argue against it. You just concede and say that is what the law says and proceed.

Before I take information from Hon. Sarah, there is a specific requirement under the law, both under PFMA and our Rules of Procedure that a Certificate of Financial Implication must pass the test and it is outlined there. The point is that this certificate does not. I will now receive information from Hon. Sarah.

MS OPENDI: Thank you, Madam Speaker. I also thank the honourable member for giving way. The information I want to give this House and to the Attorney-General is to ask him to look at the certificate for both the National Planning Authority and the National Physical Planning Board because he indicates that they are only transferring and there will be no costs.

In the Certificate of Financial Implication for the National Population Council, for example, there are expected savings. The Bill is envisaged to result in a savings of Shs 11.22 billion to the Government through the reduction in administrative and personnel-related costs. You are definitely going to reduce personnel. This is a saving contrary to what you have said.

Now when you look at the certificate for the National Planning Authority, which is going to receive both the National Physical Planning Board and the National Population Council, it is actually silent. It says that there will be costs associated with receiving these two

entities, but they are silent on the costs. This is the procedural matter that I had raised. The certificate is defective so we cannot proceed to the Bill's Second Reading. Let us not attract litigation.

1.18

THE LEADER OF THE OPPOSITION (Mr Joel Sseyonyi): Madam Speaker, two quick issues. One, on the Certificate of Financial Implications, the Deputy Attorney-General earlier on was responding to our honourable colleague, Youth Member of Parliament and he did not with specificity respond to the question of the Certificate of Financial Implication. He responded generally because the issues are very specific on the amounts, otherwise figures are figures.

Deputy Attorney-General, maybe you need to compose yourself and respond again since you did not. You spoke generally not specifically to the question.

Two, I am actually a little bit alarmed that Government is saying part of the reason there has been challenges with planning is because these entities are in different locations so they are not in sync. That has alarmed me because I did hear that from Hon. Kasolo. Now that they get to be under one roof, they will be listening to each other a lot more. I would expect a different and even better reason.

All the while, as I have been saying, the compelling argument has been on cutting down Government expenditure. If you are saying they are not listening to each other because they are in different locations, then you need to be better organised as Government. That would mean for me that even under one roof, there will still be challenges. You will say, "You see, this is a desk on the third floor, the other one is a desk on the first floor". I think let us be a lot more compelling in our arguments.

Madam Speaker, we want to cut down on Government expenditure, but we want to make sure there is efficiency and that efficiency question is not coming through properly, Hon. Kasolo. That is why some Members are

saying, “Wait a minute, can we be convinced properly?” Otherwise, there is the National Physical Planning Board here, there is the National Population Council and there is the National Planning Authority.

In an ideal situation, I want to see how we lessen all Government expenditures. I want to see how instead of having 80 plus ministers, we have 10. Then, you are cutting down and ensuring efficiency. That is something that the honourable colleagues on the Front Bench are not addressing yet you need to address it and convince Members realistically.

MS MALENDE: Thank you, honourable for giving way. The issue of efficiency is very important and we should take it seriously -

THE SPEAKER: Honourable member, you have even just come here. Let me first have Hon. Nambooze.

1.21

MS BETTY NAMBOOZE (NUP, Mukono Municipality, Mukono): Thank you, Madam Speaker. Some things cannot be put together just for the sake of it. For example, even if we were to combine ministries, we would not put the Ministry of Education and Sports under the energy ministry.

Madam Speaker, physical planning is a function that involves day-to-day activities that runs up to local authorities. I want to know, this National Planning Authority under the Ministry of Finance will be able to supervise and monitor activities of physical planning that run up to local physical planning authorities.

THE SPEAKER: Honourable members, I am not standing over this. When you look at the financial implications for “The Physical Planning (Amendment) Bill, 2024”, the figures are here. The non-wage recurrent is Shs 4.5 billion. Are we together? This is what is going to the parent ministry.

When you look at the National Population Council Act that is also going to NPA, the figures are Shs 11.92 billion. It is also going

to the parent ministry. Now, I do not see where the argument is coming from, unless, you wanted these same figures to just be copied – chairman, do you have something – and then Minister of Defence?

MR KANKUNDA: Yes. It is this same House that requested individual certificates for entities being merged. Madam Speaker, you have rightly put it, the entities that are being merged are those that have certificates of financial implication. The other one is just on the receiving end and there is no change. Yes.

MR ODUR: I would like the chairperson of the committee to clarify the following. Under Rule 118, taken from the PFMA, the Certificate of Financial Implication issued under subrule one shall indicate the estimates of revenue and expenditure over the period of not less than two years after the coming into effect of the Bill.

Would the chairperson tell us the figures, the revenue estimates, and the expenditure estimates, since he has examined that certificate? If he does that, we can then proceed. Would the chairperson or any of the members of the front bench come and tell us those estimates? These estimates are figures as provided for in the law.

From the Attorney-General, I wanted this clarification: By practice, the Attorney-General and the Deputy Attorney-General are senior members who should guide the House. Where there is a breach of law, the Attorney-General cannot be seen to be siding with the violation of the law. I invite the Deputy Attorney-General to become the Attorney-General of this country at this time. And having recognised that there is a problem with this, he should actually concede.

MR KAFUZI: Madam Speaker, I have listened to Hon. Odur. You do not expect me to concede unless I am convinced. We have three certificates that must be read together. The two certificates have given the figures. As the Speaker has read, the Certificate of Financial –

THE SPEAKER: First, before you read them, under the Physical Planning (Amendment)

Bill, the saving that will be made – remember it is physical planning that is making a saving - the saving that will be made will be the Shs 4.54 billion. If you took this to the National Planning Authority - I am reading according to their documents.

Under the National Population Council, when you repeal that, you are making a saving of Shs 11.9 billion, which will be transferred to the NPA. This brings in the law and accounting. When there is a debit on this side, there should be an equal credit. I know, I am – Moses, not so?

MR SSENKYONYI: Madam Speaker, I agree with you on the Certificate of Financial Implications for the National Population Council; it is indicated as Shs 11.92 billion. I have with me the Certificate of Financial Implications for the National Planning Authority. Number three, subtitle, Funding and Budgetary Implications. “There will also be costs expected from absorption of functions performed by the National Population Council and National Physical Planning Board into the structures for the National Planning Authority.” What are those costs, Deputy Attorney-General? You mentioned them. This is a certificate signed by the Hon. Matia Kasajja, the Minister of Finance, Planning and Economic Development.

In the other, you have given us a breakdown, but in this one, you have just given us a heading. What are the costs, because you are conceding that there will be costs expected from the absorption? Which ones? They are figures.

1.28

MR MOSES ALEPER (NRM, Chekwii County Kadam, Nakapiripirit): Thank you very much, Madam Speaker. I just want to illustrate this in a very simple way. If you are carrying one exercise book there with you and I am going to give you the two that I have, that is the additional weight that will come to you. That is the cost that will arise for NPA. The cost that is transferred from these other entities that are brought to them. That is the simplistic way I could illustrate it. Yes, thank you.

THE SPEAKER: Hon. Herbert. Hon. Zijjan, I will come to you.

1.29

MR HERBERT TAYEBWA (NRM, Kashongi County, Kiruhura): Madam Speaker, we need to understand that the technical and professional staff within these two entities, which are being rationalised will be absorbed by the National Planning Authority. That is the assumption we have. And they will go with salary-related costs which are personal.

However, institutions have non-salary-related costs. If you have two institutions, issues like rent, internet, electricity, and water are issues from which you would save if you integrate the two institutions.

Therefore, we believe, or we are sure that staff who are technical from the Physical Planning Authority and the National Population Council will be absorbed to take the expertise to the National Planning Authority.

However, the non-technical staff who may be lost – that is the administrative staff – may be lost and some costs will be incurred. However, the non-personal costs, which I have mentioned, will be saved. I think for that matter, we shall be making a big saving while consolidating and integrating the planning. Thank you, Madam Speaker.

1.31

MR DAVID ZIJJAN (Independent, Butembe County, Jinja): Madam Speaker, thank you very much for the opportunity. She said she was coming to me, so it was me. The Attorney-General has admitted that there are three Certificates of Financial Implication. Two certificates indicate the anticipated revenue and expenditure. The third certificate does not. And that is the defect we are talking about – I will wait for the attention of the Chair – (*Mr Muzaale rose*) This is a legal question. We are dealing with a legal question. Commerce will come later – (*Interruption*)

MR MUZAAL: I am giving you information.

MR ZIJJAN: I do not want your information. It is me who allows the information - *(Interjections)* - I have not even submitted. What are you informing me about?

THE SPEAKER: Honourable members, I have not allowed anybody to access the microphone. Can you sit and we hear from the Leader of the Opposition?

MR SSENKYONYI: Madam Speaker, this is a legislative House and it is important that as we make laws, we follow the law. Otherwise, we shall look shabby, people taking us to court over procedural issues and legal matters.

The defect there is with the certificate of financial implication of the National Planning Authority (NPA), as I have stated, is that you are not alluding to the figure. In the other ones, you have clarified properly.

For the population council, you have given us a figure, which is going to be saved, Shs 11.9 billion. Okay, granted, maybe on another day we may interrogate how you came to that, but we shall take it as it is.

For the Physical Planning Board, you have given us a figure of Shs 4.5 billion to be saved. What you are saying is that those savings will offset the costs of the NPA. What are those costs? Can they be adumbrated too?

We must find a cure for that because it is a legal question. It is not just a political one. As you have indicated what is to be saved on the other side, here, you mention that this is going to be - *(Interruption)*

MR OBOTH: Thank you. Leader of the Opposition, I have never interrupted you and this one is just the flow. I agree with you in many aspects, especially on the costs that will be saved. And on those costs, you have not asked for the certificate and you are not inquiring about the details of those costs, some are categorised as non-wage. However, if you are asking NPA to put the expected cost and that they should break this down, you would apply the same system because you have

assumptions that when you do all this, there will be some cost and that is the cost that the Leader of the Opposition, - Hon. Sarah and Hon. Odur, are saying we must indicate here.

National Planning Authority is a parent organisation and is not being merged. They are staying with all - if you want to know the cost in the NPA, you have to interrogate their budget.

The clarification I want to seek from you - I know that I pass through Busoga to go home, but stop intimidating me - *[Hon. Odur rose]* Madam Speaker, protect me from my good friend. I am waiting.

THE SPEAKER: Just receive his order.

MR ODUR: Thank you, Madam Speaker. Is Hon. Oboth in order to come to the Floor of Parliament and confuse two simple and plain English words; revenue and savings? What the certificate requires is an estimate of revenue and expenditure, not a saving. A saving has never been income and we can debate that.

THE SPEAKER: A revenue and a saving - honourable members, I am surprised that even the team is confusing revenue and savings, vis-a-vis expenditure. When I take you away from Parliament or when you lose your seat in Parliament, we save because we are not paying you anymore.

When we get people from the Physical Planning Authority, we are going to have a saving, which is going to be transferred to NPA and will become a cost. I am now speaking from the financial aspect. Do you get it?

We have a saving from the Physical Planning Board and the population council. What we save after merging them is not revenue, it is going to be an expenditure on the other side because you are taking the people from here to NPA, and NPA will pay them the equivalent.

MR SSENKYONYI: I agree with you, partially though, to the extent that the money that is being saved from the Population Council and

Physical Planning Board, will be available to offset costs at NPA.

However, not in totality, because what would be the essence of rationalisation? If all the Shs 11.9 billion saved from the Population Council is going to be spent at NPA, why are we rationalising? If all the Shs 4.5 billion that is saved at the Physical Planning Board is going to be spent at NPA, why then are we doing this?

We shall only use a small fraction of the Shs 11.92 billion saved from the National Planning Council. We shall only use a small fraction of the Shs 4.5 billion saved from the Physical Planning Authority. That small fraction is what we wanted you people to have told us in the Certificate of Financial Implications, not the entire.

THE SPEAKER: Way forward? Can you commit that -

MR OBOTH: What Hon. Ssenyonyi is asking for, can be furnished by the Government - *(Interjections)* - the very able Minister of Finance is here, to make that commitment. However, it should not be a deterrent to passing this law.

MR HARUNAKASOLO: Thank you, Madam Speaker; I undertake to bring the additional information indicating the breakdown of the savings.

THE SPEAKER: Attorney-General?

MR KAFUZI: For purposes of clarity, we do acknowledge the arguments made by the other side.

THE SPEAKER: Hon. Odur? *(Laughter)*

MR KAFUZI: We will make an addendum to clarify the anomaly. In the meantime, it is our humble request that the House proceeds - *(Members rose_)*

MR ODUR: Madam Speaker, this is a matter that is clear to the Frontbench -

THE SPEAKER: Let us first go to the National Population Council (NPC). We are not withdrawing the Bill. Let us handle NPC, the board and then we come back to this one.

BILLS
SECOND READING

THE NATIONAL POPULATION COUNCIL
ACT, 2014 (REPEAL) BILL, 2024

1.43

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICRO-FINANCE) (Mr Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled, "The National Population Council Act, 2014 (Repeal) Bill, 2024", be read the second time. I beg to move.

THE SPEAKER: Seconded? *(Members rose_)* It is seconded by the whole side - *(Laughter)* - including Hon. Shamim, Hon. Anifa, Hon. Ojok, Hon. Macho, Hon. Kamuntu, Hon. Eva, Hon. Margaret, Hon. Esther, Counsel and the whole side of NRM. Thank you. Speak to it.

MR KASOLO: Thank you, Madam Speaker. The objective of this proposal is: to repeal "The National Population Council Act, 2014"; to give effect to the Government policy on Rationalisation of Agencies and Public Expenditure; to enable the transfer of the functions of the National Population Council to the National Planning Authority; and to dissolve National Population Council.

Thank you, Madam Speaker.

THE SPEAKER: Thank you. Committee chairperson?

1.44

THE CHAIRPERSON, COMMITTEE OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Amos Kankunda): Madam Speaker, I had earlier laid the details of the minutes and all the necessary submissions that were made during the interactions and I hereby report.

Madam Speaker, at the 22nd Sitting of the Third Session of the 11th Parliament, held on the 9th of April, as earlier said, “The National Population Council (Amendment) Bill, 2024” was for the first time, in accordance with Rule 128(2) of the Rules of Procedure, tendered to this Parliament.

Relatedly, pursuant to Rule 129(1) of the Rules of Procedure of Parliament, the Bill was referred to the Committee on Finance, Planning and Economic Development and hereby reports.

The object of the National Population Council Act, 2014 (Repeal) Bill, 2024 is:

- (a) To repeal the National Population Council Act, 2014;
- (b) To give effect to the Government policy on Rationalisation of Agencies and Public Expenditure;
- (c) To enable the transfer of the functions of National Population Council to the National Planning Authority; and
- (d) To dissolve the National Population Council.

The National Population Council Act, 2014 provides for the establishment, composition, functions and administration of the national council and its secretariat.

The main function of the council is to formulate policies to give strategic direction on the implication of the objectives of the National Population Policy.

The National Population Council Act, 2014 (Repeal) Bill, 2024 seeks to repeal the National Population Council Act, 2014 and effectively ensure that there is no duplication of roles by transferring the functions of the National Population Council established by the National Population Council Act, 2014, Act 8 of 2014, to National Planning Authority, established by Act 15 of 2002.

Under clause 6 of the Bill, all the property, assets, rights, obligations and liabilities of the National Population Council shall vest in

the National Planning Authority. Proceedings commenced by or against the council may be continued by or against the National Population Council.

Effectively, the members and staff of the council, serving immediately before the commencement of the Act, shall be paid their terminal benefits as per the terms and conditions of their service and may be redeployed to serve in the public service, subject to the availability of positions.

The committee’s findings, observations and recommendations

The National Population Council Act, 2014 (Repeal) Bill, 2024 seeks to transfer the functions of the National Population Council to the National Planning Authority.

The National Population Council Act, 2014 was enacted to provide for the establishment, composition, functions and administration of National Population Council and its secretariat with the main function of the council being to formulate policies to give strategic direction on the implementation of the objectives of the National Population Policy.

The council shall, to the greatest extent possible, cooperate with the Government, line ministries, local governments, institutions and civil society organisations in carrying out its functions under this Act.

The council is to advise the President on population matters, promote and popularise the National Population Policy and set up a national population data bank.

The committee notes that whereas the 2018 National Population Policy takes into account the provisions of the National Population Council Act, 2014, Uganda Vision 2040 (of attaining upper middle-income status by 2040), the national development plans and their processes as well as other relevant international frameworks like the ICPD, the Sustainable Development Goals, Agenda 2030, EAC 2050 as well as “Africa We Want”

and “Agenda 2063”, among others, National Planning Authority whose primary function is to produce comprehensive and integrated development plans for the country, elaborated in terms of the perspective vision and the long-term and medium-term plans, is best suited to carry out the functions of National Population Council.

Furthermore, the committee noted that the 2018 National Population Policy recognises that in addition to the fundamentals like infrastructure, energy, information and communications technology, Uganda needs to pay attention to its human capital development if it is going to benefit from its demographic dividend.

Integrating population strategies with National Planning Authority will enhance the capability to address demographic issues directly through development policies.

The committee, therefore, observed that the repeal of the National Population Council Act and the transferring of the functions performed by the Population Council to the National Planning Authority is in line with the rationalisation policy and effectively relieves the Government of the financial drain on its resources and the burden of wasteful expenditure.

The committee further observed that the outputs of the National Population Council will best be integrated in the plans of different sectors under the supervision of the National Planning Authority.

The committee, however, noted that the Bill does not provide for the commencement of the Act and the absence of the commencement date means that the law will commence on publication yet the agency may need more time to adequately prepare for rationalisation policy.

Recommendation

The committee recommends that the National Population Council Bill, 2014 be passed subject to the proposed amendments. I beg to submit.

THE SPEAKER: Thank you so much. Can we have the other one also moved so that we can discuss all of the three at ago?

BILLS SECOND READING

THE NATIONAL PHYSICAL PLANNING (AMENDMENT) BILL, 2024

THE SPEAKER: Honourable minister -

1.52

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICRO-FINANCE)

(Mr Haruna Kasolo): Madam Speaker, I beg to move that “The Bill entitled the National Physical Planning (Amendment) Bill, 2024”, be read the second time. I beg to move.

THE SPEAKER: Thank you. Is it seconded? It is seconded by Hon. Faith, Hon. Acayo, Hon. Onzima, Member for Apach, Member for Kween, Member for Kalaki, Member for Kumi, Hon. Christine, Hon. Nandutu, Hon. Alayo, Hon. Katenya, Hon. Kahonda, Hon. Moses and the Member representing the elders. Thank you. Can you speak to it?

MR KASOLO: Thank you very much, Madam Speaker. The objective of this amendment is to give effect to the national policy of Rationalisation of the Government Agencies and Public Expenditure, enable the transfer of functions of the National Physical Planning Board to the National Planning Authority established by the National Planning Authority Act, 2002 and to abolish the National Physical Planning Board. Thank you.

THE SPEAKER: Thank you. Chairperson, can you summarise?

1.54

THE CHAIRPERSON, COMMITTEE OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Amos Kankunda):

Madam Speaker, the committee, as earlier said, recommends the National Planning Council be absorbed as suggested and rationalised to

the National Planning Authority with all the advantages that we see with the integrated planning of the National Planning Authority.

THE SPEAKER: Thank you. Honourable minister - Hon. Oguzu Lee.

1.55

MR DENIS OGUZU (FDC, Maracha County, Maracha): Madam Speaker, when the committee was making consideration of this matter, I appeared before them and raised issues which I had wanted answers to and it seems those issues have not been substantially addressed.

One of the issues I raised was that the current structure of the National Planning Authority cannot allow this board to fit. Therefore, we would have needed assurance from the movers of this Bill that the current structure if it goes to the planning authority, will be approved by public service and that means, the financial certificate that the minister was asked to bring would align to the structure. If it is not proven, it would be important for the House to address on that.

Two, the National Planning Authority is responsible for economic planning. Physical planning has a function to do with land use planning, which is anchored on the Land Act and the land policy –(Interruption)- no, we talked about the physical planning board and finished the population council. He came on physical planning and that is what I am rising on.

Honourable, presented on the need to dissolve the National Physical Planning Board and move its functions to the National Planning Authority. I think I am proceeding well.

Madam Speaker, you need to protect me because it seems the matters I am raising cannot be -

THE SPEAKER: Hon. Oguzu Lee, you know, you are a single minority because we have discussed that. We only have one item that we need to resolve that was raised by the Shadow Minister of Justice and Constitutional

Affairs and that is under Section 76 of the Public Finance Management Act, 2015, which stipulates the cost estimates of the Bill. It requires the Minister of Finance, Planning and Economic Development to accompany the Bill with a Certificate of Financial Implication indicating the estimates of revenue and expenditure over a period of two years after the Bill comes into effect.

The previous three Bills have some little details, which are lacking the Certificate of Financial Implication as per Section 76 of the Public Finance Management Act. I would, therefore, request the technical team and the minister that as we wait for you to bring the three certificates - we will give you special consideration when you return in the next one hour to reintroduce your Bills and then go to the question directly.

I am, therefore, requesting that you go and bring the certificates as we continue with the other Bills. Then, we will introduce and pass them without going to the Committee Stage.

MR KASOLO: Most obliged, Madam Speaker.

THE SPEAKER: Can we go on to the next Bill, that is, the Tier 4 Microfinance Institutions and Money Lenders (Amendment) Bill, 2024.

BILLS SECOND READING

THE TIER 4 MICRO-FINANCE INSTITUTIONS AND MONEY LENDERS (AMENDMENT) BILL, 2024

THE SPEAKER: My brother, Hon. Dr Omona, you are most welcome and congratulations.

2.02

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICRO-FINANCE) (Mr Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled “The Tier 4 Microfinance Institutions and Money Lenders’ (Amendment) Bill, 2024” be read the second time.

THE SPEAKER: Is it seconded? (*Members rose*) It is seconded by the Minister of Energy, Hon. Nandutu, Hon. Alanyo, Hon. Solomon Silwany, Hon. Katenya, Hon. Atyang, Hon. Esther; all of you. Thank you. Would you like to speak to it and then give us a summary of Tier 4?

MR HARUNA KASOLO: Madam Speaker and honourable colleagues, the Tier 4 Micro-finance Institutions and Money Lenders (Amendment) Bill seeks to amend the Tier 4 Micro-finance Institutions and Money Lenders' Act, 2016 to:

1. Dissolve the Uganda Micro-finance Regulatory Authority established under section 6; and
2. Mainstream the functions of the Uganda Micro-finance Regulatory Authority into the Ministry of Finance, Planning and Economic Development to give effect to the Government policy on rationalisation of Government agencies and public expenditure.

Madam Speaker, I beg to move.

THE SPEAKER: Thank you. Yes, committee chairperson.

2.03

THE CHAIRPERSON, COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Amos Kankunda): Madam Speaker and honourable colleagues, under this Bill, I received notification for a dissenting opinion on the matter of the Tier 4 Micro-finance Money Lenders (Amendment) Bill. We have had with dissenting views and I hereby lay, but let me go ahead and read the report.

As earlier said, this Bill was passed on to the committee, which attended to it and hereby reports. The objective of the rationalisation policy of Government was earlier stated, but the object of the Tier 4 Microfinance Institutions and Money Lenders (Amendment) Bill, 2024 is as follows:

1. To dissolve the Uganda Micro-finance Regulatory Authority established under section 6; and
2. To mainstream the functions of the Uganda Micro-finance Regulatory Authority into the ministry responsible for finance to give effect to the Government policy on rationalisation of Government agencies and public expenditure.

The Tier 4 Micro-finance Institutions and Money Lenders Act, 2016 establishes the Uganda Micro-finance Regulatory Authority and provides for the licensing and management of tier 4 micro-finance institutions, management and control of money lending businesses; establishes the SACCO Stabilisation Fund and SACCO Saving Protection Scheme; provides for a Central Financing Facility; provides for licensing of money lenders, provides for self-help groups and commodity micro-finance and receivership; and liquidation of tier 4 micro-finance institutions.

Madam Speaker, the committee's findings and observations are as shown.

A Certificate of Financial Implications for the Tier 4 Micro-finance Institution Money Lenders (Amendment) Bill, 2024 was tendered and laid on Table.

Revenue and expenditure

Section 76 of the Public Finance Management Act on cost estimates of the Bills provides as follows:

1. Every Bill provided in Parliament shall be accompanied by a Certificate of Financial Implications issued by the minister, which was done;
2. The Certificate of Financial Implications issued under subsection (1) shall indicate the estimates of revenue and expenditure over the period of not less than two years after the coming into effect of the Bill when passed; and
3. In addition to the requirements under subsection (2), the Certificate of Financial Implications shall indicate the impact of the Bill on the economy.

The committee observed that UMRA generates Non-Tax Revenue from its regulatory functions include annual licence fees, application fees, search fees and alteration fees. UMRA makes the assessment for tier 4 microfinance institutions and money lenders, who then pay the respective NTR to URA for services of UMRA, as provided for in the law.

The Certificate of Financial Implications, as laid, does not illustrate any additional anticipated revenue to be generated by the ministry after mainstreaming the functions of UMRA.

The Ministry of Finance, Planning and Economic Development anticipates the direct costs of the Bill to be Shs 1.896 billion meant to cater for retrenchment costs and severance package for the 25 staff that will not be absorbed in the rationalised structure.

However, the committee observed that the Ministry of Finance failed to illustrate the revenue and expenses associated with the Bill when passed, as required by law.

The committee further observed that whereas the Ministry of Finance proceeded with the rationalisation policy on the basis that all the contracts of the staff would expire at the end of June 2024, the committee established that all employment contracts of the staff of UMRA are still running until 2027 and 2029 for the Executive Director.

The committee further observed the provision of Shs 1.896 billion to cater for retrenchment costs and the severance package for the staff provided in the Certificate of Financial Implication is significantly lower than the expected aggregated wage for all staff of UMRA whose contracts are running for at least three to five more years from 2024.

Based on the annual wage bill of UMRA for Financial Year 2023/2024 of Shs 2.17 billion, the provision of Shs 1.896 billion in the Certificate of Financial Implication does not reflect the true liability of the Government, in terms of retrenchment costs and severance

packages for the staff with active employment contracts.

It is further the observation of the committee that the Certificate of Financial Implication, as laid, did not provide sufficient information on the current resource on UMRA, which shall be moved from Vote 162 to Vote 008, where the function of the regulation of the sector is being mainstreamed. The details of the certificate should have included the new wage and the operational funds that the new unit or department in the ministry responsible for regulation would require.

Expected Savings to Government

Madam Speaker, the Ministry of Finance envisages the Bill to result in savings of Shs 6.7 billion to the Government through the reduction in administrative and personnel-related costs, following its implementation as shown on the diagram below;

The Uganda Microfinance Regulatory Authority's total budget, according to estimates laid in Parliament, is projected to be Shs 12.6 billion in the Financial Year 2024/2025. However, the proposed allocation in the Appropriation Bill, 2024 indicates that UMRA's budget will decline to Shs 7.6 billion.

The committee notes that the current wage bill for the in-post personnel employed by UMRA is Shs 2.17 billion. The Certificate of Financial Implication indicates a saving on a wage of Shs 2.17 billion. If this was the correct figure, it would imply that all the current employees of UMRA would have their employment terminated and the current staff of the ministry would undertake the scheme of the work of UMRA, as per the figures explained above.

The committee observed that the Ministry of Finance does not provide the details of the actual expenditure lines where the anticipated savings are expected. Therefore, the committee compared the provisions of the total expected savings in the Certificate of Financial Implication of Shs 6.7 billion and the total budget of the Uganda Microfinance Regulatory

Authority (UMRA) in the Appropriation Bill, 2024, being Shs 7.6 billion.

Therefore, it has been established that if the Shs 6.7 billion was the correct saving as reported, the mainstreamed budget for both wage and non-wage would only be a saving of Shs 900 million, which would probably not be sufficient to cover the wages of the skeleton staff structure without any operational funds to regulate the entire industry.

The committee observed that whereas the object of the Bill is to, among others, rationalise agencies/authorities and public expenditure, thereby relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure; In the case of Uganda Microfinance Regulatory Authority (UMRA), it has enabled the Government to collect tax revenue, as indicated in the table below. Since UMRA was established, the total revenue collection from UMRA's licensees for five financial years amounts to Shs 386,347,759,939 -

THE SPEAKER: Committee chairperson, can you summarise and go to the conclusion?

MR KANKUNDA: Thank you, Madam Speaker.

THE SPEAKER: You just go to the conclusion.

MR KANKUNDA: Madam Speaker, the committee, having interacted with the different stakeholders and analysed relevant documents in line with the proposed amendments to the Tier 4 Microfinance Institutions and Moneylenders Act, 2016; and also aware of the Government policy for rationalisation of its agencies and the respective objectives of the RAPEX, recommends that the Tier 4 Microfinance Institutions and Moneylenders (Amendment) Bill, 2024 be rejected. *(Applause)* Additionally, the committee recommends that UMRA be sufficiently supported to undertake the following:

1. Management of interest rates. UMRA should be strengthened to enforce compliance, increase awareness, mitigate problems of information asymmetry as an alternative to capping interest rates.

Monitor interest rates under the sector by creating an online loan platform for all regulated institutions. This would enable borrowers to make informed choices about where and when to borrow thus reducing information asymmetry;

2. Implementation of the Credit Information Sharing Mechanism. UMRA should establish a national database for credit history in the sector to create credit reporting as collateral similar to the Credit Reference Bureau while mitigating credit risk for tier 4 institutions and money lenders to operationalise section 8(2)(L) of the Tier 4 Microfinance Institutions and Moneylenders' Bill;

3. Digital transformation of the tier 4 sector through automated licensing and regulatory reporting that will enable monitoring the revenue and actual remittances to the Uganda Revenue Authority (URA), which will increase the Government revenue collections. Currently, it remains a challenge to aggregate all the revenues from the sector, save for the non-tax revenues;

4. Issuance of digital lending guidelines to monitor and supervise digital lenders. This is a tool for curbing anti-money laundering. This is a collaboration with development partners like the United Nations Capital Development Fund (UNCDF), the Association for Fintech and other sector actors;

5. Financial literacy and awareness. As part of its work plan, UMRA should enhance financial literacy and awareness campaigns to create public awareness in the financial and address complaints.

Engaging members of the public on their rights as consumers of financial products builds confidence in the market which is a key ingredient to financial inclusion; and

6. UMRA as an independent regulator should be easily accessed by both licensees and members of the borrowing public. This will enhance effective service delivery. I hereby submit.

THE SPEAKER: Thank you, committee chairperson. As you have heard about the UMRA, the committee is against its rationalisation because it regulates the microfinance tier 4. I think we agree with the minister in charge of RAPEX.

Minister, would you want to say something? (*Hon. Nakut rose*) Hon. Faith, are you in agreement with the rationalisation of the UMRA as a regulator?

2.18

MS FAITH NAKUT (NRM, Woman Representative, Napak): Madam Speaker-

THE SPEAKER: Why don't we first hear from the minister? He has something -

MS NAKUT: It is a seven-member minority report.

THE SPEAKER: You table the minority report and we first hear-

MS NAKUT: It is not mine alone.

THE SPEAKER: You table it.

MS NAKUT: The minority report was tabled by the committee chairperson, but it has not been read. Madam Speaker, let me read the minority report as allowed by the rules.

THE SPEAKER: Hon. Faith, just go straight to your point of departure.

MS NAKUT: Correct. Madam Speaker, I thank you for the opportunity. The areas of dissent are few.

Performance of the Uganda Microfinance Regulatory Authority over the last five years. While the 10th Parliament envisioned that UMRA would help provide for the licensing of tier 4 actors, management and control of money lending business, establishing a SACCO protection fund and a SACCO saving protection scheme; it is worth noting that for the last five years, UMRA has not delivered on its mandate except for issuing licences to money lenders, a duty that can effectively be handled by any Government department. (*Applause*)

UMRA has been concentrating on the registration of people or firms interested in the money lending business and has made this its core mandate, yet it is only a process to the core mandate of regulation.

UMRA has not demonstrated even the willingness to handle the other regulatory core mandates of financial stability and consumer protection.

While UMRA slept on the job, the moneylenders enjoyed a field day running the industry on their own, to the extent of making citizens sign sale agreements of property in the guise of a lending agreement. (*Applause*) Therefore, taking advantage of the illiteracy and vulnerability of our people. The Parliament of Uganda exists to protect the citizens and we are glad this amendment has come.

The rosy picture highlighted by the majority opinion has come at the cost of lives and property of some Ugandans who have lost all their assets to the moneylenders. (*Applause*)

Madam Speaker, UMRA has continued to provide a perfect cushion for moneylenders to defraud unsuspecting Ugandans. What is Shs 130 billion revenue compared to millions of Ugandans who have degenerated into poverty? What is the revenue that comes at the cost of the blood of Ugandans, who succumbed to depression, having been tortured by moneylenders? Therefore, leaving the status quo is collusion to loot the poor Ugandans. (*Applause*)

Regulatory function

Madam Speaker, you are alive to the fact that a number of Members have submitted to this House matters of national importance concerning money lenders, who storm lower local governments and defraud our people, including taking their national IDs. For instance, in this House last year, Hon. Henry Kibalya, the MP for Bugabula South in Kamuli District, submitted to this House a report on the dubious acts of money lenders in his constituency. While these issues have been raised in the House, the supposed regulator went silent as the loot continued.

Additionally, while UMRA was also intended to support SACCOs, the Ugandan SACCOs have been on their own. If it was not for the work of commercial officers in local governments, the SACCOs would have fallen into the temptation of defrauding Ugandans as well. There is no sign that UMRA, in its current state, will rise up to the task and be effective and efficient. For instance, one does not need money to issue a statement to the public and, so, the excuse of limited funding as a justification for inaction cannot suffice. *(Applause)*

Lending rates

While Section 90 of the Tier 4 Microfinance Institutions and Money Lenders Act, 2016 stipulates that the minister (with guidance by UMRA) shall set the guidelines for lending rates, UMRA has continuously advised to the contrary and has, therefore, made it impossible for lending rates to be regulated. As a result, some lenders charge up to 30 per cent per month. This is 360 per cent per annum, the highest in the world. The exploitation must stop, Madam Speaker. The majority opinion recognised this anomaly, but was shy to give a befitting recommendation.

Administrative processes of rationalisation

Madam Speaker, the majority opinion has pitched justification on the cost and process of administering rationalisation, rather than the efficiency in the outputs expected of a

regulator. Therefore, in our opinion, this Parliament should not be burdened by the administrative processes of rationalisation, for example, settlement of staff, obligation and the cost of deployment, as this is a role the Executive can execute effectively. To assume that the Ministry of Finance, Planning, and Economic Development cannot handle these administrative processes is to undermine the basic capacity of any Government ministry in Uganda.

Rationalisation of a supposed regulator

While it might look unthinkable to rationalise a regulator, however, over the years and prior to 2016, all ministries that had a regulatory function did have departments in charge of regulation. For instance, the Ministry of Energy and Mineral Development has continued to effectively regulate the mining sector, a sector more highly rated in terms of net value than even the micro lending sector. This is evidence that a Government ministry can carry out this function with ease, without the excessive expenditure.

Recommendations

1. UMRA be mainstreamed into the Ministry of Finance, Planning and Economic Development.
2. Section 90 of the principal Act be amended by replacing “the Minister regulating the maximum interest rate” with “The interest rate to be charged by a moneylender shall not exceed eight per cent per month, equivalent to 96 per cent per annum as a maximum” – because it has been clearly demonstrated that this sector cannot be regulated by anyone. So, the law must be put to use.

Conclusion

Madam Speaker, the rationalisation plan is meant to improve efficiency, eliminate duplication and enhance cost-saving on the Government. The opportunity has come for us, not only to achieve these rationalisation objectives, but also to sanitise the micro-

finance lending sector by giving justice to all our people who have suffered victimisation and impoverishment by the rogue moneylenders.

Rationalising UMRA and setting the limit for lending rates is a perfect gift that this 11th Parliament will give the *wananchi*, the citizens of Uganda, whose property has been seized by moneylenders. *(Applause)* It offers a perfect tribute to the citizens who have succumbed to depression by taking their own lives, who have been shot at because of the money-lending business that is not properly regulated. It is a tribute to the *Muyindi* who was shot at by a borrower and a tribute to all those people in different categories who have succumbed to this dubious deal.

Therefore, I pray, Madam Speaker, that this report meets your favour.

Seven Members signed this report and I want to read their names; Hon. Nakut, Hon. Karim Masaba, Hon. Janepher Mbabazi, Hon. Loy Katali –

THE SPEAKER: Hon. Karim Masaba is not a member of the finance committee.

MS NAKUT: That is okay. We have seven members. If Hon. Karim withdraws his signature, we will have six Members who have signed. I beg to submit.

THE SPEAKER: Honourable members, we are talking about UMRA, who is the regulator, and we are saying we want to take UMRA to finance - we will not have a regulator. We will have a policymaker together with the implementer in one institution. That will be the finance ministry and that will mean we will have no firm regulatory environment in UMRA.

(Members rose_) Members, just a minute. Let me hear from the committee chairperson.

MR KANKUNDA: Madam Speaker, you requested me to summarise and I want to –

THE SPEAKER: I know why I requested you to summarise.

MR KANKUNDA: I want to make this vital point. The committee observed the structural challenges within the ministry of finance. The committee observed that, previously, the Ministry of Finance, Planning and Economic Development was not able to support the growth of SACCOs through a project called Projects for Financial Inclusion in Rural Areas (PROFIRA). All previous specialised functions in the ministry have been delivered in project mode, instead of a mainstream departmental mode. PROFIRA was not able to sufficiently support SACCOs and the village savings groups.

Madam Speaker, the minority report insinuates that when they go into the ministry, then, our SACCOs and moneylenders will be regulated. I think that would be a mistake -

THE SPEAKER: Honourable members, listen.

MR KANKUNDA: I have also noted that on interest rates, whereas Uganda operates a liberal economy where the private sector makes decisions based on forces of demand and supply; and whereas for long the cost of borrowing has been generally recognised as being very high from the categories of financial institutions, the interest rate charged by SACCOs, micro-finance institutions, moneylenders, makes it extremely hard for most borrowers to pay back loans, resulting in foreclosures. This has stifled businesses since most of the business capital and income is dedicated to and drained by the debt servicing.

The committee established from Uganda Central Bank that whereas the average lending rate of commercial banks is 18.3 per cent, typical SACCOs lend at, at least at 3 per cent per month or 36 per annum. Moneylenders, on average, lend at 10 per cent per month and 120 per annum.

Now, therefore, despite Uganda's running a liberalised economy, the gap between the

[Mr Kakunda]

lending rate of the commercial banks, which is 18.3 per cent and money lenders' annual lending rate of 120 per cent, is the reason Parliament passed Section 90 of the Tier 4 Microfinance Institutions and Money Lenders Act - I want to underline that - for the minister to at least provide some level of control that leaves both the borrowers and lenders better off economically. It is not UMRA.

THE SPEAKER: Thank you. Honourable members, it is this same House that asked for regulations under Section 90 of the tier 4. Honourable minister, we want the regulations that will be able to determine how much money moneylenders will charge. You cannot have them charge 30 or 50 per cent. Based on that, what this House needs is not a rationalisation; we need regulations.

2.33

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Madam Speaker, I have listened very carefully to both reports, the main report of the committee and the minority report. I have also listened to your wise counsel regarding the duty of the minister to provide regulations and guidance to these Tier 4 microfinance institutions.

We are also basing on what is prevailing and some earlier precedents in institutions, which are regulatory like the Electricity Regulatory Authority (ERA), we now have Uganda Retirements Benefits Regulatory Authority (URBRA) and many other regulatory institutions. They exist and have their autonomy.

I would like to, therefore, say that as someone who was in the thick of this exercise of rationalisation - and indeed, I am very glad - These days, I have got an additional name called "RAPEX." The other time, I was called "Namukasa." This is just divergence, but we have been very busy and I think it is necessary for us to put on a smile when we are discussing some of these important things.

However, I would like to say, having been in the thick of it, that I support the majority report and we put this matter to a close. Thank you.

THE SPEAKER: Honourable members, the minister is withdrawing his Bill. He is the sponsor. Honourable minister, you have done a good job to withdraw your Bill. I put the question to the withdrawal of the Bill.

(Question put and agreed to.)

Bill withdrawn.

THE SPEAKER: The Bill stands withdrawn. - Honourable members, sit. Hon. Naboth, sit. Honourable minister, this House needs regulations. We cannot have moneylenders lend to a tune of 50 per cent.

Let us have regulations brought to this House on the issues of money lending under tier 4, that is, section 90.

2.37

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Thank you, Madam Speaker. Now that the sponsor of the Bill has withdrawn it, I undertake and commit to work on the regulations and –

THE SPEAKER: Hon. Kasolo, since you are the sponsor of the Bill, say, "I now formally withdraw the Bill under rule 140."

MR KASOLO: Madam Speaker, under Rule 140 of the Rules of Procedure of Parliament, I formally withdraw the Bill, "The Tier 4 Microfinance Institutions and Money Lenders (Amendment) Bill, 2024." Thank you.

THE SPEAKER: I put the question that the Tier 4 Microfinance Institutions and Money Lenders (Amendment) Bill, 2024 be withdrawn.

(Question put and agreed to.)

Bill withdrawn.

THE SPEAKER: The Bill stands withdrawn. Can we have the regulations in the two weeks' time? Honourable members, you lied to the

President. You went into a meeting and said you were going to bring regulations, but up today – they in a caucus.

MR HARUNA KASOLO: Madam Speaker, within two weeks' time, we shall have brought the regulations to this House.

THE SPEAKER: In two weeks, the regulations shall be here. Honourable members, we are going to look at UNRA.

BILLS SECOND READING

THE UGANDA NATIONAL ROADS AUTHORITY (REPEAL) BILL, 2024

THE SPEAKER: I do not see the minister. Honourable members, we have a very brief report from UNRA, and then we can break off for lunch. The minister will find us reading. Government Chief, who is moving on behalf of infrastructure? RAPEX -

2.42

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala): Madam Speaker, there is a minister in charge of rationalisation *-(Interjections)-* true. So, the minister in charge of rationalisation must take charge of his Bills. Why are you shying away?

BILLS SECOND READING

THE NON-PERFORMING ASSETS RECOVERY TRUST (AMENDMENT) BILL, 2024

THE SPEAKER: Honourable members, why are you not moving UNRA? Honourable minister -

2.44

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled “The Non-Perform-

ing Assets Recovery Trust (Amendment) Bill, 2024” be read for the second time.

THE SPEAKER: *(Members rose)* Seconded by Hon. Wanda, the Government Chief Whip, Hon. Elwelu, Hon. Yusuf, Hon. Avur, Hon. Noeline, Hon. Namujju, Hon. Cissy, Member for Hoima, Minister for Education, Hon. Kibalya, Hon. Margaret, Hon. Mamawi, Hon. Edakasi, Hon. Flora, Member for Sheema, Elders representative, Hon. Wilson, Member for Aruu, Member for Zombo, Hon. Oulanyah - I think you just do not like Kibale.

MR MUZAALE: No, no, Madam Speaker, the position that the colleague is in, you cannot define whether he is standing, squatting or on the verge of setting off. Therefore, we need to know whether he was in support of the Bill -

THE SPEAKER: There is an order for you.

MR KIBALYA: Thank you, Madam Speaker. Is it in order for honourable member to define my position of standing or sitting as if he grew up with me to know how I look like while I am standing up and while seated I resemble -

THE SPEAKER: He is not yet 45. Yes, Chairperson?

2.46

THE CHAIRPERSON, FINANCE, PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE (Mr Amos Kankunda): Madam Speaker, I hereby lay the original report. In the interest of time - as a reminder, there is no minority on this report.

The object of the Non-Performing Assets Recovery Trust Act of Repeal Bill, 2024 is:

- i) To dissolve the trust, the Board of Trustees, and the SINC Fund;
- ii) To mainstream the functions of the Non-Performing Assets Recovery Trust into the ministry responsible for Non-Performing Assets to give effect to the Government policy on rationalisation of government agencies and public expenditure,
- iii) For the related purpose; and

[Mr Kakunda]

iv) The Non-Performing Assets Recovery Trust Act, CAP.95 commenced in 1994. The Act established a Non-Performing Assets Recovery Trust and an expeditious machinery for the eventual recovery of certain loans and investments made by Uganda Commercial Bank whose recovery was overdue.

The Act established a Trust whose objectives are:

- (a) To hold for and on behalf of the Republic of Uganda any non-performing assets of the Uganda Commercial Bank which have been transferred to the Trust under Section 9;
- (b) To take such actions as may be necessary to recover all the amounts outstanding in respect for all transferred non-performing assets;
- (c) To establish, administer and manage a sinking fund into which shall be deposited all recoveries for the non-performing assets for the redemption of the bonds subject to Section 8;
- (d) To make good the debts owing to loans received under the Rural Farmers Scheme, USAID/R.P.E, and to recommend and take corrective measures so that the farmers' loans scheme can benefit the farmers;
- (e) To perform any other function conferred on the trust under this; and
- (f) To perform such other functions as is reasonably related or incidental to the foregoing objectives.

The observations and recommendations of the committee

The Non-Performing Asset Recovery Trust Act, Cap (95), established a Non-Performing Assets Recovery Trust as an expeditious machinery for the eventual recovery of certain loans and investments made by the Uganda Commercial Bank, whose recovery was overdue at the time in 1994.

The trust was mandated:

- i. To hold for and on behalf of Uganda any non-performing assets of the Uganda Commercial Bank;
- ii. To take such actions as may be necessary to recover all amounts outstanding in respect of all transferred non-performing assets;
- iii. To establish, administer and manage a sinking fund, into which was deposited all recoveries from the non-performing assets for redemption of bonds;
- iv. To also examine the circumstances leading to a farmer's default in making good the debt owing to loans received under the Rural Farmers Scheme; and
- v. To recommend and take corrective measures so that the Farmers Loan Scheme can benefit the farmers.

The Board of Trustees of the Trust is comprised of a chairperson and between four and six members, all appointed by the Minister.

The Act also established an office of an Administrator of the Trust, appointed by the board and made room for appointment for other staff and consultants.

A. The sinking fund

The Act established a sinking fund into which is paid all monies provided to the Trust by the Government or derived by the trust from any other source. Accordingly, any money, which is required by the Trust is paid from the sinking fund.

B. The Tribunal

The Act also set up a Non-Performing Assets Recovery Trust Tribunal, comprised of a Chairperson and three other members appointed by the minister.

Under Section 9 of the Non-Performing Assets Act, Cap 95, all assets, rights, liabilities and obligations attached to the non-performing assets transferred by the Bank to the Trust under this section, which immediately before the date

of transfer were held by or subsisted against the Bank, shall, subject to any directions given by the Minister in writing, vest in or, as the case may be, subsist the Trust.

The committee is alive to the fact that the rationalisation policy that the Government seeks to implement through this Bill is intended to relieve the Government of the financial drain on which resources and the burden of wasteful administration like I earlier said. I beg to move on to the recommendations.

Madam Speaker, the Committee hereby recommends that the Bill be rejected. I hereby submit.

THE SPEAKER: Thank you.

2.52

MR DENIS OGUZU (FDC, Maracha County, Maracha): Madam Speaker, I rise to support the recommendation of the committee on grounds that the assets and accounts of this trust have not been audited. Someone is just rushing and wants to, if I can use this word steal from Ugandans, by not allowing an audit before this rationalisation.

The recommendation of the committee allows the Government to examine the balance of the sinking fund and the non-performing assets that the Trust is holding.

Not until these questions are answered, it is premature that we move to dissolve this board. I, therefore, implore members, if you care about this country and the resources that should have helped us narrow the fiscal gap that the country is facing, we must allow an audit into this Non-Performing Assets Trust Fund account before we rationalise.

Otherwise, someone is going to hide under this and we will never get to know where those resources are. I thank you.

THE SPEAKER: Thank you. Yes -

MR KANKUNDA: I agree with the honourable colleague and what he has submitted and some

of the points he has made are very pertinent, I could have lost them in the process of summarising, but I agree with his opinion.

THE SPEAKER: That is also consequential to the Departed Asians Property Custodian Board - I was just reading your mind that if you are that, then the Departed Asians Property Custodian Board is the same.

Honourable members, you have heard the position of the committee. Ministry of Finance, I hope you have understood what the committee is saying?

MR HARUNA KASOLO: I have understood.

THE SPEAKER: Okay, what is your position or I put the question?

2.55

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Speaker, now that the committee is giving reasons to do with auditing, I propose that you give us time to first audit because that is the reason they are giving and then come back. (*Interjections*) I am not withdrawing the Bill; I am asking for time to go -

THE SPEAKER: You cannot leave a Bill pending.

2.55

MS JANE PACUTO (NRM, Woman Representative, Pakwach): Thank you, Madam Speaker. This is a law and since it has been processed and brought before Parliament, it would only be prudent for the minister to withdraw this Bill until such a time that an audit has been thoroughly done both for these non-performing and Departed Asians Custodian Board.

We do not know how much property is lying all over the country, yet you are here bringing before us to rationalise before we know what is in the books or how much inventory is there. I would implore him that the Bill not be deferred,

but be withdrawn until such a time that this exercise has been fully conducted. I thank you.

THE SPEAKER: Further information from Hon. Zijjan.

MR ZIJJAN: In supplement to her submission, it is true that Hon. Kasolo hates the withdrawal method *-(Laughter)-* but in this particular instance, it is the best approach. *(Laughter)*

THE SPEAKER: Meaning that you will have to withdraw the Departed Asians Custodian Board and Non-Performing Assets Recovery Trust (NPART), but first move the Departed Asians Custodian Board and then withdraw.

2.57

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Speaker, I move under Rule 140 of the Rules of Procedure to formally withdraw the Bill -

THE SPEAKER: For the House to grant you permission -

MR KASOLO: The Bill entitled, “Non-Performing Asset Recovery Trust (Repeal) Bill, 2024” and I seek permission from this House to go and organise the auditing.

THE SPEAKER: Is he seconded? *(Members rose_)* Okay, it is seconded by Hon. Odur, Hon. Naboth Namanya, by the Government Chief Whip, by the Committee Chairperson, Hon. Loy, Hon. John Faith.

(Question put and agreed to.)

Bill withdrawn.

THE SPEAKER: The Bill is formally withdrawn. How much time do you need to audit these accounts?

MR KASOLO: Madam Speaker, I am asking for one year *-(Interjections)-* to conduct a thorough audit and then report back to Parliament because the assets are not only

within the Kampala; they are all over the country. I need time.

THE SPEAKER: Honourable members, the minister is being realistic. Even in that one year, you will not get it. Honourable minister, you have been given one year to go and give us a thorough report. Next item.

2.58

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Speaker, in the same spirit, I move under Rule 140 of the Rules of Procedure that the House grants me permission to formally withdraw the Bill entitled, The Assets of Departed Asians (Amendment) Bill, 2024. I beg to move.

THE SPEAKER: Seconded? *(Members rose_)* It is seconded by Hon. Lee, Hon. Esther, Hon. Acrobert Kiiiza, Hon. John Faith, Hon. Amooti, Al-hajj, Hon. Dr Ruyonga, Hon. Noeline, Hon. Stephen, Member for Gweri, Hon. Ocan and the Member on the Committee on Legal and Parliamentary Affairs.

Honourable members, I put the question that the Bill be withdrawn.

(Question put and agreed to.)

Bill withdrawn.

THE SPEAKER: Honourable members, you need to understand why these Bills are being withdrawn. It is the same explanation that has been given by the committee chairperson. You cannot start transferring the assets of the departed. Why don't you say assets and liabilities? To whom are you giving the liabilities? Therefore, the Bill stands withdrawn. Thank you. *(Member rose_)* On what has been ruled on? How much time? Bring a substantive motion. How much time do you want for this one? This one is easier.

MR KASOLO: We can still work within one year.

THE SPEAKER: Remember there is also a report from the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises - COSASE). I would like you to look at the report on the Departed Asian and Custodian Board. Yes, committee chairperson?

MR KANKUNDA: Madam Speaker, I would like to appreciate the entire House for supporting the committee on this position. We have very good recommendations, but you can see, in summary, that the Bills have been withdrawn. I would like to request that you direct them to work with the committee to make sure that these recommendations are observed. Thank you, Madam Speaker.

THE SPEAKER: Thank you. You have heard it. Next.

BILLS SECOND READING

THE UGANDA NATIONAL ROADS AUTHORITY ACT (REPEAL) BILL, 2024

THE SPEAKER: Honourable minister -

3.03

THE MINISTER OF WORKS AND TRANSPORT (Gen. Edward Katumba Wamala): Madam Speaker, I beg to move that the Bill entitled, “The Uganda National Roads Authority Act (Repeal) Bill, 2024” be read for the second time.

THE SPEAKER: Is the motion seconded? (*Members rose*) It is seconded by the Deputy Attorney-General, the Chairperson Committee on Finance, Planning and Economic Development, Hon. Lt Gen. Elwelu, Hon. Olobo, Hon. Solomon, Member for Nakasongola, Workers’ Representative, Hon. Gabriel, Member for Aruu, Hon. Faith, Hon. Xavier, Member for Hoima, Hon. Kahonda, Hon. Amooti, Hon. John Faith, the minister for Karamoja, minister for Bunyoro – it is supported by the majority.

Would you like to speak to your motion, honourable minister?

GEN. KATUMBA WAMALA: Madam Speaker, allow me to make a preamble, which will lead to the justification of this Bill. With my 40 years of military service, it is not possible that I have not learnt anything, especially in the areas of leadership and management, and I wish to share a few of them as we address the matter before us.

Madam Speaker, in the military, we have principles of war, which are very nice, but there are also principles of main administration. These principles apply across the board. You can even use these principles in your own business and I would like to share these principles, which talk to the rationalisation.

Madam Speaker, I will just share four of them.

Unity of command: in this, we bring together all the forces under one responsible commander. Divided leadership always fails. My forces, as a ministry, are divided and this affects direct command and control. This relates to the areas of justification, where the Ministry of Works and Transport generates policies and the boards of agencies also generate policies. That is contradictory. These are two areas of command in one area.

The accountants are also different. For example, we have three accounting officers in the same ministry; one for Uganda Road Fund, one for Uganda National Roads Authority and one for the ministry. That is wastage.

This sends me to my second principle: the principle of concentration of forces. If you are going to have effective command and control and effective delivery of services, resources – both human and otherwise – need to be concentrated, prioritised and deployed in the quest to achieve maximum effect.

This is why we are absorbing all the UNRA staff who are willing to offer services to this nation, under the Public Service terms and conditions in the ministry. Thus, the fear which had been expressed earlier, of creating unemployment, does not exist because we are absorbing all the members of that agency.

[Gen. Wamala]

The economy of effort is another principle. This principle refers to the use of the right amount of tools and resources at the right time, in the right place and in the right quantities. Too much resources expended against an objective is both wasteful and inefficient. No leader will ever have the resources he desires. Smart leaders know how to manage what is available.

THE SPEAKER: There is a procedural matter.

GEN. WAMALA: I will take the point of procedure.

MR BASALIRWA: Madam Speaker, our rules state that if a minister is to make a statement, either by way of preamble, introduction, epilogue or prologue, that statement must be availed to us. The minister is making a substantive statement that he describes as “a preamble” to which we do not have a copy.

Madam Speaker, is the minister proceeding well to present a statement, disguised as a preamble, when we actually do not have it, and especially when he is making reference to principles that we could cross-check if we had a statement?

THE SPEAKER: Do you have that in writing? Please, give us a copy. We needed it to be uploaded, but read and then lay it on the Table.

GEN. WAMALA: Much obliged, Madam Speaker. I was on the principle of economy of effort. This principle refers to the use of the right amount of tools and resources at the right time, right place and in the right quantities. Too much resources expended against an objective is both wasteful and inefficient. No leader will ever have all the resources he desires, not even in this country. Smart leaders know how to manage what is available.

Madam Speaker, our country is faced with a situation where we must be extremely frugal and already we hear cries of reforms in every sector of this country. These principles speak to the justification of why the Government moved to process the Bills whose intention is to repeal the UNRA Act and amend the Uganda Road

Fund, which we will talk to later in order to:

- (i) enable mainstreaming the agencies and public expenditure, thereby inter alia relieving the Government of the financial drain on its resources and wasteful and burdened administrative expenditure; and
- (ii) facilitate efficient and effective service delivery by clearly denigrating the mandates and functions of government agencies and departments, thereby avoiding duplication of mandates and functions.

Honourable members, I have talked about the different bodies where policies are made for the same ministry. For instance, the duplication of functions in the Ministry of Works and Transport. UNRA and the Uganda Road Fund have boards that are responsible for the provision of policy direction, while at the same time, they are accountable to the Minister of Works and Transport.

In addition, the size of the boards and the remuneration of the board members vary substantially. There is no uniformity. Technical leadership of the agencies, executive directors heading agencies and the permanent secretary as accounting officers all report to the minister. Three accounting officers in the same ministry!

There is a duplication of functions. You find in UNRA, we have human resource and we have human resource in the ministry. We have a procurement, and there is procurement in the ministry. You have accounts, internal audit, communication, and legal, and some of these functions are already provided for by the Government in other bodies. For example, the Attorney-General is responsible for all matters of law as far as ministries and agencies in this country are concerned. Why would we have a full legal unit in UNRA?

The functions that are not of the mandate of agencies UNRA has highly been elevated compared to the line ministry responsible for the same functions. In UNRA, you have a Director Human Resource, Director Procurement, Director legal Services, Director Internal

Audit. These are highly elevated positions yet these functions are being performed by other ministries.

There is duplication of regional offices and force account employees. This is what I was talking about; concentration of force account. Bring all these assets together, have them under one central command, and they will be effectively deployed.

The traffic and road safety function is also under UNRA and many other functions.

The Department of compliance and investigation

This is a function of the Criminal Investigations and Intelligence Department (CIID). Why would UNRA have a Department of Compliance and Investigation? What capacity do they have to investigate?

The Directorate of Legal Services, with 27 established lawyers, and –

THE SPEAKER: General, do they investigate using engineers?

GEN. WAMALA: I do not know. This is exactly what we are talking about, Madam Speaker. This is a duplication -

THE SPEAKER: To the best of my knowledge - I used to be a member of COSASE and the person who was in charge of investigation in UNRA was Madam Chelimo.

GEN. WAMALA: Madam Speaker, to restructure and reorganise these agencies and departments of Government, we want to eliminate bloated structures and functional ambiguities in Government. Agencies operate bloated structures, which are not aligned to their mandates and are a drain to the Treasury, thus defeating one of the objectives of cost cutting. That is why I was talking about economy of effort.

The current staffing levels of the three entities is 1,544 both permanent, contingency, contract, and senior management, earning a total of Shs

71 billion. The ministry, on the other hand has 544 members of staff so UNRA is in effect bigger than the ministry, and this is an agency.

The staffing level of the Uganda Road Fund is 36, which is not much. The ministry's staffing is 529, and the Bill is Shs 17 billion. UNRA's bill is Shs 71 billion. The total current staff in the works and transport programme is 2,901 with a wage bill of Shs 90.92 billion. If we mainstream and all these people come under the Public Service structure –

THE SPEAKER: Are we mainstreaming or repealing?

GEN. WAMALA: We repeal the Bill and then bring UNRA back into the ministry. When we do that and get all these employees employed by the Public Service under the terms of Public Service, we shall be saving Shs 39 billion in wages only per month without talking about other overheads. That is a very big saving for this Government and that money can do a number of roads in the country, both murrum and tarmac. *(Applause)*

THE SPEAKER: Clarification -

MR MUGOLE: Madam Speaker, whereas the minister has ably explained the blotted services, what I want him to clarify is: if you say in UNRA we have a CIID department and brought all those together under the Ministry of Works and Transport, is it possible that we can have all those workers in the Ministry of Works and Transport doing the same job as Director Human Resource UNRA, Director Human Resource Uganda Road Fund? Would they all come in the ministry and do the same?

THE SPEAKER: Honourable members, all I wanted was for the minister to give us a brief in support of his motion. Then, we allow the chairperson of the committee to give us a report because my presumption is that what the minister is saying was presented to the committee.

Honourable minister, can you conclude and give way to the committee chairperson?

GEN. WAMALA: Much obliged, Madam Speaker. For emphasis, I just wanted to highlight the issue of disparities in pay. These are people who qualified from the same university, in the same class hopefully.

THE SPEAKER: Now that is what is going to come in the report. If it comes in the report, you will have time for a rebuttal.

GEN. WAMALA: Thank you, Madam Speaker. I will do that. Let me conclude by making a prayer. My prayer is that Parliament considers this Bill and approves the mainstreaming of the functions of the Uganda National Roads Authority Act (Repeal) Bill, 2024 into the ministry for better and efficient delivery of services –

THE SPEAKER: That is a different title. It is Parliament considers Repeal-

GEN. WAMALA: It is, Parliament considers repealing the Bill entitled “The Uganda National Roads Authority Act (Repeal) Bill, 2024 and approves it so that we can proceed.

THE SPEAKER: There is a point of procedure.

MR OPENDI: Thank you, Madam Speaker. The minister is telling us about the huge salaries that the UNRA staff have been receiving. These members of staff do not employ themselves and do not decide their salary. We all know that the challenge we have in this country is that we do not have a salary review commission. Therefore, we have all these disparities in salaries. Even among accounting officers –

THE SPEAKER: We are going to debate after the report.

MS OPENDI: The procedural issue that I was raising –

THE SPEAKER: Let us receive the report of the committee and then debate. The one thing I want you to know is that UNRA did not determine their salaries on their own. Maybe that is the correction that we are trying to make. We have sung several times in this House; we

want a salary review commission. If we had a salary review commission in place, we would not have these problems.

Chair, can you now give us the report?

3.21

THE CHAIRPERSON, COMMITTEE ON PHYSICAL INFRASTRUCTURE (Mr Dan Atwijukire): Thank you, Madam Speaker. This is the report of the Committee on Physical Infrastructure on Uganda National Roads Authority Act (Repeal) Bill, 2024.

1.0 Introduction

The Uganda National Roads Authority Act (Repeal) Bill, 2024 was read for the first time on Tuesday, 9 April 2024 and referred to the Committee on Physical Infrastructure in accordance with Rules 128 and 129 of the Rules of Procedure of Parliament for consideration and report to the House.

2.0 Background

The Ministry of Works and Transport spearheaded the road sector reforms aimed at improving road maintenance through the Road Maintenance Initiative (RMI), which started in 1989. RMI was implemented in Sub-Saharan Countries under the guidance of the World Bank (WB) and the Economic Commission for Africa. Most of the Sub-Saharan Countries adopted road sector reforms and established road Authorities and Road Funds by 2000, which still exist and have made tremendous improvements in road management.

Uganda followed much later with the enactment of the UNRA Act in 2006.

THE SPEAKER: Dr Omona, do not take my voter.

MR ATWIJUKIRE: Consistent with the road sector management reforms, the MoWT formed UNRA in July 2008 with the aim of improving the management of national roads in Uganda to cure the following challenges:

- a. Decision making: centralised decision-making at MoWT, which had resulted in increased delays, frequent diversions from approved work plans and weaknesses in accountability.
- b. Bureaucracy: The Ministry of Works and Transport like any other government ministries were bound by the civil service bureaucracy (red tape) and hierarchical and segmented organisational structure which constrained efficient service delivery and did not foster efficient contract management.
- c. Multiplicity of Functions: There was a lack of focus on important functions of the ministry given the wide range of its functions in areas of public buildings, national roads and District, Urban, Community Access Roads (DUCAR), railway, water and air transport which stretched the ministry and inhibited excellence in any other functional area, and;
- d. Human Resource Management: The civil service salary structure, staff allowances and other benefits were too low to attract highly trained and experienced engineers to manage the roads sector to the desired performance standards.
- Rationalisation of Government Agencies and public Expenditure adopted by the Cabinet on 22 February 2021 and contained in Cabinet Minute No.43 (CT 2021)
2. Without prejudice to the general effect of subsection (1), the objectives shall be deemed to fall under the objective specified in that subsection;
- a) The merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure thereby *inter alia* relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- b) The facilitation of efficient and effective service delivery by clearly delineating the mandates and functions of Government Agencies and Departments and thereby avoiding duplication of mandates and functions;
- c) The promotion of coordinated administrative arrangements, policies and procedures for;
- (i) Ensuring the efficient and successful management, financial accounting and budgetary discipline of Government Agencies and Departments;
- (ii) Enabling the Government to play its proper role more effectively;
- (iii) Enforcing accountability; and
- d) The restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

In view of the above, UNRA was established as an organisation that would primarily focus on the implementation of the national roads programme and create an environment that is conducive to the efficient and effective management of the national roads network and other services provided by the Authority.

2.1 Policy and Principles of the Bill

The policy behind the Bill is to give effect to the Government policy for Rationalisation of Government Agencies and Public Expenditure (RAPEX), which was adopted by Cabinet on 22 February 2021.

3.0 Object of the Bill

1. The main objective of this Bill is to give effect to the Government policy for

3.1 Purpose of Repeal

The purpose of repealing the Uganda National Roads Authority Act, 2006, Act 15 of 2006, is to enable the mainstreaming of the functions of the Uganda National Roads Authority into the ministry responsible for roads.

4.0 Methodology

1. The committee reviewed existing reports, legislation and other relevant documents;
2. The committee held meetings and received submissions from the following:
 - (i) The Minister of Works and Transport together with the Uganda Road Fund and Uganda National Roads Authority;
 - (ii) The Minister of Public Service;
 - (iii) The Office of the Attorney-General; and,
 - (iv) The Uganda National Association of Builders, Suppliers and Engineering Contractors (UNABSEC).

5.0 Specific Observations and Recommendations

5.1 Mandate Overlaps between UNRA and MoWT

According to the UNRA Act (2006), under section 6, UNRA is responsible for the management, development, and maintenance of the national roads, to advise the Government on policy matters concerning roads and to assist in the coordination and implementation of the policy relating to roads.

The committee observed that the roles for development and maintenance of the national roads are fully assigned and executed by UNRA (in accordance with the UNRA Act (2006) which signs a performance agreement with the MoWT on an annual basis. All the tasks executed by UNRA are limited to the mandate for the management, development and maintenance of the national road network.

The committee did not observe any mandate overlap or duplication of services given that the role of the ministry is limited to policy formulation, regulation, setting of standards, monitoring and evaluation.

5.2 Purpose for Creation of UNRA

The committee noted that one of the objectives of the Bill is to facilitate efficient and effective service delivery by clearly delineating the mandates and functions of government

agencies and departments and thereby avoiding duplication of mandates and functions.

The committee established that UNRA was created arising out of the need for:

- (a) Adoption of sound business practices and managerial accountability through effective use of systems and procedures in the management of the national road network;
- (b) Focused, efficient and effective delivery of national road services that were not possible at the ministry due to the lack of specificity or focus arising from the huge mandate i.e. multiplicity of functions at the ministry;
- (c) Enhanced financial, contract management and data management systems to efficiently manage high-value and complex projects, plan, and prioritise investments in the national road network.

The committee noted that the above aspirations are still very relevant and necessary, as evidenced by the work executed by the Uganda National Roads Authority (UNRA).

UNRA has built the national road network to the current net worth of \$5.4 billion, based on the value of the national road network it is managing. This is a huge portfolio that requires specialised and efficient management to avoid the country from incurring major losses.

Since its inception, UNRA has fulfilled its mandate as follows;

- i) For the last 15 years, UNRA has constructed 3,686 kilometres of the new paved national roads, representing an average of 230 kilometres per year. This is compared to 2,800 kilometres of paved roads that were constructed over a period of 50 years, from the 1950s up to the time UNRA was created in 2008. To-date, the total kilometres of paved roads managed by UNRA, stands at 6,486 kilometres. We got this from the annual performance transport sector review of 2003.

- ii) For the last 15 years, UNRA has reconstructed 1,820 kilometres of national roads, to restore their value and serviceability, which together with the above results, is an average of 370 kilometres of new reconstructed paved roads per year. The same source.
- iii) UNRA currently operates 12 ferries from the original three ferries distributed across the country, which have tremendously improved the lives of people living on islands and across water bodies.
- iv) Introduced alternative financing mechanisms, such as public-private partnership, tolling, contractor facilitated financing, contractor pre-financing and increased financial support from development partners-

The committee also observed that, whereas a number of roads have been upgraded by UNRA to the extent that the country is accessible border to border, the country has embarked and still requires *-(Interjections)*

THE SPEAKER: Honourable members, allow the Member to read.

MR ATWIJUKIRE: - to undertake major national road projects such as tolled expressways and managing toll operations, dualling of major road corridors, flyovers, and long span bridges such as the Nile Bridge, on top of the need for efficient operation and maintenance of the network.

These undertakings all require more specialist skills and efficient management than what UNRA has currently and should rather be enhanced instead of being mainstreamed.

The relevance of UNRA is expected to be more pertinent moving forward when more of these planned complex projects under public-private partnerships, toll roads such as the Kampala-Mpigi, Kampala-Jinja, Kampala-Southern Bypass, Kampala-Bombo Expressway, output performance-based contracts and long-span cable-stayed bridges are to be implemented.

The committee further observed that a number of projects under UNRA are financed by loans whose agreements between the Government and the creditors specify that UNRA is an implementing agency. A change in the implementing agency will require a renegotiation whose outcome and duration is unpredictable.

The committee is therefore, concerned that the Government is likely to suffer a setback of delayed project implementation and completion of such important and strategic road infrastructure because of shocks that come with the rationalisation process.

Further, aware of the challenges that may currently be existing at UNRA, such as a bloated structure-

THE SPEAKER: Honourable members-

MR ATWIJUKIRE: -inadequate stakeholder management, as well as other governance challenges, the committee notes that UNRA has served the purpose of its creation and it is still relevant given the importance attached to the development of the national road network.

5.3. Burden of wasteful expenditure

Objective 2, clause 2(a) of the UNRA Act (Repeal) Bill, 2024 is to the effect that the mainstreaming and rationalisation of UNRA is aimed at relieving the Government of finance drain on its resources and the burden of wasteful expenditure.

The committee noted that, much as UNRA is not entirely a revenue-generating entity, it is currently collecting toll revenue of Shs 3.7 billion per month from the Kampala-Entebbe Expressway, which is deposited into the consolidated fund after operational and maintenance costs have been catered for.

The committee noted that in 2022 and 2023, UNRA collected a total of Shs 75 billion. This revenue is projected to increase upon completion of Busega-Mpigi and Kampala-Jinja Expressway, among others.

The committee was informed that according to the Expressway Master Plan, the following eight priority toll roads are expected to be constructed, those you can read through.

The committee therefore recommends that UNRA be maintained as a semi-autonomous entity due to the fact that Objective 2(2)(a) of the UNRA Act (Repeal), 2004 does not apply to it citing UNRA's contribution to revenue generation.

5.4 Technical Assistance and Support Offered by UNRA

The committee was informed that due to the high technical capabilities that UNRA has developed over the years, the authority has offered technical assistance and support to other government ministries and departments including the following.

- a) Construction of the Kampala Flyover project. This project is located within the Kampala road network and should have ordinarily been undertaken by the Kampala Capital City Authority (KCCA).

However, this was not possible due to inadequate technical capacity. UNRA took up the complex project due to its high specialised staff and has completed phase 1 and moving to phase 2, covering Kitgum Junction.

- b) Isimba Bridge: The committee was informed that the construction of this bridge started under the Ministry of Energy and Mineral Development as part of the Isimba Dam project.

Due to inadequate technical capacity at the Ministry of Energy and Mineral Development, UNRA was called upon to provide for technical support and supervise the bridge construction works. The works were completed successfully and the bridge is now in use.

- c) Saka Bridge. The construction works for Saka Bridge were initially done by the Ministry of Works and Transport, but the works were washed away by floods.

UNRA was called upon to take up the project and completed it successfully.

- d) Technical support to Uganda People's Defence Force (UPDF). Cognisant of the fact that the UPDF is currently conducting Operation *Shuja* inside the Democratic Republic of Congo to fight against ADF rebels.

And at some point, UPDF was facing a challenge of crossing Semliki River. UNRA offered technical support by assembling two ferries, one connecting Ntoroko to DRC and the other located at Karuruma inside DRC. The technical support included training of UPDF personnel in ferry operations and maintenance.

- e) Technical assistance to the Ministry of Agriculture. You can also read about the institutions that UNRA has been rendering support to.

In light of the above, the committee observed that UNRA has become a shock absorber for the road infrastructure sector and mainstreaming it may expose the sector to high risk that may result in financial losses in the medium and long term. (*Interjection*)

The committee, therefore, recommends that UNRA should be tasked to enhance in-house technical capacity, in order to save the country from the huge costs associated with contract management.

5.5. Agency model for the road sector

The committee noted that the world over, the development and maintenance of the national road backbone infrastructure is through semi-autonomous entities.

For instance, all member states of the East Africa Community have adopted a semi-autonomous road agency authority affiliated to the respective ministries of works infrastructure as shown in the table below.

In Kenya, it is called the Kenya National Highway Authority. In Tanzania, it is called the

Tanzania National Roads Agency. In Rwanda, it is called the Rwanda Transport Development Agency. In South Sudan, it is called the South Sudan Roads Agency. In Ethiopia, it is called Ethiopia Roads Authority and you can look through.

While the Government is striving to establish a seamless integration system in East Africa, like the single currency, and promotion of Swahili and East African passports, among others, it would be inappropriate for the country to depart from the norm of good practices when it comes to road infrastructure development.

The committee further examined the practice in other parts of the world and established that a similar semi-autonomous institutional model has been adopted for road management as shown below.

We looked at India, Israel, the United Kingdom, South Korea, South Africa, Namibia, Malaysia, and Singapore. They all have agency model management of roads.

In light of the above and given the drive for East African integration, the committee observed that it would not be beneficial for Uganda to adopt a different model to what has been considered feasible by many countries, with even better-developed road network.

Pay disparities

The committee was informed that the objective of the rationalisation of UNRA is to relieve the Government of the financial drain on its resources and the burden of wasteful administration and expenditure. The committee was further informed that there are glaring pay disparities between the agencies and traditional civil servant pay levels, leading to demotivation of staff.

The committee noted that the glaring pay-disparities between agencies and the traditional civil service are almost threefold. The committee, therefore, noted that in Section 14(2)(c) of the UNRA Act, 2006, the board of directors is mandated to, among others,

review and approve budgets of the authority. The mandate gives the authority power to determine its own emoluments. The committee observed that in Section 14(3) of the URA Act, 2006 –Madam Speaker, this answers some of the issues that were being put forward by the honourable minister. So, Members may need to pick interest. The committee observed that in Section 14(3) of the URA Act, 2006, the board is, in the performance of its functions, responsible to the minister responsible for roads.

The main issue here is that, it is true that the board determines the salaries, but this board is appointed by the minister and he can, accordingly, guide it.

The committee notes that one of the objectives of the creation of authority with attractive remuneration was because the ministry had failed to attract highly skilled staff due to low salaries. The same ministry cannot at this point be indicating that attractive remuneration offered by UNRA is a problem because at the point of creation of UNRA, this was the argument. Furthermore, the issue of salary disparity is not only limited to UNRA: it cuts across entire public services.

The committee, therefore, recommends that the minister responsible for public service should institute a salary review board to study and harmonise salaries of all public servants in different categories of service. The harmonisation should take into consideration the need for efficiency and service delivery.

Burden of costs of administration

The committee was informed that one of the objectives of the merger was to save on administration costs. This is largely to be achieved through reduction of staff salaries. The committee was further informed that, in order to minimise staff redundancies, following the repeal of the UNRA Act, 2006, all technical staff will be absorbed in the ministry as long as they express interest in joining the mainstream government service on pertaining terms and conditions of service, while other cadres,

like lawyers, surveyors and common cadre staff may be submitted to line ministries for consideration of any vacant positions.

The committee observed that, according to clause 6(3) of UNRA Act (Repeal) Bill, 2024, the staff of UNRA may be deployed to serve in public service, subject to the availability of positions. This implies that there is no guarantee of employment following the repeal of UNRA Act, 2006.

The committee further observed that in the certificate of financial implication Shs 11,562 billion had been mentioned as terminal benefits for UNRA staff, yet from the interactions, it became apparent that UNRA would require Shs 227.24 billion as a severance package for staff. This is a huge cost which would erode the stated savings from the merger. It is also inappropriate to incur this unjustified cost amidst accumulated contract debts that have not been paid at UNRA.

The committee. Therefore -

THE SPEAKER: Hon. Avur, first, move away from there.

MR ATWIJUKIRE: The committee, therefore, recommends that instead of repealing the UNRA Act, 2006, the Ministry of Works and Transport -

THE SPEAKER: You sit in that box there. *(Laughter)* There is a box there.

MR ATWIJUKIRE: Madam Speaker, the committee, therefore, recommends that instead of repealing the UNRA Act, 2006, the ministry of Works and Transport should consider the option of restructuring the authority to streamline its management and create a lean structure that principally takes into account the core business of the agency, which is the management, development, maintenance and protection of the national road infrastructure. This will also help to achieve the Government's rationalisation objectives of reducing administrative costs.

The Minister of Works and Transport is fully empowered to have this recommendation implemented under Section 7 of the UNRA Act, 2006. The restructured agency should be as lean as possible, with competitive remuneration to attract and retain high-quality professionals of the right calibre to deliver the authority's mandate.

Management of the merger process/Transition arrangements

The committee observed that, in spite of the fact that the Governments took a decision in 2021 to merge, mainstream and rationalise government agencies, commissions, authorities and public expenditure in order to facilitate effective service delivery, at the time of the committee's engagement with the ministry, there was no available business continuity plan to manage the transition period.

The committee was informed that the ministry had appointed the business continuity team to develop a business continuity plan to manage the transition period in terms of handing over and taking over of office, and managing the on-going projects and contracts so that there is no disruption in service delivery.

From the huge workload and complexity of UNRA portfolio, together with associated risks, in order to better manage this huge and increased portfolio, the committee recommends that the ministry responsible for roads carries out a benchmarking visit to other road authorities in the region with a view of borrowing best practices that could be implemented to further improve the operations and management of UNRA.

Commercialisation of road management

The committee observed that the formation of UNRA was aimed at commercialisation and management to ensure roads are managed as a business. The proposed merger of UNRA would have to deliver much more to escape what is viewed as a step back to the pre-millennial approach to road management, which was deemed to erode value for money.

The committee was further informed that the private sector has no reassurance that rationalisation of UNRA will be a better option compared to the prevailing status quo.

The committee noted that within reach is to improve an already existing road agency to operate commercially and responsibly under the supervision and regulation of stricter policy regime instituted by the Ministry of Works and Transport.

Section 5(3) of the UNRA Act, 2006 provides that the authority shall be under general supervision of the minister responsible for roads. Further, Section 7 of the UNRA Act provides for powers of the minister, in particular subsection (1), gives the minister powers to give directions in writing to the authority with respect to the policy to be observed and implemented by authority and the authority shall comply with those directions.

The committee, therefore, recommends that the Minister of Works and Transport should formulate a comprehensive framework for effective supervision of UNRA in line with the UNRA Act to ensure its management is accountable to the ministry concerning policy, legislation, standards, strategic plans and operations. This will require a very practical and interactive regime for setting performance targets and monitoring and evaluating UNRA's performance.

Exaggerated savings in the Certificate of Financial Implications

The committee observed that Uganda National Road Authority Act (Repeal) Bill, 2024 was accompanied by a Certificate of Financial Implication which complies with the requirements of Section 76 of the Public Finance Management Act 2015 (PFMA), in regard to indicating the estimates of revenue and expenditure over the period of not less than two years after coming in to effect of the Bill when passed and the impact of the Bill on the economy.

However, the certificate has inaccurate information in regard to estimates of both savings and costs. The expected annual savings of the proposed merger as reflected in the Certificate of Financial Implication are Shs 103 billion, however, these do not take into consideration the proposed staff to be recruited under the Ministry of Works and Transport.

Information from the honourable Minister of Works and Transport indicated that the expected net savings from the wage bill, through merger of both UNRA and URF under the ministry, is Shs 39.63 billion, lower than the Shs 75 billion indicated as the wage saving under UNRA alone as per the certificate, which is entire wage Bill of UNRA in the proposed budget for 2024/2025.

In addition, the computations of costs and terminal benefits in the Certificate of Financial Implication are misleading, reflecting net savings in the first year as Shs 11.562 billion, lower than the required amount of Shs 227.244 billion presented by the Minister of Works and Transport, by Shs 215.682 billion.

Consequently, in the first year, the bill will increase expenditure pressures on the resource envelope, by Shs 120.612 billion and not result in net savings as indicated in the Certificate of Financial Implications.

The committee therefore recommends that the Ministry of Finance, Planning and Economic Development should ensure that realistic estimates are provided in the Certificate of Financial Implication to guide legislative decisions.

General observations and recommendations.

Increase in national road networks

The committee was informed that the national road network demands have increased to the extent that UNRA is now managing over 21,000 kilometres of national roads including express highways and associated tolling operations that require specialist skills, streamlined management and quick and timely decision-making in addition.

In addition, the road sector development programme for financial year 2010 was estimated at \$230 million per financial year at the time UNRA was operationalised in July 2006 compared to the current annual work plans of UNRA, whose cost estimate is about \$ 1 billion per financial year.

The increased number of kilometres of road network is not a moment to scale back on good management. In fact, this requires even better management to ensure the funds invested in upgrading the network are not lost through poor and untimely life cycle maintenance interventions.

The committee notes the increased number of kilometres of road network being managed by UNRA. The committee further noted that the inadequate funding to UNRA is affecting its deliverables and therefore recommends that UNRA is adequately supported both financially and supervisory in order for it to be able to execute its mandate for which it was created.

The committee recommends that UNRA should be empowered and supported to harness the tolling business through the development of more toll roads and other revenue-generating avenues currently standing at Shs 40 billion per year from one operational toll road. This will help the agency to initially start financing some of its operational costs and with time, depend on less and less resources from the National Treasury for operational costs. The enhancement of this revenue-generating measure will also enable UNRA to eventually reach a revenue surplus level that can be invested in the development and maintenance of the national road network.

National road network asset value

The current asset value of the national road network stands at \$5.4 billion. The investment in the national roads presents the biggest financial investment in the country's entire infrastructure and probably amongst the single largest financial investments.

Effective management of this asset requires UNRA to have a wide pool of skilled human resource and to run an effective financial management system with commercial-style accounting. This is pivotal to enhancing its performance in management and delivery of improved and cost-effective services and value for money using the private sector. These measures are extremely important for the case of national roads given the sums of money involved and the varied and complex nature of financial transactions. Public service structures like that existing in the Ministry of Works Transport are typically linear emphasising hierarchical and centralised accounting. This limits the amount of financial turnover that can be pushed up and down without clogging such a system. To avoid performance and absorption challenges, a flat and less layered structure performs more in a business-like manner.

The committee further noted that UNRA portfolio has grown to over Shs 2 trillion per year, which may not be well handled within the current confines of the Ministry of Works and Transport and would therefore require major restructuring of the ministry to create capacity to handle this workload. Having a single accounting officer - Madam Speaker, this is equally important.

Having a single accounting officer at the ministry

THE SPEAKER: Hon. Buzaaya - the one who has a tarmac up to his compound, do not disorganise the House. Leave the chairperson to finish reading.

MR ATWIJUKIRE: Thank you very much, Madam Speaker. Having a single accounting officer at Ministry of Works and Transport, handling the demands of national roads as well as overseeing Civil Aviation Authority, Uganda Airlines, Uganda Railways Corporation, Standard Gauge Railway, urban roads, district and community access roads, water transport and public building works, would negatively impact on the operational efficiency due to overwhelming workload.

The committee was informed that Public Service and Ministry of Works and Transport have proposed a structure envisaged to accommodate the enhanced mandate. However, the compromise of reverting to a single entity to be responsible for policy formulation, regulation and implementation of very critical infrastructure like national roads is a risky gamble when compared to a more pragmatic alternative of reforming UNRA to further improve its efficiency. *(Applause)*

The committee noted that UNRA has delivered on the objectives of the reforms that led to its formation. These are commercialisation, improved condition of the road network, improved financing, efficient management of national roads and the introduction of stable financing/ user charges. The sector, therefore, should rather be consolidating these gains and making further improvements, rather than halting the current momentum and starting afresh.

In conclusion, Madam Speaker and honourable colleagues, the role of UNRA in the management, development and maintenance of the national roads infrastructure is critical to the performance of the works and transport sector, and the country's development aspiration, in light of Uganda being a transit and landlocked country.

Mainstreaming UNRA into the Ministry of Works and Transport will lead to the same challenges experienced in the past that led to the same ministry spearheading the formation of UNRA and would necessitate future reforms to recreate UNRA. For this reason, it is recommended that the Government should retain UNRA as a semi-autonomous road agency. *(Applause)*

Madam Speaker and Members, I beg to move that the Uganda National Road Authority Act (Repeal) Bill, 2024 be rejected in its totality. Thank you. *(Applause)*

THE SPEAKER: I have not put the question. Does anyone have a minority report? *(Laughter)* Are those saying "aye" the ones

standing? Honourable members, you have heard the report.

MR MUHAMMAD NSEREKO: Madam Speaker, on your right, is a clock and we have a very good Parliamentary Commissioner, Hon. Afoyocan, here. Please, let her go and fix that clock because it is not working; it is misleading *—(Laughter)* - yet that is our welfare.

THE SPEAKER: Honourable members, we stood over three very short Bills. It is prudent that we do not leave work hanging. They have brought the certificates. I needed to let you know this as you prepare to debate the Uganda National Road Authority report.

I will now ask for the rule to be suspended for us to receive the Bill. Let us suspend the rule and have the Bill passed without going to the committee. That is the National Population Council (Amendment) Bill, 2024, the National Physical Planning Board (Amendment) Bill, 2014 and the National Planning Authority (Amendment) Bill, 2024.

4.07

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you, Madam Speaker. We sought leave to prepare and present an addendum to the Certificate of Financial Implications for the National Planning Authority (Amendment) Bill, 2024. Here it is and I beg to lay.

THE SPEAKER: Please lay.

MR ODUR: Madam Speaker, the correct procedure for the Executive, having ascertained that the certificate was defective, should have been to withdraw the three Bills and then read them for the first time with the new certificates. Then, being urgent Bills, we would proceed to handle them without going to the committee.

THE SPEAKER: He can continue since it is an addendum.

MR ODUR: Under the rules, there is no addendum to a certificate; it is not there. Either you have a certificate or you do not.

THE SPEAKER: Attorney-General? It takes nothing to withdraw the Bills and lay.

MR KAFUZI: Madam Speaker, you are the Chairperson of this House –

THE SPEAKER: Please withdraw the Bills and lay them again later.

MR KAFUZI: Madam Speaker, the mover of the Bills can do the withdrawal.

THE SPEAKER: Guide the mover.

4.09

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Speaker, I beg to withdraw the National Population Council (Amendment) Bill, 2024. In the same vein -

THE SPEAKER: Please, withdraw the Bills one by one. Have you asked for permission to withdraw under Rule 140?

4.10

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Speaker, I move under Rule 140 to ask Parliament to allow me to withdraw the Bill entitled, “The National Planning Authority (Amendment) Bill, 2024.”

THE SPEAKER: Thank you. Is it seconded? I put the question that the Bill entitled, “The National Planning Authority (Amendment) Bill, 2024” be withdrawn.

(Question put and agreed to.)

Bill, withdrawn.

THE SPEAKER: The Bill stands withdrawn. Next item.

4.11

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Speaker, I move under Rule 140 to ask Parliament to permit me to withdraw “The National Population Council (Repeal) Bill, 2024”. I beg to move.

THE SPEAKER: I put the question that the Bill entitled, “The National Population Council (Repeal) Bill, 2024” be withdrawn.

(Question put and agreed to.)

Bill, withdrawn.

THE SPEAKER: The Bill stands withdrawn.

4.12

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Speaker, I move under Rule 140 to ask Parliament to allow me to withdraw “The Physical Planning (Amendment) Bill, 2024”. I beg to move.

THE SPEAKER: Honourable members, I put the question that the Bill entitled, “The Physical Planning (Amendment) Bill, 2024” be withdrawn.

(Question put and agreed to.)

Bill, withdrawn.

THE SPEAKER: The Bill stands withdrawn. Can you lay your Bills for the first reading?

BILLS
FIRST READING

THE NATIONAL PLANNING AUTHORITY
(AMENDMENT) BILL, 2024

4.12

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Speaker, I beg to lay the Bill entitled, “The National Planning

Authority (Amendment) Bill, 2024” to be read for the first time. I beg to lay.

THE SPEAKER: And is it accompanied by the Certificate of Financial- [*Hon. Ssekikubo rose*] - it is the Clerk who reads, not him. Why are you disturbing Hon. Kasolo?

MR KASOLO: Madam Speaker, I beg to lay.

THE SPEAKER: Clerk, let him lay the certificate.

MR KASOLO: Madam Speaker, the Bill is duly accompanied by the certificate of financial implications.

THE SPEAKER: Thank you. Please lay - just a minute - just hold on; let him lay the second and third Bills, please lay the second Bill. I will give you time, you read the second one.

BILLS FIRST READING

THE NATIONAL POPULATION COUNCIL (AMENDMENT) BILL, 2024

4.14

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE)

(Mr Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled, “The National Population Council (Amendment) Bill, 2024” be read for the first time and it is accompanied by the Certificate of Financial Implications.

THE SPEAKER: Thank you. Please lay.

BILLS FIRST READING

THE PHYSICAL PLANNING (AMENDMENT) BILL, 2024

4.14

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE)

(Mr Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled, “The Physical

Planning (Amendment) Bill, 2024 be read for the first time and it is accompanied by the Certificate of Financial Implications, I beg to lay.

THE SPEAKER: Thank you, lay the Bill and the certificate. Honourable members, based on the urgency of the Bills, I want to move under Rule 119 of the Rules of Procedure and proceed with these Bills.

We already received the reports on them and they were debated too. We are now going to put the question, now that we are satisfied - it was an addendum that was being made on the Bills and everything was done. Yes, Hon. Ssekikubo.

MR SSEKIKUBO: Thank you, Madam Speaker. Once the Bill is withdrawn, it goes through a formal process that is not right now for the honourable minister to stand in and say, “I am withdrawing and now reading for the first time.” Madam Speaker, Rule 140(2), which he has proceeded under, provides -

THE SPEAKER: He proceeded under rule 140.

MR SSEKIKUBO: Yes, but rule 140(2) states that; “*Whenever the House grants its approval for withdrawal, the Bill...*”

THE SPEAKER: Hon. Ssekikubo, I want you to first understand under which context this is going through. First, sit next to Hon. Araali. Hon. Araali, first take the honourable member of Parliament through under the context this is - this has been a process since morning. [*Hon. Ssekikubo rose*] First, wait and get the whole information because I do not want you to speak what you have not understood. The House is now on hold; we are waiting for you to get the information.

MR SSEKIKUBO: Madam Speaker, save that I am guided by these rules, whether I have just come in or have been here earlier -

THE SPEAKER: We want to give you a clarification.

MR SSEKIKUBO: Then let me lay my point – [*Hon. Basalirwa rose*]- then I will be clarified and I will take the clarification, but before he comes, let me put what may be proper for him to clarify on.

Under Rule 140(2), the rules say thus:
“*Whenever the House grants its approval for withdrawal, the Bill shall stand withdrawn, save...*”-(*Interruption*)

THE SPEAKER: You listen to Hon. Ssekikubo.

MR SSEKIKUBO: “...*the Bill shall stand withdrawn, save that the same Bill may be reintroduced after a re-publishing in the Gazette.*” These are our rules and the Attorney-General is here. It cannot just be said that “*I have withdrawn and I am reintroducing.*” The rules provide that “...*the withdrawal, save that the same Bill may be reintroduced after republishing it in the Gazette.*”

THE SPEAKER: “May” it is not “shall”. Anyhow, there is a clarification here, please get it.

MR BASALIRWA: Madam Speaker, I have read the same rule being cited by my learned brother, the Hon. Theodore Ssekikubo. In reading that rule, you have to refer to the circumstances under which the Speaker allowed the re-tabling of the Bill for the first reading and those circumstances are in rule 119.

Actually, in rule 119, according to the guidance of the Speaker, this is an urgent Bill and 119 says that “...*the Bill may be introduced without publication.*” I think that is where the issue is. It may be introduced without publication so the requirement you are talking about -(*Interjection*)- yes, where upon recommendation of the appropriate committee of the House appointed for the purpose, the House determines that a Bill is of an urgent nature. That Bill may be introduced without publication.

When you look at Rule 128(4) says, “*Where a Bill under Rule 119 has been read the first time, without prior publication in the Gazette, the Bill shall be published within 24 hours or as soon as practicable after its being read.*” The issue of re-gazetting, which seems to be the emphasis of the Hon. Theodore Ssekikubo has been answered by actually rules 119 and 128.

THE SPEAKER: Honourable members, you have heard; I now put the question that “The National Planning Authority (Amendment) Bill, 2024” be read a second time.

(*Question put and agreed to.*)

BILLS COMMITTEE STAGE

THE NATIONAL PLANNING AUTHORITY (AMENDMENT) BILL, 2024

New clause

THE CHAIRPERSON: New clause?

4.22

THE CHAIRPERSON, COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Amos Kankunda): Madam Chairperson, the committee proposes the insertion of a new clause - the Bill is amended by inserting immediately before clause 1, the following -

“Commencement

This Act shall come into force on the date appointed by the minister by statutory instrument.”

Justification

To provide for the commencement of the Bill to accommodate the period for rationalisation process.

THE CHAIRPERSON: Minister?

MR KASOLO: I concede.

THE CHAIRPERSON: Attorney-General?

MR KAFUUZI: I agree.

THE CHAIRPERSON: Hon. Jona?

MR ODUR: Madam Speaker, we are okay with that.

THE CHAIRPERSON: Thank you. I put the question that the proposed new clause stands as part of the Bill.

(Question put and agreed to.)

New clause, agreed to.

Clause 1

MR KANKUNDA: Clause 1. Interpretation. Clause 1 is amended-

- (i) by substituting the definition of the word “Ministry”, with the following: “Ministry means the Ministry responsible for planning and economic development”;
- (ii) by inserting the definition of the word “Minister” as follows: “Minister means the Minister responsible for planning and economic development.”

Justification

- (a) To align the definition of “Ministry” with the definition of “Minister” in the National Population Council Act.
- (b) To provide meaning to the word “Minister” as used in the Bill.

THE CHAIRPERSON: Minister?

MR KASOLO: Madam Chairperson, we have the ministry in charge of finance, planning, and economic development. So, I wonder whether –

THE CHAIRPERSON: Do you want to include the words, “economic planning”?

MR KASOLO: Yes, the words, “Finance, planning and economic development”.

THE CHAIRPERSON: You are right.

MR KAFUUZI: Madam Chairperson, I agree with the proposal moved by Hon. Kasolo, for clarity. Thank you.

THE CHAIRPERSON: He is doing very well. Hon. Kasolo, you are doing very well. *(Applause)*

I put the question that clause 1 be amended as proposed.

(Question put and agreed to.)

Clause 1, as amended, agreed to.

Clause 2

THE CHAIRPERSON: Yes, committee chairperson.

MR KANKUNDA: Clause 2. Objective

Clause 2 is amended by deleting subclause (2).

Justification

National Planning Authority is not being merged, mainstreamed nor rationalised, but rather being given additional powers to execute the mandate of the National Physical Planning Board and National Population Council, which is provided for under clauses 3 and 4.

THE CHAIRPERSON: Minister?

MR KASOLO: I concede.

THE CHAIRPERSON: Attorney-General?

MR KAFUUZI: I agree.

THE CHAIRPERSON: Yes, constitutional affairs shadow minister.

MR ODUR: Madam Chairperson, this clause should be deleted. I had explained, before, the confusion that can result from having this objective remain. The principal Act has its objectives and that is the law that will be enforced. If we retain this one, it is like we have two different laws. So, this one should be deleted.

THE CHAIRPERSON: No, he is not in agreement with you. He wants the whole thing to go, not just a subclause.

MR KANKUNDA: I would like to reiterate what I read because the committee recommends –

THE CHAIRPERSON: It is okay. You said it should be deleted. I put a question that clause 2 be deleted as proposed.

(Question put and agreed to.)

Clause 2, deleted.

Clause 3, agreed to.

Clause 4, agreed to.

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

4.37

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Haruna Kasolo): Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

MR OGUZU: Madam Chairperson, as we transfer the functions of the National Physical Planning Board to the National Planning Authority, it would have been important that the powers of the board also go with the functions such that they can be exercised appropriately. The powers of the board are provided for under Section 6(a) of the Physical Planning Act, as amended.

There is no way the planning authority will be able to perform those –

THE CHAIRPERSON: We are going to reach there. This is a recipient. It will come in the next one. Keep your cool. I put the question that the House do resume and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

4.29

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled, “The National Planning Authority (Amendment) Bill, 2024” and passed it with amendments.

MOTION FOR ADOPTION OF THE
REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

4.29

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Speaker, I beg to move that the report from the Committee of the Whole House be adopted.

THE SPEAKER: I put the question that the report from the Committee of the Whole House be adopted by this House.

(Question put and agreed to.)

Report, adopted.

BILLS
THIRD READING

THE NATIONAL PLANNING
AUTHORITY (AMENDMENT) BILL,
2024

4.30

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled, “The National Planning Authority (Amendment) Bill, 2024” be read the third time and do pass.

THE SPEAKER: I put the question that “The National Planning Authority (Amendment) Bill, 2024” be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED, “THE NATIONAL PLANNING AUTHORITY (AMENDMENT) ACT, 2024”

THE SPEAKER: Title settled and Bill passed. Congratulations. *(Applause)*

BILLS
SECOND READING

THE NATIONAL POPULATION
COUNCIL (REPEAL) BILL, 2024

THE SPEAKER: I put the question that “The National Population Council (Repeal) Bill, 2024” be read the second time.

(Question put and agreed to.)

BILLS
COMMITTEE STAGE

THE NATIONAL POPULATION
COUNCIL (REPEAL) BILL, 2024

New clause

4.32

THE CHAIRPERSON, COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Amos Kankunda): Madam Chairperson, the Bill is amended by inserting, immediately before clause 1, the following: “*Commencement - This act shall come into force on a date appointed by the minister by a statutory instrument.*”

Justification

To provide for the commencement of the Bill to accommodate the period for the rationalisation process.

THE CHAIRPERSON: I put the question that a new clause stands part of this Bill.

(Question put and agreed to.)

New clause, inserted.

Clause 1

MR KANKUNDA: Clause 1: Interpretation. Clause 1 is amended –

- i) By substituting for the definition of the word “ministry” the following; “Ministry means the ministry responsible for finance, planning and economic development.”
- ii) By inserting the definition of the word “minister,” as follows; “Minister means the minister responsible for finance, planning and economic development.”

Justification

- i) To align the definition of “ministry” with the definition of “minister” in the National Population Council Act; and
- ii) To provide the meaning of the word “minister” as used in the Bill.

THE CHAIRPERSON: Yes, honourable minister.

MR KASOLO: I concur.

THE CHAIRPERSON: Yes, Attorney-General.

MR KAFUZI: Madam Chairperson, just like the previous Bill, this is for purposes of clarity. I concede.

THE CHAIRPERSON: I put the question that clause 1 be amended as proposed.

(Question put and agreed to.)

Clause 1, as amended, agreed to.

Clause 2, agreed to.

Clause 3

MR KANKUNDA: Clause 3 is on the purpose of amendment of Act 8 of 2014. Clause 3 is amended by substituting for paragraph (1), the following:

“The purpose of amending the National Population Council Act, 2014 is:

- a) To dissolve the National Population Council; and
- b) To transfer the functions of the National Population Council to the National Planning Authority established by the National Planning Authority Act, 2002.”

Justification

To provide more clarity to the provision.

THE CHAIRPERSON: Yes, minister.

MR KASOLO: I concede.

THE CHAIRPERSON: Yes, Attorney-General.

MR KAFUZI: I am in agreement, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 3, be amended as proposed.

(Question put and agreed to.)

Clause 3, as amended, agreed to.

Clause 4, agreed to.

Clause 5, agreed to.

Clause 6, agreed to.

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

4.37

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo):

Madam Chairperson, I beg to move that the House do resume and the committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House do resume and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker, presiding.)

REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

THE SPEAKER: Yes, honourable minister.

4.38

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo):

Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill, entitled, “The National Population Council (Repeal) Bill, 2024,” and passed it with amendments.

MOTION FOR ADOPTION OF THE
REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

4.38

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo):

Madam Speaker, I beg to move that the report from the Committee of the whole House be adopted.

THE SPEAKER: I put the question that the report from the Committee of the whole House be adopted by this House.

(Question put and agreed to.)

Report adopted.

BILLS
THIRD READING

THE NATIONAL POPULATION COUNCIL
(REPEAL) BILL, 2024

THE SPEAKER: Minister-

4.39

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (MICROFINANCE) (Mr Haruna Kasolo): Madam Chairperson, I beg to move that the Bill entitled “The National Population Council (Repeal) Bill, 2024” be read the third time and do pass.

THE SPEAKER: I put the question that “The National Population Council (Repeal) Bill, 2024” be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED, “THE
NATIONAL POPULATION COUNCIL
(REPEAL) ACT, 2024”

THE SPEAKER: The title is settled and the Bill passed.

Title agreed to.

BILLS
SECOND READING

THE NATIONAL PHYSICAL PLANNING
(AMENDMENT) BILL, 2024

THE SPEAKER: I put the question that “The National Physical Planning (Amendment) Bill, 2024” be read the second time.

(Question put and agreed to.)

BILLS

COMMITTEE STAGE

THE NATIONAL PHYSICAL PLANNING
(AMENDMENT) BILL, 2024

4.40
Clause 1

THE CHAIRPERSON, FINANCE, PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE (Mr Amos Kankunda): Madam Chairperson, there is a new clause that the proposed clause 1- Interpretation be deleted.

Justification

The definition of the “agency”, “commission” and “government” are irrelevant to the Bill.

THE CHAIRPERSON: Minister?

MR KASOLO: I concur

THE CHAIRPERSON: Attorney-General?

MR KAFUZI: I am in agreement.

THE CHAIRPERSON: Hon. Jonathan? No objection-

I put the question that clause 1 be deleted as proposed.

(Question put and agreed to.)

Clause 1, deleted.

Clause 2

MR OGUZU: I need clarification- is clause 2 about the objective?

THE CHAIRPERSON: Yes

MR OGUZU: I think the objective has to be deleted because it is also irrelevant.

THE CHAIRPERSON: Because it is in the main - yes

MR KANKUNDA: I concur

THE CHAIRPERSON: I put the question that clause 2 be deleted as proposed.

(Question put and agreed to.)

Clause 2, deleted.

Clause 3

MR KANKUNDA: Madam Speaker, clause 3 on “Purpose of amendment of Act 8 of 2014” is amended by substituting for paragraph 1 the following:

“The purpose of the Amendment of the Principal Act is:

- (a) To dissolve the National Physical Planning Board;
- (b) To transfer the functions of the National Physical Planning Board to the National Planning Authority established by the National Planning Authority Act, 2002.”

Justification is for clarity.

MS KAAYA: Madam Speaker, I am proposing that in addition to 2002, we include “plus the amendments.” Do you get me Madam Chairperson? Instead of saying “established by Act 15 of 2002 and the subsequent amendments”, such that we are in line with “as amended, the National Planning Authority amendment.”

THE CHAIRPERSON: Yes, as amended.

MR OGUZU: I have an additional amendment, but first I should recognise that she has made an important point. Physical planning has been managed under two laws. One is the Physical Planning Act of 2010 and there was an amendment, which should have been referred to. If we look at the purpose, we have only-

THE CHAIRPERSON: That is why we have said “as amended”

MR OGUZU: okay, if it says “amended”, I think it will take care of my proposal because I wanted in addition to the “functions”, we include the “powers” so that it would read, “under clause 3(2) the amendment dissolves the National Physical Planning Board and transfers its functions and powers to the National Planning Authority.” What he says only transfers the functions and does not include the powers. I did indicate that- It must be “functions and powers”

MR KANKUNDA: Madam Chairperson, we concur that it should be the transfer of functions and powers of the National Physical Planning Board to the National Planning Authority established by the National Planning Authority Act, 2002 as amended.

MR KASOLO: It is ok, Madam Chairperson.

MR KAFUZI: It is okay. And I thank my colleagues, Hon. Oguzu and member of Kiboga for the clarity.

THE CHAIRPERSON: Thank you. I put the question that clause 3 be amended as proposed by Hon. Denis Oguzu-lee, and Hon. Christine Kaaya of Kyankwanzi.

(Question put and agreed to.)

Clause 3, as amended, agreed to.

Clause 4, agreed to.

Clause 5, agreed to.

Clause 6, agreed to.

Clause 7, agreed to.

Clause 8, agreed to.

Clause 9, agreed to.

Clause 10, agreed to.

Clause 11, agreed to.

Clause 12, agreed to.

Clause 13, agreed to.

Clause 14, agreed to.

Clause 15, agreed to.

Clause 16, agreed to.

Clause 17, agreed to.

Clause 18, agreed to.

Clause 19, agreed to.

Clause 20, agreed to.

Clause 21, agreed to.

Clause 22, agreed to.

Clause 23, agreed to.

Clause 24, agreed to.

Clause 25, agreed to.

Clause 26, agreed to.

Clause 27, agreed to.

Clause 28, agreed to.

Clause 29, agreed to.

Clause 30, agreed to.

Clause 31, agreed to.

Clause 32, agreed to.

Clause 33, agreed to.

Clause 34, agreed to.

Clause 35

MR KANKUNDA: Madam Chairperson, clause 35 – savings. It is amended by deleting paragraph (6).

The justification is that:

- i. The right of a person to claim compensation is dictated by the instrument of appointment and as such, that right cannot be severed by an Act of Parliament; and
- ii. The proposed provision is redundant and inconsequential.

THE CHAIRPERSON: Minister-

MR KASOLO: I concur.

THE CHAIRPERSON: Minister of Justice-

MR KAFUZI: Madam Chairperson, the committee's presentation is in tandem with all the others. So, I agree.

THE CHAIRPERSON: I put the question that clause 35 be amended, as proposed.

(Question put and agreed to.)

Clause 35, as amended, agreed to.

The title, agreed to.

MOTION FOR THE HOUSE TO RESUME

THE CHAIRPERSON: Honourable minister-

4.53

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Microfinance) (Mr Haruna Kasolo): Madam Chairperson, I beg to move that the House do resume and the committee of the whole House reports thereto.

MR OGUZU: Before the House resumes, there is an issue, which I feel that this House must address if the National Planning Authority is going to function properly. Under the current Physical Planning Act, as amended, the Board still has the challenges to sanction the lower physical planning committees. As a result, people take their plans to the local authorities, decisions are not made-

THE CHAIRPERSON: Why don't we finish this, then we bring those as concerns that should be addressed?

(Question put and agreed to.)

MR OGUZU: Actually, now is an opportunity for us to address it.

Report adopted.

BILLS
THIRD READING

THE CHAIRPERSON: No, we are going to address it.

THE NATIONAL PHYSICAL PLANNING
(AMENDMENT) BILL, 2024

MR OGUZU: When?

4.56

THE CHAIRPERSON: I put the question that the House resumes and the Committee of the Whole House reports thereto.

**THE MINISTER OF STATE FOR
FINANCE, PLANNING AND ECONOMIC
DEVELOPMENT (MICROFINANCE)**

(Mr Haruna Kasolo): Madam Speaker, I beg to move that the Bill entitled, "The National Physical Planning (Amendment) Bill, 2024" be read the third time and do pass.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

THE SPEAKER: I put the question that the National Physical Planning (Amendment) Bill, 2024 be read for the third time and do pass.

THE SPEAKER: Honourable minister-

(Question put and agreed to.)

4.55

**THE MINISTER OF STATE FOR
FINANCE, PLANNING AND ECONOMIC
DEVELOPMENT (Microfinance) (Mr
Haruna Kasolo):** Madam Speaker, I beg to report that the committee of the whole House has considered the Bill entitled, "The National Physical Planning (Amendment) Bill, 2024" and passed it with amendments.

A BILL FOR AN ACT ENTITLED, "THE
NATIONAL PHYSICAL PLANNING
(AMENDMENT) ACT, 2024"

THE SPEAKER: The title is settled and the Bill has been passed. *(Applause)* Just for emphasis, we must have regulations. Don't just pass these Bills without regulations.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE OF THE
WHOLE HOUSE

THE SPEAKER: Honourable minister-

4.57

MR JONATHAN ODUR (UPC, Erute County South, Lira): Madam Speaker, thank you. I would like the records to capture my participation correctly. You have been referring to me as "Justice" and many people outside there have been contacting me, ever since you referred to me as "Justice". *(Laughter)*

4.55

**THE MINISTER OF STATE FOR
FINANCE, PLANNING AND ECONOMIC
DEVELOPMENT (Microfinance) (Mr
Haruna Kasolo):** Madam Speaker, I beg to move that the report from the committee of the whole House be adopted.

So, the relatives of people who are in jail and are not being produced - *(Laughter)* - those ones who are before court martial and those who are being tortured are now calling me saying, "Justice, you help us". *(Laughter)* I would like the record to capture that I am just the shadow Minister of Justice and Constitutional Affairs.

THE SPEAKER: I put the question that the report of the committee of the whole House be adopted by this House.

THE SPEAKER: You are the shadow Minister of Justice.

MR ODUR: And I am not responsible for those who are incarcerated. It is the NRM, which has done that. So, thank you.

THE SPEAKER: No, we shall have them out if they are there. We will have them out.

MR OGUZU: Madam Speaker, if you could, just allow me to emphasise this. This Parliament passed a resolution that the minister who was then responsible for physical planning issues must bring a report to this House on how local governments were complying with the law. Up to now, that report is nowhere. So, at this point, I implore you to inform the people who are going to be responsible that we need that report. Otherwise, under the law, we are supposed to sanction the local governments for not complying and we will need – *(Interjection)*

MS OBIGAH: Thank you, Madam Speaker. Thank you, my brother, for giving way. Terego District, as you know, is still the last district that has been created in Uganda. We could not proceed with anything until we got somebody from the ministry to go and see how the planning of the district was done. Therefore, there is no district that can proceed with construction or anything unless it gets permission or it gets planning people to do its planning. If Maracha District did not do this, it is a mess and, definitely, maybe they will have to break down your houses.

I would like to say that the ministry has not slept on the job. At least in Terego, they have been there. Thank you.

THE SPEAKER: I thought there is physical planning in every district.

MR OGUZU: I think she did not get me right. Madam Speaker. Now, I see why you usually emphasise that we listen. I used to take it for granted that listening is a critical aspect of our work.

THE SPEAKER: Now, you appreciate my concern.

MR OGUZU: Yes, I appreciate your concern. When we listen properly, we are able to provide useful information. *(Laughter)* My point is that under the law, the ministers are supposed to bring us a report on the various activities in the various districts to show that there is compliance with the law. If Terego District was complying, we would have that report here. If Maracha District is complying, we would have it here. It would be the same for Kampala and every district. It would be the basis for us to conclude that the law is being put to use and, at that point, we would assess our relevance.

So, my sister, Hon. Rose, we welcome the fact that Terego is complying, but we must recognise that there is no report brought here in relation to compliance by the local governments and that is important for Parliament to check. I thank you.

THE SPEAKER: Honourable members, we are discussing what has passed. We have had the report on UNRA and you also heard the justification of the minister. You are free to ask. I am now opening the debate. I want to start with Hon. Faith. Strictly, use one minute – you have already spent a quarter. *(Laughter)*

5.02

MS FAITH NAKUT (NRM, Woman Representative, Napak): Madam Speaker, I have heard both reports; the statement of the Speaker and that of the committee chairperson –

THE SPEAKER: That of the Speaker?

MS NAKUT: That of the minister and that of the committee. *(Laughter)* I only wish to ask a few questions for clarity on the report of the committee.

On the issue of technical capacity, does the committee wish to state that the technical capacity in UNRA does not exist in the ministry so that we can be worried that if works are transferred to the ministry, they will not be achieved?

Secondly, on the issue of salary disparities, the committee recommended a salary review -

THE SPEAKER: Not the committee; this House recommended that we should have the Salary Review Commission, which has never taken place. That is why you find Hon. Faith is earning more than I do. *(Laughter)* Okay.

MS NAKUT: Madam Speaker, the Committee on Physical Infrastructure is in charge of the entire infrastructure, including the staff and the experts in the Ministry of Works and Transport. Does the committee also consider that those experts, in the Ministry of Works and Transport, deserve equal treatment?

On the issue of procurement, a function that UNRA does excellently, does the ministry lack the capacity to do the procurement that UNRA is doing currently? Those should be answered – and I will be comfortable with what they say.

THE SPEAKER: Thank you. Hon. Thembo, it is not a point of order. Just raise your issue.

5.04

MR THEMBO MUJUNGU (NRM, Busongora County South, Kasese): Madam Speaker, I am surprised that Hon. Faith is saying the committee is in charge of the staff in UNRA. *(Interjections)* Yes, the committee reserves the oversight function, but from her presentation, she seems to imply that it is the committee’s supervisory role, to assess the capacity and, therefore, be able to say “okay, UNRA should stay or not stay”. I would like to inform her that the innuendo in her speech is putting the committee in a –

THE SPEAKER: Honourable members, as Members of Parliament, our role is to do oversight. When we do oversight, we do not determine whether you get more money or not. We do not determine the salaries – no, refer to the Act. You made an Act for that institution.

First of all, what you needed to ask yourself is: why did you make an Act for that institution? Has it achieved what you wanted it to achieve? What are the loopholes? Why hasn’t it done so and how can it be corrected? That is different from the REA. REA was different. Hon. Nathan Byanyima?

5.06

MR NATHAN BYANYIMA (NRM, Bukanga North County): Thank you, Madam Speaker –

THE SPEAKER: He is a senior legislator; let us have respect. *(Laughter)* Honourable members, if you are young, like Hon. Gorreth is, accept it. You wait; listen to the senior.

MR BYANYIMA: Thank you, Madam Speaker. UNRA did not come to Uganda by accident. The Government took a lot of time. We had to experiment with the Road Agency Formation Unit (RAFU), which worked like an experiment to see whether we would be able to improve if we had an agency. RAFU worked very well, but all of us were against it – against these reforms.

However, we went and benchmarked all over Africa with one of its engineers, Eng. Bagonza. We went and we were convinced that we should come out of the big empire of the Ministry of Works and Transport, which was presiding over Uganda Airlines, Uganda Railways, public buildings, communications, etcetera and we established UNRA. We had a number of CEOs from Africa.

We wanted to have a lean institution with professional people to do the work. Indeed, from the assessment I can make, UNRA has done a commendable job. *(Applause)*

I do not know why the minister is saying he is not superintending over them. In the National Roads Act, clause 7 gives the minister the mandate to supervise.

THE SPEAKER: Honourable minister, listen so that you respond.

MR BYANYIMA: Therefore, I feel like we are trying to rush so fast to go to the Minister of Works and Transport whose efficiency –

THE SPEAKER: Just hold on. Let me put the honourable member who is my aunt to order. I am the one who gave the people who created the Act for UNRA - those who went

for benchmarking and they know UNRA more than you do. You are just a child born yesterday. *(Laughter)* [Ms Nakut: “*He is conflicted*”] No, he is not conflicted. You need information. You cannot debate before you get information. Just cool down. Hon. Byanyima, give the honourable member information.

MR BYANYIMA: Madam Speaker, we had to benchmark and before the Act, we had 10 CEOs from different countries in Africa to have a good law, which was passed here in 2006.

Madam Speaker, we had no tarmac roads in Uganda. It is UNRA that has initiated for us to come from almost 1,000 kilometres to almost 7,000 kilometres. The only issue has been lack of funding – *(Interjections)* - money. The honourable minister knows it very well. Even if he takes it to the Ministry of Works and Transport and the Government has no money, he will not -

Therefore, we thought that we would have a bit of time - This would be the time to review UNRA to look into the staff and have a lean staff; downsize it. Honourable minister, take interest in UNRA and be in charge. You have a big empire.

I would like this House to give him express permission and money to work on the railway - it is too much work on the railway - rather than running to get UNRA into the Ministry of Works and Transport and we have a breakdown. You can see Masaka Road; the UNRA people are there. By the end of the day, people will have to pass –*(Interjections)*- it is passable? You can see. Madam Speaker, if it was the Minister of Works and Transport himself having an accounting officer presiding over a big empire, we would not have the best of it.

In the circumstances, we are not saints in this country. Let us give credit where it is due. UNRA has done a commendable job, but of course, there are some shortcomings that must be there. However, taking it at the moment is disastrous – *(Member timed out.)*

THE SPEAKER: Thank you. Hon. Oguzu Lee -

5.11

MR DENIS OGUZU (FDC, Maracha County, Maracha): Madam Speaker, I have listened to the minister submit and I also listened to the report of the committee. *(Mr Naboth rose)*

THE SPEAKER: Hon. Naboth, you will speak after him.

MR OGUZU: I am going to submit from the experience of the Rural Electrification Agency (REA), for those who do not know. When REA went - I am sure many of you have the experience that the poles that were left in your villages have remained the way they were yet there is a Minister of Energy and Mineral Development who should have provided answers. That answer is nowhere.

Based on that experience, I have been asking myself, on behalf of the people of West Nile - In the next few weeks, we are going to have a road project launched from Koboko to Moyo for the construction of a road under a grant from the World Bank. It is very important for the minister to clarify how such a project will be implemented if UNRA is removed now, which is a decision we are about to make, if we are not careful. What does this mean? It means there is risk of this grant not being properly utilised, if the decisions are not justified properly.

Secondly, the law, as it is, gives the minister a lot of powers. The minister can choose to veto all the things the Board does if he only amended those laws – *(Interruption)*

MR NSEREKO: I would like to thank you, Madam Speaker and Hon. Oguzu Lee. The information I would like to give my brother, Hon. Oguzu, is very simple and to the effect that you can see there is a huge collision path between the ministry, UNRA and the very many Boards. This happened when we were interrogating the Ministry of Energy and Mineral Development over licensing.

Remember when we broke the impasse of who licences between the commissioner and the minister and we said we should leave some executive powers with politicians and leaders because of the strategic nature of policies. Now, the ministry is well streamlined to that effect in the mining sector.

What happens here is - Of course, we must realise that there are some executive decisions that are not respected by technical officers at times. The information I would like to give to my brother is that the minister has all the powers to present an amendment here, if he so wishes, to put the Board in alignment so that he has veto powers over remuneration, performance in contracts, et cetera so that we use the appraisal method in performance contracts of these technical officers so that the minister can hold a whip and exercise his executive powers where need be.

If that is what we are to streamline, please, we advise you to present such an amendment and you will see the unanimous support that you will get from this House that empowers the minister to hold a whip over an agency. Rather than winding up the agency, let us have empowerment of the minister to whip over the agency and we have harmony. That is the information.

MR OGUZU: In conclusion, it is very clear the minister has not done certain things which would have made him more powerful and I see many Members here complaining that their roads are not worked on. The role of gazetting roads so that they become national roads is with the minister. We must realise that there are so many things that the ministry has not done that they want to blame on UNRA and I think we need to guide the minister properly in light of all these things. I thank you.

THE SPEAKER: Hon. Naboth, Hon. Grania, Hon. Loy and Hon. Xavier.

5.16

MR NABOTH NAMANYA (FDC, Rubabo County, Rukungiri): Thank you, Madam Speaker. I would like to thank the committee

chairperson for the report he has presented. Honourable minister, it should be clear that at this moment, we are appreciating the work that is being done by UNRA.

Honourable minister, in your submission, you stated that you have salary disparities. Also, it is very true that in Works, we need technocrats and technology. If you are agitating that we bring all the workers from UNRA and bundle them into the Ministry of Works and Transport and you give them the peanuts that the ministry is paying some technocrats; small salaries, we are likely to lose technocrats and technical people from the Ministry of Works and Transport.

I urge honourable colleagues that we let UNRA stay because it is handling critical work. It is stated here that if it was not for UNRA, we who come from western Uganda would be cut off completely.

Honourable minister, if you are not convinced that UNRA is working, we implore you to join UNRA or ask for the ministry to be rationalised to go and join UNRA because it is doing work. *(Laughter)*

Madam Speaker, the minister is sandwiching my submission.

THE SPEAKER: Honourable members, Hon. Nsereko brought in a very good suggestion - That is why I tell you to listen. It was a very good suggestion.

Honourable members, when you look at everybody's face, they are here for UNRA. *(Laughter)* Do you want to put up your hands? Put them up and I see. Anyway, honourable members, to avoid the wastage of time, we have agreed. Honourable minister? No, he is not withdrawing. First listen.

5.21

THE MINISTER OF WORKS AND TRANSPORT (Gen. Katumba Wamala): Madam Speaker, I want to thank Hon. Nsereko for the wonderful suggestion and proposal and I want to request Parliament to allow me to

work along those lines and come back to bring amendments to the Floor. *(Applause)*

THE SPEAKER: What the minister is saying is that it is okay, we can put the question. UNRA will remain as it is. However, he will bring an amendment, okay? Meaning that if I put the question now, the “nays” will have it and it collapses. You understand?

However, the minister is also requesting that when he brings in an amendment, we should be able to support it. Listen, it is very illogical for somebody in one institution to earn Shs 50 or 60 million when Hon. Lee here, who is representing a whole constituency, is only earning Shs 6 million from the same government. Do you get it?

Therefore, having heard all the submissions – Chair, do you have something to say?

MR KIMOSHO: Thank you, Madam Speaker. I am not at all in disagreement. I only wanted to request that to avoid these future issues from recurring, especially on specific issues that would be handled - For example, I have just listed a few; the ED to URA, Civil Aviation, Uganda Airlines, KCCA - All these people and many more, earn Shs 60 or 50 million.

THE SPEAKER: Honourable, the minister has veto powers. I want to advise you, ministers, that it should not only be the Ministry of Works and Transport, but it should be across the board.

RAPEX, are we together? Honourable members, if you are not in favour of repeal, please say “nay”. If you want the Bill to collapse, please say “nay”. If you want us to continue to the next stage and we repeal, please say “aye”. Are we together?

Honourable members, in whatever we are doing, let us help these ministers. Technical people are also stubborn; they under look the political wing. Let us see how we can be able to help the ministers to solve some of these problems.

I put the question that, “The Uganda National Roads Authority (Repeal) Bill, 2024” be read a second time. I sympathise with you. Instead of waiting for the ruling, you have continued.

Honourable members, thank you for today. I know I have to give the ruling. *(Laughter)* I would like to thank you very much. On a very special note, I want to thank Hon. Muhammad Nsereko for offering very good advice. That advice is going to help all the ministries.

I also want to ask the technical people not to undermine the political wing. Honourable members, we have two reports on the Rationalisation of Agencies and Public Expenditure (RAPEX) left, which we should be able to finish tomorrow as we wait for the tax Bills. I would like to ask the chairperson to finish the tax Bills so that this time round, we take our time with them. We should not rush them so that everybody knows what is passed.

The nays have it *-(Applause)-* subject to bringing back the Bill with amendments.

(Question put and negatived.)

THE SPEAKER: I now adjourn the House to tomorrow at 2.00 p.m.

(The House rose at 5.30 p.m. and adjourned until Wednesday, 24 April 2024, at 2.00 p.m.)