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PARLIAMENTARY DEBATES

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THIRD SESSION - THIRD MEETING

WEDNESDAY, 24 APRIL 2024



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 30TH SITTING - THIRD MEETING

Wednesday, 24 April 2024

Parliament met at 1.58 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, it is nice again to have you in the afternoon after some good weeks. You are most welcome to this afternoon's sitting.

This morning, I got confirmation from His Excellency the President on the State-of-the Nation Address; it will be on 6 June 2024 and the Budget reading on 13 June 2024, pursuant to Article 101 of the Constitution of the Republic of Uganda, 1995 and thereafter, the President will open the next session.

I want us to be innovative. Where should we have the next session? Should we have it in Hon. Odur's village - we will discuss that.

This morning, I officiated at the launch of the 13th Annual Cancer Run, 2024 organised by the Rotary Club of Uganda. I also had a guided tour of the Cancer Ward and the Radiotherapy bunker at St Francis Hospital, Nsambya; remember, that is the Cancer Ward that we have been contributing to and once completed, it will help us decongest other hospitals and the cost will be subsidised because it is basically from donations.

I thank all of you for contributing towards that ward because we used to deduct money from our accounts for that ward, but now, we are contributing from the donation that is given to Parliament. *(Applause)* That will help the Health Sector.

When you put a brick or even a stone on such a building, it makes one other family smile because it is helping. So, I thank you very much.

Honourable members, my attention has been drawn to the misinformation and disinformation in some sections of the media where some members are alleging that Members of Parliament received financial inducement for the decisions that we took yesterday.

The Rationalisation of Agencies and Public Expenditure (RAPEX) decisions; that is specifically on the National Information Technology Authority - Uganda (NITA-U), the Uganda National Roads Authority (UNRA), the Uganda Coffee Development Authority (UCDA), and the Uganda Cotton Development Authority - I have the paper here, *The Observer* and this is not good.

The code of conduct of Members of Parliament is contained in Appendix F of the Rules of Procedure of Parliament. It is elaborately spelt out on public duty, personal conduct, public interest, corruption, declaration of interest, and acting as a paid advocate.

I would like to inform the Executive and whoever is alleging all this that Members legislated for their people. *(Applause)* There is no way you would see Hon. Odur saying that let the UCDA go then tomorrow when he goes to Lango, they will ask him, “What did you do?”

Would you see Hon. Luttamaguzi saying, “okay, let the UCDA go”? What would happen? This allegation must stop, nobody was bribed. People did legislation on their own. How can you bribe the whole House who were even willing to put up their hands to vote openly?

I am going to ask our legal officer to take up this case. *(Applause)* You cannot tarnish the integrity of my Members because none of them was bribed to fail any RAPEX Bill.

Whatever did not go through was by consensus; for example, yesterday, the minister commented on UNRA and the minister in charge of the RAPEX has also always conceded. Why should we be blamed for what we are doing? We are here to legislate for our people.

Let them tell us who the mercenary in this was and how it came about because the heading is alarming, but when look inside, there is nothing. So, what did they want to achieve? Do they want the public to hate Parliament?

Once more, I would like to thank you. We only have two reports left on the RAPEX. - have you also been bribed on the Road Fund?

Meanwhile, I have got information that the Shs 500 million balance for the Road Fund has been sent. *(Applause)* That is one reason - honourable minister -

The money has been sent to the different districts not to the Road Fund. *(Laughter)* Do you remember the Shs one billion we appropriated in this House? Honourable minister -

2.09

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, I wanted to provide that clarity because you had just talked about misinformation.

The money that the Speaker is talking about is the Roads Maintenance Grant passed by this Parliament and each district, city and municipality in Uganda was earmarked to receive Shs 1 billion. Shs 250 million was released in Quarter One and Shs 250 million was released in Quarter Two. For quarters three and four, every district, city and municipality in Uganda has received the last bit of Shs 500 million for road maintenance.

This is supposed to be appropriated through the district, city and municipality roads committee, created under the Uganda Road Fund Act. Thank you.

THE SPEAKER: Thank you. To all Members, I hope you are monitoring that money in your constituencies. I presume that in one way or the other, you are chairpersons of the road committees. Therefore, you must make sure that you make a follow-up of the money that was sent to the districts and see how it is being used.

Yes, *Mukatuliki* -

2.10

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Thank you, Madam Speaker. I request the Government - and I remember I said it last time: when you read the instructions that were given to the Ministry of Finance and what was resolved here, that money was supposed to come at once, on top of all the other budgetary allocations. Go and read it carefully. Still, we thank you for that.

About the State-of-the-Nation Address, why are we still going for such a function and you have to test me for COVID-19 – pluck my nose? On our side, Madam Speaker, we would also want to know the results of the President’s COVID-19 tests before he tests me. How can we have one person in this country that everybody must get tested for COVID-19 before getting close to him?

We are refusing to appear – and he is not tested. How do we know his results before we get closer to him?

Madam Speaker, denying us our gadgets – iPads and phones – when we are to attend the State-of-the-Nation Address, I cannot be part of that.

Then, for COVID-19 testing, I want to see Mr Museveni's results before they test me - *(Interjection)* - yes, I am a human being like him. Yes. What if he brings it to me?

THE SPEAKER: Honourable member, health issues are private. If you want to know the President's COVID-19 results or health, go and get a court order and ask for it. *(Laughter)*

Also, one thing that I must tell you is that the State-of-the-Nation Address is a Parliament function. It is not for the President. We are only inviting the President to come and address us and start the next session of our sitting.

We can agree to say we are waving off COVID-19 testing. - Yes, we can remove it. It is our function. After all, the President will be sitting far away. However, it will look bad for you not to come for your function. I know some of you fear testing. There is no way you can fail to go with your *iPad* because we do not want you to carry papers. You will go with your *iPad*. What is wrong with that?

MR SSEWUNGU: Once you make that proclamation, then, we shall see because that has been the condition.

THE SPEAKER: It is not a proclamation.

MR SSEWUNGU: Special Forces Command (SFC) checking my phone - testing Mr Ssewungu all the time. In the whole world, there is only one person testing people before they meet him.

THE SPEAKER: Honourable members, we will request SFC that our very good Members of Parliament do not use papers. We gave them *iPads*, which they use for day-to-day operations and we are also not comfortable with the COVID-19 testing. We will talk to them. They are human beings. *(Applause)* Just

one thing to remind you about is that this is your function. It is not Budget, which is for the finance ministry.

2.15

MR FRANCIS MWIJUKYE (FDC, Buhweju County, Buhweju): Madam Speaker, thank you very much for giving me this opportunity.

THE SPEAKER: It is good to be short. You just dive. *(Laughter)*

MR MWIJUKYE: Madam Speaker, I did not know I was short until today. *(Laughter)* As the Shadow Minister of Works and Transport, I have been interacting with some people from different districts and we also had a district roads committee meeting in my district, which I chaired. I realised that in the guidelines that were issued regarding the Shs 1 billion, Shs 92 million is being removed for repairs.

You can imagine that you have Shs 500 million, but you are removing Shs 92 million for repairs. I think we need to find a solution for repairing the district equipment so that it does not take away the money that is meant to help us work on the roads. Otherwise, most of this money is going for the repairs of the district equipment.

THE SPEAKER: Thank you. Honourable members, we have been sitting here every day from 10.00 a.m. up to late. Today, my session is going to be for two hours. Next item.

MINISTERIAL STATEMENT ON:

(I) THE STATUS OF IMPLEMENTATION OF THE NDP III ROAD PROJECTS

THE SPEAKER: Honourable members, as you are aware, National Development Plan III has a lifespan of 2020/2021 to 2024/2025. With barely a year to go, this House expressed concern over the status of the implementation of the road projects envisaged under NDP III.

Pursuant to Rule 52(1) of the Rules of Procedure of Parliament, I invite the Minister

of Works and Transport to present a statement on the implementation of the status of the planned projects under NDP III.

Honourable minister?

2.18

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, despite the fact that the Ministry of Works and Transport was duly notified, I do not see the ministry represented here. The ministry is, at the moment, absent without official leave. May I request that we proceed to the next item as we look for the Ministry of Works and Transport?

THE SPEAKER: Honourable minister, are you aware that we even have a Bill on the road fund?

MR OBUA: Madam Speaker, the ministry is fully aware of all the items on the Order Paper for today; they are duly informed.

THE SPEAKER: Government Chief Whip, you need to tell your Members to take this House seriously. This is a very serious matter. We are in a budgeting process. Before you know the status of the other roads that you budgeted for - I am talking to my Government Chief Whip, but he is busy smiling at the girls. *(Laughter)*

Honourable members, we need to get serious on this – *(Whereupon Gen. Katumba entered the Chamber.)* I am happy the General has come. General, we are here patiently waiting for you. Thank you for coming. We are on the status of the implementation of NDP III road projects.

General, as you get ready, in the public gallery this afternoon, we have pupils from St John's Junior School, Bujuuko in Mpigi District. They are represented by Hon. Teddy Nambooze - Hon. Teddy, stand up and wave at the *kids*. That is your Member of Parliament. They are also represented by Hon. Hillary Kiyaga *Hilderman*. Where is *Hilderman*? Thank you very much for coming. These are your Members of Parliament and they are

doing very well. Please have a seat. Join me in welcoming the young angels. *(Applause)*

Honourable members, in the public gallery, we also have students from Mubende Army Secondary School. They are represented by Hon. Nakazibwe Hope Grania, Hon. Lubega Bashir and Hon. Kabanda David. You are most welcome and you are very smart. *(Applause)* They have red ties, they have FDC – *(Laughter)* – please, have a seat.

2.22

THE MINISTER OF WORKS AND TRANSPORT (Gen. Edward Katumba Wamala): Thank you, Madam Speaker. This document has been uploaded. I am presenting this statement to inform Parliament of the status of implementation of the National, District, Urban and Community Access roads projects prioritised for implementation under the Third National Development Plan (NDPIII-ITIS Programme.)

Status of NDP III National Roads Project

Financing of planned NDP III projects

Madam Speaker, at the start of the NDP III period in the Financial Year 2020/2021, 3,531 kilometres of new roads were selected for upgrading, 32 kilometres of existing roads for capacity improvement within the Greater Kampala Metropolitan Area, and the construction of six strategic bridges. These projects were estimated to cost about Shs 15 trillion. This excluded the projects under implementation at the time, which crossed over from NDP II and were to be completed in NDP III.

Madam Speaker, as you are aware, the COVID-19 pandemic was a major setback to the economy and it affected the revenues available to the Government for investment in the infrastructure. As a result, the allocations of the domestically funded budget for the development of national roads dropped from Shs 1.7 trillion in the Financial Year 2020/2021 to Shs 957 billion this Financial Year 2023/2024. This reduction in the funds

available reduced the physical progress that could be achieved in the period. The reduction in the domestic funds available for development projects also affected the implementation of externally funded projects as domestic funding is required for counterpart funding and land acquisition.

The Government had planned to upgrade roads to support tourism development, because tourism is a cash cow, and ease congestion in the Greater Kampala Metropolitan area during NDP III. However, this reduction in the resources also delayed the implementation of the key interventions and they must, therefore, be prioritised in the NDP IV.

The performance of national roads

Despite the setbacks and the significant reduction in funding, the Government was able to register some success in the delivery of the plan. By June 2023, the status of implementation of the NDP III programme was as follows:

- (i) 753 kilometres of national roads had been upgraded to paved standard, bringing the total paved stock to 6,133 kilometres countrywide. This was against the targeted 1,500 kilometres in the same period because of the COVID-19 issue;
- (ii) In addition, UNRA upgraded 196 kilometres of town roads within various towns and municipalities across the country; and
- (iii) 464 kilometres of road rehabilitation and reconstruction were completed in the same period.

The details of the completed rehabilitation and upgrade projects are attached as Annex 1. The annex is very big. It has Annex 1 up to Annex 8. I would request Members of Parliament, at your own time, to refer to the annexes.

Due to these interventions, as of June 2023, 59 per cent of the national paved network was in good condition, while 35 per cent was in fair

condition. During the NDP III period, a large percentage of the network, which was in good condition has deteriorated to fair condition. This has created a significant maintenance backlog that necessitates an increased focus on maintenance of the paved road network in the NDP IV period as opposed to coming up with new projects, in order to protect the existing assets.

Madam Speaker, the construction of bridges and provision of ferry crossings was also catered for during the NDP III period. Twenty-six bridges were constructed by the Ugandan National Roads Authority in the period from 2020/2021 to 2022/2023. The following ferries were also commissioned during the period:

- (i) Bisina Ferry, which plies between Kumi and Katakwi on Lake Bisina. This was commissioned in 2020/2021;
- (ii) MV BBB (Bubembe-Bunyama-Buggala) on Lake Victoria in 2021/2022; and
- (iii) MV Palm (Kiyindi to Buvuma). This was done together with the Ministry of Agriculture, Animal Industry and Fisheries under the Oil Palm Project.

Madam Speaker, the analysis showed that the available Medium Term Expenditure Framework (MTEF) is insufficient for the completion of the ongoing commitments under the development of national roads. Allocation of extra resources to the programme in the NDP IV period is required to achieve the objectives of preserving the road assets and increasing the stock and quality of the productive infrastructure is required if we are to achieve the objectives of preserving the road assets and increasing the stock and quality of the productive infrastructure as required.

2.2.3 Status of ongoing projects

Madam Speaker, my ministry is currently implementing 26 national road development projects, covering 1,249 kilometres and 11 road rehabilitation projects, spanning 952 kilometres.

In addition, construction of 27 bridges and 10 ferry improvement projects across the national

roads network in different regions of the country is also ongoing. I have provided a list of the ongoing projects including their status in Annex 2 of this document. Again, I implore our members of Parliament to look at that in your own time because it has all the details.

2.2.4 Projects under preparation

Madam Speaker, in addition to the projects under implementation, we have several projects which are under preparation. These include:

- (i) Seven (7) road upgrading projects with signed commercial contracts where the contractors are in the process of confirming the financing. These are projects which are structured under Contractor Facilitated Financing (CFF), and the commencement of civil works is dependent on the finalisation of the financing agreements between the contractors and the Ministry of Finance, Planning and Economic Development. The details of this are in Annex 3 of the document;
- (ii) Fourteen (14) civil works contracts are under procurement with the process expected to be completed in the Financial Year 2023/2024. These details are in Annex 4 of this document; and
- (iii) Seven (7) road projects are to be executed, utilising external financing. The Government is currently undertaking the necessary legal processes to have the financing approved and signed by both parties. The list of NDP projects and their status is attached in Annex 5.

3.2.5. Challenges faced in the implementation of the NDP III Roads Programme

Madam Speaker, the implementation of the program has encountered several challenges:

- (i) Reduced allocation of funds to the development of roads has led to limited commencement of new projects during the period. The inadequate releases have also led to the Government of Uganda

incurring debts to the contractors during the NDP III period. UNRA currently faces a debt of - this was some time back, but as I speak, the debt is Shs 1 trillion 044 million 100 something thousand - is bigger than what you see here. That debt attracts Shs 350 million of interest every day;

- (ii) Rising cost of construction especially after COVID-19, has led to an increase in key road construction and maintenance inputs, such as bitumen, steel, timber, and fuel, thus increasing the cost of operations;
- (iii) Procurement delays occasioned on the program by external stakeholders - disruptive bidders; if bidders are invited, whoever is not satisfied will stop the process because the law provides that - we have what we call whistle-blowers. You cannot even know who the whistle-blower is because he is not supposed to reveal himself; the process must stop until the whistle-blower is satisfied; and
- (iv) The COVID-19 pandemic greatly affected UNRA's ability to achieve the set targets. Several activities, mainly road construction were affected by the lockdown and or partial lockdown. Activities like land acquisition were halted while projects continued to be implemented under very strict Standard Operating Procedures (SOPs). This affected working hours and supplies of the project inputs.

3.2. Status of District, Urban and Community Access Roads (DUCAR)

I think this is an area of interest to many of the MPs. Madam Speaker, at the beginning of NDP III in the Financial Year 2020/2021, the Ministry of Finance, Planning, and Economic Development approved four projects under DUCAR, these included:

- (a) 1558-Rural Bridges Infrastructure Project;
- (b) 1564-Community Roads Improvement Project;
- (c) 1703-Rehabilitation of District Roads; and

(d) 1705- Rehabilitation and upgrading of urban roads.

Status of the project

4.2.1 Status of Project 1558 - Rural Bridges Infrastructure Project

Madam Speaker, this project focuses on improving connectivity in rural areas by constructing bridges and improving swamp crossings. The project also focuses on constructing cable-stayed footbridges and metallic ladders in mountainous areas.

The project was formulated in 2019/2020 for a period of five years with the following targets:

- (i) 15 bridges to be constructed;
- (ii) 17.5 kilometres of swamp crossings to be constructed;
- (iii) 30 alternative bridge mechanisms constructed, which would include arc bridges, footbridges and metallic ladders; and
- (iv) 25 new bridges designed.

The above outputs were estimated to cost Shs 300 billion over a period of five years. To-date, just a total of Shs 99.6 billion has been received, and out of that, this is what has been achieved:

- a. Seven bridges have been constructed, two bridges are under construction, and two other bridges have been procured;
- b. One swamp crossing of one kilometre has been constructed, eight swamp crossings are under construction, and one swamp crossing is designed for construction;
- c. 18 cable bridges and footbridges have been constructed, and one cable bridge is under construction; and
- d. Two metallic ladders constructed in the Elgon areas, and another metallic ladder is under construction. The details of these bridges and swamp crossings, cable footbridges, and metallic ladders are contained in Annex 6 of the document.

4.2.2 Project 1564 - Community Roads Improvement Project

This project was developed to rehabilitate community roads across the country. The goal was to improve the standard of living of the rural community by improving their connectivity, accessibility to markets, and social and administrative services.

Improved access inevitably leads to better farm-gate prices and increased production, reduced travel time, and transport costs, and improved access to social and administrative services. This project is also in line with the PDM as pillar two.

The project was formulated in the Financial Year 2020/2021 for a period of five years with a target of rehabilitating 7,905 kilometres of community access roads. The estimated cost was Shs 391.6 billion. To date, only Shs 127.3 billion has been released and 1,392 kilometres of community access roads have been rehabilitated, 225 kilometres are still under construction. The details of the roads rehabilitated and those under construction, under this project, are in Annex 7.

4.2.3 Project 1703 - Rehabilitation of District Roads

Madam Speaker, this project was formulated to support district local governments to reduce the rehabilitation backlog of district roads. Through this project, my ministry introduced low-cost sealing technology, which involves tarmacking of roads that carry traffic of less than 300 vehicles per day using locally available materials and non-conventional bituminous surfaces.

Madam Speaker, through this project we introduced a technology called Probase, which is appropriate and applicable in tarmacking of medium volume traffic roads, for example, roads that carry up to about 3,000 vehicles per day. We have already tested this project and tested this technology on the Kayunga-Nabuganyi road and it is working well. We have also used it in Nansana and we are also going to use it to do the road from Kakiri to

Masulita to Mawale. That is the technology we are using. The project started in July 2021 for a period of 5 years and it had the following major targets:

- (i) 5,000 kilometres of district roads Rehabilitated;
- (ii) 420 kilometres of low-volume roads Sealed; and
- (iii) 175 kilometres of medium volume roads Sealed.

Madam Speaker, the above outputs were estimated to cost Shs 991.4 billion. As of February 2024, Shs 190.4 billion had been released and the following achievements have been registered:

- (i) 873.6 kilometres of district roads have been rehabilitated and 583.9 kilometres are under construction;
- (ii) 160.9 kilometres of low-volume traffic roads were sealed and 95.28 kilometres are still under construction; and
- (iii) Kilometres are still under construction. Construction of another 22 kilometres has started using the stage construction modality. The details of the roads under this project are in Annex 8.

4.2.4 Project 1705 - Rehabilitation and Upgrading of Urban Roads

Madam Speaker, this project was developed to reduce mud and dust in urban areas and improve their ascetic conditions 21.7 kilometres of medium-volume roads were sealed, and 4.3.

It mainly focuses on tarmacking of roads in urban areas. It started in July 2021 for a period of 5 years.

The project had the following targets:

- (i) 34 kilometres of roads in 10 municipal councils tarmacked and
- (ii) 60 kilometres of roads in 25 town councils were tarmacked.

The above output was estimated at the cost of Shs 715.5 billion. However, in the Financial

Year 2022/2023, this project was re-scoped to include the presidential directives of tarmacking 90 kilometres of urban roads in the Bukedi and Busoga subregions. This required an additional Shs 465 billion.

The preliminary engineering designs of the 90 kilometres were completed, but the ministry has not yet received any funds to start construction works. The beneficiary urban councils are eager to have the work started due to the likely political ramifications during the 2026 elections.

As of February 2024, Shs 74.2 billion had been released and the following achievements have been registered:

- (i) 19.2 kilometres of roads in six municipal councils are tarmacked, 4.1 kilometres are still under construction;
- (ii) 18.5 kilometres of roads in 15 town councils were tarmacked, and 3.7 kilometres are still under construction.

The details of the roads under this project are in Annex 9.

4.3.1 Support Services to District Urban and Community Access Roads (DUCAR) Projects

Regional Mechanical Workshops

Madam Speaker, my ministry operates four Regional Mechanical Workshops (RMWs) – definitely, these are few compared to the size of the country and the demand, they are in Kampala, Gulu, Bugembe and Mbarara whose main function is to extend maintenance support to district and zonal road equipment. Because they require heavy-duty equipment, like excavators and bulldozers.

We know that this equipment is not at the district, but can be requested from the regional mechanical workshop once they are ready to use. Many people here have benefited, and Hon. Nabukenya here, can testify.

The count of district road equipment has incrementally expanded beginning with road

units obtained by some districts under various projects and grants in the 1990s and early 2000s to the 1,405 assorted road equipment from China in 2012 and finally, the 1,151 road equipment from Japan obtained in 2017.

To the new districts, your first road equipment units have arrived and we were due to be handed out on 10 May 2024, however, that is the population census Day. We shall hand over this equipment on 15 May 2024 to the new districts. It is a wheel loader and a grader. That is the first lot. *(Applause)*

We need an additional Shs 27 billion and I hope that Parliament will appropriate that money this coming financial year so that we can get the rest of the equipment for a full unit.

Other than the grant from the Government of Japan through JICA that facilitated the construction of the Bugembe Regional Mechanical Workshop (RMW) in 1997, no development funds have been made available since then for the development and retooling of the RMWs.

The total requirement for retooling and refurbishing the RMWs is Shs 100 billion which we hope can be realised through debt financing or through project support from development partners. Discussions with the Ministry of Finance, Planning and Economic Development on this matter is still ongoing.

From 2017/2018 to date, maintenance of road equipment from Japan was prioritised over all other road equipment in the districts as no new funding was made available for maintenance of road equipment from China and the older equipment.

The routine maintenance budget for road construction equipment reduced from Shs 22 billion in 2019/2020 to Shs 11.6 billion in 2020/2021; partly due to disruptions caused by the COVID-19 pandemic, but also notably due to rationalisation of the ministry's budget in 2020/2021 to cater for special requirements under Operation Wealth Creation.

The routine maintenance budget was never restored, yet the road equipment maintenance regime transitioned from preventive maintenance which is the (normal service) into corrective maintenance which requires an additional Shs 23bn.

The current shortfall in road equipment maintenance funding therefore, is Shs 33 billion. The resultant effect of these budget cuts was the reduction in road equipment availability from 95 per cent in 2017 to its current level of 30 per cent.

I even know that many of you are members of the road committee and your engineers have been crying about the serviceability of the road equipment; no tyres and when the brakes get worn out because the maintenance budget has been cut.

Whereas the ministry has been receiving its entire annual road equipment maintenance budget of Shs 11.6 billion since 2020/2021, this amount is insufficient to cater for both preventive and corrective maintenance requirements, hence the persistent low equipment availability.

Madam Speaker, there are currently no works supervision vehicles in the districts and mobility equipment for vibro rollers, that is why most of the districts do not use them, they remain at the district headquarters because they cannot move them to go and do the works. This leads to incomplete road works being done.

Additionally, the urban authorities including the cities themselves do not have specialised road construction equipment for bituminous roads.

We have already gone into a discussion with the Ministry of Finance, Planning and Economic Development on this matter. We did the needs assessment, we know the equipment required and the specks have already been provided to the Ministry of Finance, Planning and Economic Development.

The total requirement for the requisite road equipment units for this purpose is \$70 million, which we hope can be funded through debt financing using the same scheme under which we got the 1,115 units in 2017.

My ministry is in the process of procuring road construction equipment for the new districts, as I have said, but we need another Shs 29 billion for the vibro rollers, tippers and water bowsers.

These were not included in the tranche which you gave us last time. We shall continue engaging through both the Budget Committee, Committee on Physical Infrastructure, and the Ministry of Finance, Planning, and Economic Development to avail Shs 29 billion so that we can complete the purchase.

Zonal equipment centres

Madam Speaker, the zonal equipment centres are currently housed within the premises of the regional mechanical workshops.

The ministry had planned to create nine zonal centres in Moroto, Mbale, Jinja, Gulu, Arua, Luweero, Hoima, Mbarara, and Kabale at an estimated cost of Shs 45 billion. We shall continue engaging the Ministry of Finance, Planning and Economic Development on this endeavour.

The zonal equipment centres operate shared road equipment such as bulldozers, excavators, backhoe loaders, self-loaders and low beds. While the shared equipment is insufficient to cater for the requirements of the entire country, its availability has been greatly reduced due to insufficient maintenance funding. That is a requirement for additional money.

Mechanical Engineering Training and Advisory Centre (METRAC)

Madam Speaker, since 2017 when the ministry acquired the new equipment, the ministry has implemented several regional training sessions for district operators. While this training format was not sustainable, it was the only option given the circumstances.

In 2018, the Government of Japan, through the United Nations Industrial Development Organisation (UNIDO), gave a grant of \$2.3 million to the Government of Uganda for the construction of the Mechanical Engineering Training and Advisory Centre in Luwero. Phase I of the project, comprising a gatehouse, classroom block, maintenance block, and administration block, have been completed and the project has been handed over. It is just a few kilometres from Luweero town.

Here, we shall train and retrain operators so that we have - because the machine performance will be as good as the man behind the operation. If we have a bad operator – and, in most cases, what we have seen is that people have drivers, not operators.

In this centre, we are going to train operators and we are working with the Ministry of Education and Sports so that they can also be tested under the Directorate of Industrial Training (DIT) and given certificates of equivalent so that they can be able to be employed outside.

Madam Speaker, phase 2 of METRAC requires Shs 9.8 billion, which began this financial year. So far, the Government has availed Shs 1 billion for the construction of a few of the amenities.

Mt Elgon Labour-Based Training Centre

Madam Speaker, Mt Elgon Labour-based Training Centre (MELTC) is a national training centre under the Ministry of Works and Transport for applying labour-based technology (LBT) in the rehabilitation and maintenance of national, district, urban and community access roads. The training centre is located 20km from Mbale City, along the Mbale-Budadiri Road and adjacent to Uganda Technical College, Elgon.

Madam Speaker, MELTC provides training and capacity building in developing, maintaining, and utilising critical road infrastructure assets in the District, Urban, and Community Access Road (DUCAR). Its contribution to the DUCAR network includes:

- (i) Training and capacity building of public and private sector personnel in the roads subsector;
- (ii) Dissemination of new innovative highways and bridges construction technologies and best practices in construction to improve on the value for money, consistency of applied standards and sustainability of the infrastructure assets;
- (iii) Integration of cross-cutting issues (gender, environment, and social issues); and
- (iv) Social-economic inclusion is achieved through public infrastructure projects on roads and bridges and employing local vulnerable communities using labour.

The centre has trained more than 426 public and private sector personnel in the fundamentals of road and bridge technologies and completed more than five bridges and 15km of model road training projects since 2022. We are now doing a test of cobblestones in the areas of the Elgon to see how it will perform.

The stones are shaped very well and then laid, and they have proved to be very resilient. For Members who have been to Rome, you have seen them on those Roman roads. This was a technology used way back in those years, but the roads are still firm.

Madam Speaker, since the Financial Year 2020/2021, the centre has received Shs 17.2 billion under the recurrent budget and Shs 10.2 billion under the development of critical infrastructure model projects. For the centre to conduct its mandate effectively, it needs a budget of about Shs 15 billion annually.

Challenges

The key challenges experienced with the management of the DUCAR network include the following:

- (i) Limited budget for rehabilitation of the DUCAR network. My ministry will need an additional Shs 406 billion per year, up from the current allocation of Shs 167 billion per year, to effectively rehabilitate the DUCAR Road networks. This is even

- made worse, now, with the kind of rains we get and their effects on the DUCAR networks;
- (ii) Lack of adequate equipment to enable effective execution of the Force Account works. More equipment is needed for the zonal centres, Force Account Units, municipal councils, new cities, and the new districts – we have already sorted those;
- (iii) Inadequate funding for road maintenance activities. Only about 40 per cent of the maintenance needs are met by the Uganda Road Fund on the entire road network;
- (iv) Inadequate budget for road equipment maintenance using the regional mechanical workshops. Currently, the annual budget is Shs 11.6 billion instead of Shs 45 billion;
- (v) Low capacity of local contractors, who are required to implement DUCAR development interventions;
- (vi) Absence of Contingencies Funds to address emergencies such as washed-away roads and bridges during the rainy season, procurement of standby culverts, gabions and Bailey bridges that are required whenever roads, bridges, and swamp crossings are damaged by heavy floods. Madam Speaker, you remember the last rains we had and the damage to our roads. Due to the lack of a contingency fund, we have not addressed those damages. We are now getting another spate of heavy rains, again. I do not know where we are going to end with this one by the time it calms down.

Madam Speaker, I would like to assure you that:

1. Despite the challenges faced in the implementation of the planned NDP III projects, the Government of Uganda is committed to completing the ongoing projects and investing in new projects in

- NDP IV – just a few of them; and
2. As the economy recovers from the setbacks of COVID-19, the Government will continue to prioritise the development and maintenance of the road network to support other Government initiatives.

In conclusion, Madam Speaker, my ministry is committed to improving the road network by ensuring timely and effective maintenance of public roads, constructing the priority projects identified in the National Development Plan III to facilitate the delivery of public services, and economic activities, and ensuring the highest returns on investment.

I thank you, Madam Speaker. *(Applause)*

THE SPEAKER: Thank you, General.

GEN. KATUMBA WAMALA: Additionally, Madam Speaker, you directed me to bring to the House and lay on the Table the progress report on Kampala-Jinja Expressway. I beg to lay that on Table, and for it to be uploaded on the iPad.

THE SPEAKER: That is the expressway?

GEN. WAMALA: The Kampala-Jinja Expressway. I beg to lay.

THE SPEAKER: General, just give us a brief of it. After that, you also give us a brief on the other place, where we agreed there is no road. Just from Kampala here – Banda to Jinja

GEN. KATUMBA WAMALA: Madam Speaker, I came here last time and briefed Parliament –

THE SPEAKER: Honourable members, listen to the General. At the end of the day, Gen. Wamala needs money from you because he cannot work on those roads on his own. Therefore, if you do not listen to him and see how you prioritise your money, then –

GEN. KATUMBA WAMALA: For purposes of today, let me just give you the timelines for the implementation. What we need to complete

is the payments which have been approved for the Project Affected Persons (PAPs). Right now, we need a total of Shs 236.7 billion. This has been approved by the Chief Government Valuer. We need that money to finalise the payment of the PAPs.

The targeted dates for acquisition of the right of way are as shown below:

- (i) Section 1, southern bypass. We think by the end of December 2024; we shall have completed acquisition of that section;
- (ii) Section 2, Kampala-Namagunga. Again by December 2024, we should have completed;
- (iii) Section 3, Namagunga-Jinja. We expect to complete acquiring the right of way by December 2025.

Construction will commence only after the entire right of way has been acquired, following the financial closure, when the developer will obtain approvals for funds from the lending banks.

Madam Speaker, this is a Public Private Partnership (PPP) project. It is going to be done by the bidder or the contractor who will qualify, do the construction, do the tolling for the number of years which would be agreed upon with the Government and then hand the project over to Government when he recoups his money. This, we think, is another way in which we shall be able to develop expressways without necessarily feeling the pain in the pockets of the Government, other than doing the land acquisition.

Indicative project timelines

The major milestone is issuance of the final request for a proposal document which is hinged on the finalisation of the Government liquidity support for the project. This will require engagement with the Ministry of Finance, Planning and Economic Development. However, these are the timelines we have put out and which we have put to the finance ministry.

Invitation of bids

These have been done. Final bid submission is expected to be by July 2024 because adverts are not only for local bidders, but also for international bidders. Therefore, we give them enough time to be able to respond.

Signature of contract

We estimate that if everything moves according to plan, by December 2024, we should sign the contract and the commencement of works should be by 2025. Madam Speaker, I beg to lay this document.

THE SPEAKER: Thank you. Please lay.

GEN. KATUMBA WAMALA: Madam Speaker, you asked me to answer the issue of the bad or no road, especially the section from Kampala to Mukono. It is more or less movable. The traffic is too much, I know, but we are – (*Interjection*) - Kyambogo is going to be addressed when we are doing the Kampala-Jinja Expressway (KJE). That is why we are not putting a lot of effort there, because the KJE starts from down here at Shoprite, through Spear, and then all those sections will be addressed during that construction.

The bad section now on the Kampala to Jinja road is mainly between Mabira and around Njeru, near Nile Breweries. That is a nightmare. Madam Speaker, you have said it rightly. If we do not get money to pay these contractors who are on these roads, we do not expect them to perform miracles. Shs 1 trillion in debt –

THE SPEAKER: Honourable members, there is no money given. It is this House to give money. Do not expect the General to get money from his farm and start working on the road. Now that you know the road is bad, let us look at what a priority road is.

GEN. KATUMBA WAMALA: Thank you. I appreciate, Madam Speaker. I am sorry if I am reading lamentations, but this is the problem. It is real. We must face it head on and address it. Thank you very much. I beg to submit.

THE SPEAKER: Honourable members, we needed to get an update and the update you needed has been given to you and it comes back to us, Members of Parliament, as we go into appropriation. Can I hear from –

3.04

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Madam Speaker, I want to agree with the minister. We need to avail money. We have severally said that we should make money available for our roads and for me, it is not just the upcountry ones, but by extension Kampala. I know that is under KCCA, but by extension it is under the Ministry of Works and Transport because our roads are in such a messy state. We need to avail this money and prioritise them. Then, we can task the General and his team to account because that is important. Let us avail money to them and then squeeze them hard to account for this money.

Finally, now that we are talking about NDP III, I have just one general comment. NDP III ushered in certain reforms, one of which was the programme-based budgeting. Government told us that this is meant to enhance coordinated and efficacious ways of implementing government activities. There are several challenges and I will mention just two. Among those - By the way, some of these are also captured by the Auditor-General's report and I encourage honourable colleagues to read these reports.

One of those is that we have to make amendments to the Public Finance Management Act, Public Finance Management Regulations, and Treasury Instructions to align them to the programme-based budgeting. Otherwise, we are operating amiss.

Two, resource allocation is still tethered to the sector-wide way. We cannot be saying one thing and doing another. Several other challenges are listed. If we have said the programme-based budgeting is the way to go, let us create the foundation for it. Otherwise, when you do not, we will keep having back and forth situations. Thank you.

THE SPEAKER: Does the Minister of Justice and Constitutional Affairs come after the President?

MR ODUR: I am the shadow minister. I am not responsible for the injustice that is taking – The procedural matter I want to raise is, there seem to be two conflicting decisions coming from the presiding officers and it might also put this House in a very tricky situation when it comes to budgeting.

The budgeting function is a preserve of the Executive. They sit, following the manifesto that whoever is in power has marketed to the country - they say that they are going to do roads and then they propose the budget. For us, we appropriate. We look at the appropriateness of the budget.

Now, what I am getting here is when it is said that this House can give money. This is very dangerous for Members of Parliament. We have to get clarification from today as to whether this House is clothed with powers to sit and say that we are giving money or it is the Executive so we can know exactly what our role is.

For the minister to come here, present - and in his presentation, he runs away from the cardinal role of the Executive of sitting wherever they sit – They sit in Cabinet every week, they go for retreats and come here and tell us that now it is this House. I think we are carrying a burden that ordinarily we should not.

I have also seen, Madam Speaker, the presiding officers - you are good officers - the Speaker, going outside Parliament and making promises that we are going to provide this money.

THE SPEAKER: And indeed we shall.

MR ODUR: That is what I want us to be clear about. From this moment, when it comes to proposing the Budget, Madam Speaker - In the past, we tried to move money and the officer in your chair ruled saying that we do not have that power. When we are appropriating, we cannot tamper with what the Executive has brought.

Therefore, let the House be guided because when I want to propose something during the appropriation, I will base it on your ruling that you are going to give us.

THE SPEAKER: Honourable members, the role of appropriation lies with Parliament. The Executive makes a proposal. When the proposals are brought in by the Executive, it is us who play the oversight role. We are the ones who represent the 48 million people of Uganda. We are the ones who decide what a priority road is and where we must put the money. Even if they put less, we shall say, we shall add on it. This House does appropriation and will do appropriation and make sure - You people, I want you to appreciate what the minister is going through. Leave alone the minister - Yes, Hon. Nsereko.

3.10

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala):

Madam Speaker, the Appropriation Act is an Act like any other, which means that it is two-fold. A proposal is made by the Government, highlighting its priorities. When it appears before us, it is for scrutiny, because they present their priorities through ministerial policy statements. They promise the country that these are their priorities. They then introduce the funded ones and those that are unfunded.

We call for statements every other day, on this Floor of Parliament, so that the people of Uganda, through their representatives, are briefed on the day-to-day management of government affairs. That means that it is not a single Arm's responsibility. It is the same with taxation.

Therefore, Madam Speaker, I dispel the notion that budgeting is singularly an issue of the Cabinet. The Cabinet proposes, they join us in Parliament because they also vote in this august House. We then appropriate and it is confirmed into law to be put into action. That is why when we come back here, we always talk about the Ministry of Finance, Planning and Economic Development altering our mandate and our priorities.

Therefore, Madam Speaker, I want this House to stand firm on this issue and support the minister, through a bipartisan approach. If he says there is a shortfall, we should be able to look for money elsewhere and advise them to reallocate that money to the roads sector.

THE SPEAKER: Honourable members, one fact is, the formulation of the Budget is by the Executive. When they do the formulation, they bring it to Parliament for approval. In the process of approval, we have always altered it; not once. Let us not sit back and say, we cannot do it. Once we have the will, we will do it and have our roads worked on. It is our work to make sure that this money is appropriated.

If it was only on the Executive, they would formulate, have it there, pass it, and just tell us that this is what belongs to us. We are not rubber stamps. To show you that we are not rubber stamps, General Katumba yesterday agreed with you to go back and work on this Bill. It means that we coexist and work together. It is not that they work on their own.

Let me tell you Members – Hon. Tinkasiimire -

3.14

MR BARNABAS TINKASIIMIRE (NRM, Buyaga West County, Kagadi): Madam Speaker, thank you very much for this opportunity. I thank Hon. Odur for raising this matter that touches on Article 93 of the Constitution of the Republic of Uganda. Whereas there is a provision of the law called the Appropriation Act, which tells honourable Members of Parliament that they have the power, their hands are tied by Article 93 of the Constitution.

On the Floor of this House, your predecessors made a ruling. To cite the late Hon. Jacob Oulanyah, he said that the function of budgeting belongs to the Executive. In light of Article 93, we must accept that although we may participate in the budgeting process; in the Appropriation Act, we must not remove this from - and he was referring to the President. I remember during the State-of-the-Nation Address –(Interjections) (Hon. Nsereko rose_) Did you challenge him? On which forum?

Madam Speaker, the matter I am raising is constitutional. I pray that your ruling addresses your mind to Article 93, not –

THE SPEAKER: Hon. Tinkasiimire, just a minute. First of all, when the Budget comes, we never increase. We work within what has been brought. If Parliament has been given Shs 10 billion, we shall say Parliament does not need 10 billion, we need Shs 5 billion, and we shall take the rest to another. When you look at Article 156 - Article 93 that you are talking about says you are not supposed to increase. We have never increased; we only do reallocation.

Article 156 (1) says, “*The heads of expenditure contained in the estimates, other than expenditure charged on the Consolidated Fund by this Constitution or any other Act of Parliament, shall be included in a Bill to be known as an Appropriation Bill which shall be introduced into Parliament to provide for the issue from the Consolidated Fund of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified in the Bill.*”

When the formulation is done by the Executive, we do the appropriation for the sectors. The only problem we had originally was when some people were saying that the role of appropriation is not for Parliament. It still comes back to Parliament. We are the ones to appropriate. Even on the business of the supplementary Bills, why would you not spend them there? Why do you bring them here? Because it is our work. If you are going to take money and put something, I will say no.

That is why I told you that we are going to ring-fence money for Akii-Bua stadium and we see what happens. No, we are not arguing here, that is the law.

Honourable minister, we are going to make sure that we prioritise your sector because the people who have died due to accidents are so many.

THE SPEAKER: I told you that today I have only two hours. I also have a family. (Laughter)

II) ON THE RELOCATION OF THE
LUZIRA GROUP OF PRISONS TO PAVE
WAY FOR THE DEVELOPMENT OF
AN INTERNATIONAL CONFERENCE
CENTRE AND FIVE-STAR HOTEL

THE SPEAKER: Honourable members, I will allow you to debate on that, but can I have order? As you are aware, there has been a lot of speculation on the proposal to relocate Luzira prisons -Hon. Gorreth, if you are making noise, you need to - Honourable minister, first sit. If you are making noise, you will not get the information and if you are going to reject it -

There has been a lot of speculation on the proposal to relocate Luzira prisons. As a House of records, it is imperative that we rise above such and listen for an official government position, so that we do not just speculate or read from the papers. We need to get a clear position from the Government on what is happening.

The minister is going to present this pursuant to Rule 52(1) of the Rules of Procedure. He will give us information as to whether the speculation is a reality.

3.22

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Thank you, Madam Speaker. Indeed, I can see the anxiety of Members and hopefully, this statement will put to rest that anxiety.

At the 14th Sitting of the 3rd Meeting of the 3rd Session of the 11th Parliament, held on Wednesday, 28th February 2024, Hon. Mbwatekamwa Gaffa, a Member of Parliament of Igara West, Bushenyi District raised a matter regarding a letter reportedly from the Minister of Internal Affairs that appeared on social media calling for a consultative meeting on the relocation of Luzira prisons to create space for an investment opportunity to an external investor. I would like to respond as follows:

Luzira group of prisons was the first prison set up in Uganda by the colonial government in the 1920s. By then, the population of Uganda was

very low, estimated at 3,071,608 persons (this is according to the Colonial Annual Report number 1112 of December 1920).

At that time, the Luzira area was peri-urban with almost no developed infrastructure. The prison's infrastructure was the most developed and it suited that location. The principal consideration at the time was security as Luzira could only be accessed from one point.

Over time, the prison's infrastructure became dilapidated while the neighbourhood continued to improve and modernise. A modern secondary school and hospital (Bishop Cyprian Kihangire) was set up on 20 acres of the prison land. Another sixty-four (64) acres that were used by the prisons for crop and livestock farming became an industrial park with industries such as Quality Chemicals Limited, Polysack Limited, U-Fresh, Nile Ply, and Master Wood. High rise private property has also sprung up in the immediate neighbourhood of the prison.

Types of prisons in Luzira

Prisons are classified according to the purpose they serve, either as reception centres (that receive and hold suspects awaiting trial) or rehabilitation centres (those that receive convicts from the reception centres for rehabilitation and reform).

Prisons are also categorised by the type of offenders they hold and the level of security required: maximum security, high security, medium and low security and open prisons.

Luzira group of prisons was established to absorb all these categories of prisons as indicated in the table that follows and the table includes:

1. We have Uganda Prisons Upper - it is in the category of maximum security prison and it is both a reception and rehabilitation centre.
2. Uganda Prison, Murchison Bay - it is high security prison, a reception and rehabilitation centre.
3. Kampala Remand Prison - a low-security prison, used as a reception centre.

4. Luzira Women Prison - a maximum security prison for female prisoners, used both as a reception and rehabilitation centre.

THE SPEAKER: General, I hope you are not going away. Okay, thank you.

GEN. MUHOOZI: Other facilities at Luzira: We have a Prison's Academy and Training School, Murchison Bay Farm, Murchison Bay Hospital, regional headquarters, Murchison Bay Primary School, staff housing, staff hospital and clinic, two churches and one mosque, parade grounds and a football pitch.

Current Prisoners and Staff Population at Luzira Prisons - Prisoners' Population as at 25th March

This report has been there since that time. Luzira prisons had a total of 8790 prisoners (including 5167 remands, 3457 convicts, 107 condemned prisoners and 59 civil debtors) as indicated in the table below.

Upper Prisons had 105 condemned, 1,368 convicts, 1,746 remands and the total is 3,219.

Murchison Bay has 1,398 convicts, 1,617 remands, 7 debtors and the total is 3,022.

Kampala Remand Prison had 318 convicts, 1,490 remands, 40 debtors and the total is 1,848.

Luzira Women had 2 condemned, 347 convicts, 314 remands, 12 debtors and the total is 701. The totals are in the last column.

As at 25th March 2024, there were 2,653 staff in Luzira barracks.

Current state of the infrastructure at Luzira Group of Prisons

a) Congestion

Luzira Group of Prisons was built in the 1920s, with a total prisoners' holding capacity of 1,923 prisoners. Today, Luzira is holding 8,790

prisoners, hence an excess of 6,867. This is up to four times beyond the designed capacity. Details are as shown in the table below.

Disparity between holding capacity and the numbers there

In the Upper Luzira, we have a holding capacity of 756 and the population that is there now is 3,219. The excess is 2,463, which is 4.3 times above the capacity.

Murchison Bay has a holding capacity of 646, but the population there is 3,022. The excess number is 2,376, which is 4.7 times above the capacity.

Kampala Remand has a holding capacity of 289, but has a population 1,848. The excess number is 1,559, which is 6.4 times the holding capacity.

Luzira Women has a holding capacity of 232, but the population now is 701. The excess number is 469, which is three times above the capacity. The totals are shown in the table.

Safety and security of prisons

Besides limited capacity, the design of the prisons at Luzira did not, at the time, envisage the level of security required to keep the categories of inmates that we hold now in Luzira. The buildings have not been renovated in recent times and the state of dilapidation is extremely high. The buildings have outlived their lifetime.

Reasons for the proposed relocation

Madam Speaker, the land occupied by Luzira is approximately 260 acres, strategically located in Luzira, Nakawa Division East, Kampala Capital City Authority. It is a prime urban area along the shores of Lake Victoria with excellent scenery. It sits next to the railway line connecting Kampala to Lake Victoria, which is Kampala's only inland harbour at Port Bell.

The principal consideration at the time was security, as Luzira could only be accessed from one point. However, currently, with the

mentioned developments and constraints of space and implied high security risks, this can no longer justify its continued existence in the present location.

Prisoners can be kept anywhere in Uganda, provided they have access to the courts of law, hospitals and prison visits by relatives. The transport network in and around Kampala Metropolitan Area has improved and customised security vehicles can easily be acquired to secure prisoners in transit to access justice and other services. Cheaper land, if available, can be identified.

Modern infrastructure would then be constructed to accommodate most of the major activities currently being handled at Luzira. This would not only solve the congestion problem, but also offer better humane conditions, rehabilitation and friendly facilities. If a more suitable and conducive cost-effective alternative were to be acquired, Luzira Prisons land, which is very prime, would be released and secured for investment.

Modern investment on the current prisons land would lead to job creation for Ugandans, foreign exchange earnings, increased tax base and would foster economic growth and development. This is in line with the country's policy framework of a poverty reduction strategy that emphasises investment promotion. Uganda Prisons Service is likely to benefit from such development other than continuously holding on to this constrained space with all the attendant constraints mentioned.

The current prisons infrastructure is highly dilapidated and its continued use is insecure and a denial of the rights of prisoners to a decent living environment.

Secondly, the design of the infrastructure can no longer handle the current type of prisoners that we hold.

Thirdly, the design of the infrastructure is not rehabilitation-friendly and, therefore, can no longer support correction and modern penal policy.

Therefore, it appeals to logic to plan for new infrastructure in a more suitable place and relieve Luzira for other viable economic investments.

Even without the current proposal – *(Interjections)*– Just a moment, Members. Even without the current proposal by an investor to put up a hotel at Luzira in exchange for constructing a prison elsewhere – which sparked this debate – it would inevitably be necessary to plan for a suitable alternative to Luzira Prisons. The question of what to do with Luzira land is a detail, provided due diligence is complied with.

Towards this end, therefore, there are many options for consideration, including these ones below and I would like to implore Members to listen attentively.

They are:

- a) No relocation: Renovate and expand the current Luzira facilities at a cost of approximately Shs 400 billion to meet the requirements of a modern correctional institution and security needs of the changing profiles of offenders without relocation.
- b) Relocate the prisons at the Government cost, but retain the land and facilities at Luzira for the other prison non-custodial purposes.
- c) Relocate Luzira Group of Prisons to another site to present an opportunity of acquiring better infrastructure that can enable the service to effectively carry out custody, rehabilitation and reform of offenders at the investors' own cost, estimated at Shs 934 billion. *(Interjections)*

In conclusion, Luzira Prisons land is very prime and can be released and secured for investment or for the other options indicated above. Modern investment on the current prisons' land would lead to job creation for Ugandans, foreign exchange earnings, increase the tax base, and foster economic growth. Uganda Prisons Service would benefit from such development.

Alternatively, retention and improvement of Luzira Prisons in its current location or retention of the land for non-custodial purposes, accompanied with relocation of the prisons at the Government cost, are also options, albeit with heavy cost implications.

To improve the welfare of staff and prisoners, a more spacious space can be identified to construct modern prison infrastructure that supports security, safety and rehabilitation of offenders and well-being of staff.

In conclusion, Madam Speaker, it is prudent for the Government to plan for the new and better infrastructure for the prisons service in a more secure location and relieve Luzira land for either of the options mentioned above.

Thank you. That is the statement on the subject.

THE SPEAKER: Thank you. Honourable minister, before I allow Members to speak, I just want to ask something on the available option to improve prison conditions. Has this decision already been taken or you are seeking for one? This is because there are some scenarios –

GEN. MUHOOZI: All these are at inception. There is no decision, which has been taken –

THE SPEAKER: There is no decision?

GEN. MUHOOZI: ... and I want to allay the fears of Members.

THE SPEAKER: Okay. (*Members rose*) Hon. Asuman, Hon. Eric, Hon. Jane, Hon. Loy – You people, let us not go into procedure.

MR ENOS ASIIMWE: Thank you, Madam Speaker. The petitioner was basing on allegations and, now, the honourable minister has put it very clearly that there was nothing of that nature or proposal to transfer the prisons. So, what are we discussing now? (*Interjections*)

THE SPEAKER: Hon. Enos, have you become a hired gun? (*Laughter*) No, no, no! The minister –

MR ENOS ASIIMWE: Madam Speaker –

THE SPEAKER: No, no. The minister has made his statement and he has given you options. It is no longer a speculation. Do you get it? So, use the bullets well. (*Laughter*)

GEN. MUHOOZI: I forgot one thing, Madam Speaker. I think we need to arrange a visit so that you can make your own appreciation.

THE SPEAKER: Pardon? What do we need to do?

GEN. MUHOOZI: Organise a non-custodial visit.

THE SPEAKER: Maybe, you could also know the investor. We had Shimoni, Naguru and Nsambya land.

Honourable members, Lubowa is going on and we are at window level. I am telling you we have been there. This is a very serious matter. Can we briefly -

3.40

MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri): Madam Speaker, I thank you for this opportunity. I also thank the minister for the report.

I am surprised that the Government is planning to expand prison facilities. I am very surprised that part of the relocation is intended to create enough space for prisoners at a time when this country is actually supposed to be planning for stability, law and order to minimise prisoners. On the contrary, we are planning for expansion.

Madam Speaker, the minister has said we should plan a visit. Minister, I have been to Luzira Prisons as a political prisoner. There is a reason why that place is located in that area. Those of you who have not been to prison, I pray that you find time and be there, but for good reasons, like I was there. You will understand that even the location of a prison is psychological and it impacts on prisoners.

You know what happens in Nakasongola. You also know what happens if you are taken to all these facilities that were not supposed or created to provide sufficient prison facilities. Actually, Madam Speaker, those of us who have been to prison prefer being in Luzira than elsewhere, even geographically.

Madam Speaker, the fundamental point is the company which is being reported to construct this facility. That company has been blacklisted by the World Bank because it is debt burdened. That company; RVR Projects Pvt Limited is debt burdened and it has been blacklisted yet it is the company being fronted to take over that piece of land. It has been a subject of investigation even locally here.

Madam Speaker, we should not allow land grabbing to be disguised as an opportunity to expand Luzira. If you want to have more hotels - Where you want to take this facility is actually where you should take the hotel because that place also needs development. Take it there and have that place developed. Otherwise, what is happening here is land grabbing disguised in another manner. I thank you.

THE SPEAKER: Thank you. Honourable members, I want to guide the House to discuss the three available options. Among the three available options, one is that there is no relocation. Two, relocate the prisons at the cost of the Government. Three, relocate Luzira to another site at the cost of the investor. Unfortunately, the minister has not told us who the investor is.

My presumption is that by the time somebody goes to prison, he or she is not going for luxury. You are saying the land is small and we need to expand, but it is not about luxury; it is about the land of Uganda, for the people of Uganda, which is in a very strategic location.

Honourable minister, who is that investor? That is the question. Procedure -

MR OKUPA: Thank you, Madam Speaker. Is it procedurally right for me to give some additional information on this matter before the next honourable colleague comes to debate?

THE SPEAKER: Do you have information?

MR OKUPA: Yes.

THE SPEAKER: Is it documented?

MR OKUPA: Yes, Madam Speaker and I am going to give you a copy.

THE SPEAKER: Honourable member, the information you are giving is a letter from the President, but I want to tell you people that the President does not write a letter out of the blue. He is always advised. They go and tell him, there is this part of land and others. That is how he writes because he does not know these people. They lie to him.

3.46

MR ELIJAH OKUPA (Independent, Kasilo County, Serere): Thank you, Madam Speaker. I am not blaming the President on this matter. On 10 July 2022, His Excellency the President did write to Gen. Kahinda Otafire, the Minister of Internal Affairs. The letter reads:

“Relocation of Luzira Prisons and Construction of Uganda International Conference Centre and Commercial Hub”.

The above matter refers.

I have received a letter from Tian Tang Group that are proposing to re-develop the Luzira Prisons into a five-star hotel, with a Conference Centre and relocate the prison at their cost to another place in the interior on a land identified by the Government. I totally support this idea.

Therefore, you are directed to do the following:

1. *Start negotiations with Tian Tang Group about this programme.*
2. *Identify land in the interior; where we relocate the prison, anywhere in Uganda.*

Signed:

Yoweri K. Museveni

The President

*Copy to: The Vice President;
The Rt Hon. Prime Minister
The Minister of Works and Transport
The Minister of Lands, Housing and Urban
Development
The Attorney-General
Paul Zhang, the Chairman of Tian Tang Group
Limited”.*

Madam Speaker, I am bringing this letter so that you get to know the company and the person behind it.

On 22 February 2024, the Minister of Internal Affairs did write to the Attorney-General. The letter reads:

*“The Minister of Justice and Constitutional
Affairs
Parliament Avenue, Kampala.
Invitation to a consultative meeting on the
proposed relocation of Luzira Prisons.*

*The Tian Tang Group approached His
Excellency the President of Uganda with
a proposal to redevelop Luzira Maximum
Security Prison into an ultra-modern city
suburb.*

*Further reference is made to the letter of the
President, which I have just read. The Uganda
Prisons Service has identified 3.5 square miles
of land in Buikwe, out of which they have
agreed to purchase one square mile for the said
relocation.*

*The family of the late Antonio Lutwama
Kabogoza, who owned the land, has
unfortunately never applied for letters of
administration since the late passed on in 1928
- note that, honourable members - although
they have agreed as a family and beneficiaries
to sell the said square mile to Uganda Prisons.*

*In light of the current legal impasse on
processing letters of administration from the
old Buganda estates, the family lawyers have
formed an opinion that they, the beneficiaries,
can still sell their interest in the said land to
the Uganda Prisons Service for the prison’s
relocation.”*

They are saying in this letter here that that legal opinion is addressed, which of course we shall ask the minister to produce.

*“The purpose of this letter, therefore, is to
invite you and the Administrator-General to
my office on 6 March 2024 at 2.00 p.m. at the
Ministry of Internal Affairs boardroom for
a joint meeting to review the said position of
the family and whether your office has any
objection or proposal to articulate the said
presidential directive.*

*Signed
Maj. Gen. (Rtd) Kahinda Otafire
cc The Administrator-General.”*

Madam Speaker, you have seen from this letter that Luzira Prison is 260 acres. The letter requesting for land in Luzira is for a one-star hotel and conference centre. Does it need 260 acres? Why don’t you give them two or three acres, if we are to give?

Two—(Interjections) - Sorry, these are questions I am posing, not that, that is my proposal. I am posing those questions –

THE SPEAKER: Honourable members, the Member is asking: does an investor need 260 acres to build a hotel and put a conference centre? That is what he is saying.

MR OKUPA: That is the question I am posing. Thank you, Madam Speaker, for clarifying.

Two, honourable minister, can we have the Attorney-General’s opinion on this matter? I know the reason why I am saying so.

Three, the Ministry of Lands, Housing and Urban Development has objected to this because this land is contested. The grandchildren, great-grandchildren and great-great-grandchildren are complaining about this land.

So, Madam Speaker –

THE SPEAKER: Which one?

MR OKUPA: Of the late Antonio who passed away in 1926.

THE SPEAKER: What were the criteria of getting that land? Why didn't they buy it from Hon. Ethel Naluyima or another person? Many people have land.

MR OKUPA: That is why I am saying we need the position of the Ministry of Lands, Housing and Urban Development on this matter. Because some of us sit on the Committee on Physical Infrastructure, we raised this matter and they made comments on it to us in the committee. So, we need that to be clarified.

Finally, as I conclude, we need the Attorney-General's opinion on this matter. We heard the opinion of the Ministry of Lands, Housing and Urban Development, but there is no way we are going to give up 260 acres of Luzira Prison for a one-star hotel.

There was the issue which was raised by Hon. Asuman Basalirwa. This gentleman here has had many issues regarding land in Tororo on the issue of the phosphate industry here in Kampala and others internationally. Madam Speaker, we cannot afford to lose this.

If it was not for Mr Sudhir to save us with Shimoni, it would have been gone because the group that they had given it to - These are the same reasons they gave us in the Seventh Parliament about Shimoni. At the end of it, there was no hotel. They had to look for someone to sell to and that place had been sold at \$2 million only. That is how Mr Sudhir came in - If he had not come in, we would not have seen that place. We have seen other places. Madam Speaker, we are not in support of this. Thank you.

THE SPEAKER: Thank you. Hon. Eric Musana -

3.53

MR ERIC MUSANA (Independent, Buyaga East County, Kagadi): Thank you very much, Madam Speaker -

THE SPEAKER: Members, you are going to speak, but be mindful of my two hours.

MR MUSANA: You have guided very well, Madam Speaker, about the options that we are supposed to take and I would go with option one.

With given reasons, why should we go for option one? We have not been doing very well regarding Government land given to investors, which investors even fail to develop it. The Luzira Prison land is a preserve of the Government. Why can't we get land elsewhere if we are interested in creating five-star hotels and other shopping malls? We better get other areas.

We have areas that we have given out like the popular Shimoni School and Naguru land. Up to now, we are still asking ourselves what happened. You have intervened on Lubowa land. I remember the President talked to us and said, "We are going to set up a five-star hotel here. We are going to put up a first-class hospital." Things are falling apart.

For Luzira land, let it be a preserve of the Government and let us upgrade this prison to be first class. Why not get land elsewhere and not necessarily in Luzira? *(Applause)*

3.55

MS JANE PACUTO (NRM, Woman Representative, Pakwach): Thank you very much, Madam Speaker. I would like to thank the minister for bringing us to speed with this project that is about to come. I would rather prefer, on behalf of the people of Pakwach and Uganda, that we go with option one. Why?

We already have structures in Luzira. Indeed, there is congestion and it is not only in Luzira Prison. There is congestion in almost all prisons and we have High Courts in almost all regions. We would rather opt to expand other prisons, so that other criminals can go and stay there and then report to court.

Madam Speaker, tourism is the focus of the NRM Government. Even when we bring

budgets here, tourism is one of the main focuses. There is tourism potential all over this country and it is time that we focus on tourist cities in this country and Pakwach offers the best option so far, after Fort Portal.

Madam Speaker, we have a mass body of water there; the River Nile and Albert Nile –

THE SPEAKER: Hon. Jane Pacuto, are you proposing that the five-star hotel must go to both areas?

MS PACUTO: Yes, Madam Speaker - *(Applause)* - so that we decongest this city and take development outside Kampala. This will create opportunities for our farmers, traders and young people who are graduating from all these Government institutions to be employed. We shall also expand the tax base.

It is true we need to attract investors in this country, but why concentrate them here and take over prime Government land? The people of Pakwach have told me to tell you and the House today that the time is now to take this investment across there. Thank you.

THE SPEAKER: Thank you.

3.57

MS LOY KATALI (NRM, Woman Representative, Jinja): Thank you, Madam Speaker, for giving me this opportunity. I would like to thank the minister for his statement.

Like most of my colleagues, I go with option one. Relocating this prison automatically means giving out this prime land free of charge.

The honourable minister talks about having dilapidated structures- I want to inform him that most of the Government structures are dilapidated. Not only in Uganda, but even in our missions abroad. It is high time the Government started working on our structures.

The minister also talks about Bishop Cyprian Kihangire Senior Secondary School, which was set up on 20 acres of land and lots of companies that are there. Did they get this land freely or procured it?

Two hundred and sixty acres of land is too huge; an acre in Luzira could go for a billion shillings. If the worst comes to the worst, I propose that they sell off a few acres and reconstruct the prison in Luzira. Thank you.

THE SPEAKER: Thank you. Honourable members, I have vast land, which I can even give for free to the investor. Yes, it is near water for them to put a five-star hotel. *[Hon. Oshabe rose_]* Very prime. We are looking at tourism - *(Laughter)*-Hon. Kyinyamatama and the Hon. Angura-

3.59

MS JULIET KYINYAMATAMA (Independent, Woman Representative, Rakai): Thank you, Madam Speaker. I take option number one of no relocation and renovation of Luzira Prisons because that is what is in option one.

THE SPEAKER: Honourable, we are basically advising because this is an executive directive and as the minister goes back, he will have to report that the advice of the Parliament is that they do not believe in giving out the land.

MS KYINYAMATAMA: Thank you. As Parliament, let us concretise our advice by voting so that they know that we are going with one voice that there is no relocation of Luzira Prisons.

Lastly, this deal you are in is a scam because it has happened before; we lost Shimoni and Naguru land. We have been in this cycle for a long time and no wonder that is why we do not see the facts of the genesis of this deal in the presentation of this information and the report already being made on the 25 of March before the whistle-blower raised it on the Floor of this House.

This is a confirmation that this deal has been ongoing, but Ugandans are tired, our eyes are so open and the members of Parliament are aware. We are requesting that we now take into consideration Uganda first and then we serve other interests later. I beg to submit.

4.01

MR FREDRICK ANGURA (NRM, Tororo South County, Tororo): Thank you, Madam Speaker. I would like to thank the minister for responding to this issue. You recall that many people had picked it as information that was circulating in the media; therefore, we need to appreciate the statement.

We have a challenge of land that the Government has kept giving out and many times we have not seen the expected development. For example, even in Tororo, we have the Dongsong project that was given quite a big chunk of land, but we are still waiting for the five industries.

World over, we must appreciate that correctional facilities are not in the centre (*Interjections*)- it is my opinion, allow me to raise my concern.

THE SPEAKER: Honourable members, allow the Member to finish his statement.

MR ANGURA: Thank you, Madam Speaker. Everyone will have an opportunity to contribute. Luzira is slowly, but surely being eaten up by urbanisation. I would not mind relocation of Luzira; the question would be are we getting the worth of what we- (*Interjection*)

Madam Speaker, I buy the idea that the prison be relocated- (*Interjection*)- and the land-

THE SPEAKER: There is a procedural matter from Hon. Odur. Honourable members, the information we are getting is not seeking permission; we only asked for clarification because of the speculation that was in the public.

Therefore, we are giving our views that in our own opinion, we think option number one, option number two or option number three, whichever you feel is okay.

MR ODUR: Madam Speaker, the point of procedure regards how we are proceeding-

THE SPEAKER: Honourable members, can I have silence-

MR ODUR: and how this House will take a decision on the options that you have raised. If there was a motion, at the end, the question would be put and a decision would be carried.

Now, how will this House process the three options? My fear is that we are falling into the trap of the Executive. If the minister wanted that, he would have brought a substantive motion with a definite result that this House could decide on.

I beg your indulgence that we do not legitimise - what I can read already from the mood of the House - a deliberate attempt by the Executive to abuse the trust of Ugandans who gave them authority to hold land on their behalf; that land belongs to me and all Ugandans.

By massaging the options, we might be indirectly falling and giving them a blessing. I, therefore, beg that you guide the House so that whatever we discuss here does not appear to fall into that trap. [*Hon. Member rose*]

THE SPEAKER: On what matter are you bringing a motion? Honourable members, on the procedural matter that Hon. Odur raised and as I said, this is an Executive Order. And in the way we are getting derailed - some people are saying that we should have prisons in the city so that you do not have to go very far for you to go to court.

Others are saying that you should take them to Bukedea or to wherever and we are playing into the hands of these letters. We would rather have a motion in this House and say, "Since the land of Uganda belongs to the people of Uganda, it is in our considered opinion that the land that is being occupied by Uganda Prisons remains the property of Uganda Prisons." (*Applause*)

Then you get the options from what the minister has given in the motion and this House will vote on that motion. Okay? Next item.

III) CONCERNS RAISED BY THE
LEADER OF THE OPPOSITION IN
PARLIAMENT ON THE APPOINTMENT
OF ASSISTANT RESIDENT DISTRICT
COMMISSIONERS

4.18

THE MINISTER FOR KAMPALA CAPITAL CITY AND METROPOLITAN AFFAIRS (Ms Minsa Kabanda): Madam Speaker –

THE SPEAKER: Honourable members, can we have some silence? Honourable minister, before you bring your report, in the public gallery this afternoon, we have a delegation of all the LC III chairpersons of the Busoga subregion, from the districts of Bugweri, Bugiri, Luuka, Buyende, Iganga, Namayingo, Mayuge, Namutumba, Jinja, Kamuli and Kaliro. They are represented by the Members of Parliament from Busoga, headed by the Chairperson of Busoga Parliamentary Group. All the Basoga, stand up and we see you. *(Applause)*

Join me in welcoming them to the Parliament of Uganda. *(Applause)* This is your Parliament. They are here for a two-day training on capacity building for local leaders and the role of Members of Parliament.

By the time the councillors go back, they will have known the role of a Member of Parliament – not buying an ambulance, doing burials – *(Laughter)*- you are most welcome. Thank you so much for coming.

(Mr Muzaale rose_) There is a procedural matter from the Member for Buzaaya.

MR MUZAALE: *[Mr Kibalya: “Thank you, Madam Speaker.”]* Thank you, Madam Speaker –*(Laughter)*-

THE SPEAKER: You will come after him then, we will end with the Leader of the Opposition.

4.11

MR MUZAALE: Thank you, Madam Speaker. We thank you, on behalf of the

people of Busoga, for inviting our leaders, the chairperson of LCs III, and giving them civic education. If this continues in this country, we shall be able to educate our leaders and benefit from our leaders.

Honourable colleagues, please, join us in thanking the Speaker for giving the best to our leaders. *(Applause)* As Basoga, we are proud of you. We thank you.

THE SPEAKER: Thank you.

4.12

MR HENRY KIBALYA (NRM, Bugabula County South, Kamuli): Madam Speaker, I need to add my voice to the voice of Hon. Muzaale. We are grateful, as Members of Parliament from Busoga.

Madam Speaker, this Government recognises the cultural institutions. The whole leadership of Busoga is here – all the chairpersons – and that means the whole region of Busoga is here. When the whole region of Busoga is here, the Kyabazinga is here.

To respect that –

THE SPEAKER: The Kyabazinga and Inhebantu.

MR KIBALYA: ... and the Inhebantu. Madam Speaker, in the same spirit, we seek your indulgence to allow us, since the whole region and the Kyabazinga is here, to sing one stanza of the Busoga anthem –*(Interjections)*- to recognise the presence of the Kyabazinga. Thank you.

THE SPEAKER: Honourable members, let us go to the next item – LoP, do you have something?

4.14

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you, Madam Speaker. I appreciate that you have given us space to move a motion next week. However, in one or two minutes, allow me to make just a quick response to the statement that has been tabled as we shape this, at least, from our end.

Madam Speaker, in 2006, I joined the media at UBC. Shortly after I joined, we were relocated from Nakasero to Nile Avenue. Why? It was because the Government, with an investor, wanted to put up a Commonwealth Heads of Government Meeting (CHOGM) hotel, which was meant to be for 2007.

We moved, CHOGM came and went and that did not happen. There have been many examples of land that has been given away – and that is the concern of Members; Shimoni, Naguru, Nakawa land and so forth. What the Members are saying is that we need to work on the question of trust. There is an old English adage that “Once bitten, twice shy”. So, Members are saying that on behalf of the people that we represent, we have seen land being given away for these developments and they do not happen. There is lack of trust and that is the biggest issue here. When you do not have trust, the people, even when you have a good idea, will not buy into it because they think this will end up with the same fate as all of these other pieces of land.

THE SPEAKER: LoP, as I ruled, you will bring that in a motion because it goes against our Rules of Procedure, especially after a ruling has been made. However, your point has been made. Include it in the motion.

MR SSENYONYI: Thank you, Madam Speaker. My duty – our duty on this end – as we keep the Government in check, is also to help them to deal with the trust issue. That is what must be dealt with.

Madam Speaker, with your permission, the shadow internal affairs minister has a 30-second piece of information, if you would, kindly, allow her.

THE SPEAKER: The shadow minister will put it in the motion. Next item.

III) CONCERNS RAISED BY THE LEADER OF THE OPPOSITION IN PARLIAMENT ON THE APPOINTMENT OF ASSISTANT RESIDENT DISTRICT COMMISSIONERS

THE SPEAKER: Honourable members, during yesterday’s sitting, the Leader of the Opposition raised a concern on the appointment of Assistant Resident Commissioners (ARDCs) at a time when the Government is moving to reduce expenditure through rationalisation.

However, you must be aware – and you must recall – that in the budget process of Financial Year 2023/2024, we budgeted for that money. What we need to know from this House is whether the right process is being followed, what we budgeted for and appropriated is exactly what is being given.

The other aspect would be, are you employing qualified people to that effect?

The third would be when you are employing them – today, I got a complaint from one of the Members that somebody who had stood with her three times has been appointed as assistant Resident District Commissioner (RDC) and deployed in the same area. That is not good for our Members.

Pursuant to Rule 52(1) of the Rules of Procedure of Parliament, can we now invite the Minister of Kampala Capital City and Metropolitan Affairs to provide information to that effect?

4.18

THE MINISTER OF KAMPALA CAPITAL CITY AND METROPOLITAN AFFAIRS (Ms Minsa Kabanda): Thank you, Madam Speaker. I am here on behalf of Hon. Milly Babalanda, who is not here with us, but has delegated me to represent her, in response to the concern raised by the Leader of the Opposition on the appointment of the Assistant RDCs/RCCs.

In response to the matter raised in the House yesterday, I would like to respond as follows:

1. RDCs are appointed by His Excellency the President of the Republic of Uganda under Article 203 of the Constitution and their functions are stipulated therein.
2. Section 72(1) of the Local Government (Amendment) Act mandates the President to appoint a number of Deputy/Assistant Resident District Commissioners in a district as he or she may deem necessary.
3. In the Financial Year 2023/2024, the Parliament of Uganda appropriated money/salaries for RDCs, Deputy RDCs and Assistant RDCs. This information is provided for under the Ministry of Public Service Schedule 1: Salary structure for political leaders for the Financial Year 2023/2024.
4. On the matter of posting of the newly appointed Assistant RDCs, I noted the concerns of the Rt Hon. Speaker and the House, and these shall be drawn to the attention of the appointing authority on a case-by-case basis. I beg to submit.

THE SPEAKER: Honourable members, the appointment of other Resident District Commissioners is in Article 203 of the Constitution of the Republic of Uganda. It reads:

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 as a resident district commissioner, he or she shall be a citizen of Uganda and qualified to be a Member of Parliament.*
3. *The functions of a Resident District Commissioner are –*
 - a. *To monitor the implementation of central and local government services in the district;*
 - b. *To act as chairperson of the district security committee of the district;*
 - c. *To carry out such other functions as may be assigned by the President or prescribed by Parliament by law.”* Take note of that.

Honourable minister, one, we want a list of all the RDCs, Deputies and Assistants. Do not guide me on what to say. Two, we need the qualifications of all these RDCs, Deputies and Assistants and three, we need due diligence on these RDCs. *(Applause)*

Honourable minister, after you bring that and lay it on the Table and we will refer it to the Committee on Presidential Affairs. Most importantly, there should be regional balance; equity. *(Applause)*

Honourable minister, would you like to say something before I conclude? This is not for debate. I have given instructions.

4.25

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you, Madam Speaker. When I raised this issue yesterday, there were two critical issues. Unfortunately, they have not been captured by the minister’s statement.

One, I was saying that in the spirit of rationalisation, which Government has tabled before this House to say let us cut down on Government expenditure, how does this make sense? The minister has not addressed this.

Madam Speaker, we have 147 substantive RDCs on whom we spend over Shs 4 billion and 163 Deputy RDCs on whom we spend over Shs 2.5 billion per year. You are bringing in Assistant RDCs on whom you are going to spend over Shs 2.88 billion per year. That is just salary, by the way. Leave alone allowances, the cars that are to be bought and so on.

Therefore, we want the minister to help this House understand, how do you tell us about rationalisation yet you are bringing all of this as well?

THE SPEAKER: Honourable Leader of the Opposition, now that I have referred it to the committee, the committee should be able to come out with all the questions that you raised. You will even put the issues that you need to understand with this recruitment in writing to the committee.

MR SSENKYONYI: Thank you, Madam Speaker. I think that can happen, but I just wanted to give some feedback to the minister that the statement she has presented is not what we did ask for. Maybe if she is saying she is going to present a better statement to the committee –

THE SPEAKER: She will appear before the committee.

MR SSENKYONYI: This is completely different from the issues that you raised, honourable minister, yet we need answers.

THE SPEAKER: She will appear before the committee. Thank you. Next item – yes?

4.27

MR THEODORE SSEKIKUBO (NRM, Lwemiyaga County, Ssembabule): Thank you, Madam Speaker. In the Constitution, Article 203 talks about the qualifications, duties and responsibilities. However, there is one that has come into the public domain, where one of the RDCs, Kisakyamakama, is seen showing his buttocks to the general public and you want us to wait for qualifications for that? Is the President demeaning this country?

THE SPEAKER: Hon. Ssekikubo, that was the number one issue I asked; the qualification, character and behaviour of a person. Yesterday that issue was raised on the same. We are going to investigate, so, do not worry, that will be handled.

MR SSEKIKUBO: Since we are going to investigate, Madam Speaker, his appointment must be withdrawn before we even go any further.

THE SPEAKER: We will do it after getting the report. Honourable members, you will allow me in the middle to re-designate two Members.

DESIGNATION OF MEMBERS TO STANDING COMMITTEES

THE SPEAKER: We are doing this administratively, there is no harm.

4.29

PROF. ELIJAH MUSHEMEZA (Independent, Sheema County South, Sheema): Madam Speaker, pursuant to Rule 158 and Rule 15(10)(c) of our Rules of Procedure, I beg to designate, on behalf of the Speaker, the following members of Parliament to the respective Standing Committees:

1. Hon. Roland Ndyomugenyi, Rukiga County, Rukiga from the Committee on Public Accounts (Central Government) to the Committee on Equal Opportunities.
2. Hon. Juliet Suubi Kyinyamatama, Woman Representative, Rakai from the Committee on Climate Change to the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises). I beg to designate.

THE SPEAKER: Those in favour, say “Aye” and the contrary “Nay”.

(Question put and agreed to.)

LAYING OF PAPERS

REPORT OF THE MEETING SESSION OF THE UNITED NATIONS CLIMATE CHANGE CONFERENCE OF THE CONFERENCE OF STATE PARTIES (COP 28)

THE SPEAKER: Honourable members, Pursuant to Rule 31 of the Rules of Procedure, I now invite Hon. Christine Kaaya to table a report on (COP)28 conference. Honourable members do not go; we have few Bills; only two - I am only left with 30 minutes; we shall have finished. Hon. Christine lay your documents.

4.30

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Madam Speaker, I hereby report from the meeting session of the United Nations Climate Change Conference of the 28th Conference of Parties, summarised as (COP) 28; the United Nations Framework Convention on Climate Change, that took place in Dubai, the United Arab Emirates, on 24th November to 12 December 2023. I beg to lay.

THE SPEAKER: Thank you. It will be deposited in the library. Yes?

MR OSHABE: Thank you, Madam Speaker.

THE SPEAKER: Hon. Patrick, we need a report from the Pan-African Parliament elections.

MR OSHABE: Madam Speaker, the leader of the delegation will play that role very well. Thank you very much. Our Rules of Procedure provide that for such international engagements when the report is provided here, the person submitting them should give us highlights of the event or the conference for us as Parliament to know the key highlights of that conference. So, I am wondering whether we are proceeding well for her to just lay the report and do nothing about it. Thank you.

THE SPEAKER: That is a good idea, but that is why I said we are taking it to the library. The problem we have with our people; they do not want to visit the library. Take time and read these things *-(Interjections)-* they do not like reading? The teacher has said you do not like reading - it does not cost us much for Hon. Christine Kaaya to give us a preamble. She is a brilliant lady.

MS KAAYA: Thank you, Madam Speaker, for the opportunity, and for fast-tracking climate change management within Uganda. Every year Uganda joins other countries in negotiations concerning climate change. Last year, it was the 28th conference. Uganda is party to what we call the United Nations Framework Convention on Climate Change, and we are also a party to some other conventions including the Kyoto Protocol and the Paris Agreement.

In our Climate Change Act, we wanted to fast-track and domesticate some of those protocols locally. Being a party to those international conventions, we are supposed to take part in the United Nations Framework Convention on Climate Change conferences.

The conference has a number of negotiation groups, including adaptation, capacity

building, mitigation, technology and gender. As we attend those meetings, we decide the negotiation issues to follow up.

Madam Speaker, as a Member of Parliament, together with other members of Parliament selected from the different committees, we attended and Members chose their negotiation groups and we came up with recommendations.

The best recommendations included fast-tracking loss and damage. As Uganda, we are suffering from climate change effects as a result of G-77+ China actions. And we are saying that as much as we want to adapt to climate change, we need extra effort. Together with the line ministries, including the Ministry of Finance, Planning and Economic Development, we requested that at least - given the fact that they are demanding us a lot of money through the loans we have with them, it can be channelled that they offset the loans and also channel part of some of the finances to adaptation to climate change options.

Therefore, the issue of loss and damage is very important. But as Uganda, we also need to prepare our readiness plans to utilise the funds that will come through the different climate change baskets as we were informed.

Madam Speaker based on Uganda's position, the policies that Uganda has are enormous and we score highly when it comes to presentation of legal instruments. Some of these instruments - many countries pledge to come and learn from us.

THE SPEAKER: Can you summarise?

MS KAAYA: Madam Speaker, we are grateful that you gave us a chance. There are a number of actions that Parliament needs to follow up with in ensuring that climate change management comes upfront and the basic request on the establishment of the Climate Change Act Regulations, to ensure that we also help our minister and the relevant institutions in fast-tracking climate change management in Uganda. I thank you, Madam Speaker.

THE SPEAKER: Thank you. Hon. Odur has been negotiating to debate on this, but look at Rule 33 of the Rules of Procedure, says: “*The Speaker shall appoint time, not exceeding forty-five minutes, for debate.*” However, it is not entrenched, but you have a Bill that you need more than this debate, so let us finish the Bill first. Next item-

BILLS
SECOND READING

THE PUBLIC ENTERPRISES REFORM
AND DIVESTITURE (AMENDMENT)
BILL, 2024

THE SPEAKER: Honourable minister-

4.38

THE GOVERNMENT CHIEF WHIP (Mr Denis Obua): Madam Speaker, on behalf of the Minister of Finance, Planning and Economic Development who gave you notice of the absence of all of them at the ministry today – I beg to move that the Bill entitled “The Public Enterprises Reform and Divestiture (Amendment) Bill, 2024” be read the second time.

THE SPEAKER: It is seconded by Hon. Iddi Isabirye, Hon. Mamawi, Hon. Chemonges, Honourable Member for Mityana, Hon. Rachael Magoola, Prof. Mushemeza, Hon. Ethel Naluyima, Honourable Member for Iganga, Honourable Member for Nakasongola, Hon. Kenny Auma, Hon. Gerald Nangoli, Hon. Veronica Nanyondo, Hon. Hanifa Nabukeera, Hon. Ekudo, Hon. Christine, Hon. Ssolo.

Honourable Minister of Information, Communication Technologies and National Guidance, Hon. Bwino – the Minister of Agriculture, Animal Industry and Fisheries, Honourable Minister of Energy and Mineral Development, Honourable Minister of Local Government, Hon. Esenu, Hon. Loy Katali, Hon. Victoria Rusoke, Hon. Edakasi, Hon. Pamela Kamugo, Hon. Auma Hellen, Hon. Chemutai, thank you. Would you like to speak a little bit to your Bill? Yes-

MR SSEKIKUBO: Madam Speaker, you have allowed, with a few exceptions, the ministers to be absent when matters in their dockets are being discussed on the Floor, but it is becoming a very bad trend.

There is the Cabinet Minister himself, Hon. Matia Kasajja, Hon. Anite, the State Minister in charge of Investment, Hon. Kasolo, Hon. Lugoloobi, and Hon. Musasizi. However, conveniently they cannot be present to process their Bill.

They are not taking this Parliament seriously. You cannot have all five away and then they send the Government Chief Whip who does not sit in their senior management and who is not accountable for any of their daily activities here.

I beg that you sometimes get hard because we also leave everything we are doing to come and attend to the business of this House.

When ministers take it as a practice to disregard this House and choose to be away because they know that they will talk to you and you will permit them. I beg that you take note of that and you come heavy on them so that this does not continue.

THE SPEAKER: Hon. Ssekikubo, maybe for your information, the issue of the traders’ strike is a serious one and concerns this whole country. Personally, I was supposed to join that meeting at the State House with the traders that is where all the ministers of the Ministry of Finance, Planning and Economic Development have been summoned because they know we are going to start on the Tax Bills, they do not want us to pass Bills that affect traders.

Therefore, it is not a deliberate move that they are not here. You know a person like Hon. Musasizi is always here 24 hours seven days. I gave them permission based on that

Also, when you look at rule 114 of the Rules of Procedure: “*Attendance of Sittings by the minister*”

1. ...where none of them is able to attend, the minister shall request another minister to represent that Ministry's interests..."

Therefore, they have not been able to attend and have accordingly reported to the Speaker, I allowed it, Hon. Ssekikubo. Thank you, continue - Yes, -did you speak to your motion? Please, do.

MR OBUA: Madam Speaker *–(Hon. Basalirwa rose_)*

THE SPEAKER: The team from Busoga is here, do you want them to see you? Okay.

MR BASALIRWA: Yes.

THE SPEAKER: Okay.

MR BASALIRWA: Thank you, I welcome them, especially those from Bugiri. I am here. Madam Speaker, the issue being raised by Hon. Ssekikubo and the rule you have cited, we accept, but there are critical offices that affect the outcome of these deliberations. For example, the Office of the Attorney-General, the two of them are not here.

When these Bills are challenged in court, it is that office that is responsible for representing us and sometimes they even have a habit of disowning us.

Whereas you have a habit of asking them to comment on every clause, something very good. It is true that a minister can ask another to represent them. Where you have critical positions like the Attorney-General, I humbly beseech you to ensure that at least one person from that office is represented here.

THE SPEAKER: We will do that. Let us start with the motion that has a minister as you rethink.

BILLS
SECOND READING

THE UGANDA ROAD FUND
(AMENDMENT) BILL, 2024

THE SPEAKER: Honourable minister -

4.47

THE MINISTER OF WORKS AND TRANSPORT (Gen. Edward Katumba Wamala): Madam Speaker, I beg to move that the Bill entitled, "The Uganda Road Fund (Amendment) Bill, 2024" be read the second time.

THE SPEAKER: Seconded? *(Members rose_)* It is seconded by Hon. Elwelu, Hon. Bwino, Hon. Okaasai, Hon. Busingye, Hon. Moses Kabuusu, Hon. Gerald, Hon. Dennis, Member for Nakasongola, Hon. Sauda, Hon. Mwijukye, minister for ICT, Hon. Iddi, Hon. Jenifer, Member for Ntungamo, Member for Isingiro, Hon. Feta, Hon. Victoria, Hon. Edakasi, Hon. Mamawi, Hon. Anthony Esenu, Dr Bhoka, Member of the Committee on East African Community Affairs, Member for Gulu, Hon. Phyllis, Hon. David, Hon. Opendi – even Hon. Opendi is supporting? *(Laughter)* – Hon. Angura, Hon. Pamela, Member for Busia and the Member for Mityana.

General, would you love to speak to your motion?

GEN. KATUMBA WAMALA: Madam Speaker, the Bill talks of repealing the Uganda Road Fund Act. I would like to say this, straightforwardly, that the Bill is not intended to remove the fund. The Bill is intended to remedy the following:

- (a) To enable the dissolution of the Uganda Road Fund and the transfer of the administration – that is what is happening. The Uganda Road Fund is just like a conduit. The money comes from the Ministry of Finance, Planning and Economic Development and they just click the money to the districts. It does not generate money, it is just like an

office, but a full office with a board and administration. So, it is administratively heavy for no good reason because clicking the money to go to a district does not even require a board.

- (b) The intention is to transfer the administration of the fund, not to remove the fund. It is to transfer its administration to the ministry responsible for roads, thereby, inter alia, relieving the Government of the financial drain on its resources and the burden of wasteful administrative expenditure. This would facilitate efficient and effective service delivery by delineating mandates and functions of the ministry responsible for roads.
- (c) It will also promote coordinated administrative arrangements, policies and procedures, ensuring the efficient, successful management of financial accounting and budgetary discipline. This will enable the Government to play its role properly and more effectively, and to reinforce accountability.
- (d) It will also help to restructure and reorganise the ministry responsible for roads and other agencies and departments of the Government by eliminating these blotted structures – which I talked about even yesterday – and function ambiguities in the performance and functions related to the fund.

I submit.

THE SPEAKER: Thank you. Let us get a brief report by the committee chairperson. Just summarise, honourable chairperson.

4.52

THE DEPUTY CHAIRPERSON OF THE COMMITTEE ON PHYSICAL INFRASTRUCTURE (Mr Tony Awany): Thank you, Madam Speaker, for giving me this opportunity to present the report of the Committee on Physical Infrastructure on the Uganda Road Fund (Amendment) Bill, 2024.

Introduction

Madam Speaker, the Uganda Road Fund (Amendment) 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 the Parliament for consideration and to report to the House.

Background

The road management initiative, which was started in 1989 as a road maintenance initiative driven by the World Bank and Economic Commission for Africa. The initiative perceived road maintenance to be the most important aspect of road sector management for the Sub-Saharan countries. Within that aspect, stability of financing was perceived as the core problem.

Madam Speaker, the road maintenance initiative later changed to road management initiative in 1997, in recognition of the fact that that stable financing, though necessary, is not a sufficient condition for proper maintenance of the road network, but planning, implementation and monitoring were equally important to ensure that the road network offers the right level of service to meet the country's roads' needs.

In essence, a road authority study was conducted in 1993 with financial assistance from the German Technical Cooperation (GTZ) and later, in 2001, with financial assistance from the World Bank.

These studies came up with the recommendations to the Government on how to set up the Uganda Road Fund in order to effect substantial improvement in the management of the road sector. The ultimate goal of the road sector reforms implemented in Uganda based on the road maintenance initiative and the private sector review was to separate the ministry's role of policy formulation, legislation, setting standards, regulation and monitoring from implementation.

The separation of roles was in line with the universal norms, but it was important that the Uganda Road Fund be given full authority to discharge its mandate.

Creation of Uganda Road Fund

Madam Speaker, in regard to the creation of Uganda Road Fund, the fund was established by an Act of Parliament in 2008 to operate as a 2G (Second Generation) Fund with the objective of financing routine and periodic maintenance of public roads in Uganda from mainly reserved and user charges.

Uganda Road Fund became operational on 1 November 2009. Its main mandate is to finance the routine and periodic maintenance of public roads. It was designed by the Uganda Road Fund Act, 2008 as a Second Generation Fund. This means that it has ring-fenced road user charges (fuel levies, international transit fees, road licence fees, axle load fines, bridge tolls, road tolls and weight distance charges and other monies stipulated under Section 21 of the Uganda Road Fund Act, 2008.

Another important aspect of the Second Generation Fund is that the finances of the Uganda Road Fund are managed by a board and secretariat.

Madam Speaker, despite the above provisions of the Uganda Road Fund Act, 2008, the Uganda Road Fund has never attained the status of a Second Generation Fund since its creation in 2009. All finances of the Uganda Road Fund are collected by Uganda Revenue Authority and mingled into the Consolidated Fund.

Uganda Road Fund is allocated annual budgets and receives quarterly releases of funds like any other Government MDA.

The URF has a duty to finance the implementation of the annual road maintenance programmes that are carried out by the Uganda National Roads Authority, Kampala Capital City Authority and other designated agencies responsible for district, urban and community access roads.

Madam Speaker, by aspiring to ensure a stable, adequate and timely flow of funds to agencies, the Uganda Road Fund provides the opportunity for the implementing agencies to plan for efficiency and effective delivery of maintenance of their respective categories of roads.

The object of the Fund

According to Section 6 of the Uganda Road Fund Act, 2008 the object of the Fund is:

1. To finance the routine and periodic maintenance of public roads in Uganda;
2. To ensure that public roads are maintained at all times;
3. To advise the minister responsible for finance in consultation with the minister responsible for roads and the minister responsible for local government on these two issues:
 - (a) The preparation and efficient and effective implementation of the annual road maintenance programme; and
 - (b) The control of overloading of vehicles on public roads.

The object of the Bill

The main objective of the Bill is to give effect to the Government Policy of Rationalisation of Government Agencies and Public Expenditure adopted by the Cabinet on 22 February 2021 and contained in Cabinet Minute No. 43 CT 2021.

MS NALUYIMA: Madam Speaker, given the time constraints and that some of these issues are similar throughout, would it be procedural right, if we got to know the observations of the committee and the recommendations? Thank you.

THE SPEAKER: Yes.

MR AWANY: Much obliged, Madam Speaker.

Committee observations and recommendations

The full operationalisation of the Road Fund

The committee observed that as a result of failure to operate the Uganda Road Fund as a second generation fund, the budget allocation for maintenance has remained at a level of between 30 to 40 per cent of the realistic budget requirement. The size of the public roads network in fair to good condition has kept reducing over the years, and the maintenance backlog has kept growing. Further, the committee noted that the Uganda Road Fund is the least funded in the sub-Saharan region, as shown in the table below.

In Uganda, the percentage of the newly constructed roads in Uganda, is at 87 per cent yet the maintenance stands only at 13 per cent. Whereas in South Africa, new construction of roads is at three per cent, but the maintenance is up to 97 per cent.

In Kenya, new construction of roads stands at 18 per cent, but their maintenance effort is at 82 per cent. Tanzania, 48 per cent new construction of roads, maintenance is at 52 per cent. Benin is at 58 per cent new construction of roads and maintenance at 42 per cent.

The committee noted that in the Financial Year 2022/2023, Parliament made a resolution for the road fund to be fully operationalised. Subsequently, the Attorney-General's Office on 12 May 2022, following a request by the Minister of Finance, Planning and Economic Development for advice on the apparent conflicting legal provisions in the Road Act, 2008, the Public Finance Management Act, 2015, and the Constitution of the Republic of Uganda, 1995 advised that there is no such conflict within the law. Therefore, the Uganda Road Fund Act should be implemented as it is.

The committee further noted that there is need to review the whole maintenance operation strategy including funding and the need to operationalise the road fund as a second generation fund directly collecting revenues

from user charges and applying the funds to the roads based on the provisions of the Uganda Road Fund Act.

Burden of wasteful expenditure

In regard to relieving the Government of the burden of wasteful expenditure and financial drain, the committee was informed that the Uganda Road Fund has a huge Bill of Shs 2.6 billion accrued from a total of 36 staff and board expenses of Shs 245 million.

The committee was further informed that upon mainstreaming the Uganda Road Fund, Government will save less than Shs 5 billion in expenses on the board expenses, which is at Shs 240 million, non-wage of Shs 3.8 billion, and employing nine engineers, reducing the wage bill. The committee noted that the high wage bill is as a result of pay disparities between the traditional civil service and the agency, which is almost two-fold.

The committee further observed that the Inspector General of Government in her report on the cost of corruption in Uganda, December 2021, revealed that the country loses Shs 9.144 trillion a year on corruption of which Shs 4.5 trillion is borne by the budget and Shs 4.3 billion is borne by public service users, firms and citizens. This shows that elimination of corruption will yield more savings to Government other than the rationalisation of the Uganda Road Fund.

The committee, therefore, recommends that the Uganda Road Fund be restructured to maintain the staff that are core to the mandate of the Fund. The restructured agency should be maintained as lean as possible, with a competitive remuneration to attract and retain high-quality engineering professionals of the right calibre to achieve the Fund's mandate. Further, the minister responsible for works should cause for the streamlining of pay structures of the ministry's scientists to realign with those of the Fund.

Lack of a business continuity plan

The committee observed that in spite of the fact that Government took a decision in 2021 to merge, mainstream and rationalise Government agencies, commissions, authorities and public expenditure in order to facilitate efficient and effective service delivery, to date, there is no available business continuity plan to manage the transition period.

The committee was informed that the ministry has appointed the business continuity team to develop a business continuity plan to manage the transition periods in terms of handing over and taking over office, managing the ongoing projects and contracts so that there is no disruption in service delivery.

The committee noted that given the complexity of the Uganda Road Fund portfolio, if its mandate is transferred to the ministry, it is most likely to face challenges that may lead to its failure, and it will continue operating as a first generation fund, defeating the purpose for which it was created.

The committee, therefore, recommends that the ministry responsible for roads carries out benchmarking in other road authorities in the region that are operating in second generation funds with a view of borrowing best practices that could be implemented to further improve the operations and management of the Uganda Road Fund.

Eliminating the bloated structures: The committee observed that Objective 2(d) of Clause 2 of the Uganda Road Fund (Amendment) Bill, 2024, which provides for the restructuring and reorganisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in government agencies and departments does not apply to the Uganda Road Fund, and is, therefore, redundant in this Bill considering that the Uganda Road Fund has only 36 staff.

Madam Speaker, the committee was concerned with the compromise of reverting to a single entity, to be responsible for policy formulation,

regulation and implementation of a very critical mandate. It creates uncertainty when compared to a much more pragmatic alternative of restructuring, and fully operationalising the Road Fund to support it to work efficiently and effectively.

The ministry has a wide mandate that includes overseeing the Civil Aviation Authority, Uganda Airlines, Uganda Railways Corporation, the Standard Gauge Railway, the urban roads, the districts and community access roads, water transport and public building works. All this, Madam Speaker, is under the auspice of one accounting officer. The committee noted that mainstreaming the Uganda Road Fund into the Ministry of Works and Transport, would negatively impact on the operational efficiency due to the overwhelming workload.

The committee was informed that the Ministry of Public Service and Ministry of Works and Transport have proposed a structure envisaged to accommodate the enhanced mandate.

The committee further observed that with the proposed merger, nine engineers under the Fund would be taken into the ministry's function of programming and network engineering under District, Urban and Community Access Roads (DUCAR). 27 administrative staff out of the 36 staff in the Uganda Road Fund would be unplaced while the function of collection of funds is to be transferred to Uganda Revenue Authority.

The function of disbursement of funds will be transferred to the Ministry of Finance, Planning and Economic Development. In addition, the ministry was to absorb the 197 civil engineering staff under the Uganda National Roads Authority (UNRA) Directorate of Road Maintenance under the Division of Road Maintenance.

The committee is concerned that with the proposed merger, Madam Speaker, planning for road maintenance and budget allocation in the country will be scattered across the different Ministries Departments and Agencies (MDAs), specifically Kampala Capital City Authority

(KCCA), various local governments, as well as the Ministry of Works and Transport. It is not clear who will be responsible for consolidation of the aggregate needs, physical and financial performance, as well as accountability of the funds released by the Ministry of Finance, Planning and Economic Development in a timely manner, a role the Uganda Road Fund has been playing.

Already, road maintenance grants transferred this Financial Year 2023/2024 to the local governments, directly by the Ministry of Finance, Planning and Economic Development, are neither being supervised by the Fund nor the Ministry of Works and Transport. That exposes the funds to risk of misuse.

In conclusion, Madam Speaker, if the Road Fund is mainstreamed in the Ministry of Works and Transport, the fair and equitable allocation of road maintenance resources among the beneficiaries, including the Ministry of Works and Transport, will be affected. In addition, there will be a risk of prioritisation of road maintenance, leading to poor road conditions. It is also likely that the funds for the road maintenance will no longer be ring-fenced.

Further, rationalisation of the Uganda Road Fund alone will not yield sustainable results unless the attendant challenges pertaining to its full operationalisation as a second-generation fund are addressed. While second-generation road funds have been successful in securing maintenance resources, insufficient funding remains a challenge in many countries. Hence, the need for a clear legal basis, clear rules and regulations to ensure proper fund administration and accountability.

Consequently, the committee recommends that the Government conducts a comprehensive study of all Government ministries, departments and agencies with a view of increasing efficiency, effectiveness, fairness and justice in service delivery. After consideration of all the aforementioned, I beg to move that the Uganda Road Fund (Amendment) Bill, 2024 be rejected in its totality. I beg to submit.

Madam Speaker, I beg to lay on the Table the minutes and the copy of the report.

THE SPEAKER: Thank you. Yes, Hon. Rauben Arinaitwe.

5.11

MR RAUBEN ARINAITWE (Independent, Isingiro West County, Isingiro): Thank you, Madam Speaker. I thank the minister and the chairperson of the committee. Today, we all accepted that the district received Shs 1 billion. Did the Shs 1 billion go through Uganda Road Fund? The answer is no. Why do we have a conduit to transmit money? Why doesn't the district get money directly, like the way we got the Shs 1 billion? Therefore, I oppose the committee report. Thank you.

THE SPEAKER: What are you doing?

MR RAUBEN ARINAITWE: I reject the committee report.

THE SPEAKER: Okay. Hon. Byarugaba.

5.12

MR ALEX BYARUGABA (NRM, Isingiro County South, Isingiro): Madam Speaker, thank you so much. From the word go, colleagues, we all realised that the purpose for which this Fund was put in place, never came to pass. First and foremost, look at that. The act in its entirety has never been operationalised. That is for sure. It is a given – (*Interruption*) -

MR OSHABE: Madam Speaker, the purpose of the Road Fund was for road maintenance. If you remember, before 2009, before the Road Fund, the state of roads, especially out of Kampala, was worse. It is after the Road Fund came in place that districts started receiving money. When they started receiving money - this is the time road maintenance started. So many of us are members of roads committees in the districts we come from. We participate in prioritising the roads in our respective districts.

Madam Speaker, is the Member in order to say that the Road Fund law has never been implemented when we are members of

roads committees, when we participate in prioritisation of roads?

THE SPEAKER: Honourable member, the Road Fund is operational and so is the Act.

MR BYARUGABA: Thank you for that wise ruling, Madam Speaker. That notwithstanding, we all know very well that the money that was supposed to be collected and operationalised by this Fund, did not come to pass. A huge percentage of it –

THE SPEAKER: Which money have we been using?

MR BYARUGABA: The money was supposed to be collected from the user funds for roads – *(Interjections)* – yes.

THE SPEAKER: That is true.

MR BYARUGABA: All the money that was supposed to be collected and managed by the Road Fund are the same monies that were taken directly and entirely to the Consolidated Fund. Is that not a given? Is that not true? – *(Interjections)* – Thank you very much. Number two –

THE SPEAKER: That money was supposed to be collected and taken to the Road Fund, but it was taken to the Consolidated Fund.

MR BYARUGABA: Thank you very much. That is the money that should have given a lot of activity and work to the Uganda Road Fund, which unfortunately is not there.

Number two –

THE SPEAKER: Just a minute; where does the Uganda Road Fund get its money, now?

MR BYARUGABA: I am saying that this is a small fraction of the money that is supposed to be collected.

GEN. KATUMBA WAMALA: Madam Speaker, the road fund waits for money from the Consolidated Fund to be passed to it for it

to pass it to the districts. So you have a tier through which the money has to go and I think that is what we need to resolve. Does it add a lot of value to have a tier between the source of the money and the district that requires it?

THE SPEAKER: When the money is collected, originally it was supposed to go to the road fund for operationalisation, which did not happen. So, it went to the consolidated fund which takes back the money into the districts

MR BYARUGABA: Madam Speaker, I am happy that everybody is now getting my point. If you asked anyone of us here, other than Uganda Revenue Authority (URA), how much money we collect from fuel that is supposed to go to Uganda Road Fund, how much is it? Even Uganda Road – *(Member timed out.)*

5.18

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Madam Speaker, Uganda Road Fund was established to use road user fees, to make sure that we maintain the roads. It came as a result of the world road conference in the conference centre, where we were blamed that, Uganda had put road maintenance into the back seat of the vehicle.

And that we must have a specialised agency to collect the money and now we have it. If it has been denied some money, we cannot destroy it. Maintenance of the roads is important. We need to have the fund with specialised groups.

For example, as we speak, they receive work plans from the districts, look at them and they are given money. If you do not account for the money, they do not give you money for the other time.

Ministry of Works was there before, but roads went bad and yet there was nothing like a specialised or ring-fencing of money for road maintenance.

Today, if you ask Hon. Byarugaba, what does road maintenance mean, he will not tell you the meaning; not any language.

We are all strained, that is why you find road maintenance- it was the Ministry of Finance because they were all fighting for it. I plead to members that road maintenance should not be touched. We should think of promoting, developing and operationalising it to the second generation.

In Kenya here, across here-you can see the table. We are spending too much money-

THE SPEAKER: The role of the road fund by an Act of Parliament is to finance routine and periodic maintenance of the public roads in Uganda from the road user charges. The question is, do we get money from road user charges?

GEN. KATUMBA WAMALA: Madam Speaker, the road user charges and fuel charges are collected, but the Public Finance Management Act (PFMA) and I think the Uganda Revenue Authority (URA) Act makes that money go to the consolidated fund and that is the practice. We had expected that money to be collected and put on a special account. So, if we are going to cure, that is where the problem is.

MR BYARUGABA: Thank you, very much. At the end of the day, there is no contradiction. We are all-

THE SPEAKER: There is a procedural matter.

MR NDYOMUGYENYI: Thank you, Madam Speaker. The Honourable Minister is very well versed with the Road Fund Act, and is aware and fortunately, he has talked about the road user charges and other charges, which the Government is collecting and is not remitting to the Uganda Road Fund as it was supposed to be.

That does not take away the fact that the Road Fund the road fund is very important. The Ministry of Finance has continued to curtail the operations of the Uganda Road Fund and to intentionally fail to remit the money that it collects, which is in the region of Shs 2.8 trillion.

The total amount that was collected last financial year from road user charges was Shs 2.8 trillion, that is supposed to go to our road users and yet this money is collected as part of fuel which Ugandans are paying that money.

Are we proceeding well if we continue receiving mixed reactions, trying to confuse members of Parliament about the road user charges?

THE SPEAKER: Gen. Katumba, I just want a clarification. If you are saying that we repeal this Act, it is this Act that puts in operation the roads committees in the districts. What now happens to those committees?

GEN. KATUMBA WAMALA: Madam Speaker, we are repealing part of the Act and that is what I said from the beginning-

THE SPEAKER: General, I want to give you advice; if you are amending part of the Act, bring an amendment of specific sections of the Act and then you leave the Act. Just like we agreed yesterday, you can even bring it on Monday and I will have it on Tuesday on the Floor.

MR KATUMBA WAMALA: Madam Speaker, like yesterday, I agree on this one.

THE SPEAKER: Exactly- (*Applause*)- Honourable members, the honourable minister is in agreement with us that if it is making amendments to part of the Act, let us make partial amendments in the Bill, but not repeal it and he is going to bring it back. For now, we are rejecting this and we bring in the new one. Not so? General, go on-

GEN. KATUMBA WAMALA: Madam Speaker, I will come back with amendments of the Road Fund Act, to cure the issues that we have in the present arrangement.

THE SPEAKER: We are now rejecting this one. Do you want me to speak in Jopadhola? Honourable members, I am putting the question. We are rejecting this and bringing an amendment to operationalise this. Honourable Minister, go on.

GEN. KATUMBA WAMALA: Madam Speaker, I do agree, but - the Bill reads, “The Uganda Road Fund (Amendment) Bill” and I had expected the committee to amend the sections we had requested to be amended.

Instead they decided that the Bill be rejected. I will agree with you, Madam Speaker, that we withdraw this and we come back with an amendment to the Act at the right time.

THE SPEAKER: Honourable members, we are in agreement; the Legislature is in agreement with the Executive. If this is the issue of operationalisation, it will be done. However, we have said that there are some sections that need to be amended and they are going to come back, just like they will come back with an amendment on the UNRA Act, where – I will not be shy to repeat the same thing which I said yesterday: You will find the Executive Director of UNRA earning 10 times more than the minister is. Do you get it? You need to give the minister powers where he can be able to make – you get it?

I now put the question that the Uganda Road Fund (Amendment) Bill, 2024 to be read –

MR ODUR: Madam Speaker, before you put the question, it is important for this to go on the record: In some other profession, there is what they call the “slip rule”. Sometimes we have a slip of the tongue.

THE SPEAKER: A sleep rule?

MR ODUR: Now, you had indicated on the record that “We are rejecting”, yet you, Madam Speaker, are not going to vote. So, that is a slip of the tongue. *(Laughter)*

THE SPEAKER: No, I am not rejecting.

MR ODUR: So, let the record show that it is Parliament that is going to vote.

THE SPEAKER: No, we are not rejecting. Honourable minister, what have you promised to – what are we doing? What is the House supposed to do?

GEN. KATUMBA WAMALA: Madam Speaker, the committee recommended for rejection in totality.

THE SPEAKER: Yes.

GEN. KATUMBA WAMALA: I am saying: let us withdraw this Bill –

THE SPEAKER: No, let us vote for or against it.

GEN. KATUMBA WAMALA: Yes, for or against and then I come back and bring the amendments, which I feel will make the road fund as effective as expected –

THE SPEAKER: Listen! Hon. Odur, are you listening?

GEN. KATUMBA WAMALA: ... as Second Generation Fund. Otherwise, if we continue as it is and the Uganda Road Fund continues to depend on the Consolidated Fund releases, it will never grow. *(Applause)*

Madam Speaker, further to this, in my first report, I talked a lot about the lack of funds for road maintenance. Now, if you saw the percentages, if we are spending 19 per cent on maintenance and we cannot grow that to at least 50 or 60 per cent and we have done a lot of new roads, which within the next five years will need maintenance, then, we are wasting time. *(Applause)*

THE SPEAKER: Honourable members – yes?

PROF. MUSHEMEZA: Madam Speaker, this is procedural. Honourable minister, you are talking as if you know the results of the voting. I would think that we would first vote and, once we get the results of the vote, then, you can tell us what you want to do. This is because now –

THE SPEAKER: Honourable members, I put the question that the Uganda Road Fund (Amendment) Bill, 2024 be read for the second time.

(Question put and negatived.)

THE SPEAKER: Honourable members, the minister is already in agreement with whatever position and the “Nays” have it. I do not see any problem with us reaching consensus in this House. It is not a do-or-die situation.

When we agree – we all work for this country. So, when the minister is giving you this information, you should be able to appreciate and accept it. He is a very honest minister. General, I want to thank you for being an honest general. Not all ministers are like that.
(Applause)

5.32

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala): Madam Speaker, yesterday we had a bi-partisan approach on the matter of UNRA. The issue was: if we have a baby stained with dirt, and in a basin full of water, do we wash away both the baby and the water into the ocean? You get the baby, clean it and, then, pour the dirty water. Now, in this bi-partisan approach, what do we do?

We all agree that we need this fund to be operational –

THE SPEAKER: Under section 21.

MR MUHAMMAD NSEREKO: Therefore, do we destroy the very fund? Or, if the channelling of the money was created by Acts of this Parliament, how do we strengthen it? It is by re-channelling the same money directly to this fund and growing it into a Second Generation Fund, strengthening it through collection of tolls, etc., and, if need be, we go and explain to our masses and say: “Listen. We are the users of these roads. We need to pay more for them. The only fund we can ring-fence with your money, as road users, is the Uganda Road Fund.”

So, how do we go back and tell the people that this very fund, where we said we would ring-fence your money for road maintenance – even if it has been frustrated and all its funds have

not been allocated to it – we now want to put it in a casket and send it somewhere else.

The only thing we will empower you with, honourable minister, is for you to have a supervisory role, if you need it, and to strengthen that, for us to boost that fund so that it collects money on its own and uses it as non-tax revenue. On the issue that you wanted to cure, why is it going through a route to reach that fund? We shall empower you by saying, “let the money go direct and be discharged directly for its sole purpose”.

THE SPEAKER: Honourable minister, you have got that information. What we are going to do is to empower you. I will still insist that where people need to be fired, they should go. If you feel it is reshuffling that will help an institution, reshuffle the institution. Do not kill an institution, but let us reshuffle.

Now, honourable members, in the committee, we have the Kidepo loan. You have always complained: why are they tarmacking roads in one side of the country only? Now, the minister has brought for you a loan for the tarmacking of the Kidepo-Kitgum road.

We have Supplementary Schedule 2 in the committee; we have the tax Bills in the committee; and we also have the budget harmonisation in the committee. I want to give these committees time and they report back on Tuesday.

Therefore, the House is adjourned to Tuesday, the 30th of April.

(The House rose at 5.36 p.m. and adjourned until Tuesday, 30 April 2024, at 2.00 p.m.)