**Tuesday, 15 February 2022**

*Parliament met at 2.04 p.m. in Parliament House, Kampala.*

PRAYERS

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

*The House was called to order.*

COMMUNICATION FROM THE CHAIR

**THE DEPUTY SPEAKER:** Honourable members, I wish to welcome you to today’s sitting. The Annual General Meeting (AGM) of the Parliamentary Pension Scheme, where you all belong, will be held on Friday, 25February 2022. Please endeavour to attend so that you can participate and appreciate how your money is being looked after.

Honourable members, we have, as individuals, received a request from the Education Policy Review Commission to provide our views on the ongoing education review process. In order to generate the parliamentary consensus, I am appointing our Committee on Education and Sports as a focal point to co-ordinate all Members of Parliament to give their views on how the Education Review Commission should operate; how our views should be incorporated into the commission.

You are, therefore, I urged to submit your suggestions and amendments to the Committee on Education and Sports, which will later compile all the submissions and present to the commission before 8th March. Your input is highly required in this commission.

Today, we shall be paying tribute to the late Hon. Arinda and his family will join us on zoom. Let us pay a befitting tribute, in a non-partisan manner, to this fallen gallant son of Uganda.

I want to thank you again for coming to this session. In the public gallery this afternoon, we have friends and family members of the late Hon. Gordon Arinda Kakuuma. They have come to witness the proceedings. We have:

1. Kakuuma Denis
2. Atuhaire Olivia
3. Katusiime Olivia
4. Asiimwe Charles
5. Enid Tugume
6. Mugisha Julius
7. Adeline Atuhairwe
8. Dickens Musasirwe
9. Ainomujuni Phiona
10. Mugara Dan
11. Hope Mugura
12. Kyomuhendo Barbara
13. Murangira Francis
14. Deo Nakutunda
15. Hope Byabagambi.

You are most welcome to the Parliament of Uganda. *(Applause)* This is your Parliament and feel free whenever you are here. We promise to take Parliament to the people and bring people to the Parliament of Uganda.

2.10

**MR OJARA MAPENDUZI (Independent, Bardege-Layibi Division, Gulu City):** Madam Speaker, thank you for giving me the opportunity to raise this matter of national importance. I rise up under rule 59(1)(b) and (m) of the Rules of Procedure of the Parliament of Uganda. I arise on a point of privilege, which is of utmost importance and urgency to this honourable House.

Last week, the nation woke up to a rant by a Member of this House, who is a Commissioner of Parliament, Hon. Zaaka Francis, through his known social media handle, where he insulted the integrity of this House and above all, the integrity of the Office of the Speaker.

He wrote and I want to quote. This is exactly how he put it: *“The fact that my body has severely encountered torture from security operatives, it is on record of court that indeed, I was tortured. To my consternation, the Deputy Speaker of Parliament, while presiding over a session of Parliament controverted the finding of High Court in Suit No. 85 of 2020 that I was tortured by sarcastically stating but with the utmost level of recklessness that though tortured, I won a medal in East African Parliamentary Games.”*

He continued, “*The utter bunkum emanating from her dishonest lips was only intended to mock and break me down, this is idiocy! Parliament deserves better, how a person of her calibre lacks intelligent prowess to appreciate that healing is a natural phenomenon. The loose cannon in her couldn't contemplate the duty that her office owes members and the country at large, disturbingly she ejaculated while presiding over a session to condemn torture, aah! How hypocritical, shame upon you!*” This is exactly the statement he authored on his social media handle.

Madam Speaker, in compliance with this, based on the requirement of this House, I beg to lay on the Table a print out of what the honourable member wrote.

**THE DEPUTY SPEAKER:** Please lay it on the Table.

**MR MAPENDUZI:** Madam Speaker, all of us may have our own emotions and issues to deal with but there are avenues in our Rules of Procedure, through which, anything done by the presiding officer in the House, can be challenged. The Member never exercised any of the remedies provided for in the rules but chose to go to social media.

The conduct of the Member not only denigrated the integrity of Parliament in the eyes of the citizens of Uganda, but was also a breach of rule 84 and 85 and paragraph five of the Code of Conduct of Members of Parliament embedded in Appendix F of the Rules of Procedure of Parliament.

In my view, Madam Speaker, this amounted to gross misconduct and misbehaviour on the part of the honourable member for which I intend to move a motion, under Section 5 of the Administration of Parliament Act, for his removal from the office of Commissioner of Parliament.

I will also be moving to this House, at an appropriate time, under rule 16, to suspend rules 56 and 110 of the Rules of Procedure. Thank you very much, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you, Hon. Mapenduzi. Hon. JonathanEbwalu, do you have anything to say?

2.15

**MR JONATHAN EBWALU (Independent, Soroti West Division, Soroti):** Yes. Madam Speaker, any attack on the Office of the Speaker is an attack on the institution of Parliament. Therefore, what the colleague said on social media was in bad faith and intended to demean the Office of the Speaker and the institution of the Parliament of Uganda.

It raises a moral crisis in this House and erodes confidence and trust in this Parliament. In fact, the intention was to damage or lower the character and status of the Speaker of Parliament and the reputation of this Parliament. It is our obligation to defend this Parliament from any attack.

I think at a certain point, we need to enact a law in this country to check cyberbullying, cyber harassment, cyber blackmail and cyber intimidation. *(Applause)*

The other day I was very disturbed when I saw someone put a picture of H.E. the President of Uganda, lying dead, on social media. After that, another picture was put of the Rt hon. Speaker of Parliament, dead. We should be praying for our leaders. Even if they are sick – Hon. Jacob is sick now – we need to pray for them, but not to demean him and this institution.

The misconduct of the honourable member obviously offends rule 110(b) and (c). Therefore, I rise to share my thoughts and feelings with Members of Parliament. This needs a bipartisan debate. It is not about the Opposition and the NRM. It is about how we are going to defend the institution of the Parliament of Uganda. *(Applause)*

I am a Member of Parliament on the Independent ticket, but if we are going to discuss issues concerning this Parliament and country, we must put our parties aside and have a bipartisan debate. I thank you, Madam Speaker.

2.18

**MR GEOFFREY MACHO (Independent, Busia Municipality, Busia)**: Madam Speaker, this is one of the highest offices in the republic of Uganda. Whoever sits in this House is an honourable member. An honourable member is called upon, by the rules, to have an honourable walk, talk and character.

This is not the beginning. Many times, this House has been abused by its owners. The message and matter of national importance that has been raised by Hon. Mapenduzi makes me cry tears, and makes me afraid to go and address my people with the title of “honourable member”.

I would like to agree with my brother from the city of Teso land that a law must be brought to put some sanity in Members. I keep asking myself whether some Members are “honourable” by accident because you cannot utter such statements on social media, which reach every corner of the world. That is defaming yourself because when you abuse the authority of Parliament and the authority of the Speaker of Parliament, you are like somebody setting fire on your own house.

I, therefore, would like to condemn this highly and call upon colleagues that in this generation, we, who are senior citizens in this House, must move the language of what we present. I keep telling colleagues that when an honourable member from Uganda meets an honourable member from the House of Commons - since we have a background of the Commonwealth - they would run away because of the way we do our things.

I would like to agree with my colleagues that this is unfair and uncalled for. This makes the temple of legislation of this country – we are the senior citizens of Uganda and the symbol says leaders must lead by example – belittled by our people. The Member has questions to answer in this august House for what he tweeted. Thank you, Madam Speaker.

2.20

**MS MARY NAKATO (Independent, Woman Representative, Buyende):** Thank you, Madam Speaker. I stand to support and add my voice to the honourable members who have spoken. It has also been noticed that honourable members, sometimes, are the ones who use the public. For example, somebody can hide his identity and use either his voter or someone belonging to a different district to humiliate and denature someone’s reputation. He can tag it in all kinds of ways because he does not appear anywhere and has people to protect him.

I have been a victim. If this is the case, we should set up a law so that people can be implicated. People should stop abusing their rights to misuse the internet and social media. Thank you. I beg to submit.

**THE DEPUTY SPEAKER:** Thank you. On that note, I will amend the Order Paper and allow hon. Muhammad Nsereko to bring a notice for his motion.

2.23

**MS AGNES ATIM (NRM, Woman Representative, Amolatar):** Thank you very much. I would like to join my colleagues in sharing my views on this matter.

I read this statement, analysed it and reread it. I noticed one issue of gender stereotypes in this country, which is often overgeneralised, characterised and attributed mostly to our gender.

If you read those words such as *“dishonest lips”, “idiocy”, “deserves better”, “she ejaculated…”* uttered by our own honourable member, they are the common emotional and psychological violence against women in this country. *(Applause)* I doubt that this honourable member would have made such statements if it was a man seated in that chair.

Honourable colleagues, I urge you to view this issue with gender lens and support any motion that is going to come because this is an attack on a woman. Any attack on one woman is an attack on all of us, the women of this country.

Madam Speaker, I am even glad that it has come from a man in this honourable House. Our women out there suffer these psychological and emotional utterances every day. On that note, honourable colleagues, this should be a wakeup call to those who use gender-based violence against women in all forms that as leaders, we have to say, enough is enough. If you do not have the guts to face somebody in a professional way, then face the law. *(Applause)*

Madam Speaker, one of the key functions of the Parliamentary Commission is to exercise discipline and control over persons holding public office. This honourable member holds a very high public office in this Parliament, in fact; he is my immediate boss.

I felt very bad as a mother and a woman representing women in my district in this Parliament. If you are the one supposed to enforce discipline but then you utter such words to the public, then I feel that as a House, we need to walk the talk. We need to enforce the laws that protect women in this country.

I agree with my colleagues that this kind of statement should not have come from our own; our leader. So, we do not only need to build back the confidence of the people in this House as an institution and in Members of Parliament too.

As a colleague just said, people are now hiding themselves under social media and they even want to assume that they are novelists or authors; they abuse everybody.  *(Interruption)*

**MR ENOSI ASIIMWE:** Thank you, Madam Speaker. I want to inform my honourable colleague that this is not really a gender issue because we have seen somebody abusing the Commander of Land Forces in a similar manner.

Therefore, I would like us to stick to the misconduct and educate society; we should not to drop it down to gender. I have read about somebody who abused - Lt Gen. Muhoozi Kainerugaba in a similar manner and it had nothing to do with the gender of the person they abused. Let us deal with the misconduct or the misbehaviour of our society, not the gender issues.

**MS AGNES ATIM:** Thank you, Madam Speaker. Let me inform the honourable member who just left the Floor that actually, my basis for bringing it through the gender angle was based on the language that was used; the language focused to gender differences. That is why I made a statement that if it were a man, it would not have been said in that manner. Thank you, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you. Can I hear from the Commissioner?

2.27

**MS ESTHER AFOYOCHAN (NRM, Woman Representative, Zombo):** Madam Speaker, it is sad that what we are hearing today came from one of us, a Commissioner of Parliament. I want to say that this is not the stand of the Parliamentary Commission; it is a matter of indiscipline by an individual. I am here to request the House to look at people as individuals. Let us rely on the wisdom of this House to move similar situations forward.

Madam Speaker, this House has the mandate to enact laws that will help us henceforth. I stand to disassociate myself from the thoughts of my colleague and say that we shall rely on the wisdom of the House to move henceforth.

**THE DEPUTY SPEAKER:** Thank you, honourable members, for the concerns. Because of the congested Order Paper - I have always said that there are things that do not bog me down. I will chair the House and we will move on.

Honourable members, once again, Hon. Mapenduzi raised a very pertinent issue. I note that the Member’s complaint is based on alleged abuse of the privileges by a Member of this honourable House. The breach of privilege touches the Office of the Speaker of this House and as you know, by provision of the Constitution of the Republic of Uganda, we have two presiding officers in this House.

The Rt Hon. Speaker, Jacob Oulanyah, as you are aware and I have communicated, is indisposed and cannot be here to preside over the House. I should have stepped aside for him to preside over this matter that concerns me.

The conduct in this issue touches my personality, as an individual and as the presiding officer of this House, and Members of Parliament of this House, because the debate was in this House, not in a bar; it was in the House. In addition to that, the attack is on the House and I.

The law permits me to defend myself against any charges levied against me. The Constitution dictates a fair hearing for every citizen before a decision is taken. I will, therefore, as we continue with the other processes, and I am saying as we continue with the other processes because I also belong to a family, guide the complainant that this matter is going to be referred to the Committee on Rules, Privileges and Discipline under Rule 175 of Rules of Procedure. *(Applause)*

The Committee on Rules, Privileges and Discipline must report to this House within two weeks. We want this report tabled in the House within two weeks because we want action. Government Chief Whip can whip us because I am also under him. Thank you very much for your concern.

2.31

**THE GOVERNMENT CHIEF WHIP (Mr Thomas Tayebwa):** Thank you, Madam Speaker, for your guidance. On our side, we were shocked when we read the words that were said about a person who is number five in the hierarchy of Government. Maybe some of you who have never tried to attain it, you do not know the pain of getting it. I have ever tried –*(Laughter)*– and that position we should protect jealously.

In addition, colleagues, this is not about an individual called Hon. Zaake, no. We love our colleague, Hon. Zaake, but we love the institution of Parliament and its leaders the more. This is because the day our leaders will be brought into dust and the day this institution will be abused and no action is taken by us who belong to it, we shall be finished as Members and we shall be looked at as a finished group.

Therefore, honourable  colleagues, we shall go by the guidance of the Rt hon. Speaker but the time that motion is brought, we shall take the necessary action and discipline will be meted out on whoever attacks any institution or office in this country; not only the office of the presiding officer here but also other offices in Government. People who are belittling H.E. the President, the Rt hon. Prime Minister, H.E. the Vice-President and even the Chairperson of LC I, who gives us a stamp to move - Madam Speaker, count on us, we shall protect that office with all the might we have as a party. Thank you. Thank you.

**THE DEPUTY SPEAKER:** Thank you. As I said, this is a non-partisan issue. It is about the image of Parliament. Anyhow, the Government Chief Whip who is our whip is here. Thank you.

I had amended the Order Paper to allow the motion of Hon. Muhammad Nsereko.

MOTION SEEKING LEAVE OF THE HOUSE TO INTRODUCE A PRIVATE MEMBER’S BILL ENTITLED, “THE COMPUTER MISUSE (AMENDMENT) BILL”

**THE DEPUTY SPEAKER:** Honourable members, the Member is just seeking leave.

2.34

**MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala):** Thank you, Madam Speaker. I have been on notice since the last Parliament to move a motion seeking leave of this House to introduce a Private Member’s Bill entitled, *“The Computer Misuse (Amendment) Bill*”.

My motion is moved under rules 56, 121 and 122 of the Rules of Procedure of Parliament. It reads:

*“WHEREAS Article 79 of the Constitution of the Republic of Uganda empowers Parliament to make laws on any matter for the peace, order, development and good governance of Uganda;*

*AND WHEREAS clause 4(b) of Article 94 of the Constitution and rule 121(1) of the Rules of Procedure permit a Member of Parliament to introduce a Private Member’s Bill;*

*AWARE THAT Article 27(2) of the Constitution of the Republic of Uganda protects and preserves the right to privacy by prohibiting the interference with the privacy of a person’s correspondences or communication, among others;*

*NOTING THAT Article 41 of the Constitution provides for the right of access to information it, however, prohibits the release of information that is likely to interfere with the right to the privacy of any other person;*

*FURTHER NOTING THAT under Article 43 of the Constitution, that in enjoyment of your rights and freedoms, no person should prejudice the fundamental or human rights and freedoms of other persons in public interest.*

*APPRECIATING THAT over time, the advancement in technology and especially computer-generated technology has improved communication through the introduction of electronic devices, and various social media platforms or sites, which enable users to create and share information in real time or to participate in social networking, irrespective of geographical boundaries and distances that separates them;*

*CONCERNED THAT despite the benefits of the computer-generated technology, the technology has grossly been abused leading to the deprivation of the right to privacy through wilfully generating, sending and sharing negative, false malicious, hateful, unwanted pictures, videos and insults on to people and societies through hate speech, or even threatening information;*

*FURTHER CONCERNED THAT the abuse of technology has regrettably stretched to the vulnerable who are the children, where information about children, their pictures, voices, and videos are shared casually on social media platforms or sites without the consent of their parents or guardians;*

*REALISING THAT the abuse of technology and the medium through which it is used has negatively impacted on the children and on individuals on whom it’s misused and relates or is targeted through emotional, psychological and sometimes leading to loss of family, jobs and respect in society;*

*RECOGNISING THAT despite the existence of laws regulating misuse of computers, the interception of communication and protection of data, the laws do not specifically address regulation of information sharing on social media platforms, information relating to underage persons and penalties prescribed under the law being inadequate to deter the device;*

*COGNISANT THAT without the strengthening of the existing legislation with stringent measures to address the gaps, the technological abuse, with its grave impact on health, human relations and society at large, will continue to escalate the violation of the right to privacy;*

*CONVINCED THAT the amendment of the “Computer Misuse Act”, is requisite to require every person, especially a public officer, or a leader to be more responsible and circumspect in creating, distributing, or sharing any type of information for public consumption, while at the same time enjoying their right to freedom of speech.*

*NOW, THEREFORE, be it resolved by this Parliament that the august House grants me leave to introduce a Private Member’s Bill entitled, “The Computer Misuse (Amendment) Bill”, a draft of which is attached hereto and do order the publication of the said Bill in preparation for its first reading.”* I beg to move, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you, Hon. Nsereko. Is the Bill seconded? It is seconded by Hon. Muwuma, Hon, Macho - the whole House seconds it; including the Minister Obiga; Minister Daudi, Minister of Lands and the Minister of Tourism. Thank you so much. Would you like to briefly speak about your motion?

**MR NSEREKO:** Madam Speaker, I am overwhelmed, from all walks of life and from different constituencies that you have stood out to be leaders who can be counted on by society.

I have huge interest and passion in technology and I have stated this on the Floor of Parliament before. I believe technology will help transform our nation. I know that the Vision 2040 is premised on four principles with ICT being one of them.

However, I am also aware that if the cyberspace is not well regulated, we might end up going down the drain and losing an entire generation. Leaders as we are, we must stand up to do it now or never.

The responsibility is with you, and I have no doubt that the powers to legislate, are embedded in this House. If this vice has not walked on to your door, it is just a call away. It is not only for political actors or leaders; it stretches to business.

I know of a certain gentleman who called out and said, “You are doing something amazing”. Someone went out and said that I sell “human flesh” in my restaurant. I had invested over Shs 50 million and today, I do not have a restaurant. You might take it as a joke, but it is far-reaching.

Countries other than Uganda have moved out tough on it. It is true you are free to generate any information that you have, provided you are factual and not malicious, and it should be aimed at development and changing society; that is acceptable. We can disagree and agree to disagree without necessarily attacking and insulting the persons of others: their families or their siblings and children.

I know that very many people are suffering privately within their homes through blackmail. This extends to protect many people that when we hold private conversations, if you want to record me, you must inform me that you are recording me, and this law envisages this: that if you want to record my conversation, you must be authorised by the courts of law and if you do it then that is fine.

If you share information that I have had with you without my authority, for example, use my pictures, videos or my content for your own benefit and to my disrepute then you must pay a price.

I do not know whether some of you have heard about *YouTube*. On *YouTube*, when you generate content in a video, you are paid depending on the number of views.

Therefore, some people have made it a business to generate content that is malicious about others, about children and to circulate it on social media platforms for payment. Depending on the number of views that the content attracts, that is how much money one is paid. Therefore, do not think that some people do it out of jest. Some really do it to earn a living. They destroy people in society – cultural leaders, religious leaders and even businesses, to mention but a few.

In America, there was a young gentleman that stated that he was down with depression and another person told him that the best way to save himself was to commit suicide. It was adjudged as murder.

Time will come when I will speak about the entire Bill. I would like to state that tomorrow would be too late; today is not very early. Let us take up the mantle as leaders to see that we regulate – not to take away the right and the freedom of speech of the people – that, we shall not take away. However, with one’s freedom of speech, one does not have freedom to harass others. Thank you, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you very much. Members, you will speak to the motion when the report is ready. I know it has been seconded by the whole House.

We have a family that is up there and is supposed to go back to Bushenyi. I, therefore, put the question that Hon. Nsereko be granted leave to introduce a Private Member’s Bill, entitled, “The Computer Misuse (Amendment) Bill, 2022”.

*(Question put and agreed to.)*

*Motion adopted*

**THE DEPUTY SPEAKER:** I direct the Office of the Clerk to work lawfully with the Member and have this Bill drafted. Thank you.

MOTION FOR A RESOLUTION OF PARLIAMENT TO PAY TRIBUTE TO THE LATE HON. GORDON ARINDA FOR HIS DEDICATED SERVICE TO THE NATION

**THE DEPUTY SPEAKER:** Honourable members, the late Hon. Gordon Arinda represented the people of Ishaka-Bushenyi in the 10th Parliament.

He was a very humorous person. He gave very distinguished service to his people and he was a member of the “historicals” – those who know what the “historicals” are, he was a member. As the “historicals”, we dearly miss him. He was a very nice person. He worked with us. I do not think Hon. Arinda had an enemy in this Parliament.

We are going to limit the debate to 30 minutes. The members of his family have been introduced already. Thank you very much for coming.  Rt Hon. Prime Minister, you are very welcome.

2.48

**THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja):** Madam Speaker and honourable colleagues, I move under Rule 56 of the Rules of Procedure of Parliament to bring a motion for a resolution of Parliament to pay tribute to the late Hon. Gordon Arinda for his dedicated service to this nation.

The motion reads:

*“WHEREAS the Parliament of Uganda received, with deep sorrow, the sad news of the demise of Hon. Gordon Arinda Kakuuma, the Member of Parliament for Bushenyi-lshaka Municipality in the 10th Parliament, which occurred on Saturday, 9 January 2022;*

*AWARE that Hon. Gordon Arinda Kakuuma had a distinguished career, serving in various capacities in the local government before joining the 10th Parliament in 2016;*

*RECOGNISING that Hon. Gordon Arinda Kakuuma meticulously served the nation in different positions in the local government including;*

*(a) Town Clerk for Kashenshero Town Council, Bushenyi District from 2010 to 2015;*

*(b) Assistant Chief Administrative Officer, Bushenyi District from 2008 to 2010;*

*(c) Clerk to Council Bushenyi District Local Government from 2002 to 2008;*

*(d) Committee Clerk, Bushenyi District Local Government from 1999 to 2002;*

*RECOGNISING further that Hon. Kakuuma was an active and diligent Member and made tremendous contributions to the committees on Health, PAC (Local Governments), PAC (Central Government) and Foreign Affairs of the 10th Parliament;*

*APPRECIATING that Hon. Gordon Arinda Kakuuma was a diligent and dedicated leader who immensely contributed to the development of this nation through his dedicated service to the people and the 10th Parliament;*

*NOW, THEREFORE, be it resolved that Parliament of Uganda collectively conveys its deep condolences to the bereaved family, relatives, friends, Parliament and the people of Uganda for the loss of a distinguished and gallant citizen; and takes cognisance of the exemplary and dedicated service of Hon. Gordon Arinda Kakuuma – some of us used to call him “Cowboy” – rendered to the local government, Parliament of Uganda and the people of Uganda.”*

Madam Speaker, I beg to move.

**THE DEPUTY SPEAKER:** Thank you very much, Prime Minister and Leader of Government Business.

Is the motion seconded? *(Members rose\_)* The motion is seconded by Hon. Okello Geoffrey, Hon. Nsereko, the honourable member representing the youth in western region, Hon. Macho, Hon. Chemutai, Hon. Carol, Hon. Tayebwa, Hon. Daudi, Hon. Obiga, – it is seconded by the whole House. Thank you very much for supporting the motion.

Would you like to speak to your motion?

**MS NABBANJA:** Madam Speaker, this is the justification for the resolution of Parliament to pay tribute to the late Hon. Gordon Arinda Kakuuma “Cowboy”, the former Member of Parliament for Bushenyi-Ishaka Municipality in the 10th Parliament.

On 9 January 2022, the country received sad news of the death of Hon. Arinda Gordon *Cowboy,* who succumbed to COVID-19 from Mbarara Regional Referral Hospital.

He was born on 21 May 1968. He studied at Muntuyera High School, Kitunga for both O’ and A’ Levels. He obtained Bachelor of Arts and Post Graduate Diploma in Education from Makerere University. He pursued various professional courses in Governance, Democratisation, Public Policy and Administrative Law.

Hon. Arinda worked in various institutions, most notable are; Research and Community Development Officer for GOAL Uganda Project from 1996 to 1998. He was the Clerk to Council of Bushenyi District from 2004 to 2008. He also part-timed as a lecturer in Kampala International University, Western Campus from 2006 to 2009. He served as the Assistant Chief Administrative Officer of Bushenyi District from 2008 to 2010. He worked as a Clerk of Kashenshero Town Council, Mitooma District from 2010 to 2015.

You are aware that he served as a Member of Parliament for Bushenyi-Ishaka Municipality from 2016 to 2020 and he was a member of the Committee on Education and Sports in the 10th Parliament. At the time of his death, Hon. Arinda was the proprietor of Deacon Hotel and Lodge in Bushenyi Town Council. He lived a full life as a progressive man who served his country diligently. We extend our sincere sympathies and condolences to the family, relatives and the country at large. May his soul rest in eternal peace. Thank you.

2.57

**MR GEOFREY OKELLO (DP, Nwoya East County, Nwoya)**: Thank you, Madam Speaker. I rise to second the motion for a resolution of Parliament to pay tribute to Hon. Arinda for the dedicated service to this House and the country. I am a new Member of Parliament but the fact that I rise to second this motion means that I have recognised the trail left by Hon. Arinda.

It should be noted that Hon. Arinda was cooperative, progressive and he was admired by his colleagues in the 10th Parliament and us, in the 11th Parliament. This can be drawn from the sadness his demise brought to the House and also from the responses that Members of Parliament both former and current.

Arising from the presentation of the Rt Hon. Prime Minister, Hon. Arinda served at different levels; he did not jump the queue. He started as a community worker, with a civil society organisation, something that made meaning to everyone in the villages he served. He also served the local government, Central Government and every Ugandan, by rising through the ranks and we appreciate it. I join the rest of us to condole with the family, friends and all those he served in different capacities. May his soul rest in peace.

**THE DEPUTY SPEAKER:** Let us use two minutes because we have a Bill to handle.

3.00

**MR MUHAMMAD NSEREKO    (Independent, Kampala Central Division Kampala City):** Madam Speaker, I will be very brief so that I can give way to other Members to talk about the late Hon. Arinda.

In 2016, this Parliament welcomed a gallant man from the greater Bushenyi known as the late Hon. Arinda, whom we all called *Cowboy*. He was very jovial, quite participative, humble and unifying. Even when this House met a testing situation of the divide of “age limit”, Hon. Arinda remained smiling.

I remember – Hon. Magyezi, do not laugh at this matter. *(Laughter)* Hon. Arinda told me in vernacular that “why are you fighting with a foregone thing”. I told him “it is our role to represent our people” He said “Indeed, you represent them but mine have said we must touch.” I told him “mine did not say we must touch”. So, he said “be honest with your people and I will be honest with mine”. That was how jovial and respectful he was.

We will remember him as a gentleman. Even when you disagreed, he remained smiling. He was a unifier and many Members of Parliament attended his send-off. I would like to thank all of you that attended the burial. You stood in on behalf of Parliament.

Madam Speaker, we would like to thank you. To the Government, thank you for not forgetting Hon. Arinda. Your contribution was worthwhile. On behalf of the people of Kampala, where he had various businesses, we would like to thank the Rt Hon. Prime Minister. He will be missed but we will not miss his family since we are still here. Let us remain one family. For God and my Country.

**THE DEPUTY SPEAKER:** Thank you. Before I open the debate, in the Public Gallery this afternoon, we have a delegation from Budiope East County, Buyende District represented by Hon. Mary Nakato and Eng. Moses Magogo. You are most welcome. This is the Parliament of Uganda. Enjoy while you are here and thank you for coming.

3.03

**MS ANNET KATUSIIME (NRM, Woman Representative, Bushenyi):** Thank you, Madam Speaker, for giving me this opportunity to support the motion that has been moved by the Rt Hon. Prime Minister to pay tribute to our dear colleague, the late Hon. Arinda Gordon Kakuuma “Cowboy”.

Allow me, Madam Speaker, to thank the people of Bushenyi-Ishaka Municipality and the entire district of Bushenyi for the support that was accorded to him during his term of leadership. It actually inspired most of his gifts.

The late was always uncomfortable with the status quo. He was always willing and looking for ways of uplifting his people to greater heights. A case in point was in the education sector. He used to give free mock exams to prepare the candidates for excellence in their final exams.

Madam Speaker, the late was very kind and helped the poor in the same sector. The late helped the communities to engage in different economic activities that improved –*(Member timed out.)*

**THE DEPUTY SPEAKER:** Honourable members, we used to have somebody we used to call “brother to Cowboy” and that is the MP for Nakasongola, Hon. Wanzala.

3.05

**MR NOAH MUTEBI (NRM, Nakasongola County, Nakasongola):** Thank you very much, Madam Speaker. I also rise up to pay tribute to our fallen son, Hon. Gordon Arinda, the former Member of Parliament for Bushenyi-Ishaka Municipality.

I met Hon. Arinda in 2016 when I also joined this Parliament for the first time. I learned a number of lessons from the late Hon. Gordon Arinda. He was very friendly and that is also a lesson that we need to love one another.

Gordon Arinda, having served in a local government for quite a number of years, used to agitate for the increase of the budget of these local governments in Uganda. Hon. Magyezi, the Minister of Local Government, is here to bear witness. I served with Hon. Magyezi on the committee on local government accounts and he properly guided the committee on how we used to look at the Auditor-General’s report.

Hon. Gordon Arinda fought corruption in this country. When we used to go to local governments with the Committee on Public Accounts (Local Government), we used to look at the Auditor-General’s report for those other years, but of course, Arinda was a guiding factor to the committee.

Madam Speaker, there is where we reached and we were looking at the Auditor-General’s report when they had only pointed out the sketchy audit queries. For the big projects or the bigger projects, you could not find them there but the smaller projects were the ones featuring in the Auditor-General’s report.

So, I would also like to appeal to this Government that we also need to do something that the Auditor –*(Member timed out*.)

3.07

**MR MICHAEL MAWANDA (NRM, Igara County East, Bushenyi):** Thank you, Madam Speaker. I rise to support the motion, raised by the Rt Hon. Prime Minister, to pay tribute to Hon. Gordon Arinda, commonly referred to as “Cowboy”.

Madam Speaker, the late can be remembered on three fundamentals. One, he was an ardent supporter of the Movement –*(Applause)*- as already alluded to by our colleagues. For anything to do with the Movement, he was always at the forefront.

Secondly, he was a family man. He loved his family and his love for family transcended into love for his community. That is why he did a lot in as far as improving the welfare of the community was concerned. In fact, when he left university, instead of remaining in Kampala, he decided to go back to his district so that he could put his *ttafaali* in Bushenyi, which he did.

Madam Speaker, Hon. Arinda was a church man – a God-fearing man. He actually went to his constituency and, in his archdeaconry, supported the building of his church, which had taken some time because of the local differences.

We will remember him for being a steadfast person, a person loved –*(Member timed out.)*

**THE DEPUTY SPEAKER:** One minute for Hon. Mawanda.

**MR MAWANDA:** Thank you, Madam Speaker. I knew Arinda from our childhood. I was actually his best man. He was a person who would go across. He actually shocked me when he brought to me his wife, who was a *Muzungu*. I had actually persuaded him to marry a girl from Rwampara, but he, all of a sudden, brought me a *Muzungu*, an indication that he was a unifying factor. Whether you were a *Muzungu*, Mukiga or whatever, Arinda would be there for you. We will remember him for that. May his soul rest in eternal peace. Thank you, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you so much, Hon. Mawanda. Minister of Local Government?

3.10

**THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi):** Thank you very much, Madam Speaker. I want to thank you and the Government for this honour given to our colleague, Hon. “Cowboy”. It means a lot to us – his friends – and the people of Bushenyi. Hon. Mawanda said he was his best man but I think I was his best friend. *(Laughter)*

For me, we can learn two things from Hon. “Cowboy”. There are a lot we shall always remember him for – generous, friendly developmental and so on – but there are two very important things, the first being the principle of cooperation among the Members of Parliament.

We shared borders; I was in charge of Igara West while he was in charge of the municipality. Whenever I was not there, he would be there for me. Whenever I was not in the constituency, he would do what I would do if I were there -*(Applause)*- and we had, I think, the best team, with Hon. Mawanda, Hon. “Cowboy”, and Hon. Mary Karooro.

For me, this means a lot. Colleagues, you will not succeed alone. Political leadership is teamwork and it is something to cherish about this colleague of ours.

Secondly, Hon. “Cowboy” served about 15 years in local government at various levels, rising to the level of Principal Assistant Secretary. We went through his records, checked in the local governments where he had worked and the guy was blameless, especially in as far as corruption is concerned. *(Applause)*

To those local government officials, who may be listening, this is a good example. The legacy you leave is how you secure the public assets in your custody, how you look after the resources and the way people will talk about you when you are not there. He was not corrupt. He was a man of integrity.

We miss him. We miss his friendliness. May God rest his soul in eternal peace. I thank you.

3.13

**mr gaffa mbwatekamwa (NRM, Igara County West, Bushenyi):** Thank you, Madam Speaker. As we pay tribute to the late Hon. “Cowboy” Arinda Gordon, this is what I will always remember: when he stood for NRM primaries, he lost to Hon. Kabuura but he did not stand as an independent. He only supported Hon. Kabuura to make sure he defeated the other candidates; that was him. *(Applause)*

Hon. Arinda Gordon was a true NRM cadre. There was a time our NRM Party Chairperson, President Museveni, went to my former constituency and said that Hon. Nsamba and I should not be voted back because we normally gave him headache. When the video clip with that message started circulating, people begun asking Cowboy - because he headed our campaign teams to look for votes for NRM flag bearers - but this is what Cowboy said: “I am looking for votes for all NRM flag bearers. So, whether my President has spoken, I will not listen.” That was cowboy for you.

Hon. Arinda was a very good sports person. He loved volleyball and basketball. He always thought that at one time, even in Bushenyi, we would have a very good stadium.

Therefore, as we pay tribute, this is my prayer to the Rt Hon. Prime –*(Member timed out.)*- Thank you very much. Rt Hon. Prime Minister, our prayer as the people of Bushenyi, is that by way of appreciating the late Hon. Arinda for what he did for our party and the country at large, construct Bushenyi Stadium. We can even name it after him but we shall be more grateful than listening to mere speeches. Thank you.

**The Deputy Speaker:** Rt Hon. Prime Minister, maybe for your information, Hon. Mbwatekamwa won us a gold medal in the 100 meters - was it 100 metres? Yes, he won us a gold medal and so, that justifies his prayer more.

Can we now listen to the area Member of Parliament? Okay, he isn’t here; let us listen to Hon. Biraaro.

3.16

**Mr Ephraim biraaro (NRM, Buhweju West County, Buhweju):** Thank you, Madam Speaker. I stand to also to join my colleagues to mourn the late Hon. Arinda Gordon *Cowboy*.

Madam Speaker, I met the late Hon. Arinda in 2002 after I was elected district councillor for Burere Subcounty at the Bushenyi Local Government. By the time, we had five counties, which now form the five districts in greater Bushenyi. Therefore, Hon. Arinda Gordon was not only a council clerk for the current Bushenyi but also original greater Bushenyi District.

Hon. Arinda Cowboy was a great man. During our time in the council - he was relatively younger than all of us in the establishment - he was younger than many of the councillors and most of the technocrats. However, what was positive about Hon. Arinda is that he was a unifier. He had power in his word and mobilisation because he had time for everybody.

Whenever a notice for a council meeting was put up, the late Hon. Arinda Gordon always found time to remind the councillors. He would ask: “Are you attending tomorrow's council meeting? There is an issue about your subcounty; there is an issue about your area. Please attend.” We would be much obliged.

The late Hon. Arinda then worked as our chief whip in addition to the party whips. The late Hon. Arinda was very obedient. In that council, I had my elderly father here, Hon. Joram Tibasiima as – *(Member timed out.)*

3.18

**Mr joram Tibasiima (NRM, Older Persons, Western):** Thank you, Madam Speaker. I stand to join my colleagues to condole with the family of the late Hon. Gordon Arinda. I actually went to school with his father, Mr Kakuuma - *(Interjections)* - yes, we were together at primary school. And not only that; later on when I was the headmaster of Muntuyera High School, I admitted Hon. Gordon Arinda into the school with the influence of his father. Unfortunately, his father is still bedridden.

He stayed for six years in Muntuyera High School. He was an active student, well behaved and cooperative. At a later stage, Mr Gordon Arinda turned out to also be my teacher when I became the Speaker of Council – *(Laughter)*

**The Deputy Speaker:** Congratulations, elder.

**Mr Tibasiimiwa:** Sorry! Anyhow, when I became the District Council Speaker of the Greater Bushenyi District, he was already a clerk to council. And so, he kept directing me on the rules and procedures of the council.

Later when he graduated and became Member of Parliament, he served diligently. As somebody said, he was an equaliser. He did not have many enemies in his constituency. I beg to move.

3.21

**Ms oliver katwesigye (NRM, Woman Representative, Buhweju):** Thank you, Madam Speaker. I happened to see the late Hon. Arinda in his last days. I found him in hospital in Mbarara. At his age - because he was still young - he had dreams. That gave me a wake-up call that one can have their dreams but die with them.

The late Hon. Arinda was that gentleman whom, if you sat with, would tell you many stories. One time he told me a story of how, while still young, he fought with a sister and that their father got annoyed with him and that it took him time to go back to the family. He actually told me that when you have a problem in your family, first make sure that you settle that before you go on. He was a man of family. He loved his family. He loved his people; his voters.

Hon. Arinda *Cowboy* was that -*(Member timed out.)*

**The Deputy Speaker:** Let her first continue. It seems she knew a little more – *(Laughter)*

**MS KATWESIGYE:** He was a servant leader; a cowboy. He wanted to serve his people. Every time he was in this Parliament, he talked about Bushenyi. Us, the people from greater Bushenyi, knew *Cowboy* as our spokesman because he was always there to spearhead most of the discussions of the greater Bushenyi. We really miss *Cowboy,* but we believe he is in good hands. May his soul rest in peace.

3.24

**MS JULIET BASHIISHA (NRM, Woman Representative, Mitooma):** Thank you very much, Madam Speaker. I met Gordon - I call him Gordon because he was more or less my brother. He was a very close person to all of us. I remember when we joined the university, it was a very big group from Bweranyangi Girls. Gordon sacrificed all that useful life and protected us, without any strings attached. *(Laughter)* I know what I am talking about and I know the people in the Public Gallery also know that.

Madam Speaker, I request that you treat this as my maiden speech. Gordon made sure that we submitted our course works. He guided us at the university and even identified our traits. He urged me to stand as the Guild President of Makerere University. He supported me until I dropped out on the eve of the elections.

Hon. Arinda was not only a gender sensitive person but we studied Uganda civic education together – Hon. Mawanda remembers this - with my two other colleagues; we started out just like hustlers with just an organisation and the following day, we went to Mukono and joined a consortium of 10 other big organisations to head civic education in Uganda.

Hon. Arinda went to Bushenyi. I know the history because of that organisation. He remained in Bushenyi and I remained in Kampala; others were lecturers at Makerere. Hon. Arinda would handle all the cash of Bushenyi *–(Member timed out.)*

3.26

**MR ENOSI ASIIMWE (NRM, Kabula County, Lyantonde)**: Thank you, Madam Speaker.  I would like to extend my deepest sympathies to the family of Hon. Arinda. However, I would like to specifically read a message from Hon. Derrick Kabuura, the area Member of Parliament for Bushenyi Municipality. He says:

*“Hon. Arinda was a leader that believed and worked for unity and he was pro-development. Hon. Arinda believed that the NRM party was bigger than individual interests. After NRM primaries, he decided to campaign for official NRM flag bearer MP and other flag bearers in Bushenyi. He advocated for unity, harmony and reconciliation of Bushenyi leaders. He was a spiritual man who even called and worked for the co-existence of* all religions.”

He signed it as hon. Derrick Kabuura and he apologises for not being with us today.

3.27

**MR ISAAC ETUKA (NRM, Upper Madi County, Madi-Okollo)**: Thank you, Madam Speaker. I rise to condole with the family of the late Gordon, with whom I worked on the same Committee on Local Government/(PAC) then under the leadership of Hon. Regan Okumu.

Hon.Arinda was one person who made sure he attended almost all the committee meetings. We joined the committee at a time there was a lot of backlog, and therefore, we had a lot of work to do. Sometimes, we would even meet over the weekends. Hon. Arinda was one person who really gave his time; both in the House here and also in the committee.

Those whom Hon. Arinda worked with will attest to the fact that he was very humble. The Committee on Local Government/ (PAC) was known to be a committee that harasses people but Hon. Arinda would always bring peace whenever things were very hard. He was one person who passionately fought corruption in the committee. We have lost someone who really served this country.

May his soul rest in eternal peace.

3.29

**MR NATHAN TWESIGYE (Independent, Kashari South County, Mbarara)**:  Thank you, Madam Speaker. I also want to extend my sincere sympathies to the family. I happened to meet *Cowboy* when he was in school. Even at the university, he was my colleague. However, what is important is that when we came to Parliament, by coincidence, we were on the same Committee on Education and Sports. Like Hon. Isaac Etuka just said, he used to be a committed member of that committee.

Importantly, in the 10th Parliament, I was the chairperson of the Ankole Parliamentary Group and I can see some members of that caucus. You remember how good Hon. Arinda was in as far as the matters of Ankole were concerned. He was very passionate. At one time, he made a proposal - he was wondering why other regions have ministers in charge of their affairs and Ankole does not have a minister in charge of its affairs and yet it has affairs. It was his dream that since other regions have ministers in charge of affairs – Ankole also has affairs. I wish we could pursue his dream and request the appointing authority to give Ankole a minister in charge of Ankole affairs.

We did a lot together. Even when he was in the hospital, I am one of the people that checked on him. A lot was talked about him and we shared a lot. The best we can do is to pray to God to rest his soul in eternal peace. Thank you.

3.31

**MR ERIC MUSANA (Independent, Buyaga East County, Kagadi):** Thank you very much, Madam Speaker. I would like to pay tribute to a friend of many and a friend of development. Hon. Arinda – I can ably describe him as a pro-people Member of Parliament; a Member of Parliament, who always thought about the people as a first principle. I remember that he demonstrated this when we were in a serious struggle of the 317; he always spoke for the people.

The second one – I also noticed this when he came to my constituency, Buyaga East Constituency - he always wanted to share with the ordinary people. He left my constituency very excited because he would ask whatever aspect of life affected the common man. We shall always miss him. The only gift you have to give him and the family is to champion what he loved in this world, especially in the education arena and see how we can move on.

I also remember that he gave me a big input in establishing and managing one of the tertiary institutions in my constituency called the Paradigm Institute of Business and Media Studies. We are moving very well because of the big input he made. May his soul rest in eternal peace. Thank you

3.33

**MS CONNIE GALIWANGO (Independent, Woman Representative, Mbale):** Thank you, Madam Speaker. I join the Members to pay tribute to Hon. Gordon Arinda, whom I came to know in 2016 when I was the chairperson of the Committee on Education where he was a member. It is very sad that we lost him. We know God loves the best.

Hon. Gordon never missed committee meetings and if he was to, he would notify the clerk or sometimes he would call or send me a message; he was such a dedicated person to work with.

There was a time we had a committee tour to the northern region and Hon. Gordon delayed to come; so the bus left. However, it was very surprising that while we were still in Gulu, Hon. Gordon Arinda joined us in the field. This showed the dedication that he had for work; indeed, we will greatly miss him because he was such a hard worker.

Madam Speaker –*(Member timed out.)*

**THE DEPUTY SPEAKER:** Thank you, Hon. Connie.

3.35

**THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (ECONOMIC MONITORING) (Mr Peter Ogwang):** Madam Speaker, in the last Parliament, I served in the Parliamentary Commission for four years.

I am happy I am here with the mover of the motion - the Rt Hon. Prime Minister. I confirm that we worked closely with Hon. Arinda Gordon.

Number one, he was a jolly Member of Parliament who loved his work. Number two, he supported all Bills of the party here in Parliament; that I can confirm. Number three, Hon. Arinda, most times, shared with me about his family, which I want to confirm. I remember he showed me his children; his wife was in the Netherlands and at one time, he took me up to his home in Naalya. What I want to say here about the late, which are a lesson for most of us are:

(i) How do we treat one another when we are in this august House?

(ii) How do we interact with our constituents when we are in our constituencies?

(iii) How do we lead our personal life?

Therefore, Hon. Arinda Gordon was an accomplished Member of Parliament and a devoted NRM cadre. May his soul rest in eternal peace. Amen.

**THE DEPUTY SPEAKER:** Thank you, Hon. Peter.

3.37

**THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi):** Madam Speaker, I stand here to pay tribute to a colleague, a friend, a Member of Parliament, whom I met in 2016; to a Member of Parliament with whom I sat in this august House for five years, to a Member of Parliament with whom I agreed, disagreed, consented and together churned out all kinds of Bills for the benefit of the nation.

Arinda Gordon Kakuuma was a true gentleman and a man of his word. If he said he would do it, he would do it. If he said that he would not do it, he would not do it.

Arinda is one person we all relied upon in whatever we were conjuring, in whatever we were planning, in whatever we discussed and prepared to do, Arinda stood with us. And because of that, I respect him. May his soul rest in peace.

**THE DEPUTY SPEAKER:** Members, for those who did not know Hon. Arinda, his picture is right there. That is “Cowboy” for you.

3.38

**THE GOVERNMENT CHIEF WHIP (Mr Thomas Tayebwa):** Thank you, Madam Speaker. When Hon. “Cowboy” Arinda Gordon called me to go and see him in hospital, I called you and you immediately took a personal initiative to follow up. In addition, what started small unified the whole Parliament.

To my utter surprise, the new Members supported us even more than the old Members did on someone they did not even know because colleagues were around to tell the story of who Hon. “Cowboy” was.

Colleagues, wherever “Cowboy” is, he is just looking at us. He used to tell us people of Bushenyi that, “Cowboys never die; when they die, they never rot; when they rot, they never smell; and when they smell, they smell perfume.” *(Laughter)*

Madam Speaker, I am sure Hon. Mawanda coordinated us very well and I want to thank you colleagues, for coming up. The family was very grateful for what we did as a community of MPs for one of us. *(Applause)*

Colleagues, you do not need to know each other. However, as long as you are in this community, you are part of us. I thank you for showing that unity. The people of Bushenyi, I am sure, will always be grateful to this Parliament for giving Hon. Arinda Gordon a befitting send off. Thank you, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you very much honourable Members of Parliament. You have heard Hon. Arinda was a unifier, corruption-free man, and a very religious person. He was a team worker and most importantly Team 317 - the “Historicals”.

He was also a sportsperson - that is why Hon. Mbwatekamwa has a plea that they should put up a stadium in Bushenyi.

However, the most touching thing is; by the time Arinda fell sick - and this can happen to all of us - his medical insurance scheme had expired.

Rt Hon. Prime Minister, you are a member of the Commission. I wish you could advocate for Members to have a medical insurance scheme even after Parliament, just like the pension scheme - that would help your Members of Parliament.

Arinda went to a clinic because he could not afford to go to the main hospital. Therefore, if you could, for the sake of your good Members work on the issue of the medical insurance scheme that would help this Parliament and the next Parliament.

Honourable members, I put the question that the motion for a resolution of Parliament to pay tribute to late Hon. Gordon Arinda Kakuuma for his dedicated service to the nation be adopted by this House.

*(Question put and agreed to.)*

*Motion adopted.*

**THE DEPUTY SPEAKER:** I now instruct the Clerk to extract the resolutions of this House and forward them to the family and to Cabinet for further action. Family, thank you very much for coming; we will always stand with you. Just know that Parliament of Uganda is with you. Thank you.

STATEMENT BY MINISTER ON THE ESCALATING INSECURITY IN APAC MUNICIPALITY

**THE DEPUTY SPEAKER:** Honourable minister?

3.43

**THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi):** Madam Speaker, this is a report to Parliament regarding issues of security in Apac District.

Apac District is one of the nine districts that constitute the North Kyoga Policing Area. The district registered two cases of murder in January 2022 and both cases are still under investigations by the police. These cases, coming on the heels of each other, caused apprehension, hence the claim of escalating insecurity in Apac District.

The first murder case was reported on 21 January 2022, in which a one Joseph Mike Acot was attacked and stabbed a long Apac-Lira Road. He was evacuated, but he died on 21 January 2022 at Mulago National Referral Hospital. The prime suspect, a one Quinto Okello, who called the deceased and reportedly set him up is on the run, but is being sought by the police.

Madam Speaker, the second case is that of a one Innocent Anyeme, a resident of Awir Ward, Aguru Division in Apac District. He was a shopkeeper and was found dead in a pool of blood on the morning of 26 January 2022. Investigations are underway to ensure that the suspects are brought to book.

This far, I want to report to the august House that there is no apparent connection between the two cases. It is also not a case of generalisation in Apac. Investigations will help to unveil those that are culpable for each of these murders and their motives. I beg to submit, Madam Speaker.

**THE DEPUTY SPEAKER:** Honourable minister, I expected your report to have the names of the persons, who have been killed, the location and –

**GEN. MUHOOZI:** I have mentioned them.

**THE DEPUTY SPEAKER:** Okay. Do you have suspects who have been arrested?

**GEN. MUHOOZI:** The suspects are on the run but in one of the cases, there were suspects that were arrested and released on police bond.

**THE DEPUTY SPEAKER:** Okay. Yes, honourable.

3.46

**MR KISOS CHEMASWET (NRM, Soi County, Kween):** Thank you, Madam Speaker. I would like to appreciate Gen. Muhoozi for the statement, especially on Apac. We have similar problems in this country, pertaining insecurity, especially in Soi Constituency.

I would like to appreciate Hon. Raphael Magyezi, the Minister of Local Government, for giving us Soi County, which has now created an exposure of insecurity because most of the time, the security in Soi County was not exposed. The rate of killings is as a result of cattle rustling and yet the government is not doing much.

Members of Parliament are being blamed for this, yet it is the responsibility of the Executive to ensure that the lives and property of individuals are protected. Actually, as a Member of Parliament, I do not have a gun.

Madam Speaker, we need prayers on this particular matter. On 13th, an old man was killed and cattle were taken to Nabilatuk District. Yesterday, 40 cows were stolen and this situation has been occurring daily.

My prayers are that there should be:

1. Strategic deployment of forces, specifically Uganda Peoples’ Defence Forces (UPDF) in Soi County to combat the issue of cattle rustling and killings;
2. Recruitment of locals into the Local Defence Units (LDUs), including Apac District - if there is persistent insecurity. On the issue of recruitment of LDUs, let the Sabiny, Karimojongs and Itesots man their areas;
3. Compensation of those who have been affected by this menace of cattle rustling, especially those who have been killed. The Attorney-General did not consider the Sebei subregion in terms of compensation and yet we have suffered very much.
4. Deployment and redeployment of forces. There is connivance by some security forces with the cattle raiders. Therefore, there is need to change them in those particular areas;
5. If we do not recruit LDUs, the government should allow us, especially in Soi County, to purchase guns from South Sudan and Ethiopia to enable us man our own security –

**THE DEPUTY SPEAKER:** Honourable member, Government cannot allow an illegality.

**MR TINKASIIMIRE:** I would like to thank my honourable colleague. He has raised a serious allegation. Unless I am the only one who heard it but I believe very many Members heard it.

He said that there are some army men who are conniving and aiding cattle raiders. I do not know whether I am the only one who has taken it seriously. I would like to request the Member to mention the people such that these people who head security and are part of the Executive tell us why we still have wrong elements in the army who aid and abet cattle rustling. Otherwise, this is a serious allegation. I beg to submit.

**MR CHEMASWET:** Thank you, Hon. Tinkasiimire. The responsibility for security lies with Government. When there is insecurity, it is Government to blame, especially the Executive because we all belong to Government.

The issue of connivance is attributed to failure by the security forces to combat the same menace in the same area. This is why I suggested that we should change the forces in these areas, especially the UPDF 3rd Division. If they fail, then we bring the UPDF 2nd Division to man the area. That would be very important. When forces are used within a particular area, they get to understand the situation and later, they connive with the raiders and of course, bring some menace. Therefore, we should keep changing them.

We have had some Members of Parliament during cattle identification, especially from Nabilatuk District. Madam Speaker, I will mention Hon. Sylvia Awas, Woman Representative, Nabilatuk and she has been engaged a lot in the question of cattle identification yet as a Member of Parliament for Soi County, I do not know people’s cattle. Why should Members of Parliament participate in such a process, even when security forces have suggested that identification of cows should be done by the locals?

**THE DEPUTY SPEAKER:** Hon. Chemaswet, Hon. Sylvia Awas is not here. Do not talk about her because she is not around. Maybe for your information, this matter was raised last week and referred to the Committee on Defence and Internal Affairs. The committee is currently in the field.

The prayers that you are bringing are very good. How I wish, honourable minister, you would take these prayers seriously such that by the time the committee comes back to report, you would be reporting on action taken, not what you found out. What we need is action taken.

I reported this – the cows are stolen even in my own constituency; even my own cows. Ask hon. Ogwang near you there. The cows are stolen. This must come to an end. For us, we believe in cows. We do not believe in cultivating – you are giving us your maize seeds. Please, do not let people steal our cows.

Therefore, take this prayer seriously and let it be incorporated in the committee’s report. The report should be on the action the ministry will have taken.

**MR CHEMASWET:** Thank you, Madam Speaker. I appreciate your ruling and decision on this. However, I would like the minister to make some comments about this. The reason I am being called a Kenyan is because of cattle rustling *–(Interjections)-* Yes, I am called a Kenyan. A problem of 1950 is still recurring in this century? Yet other people are living harmoniously. Why should I be called a Kenyan just because of insecurity?

My mother fears to come back to Uganda because of the same problem. My mother is now over 90 years and still fears the same problem of cattle rustling. The old man who died was 90 something years. Imagine. My mother was not killed by cattle raiders those days during Obote’s time, Amin’s time, colonial time but she is now afraid of being killed during the regime where we think we are peaceful.

Madam Speaker, let me tell you one thing. If our security forces have been taken to Congo to protect the Congolese, the Government should understand that it is also our right to be protected in Uganda.

Maybe the Minister of Internal Affairs should tell us if the numbers are not enough to protect our loved ones. Honourable minister, are the numbers not enough? *(Laughter)*

**THE DEPUTY SPEAKER:** Honourable minister, take that seriously. I am not going to allow debate on this because I am expecting a report out of what the Member has raised. That report should be incorporated with what was reported last week.

**GEN. MUHOOZI:** Madam Speaker, I have noted with concern the issues raised by the honourable member. Indeed, the matter of cattle raids was raised here last week and you guided on what should be done.

I would like to report that we are already working out mechanisms to address this matter. Recruitment of LDUs is one of the solutions but not the only solution. This is because, like you said, some members of the forces abet this problem. The LDUs in Karamoja have been a problem and we may be discriminative in recruiting LDUs. Where they do not apply, we will not use them.

This has implications on the budget. However, let us wait for the report and then come back to Parliament with a comprehensive brief on the way forward. Thank you.

**THE DEPUTY SPEAKER:** Much as it has an implications on the budget, the lives and property of our people must be protected.

**GEN. MUHOOZI:** Absolutely, Madam Speaker.

**THE DEPUTY SPEAKER:** So, whatever implications it has, this House has all the powers. Thank you.

**MR CHEMASWET:** Madam Speaker, We have not buried the old man. I would believe that UPDF –

**THE DEPUTY SPEAKER:** I have never seen two men standing like this. *(Laughter)*

**GEN. MUHOOZI:** On the issue of the old man, I will engage the UPDF leadership, especially regarding the send-off and I will communicate to the honourable member.

**THE DEPUTY SPEAKER:** General, the honourable you see there is a deserter. He could give you better ideas. Get in touch with the honourable member and he could give you more ideas on how we should solve this problem. Most of these problems can be solved locally. You do not need to bring people from outside.

Being an ex-soldier, he should be able to give you better ideas on what can be done in the area. Since that is where he comes from – just like asking hon. Peter Ogwang, he will tell you: “Let us form an arrow group and fight for our cows.”

**MR CHEMASWET:** On the question of desertion, Madam Speaker, I am not a deserter. *(Laughter)* We worked in auxiliary forces with hon. Hamson Obua. *(Laughter)* I was cleared and I got out but I handled logistics of the military. I am an expert in logistics of the army and the best student of the army.

**THE DEPUTY SPEAKER:** That is one reason he should be able to help you. He knows the system very well. I will wait for feedback from you on what you will have done with the general.

**MR MIGADDE:** Thank you very much, Madam Speaker. You clearly stated that you cannot grow maize. The cows are your maize. Likewise, in the fishing communities, we cannot grow maize. The boats, nets and boat engines are our maize.

I raised an issue on the 27th of January concerning increased piracy on the lake, where they are stealing boat engines. It is the order of the day.

Madam Speaker, you ably directed the Minister of Internal Affairs to bring a statement. I also received a letter from the Government Chief Whip, dated 28 January, instructing the Minister of Internal Affairs to bring a statement on the 3rd of February, which was last Thursday. Can I be guided, or, is it procedurally right to proceed the way we are when the 3rd was last Thursday and today is another day and the minister has not yet produced a statement on that case of increasing piracy on the lake?

**THE DEPUTY SPEAKER:** Thank you, hon. Migadde. We are actually proceeding very well. We have the statement. We are yet to put the statement on the Order Paper because we cannot put everything on the same Order Paper. It will come next week. Thank you.

MINISTERIAL STATEMENT ON THE OFFICIAL LAUNCH OF THE PARISH DEVELOPMENT MODEL

**THE DEPUTY SPEAKER:** Just give us a summary. We have the document on the intranet.

4.01

**THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi):** Thank you very much, Madam Speaker. The document has been uploaded on the intranet and it is about six pages. In the interest of time, allow me to give you the summary of what is in this paper.

You remember that the Parish Development Model started in July last year. However, there were a number of prior actions, which required to be taken before a national rollout. For example, we had vacancies of about 5,600 parish chiefs. You remember the new 716 subcounties and town councils were not yet operational. We lacked a secretariat and all that.

We came back to the House in November and, gladly, you gave us a supplementary budget and we have been able to undertake these preliminary activities.

I hope you remember, too, that, towards the end of December, I submitted a report on what had been done, giving a status report to Parliament on the Parish Development Model. It is with the Committee on Public Service and Local Government and I am convinced that when the committee tables their report on the Floor, we shall discuss the details of the Parish Development Model.

My particular statement today is to inform the Members of Parliament and the nation at large that having gone through these preliminary activities, Government is now ready to officially launch the parish model.

We shall launch it on Saturday, 26th February at Kibuku and His Excellency, the President, shall be the Chief Guest. We are talking about the entire Bukedi Region participating in the prelaunch activities and being invited to the launch as the leaders of the area.

The statement gives prelaunch activities on what we are doing on the ground now in terms of training, community sensitisation and data collection because we need to have benchmarks so that tomorrow we are able to show what the parish model achieved.

On the day of the launch, it won’t be only about speeches and statements; it will also be about the interventions of Government, which I hope will make a change in the lives of the people.

We have shown you the people who are invited but just to do a little correction on that statement through you, Madam Speaker, the total number is 830 not 300.

Thank you for giving me the opportunity to present this statement and to inform the House, and the nation at large that on 26th February, His Excellency, the President will officially launch the Parish Development Model and after we will roll it out to all the districts. I beg to report.

**THE DEPUTY SPEAKER:** Thank you, honourable minister. The Parish Development Model is one of the programmes that have been designed to deliver this country into the middle-income status.

As you may recall, we took a two weeks’ break to access the performance of the *“Emyooga”* project in our districts, which was the foundation for this parish model.

The launch will be on 26th and I request Members of this House to follow-up and do your oversight role on this project. I am referring this report to the relevant committee to return to the House with a full report including activities to take place there. This report should be handled together with the previous report, which was presented to the House.

However, my appeal is: let us not do the lamentation; let us see how the parish model will workout. Let us not watch and ask the minister do his work. Personally, I believe this was brought in good faith and is meant to improve the welfare of our people.

4.07

**DR MUSA NOAH (Independent, Koboko North County, Koboko):** Thank you, Madam Speaker. The Parish Development Model is a Government programme aimed at transforming the lives of the citizens especially the 39 per cent still stuck in subsistence farming.

Out of the seven pillars of the Parish Development Model, two of them – the Parish Information System and Mindset Change - fall under the Ministry of ICT and National Guidance. These are the key pillars, which will make this programme to succeed, given our experience with *“Emyooga.”*

Recently, in our interaction with the Minister of ICT in the committee, he indicated that they have not moved far with the development of the Parish Information System and the Mindset Change pillars. He even told the committee that they are still looking for resources for mindset change activities yet we are already moving to launch this programme.

I would like the minister to clarify that they are working together with the Ministry of ICT as far as the development of the Parish Information System and Mindset Change pillars is concerned. Thank you.

**MR MAGYEZI:** Thank you very much, Madam Speaker. That was a good question –

**THE DEPUTY SPEAKER**: Honourable minister, why don’t you get all the questions then you answer them once. We are not going to prolong this debate because we are taking this document to the committee to return to us with a full report.

4.09

**MS JANE AVUR (NRM, Woman Representative, Pakwach):** Thank you, Madam Speaker. I would like to thank the minister for this information about the launch of the much needed Parish Development Model Programme that is supposed to drive this economy especially for the people still below the poverty line.

However, like Dr Musa rightly stated, the Ministry of Local Government needs to closely work with Ministry of Finance. We have just been going through the budget framework paper and there were lot of gaps in as far as the parish model is concerned.

As the Committee on Finance, Planning and Economic Development we did our part to recommend that money be provided because that is the core because our people, especially our electorates’ lives, need to be uplifted.

So, while I welcome the move by Government to launch this programme, it should match the available resources for all the pillars. Thank you.

**THE DEPUTY SPEAKER:** Honourable minister, when you look at the National Budget Framework Paper, you realise that every ministry is budgeting for the parish development project. You find Ministry of ICT, Internal Affairs and may be Ministry of Agriculture doing the same. So, what you need to do is to do a harmonisation. You need an inter-ministerial meeting to harmonise all these aspects for you to own the project. Members, let us not debate this paper; the full report is going to come.

4.11

**MR ISAAC OTIMGIW (NRM, Padyere County, Nebbi):**  Madam Speaker, I would like the honourable minister to make some clarifications. During the last NRM Caucus meeting at Kololo, we raised an issue about the uncoded new administrative units, whose number the honourable minister said is 768.

However, to date, I do not think any of them has been coded although the House passed a supplementary budget for those new administrative units.

The town councils were given Shs 50 million, the subcounties Shs 30 million for preliminary administrative duties but after that, we do not know where they are going to get money from.

The Ministry of Finance promised the caucus meeting that all these new administrative units would be coded by September but while we are already in February, nothing has happened.

I do appreciate the fact that we should do our oversight role, but when MPs are not informed of things happening, it becomes difficult.

The honourable minister should promise that we shall be informed whenever money reaches the district levels so that we can be able to follow-up. Otherwise, sometimes the money reaches there and we do not know about it. Thank you.

**THE DEPUTY SPEAKER:** Honourable minister, once money is wired to any district, the Member of Parliament should get to know that money has been sent to their district, just like the National Medical Stores does. When taking the drugs, they make sure that the Member of Parliament gets to know what kind of drugs have been delivered and that will help the Members to do their oversight role. Hon. Tinkasiimire -

4.13

**MR BARNABAS TINKASIIMIRE (NRM, Buyaga County West, Kagadi):** Thank you very much, Madam Speaker. Hon. Magyezi is my very good friend. He is an ex-seminarian, so we used to talk a lot about where we came from. I am happy that he is the one in charge of the programme but the major departure I have with him is that he is pro-rich, I am pro-poor. I will invite him to now use much of his time to look at the poor people.

The honourable member from Pader has raised a critical matter; that on the 26th , the President is going to launch the Parish Development Model. Come 1st of July, people will start receiving resources on the ground at parish level to do development.

We want the honourable minister, with great assurance, to tell us that on the 1st of July, every parish in this country will receive money. We want you to tell us today, before you leave here - because you know the number - how many parishes in this country are you taking this development programme?

Madam Speaker, I will also use this opportunity to ask the honourable minister to make a strong commitment that he is going to follow up these resources because our experience has shown that the strongest –*(Member timed out.)*

**MR IDDI ISABIRYE:** Thank you so much, Madam Speaker. You guided that the report that has been presented by the honourable minister be forwarded to the committee responsible such that we debate against the report.

Are we proceeding right, Madam Speaker, to debate the report of the minister yet we shall receive a report from the committee?

**THE DEPUTY SPEAKER:** I was just praying and wishing that someone would rise up on a procedural matter. Let us wait for the report from the committee. *[Hon. Tinkansiimire rose\_]*

Hon. Tinkasiimire *pro-poor*, I know you are a poor boy but please sit. The other one is pro-rich. *(Laughter)* Hon. Tinkasiimire, when the report is brought, the minister will be able to respond to all those queries that you are asking.

Members, feel free to call the minister; he picks his calls all the time - and ask him what you want to be done on the parish model. Hon. Tinkasiimire, after here, you will go with the honourable minister because I know that what you are interested in will benefit the entire country.

**MR MAGYEZI:** Madam Speaker, I thank the Members for the points of clarification they have raised. To the Member of Parliament for Koboko North - just for clarification, the Parish Based Management Information System is under the Ministry of ICT and National Guidance. Some of the funds, which were approved under the supplementary budget, include funds for this particular activity.

Right now, the officers are in Bukedi, actually doing data collection, compilation and analysis. One of the things that will be launched on the 26th is that system and we are trying to avoid the mistakes of the past. This time, this system is being managed at parish level.

Secondly, mindset change is not under the Ministry of Information and Communication Technology. The key leader there is Ministry of Gender, Labour and Social Development. Parliament gave them Shs 3 billion and as I speak, their manuals have been completed. They are right now in Bukedi doing training of trainers’ community sensitisation. I am really happy with what they are doing.

So, at a time when we discuss all the pillars and what the parish model is about, I will explain to the Members the composition of these pillars and their leaders; and what they are actually doing.

On the question of Hon. Jane Pacuto, every ministry seems to be budgeting for the parish model. We need resources for these pillars. Rt Hon. Prime minister, yes and that is the way it should because this is the very first programme we are going to have, where all ministers and all ministries are going to participate, with respect to their sectors at the parish level.

Let me give you an example. We may think that production is under agriculture only but you need water for production. You need energy for processing of products from production. You need roads to transfer the products to the markets.

So, this is a unique programme and we will go through it so that people see that even in the budget, what we need to do is what the Speaker has talked about; harmonisation, so that we do not have duplication. I am glad that the ministries have woken up and each one is saying, “We have a stake here”.

In terms of coding the town councils and subcounties, this is the function of the Ministry of Finance and I want to be sure because already, they have released the money. The budget code is simply an acknowledgement that this subcounty is now recognised in the national budget and they will access national funds. So, I think they have been coded.

However, the truth is that the manner in which it has been given is preliminary; it is really not adequate. We are trying to see that in future, now that they are already recognised and are being paid - we shall have the full budgeting.

I like the point which stressed that we need to make sure that the Members of Parliament are fully informed so that they can play their role; not only in terms of monitoring and supervision, but even for accountability checks.

For example, if I am saying that in Bukedi, today, there is training community civilisation - it is important because we met the Members of Parliament of Bukedi in the morning - go to your constituents and find out what is actually happening. If there is data being collected, you deserve a report from those who are collecting the data about the parishes in your constituency.

Therefore, we shall go through this at the point of making sure that the budget is released - not only in the newspapers, but also in the pigeon holes of the Members – and that we give you full information.

Finally, Hon. Tinkasiimire, I am also pro-poor and the parish model is really about the poor people. How many parishes do we have – is it 10,594? Will they all get resources? Madam Speaker, that is an important question and I know that the public will want to know what we are launching.

As I speak today, the money which you gave us in the Budget for the revolving fund is Shs 17 million per parish. That money is already with the Chief Administrative Officers. So, immediately after the launch, all these parishes should be able to access their revolving fund through their circles.

In the next year’s budget, we have made a request to you - and I hope Members of Parliament will approve - that each parish gets Shs 100 million for the revolving fund. However, colleagues, the parish model is not just about releasing funds; it is the holistic change of persons and households, mindset change, infrastructure, housing and services. We shall go through this when the committee brings the report. I thank you, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you. Members, please take control of that Parish Development Model. Take charge of that money which is going to your constituencies. Let it not get messed up like other programmes that Government has put in place. Next item –

MINISTERIAL STATEMENT ON THE COMMEMORATION OF ST JANANI LUWUM DAY, 16 FEBRUARY 2022

**THE DEPUTY SPEAKER:** We still have your document uploaded on the intranet. You can just give us a summary of what Luwum Day is.

4.22

**THE MINISTER OF STATE, OFFICE OF THE PRESIDENT (ETHICS AND INTEGRITY) (Ms Rose Akello):** Thank you, Madam Speaker. The statement is on the commemoration of St Janani Luwum Day, 16 February 2022.

Tomorrow, Wednesday, 16 February 2022, Uganda will hold the 45th commemoration of St Janani Luwum Day. The day has been commemorated annually since 2015 when His Excellency the President announced that 16th of February would be designated a public holiday in honour of the second Archbishop of Church of Uganda, Rwanda and Boga-Zaire. The day had always been commemorated at the late Archbishop Janani Luwum’s burial site at Wii Gweng Village, Mucwini Parish in Kitgum District.

This event is organised by the Church of Uganda in collaboration with Government ministries, departments and agencies led by the Directorate of Ethics and Integrity alongside the local organising committee based in Kitgum and the family of the late Archbishop Janani Luwum.

The commemoration of Archbishop Janani Luwum is significant for us today because of the legacy he left behind through his focused leadership, not only on preaching and spreading the word of God but also on the holistic development of people and communities. He repeatedly appealed to Ugandans to live together peacefully and in harmony, a call we need to adhere to this day. His devotion and martyrdom is a blessing to our nation, Uganda, and it should continuously remind us of our dark past and to encourage us to live together in harmony.

Archbishop Janani Luwum is especially recognised by the Church of England, which is the mother church of the Anglican Communion. As one of the only 10 martyrs of the 20th century, he was given a special place in the history of the Anglican Communition, when a statue was unveiled at Westminster Abbey in July 1998 in his honour.

The annual commemoration is to honour, celebrate and provide thanksgiving for the life, testimony, martyrdom and example of St Janani Luwum as an outstanding leader, a great martyr and a compelling role model for the world, regardless of faith and background.

His martyrdom provides a powerful message of forgiveness and reconciliation, not only between Christians but among all people. This is a national day involving all stakeholders, including believers from all denominations, Government, diplomatic corps, civil society, the private sector and the international community.

At last year's St Janani Luwum commemoration, which was held at State House Entebbe, His Excellency the President, who was the Chief Guest made a commitment that Government would support the development of the late Archbishop's burial site at Mucwini.

The Church of Uganda went ahead and obtained the land measuring 92.8 acres for that purpose and a certificate of title is being processed. The master plan for the site has also been finalised to transform the grounds into a pilgrimage and tourism site of international standards. At an appropriate time, I will bring the budget for the development of the site to this august House for approval.

This year, the Church of Uganda had originally planned to hold the commemoration activities at Mucwini, since the country's economy was reopened. However, due to the escalating COVID-19 pandemic, His Grace the Archbishop requested His Excellency, the President to host the commemoration as he did last year. The President confirmed that he will host the commemoration function.

Therefore, colleagues, the 45th commemoration of St Janani Luwum Day will be held on 16 February 2022 at Kololo Independence Grounds starting at 9.00 a.m. The main activity is the church service, which will be broadcast live on major television and radio stations. The Chief Guest will be His Excellency the President of Uganda. The main celebrant will be the Archbishop of Church of Uganda, His Grace the Most Rev. Dr Stephen Kaziimba Mugalu.

The theme for this year's commemoration is, “Hope Beyond Affliction”. It is a message of faith, hope and perseverance taken from the book of Lamentations 3:21-25.

In honour of St Janani Luwum’s home and burial grounds, a commemoration service will be held on the same day at Wii Gweng Village, Mucwini in Kitgum District. The expected outcome of the commemoration is a transformation of the lives of the people through the example of the late Archbishop and a message of hope and commitment that is given by the church. The message is aimed at the spiritual transformation of the head, the heart and the hands of the people of Uganda.

The commemoration also re-strengthens the partnership between the church and the state for the socio-economic transformation of the communities.

In conclusion, it is my honour and privilege to invite you, Members of this House, to the 45th commemoration of St Janani Luwum Day at Kololo Independence Grounds on Wednesday 16 February 2022, beginning at 9.00 a.m. That is tomorrow. I beg to move.

**THE DEPUTY SPEAKER:** Thank you, honourable Minister of State for Ethics and Integrity. This has been celebrated every year and this is basically for information. We will be waiting for your plan and budget at an appropriate time. Thank you.

BILLS

SECOND READING

THE MARKETS BILL, 2021

**THE DEPUTY SPEAKER:** The Markets Bill, 2021 was tabled for First Reading - sorry honourable members, there was a statement from hon. Obiga but there is also a procedural matter from a Woman Member of Parliament.

**MS JOANE OKIA:** Madam Speaker, my issue of national importance was raised last week on Tuesday and you directed that this week –

**THE DEPUTY SPEAKER:** Hon. Okia, we follow the Order Paper. You would have raised that on matters of national importance or at the beginning of the Order Paper. Now, we are going to a very sensitive item. That is the Bill. However, you raised something last week. That reminds me because hon. Obiga, I think, heard that you mentioned his name as being conflicted and so, he has come with his personal statement. We will receive a personal statement from hon. Obiga, give it to the minister who is investigating - that is the Minister of Internal Affairs - and then come up with a report. There was an allegation in the House that you were conflicted.

It is just a principle of natural justice and fairness. Therefore, hon. Obiga, can you present your statement briefly?

4.32

**THE MINISTER OF STATE FOR LANDS, HOUSING AND URBAN DEVELOPMENT (URBAN DEVELOPMENT) (Mr Obiga Kania):** Thank you, Madam Speaker. Like you have correctly said, I am making this statement under Rule 55 of the Rules of Procedure of Parliament whereby when a Member makes a statement, touching on the personality of a person, that person is entitled to put in reply by way of a personal explanation. That is all. I promise not to raise any issues for debate or controversial matters –

**THE DEPUTY SPEAKER:** And no issue of attacks.

**MR OBIGA:** No, I gave you a copy of my statement, Madam Speaker, and I can assure you that when I read it, there will be no personal attacks.

As I said, my colleague, the Woman Member of Parliament for Madi-Okollo District, raised this matter on the Floor of Parliament and I got the extract. What I am replying to is the extract from the *Hansard*, which I propose to lay on the Table.

**THE DEPUTY SPEAKER:** Thank you.

**MR OBIGA:** It reads: “*Statement of personal explanation presented on the Floor of Parliament by Hon. Obiga Kania, Member of Parliament, Terego East Constituency, the Minister of State for Lands, Housing and Urban Development in charge of urban development on the statement of national importance regarding the border between Terego and Madi-Okollo District.”*

Madam Speaker, on 5 February 2020, Hon. Joanne Aniku Okia, NRM Woman MP Representative for Madi-Okollo District, made a statement, as an issue of national importance on the above subject. The statement alleges that I had self-interest in the border reaffirmation exercise, because I chaired the meetings, which led to the reaffirmation of the border. Since the *Hansard* is there, honourable members, I do not want to waste time on the specifics. My interest is the statement of conflict of interest.

Right from the beginning, I want to state that statement is not true because all the meetings were chaired by the Commissioner/Assistant Commissioner Surveys and Mapping Department of the Ministry of Lands, Housing and Urban Development.

In that regard, I have the minutes which I want to table. The first meeting was held at the Madi-Okollo District offices as part of the mobilisation and sensitisation for the boundary reaffirmation exercise between the Terego District and Madi-Okollo. This was held on the 24 September 2021. As colleagues will read, in that meeting, I was not present and certainly, I did not attend it. Therefore, there was no way I could chair a meeting, where I was not. I have marked this minute A and I want to table it.

The next meeting was held at the Terego District Headquarter Offices as part of the mobilisation and sensitisation for the boundary reaffirmation between Terego District and Madi-Okollo. This was held on 28 October 2021. I have marked it as Minute B. Colleagues will note from here that I was absent in that meeting and, therefore, I couldn’t have been a chair in that meeting. I beg to table.

The third meeting - the minutes I have mapped as Minute C. These are the minutes for the mobilisation of sensitisation meeting that was held in Ocea Resource Centre on the 17 of September 2021. I was present in this meeting, but I did not chair it, as Members will read from the report or the minutes. It was chaired by the Assistant Commissioner, Mr Ogeng of surveys and mapping department. I beg to lay.

The fourth minutes, which I would like to share, were of a meeting held at the Arua CAO’s office, on the boundary dispute between Madi-Okollo District and Terego districts. I have marked it “D” for purposes of this presentation. This was held on 23 October 2020. From these records, Members will read and find that the Hon. Obiga Kania was not in attendance. I could not, therefore, chair a meeting that I did not attend. I beg to lay.

The meeting I attended as the rightful representative of the people of Terego East, like all other MPs from Terego and Madi-Okollo, and the Minister of Lands, Housing and Urban Development representative - The survey team, as indicated on page 7 of the survey report does not include my name. I beg to lay on the Table the survey report. It is herein entitled *“Report on the boundary reaffirmation exercise of Terego and Madi-Okollo District by the Survey and Mapping Department”* written on 18 October 2021.

In the letter dated on 23 July 2021, Hon. Joanne Aniku Okia, Woman Member of Parliament, Madi-Okollo District, elaborately called for the border reaffirmation. This letter was written by her, addressed to the Permanent Secretary, Ministry of Lands, Housing and Urban Development under the heading, *“ Demarcation of disputed border points between Madi-Okollo and the neighbouring districts.”* Terego was only one; there are disputed areas between Arua, Zombo and Madi-Okollo, but this matter refers to Madi-Okollo. Nonetheless, in her letter, she was requesting the ministry to go urgently and resolve the matter. I beg to lay a copy of her letter.

Similarly, the letter dated 15 July 2021 written by the chief administrative officer of Madi-Okollo and addressed to the same Permanent Secretary of the Ministry of Lands, Housing and Urban Development was asking for the demarcation of disputed border points between Madi-Okollo and the neighbouring districts. Of course, neighbouring districts included Terego District. I beg to lay that letter.

Madam Speaker, I agree with my colleagues particularly, Hon. Joanne that the problem of the community should be resolved. The Ministry of Lands, Housing and Urban Development does not create borders for administrative units. Therefore, what was being asked was not for the Minister of Lands to go and create administratively units or borders; that responsibility lies with other Ministries, Departments and Agencies.

The Ministry of Lands, Housing and Urban Development only marks borders after the creation of the administrative units in accordance with the laws, which are made in this Parliament and the other legislative bodies.

The Ministry of Lands, Housing and Urban Development reaffirms borders and marks them at the request of interested parties or MDAs parties such as Hon. Joanne and the chief administrative officer of Madi-Okollo, in the letters that I have put.

All the letters written in the case of the border between Terego and Madi-Okollo were asking for that. One of the people who wrote earlier on 19 March 2008 was the then Chief Administrative Officer for Arua District, when Terego and Madi-Okollo were counties under Arua District.

This was a request for a survey to establish the location of specific areas and they produced a report. I intend to lay it on this Table.

Regarding myself as an MP, I also wrote asking for the same demarcation. My letter was on 11 August 2020 – demarcation of the border between Uriama Subcounty in Terego Districts and Rigbo Subcounty in Madi-Okollo District and the location of Odobu and Ocea markets as well as Quiver Senior Secondary School.

This was in August 2020, before I became minister in the Ministry of Lands, Housing and Urban Development. By then, I was the Minister of State for Internal Affairs. So, I wrote it by then, as an MP of that area and also, somebody who was concerned with the security in that area because of the disturbances which had been caused by the border. I want to lay that on the Table.

In both letters by the CAO of Arua and I, asked for the demarcation of the border *–(Interjection)-* my statement is short. It is about to end.

The Ministry of Lands, Housing and Urban Development fully and scientifically discharged its responsibility, in this regard, reaffirmation of the border between Terego and Madi-Okollo districts. That is what we have done. This is what all these authors – if you can just hold on -

**THE DEPUTY SPEAKER:** Honourable, can you read your statement?

**MR OBIGA:** Yes, I am reading it.

**THE DEPUTY SPEAKER:** Yeah, we are running out of time.

**MR OBIGA**: In this regard over the Terego and Madi-Okollo districts border dispute, the responsibility to implement the outcome of that scientific reaffirmation, as opposed to conjectures, lies with other MDAs and not the Ministry of Lands, Housing and Urban Development.

After this completely agreed transparent reaffirmation process, when the results are known, I hear of acrobatic somersaults and calls for a stay of the status quo, contrary to the substance and spirit of the letters, which I have just Tabled, requesting for the reaffirmation exercise.

What happens to the problems mentioned but which are not resolved is not a matter that we are addressing here. We are merely addressing the border. The other is for other people as I have said.

Obviously, therefore, from the documents that I have put, the accusations against me, of conflict of interest, are red herrings to divert attention from the real facts on the ground; they are not true. I advise that my colleagues should look for other excuses to disown the report.

Madam Speaker, it is true I disseminated the results of the reaffirmation exercise as an acting minister. My letter of distribution, addressed to the Minister for Local Government, is here tabled. It is dated 12 November 2021, addressed to the Minister of Local Government, on the report of the reaffirmation of the border between Terego and Madi-Okollo Districts. I lay it on the Table.

I did not add, subtract, or in any way alter the report by that dissemination. Therefore, instead of condemning me, Hon. Joanne Aniku Okia and her team should commend and praise me. *(Laughter)* There is nothing to hide. We need to help our people rather than trade accusations and hide our heads in the sand. I thank you for listening to me.

**THE DEPUTY SPEAKER:** Thank you, honourable minister, for the statement. The statement is as per Rule 55 of the Rules of Procedure. We are expecting a report from the minister.

Honourable Minister of Local Government, can you help us solve the issue of Apaa, Terego and Tororo borders? It has become a fight in this House.

4.48

**THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi)**: Thank you, Madam Speaker. Last week, the Rt Hon. Prime Minister convened a meeting between the leaders of Terego and Madi-Okollo, attended by the Government Chief Whip and myself and we agreed on the way forward. We are going to resolve this matter.

**THE DEPUTY SPEAKER:** Can you report to this House on what you agreed?

**MR MAGYEZI:** We shall submit a report on what has been done.

**THE DEPUTY SPEAKER**: And get what has been laid on the Table for you to report in regard to the allegations that were put in the House.

**MR MAGYEZI:** Thank you, Madam Speaker. We shall do that.

**THE DEPUTY SPEAKER:** Thank you. Next item.

BILLS

SECOND READING

THE MARKETS BILL, 2021

**THE DEPUTY SPEAKER:** The Markets Bill, 2021 was tabled in this House for the first reading and referred to the Committee on Local Government and Public Service. The committee considered the Bill and it is now due for the second reading. Hon. Margret?

4.49

**MS MARGRET RWABUSHAIJA (Independent, Workers Representative)**: Thank you, Madam Speaker. I beg to move that the Bill entitled, “The Markets Bill, 2021” be read for the second time.

Madam Speaker, allow me to add that I have no contention with the report of the committee because the report was uploaded on the Members’ iPads last week. I was also privileged to attend some of the meetings with the stakeholders.

**THE DEPUTY SPEAKER:** Thank you. Is the motion seconded? It is seconded by the Government Chief Whip, the Minister of Lands, Housing and Urban Development, the Minister of Local Government, the minister for ethics, Hon. William, Member for Aruu, Hon. Isaac, Hon. Fadil, Hon. Jovanice and the whole House. Could you just speak a little bit about your Bill?

**MS RWABUSHAIJA:** Thank you very much, once again, Madam Speaker. The object of the Bill is to reform the law relating to the establishment and control of the markets in Uganda and to provide for the establishment and management of public and private markets. The current Markets Act, 1942 (Cap. 94) places the establishment and administration of the markets solely in the hands of the Government.

Section 1 of the Markets Act, for example, prohibits any other person or authority other than the district administration, municipal council and town councils within the jurisdiction from establishing and maintaining the market.

However, with the advent of the liberalised economy, buttressed with the 1995 Constitution of the Republic of Uganda, Ugandans are granted the right to practise their profession and carry out lawful occupation, trade or business. I submit.

**THE DEPUTY SPEAKER:** Thank you very much, for the justification. Can I now call on the chairperson to give us a brief on his report? Remember the report was uploaded on the intranet.

4.52

**THE CHAIRPERSON, COMMITTEE ON PUBLIC SERVICE AND LOCAL GOVERNMENT (Mr Godfrey Onzima)**: Thank you, Madam Speaker. The Market Bill, 2021 was read for the first time on 7th December 2021 and was referred to the Committee on Public Service and Local Government.

In accordance with rule 129 of the Rules of Procedure of Parliament, the Committee on Public Service and Local Government has examined the Bill in detail, made inquiries and in accordance with rule 129 now presents this report to the House with observations and recommendations.

Madam Speaker, I would like to lay a copy of the report, copies of minutes of the meetings we held with the various stakeholders on this Table.

**THE DEPUTY SPEAKER:** Thank you. Please, lay.

**MR ONZIMA:** Since we have the report uploaded, I am only going to read the executive summary; we shall handle the rest at Committee Stage.

Introduction

The committee held consultative meetings, reviewed some literature, consulted the relevant laws and received submissions from the following stakeholders:

1. The mover of the Bill, hon. Margaret Rwabushaija;
2. The Ministry of Local Government;
3. Kampala Capital City Authority (KCCA);
4. Uganda Markets and Allied Workers Union and;
5. Private Markets Owners.

The policy and principles of the Bill

Most markets in Uganda were established between the late 1950s and early l960s under the Market Act Cap 94 of 1942. Overtime, the capacities of these markets have been overtaken by the increasing urban population growth and the tremendous increase in the number of market vendors in all urban markets.

Defects in the existing law

The current Markets Act presents the following defects:

a) The Act does not provide a clear definition of a Market;

b) The current Markets Act puts restrictions on private individuals, companies and associations from owning or establishing markets;

c) The Act does not address the current needs of market development, management and administration that have evolved overtime;

d) The Act does not cater for the significant impact of urbanisation and population growth on the markets in the decades that followed independence. With the number of vendors increasing significantly, such growth has placed increased pressure on internal systems of governance in markets;

e) There is no provision for clear regulation of revenue collection and administration; and with no requirement for registration of vendors to ease revenue collection; and

f) The Act prohibits any other person or authority other than the district administration, municipal and town councils within their jurisdictions from establishing and maintaining a market.

General observations

The Market Bill, 2021 has been prepared in consultation with the Ministry of Local Government and Kampala Capital City Authority to provide for the following:

1. Definition of a market to take care of the various forms, types and categories of markets;
2. The establishment and management of markets by local governments and private persons;
3. Licencing of private markets by local governments;
4. Local government to register all markets within their areas of jurisdiction;
5. Local authorities and market operators to register all vendors;
6. Involvement of market vendors in the management of the affairs of markets through establishing the market management committees for all markets to run the affairs of markets; and
7. Empowering the minister responsible for local governments and KCCA to oversee the operations of markets and make rules and regulations for the better carrying into effect the purposes of the act.

Key observations and recommendations

The committee made some key observations on the following clauses:

1. Interpretation clause - The definition of “private market” and “vendor;
2. Clause 4 - establishment of public markets;
3. Clause 6 - establishment of the private markets;
4. Clause 8 - conditions of grant of licence;
5. Clause 9 - grant of licence;
6. Clause 11 - suspension and revocation of a license;
7. Clause 16 - register of markets;
8. Clause 17 - register of vendors;
9. Clause 20 - composition of the committee;
10. Clause 25 - meetings of the committee;
11. Clause 26 - subcommittees;
12. Clause 27 - designation of departments in a market;
13. Clause 29 - allocation of shop, pitches or stalls in a public market;
14. New clause 30 - abandonment of shops or stalls or pitches allocated to a vendor or a new subclause “penalty for breach of conditions of a licence” and;
15. Lastly, new clause under 34 - “obliteration of market facilities.”

Madam Speaker, those details will be captured and amendments will be introduced when we reach committee stage.

The committee recommends that the Market Bill, 2021 be passed into law subject to the proposed amendments. The details of the report are captured in the main report and it was uploaded. Therefore, you can read through and make the observations. I beg to move.

**THE DEPUTY SPEAKER:** Thank you very much, Chairperson. This is not a controversial Bill. Since both sides agreed, there is no point of contention. Yes, minister -

5.00

**THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi):** Thank you very much, Madam Speaker. I would like to thank the committee and the private member, who brought this Bill. I would like to state that as a ministry under Government, we have cooperated and supported the private member in this particular case. We are happy with what she has presented as well as the report of the committee.

The law of 1942 is no longer applicable to our markets. It did not take into account the constitutional changes, especially decentralisation. As a ministry, we had started on amending the law but when the private Member came up, we thought we should support her. We have given her the necessary support and technical assistance.

The law did not permit private markets but this has been overtaken by events. The private markets are there but it was a problem for us to know how to regulate them because they were not allowed in the old law.

There are several conflicts in markets, especially between the vendors and the local authorities and among the vendors themselves. We found that it was necessary to provide a clear legal framework on the relations of the actors in the market and it has been done in the Bill.

The law was also not providing for Kampala. It was about local government and that time all the local governments were under the Ministry of Local Government. But Kampala Capital City Authority has the powers to establish its own markets and to regulate them. This has been provided for, together with the penalties and fines.

I am happy with the report of the committee. We discussed these matters at length. We are fully in support. I have seen that even the clauses that they are proposing for amendment – we think they have done a good report. This report should be passed and we move on. Thank you.

**THE DEPUTY SPEAKER:** Members, I put a question that the Bill entitled, “The Market Bill, 2021”, be read for the second time.

*(Question put and agreed to.)*

BILLS

COMMITTEE STAGE

THE MARKET BILL, 2021

Clause 1

5.03

**THE CHAIRPERSON, COMMITTEE ON PUBLIC SERVICE AND LOCAL GOVERNMENT (Mr Godfrey Onzima):** Madam Chair, in clause 1, the committee is introducing an amendment. Clause 1 is amended by-

1. Substituting the interpretation of the words “private markets” as provided in the Bill. It is substituted to read as follows: “’private market’ means a market established by any person other than the local authorities and licensed in accordance with this Act.”
2. Substituting the interpretation of the words, “responsible minister”. Substitute the phrase, “responsible minister” as provided in the Bill to read as follows: “’responsible minister’ means the minister responsible for local government or the minister responsible for Kampala Capital City Authority as the case may be.”
3. Substituting the definition of the word “vendor”. The word “vendor” as provided in the Bill is substituted to read as follows: “’vendor’ means a person authorised to carry out business in the market”.
4. Insert interpretation for a new phrase immediately after interpretation of the phrase, “market administrator”. “’Market operator’ refers to a person who owns a market.”

Justification

1. This is for clarity since all markets, whether public or private are authorised by local authorities before operation.
2. This new Act, the Market Act, 2021, shall be implemented by two different ministries, that is, the ministry responsible for local government and the ministry responsible for Kampala City as it is applicable.
3. For clarity on who is a vendor.

**MR MAGYEZI:** Madam Chair, I agree with all, except the very last one, “The market operator”. The committee is proposing “’the market operator’ refers to a person who owns a market”. But the words, “a person” can also refer to a local government because it is a legal entity.

My proposal is, “’market operator’ refers to a private person who owns a market.” These market operators are for the private markets. The others are managed by the local authority. I am proposing inserting the word, “private” between “a” and “person”, making it, “refers to a private person who owns a market”.

**MR ONZIMA:** Madam Chair, when we were looking at this, markets which are under local government were differentiated by the term “public”. Therefore, here we were referring to private. Our wisdom was that what belongs to Government is for the public. I do not understand why the minister is trying to introduce that. But we can deliberate on it.

**MR MAGYEZI:** Madam Chair, in the Bill itself, without going outside the Bill, how is the word “person” defined? “’Person’ includes a company or an association or body of persons corporate or an incorporate”. It actually even covers the local government.

I, however, wanted to be specific that “market operator” is actually the one operating a private market, to differentiate that from the public market. It does no harm. It is simply guarding ourselves and being very clear. “’Market operator’ refers to a private person who owns a market”.

**MS RWABUSHAIJA:** Madam Chair, I agree with the minister.

**MS PACUTO:** Thank you, Madam Chair, for giving me the opportunity –

**THE DEPUTY CHAIRPERSON:** I hope Members know that we are at committee stage and not debate stage.

**MS PACUTO:** I just need clarification because currently, especially at local governments, most markets are tendered out to people that run them on different market days.

I would like to know what the minister and the chairperson exactly mean by “an operator”. This is because I thought that when you are talking of a person who operates, we would refer to that person to whom the tender has been given to.

However, when you talk about the owner, it would be either that private person or firm or district that operates the market –

**THE DEPUTY CHAIRPERSON:** Hon. Pacuto, are you making an amendment in that clause?

**MS PACUTO:** No, I am seeking clarification, Madam Chair.

**THE DEPUTY CHAIRPERSON:** That is what you should have done. Okay, give the clarification.

**MR MAGYEZI:** Madam Chair, she has a point. She needs to understand what exactly we mean when we talk of “operator”. There are two types of ownership of a market. One is the one owned by the local authority. The district decides that in this particular place, we shall have a market. It is a district market.

But now in the Bill, what was not there before, a private person, I, Raphael Magyezi, can establish a market on my land and I get permitted by the local authority. It is my market. I am a market operator in the sense that I own the market and it is on my land. But it is regulated under the law. That is the difference.

In this particular case, when we say, “market operator” we are actually talking about the one who owns the private market. So it must be a private person.

**MR ONZIMA:** Madam Chair, when you read the law the way it has been drafted, on page 4 it says, “’private market operator’ means a person licensed to operate a private market under this Act”. I would like to concede and agree with the minister.

The only clarification I would like to make for Hon. Pacuto is that this law is giving an opportunity to any individual to establish a market. That is why we are now talking about private and public markets.

**THE DEPUTY CHAIRPERSON:** Thank you. I put the question that clause 1 be amended as proposed by the minister.

*(Question put and agreed to.)*

*Clause 1, as amended, agreed to.*

*Clause 2, agreed to.*

*Clause 3, agreed to.*

Clause 4

**MR ONZIMA:** Madam Chairperson, the amendment of clause 4, “establishment of public markets” is re-drafted to read as follows: “the conditions for licensing a private market prescribed under section 8 shall apply to public markets.”

The justification is that conditions for the market to be licensed remain the same whether the market is private or public. I beg to move.

**MR MAGYEZI**: I totally agree with the committee.

**THE DEPUTY CHAIRPERSON**: I put the question that clause 4 be amended as proposed.

*(Question put and agreed to.)*

*Clause 4, as amended, agreed to.*

*Clause 5, agreed to.*

Clause 6

**MR ONZIMA:** Madam Chairperson Amendment of clause 6; establishment of a private market.

(a) “inserting a new paragraph in subclause (2) after paragraph (b) and do re-numbering - (i) availability of land (ii) certificate of incorporation for a legal entity.”

(b) Insert a new subclause immediately after subclause (vi) change that (vi) to (v) to read as follows: change bracket (vii) to (vi) “any applicant who is dissatisfied with the decision of the responsible minister may apply to court.”

Justification

(a) There is need for the applicant to file evidence of availability of land for purposes of facilitating the local authority to be sure that land is available, secured for purposes of constructing a market.

(b) Where the applicant is a legal person, there is need of proof that that company is registered in Uganda.

(c) A right to apply to the court seeking redress is the creature of stature and an applicant should be given opportunity to seek court redress in case he or she is not satisfied with the decision of the minister.

I beg to submit.

**MR AOGON:** Madam Chairperson, I did not get it right whether we have prescribed the number of days. Within how many days can somebody ask the minister to intervene? It is always very important that we put a cap.

**MR MAGYEZI:** The Bill provides within 30 days.

**THE DEPUTY CHAIRPERSON:** Look at all the clauses; do not read clause by clause. It is provided for in another clause.

**MR MAGYEZI:** Madam Chairperson, we agree with the committee. If you want to establish a private market, we need to know the availability of land and that you have a certificate of incorporation.

In case you are not satisfied - if the minister has given his ruling but you are not satisfied, you should access court; that is the normal process of justice. So, we agree with the committee.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 6 be amended as proposed.

**MR ONZIMA:** Madam Chairperson, still under clause 6, insert a new clause immediately after clause 6 to read as follows:

“gazetting markets

The administrative authority shall, within 30 days of issuance of a licence, cause names or market licences to be publicised in the national gazette.”

Justification

The public needs to be notified of the existence of the market.

**THE DEPUTY CHAIRPERSON:** Committee chairperson, I thought that was a new clause under 7, why don’t we first pass clause 6 then pass that under 7 as a new insertion.

**MR ONZIMA:** Madam Chairperson, it was an oversight. It is okay.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 6 be amended as proposed.

*(Question put and agreed to.)*

*Clause 6, as amended, agreed to.*

**MR AOGON:** When we talk about gazettement - for instance, if we are establishing a private market, the person who asked for the market to be established does not have control over gazettement.

Now we are giving 30 days within which it should be gazetted.

Should the authority fail to do that, what is the implication to the applicant? I thought that would be a little technical?

**THE DEPUTY SPEAKER:** Hon. Silas, the gazettement is in the next clause we are going to. You are moving faster than the Chairperson.

Clause 7

**MR ONZIMA:** Thank you, Madam Chairperson. We are inserting a new clause; “gazettement of markets” – a new clause is inserted immediately after clause 6 to read as follows:

“Gazetting markets

The administrative authority shall, within 30 days of issuance of a licence, cause names of markets licensed to be published in the national gazette.”

The justification is that the public needs to be notified on the existence of the new markets.

**MR MAGYEZI:** Madam Chairperson, it is true markets should be gazetted; you do not have a right to just establish a market anywhere. However, there is a little challenge. The national gazette - I do not know how many Ugandans have seen that. It looks a little bit far away from the ordinary person.

What is happening today – because we do approve together with the Attorney-General the trade and rating of the businesses of local Governments. This should be sufficient; if the minister has licensed and we approve it in the approved rates of businesses in this particular town. That seems to be sufficient.

However, to say that we have to gazette all the markets - and that includes even the private markets - in the national gazette. It is good in case there is litigation but I do not know whether the current procedure we are using would not suffice.

**THE DEPUTY CHAIRPERSON:** Chairperson, does a Gazette cause you any harm?

**MR MAGYEZI:** The Gazette does not cause any harm and for Government, this is okay. I would think that every market that is established and licensed should be gazetted. I was only –

**THE DEPUTY CHAIRPERSON:** It is like saying “Once I am voted as a Member of Parliament, the public knows I am a Member of Parliament.” You do not need to gazette me.

**MR MAGYEZI:** I agree with the committee, Madam Chairperson.

**MR AOGON:** I think it is really very important. One, I want to observe that the point raised by the minister about the use of either the Gazette or our local newsprint is vital. First of all, the purpose of this is for information.

If we choose to say “Gazette within 30 days”, doesn't it have any legal implications? That is one very important question. If you say 30 days - if they fail to do it within 30 days, so what? What will happen? Those are some of the very critical technical questions.

**MR MAGYEZI:** Honourable colleague, the 30 days are for licensing. The minister has given up to 30 days to provide a licence, but the Gazette is the official document of the Government. We do not use th*e Red Pepper* and the next day, *Munno*, *Bukedde* – no.  They know the official Gazette is there and I think we should restrict ourselves there.

**THE DEPUTY CHAIRPERSON:** Hon. Aogon is about to ask *Etop* to gazette him as a Member of Parliament. Honourable members, I put the question that a new clause be inserted, immediately after clause 6, as proposed.

*(Question put and agreed to.)*

*New clause, agreed to.*

Clause 8

**MR ONZIMA:** Onclause 8, we are proposing some amendment there. The committee is proposing an amendment of clause 8 on conditions for grant of licence. Insert a new paragraph in subclause (2), after paragraph (c) to read as follows : “( d) Parking area for motor vehicles”.

The justification is that each market should earmark and secure a demarcated place for parking vehicles and motorcycles.

**THE DEPUTY CHAIRPERSON:** Let us first finish. In clause 7, we had not put a question. I put the question that clause 7 forms part of the Bill.

*(Question put and agreed to.)*

*Clause 7, agreed to.*

**THE DEPUTY CHAIRPERSON:** Minister?

**MR MAGYEZI:** Thank you, Madam Chairperson. Clause 8 says if you are to establish a market, there are certain conditions you must meet. You should show that there is access to a market by persons with disability – the ramp; it should be there; baby care for nursing, which is okay; separate toilets for men and women and persons with disability.

The committee is now proposing that we add a parking area for motor vehicles. I fully agree with that but I also want to think that that is not adequate. In the modern markets, we are also requiring that you have a facility for fire firefighting. So, if the chairperson does not mind, we could add that after his insertion.

**THE DEPUTY CHAIRPERSON:** Chairperson -

**MR ONZIMA:** If the minister and the House deem it necessary that we also insert the firefighting facility, I think that one is also important. We also agree with the minister.

**THE DEPUTY CHAIRPERSON:** Yes, Hon. Enosi Asiimwe -

**MR ENOSI ASIIMWE:** Madam Chairperson, I suggest that we add a garbage collection point which is well gazetted as part of the requirements. Thank you.

**MR ONZIMA:** Madam Chairperson, I also agree with him because most of these markets, which have been constructed by Government in these municipalities - as we engaged with them, we had also put that as a condition and that is what they are following. So, any other market that is coming up could also fall under the same conditions. Thank you.

**THE DEPUTY CHAIRPERSON:** Minister, can you make the final amendment, including the firefighting equipment and garbage collection area.

**DR NOAH MUSA:** Thank you very much, Madam Chairperson. I want to propose another amendment to that particular clause. I want to propose that the market should have a dedicated clean source of water. We all know the importance of water, as far as hygiene and public facility places are concerned. Thank you.

**THE DEPUTY CHAIRPERSON:** Members, the minister is going to bring an instrument on regulations. So, what is the minister going to include in his Statutory Instrument? If we are going to bring all this, those are the things that the minister is supposed to bring. Yes.

**MR AOGON:** Madam Chairperson, I stand to support your position because when we decide to put it in the law and say that we need firefighting equipment, you are not able to prescribe which ones you want. So, it will be very difficult to operationalise. My opinion is that we agree with your position. The minister has the opportunity to produce the regulations, the guidelines will follow and it will be easy to prescribe what you need in detail. Otherwise, we are going to micromanage this law and it will fail.

**THE DEPUTY CHAIRPERSON:** There is a point of procedure here.

**MR THOMAS TAYEBWA:** Thank you, Madam Chairperson. There is a clear procedure here that when we are at Committee Stage - The reason the report is submitted early is that any Member who is proposing an amendment should prepare that amendment much earlier, submit it to the Clerk and it is shared with Members to avoid amendments cropping up from each and every corner. So, I propose, Members, that in case you did not submit your proposed amendments to the Clerk, please, allow us to do our work.

**THE DEPUTY CHAIRPERSON:** On the issue of firefighting and garbage, that should be in the Statutory Instrument. I put the question that clause 8, be amended, as proposed.

*(Question put and agreed to.)*

*Clause 8, as amended, agreed to.*

Clause 9

**MR ONZIMA:** The committee introduced an amendment in clause 9 on grant of licence.

Amendment in subclause (3)

Substitute for the words “twenty one”, appearing in line two of subclause (3) with the word “thirty”.

The justification is that 21 days are too short a period for the administrative authority to take a decision. The administrative authority should at least be given four weeks within which it makes a decision and communicates to the applicant.

**THE DEPUTY CHAIRPERSON:** Minister -

**MR MAGYEZI:** Madam Chairperson, I agree with the committee.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 9, be amended, as proposed.

*(Question put and agreed to.)*

*Clause 9, as amended, agreed to.*

*Clause 10, agreed to.*

Clause 11

**THE DEPUTY CHAIRPERSON:** Chairperson?

**MR ONZIMA:** The committee introduced an amendment to clause 11: suspension and revocation of a licence.

Amend subclause (2) by substituting for the words “ninety”, appearing in subclause (2) line three with a word “sixty”.

The justification is that 90 days are too long a period for the administrative authority to wait before taking a decision when there is a breach of the conditions upon which the market was licensed.

**THE DEPUTY CHAIRPERSON:** Minister?

**MR MAGYEZI:** Madam Chairperson, I fully agree 90 days is too long a period and we equally had proposed 60 days. I agree with the committee.

**THE DEPUTY CHAIRPERSON:** I put a question that clause 11 be amended as proposed –

*(Question put and agreed to.)*

*Clause 11, as amended, agreed to.*

*Clause 12, agreed to.*

*Clause 13, agreed to.*

*Clause 14, agreed to.*

*Clause 15, agreed to.*

Clause 16

**Mr onzima:** The committee is introducing an amendment.

Amendment of clause 16: Register of markets

Amend subclause (2) by - Inserting the words “and the location” immediately after the words “market operated” appearing at the end of the provision.

Justification

For easy tracking and administration of a market.

**Mr magyezi:** Madam Chairperson, this is consequential. We had earlier on agreed that approval of a market should also show its location. So, I agree with the committee.

**The deputy chairperson:** I put a question that clause 16 be amended as proposed.

*(Question put and agreed to.)*

*Clause 16, as amended, agreed to.*

Clause 17

**Mr onzima:** Madam Chairperson, on clause 17, the committee introduced an amendment.

Amendment of clause 17: Register of vendors

Amend in subclause (3) by - Inserting new paragraphs immediately after paragraph (a) to read and renumber accordingly:

“ (a) National identification number of the vendor;

(b) Vendor allocation number;

(c) Work permit for vendors who are non-Ugandan citizens”.

Justification

To provide adequate information about the vendors in the register.

**Mr magyezi:** Madam Chairperson, I agree with the committee. Full identification of the vendors will help us to sort out conflicts in the markets.

**The deputy chairperson:** I put a question that clause 17 be amended as proposed.

*(Question put and agreed to.)*

*Clause 17, as amended, agreed to.*

*Clause 18, agreed to.*

Clause 19

**Mr onzima:** Madam Chairperson, on clause 19 the committee introduced an amendment.

Amendment of clause 19: Market management committee

a) Clause 19 be amended:-

In subclause (3) by - Inserting the words “in accordance with the regulations prescribed by the responsible minister” immediately after the word “committee” appearing at the end of the provision.

b) Inserting a new subclause to read as follows:

“(2) The responsible minister shall, by a statutory instrument, prescribe allowances payable to members of the market management committee.”

Justification

For easy administration of a market.

**Mr magyezi:** Madam Chairperson, I agree with the committee.

**The deputy chairperson:** I put a question that clause 19 be amended as proposed.

*(Question put and agreed to.)*

*Clause 19, as amended, agreed to.*

Clause 20

**Mr onzima:** Madam Chairperson, the committee is introducing an amendment.

Amendment of clause 20: Composition of the committee

Subclause (1) is amended by introducing a new paragraph and renumbering accordingly:

Insert a new paragraph immediately after paragraph (d) to read as follows”

“Secretary responsible for defence.”

Justification

Security issues in the market are sensitive, thus require a specific person to be responsible in the committee.

**Mr magyezi:** Madam Chairperson, the position of the secretary for defence in the market is very critical. It had been overlooked in the Bill. We agree with the committee.

**The deputy chairperson:** I put a question that clause 20 be amended as proposed.

*(Question put and agreed to.)*

*Clause 20, as amended, agreed to.*

*Clause 21, agreed to.*

*Clause 22, agreed to.*

*Clause 23, agreed to.*

*Clause 24, agreed to.*

Clause 25

**Mr onzima:** Madam Chairperson, in clause 25, the committee is introducing an amendment.

Amendment of clause 25: Meeting of the committee

Amend in subclause (3) by - Substituting for the words “one day’s” appearing immediately in line (2) of a subclause (3) with the word “seven.”

Justification

A one day’s notice is not adequate and is too short a period for a chairperson of a management committee to communicate to members and members be able to attend the scheduled meeting.

**Mr magyezi:** Madam Chairperson, I think the committee had good intention but the appropriate subclause applicable is (2) – “The chairperson of the committee shall give one day's notice for the meeting of all members.” Now, the committee is proposing seven days. I fully agree with that.

However, they had written it under subclause (3) yet subclause (3), as it stands, is where the chairperson of the committee for certain reasons, may call a meeting giving less than the seven days’ notice where in his or her opinion a matter arises in the market that requires urgent attention. Therefore, I think the appropriate subclause is (2) – to amend from “one day’s” to “seven days’”.

**The deputy chairperson:** I put a question that clause 25 be amended as proposed.

*(Question put and agreed to.)*

*Clause 25, as amended, agreed to.*

Clause 26

**Mr onzima:** Madam Chairperson, in clause 26, the committee is introducing an amendment.

Amendment of clause 26: Subcommittees

Amend in subclause (3) by-

1. Subclause 26)(1) is amended by:

Introducing two new paragraphs and renumbering accordingly as follows:

Insert a new paragraph to read as follows:

“(1)Finance and welfare

(2) Any other subcommittee as the committee deems fit.”

Justification

To provide for the committee that will oversee the finances and welfare of vendors in the market.

**Mr magyezi:** Madam Chairperson, the proposal of the committee is okay. We need somebody in charge of finance. However, when you look at the Bill, as it is, there is a committee for:

1. Public health, hygiene and sanitation,
2. Security,
3. Utility affairs,
4. Social and economic welfare,
5. Dispute resolution.

In order to avoid too many subcommittees, I think it would be much better to call (d) “finance, social and economic welfare” because it is already catering for the welfare. Economic tends to move towards finance.

Secondly, when we permit “any other subcommittee, as the committee deems fit”, we are opening up a Pandora's Box. We are saying the subcommittees –

**THE DEPUTY CHAIRPERSON:** You had said finance and what?

**MR MAGYEZI:** Instead of adding another subcommittee for finance and welfare, already (d) is a subcommittee called “social and economic welfare.” My proposal is let us call that committee “finance, social and economic welfare” so as not to have too many committees.

Secondly, to permit -

**THE DEPUTY CHAIRPERSON:** There is a suggestion from your colleague.

**MR ONZIMA:** I do not know whether the minister could consider this: generally, in company law, what would cover that would be a general purpose committee -

**THE DEPUTY CHAIRPERSON:** Honourable minister, are you listening?

**MR ONZIMA:** I am asking whether the minister could consider this. In company practice, which is similar to this, the best way would be to call this a general purpose committee. You can call it “welfare and general purpose committee.” It takes care of more than just the social and economic aspects that you are trying to – I do not know if you could consider a general purpose committee.

**THE DEPUTY CHAIRPERSON:** I think there would be ambiguity if we call it “general purpose.” We need to be specific.

**MR MAGYEZI:** In administration, we need to be clear. There is already public health, security and utility. I think this one is about finance, social and welfare of the members.

The committee is proposing that after those committees, we open the door now to any other subcommittee as the committee deems fit. I think in a market, this is not good. We are dealing with subcommittees under the main committee. We have given them public health, hygiene, sanitation, taking care of garbage, security, the utilities of the market, the finance, social economic welfare and dispute resolution. Let us not open it up too much. After all the minister –

**THE DEPUTY CHAIRPERSON:** The amendment is “finance, social and economic welfare.”

**MR MAGYEZI:** Yes, and we stop at that. We should not open it up by saying “any other committee” because it can be abused.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 26 be amended as proposed by the minister.

*(Question put and agreed to.)*

*Clause 26, as amended, agreed to.*

Clause 27

**MR ONZIMA:** Madam Chairperson, in clause 27, the committee proposes an amendment to amend subclause 27(3) by –

1. Substituting the words, “two department heads” appearing immediately after the word “elect” in line two of subclause three, with the words, “the head of department and the deputy head of department” and
2. Redraft subclause (4) to read as follows: “A person elected under subsection (3) shall serve a period of two years and may be eligible for re-election.”

The justification is as follows:

1. For clarity; and
2. Three years is a long period in case the vendors are discontented with their head of department.

**MR MAGYEZI:** Thank you, Madam Chairperson. I agree with the committee as long as under clause 27(3), where instead of saying “two department heads” we say, “they may elect the head of department and the deputy.” This is because if you have two department heads, then who will be in charge? That is a clash.

The committee has a point but my emphasis is that we retain the clause that one of these should be female. It is already there, but I want to just be sure we are retaining that clause.

**MR ONZIMA:** I think for the case of whether it will be a female or not, we said, “one of the persons should be female.” We agree with the minister on that particular point.

**THE DEPUTY CHAIRPERSON**: I put the question that clause 27 be amended as proposed by the minister.

*(Question put and agreed to.)*

*Clause 27, as amended, agreed to.*

Clause 28

**MR ONZIMA:** Madam Chairperson, we had introduced this amendment but later on when we consulted, we realised clause 28 is redundant because this is provided for under clause 28(2) and so, we are dropping it.

**MR MAGYEZI:** Madam Chairperson, I agree with the committee. It is already catered for.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 28 stands part of the Bill.

*(Question put and agreed to.)*

*Clause 28, agreed to.*

**MR ENOSI ASIIMWE:** Madam Chairperson, under clause 28 on the market administrator, I request that we emphasise waste management. We should put the responsibility of waste management under the administrator, as part of their responsibilities.

Possibly, when we get to clause 30, we emphasise that if the local authorities cannot take care of the waste, then this administrator can use the fees collected, under section 32, to make sure waste is disposed of effectively. This is because we have a challenge of markets being dumping grounds for this waste and the public or local authorities not taking care of that responsibility at times, and it becomes a nuisance to the to the environment.

**THE DEPUTY CHAIRPERSON:** Hon. Enosi Asiimwe, we agreed – remember there is going to be a statutory instrument and so, all this will come out in the statutory instrument. We do not have to include everything in the law.

**MR ENOSI ASIIMWE:** Madam Chairperson, I agree to the argument that there will be a statutory instrument but the whole Bill does not emphasise waste management yet waste management in these markets is one of the biggest challenges we have. Even in our local authorities, local councils have no trucks to pick this garbage. It becomes a heap; it becomes a nuisance and we do not have a solution to it. Therefore, I believe this is the opportunity for us to use this Bill to put in a clause that emphasises waste management and certainly, the environmental management around these markets. I submit

**THE DEPUTY CHAIRPERSON**: Minister, what is your view? Remember clause 28 has been passed.

**MR MAGYEZI**: Clause 28 on the market administrator says:

“The administrator shall be responsible for:

1. Overseeing the day-to-day management of the market…” The day-to-day management of the market includes garbage and waste disposal. I think it would be simply going into the finer details, and if the Member prefers, we can have all that in the regulations. In my opinion, it is there; and
2. Liaising with a committee or the administrative authority on the affairs of the market.

Therefore, if the garbage is not removed, then this administrator - whether he is for the private market or the public - liaises with the town clerk on how to manage this affair.

**THE DEPUTY CHAIRPERSON:** Hon. Enosi Asiimwe, you need to know that we are not deleting clause 28 completely. We are maintaining clause 28 as it was. They have deleted the amendment and of course, in the day-to-day management, it brings in those nitty-gritties of: is the market clean and all that kind of thing.

Clause 29

**MR ONZIMA:** Amendment of clause 29 - allocation of shops, pitch or stalls in a public market.

Clause 29 is amended by;

1. Insert a new subclause immediately after subclause (2), and number accordingly to read as follows: the allocation committee shall consist of:

“ Accounting officer who shall be the chairperson.

1. Finance officer
2. Revenue officer.

iii)  Production officer

iv)  Commercial officer

v)  Five representatives of vendors of whom there shall be a chairperson of vendors association, a woman, elderly youth and a person with disability.”

1. Insert two new subclauses immediately after clause 3 and number accordingly to read as follows;

 “(a) A person who intends to carry out business from a market shall apply to the allocation committee using the form prescribed in the regulation.

 (b) Notwithstanding subsection (4), the already existing registered vendors in the market, shall be allocated a shop or a pitch, or shall be treated as a priority.”

(c)  Insert two new subclauses immediately after subclause (6) and number accordingly to read as follows:

 “a) A person shall not hold more than one shop, pitch or stall in a public market.

b) A person who is a civil servant of a local authority, shall not be allocated a shop, pitch or stall in a public market within the jurisdiction of that local authority.”

Justification

1. To provide for composition of the allocation committee.
2. To provide for expression of interest to operate in a market in writing.
3. For equity and transparency in allocating working spaces in the market.

**THE DEPUTY CHAIRPERSON:** Minister -

**MR MAGYEZI:** Madam Chairperson, this is very critical. All the challenges we have in markets are because of this particular matter.

The Bill had proposed that there shall be an allocation committee to allocate stalls to the vendors. However, the Bill had not proposed who is to constitute this committee. At the moment, the administrators tend to put their own people. Therefore, I am glad that the committee has come up with the list of people and these are really the people concerned with the market. Therefore, I agree with (a) (b)- you need to fill a form and make an application if you want to operate in the market.

Under (c) I had a small variation from the committee. The proposal is that we insert two clauses. A person shall not hold more than one shop, pitch or stall; I agree with that. We do not want absentee landlords in the market; you should have one stall and then, (b) the committee is proposing a person who is in civil service of the local authority.

My proposal would have been a person who is in public service in that local authority. Civil service is only for the technical staff but I think the experience we have with the markets is that the local councillor who is in the service of that local authority should not also be a vendor in the market where he or she supervises and monitors. It is clearly a conflict of interest. Therefore, for me, I would have put a person who is in public service of a local authority.

**THE DEPUTY CHAIRPERSON:** Members, I think public service tends to be wider than civil service.

**MR AOGON:** Madam Chairperson, it is easier for the ministers to always adjust regulations. However, it is difficult for us to amend a law where there are challenges.

Therefore, I felt that all these requirements should have been left to the minister to handle; they are almost administrative in nature and if we try to prescribe here, they will give us a big challenge.

For instance, you are citing one issue that nobody should hold more than two stalls. When you go to most of these markets, which have been constructed for instance, you will find that there is a big space unoccupied. Therefore, what do you do in such a case and yet, there is somebody who has capacity to take more than one.

I felt we should leave it with the minister because he will have enough time to always agree with the people and adjust accordingly. Thank you.

**THE DEPUTY CHAIRPERSON:** Honourable minister, I would also want to find out, if you have a councillor elected and he has been a vendor in the market, then what happens?

**MR MAGYEZI:** Madam Chairperson, you are absolutely on point. This is a councillor who was a vendor before. That is okay. Therefore, there is need for that clarification, “except one who was a vendor before.” However, if you leave it like this, it even means that even the mayor may allocate himself stalls and this is very dangerous.

I think the people drafting need to bring that out as an exception.

**THE DEPUTY CHAIRPERSON:** How do you want it drafted?

**MR MAGYEZI:** A person who is in public service of a local authority shall not be allocated a shop, pitch or stall in a public market, within the jurisdiction of that local authority. Then (c) makes an exception to that for the councillor who was there as a vendor-

**THE DEPUTY CHAIRPERSON:** You can still continue and say “unless you have been-“

**MR MAGYEZI:** Unless the public officer was a vendor in that particular market before appointment.

Then on what a Member rose about the floors which are empty. Honourable, this is what we are trying to cure. Why are those floors empty? Because the wonderful public officers take the juicy spots on the ground floor and the others who do not have access to decision-making are given upper floors, so they end up going to the streets. That is what we are trying to cure.

**THE DEPUTY CHAIRPERSON:** There is another clarification from another worker.

**MS AGNES KUNIHIRA:** Thank you, Madam Chairperson. I see the minister referring a lot on the councillors. We must also take note that the councillors are not fulltime workers at the district and therefore, we cannot restrict their economic survival because they must work. I think our restriction should be on the civil servants who allocate those stalls.

I think we should leave out - even the chairman of the district, as long as he follows the guidelines given and applies for one stall, we cannot sit here and deliberate to-

**THE DEPUTY CHAIRPERSON:** So, we are maintaining civil.

**MR MAGYEZI**: Just some little clarification. Even other categories of service, for example, teachers in public schools who want to become councillors, the law says you resign. This particular clause is not about all markets but about the allocation of shops, pitches or stalls in a public market.

My point is, yes, you can go and operate in a private market, you can set up your own but to be a worker in the market, which you are overseeing as a public office, I think becomes difficult.

**THE DEPUTY CHAIRPERSON:** You know, we are trying to cure corruption. We want to avoid a situation where an LC V or a councillor allocates all the shops to himself.

We are saying if you are from Kumi Municipality you can have a shop in Bukedea, it does not stop you from that. However, there would be a conflict of interest if you did that in your own area of jurisdiction. Can the chairperson respond to that?

**MR ONZIMA:** I just want to give the House information. When we were trying to introduce this, we were trying to cure a problem. When these markets in municipalities were constructed, and when it came to allocation, you find that most of these market stalls in the lower areas, are taken over by these technocrats. They then rent them to the “would-be beneficiaries” particularly the market vendors. Yet Government is supposed to get money from this; instead, they become landlords on government property.

Secondly, when we were looking into that confusion in Soroti they were accusing the current district council speaker. However, the clarification was that when they were registering these vendors in 2010 when they were doing a survey and feasibility study, the speaker by that time was a market vendor. It was on that basis that we said, “No, maybe we can leave the politicians out *–” (Interruption)*

**MR AOGON:** To get a proper clarification from you: First, I would like this House to know that it may be unconstitutional for us to bar off the person from trading. First of all, they are not drawing money from the Consolidated Fund. If you bring the example of a councillor who is drawing money from the Consolidated Fund, that should be somebody who is getting money from Government.

However, on a private matter like trading, Madam Speaker, I feel we shall be bordering on unconstitutionality.

**THE DEPUTY CHAIRPERSON:** So, what do you want?

**MR AOGON:** My issue is with transparency in the process of allocating the spaces. But whoever gets the space should not be the issue because you will be curtailing the rights offered by Chapter Four of the Constitution of the Republic of Uganda.

**THE DEPUTY CHAIRPERSON:** The basis of this report is to cure that. You are failing to accept that there is a problem in allocation of these stalls to people; where those who know Hon. Silas Aogon will get more shops.

**MR ONZIMA:** Madam Chairperson, when we went to Hoima District, the vendors thought that we had gone to solve all their problems. All of them are renting from the city officials and yet these are public markets built by Government. Actually, the introduction of this was in good faith but we can deliberate on it and come up with a better solution.

**MS GALIWANGO:** Thank you, Madam Chairperson. In fact, the current situation is like the way the chairperson has put it; it is the district leadership and the technical officers, who have the stalls and they are sub-renting them. If this is the situation right now, honourable minister, through you, Madam Chairperson, there must be a new reallocation.

What I note is that I get 20 stalls and then give them out to all my children and other people. I do not know how we are going to cure this but it is going to be very thorough.

The minister has to get a very thorough team that has to be in that place and let whoever is owning a shop be there with all their particulars. Otherwise, people are suffering: the other parts which are up are empty, but these ones, which are down, the owners are not there - because they are absentee landlords. I thank you.

**THE DEPUTY CHAIRPERSON**: Hon. Galiwango, that is exactly what is happening, and it is the reason we are making this law. Can you make your amendment as is? Let us not put personal feelings into a law.

**MR MAGYEZI:** I would like to give a little information to the Member of Parliament from Mbale. We have just built a good market of over Shs 20 billion for Mbale District. About two or three months ago, we found that they were collecting Shs 1 million per month. What was the problem? Hon. Aogon, it is exactly what we are trying to cure.

The moment we put our foot down and said, “If you are a councillor in the city or a public officer, please get out.” Today, that market is collecting Shs 28 million. That assumption that councillors are not paid from the Consolidated Fund is not right. They actually get money from the unconditional grants, which comes from the Consolidated Fund –

**THE DEPUTY CHAIRPERSON:** Can you give us your amendment on clause 29?

**MR MAGYEZI:** My amendment is: “A person who is in public service of a local authority shall not be allocated a shop, pitch or stall in a public market within the jurisdiction of that local authority -

(c) unless that person was a vendor before taking up the posting in that local authority.”

**MR ONZIMA:** I agree with the minister since we are trying to cure that. If somebody was a vendor before he became a councillor, I think that is not an issue or maybe before you occupy any place of authority, I agree with him.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 29 be amended as proposed by the minister.

*(Question put and agreed to.)*

*Clause 29, as amended, agreed to.*

Clause 30

**MR ONZIMA:** There is one more to add: that is insertion of a new clause after clause 29 to read as follows:

“Abandonment of shop, stall or pitch allocated to a vendor.

(l) A person shall be deemed to have abandoned a shop, stall or pitch allocated to him or her if –

a) he or she has not occupied it for six months from the date the shop, stall or pitch was allocated to him or her;

b) he or she is in default of paying market dues for six months.

(2) Subject to subsection (1), the allocation committee may allocate the shop, stall or pitch to any other applicant.”

Justification

The allocated shop, pitch or stall should be occupied or market dues paid in order to have other pending applicants know their status.

**MR MAGYEZI:** Madam Chairperson, I would like to make a little adjustment. You are given a shop either in the public or private market, and you have spent six months without occupying it. Or you occupy it and six months, you are not paying anything. Really, are you a serious person? My proposal is that let us reduce that to three months. We are talking of revenues and the rights of other people to use this facility. I beg to reduce the period to three months.

**MR AOGON:** Madam Chairperson, I agree with the committee chairperson: six months is quite adequate. There have been issues, for instance, the COVID-19 lockdown, which are not factored into the law. In the event of a lockdown, will you chase away anybody?

I would like you to be careful when we are drafting this law. Six months but give exceptions. What about in the event that somebody is sick and they are not able to operate? Are you going to deny them because they fell sick for six months? I think a good law must have a window of exception. Thank you.

**MR OKUPA:** Thank you, Madam Chairperson. I agree with the minister. Surely, six months would be quite a long time because the central Government as well as local government also need to get revenue. I think we can have a win-win situation. Honourable minister, I would like to propose that we adjust it to four months. I think that will be a fair deal and a win-win situation.

**MR MAGYEZI:** Madam Chairperson, the condition by Hon. Silas is an exceptional and a very rare one. Really, we cannot legislate for COVID-19 in this particular law. I would agree, maybe four months. Colleagues, look at this; we are talking of even your own private market. You have allocated a shop to somebody and you are saying four months yet the person has not paid you.

**THE DEPUTY CHAIRPERSON:** That is like the Landlord and Tenants Bill, where we agreed on three months, whereby if you do not pay rent for a period of three months, then you should be able to – let me hear from other Members.

**DR ISAMAT:** Thank you, Madam Chairperson. In Soroti, given the sizes of the shops or lockups that have been allocated to people, some of those lockups are not able to accommodate the volume of stock that a business person may have. If a person opts to get another lockup, where part of that stock is stored, he or she pays for that lockup because that store also supports the very business that person does. What happens in that kind of situation?

**MR MAGYEZI:** I have been to Soroti Main Market and the situation in Soroti market is that there are more vendors; more people wanting to do the trade, than actually the stalls. We are trying to cure the problem of someone taking up two or three stalls and then he/she rents out one at exorbitant rates. Please help us to cure on this problem. *(Applause)*

**MR MIGADDE:** Thank you, Madam Chairperson. The fears of my brother - I think the law is not saying that the doors should be open all the time. Even when using one stall, maybe as a warehouse, you still open to get out items into the operational one. So, we are saying that if in three months this stall is not open and there are people looking for stalls because they do not have where to go and there is a stall which is not operational, then the three months is actually enough.

**THE DEPUTY CHAIRPERSON:** Actually, when a stall or shop is abandoned, it is not operational and as a result, the person is not paying and as government, we are losing money. This is why we are asking how much time do we give?

**MR ONZIMA:** Madam Chairperson, this was a proposal from the committee. On behalf of the committee, I would like to concede that we consider three months so that we are in line with the Landlord and Tenant Bill *(Applause)*.

**THE DEPUTY CHAIRPERSON:** Minister, can you move the amendment.

**MR MAGYEZI:** I beg to move an amendment under subclause (1)(a) to read: “He or she has not occupied it for three months from the date the shop, stall and pitch was allocated to him or her”. Then under (b), “he or she is in default of paying market dues for three months”. I beg to move.

**THE DEPUTY CHAIRPERSON:** I put the question that the new clause, as amended, stand part of the Bill.

*(Question put and agreed to.)*

*New clause, after clause 29, agreed to.*

*Clause 30, agreed to.*

**MR AEKU:** I had an issue on clause 30.

**THE DEPUTY CHAIRPERSON:** Clause 30 did not have any amendments.

**MR MUWUMA:** The committee could have missed out something that I think we can look at as a House. I still have a problem with waste management. Clause 30 is talking about general cleanliness of these markets. When you look at clause 30, it talks about the person occupying they pitch –

**THE DEPUTY CHAIRPERSON:** There is a procedural matter.

**MR OKUPA:** Thank you, Madam Chairperson. The procedure for reconsideration of a matter that has been put to question is recommittal. It is not procedurally right for a Member to discuss the matter that has been passed. So, can he procedurally move that matter in a better procedural way, as required by the Rules of Procedure?

**THE DEPUTY CHAIRPERSON:** Honourable member, if you want to reconsider a matter that has already passed, then you go for re-committal. However, this Bill has been in the committee for over 45 days and so, you ought to have taken your amendments to the committee. When we look at it, there is no amendment. So, you are supposed to take your amendments to the committee and the amendments are made.

Clause 31

**THE DEPUTY CHAIRPERSON:** I put the question that clause 31 stands part of the Bill.

*(Question put and agreed to.)*

*Clause 31, agreed to.*

*Clause 32, agreed to.*

*Clause 33, agreed to.*

Clause 34

**MR ONZIMA:** Madam Chairperson, on clause 34, the committee introduced an amendment. Clause 34 is amended by substituting for the word “one”, appearing immediately in line four, towards the end of the clause, with the word, “two”.

The justification is that custodial punishment for breach of condition of license should be heavy enough in order to deter a person from breach.

**MR MAGYEZI:** I agree with the committee. When you look at the penalties provided in the subsequent section, it is 60 currency points or one year. Since we are talking of a heavier penalty, 120 currency points should also go with two years. I agree with the committee.

**THE DEPUTY CHAIRPERSON:** I put the question that clause 34, be amended, as proposed.

*(Question put and agreed to.)*

*Clause 34, as amended, agreed to.*

*Clause 35, agreed to.*

*Clause 36, agreed to.*

*Clause 37, agreed to.*

Insertion of two new subclauses

**MR ONZIMA:** Madam Chairperson, there is insertion of two new subclauses after clause 37 to read as follows –

“a)Obliteration of market facilities

1) A person shall not damage, deface, misuse or interfere with any equipment, installation, fittings or fixtures provided in the market without authority from the market master or market administrator.

2) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding 24 currency points or imprisonment not exceeding six months or both.”

Justification

To secure market property and installations

“b. Prohibited sales

1. A person shall not-

(a) sell goods other than at the designated shop, pitch and stalls;

(b) exhibit goods for sale on pathways, or over any drain channel within a market.

1. A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding currency 24 currency points or imprisonment not exceeding six months or both.”

Justification

(a) To protect public property from being vandalised.

(b) To provide an orderly market for venders and customers to operate.

**MR MAGYEZI:** Madam Chairperson, I agree with this insertion to protect our market facilities but I think the committee was a little bit shy on the penalties.

Just look at a person who damages, defaces, interferes with equipment installation, fittings in the market. Do you give that one six months?

We are constructing markets, putting new public address systems, CCTV cameras and screens. When you damage such heavy equipment, should we equate you to somebody who put his clothes on the wrong space? I think the penalties, for this case of damaging installations, facilities and equipment in the market, was too law.

My proposal is that that person should get a fine of 120 currency points or imprisonment not exceeding two years. This 24 currency points – is it not Shs 240,000?

You damage a CCTV camera, public address system, stalls and we charge Shs 200,000? Leave the rest as it is but it should be a fine not exceeding 120 currency points or imprisonment not exceeding two years or both.

**THE DEPUTY CHAIRPERSON:** Honourable minister, we have other laws in regard to penalties.

**MR OBIGA:** Madam Chairperson, I do not have the answer to what you are raising but my question is on whether you damage or deface with authority. The phrasing “shall not damage, deface or misuse without authority of the market”. If it is a damage, defacing, a misuse then it is that. You cannot go to a market authority and say: “I want to damage, deface or misuse this.”

Let it be redrafted and that is why you are going to raise a penalty, but I also entirely agree with you. Reference could be made to the fines in other laws related to (b) so that we have consistency of the kind of fines which flow throughout our laws but I do not have an immediate one in my mind. Thank you.

**THE DEPUTY CHAIRPERSON:** I think it will also depend on the gravity of the offence. You cannot generalise it. Let us look at the gravity of the offence which is provided for in other laws.

**MR EZAMA:** Madam Chairperson, I would like to submit that a person who damages an installation in the market should first be subjected to replacement of that same property that he has damaged.

**THE DEPUTY CHAIRPERSON:** That will come in the instrument.

**MR AOGON:** Madam Chairperson, I feel that we should delete those two provisions because we shall be trying to contravene what is already provided for in other laws.

The Penal Code and other laws are there. We might even prescribe here a less sentence than what is provided in the law. If somebody goes to damage, there is already a law. So, I feel the regulations that you are going to make will cover most of the gaps. Thank you.

**THE DEPUTY CHAIRPERSON:** We cannot just delete the penalty. People will now do everything that they want to do and think that there is nothing you can do, but the penalty that we are going to suggest here should be consistent with other laws.

**MR ONZIMA:** Madam Chairperson, I think you have just clarified but we were also looking at other circumstances where specific penalties are brought, particularly electoral laws. Much as we have other offences in the Penal Code and other laws, you realise that in electoral laws, there are offences and punishments prescribed. It was on that note that we introduced that.

However, I would like to agree with the minister. When we moved into these markets, we realised that a number of facilities were put there, including public address system and cameras to monitor the whole market. So, if somebody comes and destroys such a thing, then six months would be a joke. I agree that we move to 120 currency points or two years of imprisonment.

**THE DEPUTY CHAIRPERSON:** Honourable minister, move the amendment.

**MR MAGYEZI:** I beg to move under part one of that insertion in line with hon. Kania’s proposal, which I totally agree with.

1) “A person shall not damage, deface, misuse or interfere with any equipment, installation, fittings or fixtures provided in the market.”

2) “A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding 120 currency points or imprisonment not exceeding two years or both.”

**THE DEPUTY CHAIRPERSON:** Thank you. I put the question that the two new subclauses be inserted immediately after clause 37 as proposed, with amendment from the minister.

*(Question put and agreed to.)*

*New subclauses, agreed to.*

*Clause 38, agreed to.*

*Clause 39, agreed to.*

*Clause 40, agreed to.*

*Clause 41, agreed to.*

*Clause 42, agreed to.*

*Clause 43, agreed to.*

*The Schedule, agreed to.*

**THE DEPUTY CHAIRPERSON:** Hon. Milton Muwuma, anything?

**MR MUWUMA:** Madam Chairperson, though my brother, the Government Chief Whip, has cautioned us against the risk of introducing new clauses –

**THE DEPUTY CHAIRPERSON:** He guided the House. Why don't you wait for the House to first resume?

**MR MUWUMA:** Madam Chairperson, there is the issue of validation.

**THE DEPUTY CHAIRPERSON:** Pardon?

**MR MUWUMA:** The issue of validation. Well aware that we have a countrywide challenge of having vendors who are non-existent, I thought we would put a clause saying, “Having a validation exercise of three months after…” I thought we would introduce it somewhere.

**THE DEPUTY CHAIRPERSON:** Hon. Milton Muwuma of Kigulu, a very senior Member of this House and - with due respect - as the vice-chairperson of the committee, I am happy you have said something. You know, I had not heard your voice.

MOTION FOR THE HOUSE TO RESUME

**THE DEPUTY CHAIRPERSON:** Hon. Margaret Rwabushaija?

6.33

**MS MARGARET RWABUSHAIJA (Independent, Workers’ Representative):** Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

**THE DEPUTY CHAIRPERSON:** Honourable members, I put a question that the House do resume and the Committee of the whole House reports thereto.

*(Question put and agreed to.)*

*(The House resumed, the Deputy Speaker presiding\_)*

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

6.34

**MS MARGARET RWABUSHAIJA (Independent, Workers’ Representative):** Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled, “The Markets Bill, 2021” and has amended clauses 1, 4, 6, 8, 9, 11, 16, 17, 19, 20, 25, 26, 29 and 34, and introduced new clauses after each of clauses 6, 29 and 37. I beg to report.

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

6.34

**MS MARGARET RWABUSHAIJA (Independent, Workers’ Representative):** Madam Speaker,I move a motion that the report from the Committee of the whole House be adopted.

**THE DEPUTY SPEAKER:** I now put a question that the report from the Committee of the whole House be adopted.

*(Question put and agreed to.)*

*Report adopted.*

BILLS

THIRD READING

THE MARKETS BILL, 2021

6.35

**MS MARGARET RWABUSHAIJA (Independent, Workers’ Representative):** Madam Speaker,I beg to move that the Bill entitled, “The Markets Bill, 2021” be read the third time and do pass.

**THE DEPUTY SPEAKER:** I now put a question that the Bill entitled, “The Markets Bill, 2021” be read the third time and do pass.

*(Question put and agreed to.)*

A BILL FOR AN ACT ENTITLED, “THE MARKETS ACT, 2021”

6.36

**THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi):** Madam Speaker, I stand to thank you most sincerely, for taking us through this very important Bill. I also wish to thank the mover of the Bill, Hon. Margaret Rwabushaija, for a good job well done. Further, I thank the committee – *(Applause)* - for the time they spent scrutinising the Bill and the report they prepared and presented to Parliament.

This is a very important Bill for us in local government sector. Many of you have been complaining about the challenges in our markets, conflicts, fights and confusion, in terms of management, but you can bear with us - we have been using a law of 1942. So, this is a landmark, in terms of the achievements of the 11th Parliament. I thank you, Madam Speaker. *(Applause)*

**THE DEPUTY SPEAKER:** Thank you, honourable minister. Chairperson?

6.38

**THE CHAIRPERSON, COMMITTEE ON PUBLIC SERVICE AND LOCAL GOVERNMENT (Mr Godfrey Onzima):** Madam Speaker, I want to take this opportunity to thank you. I think this is an achievement for the entire Parliament under your leadership.

I also want to thank all my committee members - I have a committed team - for the commitment they showed while we were processing this Bill.

Further, I want to take this chance to congratulate Hon. Margaret Rwabushaija, for initiating this Bill as a private Member’s Bill. I think, as the minister said, the colonial law we had was archaic; it did not meet the needs of the present population. So, thanks to the House for passing this into law. Thank you very much. *(Applause)*

**THE DEPUTY SPEAKER:** Thank you. Yes, honourable member?

6.39

**MS MARGARET RWABUSHAIJA (Independent, Workers’ Representative):** Madam Speaker, allow me to add my voice to thank you so much for the work well done.

I also thank the seconders - Hon. Agnes Kunihira, Hon. Charles Bakkabulindi and Hon. Alum Santa.

I thank, in a special way, the Minister of Local Government, Hon. Raphael Magyezi; the Committee on Local Governments, Members of the previous and this 11th Parliament, the Department of Legislative and Procedural Services.

I thank the Executive Director, the Lord Mayor and their respective staff of KCCA, the trade union fraternity and the strategic partners – that is UWOPA, ActionAid And others.

Finally, and above all, I thank the Lord who has made it possible for me, in particular and for all of us Members of Parliament - this is an achievement for all of us. We have been able to repeal a law of 80 years. For God and my country. *(Applause)*

**The Deputy Speaker:** Thank you and congratulations, Hon. Margret and your team. I want to thank the committee and its members. Minister of Local Government thank you very much, with all the stakeholders who have been involved. I especially want to thank the Government Chief Whip, with your members.(*Applause*)

I want to also thank the members the other side. Thank you very much. *(Laughter)*

Honourable members, it is not easy to process a private member's Bill yet it is our constitutional right. Whereas it is our constitutional right, Government Chief Whip, we want to ask you to support Members in processing the private member's Bills. Do not limit these Bills to only Government. For instance, this markets Act will go a long way to help us manage our markets for the benefit of our people. It will reduce corruption in the markets, increase the money that goes to the Consolidated Fund and it will help in the operations of our markets.

As we move towards middle-income status, reducing the level of poverty, management of these markets is very crucial. They will help us in making sure that we support our locals in doing all this.

Once more, Hon. Margaret, thank you very much. I know there are a number of Members who have private member’s Bills. Please, bring them. Stop denying people certificates of financial implication. These people are doing it in good faith because Government is not bringing them. Please, support your Members of Parliament. Government Chief Whip, I implore you on this.

6.43

**The government chief whip (Mr Thomas Tayebwa):** Thank you, Madam Speaker. We have not, on our side as Government, denied any Member a certificate. I think Members only need to consult more in terms of our offices here so that they do not bring Bills, which have a charge on the Consolidated Fund. The moment a Member tables a Bill that has a charge on the Consolidated Fund, it becomes difficult.

Therefore, I would like to implore Members to use our offices here. Madam Speaker, you provide us with a lot of resources in terms of legislative drafting and all that so that the Bills we table before Parliament and, therefore, Government, do not have such issues –*(Interruption)*

**Mr ekanya:** Thank you, Madam Speaker. I would like to seek clarification from the Government Chief Whip, whether there is any Bill he can cite that will be on this Floor that will have no charge on the Consolidated Fund. Every Bill that comes either requires staff or an institution/organisation to implement. The purpose of a certificate of financial implications, I thought, was to resolve that and build the course in the budget.

Therefore, what do you mean by saying Members should not bring Bills that have a financial implication?

**The Deputy Speaker:** Of course, Article 93 of the Constitution is very clear. Based on that Article, all is saying is that we need to work in consultation with this office.

However, you cannot have a Bill without any financial implication. Zero financial implication? You are talking about fire extinguishers in this one; how are you going to acquire them? Are they going to come from heaven?

**Mr THOMAS tayebwa:** Madam Speaker, that is why I have said that it is very important for Members to utilise the resources we have here. Also, if there are Members who have Bills and have not received certificates of financial implication, please get in touch with my office so that we have this resolved. Thank you. *(Applause)*

**The Deputy Speaker:** Thank you for that assurance. This helps you in your work, our Government Chief Whip. We are here to support Government and not to fight it; so, whatever we bring is in good faith. *(Applause)*

I want to thank you, Members, very much. I adjourn the House to Thursday at 2.00 p.m. tomorrow being a public holiday.

*(The House rose at 6.47 p.m. and adjourned until Thursday, 17 February 2022 at 2.00 p.m.)*