



PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

FOURTH SESSION - THIRD MEETING

TUESDAY, 18 FEBRUARY 2025



PARLIAMENT OF UGANDA
IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

FOURTH SESSION - 14TH SITTING - THIRD MEETING

Tuesday, 18 February 2025

Parliament met at 1.59 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, I want to welcome you to this afternoon's sitting. I do not know where – I was actually going to suspend the House because of you.

We are cognisant of the plight and the fate of Dr Kiiiza Besigye, who remains in pre-trial detention in Luzira Maximum Security Prison, despite the Supreme Court ruling which took place on 31 January 2025. The Supreme Court directed the Executive to take immediate action, including amending of the UPDF Act and the transferring to civilian courts, of all active cases involving civilians and the military court.

However, to date, uncertainty prevails on the status of implementation of the directive of the Supreme Court. For the sake of clarity, I would like to pose the following questions to the Minister of Justice and Constitutional Affairs, to the Attorney-General, and to the Minister of Internal Affairs:

1. Have the legal advisors to Government rendered appropriate advice on the

continued pre-trial detention of an ailing Dr Besigye?

2. What is the legal basis for the continued detention of Dr Besigye in Luzira?
3. Under what instrument does Uganda Prisons Service continue to hold Dr Besigye?
4. What steps have you taken to comply with the Supreme Court directive?
5. How long will it take to conclude the transfer of all active cases involving civilians from the General Court Martial to the civilian courts?
6. What sustainable action has been taken to address the concerns surrounding the health of Dr Besigye?

As a House of Representatives, we are a voice of the voiceless. *(Applause)* We are elected to speak for those people out there who cannot be in this House. If we cannot do that, then we are not representing our people.

The continued detention of unwell suspects sets a dangerous precedent that may be applied to any one of us. Injustice to anyone is injustice to everybody. Today, it is happening to Dr Besigye; tomorrow, it will happen to any of us.

There is need to explore other appropriate modalities of confinement, if necessary, other than keeping the ailing suspect in unfavourable conditions that may potentially be fatal. I am aware that there are legal regimes that govern the pre-trial detention on treatment of suspects with peculiar circumstances, notably, the Constitution of the Republic of Uganda, 1995, and the Trial on Indictments Act, 1971.

Honourable members, I am aware that the Presiding Officer previously addressed some aspects of this matter on 28 January 2025, 4 February 2025 and 6 February 2025, and I will not revise his guidance on that. I will, therefore, invoke Rule 25(1) of the Rules of Procedure and vary the Order Paper to accommodate receiving an update from the Minister of Justice and Constitutional Affairs, the Minister of Internal Affairs, and the Attorney-General, on the questions I have asked Thank you.

2.07

THE MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS (Mr Nobert Mao): Madam Speaker, this morning I had a conversation with the Commissioner-General of the Uganda Prisons Service to find out the current situation of Col. Kiiza Besigye. He told me the following; as of today, Col. Kiiza Besigye has been on hunger strike for six days. This is his seventh day. He is only taking water. He is not eating any food.

The Commissioner-General informed me that because of the hunger strike, his health has deteriorated and therefore he had to be evacuated to a hospital. His personal doctor took charge of the evacuation in the presence of Col. Besigye's sister, Dr Olive Kobusingye.

It is not appropriate for me to report details of what was found. This is part of doctor-patient confidentiality. However, the Commissioner-General said that definitely Dr Besigye's health condition is alarming.

Under all the laws of Uganda, any person, especially those who are having health issues, are entitled to treatment. In this case, the prison authorities were able to take him to the hospital. Comprehensive tests were carried out, and the doctors are managing him.

The Commissioner-General of Prisons also informed me that Col Kiiza Besigye has continued with the hunger strike. Of course, this means that any medical response will not improve his condition because of the hunger strike.

Concerning your other question about the advice, the laws, what steps we have taken, and how long it will take to transfer the files, I wish to report the following –

THE SPEAKER: Honourable minister, on the hunger strike, he is not on it because he loves it. He is on it because he believes he is unfairly treated and on an unfair trial.

MR MAO: Madam Speaker, a hunger strike is a protest, and I accept your statement. He is protesting through a hunger strike. All through history, prisoners who feel that they are being unjustly incarcerated have resorted to hunger strikes. It is not my purpose to go into detail about why he is on hunger strike. I simply reported his condition, and we admit that it is alarming.

Now permit me, Madam Speaker, to respond to –

THE SPEAKER: As the legal advisor to the Government, after knowing that his situation is alarming, what advice have you given the Government to that effect?

MR MAO: Madam Speaker, that is what I am coming to because you gave me a set of questions. I would like us to go through the chronology of what we have done.

The judgment was delivered on Friday, January 31st. Immediately after the judgment, on Monday, the Attorney-General wrote to the Ministry of Defence and Veteran Affairs and the Director of Public Prosecution (DPP)—that is, the very next working day. The Attorney-General informed them that the cases should now be transferred.

On the very same day, the Attorney-General also wrote to the Chief Justice, asking the Chief Justice to appoint a judicial officer to be in charge of liaison concerning the transfer, who should liaise between all the actors. That is the first working day after the judgment.

On 4th February, the Chief Justice wrote back, appointing the Principal Judge as the liaison

officer. That is the second working day after the judgment.

On 6th February, the Attorney-General's Chambers forwarded the letter of the Chief Justice to the Ministry of Defence and Veterans Affairs and the DPP.

Around that time, Madam Speaker, we were here, and I came to the Floor and stated that it is the duty of Col Besigye's lawyers, and the lawyers of all those who were in the court martial, to extract a decree. That is part of their responsibility to their client. This decree only arrived on 13th February, almost two weeks after the judgment. That is when we received the draft decree. Unfortunately, Madam Speaker, the draft decree had errors. Some of the errors were as obvious as wrong names, for instance.

On 14th February, that is last Friday, the Attorney-General's Chambers corrected –

THE SPEAKER: Do you have a copy of the decree which was extracted?

MR MAO: Madam Speaker, the errors were corrected, and the corrected decree was sent to Col. Besigye's lawyers. We have not yet received the corrected decree. If we have received it as of now, we have corrected it from the Ministry of Justice and Constitutional Affairs.

We are concerned by the slow pace of Col Besigye's lawyers - (*Interjections*) - I have stated the chronology. You cannot take two weeks. If you are really concerned about the condition of your client rather than the politics surrounding that, they should have acted as fast as the Attorney-General's Chambers.

THE SPEAKER: Hon. Norbert Mao, help us to help you. That is why I asked you, whether you have the wrong copy of the decree so that we take the blame to the lawyers.

MR MAO: Madam Speaker, I have here on my phone, - (*Interjections*) - which I can forward, a letter dated 14th February, sending back the corrected decree.

THE SPEAKER: That was sending back. When did it come?

MR MAO: The decree came on the 13th, the very next day, it was sent back. That is how fast we are. (*Interjections*) We have done our job, but those who have chosen to politic rather than take responsibility for the fate of their client are now playing the victim. That is unfair, Madam Speaker.

THE SPEAKER: Hon. Mao, the bureaucracy in addressing the directive of the Supreme Court, should not be a ground for delaying the dispensation of justice. Okay, if they delayed bringing that, have you brought the amendment that they told you to bring? Or is it we, the Members of Parliament, who have delayed? Must you continue holding the suspects outside the law just because of the bureaucracy? They are not tried. They are on pre-trial. They are not on remand.

MR MAO: Madam Speaker, I am on record. On the day the new law year was opened, I addressed the members of the judiciary, and I appealed to them to prioritise matters of the liberty of citizens. I am as concerned, about the liberty of citizens, as any of us in this Chamber. I am only reporting that a lawyer who has got a duty to a client would have acted very quickly instead of waiting almost two weeks before extracting the decree. It is the duty of a lawyer to extract a decree rather than spending time politicking.

THE SPEAKER: Hon. Mao, we do not discuss people who are not in the House. What you have said about the lawyer, you should retract it, because he is not in the House. I am the custodian of the law here. Withdraw.

MR MAO: Madam Speaker, I respectfully withdraw. A copy of the decree is coming. I do not know whether I can now talk about my conversation with the Chairman of the General Court Martial, the Director of Public Prosecutions, or I should not talk about anybody -

THE SPEAKER: Just a minute Chairman. Did you say the decree is coming?

MR MAO: Yes.

THE SPEAKER: In how many minutes?

MR MAO: Madam Speaker, we are just across the road. We believe it will be here in less than 10 minutes.

THE SPEAKER: Okay, we will wait for it in 10 minutes so that you can continue with other questions.

MR MAO: Madam Speaker, the Deputy Attorney-General has already instructed our office to forward all the correspondences I have referred to. They include the letter of 3rd February to the Ministry of Defence and Veteran Affairs and the DPP, the letter to the Chief Justice to appoint a liaison contact, and the letter of 6th February, which forwarded the Chief Justice's letter to the Ministry of Defence and Veterans Affairs and the DPP.

There is also a 14th February letter, which is also coming, and I have a soft copy. In it, we corrected the decree and sent it back to the lawyers.

THE SPEAKER: Now, you are answering number five of my questions. Number one was; as legal advisors of the Government, what appropriate advice have you given for the continued pre-trial on detention of an ailing Dr Besigye?

MR MAO: Madam Speaker, in that situation, the suspect would be produced before the appropriate court, in this case, the High Court, and granted bail.

THE SPEAKER: Has the file been transferred from the court martial to the civilian court?

MR MAO: Madam Speaker, I have spoken to the Chairman of the General Court Martial, who instructed the Director of Public-Prosecutions of the Court Martial, whom I also spoke to. What they are waiting for in their file is this decree, which we now have. However, we deny any responsibility for the late extraction of the decree.

2.22

MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri): Thank you very much, Madam Speaker. This judgment was given inter-party. The Government was represented in court.

Secondly, we no longer, by the way, extract decrees. Chairman Mao, my colleague, we no longer extract decrees for purposes of execution. Court decisions, by nature, especially at the level of the Supreme Court, are self-executing. You do not need a decree to act. Therefore, if the judgment was passed inter-party, what more are you getting from a decree?

I really think that perhaps we could use other arguments, but not the late extraction of a decree. By the way, with or without a decree, that judgment is self-executing. You ought to have acted, even without any hesitation, because the danger of mentioning the decree is that you have many other people affected by that decision of the Supreme Court who do not have lawyers. What happens to them?

I think, Madam Speaker, it is advisable that Chairman Mao and the Executive use other reasons than a decree to delay Dr Besigye's release.

THE SPEAKER: As we talk about the delayed release or transfer to the civilian court, I asked you, what legal regime/basis are you using to keep him there? We are not saying that Dr Besigye is clean. He could have a case to answer, but he should be taken to the proper court for him to be able to answer it.

MR MAO: Madam Speaker, I think it is obvious that when you have been remanded by a court, and the martial is a court - (*Interjections*) - It is only the boundaries of the martial that have been de-alienated by the Supreme Court. The Court Martial has not been abolished, but it is the one that remanded Col. Kiiza Besigye.

Now, the release of Col. Kiiza Besigye will be ordered by the appropriate court when he is taken before that court.

THE SPEAKER: Hon. Mao, Article 23 of the Constitution is on the protection of personal liberty. It says:

“No person shall be deprived of personal liberty except in any of the following cases -

(a) In execution of the sentence or order of the court -”

Now, the court ordered that Dr Besigye be released, but you are depriving him of his liberty.

MR MAO: Madam Speaker, first, I hope this Parliament is persuaded that we did our duty as the Ministry of Justice and Constitutional Affairs. We responded very quickly because the letters that we wrote were about the Supreme Court – *(Interruption)*

THE SPEAKER: There is a point of order here.

MR KIBALYA: Thank you, Madam Speaker. I am in pain that we are in arguments with the Minister of Justice and Constitutional Affairs, who is supposed to be the custodian of the law of this country.

Instead of the Minister of Justice and Constitutional Affairs coming here to tell us what the law is supposed to do *vis-à-vis* what we are doing, he is standing on the other side to defend what is indefensible. We expect him to behave in a way the Parliament expects him to behave, much as the President appoints him.

However, if you are also coming here to behave like the Chairman of the Court Martial, we are in pain, honourable minister. *(Laughter)*

Is it in order for the minister, who is a Member of Parliament, to come here, and instead of debating like a minister, he is debating like the chairman of the Court Martial? Is he in order, Madam Speaker?

THE SPEAKER: Honourable members, we need to solve the problem concerning an ailing person.

Secondly, using a law, which is not there, to keep somebody in detention when that person is on pre-trial - honourable Minister of Internal Affairs, what instruments are you using to hold Dr Kiiza Besigye in prison?

2.27

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Speaker, I understand the background to this matter and I do not envy Hon. Mao in this position. Also, as we seek a solution within the law- I think we have about three matters to address. There is the health aspect of Dr Besigye but there is also - *(Interruption)* - wait a minute. I think we should be civilised enough to listen to each other.

There is also the issue of exercising rights and the extent to which you can go, which is an individual discretion in the case of Dr Besigye. The last one is the process of enforcing a court decision.

As we address this question, I would like us to reconcile all the three. Instead of-, if I may say so, going back and forth, we need to craft a solution around the three.

However, for now, I would like to report that, like the honourable minister said, the health aspects of Dr Besigye are being addressed.

THE SPEAKER: Honourable members, just hold on. The minister has brought up a very important point: that we need to find a way to solve this problem and that is what we want. We want the problem solved, and he is leading us in a better direction. Yes, honourable Minister for Internal Affairs -

GEN. MUHOOZI: Madam Speaker, like I said, we need to reconcile all the three. I had the occasion also to speak to the Commissioner-General. He said that yesterday they took Dr Besigye to a clinic of his choice.

THE SPEAKER: Honourable members, I have asked a question; under which instrument are you allowing to keep somebody in your

cells? That is your property, and that was why the Honourable minister has said, “We need to sit down, reconcile and see how best this can be handled.”

GEN. MUHOOZI: Madam Speaker, until the processes around effecting the court decision are complete, Dr Besigye is still in custody according to the order that took him there.

THE SPEAKER: Yes, exactly. Yes, the Leader of the Opposition?

Honourable Members-

2.32

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Madam Speaker, I thank you. This morning, I had a meeting with colleagues on this side (the Opposition), and to be honest, we became increasingly concerned about this, our people-centred Parliament, because these are matters of the people, and we are clearly getting agitated.

I am glad that we are now working together on this matter because we have raised it several times and have not seen an end in sight. We did not think that this people-centred Parliament was appearing as such.

Madam Speaker, there are only two ways that somebody can be held in any Government jail;

- (i) When you have been convicted and sentenced, whether to life or whichever number of years, legally speaking.
- (ii) When you have been remanded by a court of competent jurisdiction.

Those are the only two ways under which somebody can be in any Government jail. It is not, as some have said, a hostel or some kind of hotel. It is only those two legally provided for means.

Madam Speaker, we have asked again and again, after the Supreme Court decision which rendered the Court Martial defunct – (*Interjections*) - it ceased to be.

For those who know the law, we kept asking, “Why has the Government continued to hold on to these people?” We have not gotten any answers to those questions.

Madam Speaker, Hon. Chairman Mao’s excuse does not hold any water at all to say that Dr Kiiza Besigye’s lawyers delayed extracting a decree. The Attorney-General, whom you supervise, was a party to this matter. He is the one who appealed this matter.

Therefore, for you to give an excuse, “You see, we did not know what happened; we were in our chambers waiting for these lawyers to come and serve us the extracted decree”. Are you kidding me?

You were a party to this matter. You were the ones who went to the Supreme Court. The Court of Appeal had determined this matter. However, your chambers, sir, decided to appeal this matter. How do you then feign ignorance at this point?

I am glad you have mentioned, as all of us have, this is a non-partisan matter. At least it should be. I have given several examples, and I am sorry my colleague, I keep referring to you; I do not know if he is here. Hon. Paul Akamba is a Member of the National Resistance Movement (NRM). That man was granted bail by a court of competent jurisdiction, and he was kidnapped and abducted by gun-wielding goons within court precincts.

He is not an Opposition Member but rather an NRM Member, but it happened to him. That is what happens when you do not deal with injustices.

And by the way, Madam Speaker, these abductions continue to happen. Yesterday, a leader within my party, our head of mobilisation, a one Fred Nyanzi Ssentamu, was abducted in a similar manner. These things should stop because they are within the control of the state.

Here is the ultimate remedy. One, I am glad that, as Parliament, we are putting our foot

down. This Parliament is where we are going to fight our battles. I know that we can use all other spaces we have out there, radios, TVs and so on, but as Members of Parliament, this is our number one fighting space. We shall use it to fight for our people.

Now that we have talked about the ailing health and the very frail situation in which Dr Kiiza Besigye is - I went to see him in jail yesterday. He could not get out of bed to see us.

However, we saw the other political prisoners; Bobby Young, and others who were suffering in a similar manner. Can the state give us a timeline on when they are going to release these people?

That is the ultimate remedy. The excuse there has been, you see, we are waiting for the Director of Public Persecution (DPP) to take over these cases.

One, you are not supposed to direct the DPP. If the DPP is interested in any matter, these people should have been released, and then they can be summoned. The DPP does not sanction court files; it sanctions police files.

Therefore, you cannot say that the DPP is waiting for these court files to be transferred from the disciplinary court martial; that does not arise at all. These people ought to have been released a long time ago, and then the DPP could probably sanction any police file and summon them. They do not even have to be kidnapped, as we have seen it happen.

The solution to this predicament that we are grappling with is to release Dr Kiiza Besigye and all of these other National Unity Platform (NUP) political prisoners who are being held illegally. I hope that the Government will see sense in that.

THE SPEAKER: Honourable Members -

MR SSENYONYI: Madam Speaker, with your permission -

THE SPEAKER: Honourable members,

this is a very serious matter. People like Hon. Baryomunsi cannot even go to their villages now. The people will question them why they left their own?

Honourable members, listen to me. I want the Leader of Government Business, The Government Chief Whip, Dr Chris Baryomunsi, Hon. Mao, Gen. Muhoozi, and the Attorney-General. Then, on this side, let us have the Leader of the Opposition, the Shadow Attorney-General, the Chief Opposition Whip (COW), Hon. Mwijukye, Hon. Katuntu, Hon. Asuman, Hon. Nsibambi -Honourable, you are not going to choose for me. These are legal and life-related issues. We must take a decision and report back. Let us also have Hon. Nandala – *(Interjection)* - you do not want Nandala? Okay. We can have the shadow Minister for Internal Affairs.

Honourable members, we are going to suspend the House for 10 minutes and have a private meeting, after which we will come and report back. If the 10 minutes are not enough, we shall still communicate. No worries on the issue of time; Rule 8 gives the Speaker all the powers.

(House was suspended at 2.40 p.m.)

(On resumption at 3.15 p.m., the Speaker presiding_)

THE SPEAKER: Can we have order? Honourable members, in the Public Gallery this afternoon, we have a group of student leaders from the Guild Council of Mulago School of Nursing and Midwifery. It is located in Kawempe Division North, and they are represented by Hon. Shamim Malende. You are most welcome. Thank you so much for coming. Join me in welcoming them. *(Applause)* Thank you.

Honourable members, we went to a harmonisation meeting. During the meeting, a number of issues were raised and what was agreed is that we want solutions. And because we want solutions, we, as a team, tasked Hon. N Robert Mao, who is the Minister of Justice and Constitutional Affairs, Hon. Jackson Kafuuzi,

who is the Deputy Attorney-General, Gen. David Muhoozi who is the Minister of State for Internal Affairs and the Leader of Government Business to go and make a follow-up on the case.

We expect them to come and report by 4.00 p.m. today. *(Applause)* Next item?

MINISTERIAL STATEMENT ON THE
UGANDA NATIONAL EXAMINATIONS
BOARD (UNEB) GRADING SYSTEM
UNDER THE NEW CURRICULUM

THE SPEAKER: Minister of Education and Sports? *(Member rose_)* On what rule?

MS SARAH OPENDI: You just amended the rules –

THE SPEAKER: No, on what rule? Next item?

LAYING OF PAPERS

PROPOSAL TO BORROW UP TO EURO
EQUIVALENT OF USD 190,988,556 FROM
STANBIC BANK FOR THE UMEME
LIMITED BUYOUT

THE SPEAKER: Honourable members, Article 159(2) of the Constitution of the Republic of Uganda conditions Government to borrow with parliamentary approval and pursuit to Sections 36 and 39 of the Public Finance Management Act, and Rule 151(1) of the Rules of Procedure, I invite the Minister of Finance, Planning and Economic Development to table the loan request.

3.19

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Madam Speaker, I beg to lay on the Table the proposal to borrow up to Euro equivalent of \$190,988,556 from Stanbic Bank for the Umeme Limited buyout. I beg to lay.

THE SPEAKER: Thank you. In furtherance to Rule 155(2) of the Rules of Procedure, I refer the loan request to the Committee on National Economy.

MR SSEWUNGU: Thank you, Madam Speaker. I am just seeking your indulgence, not to interfere with your powers and rules, to allow me to go and look for Hon. Musingo, wherever he is. He has been here; we want the statement; it has not been uploaded. I have been calling him since he came, and he is not picking up my calls yet. He regularly picks up my calls. So let me look for Hon. Musingo to give us that statement on the grading system under the new curriculum.

THE SPEAKER: Please go; you are actually delaying. You go.

MRSSEWUNGU: Thank you, Madam Speaker.

THE SPEAKER: Next item?

REVIEW OF THE RULES OF PROCEDURE
OF PARLIAMENT

COMMITTEE OF THE WHOLE HOUSE

3.22

Rule 161

THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Abdu Katuntu): Madam Chairperson, the committee proposes that rule 161 is substituted for the following:

- (1) A Standing Committee, except the Business and Budget Committees, shall comprise not less than twenty members and not more than forty members.*
- (2) Notwithstanding subrule (1), the total membership of the budget committee shall not exceed sixty members."*

Justification

1. To reinstate the lower and upper limits for committees except for the Business Committee.

2. To ensure that all committees have manageable numbers.

I beg to move.

THE CHAIRPERSON: Hon. Aisha?

MR KATUNTU: Hon. Aisha is not here, but we did not have a minority report on this.

THE CHAIRPERSON: Thank you. Yes, Nathan?

MR NANDALA-MAFABI: Thank you very much, Madam Chairperson and the chairperson of the committee, my good brother Abdu.

The reason why you are raising the Budget Committee, to have 60 members, is basically because the Budget Committee is the one which processes the budget of the entire country.

Madam Chairperson, 60 members is a school. Good classes, 25 members. It is a school. On that basis, I think we should get a permanent solution for the Committee on Budget. I recall that in the Seventh Parliament, we had a Committee on Public Accounts, which managed all sectors of the country. It was in the wisdom of Parliament then to divide the Committee on Public Accounts into Central Government and Statutory Enterprises.

It would also be better because the budget - those parliamentary accountability committees are the ones who look after the audit exercise of the budget at the tail end. It would be very important, as Parliament, that we divide the Committee on Budget -

THE CHAIRPERSON: Hon. Nathan, what is your amendment?

MR NANDALA-MAFABI: My amendment, Madam Chairperson, is that 60 members are too many. I am just trying to say that a committee should comprise no more than 30 members.

THE CHAIRPERSON: “Minimum of 20; maximum of 40”.

MR NANDALA-MAFABI: Yes, Madam Chairperson. As you have seen, the Budget Committee has been put here specifically because it has a “minimum of 20 and maximum of 40” members, with the exception of the Budget Committee, which has 60 members.

The reason they are bringing 60 members - which I know the Committee on Rules, Privileges, and Discipline has - is that it has all chairpersons, ex-officios, and members.

Madam Chairperson, it would be better for us that this committee on Budget is divided.

THE CHAIRPERSON: Thank you. We do not even have a room where 60 members can sit.

MR NANDALA-MAFABI: That is why I want to move an amendment for purposes of accommodating members of the Budget Committee – Incidentally, we are no longer on sectoral committees; we are now in Programme-Based Budgeting. I think amendments will be coming here.

For now, I would like to move an amendment that the Budget Committee – I think this is the wrong place - should be divided.

THE CHAIRPERSON: What should it be divided into?

MR NANDALA-MAFABI: One should be in charge of local government, another one in central government, another one to be in charge of statutory affairs and maybe foreign affairs because there are missions. So, let us have three committees –

THE CHAIRPERSON: Hon. Nathan, you cannot fragment consideration of the Budget.

MR MUSASIZI: Thank you, Madam Chairperson. I am now speaking as a former member of the Budget Committee. The Budget Committee is like any other committee of Parliament. The problem is that in its membership, there are ex-officio members from other committees.

Therefore, why don't we say that "The Budget Committee shall comprise of a minimum of 20 members and a maximum of 40, like any other committee of Parliament"? The ex-officio members are not full members. They do not sign the report and do not come in regularly. They come in as and when they are needed.

THE CHAIRPERSON: They do not even vote.

MR MUSASIZI: Yes. Madam Chairperson, I agree with Hon. Mafabi. Sixty members in one committee? Unless you put subcommittees, it ceases to be a committee; sixty members are many.

I would like to plead with the chairperson that we bring back the numbers to a maximum of 40 members for the Budget Committee, just like any other committee.

MR KIBALYA: Madam Chairperson, as the minister talks about the Budget, I request that the chairperson also look into other committees. The Committee on National Economy has 54 members; it is close to the Budget Committee numbers. Therefore, as the chairperson of the committee does its reviews, let us have a maximum and other things happen, but 60 -

THE CHAIRPERSON: Honourable members, before the start of this process, everybody was invited to present his ideas to the committee. If you want to introduce a new idea, you have to wait for the next amendment. First, respond to these.

MR KATUNTU: Thank you very much, Madam Chairperson. Honourable colleagues, the Budget Committee is not like any other committee of Parliament –(Interjection)- It is not. One, it is charged with the responsibility of harmonising the national Budget and all sectoral budgets. This is our biggest role as Parliament itself.

The rules, as they are today, provide for all chairpersons of sectoral committees to be members of the Budget Committee. All these adjustments which happen in the budgeting

process take place within the Budget Committee. How can that be like any other committee of Parliament?

Two, every sectoral committee has a voice because when figures are either being changed or reallocations are done, they affect other sectors. That is why in the wisdom of the makers of the rules then, they found it necessary to have all chairpersons of the sectoral committees be members of the Budget Committee.

Three, we have been having challenges in the Budget Committee because the chairpersons have been rendered second-class members. Like the former chairperson said, they created a special membership. That was against the rules as they are now. All members of the Budget Committee, unless they have taken away their right to vote, are entitled to vote. In fact, what we are suggesting is that this should be entrenched.

Honourable colleagues, you cannot be an ex-officio member and you are a second category of a member of a committee. They should be part of the decision-making because they head sectoral committees, and their budgets are the ones that are affected by harmonisation, including prioritising which sector should be funded and so on.

Madam Chairperson, about the numbers –

THE CHAIRPERSON: First of all, regarding a standing committee, you are saying, "... except the Business and Budget Committees." What is that?

MR KATUNTU: The justification is:

1. To reinstate the lower and upper limits for committees, except for the Business Committee; and
2. To ensure that all committees have manageable numbers.

We have to deal with the numbers. The reason why we suggested these numbers is to cater for each and every Member of Parliament to be a member of a committee. You are in trouble. We have over 500 –

THE CHAIRPERSON: Hon. Katuntu, if you have a minimum of 20 and maximum of 40; remember that on top of those 40, you will have ex-officio members from other committees.

MR KATUNTU: No, no. We said “A minimum” and if the numbers are low, you can have 20 and then the chairperson because this is a range. We are talking about a range; minimum and maximum.

THE CHAIRPERSON: Are you saying that includes members of the sectoral and standing committees?

MR KATUNTU: Yes.

THE CHAIRPERSON: Do you know how many standing committees we have? 32.

MR KATUNTU: Yes. We have 32, and if we get the maximum, we will have eight or nine more members.

THE CHAIRPERSON: Look here, Hon. Katuntu, every budgeting starts with a sectoral committee. The Budget Framework paper; sectoral committee. Ministerial Policy Statement; sectoral committee. To consider the annual budgets, standing committees have to present them to the Budget Committee. So, why are you counting the ex-officio members among the 40 members?

MR KATUNTU: Madam Chairperson, decisions and changes are being made in the Budget Committee.

THE CHAIRPERSON: Ex-officio members are not counted. Let me have the owner of the committee.

MR MUSASIZI: Madam Chairperson, I think we need to appreciate the chronology. In the Ninth Parliament, the first Chairperson of the Committee on Budget was Hon. Tim Lwanga, deputised by Hon. Remigio Achia.

The Committee on Budget’s role then was largely to consolidate the reports from the policy or sectoral committees. Its additional

role was to consider the corrigenda that would follow the policy statements’ submission to the committees.

Over the years, we have seen the role of the Committee on Budget going beyond consolidation of the policy statements. What do we want to achieve here? I think the objective of this debate is to have a manageable committee, which makes decision making quicker.

Madam Chairperson, in the 10th Parliament, I chaired the Committee on Finance, Planning and Economic Development. At some stage like now, where we are beginning to think about campaigns in the constituencies, it is very difficult to raise a quorum in the committees. If you are looking for a third of 60 members, it is 20 members to sign your report. Is this what we want?

In my opinion – *(Interruption)*

MR SSEWUNGU: Madam Chairperson, let us not create laziness here. The moment you stood and won an election, you were meant to be here for five years. We cannot stand on the Floor of Parliament and say that now because of campaigns, some Members will not be attending the committees, yet you are being given your remuneration and everything else. Please, we cannot move in that direction. Members should be here, attend the plenary and then go for your business over the weekend – *(Interruption)*

THE CHAIRPERSON: There is a point of order.

MR KIBALYA: Thank you, Madam Chairperson. When we are here, we must face reality. You were in a committee today, how many Members were you in there? We were in the Committee on Physical Infrastructure today - my chairperson is there - and we were less than 10; so it is a reality that at a given period, Members are few.

THE CHAIRPERSON: Honourable members, if you want to make noise, the National Theatre is not very far - it was closed?

MR SSEWUNGU: There are no shows there. It is dead on arrival.

THE CHAIRPERSON: There is the Speaker's bar up. Let us listen. Today, we must finish these rules.

MR NANDALA-MAFABI: Thank you, Madam Chairperson. What the Minister of Finance, Planning and Economic Development was raising had a very valid point. If you read rule 173 of the Rules of Procedure of Parliament, one of the functions of the Committee on Budget is to "*scrutinise the proposed annual budget and harmonise recommendations of the House on the reports of the sectoral committees on ministerial policy statements.*"

Madam Chairperson, rule 173(2) states that:

"A chairperson of a standing or sectoral committee shall be an ex-officio member of the Budget Committee."

The reason is that they would go there to defend their budgets. My worry, which we must also look at, is that you have said, Madam Chairperson, that there are 34 chairpersons. Let us assume they are 60 against 26. They will all come and say, "Let us defend our budgets no matter the case." The 34 will defeat the 26, and since they are interested parties, they will always be there. In the end, we will have a crisis.

Committees do work on behalf of Parliament. We must have a committee, which is manageable. If we discover the work is too much, we divide it. Madam Chairperson, I want to tell you that recently, we passed here under rule 158, another committee on subsidiary legislation. This was good because we discovered there were no people implementing it. If we discover that the Committee on Budget is over-pressurised, then we must divide it and say, let one section deal with this or that.

However, Hon. Abdu is saying that we put it at 60 –

THE CHAIRPERSON: Hon. Nathan, the Committee on Budget can still work under a subcommittee by coming together to consolidate. I remember when you used to be the chairperson of the Committee on Public Account (PAC), you could make me a sub-chairperson in another section.

MR NANDALA-MAFABI: Madam Chairperson, you are right. We want the Committee on Budget to be one that can create subcommittees.

THE CHAIRPERSON: Hon. Katuntu, can we have a minimum of 20 and a maximum of 40 for all standing committees? The sectoral committee members should only go to the Committee on Budget when they are required to be there and present their reports.

MROGUZU: Thank you, Madam Chairperson. Could you please listen to me and then respond at once?

MR KATUNTU: First of all, after some arithmetic, can our technical people look at the numbers? If we propose 30, are all Members of Parliament going to be accommodated on committees?

MR NAMBESHE: Madam Chairperson, I think *senior* Katuntu could be oblivious to the formula used to determine committee membership, which the Clerk and other technical officers have already provided. It is determined in terms of the proportionality of the different numbers in the composition of our parties, which are in direct proportion to the parties' membership.

In the wisdom of the people who drafted the earlier rules, they wanted chairpersons of sectoral committees to remain *ex-officio*s but attend and participate in the deliberations of the Committee on Budget. It was not only to defend their budgets, but also to bear the wide knowledge they have in their sectoral committees to the benefit of whatever is consolidated and harmonised in the budget.

THE CHAIRPERSON: Remember, the members of the Committee on Budget also belong to sectoral committees.

MR OGUZU: Madam Chairperson, I think our purpose is to make the Committee on Budget efficient and cure any issues that have been associated with the committee. That means that the membership of the Committee on Budget must be justified in the sense that we have very useful input from the sectoral committees that must appear while the budget is either being consolidated, revised or interrogated.

With that in mind, I, first of all, propose that the other committee chairpersons should not only be *ex-officios* in the Committee on Budget, but they must be mandatory members of the committee – (*Interjections*) - let me make my proposal. The reason we are here is to share our thoughts and then a decision is made. Once that is done, you will have about 32 members who qualify and about eight people must be chosen, either sent by the Speaker or parties or an Independent -

THE CHAIRPERSON: The Whips.

MR OGUZU: Yes, maybe the party whips. Then, you will have several, about 40 people. With that, you avoid throwing many people into the Budget Committee with a financial cost because all those people will need to have the same privileges as members of the Budget Committee.

Therefore, if we want to achieve efficiency and good results and ensure that what was in the policy statements and discussions by the sectoral committees features prominently in the Budget Committee, with no uninformed proposals in the budget, I would implore honourable members to take that.

We must devise a mechanism for appointing those eight. The Speaker can give some, and the party whips can also appoint some. Then, we would have a properly constituted body that is efficient and easy to manage. I thank you.

THE CHAIRPERSON: Yes, information -

MR NANDALA-MAFABI: Madam Chairperson, I would like to give as to how we came to these numbers. The rule was that for every Member - in the initial time, if I can refer to the Seventh Parliament- to go to a standing committee, they would contest and are voted from here in the House.

We were 11 members- Hon. Abdu is here. The reason it was an odd number is that the committee chairperson was not counted because a committee chairperson would only vote when there was a tie. If you have 40, it means you can easily get an equal number. The basis at that time was that they were estimating the Parliament so they would divide.

Other members would miss being on a standing committee but never on a sectoral committee because one would fill in the name. Whenever it got to 11, they would draw the line.

In the subsequent parliaments, they decided to take the number of members of Parliament and divide it by the number of committees. For example, standing committees determined how many members would be on each standing committee.

The danger we shall get is that if, say, 40 - suppose Parliament gets to 1,000 – and we are at 40? Just speculating.

Madam Chairperson, I would like to implore the Committee on Rules, Privileges and Discipline to divide the number of MPs by the committees to determine the number of MPs per committee.

To avoid having a class of 60, we should have a limit. If we have said that the top maximum is 40, it should be 40. Going beyond 40, you will have a class, let people not come to Parliament. The danger we get-

THE CHAIRPERSON: Let us first hear from the committee chairperson.

MR KATUNTU: Thank you, Madam Chairperson. These numbers were arrived at after we calculated the current number of

MPs and committees. If we exclude *ex-officio* members and ministers, the number comes down to those who can legitimately belong to committees.

The second calculation gives a maximum figure of about 37 so we can go up to 40, maximum. Then we can propose the amendment of rule 161(1) as it is, and delete (2) because 40 would be able to accommodate it.

THE CHAIRPERSON: No, in rule 161(1), you say, "A standing committee shall comprise not less than 20 members, except for the Business and Budget Committee." Delete "except Business and Budget Committee."

MR KATUNTU: Yes, accept the business and budget committee.

THE CHAIRPERSON: And also delete (2).

MR KATUNTU: And then the entire (2) goes.

THE CHAIRPERSON: Yes, thank you. I put the question that rule 161 be amended as proposed.

(Question put and agreed to.)

Rule 161, as amended, agreed to.

Rule 173

MR KATUNTU: Rule 173, the proposal has been overtaken by events.

Rule 175

MR KATUNTU: Madam Chairperson, we do propose that Rule 175 is amended by substituting for subrule (1) the following - "(1) the Committee on Rules, Privileges and Discipline shall -

- (a) By order of the House, inquire into any complaint of contempt of Parliament, breach of privilege or any matter of privilege, which may be referred to it and to recommend to the House such action as the Committee may consider appropriate;

- (b) By order of the House, consider any matter of discipline including attendance of members at sittings of Committees or any complaint of breach of the Code of Conduct of members referred to it by the Speaker or the House, and to report its findings to the House;

- (c) Review these rules from time to time and make such recommendations for the House for amendment as the Committee considers necessary for the satisfactory functioning and efficient transaction of the business of the House and its Committees;

- (d) In accordance with rule 8, make amendments in line with the Speaker's ruling for consideration by the House;

- (e) Examine and advise the House on amendments proposed to these rules by members or other committees of the House;

- (f) Carry out such other functions as are conferred by these rules or assigned by the House.

Justification

To clarify the role of the Commission on Rules, Privilege, and Discipline with regard to matters that may be referred to it by the order of the House and those that may be considered at a committee's own volition. I beg to move.

THE CHAIRPERSON: Thank you.

MR NANDALA-MAFABI: Madam Chairperson, if you look at the old rules under rule 175, they are the same rules that the Chairperson is reading. I would like to inquire:

- (a) Consider the disciplinary by the Speaker, review the rules from time to time, examine and advise the House on amendments, and carry out other functions as may be conferred by the House.

Madam Chairperson, I would like to propose to the chairperson of the committee that unless

there is something specific, the current rule 175 suffices. If there is something new, then we can add it.

MR KATUNTU: No. Actually, Hon. Nathan Nandala-Mafabi has not read rule 175 properly. For example, the current position of the rules is that only matters referred to it by the House are considered, and this is in the opening statement.

“The Committee on Rules, Privilege, and Discipline shall, by order of the House...” - that is changing. It goes on thus: “The committee...” - even the drafting and everything has been changed because you can now initiate, for example, amendments to the rules. Even other committees can initiate proposals, which can go to the rules committee and then they are brought to the House for adoption.

THE CHAIRPERSON: The sectoral and standing committees -

MR KATUNTU: Yes. For example, in the execution of their duties, if a standing committee or sectoral committee feels that a particular rule is inadequate, then it can propose an amendment to make it function better.

Under this new regime, the committees can now initiate amendments to go to the rules committee, which eventually reports to the House.

MR NANDALA-MAFABI: Thank you, Chairperson. I think what we should amend is, instead of it saying, “...it shall by order of the House, the committee of rules and shall...” then we delete the words: “By order of the House.” That will be sufficient for the committed function because even as it says here, “carry out any other functions as and are conferred by these rules or assigned by the House.” You are free to do anything like any other committee – (*Interjections*) – exactly, it is like a repetition.

Madam Chairperson, if you agree, I would recommend that we amend only subrule one to read: “shall” and delete the words: “by the order of the House.”

THE CHAIRPERSON: Hon. Katuntu, it should be “By order of the House,” but now you are opening it for any committee to ask for a review of the rules. Any committee?

MR KATUNTU: Yes, we are doing exactly that, and there is a reason. You see, sometimes when committees are doing their work, they find hindrances and need to amend the rules to make them more effective.

They can now propose changes; it is actually about initiating changes. It is not that the committees are being given powers to amend the rules; they are given powers to initiate.

When you look at the current rules, you will notice that initiation can only come from the House – (*Interjection*) - but these are your rules.

THE CHAIRPERSON: What are we trying to cure? The other was “By order of the House.” Now, you are opening it to anybody who may say, “I want this rule amended.”

MR KATUNTU: As a committee, our opinion is that there is nothing wrong with a member or a committee of Parliament proposing a change because this is purely about proposing.

As the rules are now, not even a committee can propose a change to the rules committee yet when you propose, it eventually goes to the rules committee and ends up here.

THE CHAIRPERSON: Hon. Katuntu, it is like you are saying that a Member of the House can come to propose a change to the rules. If I could ask a sarcastic question, is there any problem with any Member chairing the House?

MR KATUNTU: Is there any what?

THE CHAIRPERSON: Hon. Sarah?

MSOPENDI: Thank you, Madam Chairperson. I have carefully tried to understand where the chairperson of the committee is coming from. I just wanted to ask, because 171(1)(e) states thus: “The committee can carry out any other

functions as are conferred by these rules or assigned by the House.” In my view, what the chairperson is proposing can actually be covered there.

I also wanted to find out from the chairperson whether we have had any scenario - because these rules were open to amendments but how come there is no single chairperson that proposed or raised an issue that, “we have a problem with this particular rule, let us actually amend it.”

I would like to see any scenario that has arisen that justifies this amendment. Otherwise, for me, what we have under 171(5)(1) is okay. We could just have it the way it is other than making amendments.

MR KATUNTU: It could be okay but let me answer this. By the time we came to this conclusion –

THE CHAIRPERSON: First listen to Hon. Oguzu Lee.

MR KATUNTU: We had had so many requests from Members. We have always told them that we cannot handle their requests because rule 175 does not allow us. Why doesn't it allow? You cannot rule –

THE CHAIRPERSON: Why are you reducing the powers of the House?

MR KATUNTU: No, they must eventually come here because it is only the House that does that. What we had - (*Interjections*) - please and can you understand this:

1. It is only the House that can amend the rules. Not even the rules committee can amend the rules;
2. What we are providing is to initiate. Hon. Opendi herself has been here several times trying to propose amendments. I can tell you that this rule could not allow you to amend. Why? Because that proposal can only come from the Committee on Rules,

Privilege and Discipline “shall, by order, of the House.” You cannot read “e” without reading “1.”

THE CHAIRPERSON: Hon. Oguzu Lee and then the Member for Buvuma.

MR OGUZU: Madam Chairperson, I think the way the rules are is very sufficient. In fact, the committee handling this matter should not have put itself in a situation where we would hold it responsible for conflict because it is now out to fish for business by creating avenues and expanding things that are already provided for.

For example, rule 75(d) says that your role will be “to examine and advise the House on amendments proposed to these rules by Members or other committees of the House.”

What you are trying to introduce is adequately provided for. What we are saying is that we should protect the rights of the House and control what you are going to be doing. Otherwise, if you do things behind our backs, we will not know what will be brought on board.

THE CHAIRPERSON: Honourable members – you are a member of the Committee -

MR OGUZU: Most importantly, Madam Chairperson, our rules provide that where a matter is not provided for, and the Speaker has provided guidance on such a matter, it is supposed to become a rule. It, therefore, means that it gives you some mandate to start codification of such. There are so many avenues through which you can derive business. I, therefore, invite you to abandon this position.

THE CHAIRPERSON: Hon. Katuntu, let us not go on a fishing expedition.

MR KATUNTU: I am surprised that Members do not want to have the powers to initiate. On that, let me concede. If you do not want powers, we can go to the next rule.

THE CHAIRPERSON: Next rule.

Rule 186

MR KATUNTU: Madam Chairperson, rule 186A is amended in subrule (1) –

In paragraph (a) by substituting for the phrase “...scientific and technological” the phrase “scientific, technological and innovation...”

b) by deleting paragraph (e).

Justification

1. To capture the complete mandate and functions of the committee in the rules of procedure; and
2. To remove the requirements for consideration of budgetary matters by the committee since it is a standing committee.

THE CHAIRPERSON: Government, do you have something to say? I put the question that rule 186 (a)(b) be amended as proposed.

(Question put and agreed to.)

Rule 186 (a) and (b), as amended, agreed to.

New rule

THE CHAIRPERSON: New rule?

MR KATUNTU: Madam Chairperson, the rules are amended by inserting, immediately after Rule 186A, the following:

“186B Functions of the Committee on Subsidiary Legislation and Post-Legislative Scrutiny

The Committee on Subsidiary Legislation and Post-Legislative Scrutiny shall:

- i) Examine statutory instruments that require Parliamentary approval;
- ii) Inquire into the implementation, impact and effectiveness of laws passed by Parliament;
- iii) Carry out such other functions as conferred by these rules or assigned to it by the House.”

Justification

To provide for the functions of the Committee on Subsidiary and Post-Legislative.

THE CHAIRPERSON: Hon. Abdu, why don't we limit it to subsidiary legislation only? Because the post-legislative scrutiny is done by all sectoral committees.

MR KATUNTU: Yes, I concede on that.

THE CHAIRPERSON: Thank you. Yes?

MR SSEWUNGU: I am not very comfortable with this subsidiary legislation. Hon. Abdu Katuntu, as a senior lawyer, should give us clear guidance. When we pass laws here, they are supposed to be implemented by the courts of law as they carry out their legal activities on certain matters related to those laws we have passed.

When you create this kind of committee, which is going to go back to the work that would have been done in the committee and even in Parliament - because we got to the Committee Stage and ended up passing the law. This seems like duplication of the work of Parliament which has passed a law that is supposed to go and be –

THE CHAIRPERSON: We already passed rule 158; this is consequential.

MR SSEWUNGU: I am not very comfortable with it, Madam Chairperson.

THE CHAIRPERSON: You are not comfortable but you will be.

MR SSEWUNGU: I will be but I hope it does not raise legal questions later on.

THE CHAIRPERSON: Yes, Hon. Nandala-Mafabi.

MR NANDALA-MAFABI: Madam Chairperson, I would like to implore the House and through the Chairperson, since we have talked about statutory instruments, we should also put treaties here. The justification for treaties

is that treaties are signed out, they become our law, and we must domesticate them. The person who should help us to scrutinise this should be this committee.

Therefore, I would like to propose, Madam Chairperson, that if you do not mind, we could put here statutory instruments – “treaties, and bilateral agreements and protocols.”

THE CHAIRPERSON: And the conventions.

MR NANDALA-MAFABI: Yes, and the conventions.

THE CHAIRPERSON: Committee chairperson?

MR KATUNTU: We might need to look at where that can belong. Whether it cannot belong to rule - because we have already amended rule 40(a) on treaties, ratifications, and so on. I am not yet so sure whether it would be under rule 40 or this one.

THE CHAIRPERSON: Hon. Nathan, look at rule 40.

MR KATUNTU: Because we have amended it before and we have provided details on ratifications and consideration of treaties.

MR NANDALA-MAFABI: Madam Chairperson, I have seen it; it talks about those but what I am trying to say is that there should be a committee. When they have been presented to the House, there should be a committee that can scrutinise them for us and make a report.

THE CHAIRPERSON: It is the Committee on Foreign Affairs that presents it. See Rule 40.

MR KATUNTU: Hon. Nandala, this is a new committee. Treaties are a function of some other committee.

THE CHAIRPERSON: Yes, so we are making –

MR NANDALA-MAFABI: I have seen it,

Madam Chairperson, I drop my case.

THE CHAIRPERSON: Okay, so we are moving post-legislative scrutiny only. I put the question that the new rule be inserted immediately before rule 186A.

(Question put and agreed to.)

New rule, inserted.

Rule 187

MR KATUNTU: Madam Chairperson, we propose that rule 187 is amended by:

(a) substituting for subrule (1), the following:

(1) “There shall be Sectoral Committees of the House whose composition shall be in accordance with rule 188.”

(b) in subrule (2),

i) by substituting for Paragraph (f) the following:

a. “Physical infrastructure covering works and transport;

ii) by inserting immediately after paragraph (f) the following:

(a) lands covering

i) Land;

ii) Housing;

iii) Physical planning; and

iv) Urban development.”

Justification

To split the committee into two to allow for adequate and effective consideration of all the subsector issues.

We beg to move.

THE CHAIRPERSON: Yes, Hon. Enos.

MR ENOS ASIIMWE: Thank you, Madam Chairperson and the committee chairperson. On the suggestion by the committee to split the Committee on Physical Infrastructure into two committees, we are moving into programme

planning, actually, we intend –

THE CHAIRPERSON: Programme-based budgeting.

MR ENOS ASIMWE: Yes, Programme-based budgeting. That means we intend to actually bring all these committees into the 20 programmes or so. Now again, here we are proposing that we split further the already existing committees. Is the committee advising us rightly? *(Laughter)*

THE CHAIRPERSON: Yes?

MS OPENDI: Thank you, Madam Chairperson. It surprises me because when you talk about physical infrastructure, you cannot separate lands from works because whatever works does is on land and normally there are issues –

THE CHAIRPERSON: First declare your conflict. You are conflicted, that I know.

MS OPENDI: Madam Chairperson, it is not about conflict, but it is about objectivity. The people who made this rule actually foresaw that. That is why in rule 187, under sectoral committees, they said that the Committee on the Physical Infrastructure shall cover lands, housing, urban development, works and transport, and physical planning because you cannot separate them. So, Madam Chairperson –

THE CHAIRPERSON: Does Works also handle ferries?

MS OPENDI: Yes, it does.

THE CHAIRPERSON: Which are in water. Okay.

MS OPENDI: Therefore, Madam Chairperson, I would like to request the committee to drop this since we are moving into programme-based budgeting. To me, there is nothing because much of the work of the Committee on Physical Infrastructure is under Works. Thank you.

THE CHAIRPERSON: Member from

Alebtong, from the Tourism City, and from Kasilo.

MS DORCAS ACEN: Thank you, Madam Chairperson. I agree with what Hon. Enos has just submitted about the idea of maintaining this committee as one because of programme-based budgeting, and also because we have so many other committees. I want to give another example. The Committee on Agriculture, Animal Industry and Fisheries is very busy. They meet almost on a daily basis - even the Committee on Education and Sports - but still they are managing to handle all the issues, which are supposed to be handled by the committee effectively. Also, because of program-based budgeting, it would not be right for us to keep on splitting committees. Otherwise, all other committees are going to submit in the next amendment that they would like for their committees to split.

THE CHAIRPERSON: Honourable member for Alebtong, we are looking at separate mandates. When you talk about agriculture, it is purely agriculture. It is one mandate. That is part of agriculture. It is just the name that differs – yes, Member from the Tourism City.

MR RUHUNDA: Thank you. I am in support of splitting. The reason is that if we are looking at issues of land and housing – when we are talking about the new cities we have created, the physical planning; this is very far from those preoccupied with road networks and transport. They are really very far. That is why when you have these specialised experts in the physical planning of the country – it is a docket that needs special attention. That is why I am of the view that we get this split such that we have good output from these committees and the ministry.

MR OKUPA: Madam Chairperson, I would not have a problem with splitting committees, but I had wanted us to just be consistent. When you look at the Committee on Legal and Parliamentary Affairs, you notice that it has eight MDAs. When you look at the Committee on Presidential Affairs, you realise it has 10 MDAs; you can see. Therefore, why would

we split that which is small? I thought it was because we were talking about the work so that people would concentrate. However, following from what the –

THE CHAIRPERSON: Hon. Elijah, do not look at the number but the programme areas, based on the programme-based budgeting.

MR OKUPA: Yes, I take cognizance of that, Madam Chairperson. If we are to handle it this way, then we have to be consistent so that it now cuts across all the committees. When Hon. Alex talks about housing and the cities, those go hand in hand with the roads because if you do not plan the roads in those cities, then we shall have no access roads.

To me, that cannot be the argument. Thank you.

THE CHAIRPERSON: My brother is conflicted because he has been a Member since the sixth Parliament. Yes, Hon. Obua. Let us hear from the Government also.

MR OBUA: Madam Chairperson, mine is first of all to support the position of the committee because that is in tandem with the programme-based budgeting as a justification. I wish to proceed and seek some clarity from the committee chairperson because there has also been a call in line with the programme-based budgeting. There is the Committee on Tourism, Trade and Industry. There was a call also to split it into two - *(Ms Opendi rose_)*

THE CHAIRPERSON: On which rule? No, that is not the rule.

MR OBUA: Wildlife, tourism, and antiquities, then trade, industry, and cooperatives. *(Ms Opendi rose_)*

THE CHAIRPERSON: Why don't you wait and we hear from the Government Chief Whip?

MR OBUA: That is the first clarification I want to make; whether that consideration probably has also been made. Then the Committee on Natural Resources also appears huge. In line with the programme-based budgeting,

there was a call to also have it split into two; energy, minerals and petroleum, then water and environment. I am inquiring whether that consideration has also been – *(Ms Opendi rose_)*

THE CHAIRPERSON: Who are you calling to order? There is nobody on the Floor.

MS OPENDI: No, I rise on a procedural issue. Can I raise it?

THE CHAIRPERSON: There is nobody on the Floor.

MR OGUZU: Madam Chairperson, the Government Chief Whip has spoken and made very useful points. I am aware we have already processed the Budget Framework Paper and there are costs, which are assigned to whatever we want to do. These proposals are coming way after we have processed the budget of Parliament. Yet what we are doing will have financial implications. Both of you are here; the Minister of Finance, Planning and Economic Development is here. Can you allay our fears that what you are doing here will not burden the Government and that you have the resources to cater for this split? This is so that the whole country knows how you want to be in wasteful expenditure when we are trying to ensure –

THE CHAIRPERSON: Honourable members, when you look at the programme areas in NDPIV, you notice that mineral development has its programme. Sustainable energy development has its programme. Tourism development has its own. Natural resources, environment, climate change, land and water have their own. Sustainable urban and housing also has its own programme. I think what the Government Chief Whip is saying is in relation to NDPIV.

Yes, Madam Procedure.

MS OPENDI: Thank you very much, Madam Chairperson. There is no better way to contribute to an item rather than through either procedure, information or point of order.

When we were handling the Budget Framework

Paper – *(Interjection)* - can I request for the attention of the Chairperson? – When we were handling the Budget Framework Paper, the Speaker directed the Speaker directed the Attorney-General that considering that now we are into the programme-based budgeting, there is need to amend the PFMA and the Attorney-General indicated that they, as a Government, would actually do so. This was so that we actually also align our committees based on the programme-based budgeting.

Therefore, Madam Chairperson, instead of doing this piecemeal, why don't we wait for that consolidated paper from the Government so that then we can amend all the committees, and make amendments to our rules for all the committees, other than looking at one? Doing this leaves me wondering why particularly this one, when we have others that also need to be aligned to the programme-based budgeting?

I want to propose that we stand over this until we have the document from the Cabinet, from the Government side, aligning all their programmes. Then this Parliament can amend or adjust the committees according to those programmes. It is just my proposal. Thank you.

THE CHAIRPERSON: Honourable members, nobody will amend the rules apart from Parliament. The Cabinet cannot amend the rules and these rules are not cast in stone. Honourable chair of the committee, are you in agreement with what the Government Chief Whip said? If so –

MR KATUNTU: Yes, but we need to consider those proposals in detail and we see how we can split them. It is not that we shall say let us split and we split in the heat of the moment. We considered this one in detail. By the way, the decision to create this committee has already been taken. What we are looking at now are the functions.

THE CHAIRPERSON: By the NDPIV, the Budget Framework Paper, by you. The problem is that you do not know what you do in the House.

MR KATUNTU: You did not attend the

plenary sitting.

THE CHAIRPERSON: I put the question that rule 187 be amended as proposed.

(Question put and agreed to.)

Rule 187, as amended, agreed to.

THE CHAIRPERSON: The amendment proposed by the Government Chief Whip will come in another –

MR KATUNTU: The committee will be willing to consider the details and examine them appropriately.

THE CHAIRPERSON: With amendment from the Government Chief Whip.

(Question put and agreed to.)

Rule 187, as amended, agreed to.

Rule 188

MR KATUNTU: Composition of sectoral committees. Rule 188 is amended by substituting for subrule (1) the following -

THE CHAIRPERSON: Honourable members, we are trying to reach Chairman Mao. I have given my phone to somebody but he has not yet picked up the call. We are, however, still trying to reach him. Yes?

MR KATUNTU: Rule 188, the proposal is to amend by substituting for subrule (1) the following - *(Interjections)*

THE CHAIRPERSON: Is he embarrassing Northerners? *(Laughter)*

MR KATUNTU: “A sectoral committee shall comprise of no less than 20 members and not more than 40”.

THE CHAIRPERSON: Honourable Government Chief Whip, can you help? Hello? Yes, go ahead.

MR KATUNTU: And by inserting

immediately after subrule (7), the following:
“A commissioner under Rule 11(1) shall not be designated as a member on the Legal and Parliamentary Affairs Committee”.

Justification:

1. To set a maximum and minimum number of the composition of a sectoral committee; and
2. To avoid a conflict of interest since the Commission reports to the Committee on Legal and Parliamentary Affairs.

THE CHAIRPERSON: They are conflicted, that is very true. I put the question that rule 188 is amended as proposed.

(Question put and agreed to.)

Rule 188, as amended, agreed to.

Insertion of new part

MR KATUNTU: The rules are amended by inserting, immediately after Part XXVII, the following:

“Consideration of matters by more than one committee –

191A. Consideration of matters by more than one committee

- (1) The Speaker may, at any time, where a matter requires consideration by more than one committee, refer the matter for consideration by the committees jointly;
- (2) Where the Speaker refers a matter for consideration by more than one committee under subrule (1), the Speaker shall designate a Chairperson and a Deputy Chairperson from among the chairpersons of the committees considering the matter jointly; and
- (3) The committee, to which a matter is referred for consideration jointly, shall report to the House jointly.

191B. Quorum

- (1) The quorum of the committee, to which a matter was referred for consideration jointly under subrule (1), shall be one-third of the total number of Members of the committee” –

THE CHAIRPERSON: Is it the committee or committees?

MR KATUNTU: Of the committee.

- (2) “In realising the quorum under subrule (1), the chairperson of the committee shall ensure that one-third of the Members constituting quorum shall, as far as is practicable, comprise an equal number of Members from each of the committees required to handle the matter jointly.”

The justification is:

1. To provide for consideration of matters by committees jointly;
2. For the Speaker to determine the leadership of the committees considering a matter jointly; and
3. To provide for a quorum for consideration of matters by more than one committee.

As we realised, in many instances, the presiding officer has been referring matters to two committees and so on. We are trying to codify and entrench it within our rules. I beg to move.

THE CHAIRPERSON: Thank you. Dr Acuti?

DR OPIO: Thank you. Madam Chairperson, on the issue of the quorum, I propose that it should not be a third of the total number of Members. There are committees where you will have 40 Members, and others, only 20. So, it would be a disservice if we have a combined total. I propose that it will be a third of the membership of each of the committees when they are signing the report.

THE CHAIRPERSON: It comes to the same thing.

DR OPIO: It is different. You may have 40

Members of that one committee and a third of them sign. It makes up the number. If it is a third of Committee A plus a third of Committee B; that is different.

THE CHAIRPERSON: Okay. A third of each committee.

MR NANDALA-MAFABI: As far as part two is concerned, if you read it, an equal number of Members from each of the committees is required to handle the matter; I can answer this one.

The one-third of the committee, assuming it is 20, plus 15, and plus 40, you divide three and get what it is. However, what I wanted to put here, Doctor, is that number 2 answers it. The division is good enough.

Number three, I propose that - put number three, if the chairperson can agree on the quorum - the respective chairpersons of those committees should ensure that their Members attend.

The justification is that it will be incumbent on the chairperson to make sure the Members attend. Supposing the chairperson of one committee becomes lazy, he should not make other committees, or even one, not to function. That problem should go to the chairperson himself or herself, for failure to mobilise the Members.

Let us first put it there, so that if a chairperson of one committee has come with a report and says they tried to look for the other chairpersons, but they were not available, and they needed to produce a report -

THE CHAIRPERSON: That is operational. It is implied that you, as a chairperson of the committee, are obliged to ensure that your Members attend the committee. I put the question that the new part of -

MR OGUZU: Madam Chairperson, there is an amendment. The amendment, one, is intended to address likely conflicts. This is because there was a time joint committee were sent like

this. When it came to reporting, we could not benefit from both of their input. It is, therefore, important we address that.

Two, this proposal provides that the Speaker can refer. We need to add "or the House", so that it becomes "the Speaker or the House." That gives me the privilege to be able to move the House, if in my view, or the view of any Member, the matter should be considered by a joint committee.

THE CHAIRPERSON: Hon. Oguzu Lee, the House is unified under the leadership of the Speaker. I put the question that a new part be inserted immediately after Part XXVII, as proposed.

(Question put and agreed to.)

New Part, agreed to.

Rule 195

MR KATUNTU: In Rule 195, the proposal is to have it amended by inserting immediately after subrule (7), the following -

"(8) For purposes of this rule, "misconduct" includes unlawful conduct, breach of code conduct, conduct which is likely to bring Parliament into hatred, ridicule, or disrepute, or negligence in the performance of duty."

The justification is to provide clarity on what constitutes misconduct.

THE CHAIRPERSON: I put the question that rule 195 be amended as proposed.

(Question put and agreed to.)

Rule 195, as amended, agreed to.

Rule 197

MR KATUNTU: In rule 197, the proposal is to amend subrule (1) by deleting the phrase "of the House."

The justification is for clarity.

THE CHAIRPERSON: I put the question that rule 197 is amended as proposed.

(Question put and agreed to.)

Rule 197, as amended, agreed to.

Rule 204

MR KATUNTU: In Rule 204, the proposal is to amend by inserting immediately after subrule (1), the following –

“(1) (a) Notwithstanding subrule (1) where the report of a committee contains a dissenting opinion, the one-third of Members required to sign a report of a committee shall be arrived at by adding the total number of signatures on the report, taking into account the signatures of the majority, the signatures of the minority, and the signatures of Members abstaining.

(1)(b) A member who dissents from the opinion of the majority of the committee, may sign a minority report under rule 205.

(1)(c) Notwithstanding subrules (1) and (1)(b), a Member may opt to abstain from signing a report of a committee.

(1)(d) Where a Member does not sign a report of a committee and does not abstain, the Member shall, in writing to the chairperson of the committee, offer a satisfactory explanation for not signing the report of a committee.

(1)(e) Where in the opinion of the chairperson, a Member under subrule (1d), has not provided a satisfactory explanation for not signing the report of a committee, the chairperson shall refer the matter to the Speaker.

(1f) The Speaker may, upon receipt of the reference under subrule (1e), take appropriate action under rule 85A.

(1g) A report of a committee shall include a list of Members who -

- a) signed the majority report;
- b) signed the minority report;

- c) abstained from signing either report; and
- d) those who did not sign either report.”

The justification is:

1. To ensure that Members sign committee reports;
2. For the Speaker to take appropriate action against Members who do not provide an explanation for not signing committee reports.

I beg to move.

THE CHAIRPERSON: Honourable members, it is the members who are lazy in signing reports that are affected and this is protecting the chairpersons of the committee. Members must sign reports.

I put the question that rule 204 - Honourable members, incidentally what is interesting is that the members I see signing most of the reports are from the Opposition. Because all their reports are a minority, so they sign. Honourable members, you have to sign the reports. Not so? Hon. Laura -

MS KANUSHU: Thank you. I think members know that we must sign reports. It has been a practice that the committee chairperson is always stuck with a report. Members are nowhere to sign and yet maybe that chairperson has to present that report. It is just simply doing our job as honourable members and being responsible.

MS ABABIKU: Thank you, Madam Chairperson, for the opportunity. I support the proposal by the committee because it is going to cure many problems that chairpersons and their deputies go through. It is going to make members get committed throughout the process up to the delivery of our report. Thank you, so much.

THE CHAIRPERSON: I want to hear from the Government Chief Whip.

MR OBUA: Madam Chairperson, I am

exceedingly happy that the proposal will keep members accountable to their constitutional duties and responsibilities.

THE CHAIRPERSON: I am talking to the whips.

MR NAMBESHE: Madam Chairperson, the whipping system has been very difficult. But now this helps me to track the attendance of members in these committees. Thank you.

THE CHAIRPERSON: I put the question that rule 204 be amended as proposed.

(Question put and agreed to.)

Rule 2014, as amended, agreed to.

THE CHAIRPERSON: You members must work. Stop making the chairpersons suffer.

Rule 213

MR KATUNTU: Honourable Chairperson, rule 213 is amended by substituting for subrule 1 the following -

THE CHAIRPERSON: Honourable members, Hon. Mao is back and we are waiting to hear from him, the Minister of Internal Affairs, the Attorney General, and the Minister of Education and Sports is also here but he will handle his issue after the rules. What is most crucial for now is hearing from none other than the Chairman.

Honourable members, under normal circumstances, we are supposed to first resume the House but I am invoking my rule 7 to receive a statement at the committee stage because of the urgency of the matter. It is a short statement. Hon. Sarah, you gave me too much power. We just need an update. The *Hansard* people will do it well.

MR MAO: Madam Speaker, in the spirit of truth and justice, I beg to make the following report, pursuant to your directive. My delegation consisted of myself, the Minister of State for Internal Affairs and the Deputy

Attorney-General.

As the public face of justice, I want to thank you, Madam Speaker, for the seriousness with which you handled this matter, and I would like to thank members for asserting their responsibility. I wish to assure you that the Government is also responsible. Responsibility means the ability to respond. Moreover, we have responded.

I wish to inform this House that by the time we reached the court, the lawyers of Colonel Dr Kiiza Besigye had actually been engaging with the Judiciary. Not the lawyers I am talking about, these are better lawyers. They had agreed to reschedule the matter, which had been fixed for Tuesday.

It is now going to come tomorrow, and during that sitting tomorrow, the court will give the appropriate directions and they will definitely abide by the decree. The Court had insisted that they needed a decree in order not to appear to overrule the Supreme Court. Thank you, Madam Speaker.

THE SPEAKER: Thank you, so much, honourable minister. Justice delayed, justice denied! We are very grateful that you have acted. Appreciation from the Leader of the Opposition?

MR SSENKYONYI: Madam Speaker, I want to appreciate this House for exerting our authority and speaking for the defenceless people, held up in jail, unfairly so. This is step number one and even as I appreciate that the Government, after we have insisted, made noise and said now you go, first deal with this matter, come back at 4.00 p.m., let us not always wait for that back and forth.

For some of these things, just move. Why do you have to wait for us to come here, make a lot of noise, say, Madam Speaker, now this matter is urgent, deal with it and so on. Why do we have to wait for these things? Can we always move as swiftly as we possibly can?

So, when we raise a related matter again, move

swiftly. You do not have to wait for this. So, we are waiting for tomorrow. I hope that Dr Kiiza Besigye and the other political prisoners will attain their freedom. Thank you.

THE CHAIRPERSON: Thank you, honourable members. I am grateful that the minister has responded swiftly but credit must be given where it is due. Nobody raised that matter. I brought it up in my communication -

MR NIWABAGA: That is why we must give all the credit to you, Madam Speaker. You single-handedly took it up and pushed the minister.

THE CHAIRPERSON: Listen to the Opposition.

MR NIWAGABA: Yes. We want to thank you very much and wholeheartedly for personally taking up this matter and ensuring that we hold a meeting between the Executive and this side and you pushed the minister to ensure that we have results today.

We want to appreciate your personal involvement and direction in this matter. At least we are sure that Col (Rtd) Dr Besigye will appear in court tomorrow. What happens in the court will be a different matter, but thank you, Madam Speaker, for doing us a good job.

THE CHAIRPERSON: Thank you. Can we resume the House? (*Hon. Nandala-Mafabi rose*) Point of procedure under which rule?

MR NANDALA-MAFABI: Madam Chairperson, I am proceeding under Article 90 of the Constitution, which is above the Rules of Procedure of Parliament. Madam Chairperson, the article is here and if you allow, I can -

THE CHAIRPERSON: Article 90 on parliamentary committee?

MR NANDALA-MAFABI: Yes, and Article 88. Madam Chairperson, the Constitution of Uganda says, "*The quorum of the Parliament shall be prescribed by rules of procedure of Parliament, made under Article 94 of this*

constitution. For avoidance of doubt, the rules of procedure of Parliament may prescribe different quorums for different purposes."

Madam Chairperson, under Rule 24(1) of our Rules of Procedure, it says, "*The quorum of Parliament shall be one third of all Members of Parliament entitled to vote.*"

Madam Speaker, the quorum of -

THE CHAIRPERSON: Hon. Nathan, we are on rule 21(3). If you want a recommittal on the other, you will come back.

MR NANDALA-MAFABI: Madam Chairperson, it is a procedural matter, and you are the custodian of the rules. I do not want us to move against the constitution. That was why I raised it as a procedural matter.

Madam Chairperson, you need to bear with me because I need us to move in harmony.

Madam Chairperson, both the constitution and our rules of procedure prescribe. Therefore, if you make a rule which is contrary to the constitution and our rules which are prescribed in the quorum, we would be going out and at the same day the rule is passed, there would be no rule. Would it not be procedurally right, that we move our rules according to our Constitution?

THE CHAIRPERSON: What is the problem now?

MR NANDALA-MAFABI: Madam Chairperson, the problem is, one of the rules which we have made is going to be affected. The rule which says that for people to vote at a particular time should be at 100 per cent of the entire membership, yet our Constitution says -

THE CHAIRPERSON: Which one is that?

MR NANDALA-MAFABI: The one which we have just passed.

THE CHAIRPERSON: Which one?

MR NANDALA-MAFABI: This rule, where

we have said that signing of a report is a vote.

THE CHAIRPERSON: Read the rule verbatim.

MR NANDALA-MAFABI: It says, “*Notwithstanding Rule 1 where a report of a committee contains the dissenting of one-third required to sign the report, shall be arrived at by adding this, the signatures of majority, signatures of minority, and signatures of abstaining*”. That is when you should get a third. The moment you have got a third, there is no reason for people to start writing that they have been absent. The moment we do that, we are saying now we need everybody to write and vote on a report, and yet signing on a report is voting for that report.

THE CHAIRPERSON: That is different on quorum. We are talking about signing and endorsing the report. You either come out and sign or abstain and say you are abstaining because of ABCD, or you write a minority report. We now are enforcing the role of Members of Parliament. You cannot be a Member of Parliament for five years and fail to sign a single report or attend at least one committee meeting.

MR NANDALA-MAFABI: I accept you. That was what you have said. We have put there that those who will be absent, will be referred to the committee on Rules, Privileges and Discipline.

THE CHAIRPERSON: Hon. Nathan Nandala, Chairman of Bugisu Cooperative Union (BCU), quorum is different from endorsement. Let us first go to the next -

MR KATUNTU: Thank you very much, Madam Chairperson. The committee proposed to amend Rule 213 by substituting for subrule (1) the following:

- (i) A witness appearing before the committee to give evidence may be paid such sum in respect of his or her expenses as the Clerk to Parliament may from time to time determine.
- (ii) By inserting immediately after sub-rule (1)

the following:

“The clerk shall make the payment to a witness after the witness has appeared before the committee, and the clerk may, in exceptional circumstances, make payment in advance upon satisfaction that the witness has difficulty in attending.”

The justification is to align the expenses of witnesses with the prevailing economic circumstances.

THE CHAIRPERSON: The Attorney-General?

MR KAFUZI: Thank you very much, Madam Chairperson. First, maybe I will seek to be informed how the current status has been, have we been paying witnesses? If we have been paying witnesses, why in paragraph 1 are you saying “may”? Why are you proposing to use the word “may” and not “shall” so that it applies across the board to all witnesses?

Secondly, Madam Chairperson, my query on paragraph two, the proviso that, “in exceptional circumstances, the clerk may pay this money out in advance to aid attendance of a witness.”

The issue would be what would happen if the money is paid out and the witness does not attend.

Now, you may have proviso for recovery of this money, but this money may not be much - Shs 100,000. The clerk is not going to move to take people to court to recover Shs 100,000. Eventually, when the clerk is being audited, it will form an audit query, because there will be Shs 100,000 missing here and there. I would rather we leave subrule 2 and only pay those who attend. For subrule 1, we use the word “*shall*” and replace it with “*may*”. I beg to submit.

MR NANDALA-MAFABI: Thank you very much, Madam Chairperson. When you look through our Constitution, you notice that under Article 90, the committee has powers to summon and enforce. Now, a minister or

a public person holding office or a private individual submits memoranda or appears before them to give evidence. The committees also have the powers of the High Court to enforce.

Madam Chairperson, the moment we start saying that we are going to pay – (*Interjections*) - you have forced me, a minister for finance, to come here. I will say, “Pay me.” We have to be very - because he is a witness.

Therefore, we have to be careful with which people are supposed to be paid. Yet the Minister of Finance, Planning and Economic Development would have come to defend his loan.

THE CHAIRPERSON: We shall actually become a transactional parliament.

MR NANDALA-MAFABI: Exactly! Madam Chairperson, this amendment -

THE CHAIRPERSON: Honourable members, there is no money for that payment. The Clerk does not have it. If you have not been operationalising the current one, why do you want to make this one? The Clerk does not have that money. You delete rule 213; it is a nugatory expenditure.

MR KATUNTU: Madam Chairperson, I would rather make somebody seek clarification. How many categories of witnesses attend parliamentary business - (*Interjections*) - Can I explain, please?

1. There are public officers - for example, if somebody is from Kapchorwa Local Government and has been summoned by Parliament, his local government pays for the transport expenses;
2. If you summon a private individual from Bubulo or from Bugisu, how is he going to come to Parliament as a witness? He does not owe you an obligation and has no transport. You need him here as a committee; he is a private individual. Are you going to say you have not come -

because he is going to tell you that he does not have transport? What do you do?

Therefore, the logic about this was about private individuals who have no obligation to attend to parliamentary business, and not public officers.

THE CHAIRPERSON: Honourable members we are in the era of ICT; if a person cannot appear physically, he can appear via Zoom. Yes, we cannot pay. This is a redundant rule. Let me hear from the Whip first, then the Member from Zombo, - no, there is another Whip there.

MS SANTA ALUM: Thank you, Madam Chairperson. This particular proposal will paint a very wrong picture of Parliament and it can easily be abused. If we have a weakness from, for example, Oyam- we have gone to the field before, for example, when we were creating local governments, we go nearer to the people and we have money for that as a Parliament.

Two, if we start like this and then a witness is summoned and he or she fails to appear before the committee, how will the clerk be accounting for this if there are like 10 or 20? Madam Chairperson, I object and pray that we drop this proposal.

THE CHAIRPERSON: Not the proposal; just delete the rule. Yes, Zombo representative?

MR SONGA: Thank you, Madam Chairperson. My position on that proposal is that we are dealing with so many witnesses in the committees, and so, that will be a huge cost to Parliament. I do not think Parliament is in a position to pay all these various stakeholders or witnesses who we are going to call to the committee.

So, it is easier for members of Parliament and members of the committee to go to the village to meet that witness because there is a budget for that. That is my position. Thank you.

THE CHAIRPERSON: Yes, Hon. Derrick Orone.

MR ORONE: Thank you so much, Madam

Chairperson. I also disagree-

THE CHAIRPERSON: Derrick, you are very smart.

MR ORONE: Thank you –(Laughter)- African wear is done. Thank you, Madam Chairperson. I also disagree with the issue of payment because there are Members who are not straight, they will just be making deals with the witnesses. I do not agree with that – (Interjections) - yes, some Members are not straight.

MS ATIM: Thank you, Madam Chairperson. I -

THE CHAIRPERSON: No, Hon. Derrick Orone, there is no Member that makes deals. Can you withdraw that statement?

MR ORONE: Madam Chairperson, I withdraw it.

THE CHAIRPERSON: What have you withdrawn?

MR ORONE: I withdraw the statement that said that some Members make deals. (Laughter)

THE CHAIRPERSON: Thank you.

MS ATIM: Thank you so much, Madam Chairperson. I want to submit on the issue of bringing witnesses here and making payments for their coming. This proposal assumes that we are a court and somebody is coming here and has to be paid. I am wondering if that is what happens in the mainstream court sessions. I propose that this amendment be deleted. Thank you. (Mr Kibalya rose_)

MR KIBALYA: Thank you very much, Madam Chairperson - Madam Chairperson, you had given me space – (Interruption)

THE CHAIRPERSON: Honourable members, let us hear from the chairperson of the committee.

MR KATUNTU: Honourable colleagues,

it seems the majority of us have not read the rule as it is now and they are thinking this is an introduction. This is the current situation. Let me read it for you. It is rule 213(1). The rule as it is now and please listen: “*The rate of allowance to be paid for the expenses of any person appearing as a witness before a committee shall be the same as would be payable to that person if he or she were a witness attending the High Court.*”

2) “*For purposes of this rule, “witness” means a person who testifies before a committee upon issuance of a summons by that committee and does not include a person who appears before a committee to give evidence in his or her official capacity.*”

So, before you talk about expenses – (Interjections) – listen, you have to listen to the current status.

THE CHAIRPERSON: The Finance minister wants to give you a clarification.

MR KATUNTU: The current status is that people who are appearing before committees are entitled to be paid, and at the rate as if that witness was appearing in the High Court. That is the situation as it is now. People are debating about the merits of payment - what we are seeking is the exception to say that this money may be paid in advance. That was the new introduction. Otherwise, there are two issues here - if you do not like what we are seeking, then you are debating the merits of the rule as it is now - these are the adoptions the House has - to delete the original rule 213 or abandon our amendment 213. I think the debate should be focused.

THE CHAIRPERSON: Honourable minister?

MR MUSASIZI: Madam Chairperson, I call Hon. Katuntu “a professor of rules” and that being the case, he has simplified my submission. I would, therefore, wish to propose that rule 213 be deleted – (Interjections) - as it is, rule 213 exists and I want to propose a deletion of rule 213. The justification – (Interjections) - can

I first propose?

THE CHAIRPERSON: Listen for a justification.

MR MUSASIZI: Madam Chairperson, my justification for deletion is that even when I am always willing to provide funding for the Parliamentary Commission, on this one, I feel it is not a necessary expenditure, which we should accommodate in our budgets.

THE CHAIRPERSON: Honourable members, I put the question that rule 213 be deleted from the Rules of Procedure of Parliament.

(Question put and agreed to.)

Rule 213, deleted.

THE CHAIRPERSON: Rule 214 – Moses, I will give you.

MR KATUNTU: Rule 214 is amended by substituting for Subrule (1) the following: “In order to attend or produce documents before a committee, shall be notified by a summons in the format prescribed in Schedule 5 signed by the Clerk, under the direction of the Speaker.”

Justification is to provide a format for summons for witnesses in the rules. What has been happening is that the chairperson, sometimes summons witnesses or people and there are different letters of summons and so on. We are entrenching in the rule, that it is only the Clerk who should sign the summons-

THE CHAIRPERSON: Clerk to Parliament.

MR KATUNTU: Clerk to Parliament.

(1) It should be under the direction of the head of the institution.

THE CHAIRPERSON: Honourable members, what has been happening or what is happening is that clerk assistants working in the committees, write summoning.

That is why you have contradicting summons.

This committee is summoning, the other one is summoning and they summon so many people without even the chairperson of the committee’s knowledge.

It is better at times - we have four clerks. We have the clerk to Parliament himself and the three deputies. If the summons is signed by one of those four people, that is a legitimate summons when – yes, Meddie.

MR MUHAMMAD NSEREKO: Thank you, Madam Chairperson. Without deferring a lot, don’t you think this will bring micromanagement of committees and make the process laborious, because the rationale of building this committee, this is in good faith – *(Interjection)* - do not worry about it and we can talk about.

It makes the process long, laborious and unnecessarily bureaucratic, because you see, if it is within the wisdom of the committee to summon those persons; it means, the committee resolves. It has a clerk who acts on behalf of the delegated powers of the Clerk of Parliament and you, the Speaker, through your chairperson.

For sure, if the defence committee is to present, the Committee on Commissions, Statutory Authorities, and State Enterprises (COSASE) is to present, then equal opportunities, then natural resources, it will be laborious and unnecessarily not good.

In my opinion, let us build the capacity of these committees and build that principle of leadership where we say, if you summon, you have done it within the wisdom of the committee.

We should also know, to give them this encouragement to, after all, it is just a summons.

MR SSEWUNGU: Madam Chairperson, there are two forms of letters written by the committees of Parliament.

They are invitation letters to ministers and the Government departments. After writing those invitation letters, these ministers are at large to write back to the clerk saying they cannot make

it that day and they seek another day. There are also those people who are invited to appear before committees and they refuse to come.

Under our rules, there are powers under the chairperson, to summon them. I want to find out from the chairperson of the committee, which one is it because when we talk about summons in the committees, we have been using him for those recalcitrant witnesses, who refuse to appear.

As such, if he fails, because our rules are very clear - you have powers over the High Court. That is when you use summons to bring them - but if you tell the Clerk of Parliament, what if Hon. Musingo, my good friend is a good friend of the Clerk, he has refused to appear, and the summons have failed, the clerk has not written what will happen?

I would wish to look at those two different areas; invitation letters and the summons to those people who have refused to appear after making them come to the committee.

THE CHAIRPERSON: Thank you. We have heard. Let us first hear from the chairperson.

MR KATUNTU: Why are we making this proposal? One, there have been summons from this House, which summons are unknown to the institution of Parliament. Why? – *(Interjection)* - No, I do not have to go to - I am trying to get the appropriate word, not to make the debate again degenerate. Chairpersons, for example, have no authority to write and sign summons; but they have been doing it.

The communication, even under Standing Orders, should be from the Clerk of Parliament or somebody acting on behalf of the Clerk. *(Member rose_)*

THE CHAIRPERSON: You listen.

MR KATUNTU: If it is a document, what authority do the clerks of committees, have? We are not talking about invitations. We are talking about summons. A summon is provided for under Article 90 of the Constitution and it

can even be enforced through arrest, so, we are not – *(Hon. Ssewungu rose_)*

THE CHAIRPERSON: You first finish.

MR SSEWUNGU: Madam Chairperson, he is saying something we want to know – *(Interjections)* - you see, Madam Chairperson –

THE CHAIRPERSON: I am saying, let the Chairperson first finish his submission.

MR SSEWUNGU: There is something very pertinent.

THE CHAIRPERSON: Let him finish.

MR KATUNTU: To allay Hon. Mohammad Nseroko's fear, this is not about the normal invitation of ordinary Parliamentary business, but we are rather talking about summonses of witnesses.

People who are obliged by law and if they do not, they can even be arrested. That is why we are raising the bar to the level of Clerk himself, and the institution of the Administration of Parliament. The administration of Parliament should be aware, that there are summons because you could go ahead and even order arrest.

THE CHAIRPERSON: Honourable members, I want to give you one scenario, where one of the clerk assistants wrote a summons to somebody and there was a problem with the summons. When that summons was taken, it ended up in the Police, in the Criminal Investigations Department Headquarters. Who was called to answer for that summons? It was a Clerk to Parliament. The Clerk to Parliament did not even know about that. That is what we are trying to cure. Yes, Hon. Elijah Okupa.

MR OKUPA: Madam Chairperson –

THE CHAIRPERSON: Yes.

MR OKUPA: This can help us. We are just labouring for nothing. Madam Chairperson, if you look at the Powers and Privileges Act, Part

3 on evidence, it covers this.

That is (8) Power to order the attendance of witnesses.

“Parliament or any sessional committee may subject to Sections 13 and 15, order any persons to attend before Parliament or before a Committee, and to give evidence or to produce any paper, book, record or document in the possession of or under the control of the person”.

(2) The powers conferred by Section 1 on a General Committee may be exercised – Sorry, that is (8).

Let me go to 9 – attendance to be notified by summon. Let me go to nine. Madam Chairperson, when you read (9), you notice that it provides for the Clerk on the direction of the Speaker – it is something, which is already covered in the Act. Therefore, I do not know what we are arguing about. What the chairperson is doing is to import what is in the Act into the rules.

THE CHAIRPERSON: Exactly!

MR SSEWUNGU: There is no committee chairperson who summons a witness on his own volition; he would be acting *ultra vires*. When a committee sits and we invite a minister or any witness and they fail to come, it is upon the committee members to sit again and determine whether that person should be sent a summons.

Therefore, if any member or chairperson sits alone in his office, that is *ultra vires*. That is what I would like to say. It is in a committee sitting that the chairperson asks the members, “This person has failed; what do we do? We have to summon him.” We agree as a committee, but not on the volition of the chairperson alone.

THE CHAIRPERSON: Honourable members, let me read for you Section 9 of the Parliamentary (Powers and Privileges) Act. It states:

“(1) Any order to attend to give evidence or

to produce documents before Parliament or a committee shall be notified to the person required to attend or to produce the documents by summons under the hand of the Clerk, issued by the direction of the Speaker.”

This is the Act which is superior to your rules.

“(2) In every summons under subsection (1), there shall be stated the time when and the place where the person summoned is required to attend and the particular documents which he or she is required to produce...”

That is what Hon. Katuntu has. Rule 214 is copied from section 9.

MR KATUNTU: Madam Chairperson, what we are trying to do is to get what is in the current Act and put it in our own rules, unless you want to debate and amend the Act.

THE CHAIRPERSON: Can we amend the Act first? The committee is giving a format for such summons; who is responsible? Who should sign? They are Standard Operating Procedures.

MR OKUPA: Madam Chairperson, Hon. Nsereko is asking that you define the “Clerk”. In the interpretation rule under this Act, the “clerk” means “The Clerk to Parliament”.

THE CHAIRPERSON: Under Article 87 of the Constitution, there is a Clerk to Parliament and other staff. A Clerk to Parliament is defined here in the Constitution; it is not this small office of a Clerk Assistant.

MRSONGA: Thank you, Madam Chairperson. Do we call this group of people we are going to summon “persons” or “witnesses”? Throughout the Rules of Procedure, the word used was “witnesses”, but when you go to the glossary, it is not defined in the preliminary text. Are we going to call them “persons” or “witnesses”? Persons are not even defined.

Madam Chairperson, Chairperson, is it –

THE CHAIRPERSON: We stood over rule 1 for interpretation so we can define it in rule 1.

MR SONGA: Madam Chairperson, thank you. That is my position; take note of that, so that we can either define a “person” or “witnesses”.

MR OGUZU: Madam Chairperson, I thank you for raising and observing the Constitution -

THE CHAIRPERSON: It is only West Nile. *(Laughter)*

MR OGUZU: Let me make this point which is very important. You have helped us assert that the Constitution is very supreme. The other time, this House moved and passed an amendment to rule 82 that traditional wear must be banned. That proposal, as passed, is unconstitutional and offends Article 37 which guarantees the right to promote tradition –

THE CHAIRPERSON: Look at those who like wearing on *kitenge*. *(Laughter)*

MR OGUZU: It contravenes Article 29 which provides for protection of freedom of expression.

THE CHAIRPERSON: Honourable members, let us first listen to this.

MR OGUZU: Madam Chairperson, before we move, I thought you would address this constitutional matter and –

THE CHAIRPERSON: No, let us first handle rule 214.

DR AYUME: The Chairperson called for a doctor. Thank you. Madam Chairperson, I need clarity when it comes to Heads of Missions, Ambassadors and heads of multinationals. How do we go around that? If you are a committee and you want them to come through, how do you approach it? Thank you.

THE CHAIRPERSON: You write to the Permanent Secretary of the Ministry of Foreign Affairs, who will then write to them, within the

framework of their immunities.

I put the question that rule 214 be amended, as proposed.

(Question put and agreed to.)

Rule 214, as amended, agreed to.

Rule 215

MR KATUNTU: The committee proposes rule 215 to be substituted for the following:

- “1. A clerk to a committee shall receive all documents on behalf of the committee.
2. A document received by a clerk to a committee shall not be withdrawn or altered without the knowledge and approval of the committee.”

The justification is for clarity.

THE CHAIRPERSON: I put the question that rule 215 be amended, as proposed.

(Question put and agreed to.)

Rule 215, as amended, agreed to.

Rule 216

MR KATUNTU: Rule 216 is amended:

- i) By substituting for the head note the following – “Publication of evidence and reports of committees”;
- ii) By substituting for subrule (1) the following:
 - (1) A member or any other person shall not publish or supply a report of a committee before it is laid on the Table;
- iii) By inserting immediately after subrule (2) the following-
 - “(3) Where a Member is alleged to have breached subrule (1), the Speaker shall refer the matter to the Committee on Rules, Privileges and Discipline for investigation.
- (4) A Member who is found to have breached

subrule (1) shall be liable to suspension for the next three sittings, excluding the sitting in which the Member is suspended.”

The justification is:

1. To provide clarity;
2. To harmonise the provision with the Access to Information Act; and
3. To provide for sanctions for breach of the rule.

MR EKANYA: Madam Chairperson, we upload the report and sometimes, we get a problem when the report is delayed. Don't you think we need to take care of uploading and laying the report, so that there is clarity? This is because the report can be uploaded and Members immediately start circulating them. We need to have that clarity that the uploading of the report is equivalent to laying them and will be on the directive of the Speaker.

THE CHAIRPERSON: It is already there - laying of papers.

I put the question that rule 216 be amended, as proposed.

(Question put and agreed to.)

Rule 216, as amended, agreed to.

Rule 220

MR KATUNTU: Madam Chairperson, rule 220 is substituted for the following-

“220 Action Taken Reports

A minister shall, within 60 working days following the resolution or recommendation of Parliament, submit to Parliament an action taken report detailing what actions have been taken by the relevant ministry.”

The justification is to prescribe a period within which a minister should submit to Parliament an action-taken report. This is because this has been missing and ministers have sometimes not been responding.

MR NSEREKO: Excuse me, Madam

Chairperson. I rise on the point of discussion in lieu of the question of the returning students. I would like to move that we halt the review of the Rules of Procedure of Parliament and move to the response from the Minister of Education and Sports. The reason is simple, Madam Chairperson. We have a selection date –

THE CHAIRPERSON: Let me first put a question to this one. Let me first have this disposed of. Hon. Nathan?

MR NANDALA-MAFABI: Thank you, Madam Chairperson. The moment we put 60 days alone, it will mean, for example, that if you tell Hon. Musasizi to produce something before we can pass his budget, he will say he is entitled to 60 days.

Therefore, we must put a provisory here that, “...except where it is provided for.” The maximum should be 60 days but Parliament can say, “We're giving you seven days. Can you have a response to this?” Like today, you had two hours –

MR KATUNTU: Hon. Nandala-Mafabi, you do not have to labour; I concede.

MR NANDALA-MAFABI: Thank you.

THE CHAIRPERSON: I put the question that Rule 220 be substituted as proposed and amended by Hon. Nathan Nandala-Mafabi.

(Question put and agreed to.)

Rule 220, as amended, agreed to.

MR NSEREKO: Madam Chairperson, you said that you would first dispose of that matter. I would like to move a motion that we pause and –

THE CHAIRPERSON: Under which rule?

MR NSEREKO: I am moving orally. You can quote the rule. However, we are all aware that the matter that is urgent now is to the parents who have to present their children to schools and there are selections for Advanced Level.

The country is waiting to understand whether

those children that did not perform very well should be returning to the long journey of starting from senior one or going back to senior three. In any case, those that are being picked up on in senior one- they must know their fate and future. *(Hon. Ekanya rose_)* Hon. Ekanya, please you can move it.

Madam Chairperson, I would like to seek your intervention that a question be put that the House does resume so that we get a response from the Minister of Education and Sports towards the status of the new curriculum and the issue of performance by senior four candidates.

THE CHAIRPERSON: Honourable members, we are left with only seven rules for us to finish. And afterwards, we shall go to the minister; so do not worry. You can sit down.

Rule 229

MR KATUNTU: Madam Chairperson, Rule 229 is substituted for the following:

- “(1) Where the Speaker is of the opinion that the words that have been used in the debate are defamatory, indecent, un-parliamentary or undignified, the Speaker shall order that such words be expunged from the official record.
- (2) Any statements made that are related or connected to the expunged words shall be deleted from the official record except the order of the Speaker under subrule (1).”

The justification is to expunge all statements, discussions, audio-visuals regarding the words that are considered defamatory, indecent, un-parliamentary or undignified. We beg to move.

MR EKANYA: Madam Chairperson, I would like to add that what is expunged on the record of Parliament, the Minister of Information, Communications Technology and National Guidance will direct all media institutions to have it expunged from all social media –

THE CHAIRPERSON: We cannot debate on

what is not within our mandate. The rules are for the House.

MR EKANYA: Madam Chairperson, I know that the rules are for the House but it is very important that what is not a record of Parliament, should not continue to circulate as if it were a record of Parliament.

THE CHAIRPERSON: That is an extra-territorial jurisdiction. I put the question that Rule 229 be substituted as proposed.

(Question put and agreed to.)

Rule 229, substituted.

Rule 231

MR KATUNTU: We propose that rule 231 is amended by substituting for subrule (1) the following:

“(1) The proceedings of the House and committees may be available for broadcast on radio, television and other platforms during all hours of sitting, except under circumstances determined otherwise by the House and as directed by the Speaker.”

The justification is to accommodate technological advancement and diverse broadcast platforms.

THE CHAIRPERSON: Attorney-General?

MR KAFUZI: Madam Chairperson, this rule is very good and the justification is very okay. My worry is that if you say “except under circumstances determined by the House,” you are limiting this. It means the House has to first debate and make a decision on whether to have the matter broadcast or not.

The Speaker is not just the custodian of the rules, but also in charge of the House at any given time. I would rather we remove, “except under circumstances determined by the House,” and we leave it to the decision of the Speaker. I beg to submit.

THE CHAIRPERSON: Thank you.

MR SSENKYONYI: Madam Chairperson, first, I would like to disagree with the learned Deputy Attorney-General. The Speaker is part of the House and leads it. Decisions which are determinations made by the Speakers in their Chair are made together in unison with the House.

I think it does not curtail anything in any way. By the way, most of the rules requiring that indicate the Speaker and the House because we are jointly dealing with these matters.

The other issue I would like to disagree again with the committee's proposal – the lower one is okay because technological advancements have happened but here they are saying “may,” yet the rule as it is today is saying “shall”. It would be good to leave the provision of “shall” as it is in the Rules of Procedure of Parliament.

The bit about catering for other platforms due to technological advancements is okay. After all, we are saying that there are circumstances where the Speaker and the House could determine otherwise.

However, the bit of “shall” is good because it shows that we are open to scrutiny by the public. If we say “may,” we might be misconstrued to appear as if there are things we want to hide from the public and yet there is none, ideally. Once it remains as “shall,” there is the other rider of there could be circumstances where the Speaker, together with the House, think otherwise.

THE CHAIRPERSON: Attorney-General?

MR KAFUZI: Madam Chairperson, there is no reason as to why we need to be so stiff and strict. As opposed to my colleague's assertion, the Leader of the Opposition, I think “may” would give us leeway to assess the circumstances as and when to broadcast.

However, I wish to reiterate my earlier position that in the proposed amendment, we should remove the requirement for the House to make a decision or determination on whether or not

to broadcast because at any one given time, we are on opposite sides and we will not agree.

If there is a matter that one side thinks should not be broadcast and the other thinks should be broadcast and you cannot agree to that, what happens? I would rather we leave this to the behest of the Speaker to determine based on any given circumstances. I beg to submit.

THE CHAIRPERSON: Hon. Kivumbi?

MR KIVUMBI MUWANGA: Madam Chairperson, this is a fundamental right; access to information. The framers of law have provided the Speaker with powers and circumstances otherwise. When you read the law, at the extreme end, the Speaker is being given a leeway to determine.

Therefore, when you use “may”, it is like giving double powers. I am not a lawyer; but in my humble view, the word “shall” enforces a fundamental right, and then the exceptional powers are given to the Speaker and the House, otherwise. Therefore, in my humble view, the word “shall” is very important in enforcing a fundamental right of access to information. I do not find it in any way why this should be contentious. I hear him say –

THE CHAIRPERSON: You are saying, “The proceedings of the House shall be available for the broadcast on radio and television during the hours of sitting except as directed by the Speaker”.

I put the question that Rule 232 is amended as suggested.

(Question put and agreed to.)

Rule 232, as amended, agreed to.

Rule 233

MR KATUNTU: Madam Chairperson, Rule 233 is amended by – *(Mr Nandala-Mafabi rose_)*

THE CHAIRPERSON: Hon. Nathan, first wait for rule 233.

MR KATUNTU: Amendment of rule 233.

Rule 233 is amended -

(i) by substituting for subrule (1) the following:

“(1) Members of the public and of accredited press may be admitted to debates in the House under the rules that the Speaker may make from time to time.”

(ii) by substituting for subrule (8) the following:

“(8) In accordance with rules made under this rule, a Member of the press or media accredited to Parliament may be admitted into the press gallery with an electronic device for recording and coverage purposes.”

(iii) by inserting immediately after subrule (8) the following:

“(9) Any member of the press or media accredited to Parliament under subrule (8) shall adhere to the rules of electronic coverage of parliamentary proceedings under Appendix G of these rules.”

Justification

1. To only admit accredited members of the press to the press gallery.
2. To ensure that members of the press comply with the broadcasting rules.

THE CHAIRPERSON: Yes, rule 233?

MR NANDALA-MAFABI: Yes, we are going to rule 233, but I want your indulgence, Madam Chairperson. What the committee was trying to amend was to include other platforms in the previous law.

THE CHAIRPERSON: On which one?

MR NANDALA-MAFABI: Madam Chairperson, that is rule 231. What we were trying to amend were radio, television, and other platforms. They wanted to include that.

THE CHAIRPERSON: Yes, that was included.

MR NANDALA-MAFABI: We included other platforms?

THE CHAIRPERSON: Yes.

MR NANDALA-MAFABI: Madam Chairperson, if you have included other platforms-

THE CHAIRPERSON: Other platforms are included in rule 231 as per the amendment of the committee together with the amendment of Hon. Kivumbi.

MR NANDALA-MAFABI: They deleted the “House”?

THE CHAIRPERSON: Yes.

MR NANDALA-MAFABI: But Madam Chairperson, now here, you are saying again that “somebody to be admitted in the House, he/she must be cleared,” yet you have said the proceedings of the House shall be on radio-

THE CHAIRPERSON: Which one are you referring to Hon. Nathan? Rule 233? Hon. Nathan, we have a parliamentary press association; you cannot just come and cover without proper authorisation. You must be accredited to be part of that team. It is that team that permits you.

MR OGUZU: Madam Chairperson, I agree with that proposal, but I need to add that we must provide for the appeal of decisions on accreditation. Why do I say that? Some media people may be targeted in this kind of situation. Where do I go if the people responsible for accreditation fail to accredit me?

Therefore, we must provide a mechanism within this process that if I have been denied an opportunity to be here, then I should be able to express my dissatisfaction. The matter could be considered by the House then a decision is made.

THE CHAIRPERSON: No, it cannot be the House. We have a department of Communication and Public Affairs (CPA) that does the accreditation. They have an appeal process, and that is where it stops. In this

circumstance, the House does not come in.

MR OGUZU: Madam Chairperson, I agree with you, but CPA cannot be the people accrediting, and then when you are aggrieved with their decision, you go back to them.

THE CHAIRPERSON: They are the ones in charge of communication and public affairs in the institution.

MR OGUZU: I think that does not protect the public interest.

THE CHAIRPERSON: Hon. Oguzu Lee, do you want to micromanage departments? The rules we are making are for the House.

MR SSENYONYI: Madam Chairperson, firstly, I agree that I do not think that every little thing – well not little – but not every one of those things needs to come to the House. However, we can provide a mechanism because we would meet some media practitioner who will say, I was denied accreditation because X, Y, Z does not like me. They may be right or wrong.

However, where is the recourse for that person assuming they are right – because they could be wrong? They could be thrown out of this place because of certain indiscipline but they could also be right that they are being hounded.

What is the recourse for them? I do not like to burden the Speaker with too many powers but there must be some appeal. Do they run to you or the Parliamentary Commission?

THE CHAIRPERSON: There is a Principal Information Officer, Mr Bukuwa, who handles the appeals.

MR SSENYONYI: As an individual?

THE CHAIRPERSON: No, he heads a committee. Let the chairperson check it out.

MR SSENYONYI: What I am trying to bring up, Madam Chairperson –

THE CHAIRPERSON: It cannot be a committee of the House.

MR SSENYONYI: I also agree it should not be a committee of the House. It might not necessarily be that, but I am trying to see how, especially at the level of accreditation. I do not think that it should be a committee of the House.

THE CHAIRPERSON: No.

MR SSENYONYI: At the level of appeal, we need to see how much more senior leadership of the House does come in. For somebody to say, “I am being persecuted by these officers.” Whether this person is right or not, where do they run to?

MADAM CHAIRPERSON: Okay, that can be administrative. We can agree on where that can be. We can have a committee of the top administration. That can be handled.

MR OGUZU: I think the chairperson needs to tell us why they brought that amendment in the rules if it was an administrative issue. Why is it part of our rules?

MR KAFUZI: Madam Chairperson, I am sorry if I appear to be diverting but my concern is elsewhere on subrule (1). The first rule you want to introduce says “Members of the public and accredited press...” Now, while you have referred to CPA as a department that may be available for accrediting the press, what happens to a member of the public who wants to come, sit in, and observe the proceedings?

THE CHAIRPERSON: The Sergeant-at-Arms is one who vets that.

MR KAFUZI: Do we introduce a desk out there so that anyone can come from Luwum Street and say, “I would like to observe parliamentary proceedings” and that person is accredited to go up?

THE CHAIRPERSON: Honourable Deputy Attorney-General, the members who come

from outside are checked by Sergeant-at-Arms. They are registered, given tags and told the dos and don'ts when they are there because that is the work of the Sergeant-at-Arms.

However, if you are talking about the press who are not accredited by Parliament, is that allowed for the press who are not accredited to be there?

MR KATUNTU: You see, if you officially want to cover proceedings of any institution, you must be accredited by that institution.

THE CHAIRPERSON: For regulation.

MR KATUNTU: All institutions. So, even in Parliament, pressmen should be accredited, given cards and are known – including media houses. It happens in all Government institutions, whether they are courts of law and so on.

It also helps because you see, a press gallery is specifically for the press, not for the public. It should be distinct. How do you access that? You must prove that you are actually a pressman.

THE CHAIRPERSON: Honourable members, it is for our own safety. I remember one time when somebody was massaging Hon. Bumali – *(Laughter)* Yes, Hon. Kivumbi?

MR MUWANGA KIVUMBI: Madam Chairperson, I have an issue with the whole of Section 1. If the press is accredited to cover Parliament, do we need all this; "...may be admitted to debates in the House under the rules that the Speaker..."?

If you accredit a pressperson and you have – do you need any other – because you have been accredited to cover Parliament. Do you need this provision?

THE CHAIRPERSON: Honourable member, there are proceedings that are closed, like the Committee on Appointments. So, that is why you may be admitted into it and in most cases –

MR KIVUMBI MUWANGA: Madam Chairperson, let me get a clarification from the chairperson. For where there are closed sessions like the Committee on Appointments, the rules speak so. Where you have a closed session of Parliament, the rules speak so and you do not need to – Now, this provision here, we are all –

After accrediting the press, what have you accredited them to do? To cover Parliament. Where you do not need the press like in the Committee on Appointments, or a closed session, there are provisions that speak to that. So what is the essence of bringing it here when I am already accredited?

MR KATUNTU: Madam Chairperson –

THE CHAIRPERSON: Maybe you needed to specify because the other rule had already talked about the press and this one should be about the members of the public.

MR KATUNTU: Under our rules, we do not have any rule which provides for accreditation. So, one, we are providing officially under the rules for accreditation and say: "Members of the public and accredited press may be admitted into the House." This is what admits them.

MR SSEWUNGU: Madam Chairperson, I think we are going to create a problem here. I remember when we had just come to the 9th Parliament - and my closest friend I know here is Hon. Musasizi and another friend of mine from Fort Portal.

When we came here when the press was not allowed to attend plenary – you remember that? And when we amended the rules, we said, "This is so backward" because world over, the press is given room to cover plenary.

However, the moment you put this, it is going to be discretionary to the powers who may be, which will block and stop the press. So, I think let us maintain because already –

THE CHAIRPERSON: Hon. Ssewungu, look at the old and new rules. The only difference is

“accredited”. – Yes, that is the only difference. authority of the Speaker.”

MR KIVUMBI MUWANGA: Madam Chairperson, the problem I have is that, once you have accredited the press and say; “The following are accredited to cover Parliament...” they do not need another vetting to come and cover the proceedings of the House because they are already accredited to cover Parliament. Where Parliament feels that they do not need press –

THE CHAIRPERSON: It is not vetting; it is admission – allowing them to enter.

MR KIVUMBI MUWANGA: Yes, I am already accredited, Madam Chairperson.

THE CHAIRPERSON: Honourable member, if the press gallery is full despite the fact that you are accredited, how will you go to the gallery? They are talking about admission. You will be admitted to sit in the gallery once you are accredited but if the gallery is full, then we can do it in phases.

MR NSEREKO: Madam Chairperson, can I give my opinion? Thank you. This draws two things and I hope honourable members get it. Admission of the public and the press, that is one.

One is the admission of two different entities. What the public does in the gallery is different from what the press ordinarily do. It may, however, be hard to draw a line between what both do due to citizen journalism because I can come in under the guise of admittance, into a committee meeting as an individual and I pick up –

THE CHAIRPERSON: Just a minute; members who come to the gallery –

MR NSEREKO: No, I am talking of the committees because some are admitted to the committees and this is what I was raising with the chairperson. Remember when you were talking about broadcast, you talked of two entities; the House and the committees, and then you said, “...shall except with the

Now, whether the Speaker also interferes with the work of the committees on broadcast, we shall talk about it because it was just something that we did not see at that level. House and committee but we can say “committee and House” and then for committees we refer to chairpersons.

If you look at his amendment and the amendment of Hon. Muwanga Kivumbi, we talked about both the House and committees. Now going back to this, we have what we call “citizen journalism”. Someone walks into the precincts of Parliament and starts holding a camera and conducts their citizen journalism and says, “I have seen the Speaker here walking around” and you might fail to draw a line between one who is accredited and one who is not.

The issue of accreditation is where it arrives that who do you hold culpable? Someone accredited goes through induction and they know when they can and cannot be admitted to certain areas. For example, the gallery is full and the media tribune is also full. And they say, “You know what, you can share this and this; this is for radio broadcast, this is for social media and electronic media, and this is for...” etcetera. That is on admission at different occasions when the House is sitting.

I, therefore, do not think there is a very big problem in the matter of accreditation versus admission. Whereas not every person accredited can be admitted on certain occasions, everyone accredited can access Parliament at all times.

THE CHAIRPERSON: So are you in support of the committee?

MR NSEREKO: Yes.

THE CHAIRPERSON: Leader of the Opposition?

MR SSENKYONYI: Madam Chairperson, firstly, I would like to commend the committee because one of the proposals brought before them was that the media should be locked out

in this sense. All they could do as journalists was to come with a piece of paper and a pen and sit in the gallery and then there would be one camera belonging to Parliament which would feed them.

The problem with that is whenever maybe Parliament wants to edit out something, it will be edited –

THE CHAIRPERSON: Honourable Leader of the Opposition (LOP), who said that?

MR SSENYONYI: But that was rejected.

THE CHAIRPERSON: Who said that?

MR SSENYONYI: The committee chairperson is here. He will elucidate on the proposal that was before the committee, which they rejected.

THE CHAIRPERSON: No, that is hearsay.

MR SSENYONYI: No, it is not hearsay, Madam Chairperson. The committee chairperson is here. He can bear me witness. That was the proposal and it is okay for anyone to bring a proposal. I am actually crediting the committee. Of all the different proposals they received, that one was rejected. It was before the committee. The committee chairperson is here.

THE CHAIRPERSON: By whom?

MR SSENYONYI: Anyhow, the point is, Madam Chairperson –

THE CHAIRPERSON: Committee chairperson, can you clear that? Because –

MR SSENYONYI: Madam Chairperson, he is going to come and clarify the proposal that was brought before the committee regarding the press. That is okay; the committee chairperson is here but let me finish with this.

Madam Chairperson, as much as we possibly can, we should avoid creating a perception that

we are trying to keep the media away from Parliament. What we have to do in Parliament is to behave, for example, there are Members who are massaging each other, etcetera. Just behave when you are here. Know that you are in the eye of the public so that we do not try to gag the media and make it seem like we are trying to keep Parliament away from the public.

Madam Chairperson, that brings us to the question of “may” and “shall” that we are debating about.

THE CHAIRPERSON: Before we go to “may” and “shall”, as the leadership of Parliament, we have never suggested that we do not want the press here. If we did not want it, we would tell them not to be here. We have never said that and we are very comfortable and happy when the press is covering our proceedings. We are very happy; so that perception is not there.

MR KATUNTU: We have never received, as a committee, a proposal to lock out the press. We have never and we detailed within the report. There was some suggestion that we provide a link, like what goes on in another Parliament, and then the link supplies the press; not that anybody was interested in locking out the press, and he brought that view to the committee. No, that is not true.

THE CHAIRPERSON: Yes, Deputy Attorney-General?

MR KAFUZI: Madam Chairperson, with all due respect, LOP, I would like to request that that particular comment be expunged from the record.

THE CHAIRPERSON: Yes.

MR SSENYONYI: Madam Chairperson, my understanding and the perception of the public out there is when you say, “There will be a link and we shall supply you,” you are saying you cannot have your own link. When these journalists are up there, they do have their own linkages to different pages of different media

houses.

Therefore, the proposal to say, “We shall have a link and supply you” is locking them out. You may not lock the doors, but you are locking them out technologically, and that is really what I was saying. I am glad that the committee – I would like to repeat this: I am glad that the committee said “No” to that proposal. Why are you saying –

THE CHAIRPERSON: Who gave the proposal?

MR SSENYONYI: But he has just told us here. Madam Chairperson, we are belabouring too much. The chairperson of the committee has elucidated about the live feed and I am glad –

THE CHAIRPERSON: Let us first listen to Hon. Alex.

MR RUHUNDA: I belong to smart technology. When you are talking about a live link, you have not locked out anybody. In this modern world, we appreciate the use of technology. The smart technology allows you to access the globe. When the Parliament is trying to go modern, in the local context you may think that they want to lock out the press. However, in the standard measures of the global knowledge gaps, this is a normal practice of accessing information.

Therefore, I need to defend the issue of a link; it should not be used to say that Parliament wants to lock out the press.

MR OGUZU: I need to elaborate on the misinformation that the Member is giving on matters of technology because I am a highly technical person on matters of IT. You are informing the country that the link cannot lock other people out.

THE CHAIRPERSON: I have never heard of locking out the press from Parliament and on the issue of the link – like when the President is addressing the nation, it is basically UBC that is there, and UBC feeds other channels. If we

want – one of these days, I am happy you have talked about it, we need to decongest that place there, where people think they should go and address the press. We have a room where all the press people should go.

If you want to go and do legislation on the media, you go to that room and address them from there. I am happy you have talked about it yourself. I am also going to decongest outside there. Yes – So, whether it is in the rules or not, we shall do it.

MR SSENYONYI: Madam Chairperson I need to defend; let me wrap up this way. Firstly, of course, many administrative actions can be taken, but I want to –

THE CHAIRPERSON: Remember we are supposed to have a TV and radio station here, and we have a studio here.

MR SSENYONYI: That is okay. I do not know what happened. I had not joined Parliament when that suggestion came.

THE CHAIRPERSON: We have a studio down there. Maybe from there –

MR SSENYONYI: Madam Chairperson, as I wrap up, I would like to suggest that we should not gag the Members and the press too much. Now you might say, even in your office you cannot do an interview and in the corridors. It is okay for Members to be able to move freely, but again, I am glad that that particular proposal was not allowed by the committee.

Madam Chairperson, when we say “shall”, we are setting a general principle that as Parliament, we are open to the public; we are open to scrutiny. The other administrative details can be worked out. I know that Parliament accredits about 200 journalists. Now, you cannot have all the 200 journalists in the Press Gallery. That is what now gets to be worked out administratively.

THE CHAIRPERSON: LOP, Rule 23: Sittings of the House to be public.

(1) *“Subject to these Rules, the sittings of the House, or of its committees shall be*

public.”

And I repeat “shall”.

MR SSENKYONYI: Thank you, Madam Chairperson. That is the rule I quoted when I was complaining about the time the media was chased away from up there when we were dealing with the coffee Bill.

THE CHAIRPERSON: When was it?

MR SSENKYONYI: I quoted it when we returned here.

THE CHAIRPERSON: We had suspended the House. *(Laughter)*

MR SSENKYONYI: When we came back to the House - you remember, Madam Chairperson - but let us not go back. *(Laughter)* You keep taking me behind and yet we have moved.

THE CHAIRPERSON: No, we enjoy you talking. We enjoy you. *(Laughter)*

MR SSENKYONYI: No, I would like to sit down. I would like to finish and then I sit down; so let me finish this way, Madam Chairperson. As much as we possibly can, let us not paint that image of trying to keep the media away. Now that we have it in Rule 23, what is wrong with replicating the same in Rule 23(3)? Administratively, we can deal with those issues. 200 pressmen cannot be in that gallery. There are too many. Alright? Those can be dealt with administratively. Thank you.

THE CHAIRPERSON: Honourable LOP, the rules are not read in isolation.

MR EKANYA: Madam Chairperson, regarding the link, when it comes to the FIFA World Cup, they give a link and people pay for it. Therefore, it is very important that we research how we can give a link beyond the district.

However, regarding the TV and the radio, Madam Chairperson, in the Ninth Parliament, I was assigned to move around the world. I went to Korea, the United Kingdom – UNDP

approved funding for that equipment, which was brought here.

Madam Chairperson, I have all the information that I can give you so that we have our TV and radio like the Parliament of Malawi, the Parliament of South Africa and so forth.

THE CHAIRPERSON: The equipment was donated to UBC *(Laughter)*.

I put the question that Rule 223 be amended as proposed.

(Question put and agreed to.)

Rule 223, as amended, agreed to.

Rule 234

MR KATUNTU: Madam Chairperson – *(Interruption)*

MR DAVID KABANDA: Thank you, Madam Chairperson. Chairperson of the Committee on Rules, Privileges and Discipline, if you could just give me one minute, please.

The Deputy Attorney-General just moved here that the statements of the Leader of the Opposition be expunged. The reason is, the Leader of the Opposition was trying to paint a picture that the institution of Parliament was trying to propose – because you never mentioned exactly who went to the committee and when the chairman was given a chance, he said that there is nobody who went to the committee proposing that rule.

I move that his statement be expunged, as it was moved by the Deputy Attorney-General.

MR NSEREKO: Madam Chairperson, Hon. Kabanda has presented a wonderful point. However, what the Leader of the Opposition, Hon. Ssenyonyi, presented is based on what he heard and the chairperson of the committee came – *(Interjections)* – but he explained it. When he explained, we have now all discussed the issue of live feed.

Therefore, if you expunge his statement, then you will have to expunge the good contribution

of the Rt Hon. Speaker on the live feed; also Hon. Ekanya's contribution about the live feed which is public.

In my opinion, I think it was in good faith and there is no one who wants to lock out the public.

THE CHAIRPERSON: Honourable members, I think the honourable LOP mentioned that; it was explained and we all understood where it was coming from. It was his thinking and it was explained. He has since changed his thinking. *(Laughter)* Let us proceed. Next item.

Rule 234

MR KATUNTU: Thank you very much, Madam Chairperson. As I go to the next rule, I have been listening to colleagues. When you look at the amendment we have just introduced and passed, it has just introduced one word in the original rule, and that was "accredited press", meaning that we have moved away from just the press and given a right to the accredited press. That is it. Anyway, that is a discussion for another day.

Rule 234 is amended by substituting in subrule (3) the following –

“(3) Upon expiry of the term of a committee, the outgoing chairperson of the committee shall prepare and make available to the new committee a memorandum containing all the business pending before the committee with reasons explaining why the business was not completed.”

The justification is:

1. For clarity and to provide for what –

THE CHAIRPERSON: Committee chairperson, before you go to the justification, they should also relinquish their offices because they do not allow to let go of the offices.

MR KATUNTU: These are the sorts of mischief we have observed over time and we

are trying to create rules to cure these gaps. Can I complete this?

THE CHAIRPERSON: Hon. Kivumbi is saying that I refused to give out my office – *(Laughter)* This is a serious matter. Okay, let us leave offices. Honourable members, there is a very big problem. When Members are dropped from being chairpersons of committees, they tend not to leave the offices. That needs to be cured. Do you get it?

MR KATUNTU: The cheeky comment coming from my brother, Hon. Muwanga Kivumbi, reminds me of Butambala. There are very many things that are grown in that place.

THE CHAIRPERSON: Butambala, yes. Actually, when we went for a by-election, we found them. *(Laughter)*

MR KATUNTU: Can we go back to rule 234? “(3) Upon the expiry of the term of a committee, the outgoing chairperson of the committee shall prepare and make available to the new committee a memorandum containing all the business pending before the committee with reasons explaining why the business was not completed.”

Justification

1. For clarity and to provide for what the memorandum under Rule 234(3) is supposed to contain.
2. To provide for a smooth transition between the outgoing and the incoming committees.

I beg to move.

MR NANDALA-MAFABI: Thank you very much, Madam Chairperson. In short, the committee chairperson is preparing a handover report, and with the handover report, one should hand over the office. Here, having done that, there should be:

“(4) That the chairperson shall prepare a handover report and handover office.”

The justification is that you do not handover only business, but you should also handover

the office. We should also put sanctions. It is very bad for a chairperson not to come and handover. Instead, they even pluck off the tags on the door and run away with them as if this is their personal property.

Therefore, for purposes of Hon. Kivumbi's problem of what they grow there, we can put that one aside. *(Laughter)* What I want to put across is a serious matter.

THE CHAIRPERSON: Committee chairperson, concede. Just a minute.

MR KATUNTU: I do concede to Hon. Nathan Nandala-Mafabi's proposal, lest that one of Hon. Kivumbi – *(Laughter)*

MR KANKUNDA: Thank you. I appreciate our committee chairperson and the submissions being made. I would like to ask that we add a specific time to what my brother, Hon. Nandala-Mafabi, said. It is a good proposal but we must give it a certain time so that – *(Interjection)*
-Yes, one month or two.

THE CHAIRPERSON: "Upon expiry of the time" means immediate. Mr Chairman, your term is expiring; so please prepare. *(Laughter)*
Hon. Kabuusu?

MR KABUUSU: Madam Chairperson, I am one person that left office in the Eighth Parliament. However, the tears I shed leaving that office – I was not a chairperson; I was just a mere backbencher – *(Interjections)* - No, relax.

I propose that we include a provision that establishes "reasonable time." Reasonable time is in its ordinary meaning, reasonableness and it could be a fortnight, Madam Chairperson.

THE CHAIRPERSON: Hon. Moses Kabuusu
-

MR KABUUSU: Yes, Madam Chairperson.

THE CHAIRPERSON: When someone is assigned to be a chairperson of a committee,

we expect it to take immediate effect. What the Sergeant-at-Arms is supposed to do is to immediately get you another office. It may not be in the main building. It may be in the boys' quarters, but he has to get another office for you.

I put a question that Rule 234 – *(Laughter)*

MS KAAYA: Madam Chairperson, instead of the memorandum, we have agreed to call it a "handover report," because that is what shall bring out all the space challenges and business.

THE CHAIRPERSON: Handover report? Let us dispose one by one.

MR KATUNTU: What we are providing is a handover report.

THE CHAIRPERSON: It is just the English.

MR KATUNTU: It is just baptising it in different words.

MR OSEKU: Madam Chairperson, we appreciate this provision because it is important. However, circumstances may arise where the person may not be in a position to immediately handover. We could say in the first place, as soon as practicable but in any case, not later than 14 days, so that we give time for that person to prepare and handover.

THE CHAIRPERSON: That is now the work of the whips. Honourable members, the moment your name is approved by the House, you cease to be a chairperson. Yes?

MR OBUA: Madam Chairperson, there is a basic principle that once you are appointed, you should start preparing your exit report. Immediately your term comes to an end, we shall expect you to also handover immediately. That will apply even to me and the shadow ministers.

MR OGUZU: The clarification I seek from the Government Chief Whip is; under the Administration of Parliament Act, there is a provision that the Commissioners will continue

to hold office even when their term has expired. Why are we not –

THE CHAIRPERSON: Which section?

MR OGUZU: Let someone get me the Administration of Parliament Act. *-(Laughter)-* I can be helped. I know it is there. It is either Section 5, 8 or 9. It says that they will continue to sit there and yet you are not handling them the same way you handle other office bearers. Why? Let us be human enough and say we can talk about a week or – because we cannot say, “Today, you are just-” really. I, therefore, I propose –

THE CHAIRPERSON: Section 3; “*A Member of the Commission shall hold office for a duration of Parliament, in which he or she is elected, but shall not vacate the office until a Member is nominated or elected in his or her place, as the case may be, immediately after the general elections.*”

MR OGUZU: True. Madam Chairperson, what that statement means is that until there are people elected, those people will continue to sit there even when their term is –

THE CHAIRPERSON: Is a commissioner the same as the chairperson of the committee?

MR OGUZU: My imagination is that those are all officers of the Government –

THE CHAIRPERSON: No.

MR OGUZU: -and they must be accorded some bit of – *(Interjections)* – at least a week.

MS ALUM: Thank you, Madam Chairperson. We are making a new rule to cure a problem. Many times, we are faced with chairpersons who refuse to handover the offices. The work of the chairperson must begin, because they are the leadership of the committees. If we give an open cheque to them, how shall we cure this problem?

Madam Chairperson, it should be immediate that when a new chairperson is appointed, the

old one must vacate the office to leave room for the new one to begin work of Parliament, immediately.

THE CHAIRPERSON: Hon. Mapenduzi?

MR MAPENDUZI: Madam Chairperson, it is unfortunate that the uncouth behaviour of some people is creating a situation that will make certain chairpersons become victims.

And it is important to recognise that when someone is appointed the chairperson, after they have served, we need to accord them a certain amount of respect. We should also know that it is a transition.

I suggest that we include that “...upon assignment or appointment of new members, the transition should be within seven days from the date of appointment.” Thank you.

THE CHAIRPERSON: No. Honourable members, one, we are making a change from a memorandum to a handover report. Two, upon appointment, it is immediate. I put the question that Rule 234 is amended as proposed by Hon. Christine Kaaya.

(Question put and agreed to.)

Rule 234, as amended, agreed to.

THE CHAIRPERSON: In the 10th Parliament, most of the chairpersons who were removed, removed the tags and refused to give the new leadership the offices. Hon. Katuntu was a Chairperson of the Committee on Statutory Authorities and State Enterprises (COSASE), and he is still in that office to this day. *-(Laughter)*

New rule -

MR KATUNTU: The rules are amended by inserting, immediately after rule 234, the following -

“234A Legacy report

(1) Upon dissolution of the House, the Clerk

to Parliament shall prepare a legacy report detailing the achievements, challenges and pending business of the House and each committee of Parliament.

- (2) The legacy report shall be laid on Table within the first Seven Sittings of the First Session of Parliament.”

Justification

To inform the succeeding Parliament of the business that was handled, and that which is outstanding for consideration by the new committee.

I beg to move.

THE CHAIRPERSON: Thank you. That is a very good one.

MS KAAYA: The seven sittings appear to be many. This is because we elect leaders in the first two sittings. It could be the third. What shall we be discussing -

THE CHAIRPERSON: It is within. It can even be in the third sitting.

MS KAAYA: Okay. Then it has to come out clearly here. Otherwise, it is as if after the seventh sitting.

THE CHAIRPERSON: No, it should be within. “Parliament shall prepare a legacy report detailing the achievements, challenges and pending business of the House and each committee of Parliament. The legacy report shall be laid on Table within the first seven sittings.”

I put the question that the new insertion, immediately after rule 234, be adopted.

(Question put and agreed to.)

Insertion of new rule, agreed to.

Rule 236

MR KATUNTU: It is proposed that rule 236 is amended by substituting for the head note the following: “Assistance to persons with disabilities and older persons.”

In subrule (1), by inserting immediately after the words, “persons with disabilities”, the words “and older persons”.

In paragraphs (a) and (b) of subrule (1), by inserting immediately after the word “disability,” the words “or an older member”, to include the older persons in the category of persons that need assistance while participating in proceedings of the House or its committees.

THE CHAIRPERSON: I put the question that rule 236 be amended as proposed –

MR NANDALA-MAFABI: Madam Chairperson, there is a clarification on which Hon. Abdu has to assist me; he knows. One time there was a motion here on voting and the late Omwony Ojwok was brought in a wheelchair. He was not among the elderly, nor was he among the disabled.

Why don’t we make a provision for anybody who needs assistance? He might be sick, but he wants to come to the House; so that we can take care of him.

THE CHAIRPERSON: We are not referring to Members or persons with disabilities or the elderly but to the persons supporting them. The physical condition -

MR KATUNTU: Actually, we are talking about the physical person not those who -

THE CHAIRPERSON: Assistance to persons.

MR KATUNTU: Somebody may be a person with a disability and yet he is not here on the ticket of a Member with a disability. But he could be disabled.

THE CHAIRPERSON: Yes.

MR KATUNTU: We could have another person who does not represent people of older

age, indeed like the Hon. Nandala-Mafabi. rule 241 as proposed.
(*Laughter*)

(*Question put and agreed to.*)

THE CHAIRPERSON: As a person with a disability?

New rule, inserted.

MR KANTUNTU: No, older persons. Rule 66
(*Laughter*)

MR NANDALA-MAFABI: Madam Chairperson, Hon. Abdu Katuntu is right; every Mugisu who is circumcised is disabled.
(*Laughter*)

MR KATUNTU: Rule 66 is amended by inserting immediately after Appendix B the following:

“Appendix B (a) Procedure for the – (*Hon. Nabagabe rose*)

THE CHAIRPERSON: I put the question that rule 236 be amended as proposed.

THE CHAIRPERSON: What is wrong with the title?

(*Question put and agreed to.*)

Rule 236, as amended, agreed to.

MS NABAGABE: Thank you very much, Madam Chairperson. For the title of the new rule that we are inserting, I am proposing that it be made clearer because now it has “computation of time”. I am requesting that we –

New Rule

MR KATUNTU: Insertion of a new rule. The rules are amended by inserting immediately after rule 241 the following:

THE CHAIRPERSON: Time as referred to in these rules.

“Computation of time: For the purposes of rules 30(10), 33(1), 35(1), 36(1), 39(1), 40(2), 41(5), rule 129(2), 141(1), 169(2), 218(1), “days” means the working days.”

MS NABAGABE: They need to be very clear like that so that we do not have it as just a computation of time.

In computing working days, a person shall exclude Saturday, Sunday, or public holiday declared under the Public Holidays Act and any period of recess declared by the Speaker.

THE CHAIRPERSON: It is very clear.

Where, in these rules, a reference is made to a week, the reference shall be deemed to mean the period of seven working days.”

MS NABAGABE: Computation of “parliamentary time” or “working time,” something like that, but not just “time,” as that would lead to the question: Which time? Thank you.

Justification

To exclude public holidays and weekends when computing time for undertaking parliamentary business. I beg to move.

THE CHAIRPERSON: These rules are for where?

MS NABAGABE: But we have been defining things here.

THE CHAIRPERSON: I put the question that the new rule be inserted immediately after

MS KATUNTU: A head note is not the law. The law is what is in the detail. Do not just read a head note and think you have read it. You have to read the rule itself. (*Hon. Nabagabe rose*)

THE CHAIRPERSON: No, it will come in one definition, interpretation. Yes?

MSOPENDI: Thank you, Madam Chairperson. I have observed that we are passing these rules without defining the quorum. Is it not time for us to address this? I have tried to look through the report and there is nothing like a quorum yet; it is important that when people have meetings – This is a very important document for us. We should insert a new rule on quorum. The rules shall be amended with at least one-third. I do not see anything mentioned regarding quorum. That is why –

MR KIBALYA: Madam Chairperson, if we go into these rules and we begin looking for quorum, we shall never amend them. For our Rules of Procedure? It could be a rule elsewhere but not for our Rules of Procedure.

MR KATUNTU: Can I clarify?

MS OPENDI: Are we going by rule 24? The quorum – If we do this, are we one-third now?

THE CHAIRPERSON: Next? Whoever does not want can go. If you are not satisfied, you know where to get the remedy.

Insertion of Appendix B(a)

MR KATUNTU: Appendix B(a): Procedure for the election of the four Members of the Commission.

1. The Clerk shall, within two days of the First Sitting of the First Meeting of the First Session of Parliament, or
- (b) At least 14 days before the end of the term of the four Members of the Commission in existence during the term of Parliament, by notice, inform Members of Parliament of the date for nomination of Members of Parliament for election to the Commission.

2. Nomination of Members

Subject to Section 2(4) of the Administration of Parliament Act, nomination of candidates for election to the commission shall be made by Members of Parliament from:

- (a) The Government side who shall nominate six Members from among their number and;
- (b) The Opposition side who shall nominate three Members from among their number.

3. Presentation of nominees to the House –

MR NANDALA-MAFABI: Madam Speaker, the procedural issue that I am raising -

THE CHAIRPERSON: Hon. Abdu listen to this: Four members of the Commission. You are saying that the other ones nominate six, and then these nominate three?

MR KATUNTU: Yes.

MR NANDALA-MAFABI: The procedural issue I am raising is; why don't we handle it one by one? That way, once we dispose of one, we move to the next, with Hon. Abdu leading us. Would that not be procedurally correct? Because if we look at one, we might forget and pass it omnibus and make mistakes.

THE CHAIRPERSON: Let us first listen to what he says and we see.

MR KATUNTU: “The Government side shall nominate six Members from among their number, the Opposition side shall nominate three Members from among their number.

3. Presentation of nominees to the House

The Government Chief Whip and the Chief Opposition Whip shall present to the House the list of Members nominated for election to the commission from both the Government and Opposition sides.

The Speaker shall ensure that the Members nominated for election to the Commission include at least one woman.

A Member nominated for election to the Commission shall be seconded by at least two

Members.

paragraph (v).

A member nominated for election to the Commission shall give his or her consent to the nomination.

5. Declaration of elected Members

The Speaker shall declare a Member elected as a Commissioner where:

4. Campaign and election

- i) The campaigning and election of the four Members to the Commission shall be conducted on the day following the nominations.
- ii) The Speaker shall give each Member nominated for election to the commission at least 10 minutes to address the House.
- iii) When all Members nominated for election to the Commission have addressed the House, the Speaker shall announce that the ballot will now be taken.
- iv) The Clerk shall ensure that the relevant materials for election are in place.
- v) The election of the four Members to the Commission shall be conducted in the House by all Members of Parliament entitled to vote.
- vi) Voting of the four Members to the Commission shall be by secret ballot.
- vii) The ballot paper to be used in the election shall be in the form prescribed in Schedule 4.
- viii) After all Members who wish to vote have voted, the Speaker shall, in full view of Members present, cause the Clerk to empty the ballot box and immediately count the ballot papers contained in it.
- ix) At the completion of the counting of the votes, the Speaker shall announce to the House the results of the election.
- x) The Speaker shall, after announcing the results in sub-paragraph (ix), declare the successful candidates as elected Members of the Commission in accordance with

- (a) the Member from the Opposition side that has obtained the highest number of votes cast in his or her favour;
- (b) two Members from the Government side that have obtained the highest number of votes cast in their favour;
- (c) among the elected Members in sub-paragraphs (a) and (b), there is no woman, then the woman Member who has obtained the highest number of votes cast in her favour.

6. Miscellaneous

- (1) Where any matter arises which is not specifically provided for in this schedule, the Speaker shall make a ruling directing what is to be done in respect of that matter.
- (2) In making a ruling under sub-paragraph (1), the Speaker shall be guided by the practices and procedures of Parliament.”

Justification

This is a consequential amendment to Rule 11 on nomination and election of the four Commissioners to the Parliamentary Commission.

THE CHAIRPERSON: Honourable chairperson, what does the Administration of Parliament Act say about the number for backbench commissioners?

MR KATUNTU: The number given is three to one as it is in our current rules.

THE CHAIRPERSON: It is three to one?

MR KATUNTU: Yes.

THE CHAIRPERSON: So, why are you saying that we should have six? Why are you mentioning the number in this case?

MR KATUNTU: No, that was for purposes of nomination. Then we shall carry out an election from those that have been nominated.

THE CHAIRPERSON: Yes?

MR NSEREKO: Madam Chairperson, I would like to raise one pertinent issue. In this House, we have different shades of opinion, amongst which – let us go slow – because to serve democracy, we must understand that we must walk here with clean hands. In this case, people elect Members of Parliament to come and represent them in this House through different shades of opinion, either belonging to political parties or the independents.

If we choose the path of elections and not nomination by parties, then we should leave people to decide on the following: one, to present themselves on their own merit. Then political parties can conduct their own primaries internally and present candidates to the House as they so wish, without us determining the procedure that political parties should undertake, whether it is the Government side or Opposition side or even Independent, because what makes an election is the presentation of oneself as a candidate.

Every Member of Parliament seated in this House qualifies to stand as a Commissioner. If you are opening up for democracy, whether you belong to a party or you are independent, and therefore when you present yourself, it should be the House to determine who that person shall be to determine their welfare. That is the primary role of the Commissioner and that is the reason as to why my vote should not be conscripted, if I am an independent Member, to belong to either the Opposition or to a particular party.

Why we should take it into a secret ballot and why we should go for election is because we want to go away from the position of selections being conducted by particular members seated

on a board of a party, let us say, Central Executive Committee (CEC) or National Executive Committee (NEC) to determine.

What are we trying to say, Madam Chairperson? If we are talking about the Commission and going back to the original, where we are talking about Members' welfare, let us leave the Members to determine and let us leave it open for everyone to present their credentials and when they present –

THE CHAIRPERSON: Everybody including Independents?

MR NSEREKO: Yes, because they are Members of Parliament and why we elect this Commission – let us be open – even if the Administration of Parliament Act says so, it is ultra-vires. Therefore, if you are to effect what he said –

THE CHAIRPERSON: Then why don't you amend the Administration of Parliament Act?

MR NSEREKO: We cannot amend this without amending the parent Act.

THE CHAIRPERSON: We are not amending the rules. You are actually speaking in a wrong forum because you are speaking on the rules instead of the Administration of Parliament Act. The rules have just copied the Administration of Parliament Act.

MR NSEREKO: Madam Chairperson, the rules are to enforce the spirit in the parent Act, not to just copy and paste because if it was copy and paste and enforce what is in the Act, what he has presented here is not what is in the Act. We are talking about how we manage ourselves.

Therefore, Madam Chairperson, in regard to this rule, even if it means going back to amend the parent Act, in order to get the aims and aspirations of Members of Parliament, let us do exactly that, because we cannot disenfranchise certain people in this House, in the name of raising the autocrats of parties against the will of Members.

THE CHAIRPERSON: Honourable members, in the 10th Parliament, we brought that debate and Hon. Nathan Nandala-Mafabi was the one who shot me down and said, “For you, you are an Independent Member; do not talk about this.” Hon. Nathan refused it. You get it? Yes, Hon. Kivumbi?

MR MUWANGA KIVUMBI: Madam Chairperson, I think this is a very intricate matter. First and foremost, we try to follow the Commonwealth parliamentary practices that create the Opposition and Independents.

Secondly, Madam Chairperson, first of all, where you are imagining six nominations from the Government side –

THE CHAIRPERSON: They are three.

MR MUWANGA KIVUMBI: We are imagining that the strength of Parliament cannot change. You can have a Parliament which is a hung Parliament, where literally the difference between the Opposition and Government side is too slim to decide on the numerical – These are Commissioners of Members of Parliament.

Therefore, if it so happens that out of 500, the Government has 200 and the Opposition has 300, who should elect the majority? Even if it was 50-50, where do we get the numbers that four out of four; three naturally are the other side and one is this side. It is a very fundamental issue before we go very far.

The other question of element is; let us know that in this House there is also politics. Realistically, we have seen it happen – where if we nominate three of this side, and the other one nominates, we will decide on a Member this side on who to support, especially where there are strategic alliances in this Parliament. That means you will have a commission literally made of the Government and its allies in the Opposition, and which will not reflect - Therefore, before we tamper with this provision, we must take a lot of care on what we are trying to cure. Much as we want democracy - *(Mr Nsereko rose)*

THE CHAIRPERSON: Honourable, let him first finish.

MR MUWANGA KIVUMBI: The people who talk about wanting to create a constituency of Independents must be very careful.

THE CHAIRPERSON: Everybody is independent of the other.

MR MUWANGA KIVUMBI: Everybody is independent of the other. On so many occasions, they have tried to come here and pretend that they are a shade of opinion. No, you are independent of any other. You are not a shade of opinion – *(Mr Nsereko rose)* - You cannot say that you do not have inherent associational strength and therefore, you cannot reach and say -

THE CHAIRPERSON: Can I have order in the House? I am not giving you, Meddie. No. Decorum.

MR MUHAMMAD NSEREKO: You cannot say we pretend in the House. No, that is not parliamentary language.

THE CHAIRPERSON: Okay, first leave that microphone. Sit, Meddie. I am saying that all of you should sit.

Hon. Katuntu, we are not putting the numbers. If the Independents want a position on the Commission, they can bring an amendment to the Administration of Parliament Act, not on the rules and if you do not want anything that has the Consolidated Fund then you reduce from the existing number from NRM.

MR MUHAMMAD NSEREKO: Madam Chairperson, with due respect, you are trying to debate in anticipation that the NRM will always have the majority in this House. It is very wrong. Do not worry, please listen.

THE CHAIRPERSON: As of now.

MR MUHAMMAD NSEREKO: Hon. Kivumbi Muwanga raised a pertinent point that

by the time - and I want you to listen carefully because any of you can become an Independent and it might not be by your own will. I remember some people tried to stop Independents from accessing the precincts of Parliament through elections. I am aware parties wanted to present a proposal where they would lock out people from vying independently and I can tell you that it is undemocratic.

Therefore, for as long as we enter this House, even if we are independent from one another, we must enjoy all the rights that you enjoy in this House, even the right to stand on a particular position. No, the one that stops you is that the law as it is at the moment, states clearly that the nominees shall be proposed by parties; either the Government side or the official opposition. What brought the issue of even squabbles at the Commission - we were here before - was the issue of saying, it is because there is the greater Opposition and they do not look at these people as XY. If it is an open race for the welfare of the people, it does not matter. Let us present the names, let the Members of Parliament choose who is the best suited person to debate their welfare but the issue of saying that this one is independent, this is XY -

I would like to also propose, if it - When Independents are the majority in this House, what would be the question?

THE CHAIRPERSON: Deputy Attorney-General (DAG), first come back on this one.

MR MUHAMMAD NSEREKO: Because that is the issue of mathematical proportionality. The issue of thinking that every other time the Government side will have majority -

THE CHAIRPERSON: Hon. Nsereko, I do not know why you are wasting all that English because it is very simple. Bring an amendment to the Administration of Parliament Act. These rules are just operationalising what the Act is saying.

MR MUHAMMAD NSEREKO: Let us stand over this rule.

THE CHAIRPERSON: No, we are not standing over -

MR MUHAMMAD NSEREKO: Because you are operationalising air; an illegality - (*Mr Oguzu Lee rose*)

MR KAFUZI: Madam Chairperson, I want to shed light on the rationale or the reason as to why the rules, together with the law, provide for a bigger number for the Government, despite the fact that at any one time, you may have more Members of Parliament in the Opposition. The reason goes with budgeting and at any one time, the Government in force is in charge of the budget and we need to acknowledge that. Yes, it is all about budgeting - (*Mr Ssewungu rose*) - Madam Chairperson, may I be protected?

THE CHAIRPERSON: Honourable members, please. Let us hear from the DAG and then -

MR SSEWUNGU: He is bringing a very - The moment I also -

THE CHAIRPERSON: There is a point of order.

MR SSEWUNGU: Hon. Ekanya, what is wrong with you? (*Laughter*)

MR EKANYA: Madam Chairperson, I beg to move a point of order. Under rule 8, we need to have respect for the chairperson because the chairperson is in charge of discipline and decorum. This House is a live debate and the entire country and world is seeing us. The Deputy Attorney-General is on the Floor and the Speaker is giving guidance yet Members are grabbing the microphone, giving young children out - Is my colleague in order to grab the microphone, Madam Chairperson?

THE CHAIRPERSON: Hon. Abdu, remove the numbers that you have prescribed because you are disadvantaging one side of the House. I agree with what Hon. Kivumbi Muwanga was saying. People can connive and say, if we have

Allan, Okupa and the other one, let us all vote for Okupa - (*Hon. Nsereko rose*) - First wait-

MR MUHAMMAD NSEREKO: Madam Chairperson, in good faith, how does that negate the principle of selection that we are trying to fight because if they propose one then why do we have elections?

THE CHAIRPERSON: Hon. Nsereko - Leader of the Opposition -

MR SSENYONYI: Madam Chairperson -

THE CHAIRPERSON: The good thing is that you are going to be a presidential candidate so we shall have a bigger number from your party.

MR SSENYONYI: Madam Chairperson, two things. In (2) here, I agree with you that one, we do not limit the nominated persons.

I would like to propose an amendment to the proposal here that the Government side shall nominate from among their number - be the Opposition - Why do you want to limit it to six? The election of the four members to the Commission shall be entitled to vote.

Multi-party politics as it were, we want to suggest that even though we vote for the commissioners, and the Opposition side does the same - because, when you say that they must be voted by all, it is a bit problematic. It disenfranchises the side that these people are seeking to represent. I am waiting for Hon. Nsereko to - so that I can grab the attention of the Chairperson.

THE CHAIRPERSON: Leader of the Opposition, nomination of the four candidates (Members of Parliament referred to in subsection (2)) for election to the Commission, shall be made by the Government and Opposition side. By the Government on their side, and the Opposition on their side.

MR SSENYONYI: Yes, that is true. I am only disputing the bit about the election being conducted by all Members -

THE CHAIRPERSON: That one contradicts the Administration of Parliament Act.

MR SSENYONYI: This very proposal?

THE CHAIRPERSON: Yes.

MR SSENYONYI: Meaning we leave it out?

THE CHAIRPERSON: Yes. Committee chairperson? I want the chairperson.

MR KATUNTU: Thank you very much, Madam Chairperson. I have always thought that politicians chase democracy. I have also always thought that elected Members of Parliament should treasure elections.

The reason we had made these proposals was to go away from a process of selection to election, and to have all Members of Parliament have a say and participate in the election of their own representatives, especially the backbenchers.

Why? Other than the chairpersons and deputy chairpersons, who are our leaders and are elected by us, the Commission is composed of the Prime Minister, by law. It is also composed of the Minister of Finance, Planning and Economic Development, by law. In that alone, the Executive is represented on the Commission.

The Leader of the Opposition represents the official Opposition party, by law. We now have four Members who are supposed to represent the backbenchers. When we put up this process, it is for the backbenchers to have a say on their representatives. That is the purpose of this amendment.

I do not buy Hon. Muwanga Kivumbi's assertion that amongst the Opposition, there are super Opposition; those they do not trust but are in the Opposition. Who are you to determine that? If somebody has come here on the National Unity Platform (NUP) ticket, the law takes him to be the Opposition. However, that is my reason and the committee's reason as to why we made these proposals and I believe in them.

Let me say this, Madam Chairperson. I believe in these proposals. For the first time, I would leave this House to vote and I am not going to concede against a principle. I believe in that and I am not ready to do - Let the Members vote. If they do not want elections, let them say - By the way, colleagues, Madam Chairperson, can I make this point? Just this point.

I am happy that I was here in the 1970s. At that time, all the commissioners; the four backbenchers, were elected by all Members, until the National Resistance Movement (NRM) went to some place in - What is it called again? (*Interjections*) That one. They came and said, no, we no longer want to elect, let other people elect for us. You have now heard the experience.

Madam Chairperson, I propose that if a Member has an amendment to the proposals, including throwing out this whole process, let them take a vote. Thank you.

THE CHAIRPERSON: Yes.

MR WOKORACH: Madam Chairperson, thank you very much for the opportunity. After the honourable committee chairperson, senior Katuntu, explained the content in this proposal, I am now more convinced. I support him and the committee 100 per cent, for this particular content.

THE CHAIRPERSON: Including having the numbers?

MR WOKORACH: Yes, if it pleases you. As a Member of Parliament, the numbers are worthy to me. Let the numbers be there as he proposed.

THE CHAIRPERSON: Where are you getting those numbers from? If you are making the Rules of Procedure, you must bring it from the parent law, which is the Administration of Parliament Act. It specifies that the NRM will have three Members and the Opposition will have one. It does not specify that you bring six vis-a-vis three. It does not do that.

MR WOKORACH: Madam Chairperson, if the number is the question in this, we can leave it.

THE CHAIRPERSON: Yes.

MR WOKORACH: However, let it be subjected to a vote like the committee chairperson proposed. Let us leave the number open.

THE CHAIRPERSON: Yes, let us leave the number and let the parties decide. Yes, Hon. David Kabanda?

MR KIBALYA: Madam Chairperson, let us have a simple scenario. In this same Parliament, you had 80 applications -

THE CHAIRPERSON: 280.

MR KIBALYA: Of people who wanted to be commissioners. Are we going to have 280 people here and we elect from them?

THE CHAIRPERSON: Do not remove powers from parties that have sent these people. Hon. Kabanda?

MR DAVID KABANDA: Madam Chairperson, like the Leader of the Opposition has stated -

THE CHAIRPERSON: Yes?

MR DAVID KABANDA: The Leader of the Opposition has stated that we leave these political parties to propose their nominees. Let the Opposition propose their nominee and the ruling party also proposes its nominees. We can leave the number to three from the Government side and then one from the Opposition side. We should leave the parties to manage their internal processes.

THE CHAIRPERSON: Agreed? Honourable members, if you want to include the Independents, amend the law. It is common sense.

MR SSEWUNGU: Madam Chairperson, sincerely, we could agree -

THE CHAIRPERSON: Okay, bring an amendment now.

MR SSEWUNGU: There are many proposals and I seek your indulgence. Before we take a vote on this, you already stated that we are not going to take on this particular section on the Commission in this Parliament because we shall not elect them. Therefore, if there are disputes, just accept, Madam Chairperson, with your powers, that we refer to the Administration of Parliament Act.

What Hon. Kabanda is stating is that these ones are going to complain. The Leader of the Opposition (LOP) stated that he wants the Opposition to vote theirs alone and NRM brings theirs, which has been the practice. But still, there is an interesting scenario here. We have shades of opinion -

THE CHAIRPERSON: Honourable Member, the Administration of Parliament Act says "Opposition". It does not say "UPC", "FDC" or "DP".

MR NANDALA-MAFABI: Thank you very much. Madam Chairperson, I would like to start from subclause (1)(b). Hon. Katuntu, I would like you to listen.

When you say at least 14 days before the expiry of the term, that person is not a Member of Parliament until he has been sworn in. I can tell you that the first person to be elected is the Speaker then the Deputy Speaker. The Speaker will then be the one to conduct elections for the backbench commissioners.

Madam Chairperson and chairperson of the committee, Hon. Abdu, subclause (1)(b) should be deleted because the Member is not yet a Member until they have been sworn in. Listen to what it says: "Within the first sitting -

THE CHAIRPERSON: Where is that?

MR KATUNTU: It is on page 118 of the report.

"The Clerk shall:

- a) *Within two days of the first sitting of the first meeting of the first session; or*
- b) *At least fourteen days before the end of the term of the four members of the Commission, if at all the position falls vacant..."*

THE CHAIRPERSON: We shall have the Speaker and the Deputy Speaker.

MR NANDALA-MAFABI: I have understood that. The second item is if we are going by numbers, the law provides for three from the ruling party and one from the Opposition. If, for one post, you want three nominees, this means for one position, there must be three people.

Therefore, for three people, you multiply by three, which is nine. Now, if we are going by numbers, the ruling side should not bring six; it should bring nine. The Opposition should bring three, for purposes of proportion -

Madam Chairperson -

THE CHAIRPERSON: Honourable Member, you know very well that the NRM has three and the Opposition has one. Leave that to the parties to decide; do not take away the powers of the parties.

MR MUHAMMAD NSEREKO: Madam Chairperson, how then will those be elections?

THE CHAIRPERSON: When you come unopposed, haven't you gone through an election process?

MR MUHAMMAD NSEREKO: Madam Chairperson, the question is that the elections in Parliament - (*Interjections*) Even if you will carry the day, first listen to us.

The elections in Parliament are about the welfare of Members of Parliament, not the welfare of parties in Parliament. Therefore, if you still stick to the principle that parties should nominate, it kills the spirit of those that wanted elections to be conducted here because

a Commissioner in Parliament belongs to all sides – *(Interruption)*

THE CHAIRPERSON: There is a point of order.

MR MAPENDUZI OJARA: Madam Chairperson, we all know that part of your responsibilities is to guide this House and make a ruling. Indeed, you have provided guidance that one, we should respect the political parties, as indicated in the Act.

Two, you have guided that if we need to have a Member who will represent the Independents, we should come up with an amendment.

Is it in order for my colleague, Hon. Nsereko, to continue insisting after you have guided? We should proceed and leave that matter. Thank you.

THE CHAIRPERSON: Honourable members, I am putting the question that a new appendix be inserted immediately after Appendix B, as proposed by the committee, amended by the Leader of the Opposition and modified by Hon. Kabanda.

(Question put and agreed to.)

New Appendix, agreed to.

Appendix D

MR KATUNTU: Thank you, Madam Chairperson.

THE CHAIRPERSON: Is there a market here? Hon. Nsereko, it is time for prayers.

MR KATUNTU: Madam Chairperson, rule 3 of Appendix D is amended by deleting the words “or designated”.

The justification is to harmonise rule 3 Appendix D with Rule 13(2) of the Rules of Procedure. I beg to move.

THE CHAIRPERSON: Thank you. I put the question that Appendix D be amended, as

proposed.

(Question put and agreed to.)

Appendix D, as amended, agreed to.

Schedule 4

MR KATUNTU: Schedule 4 is amended by substituting for the citation the following: “Rules 11(4), appendix B rule 13(4) and appendix BA paragraph 7(5).”

The justification is to clearly reference the provision referencing the ballot paper.

THE CHAIRPERSON: I put the question that Schedule 4 be amended, as proposed.

(Question put and agreed to.)

Schedule 4, as amended, agreed to.

New Schedule

MR KATUNTU: Appendix B is amended by inserting, immediately after Schedule 4, the following:

“SCHEDULE 5

Rule 214

SUMMONS TO WITNESS -To:
Whereas the Committee on -

THE CHAIRPERSON: Say, “Dash, dash” - *(Laughter)*

MR KATUNTU: Okay.
“SCHEDULE 5

Rule 214

SUMMONS TO WITNESS

To:
Whereas the Committee on
invited you to appear before it on the
day of and you failed to honour
the invitation –

You are hereby summoned to appear before the committee sitting at on at without fail, and to bring with you all documents relating to.....

If an appearance is not made by you in person, the committee may be compelled to secure your attendance by other means authorised by law.

Dated this day of 20.....
CLERK TO PARLIAMENT”

That is the new schedule, where the witness summons are now standard.

THE CHAIRPERSON: Thank you. I put the question that Appendix B be amended by inserting a new schedule, immediately after Schedule 4, as proposed.

(Question put and agreed to.)

Appendix B, as amended, agreed to.

Rule 2

MR KATUNTU: Madam Chairperson, these are the proposed amendments to rule 2, which is the interpretation rule and it always comes after we have handled all the amendments.

Rule 2 is amended by:

- (i) Deleting the definition of “Cabinet”.
- (ii) Substituting for the definition of “Leader of Government Business” the following: *“Leader of Government Business” means the Prime Minister appointed under Article 108A of the Constitution.*
- (iii) Substitution for the definition “Leader of the Opposition” the following: *“Leader of the Opposition” means the Member of Parliament who is the leader in Parliament of the party in opposition to the Government and having the greatest numerical strength in Parliament.*
- (iv) Substituting for the phrase, “Leave of

Parliament or the House” for the phrase, “leave of the House.”

- (v) Substituting for the definition of “Official Report,” the following: *“Official report or Hansard” is a record of Parliamentary proceedings in text or audio-visual.*
 - (vi) Substituting for the phrase, “By order of Parliament or the House,” the phrase, “Order of the House.”
 - (vii) Substituting for the definition of “Precincts of the House or Parliament,” the following: *“Precincts of Parliament means the Chamber and offices of Parliament and the galleries and places provided for the use or accommodation of strangers, members of the public and representatives of the press, and includes, while Parliament is sitting and subject to any exceptions made by the direction of the Speaker, the entire building in which the Chamber of Parliament is situated, and any forecourt, yard, garden, enclosure, open space, adjoining or pertaining to that building, and used or provided for the purposes of Parliament.”*
 - (viii) In the definition of “Question,” by deleting the phrase “and the question of privilege.”
 - (ix) By substituting for the definition of the word “Whip,” the following: *“Whip” means the Government Chief Whip, Chief Opposition Whip and the Party Whip.*
 - (x) By inserting in the appropriate alphabetical order the following definitions: “Dignified” as is prescribed under rule 82.
- “Official record” includes the official report, audio or visual recording of the proceedings of the House or the committees.
- “Privilege” means powers, privileges and immunities enjoyed by the Parliament

collectively and by Members individually under the Parliament Powers and Privileges Act.

“Report of a Committee” means the report signed by the majority of the members of a committee, the minority report signed by members dissenting from the opinion of the majority and members abstaining.

“Ruling” means any decision by the Speaker on a matter of order, procedure or privilege.

“Subsidiary legislation” means any document by which a power conferred by any Act on the President, minister, or any other authority to make, or a power exercisable by making proclamations, rules, regulations, by-laws, statutory orders or statutory instruments is exercised.

Justification

- i) To delete definitions that have not been used in the rules.
- ii) To improve clarity and align some definitions that have been used in the rules with constitutional and other legal provisions.
- iii) To insert definitions that are necessary for better interpretation of the rules.

I beg to move.

THE CHAIRPERSON: He had something on “persons.”

MRSONGA: Thank you, Madam Chairperson. Throughout the Rules of Procedure of Parliament, we have been using either “witnesses” or “persons.” Do we need to bring that to interpretation so that we can read and understand the rules? Do we put “summoning persons,” or “summoning witnesses”?

If that is the case, we have to take rule 213(2) to be the definition of the witnesses in the interpretation. Thank you.

MR KATUNTU: Madam Chairperson, we can define both because you are not a witness until

you stand and start testifying so, you remain a person. Once you testify, then you are a witness.

THE CHAIRPERSON: So we can define “persons” and “witnesses” in part two. The drafting team will do that.

MR OGUZU: Madam Chairperson, “dignified” has also been defined, as stated in rule 82. The definition omits traditional wear, which I said is unconstitutional because it infringes on the right to promote tradition and culture which is provided for under Article 37 of the Constitution. If we have to move to safeguard these rules and align them with the Constitution, as the Minister of Justice and Constitutional Affairs and the Attorney-General –

THE CHAIRPERSON: Honourable member, just a minute so that we are together. *“Every person has a right, as applicable, to belong to, enjoy, practice, profess, maintain and promote any cultural institutions, language, traditions, creed or religion in a community with others.”* We are not saying, do not practice your culture but you can wear those cultural clothes of yours outside and not in the House here. The justification that the committee chairperson gave is that some of these people come wearing blouses in the name of – Committee chairperson, justify.

MR OGUZU: I think I need to make my case first. It is good you have read that. Tradition is not just promoted at a *malwa* joint. When we are here, we have to promote our tradition. We cannot be here to entrench colonial legacies by forcing people to put on ties and suits and think this is parliamentary. We are Africans and we are dealing with all these colonial structures that have enslaved us for long. I think we must be able to promote our tradition. That is what is provided for in the Constitution.

THE CHAIRPERSON: There is a point of order. Where we failed to understand something - I want to thank you so much that we have a Constitutional Court that can eliminate this kind of confusion. Somebody should be able

to go to the Constitutional Court and find out whether it is really correct for one to dress very smartly like Hon. Ssenyonyi or like Hon. Orone the days before. *(Laughter)*

MR KIBALYA: Thank you, Madam Chairperson. Hon. Lee was referring to promoting colonial legacy. However, when we were observing, we said this is Parliament that is seen, as someone said, all over the world. Equally, this Parliament and its Members must be role models.

If we did not want to promote colonial legacy, we would be here speaking Lusoga. Hon. Lee would be speaking *Lugbarati* here. However, we said, let us speak English, a uniting language, be organised, uniform and reflect the image of this country.

Madam Chairperson, I am asking whether Hon. Lee is in order to continue insisting on something that we ruled on as a team. It is because we have not passed the rules, there was a colleague –

THE CHAIRPERSON: We passed that rule.

MR KIBALYA: There was a colleague seated there – with due respect, a woman Member of Parliament. I do not know whether you saw. It was not in order.

THE CHAIRPERSON: It was a see-through. Constitutional Affairs, advise us.

MR OKUPA: Madam Chairperson, thank you. I would like to help my honourable colleague here. If he is talking about colonial mentality or promotion, even the suit you are putting on; that material, is colonial. You cannot claim that it is original. Otherwise, you would be putting on backcloth. All this came up from the colonial people.

Two, there are rules for every institution. You cannot claim - If you are going to church, you cannot decide to go to church in a backcloth or the skin of a leopard because you want to promote culture, you cannot. You must be able to respect that institution and the rules.

Madam Chairperson, I think my honourable colleague should be at ease; the UPDF are so disciplined. When we said we do not need *madowadowa* here; those are combat uniforms, they did not put up any resistance. It is just to appear in this House.

THE CHAIRPERSON: Thank you. Honourable members, I am putting the question that rule - there is no problem with that definition. They included it. I put the question that rule 2 is amended as proposed.

(Question put and agreed to.)

Rule 2, as amended, agreed to.

THE CHAIRPERSON: Which recommittal?

MR SSENYONYI: Madam Chairperson, I am seeking to recommit rule 85A, Proposal 85A, sanctions. I think that most of what is hereunder is quite ambiguous. The committee chairperson has guided me to proceed because this is not a Bill -

MR OKUPA: There is a procedure for a recommittal. I think the motion should be moved and then you ask through the Chairperson.

MR SSENYONYI: Let me proceed, Madam Chairperson.
“Rule 85A:

- i. Where the Speaker or the House finds that a Member has breached the Code of Conduct or that a Member has breached any of the provisions of the Rules for which no specific sanction has been provided, the Speaker or the House may, in addition to other sanctions to which a Member may be liable under these rules:
- ii.
 - a) issue a formal warning to the Member;
 - b) reprimand the Member;
 - c) - And this begins the issues of concern that I have – “direct the Member to apologise to the House or any other person in a manner determined by the Speaker or the House” - it is too open-ended;

d) withhold, for a specific period of time -”

THE CHAIRPERSON: Honourable Leader of the Opposition (LOP), on the apology to the House, once you offend the House, the House will request you to apologise. They will put a bar there; you know how these people are sworn in. They put a bar there and you will offer your apology to the House and then be admitted into the House.

It is a custom that has been there. It is not anything that has been introduced. Of course, it is also good for us to be honourable enough and behave well to avoid such.

MR SSENYONYI: That is okay, Madam Chairperson. My interest is for definitiveness about these things so that it is clear. You have now explained, Madam Chairperson, but it is not explained here. Let me proceed in earnest - “d) withhold, for a specific period of time, the Member’s right to use or enjoy any specified facility provided to Members of Parliament.” What if the Speaker says I am withholding for two years?

THE CHAIRPERSON: It is specified if you have been suspended.

MR SSENYONYI: It is not under sanctions here.

THE CHAIRPERSON: It is there in the rules. If you have been suspended for three sittings, you are not supposed to come into the precincts of Parliament.

MR SSENYONYI: Madam Chairperson, that is why I read from the commencement. These sanctions are for where the rules provide no sanction. Where it is clarified that it is three sittings and so on, these sanctions do not apply. They apply where there is no sanction.

THE CHAIRPERSON: Committee chairperson?

MR SSENYONYI: Maybe if I could finish and then the chairperson comes to clarify.

THE CHAIRPERSON: Okay.

MR SSENYONYI: These are for where there is no specific sanction. Where it is provided, three sittings and so on, this does not apply, and that is the challenge that I have with this.

“e) remove or suspend the Member from any other position held by the Member in Parliament for which no specific grounds for removal or suspension are provided under these Rules or any other law.”

The precarious nature of this is, the presiding officer - and I am not necessarily talking about our very good Speaker, I am talking about any presiding officer - could say, “I am removing the Vice President from their office”. That is the implication of this because there is no provision for the removal of the Vice President.

THE CHAIRPERSON: Even LOP.

MR SSENYONYI: It is not there, not even the Prime Minister.

THE CHAIRPERSON: Even LOP. *(Laughter)*

MR SSENYONYI: And others. Madam Chairperson is adumbrating. That is the challenge with this. When you say, remove or suspend any position they hold, the Vice President is an MP and a VP. So, for whichever misconduct, the presiding officer could say, “I am now removing you from the position of Vice President.” That is the import of what the committee chairman is coming to clarify.

Finally, “(f) suspend the Member from the service of the House or any committee for a period determined by the Speaker or the House.” It could be the Speaker or the House. Therefore, the presiding officer could say, “We are suspending you for whichever period” – a year, two, three – I do not know. When it is not specified, it remains open-ended, and that is the challenge with this.

THE CHAIRPERSON: Committee chairperson?

MR KATUNTU: A law is never made in vain and if you provide for an offence, you must provide a sanction. When you look at (a) to (f), we have detailed the sort of sanctions that are available to the House and to the Speaker such that you know that should I offend - because the Constitution is very clear, you cannot be punished except for an offence clearly defined and a punishment prescribed.

Therefore, we are trying to prescribe the punishment in detail such that the House knows the perimeters within which they can work or the sanction that they can impose on any of us who have breached the rules. When you look at (a) to (f), none of those is just an innovation. Some of them are actually a copy-and-paste of other jurisdictions - *(Interruption)*- Okay, I can get the clarification.

THE CHAIRPERSON: Hon. Linos?

MR NGOMPEK: Thank you, Madam Chairperson. If I read, “withhold, for a specific period of time, the Member’s right to use or enjoy any specified facility provided to Members of Parliament”, what does that entail? Even passports? Because passports are provided. Allowances? We need to know those things, Madam Chairperson. Thank you.

THE CHAIRPERSON: Chairperson, first clarify on that.

MR OGUZU: Madam Chairperson, I would like to understand what you mean by reprimanding the Member. What falls under that?

I would also like to know from you: where the presiding officers are found in breach of our rules, what sanction or what should we do in that event? Because these rules govern everybody and nobody will be above them. They are the law.

THE CHAIRPERSON: Honourable chairperson, maybe what you can do is to explain rule by rule. You want an explanation so, let him explain because you are not going to add anything.

MR KABUUSU: Thank you, Madam Chairperson. I was going to ask him, because he and I know of a void for vagueness doctrine. If it were a charge sheet and somebody was arraigned before court to answer a charge and you raised that the charge sheet is void for vagueness, court would invite both parties to address it. The void for vagueness doctrine specifies that somebody would be invited to answer to a charge that has specificity.

Therefore, in (d) when the committee says, “withhold for a specific period of time the Member’s right to use or enjoy any specific facility provided to Members of Parliament”, what Hon. Linos was saying is that the rule itself stands vague, ambiguous, unascertainable and the committee ought to have laboured -

THE CHAIRPERSON: Exactly. That is why I was saying that he should explain one by one.

MR KABUUSU: He is going to give examples.

THE CHAIRPERSON: Yes, if he is giving examples and there is an amendment, then we amend. It is as simple as that. Which one? Start from (d) -

MR KABUUSU: Thank you, Madam Chairperson.

MR KATUNTU: Why don’t I start from the simple one? You see, when a colleague says - First of all, let us look at the one they are talking about: “Withhold for a specific period of time”, there is nothing vague about that one.

“The Member’s right” - there is nothing vague about that. “To use” - there is nothing vague. “To enjoy” - there is nothing vague. “Specified facility provided to a Member of Parliament”.

I will give you an example. Do you have a right, for example, to use our parliamentary gym as a Member? You can be banned from using it and anything else, depending on what the House has decided. Do you have a right to use the canteen? Because that is also a facility and it can go on and on.

For example, if you are a certain Member who goes to the canteen and you do all sorts of things there, they can say, “No, for the whole of this session, you are not entitled to go to the fourth floor.” You will have been banned from using a facility, which you are entitled to - *(Interruption)*

THE CHAIRPERSON: Honourable members, can we listen?

MR KATUNTU: That is what we had in mind.

THE CHAIRPERSON: Honourable members, listen.

MR KATUNTU: (2) “Remove or suspend a Member from any other position held by a Member in Parliament. Let me just do the most contentious. *(Interjections)* Which one? *(Interruption)*

MR OLANYA: Thank you, Madam Chairperson. Mr Chairman, the specific period of time is too open. In case you find the presiding officer not favouring someone -

THE CHAIRPERSON: Honourable members -

MR OLANYA: Madam Chairperson, let me finish this. Thank you. Mr Chairman, I really feel that your point is right but let us define the specific period of time by giving a time frame because you may find a bad person who will give you six months or one year. So, let us define the specific period of time.

THE CHAIRPERSON: Hon. Katuntu, what if we stopped a Member from coming to the House a number of times yet he can go and eat in the canteen?

MR KATUNTU: Suspension means you have been suspended from participating in the business of the House, including using its facilities. You cannot say, I am out of the session but I am in the canteen eating.

THE CHAIRPERSON: Maybe for the new Members, let me first tell you. When you

suspend a Member, you are not allowed to enter the gate. It is implied that you cannot enjoy the benefits of this premise. You get it? It is implied. Once you are suspended for that period of time, you will not be allowed to enter right from the gate. So, we only need to define the time frame.

MR DAVID KABANDA: Madam Chairperson, I request that we do not confuse facilities and privileges.

THE CHAIRPERSON: The privileges are different.

MR DAVID KABANDA: Members of Parliament are privileged to have food here. Yes, you can have lunch in a parliamentary canteen which is a facility.

THE CHAIRPERSON: How will you enter?

MR DAVID KABANDA: Yes, because as a Member of Parliament, that is a privilege. You can even have lunch at Kingdom Kampala. We are confusing privileges and facilities.

THE CHAIRPERSON: Hon. Ariko? Suspension -

MR ARIKO: Thank you, Madam Chairperson. What is the essence of a suspension? A suspension is part and parcel of a set of actions that are taken by either an authority or a body to restrain repetitive participation of certain acts that are not acceptable by the rules, regulations, or practices of a certain institution.

In ethics, punishment serves the purpose of providing:

1. Retribution
2. Deterrence
3. Restraint

Therefore, if a suspension is provided as a means of corrective action towards unacceptable behaviour of a group of persons, it therefore must follow that it should stop the person from enjoying what they usually are provided with, so that they feel the purpose of such a suspension. Therefore -

THE CHAIRPERSON: Honourable members, I think what we need to do is to specify the time. Hon. Katuntu?

MR MAO: Madam Chairperson, what is not being said here, which is the elephant in the room, given the source of this recommittal, is fear of bias. It is simply not being said.

However, the principle behind what we are doing today is to assert the independence of this House so that it regulates itself. Nobody should regulate this House and by your self-regulation, you are simply setting boundaries.

From listening to the debate, I see that the boundary, especially regarding the period of suspension, is not clear. Even in criminal law, somebody would say, you are liable to be sent to a term of prison not exceeding, or a fine not exceeding such currency points or both. Therefore, in this case, the honourable Chairperson of the Committee on Rules, Privileges and Discipline would be well advised to set these boundaries specifically.

The purpose would be to avoid arbitrariness because these rules are until further notice. They can easily be abused. Hence, specific boundaries, in my view, will reassure the Rt Hon. Leader of the Opposition. Thank you, Madam Chairperson.

THE CHAIRPERSON: Hon. Katuntu, would it hurt us if we maintained rules 89 and 90 and you study that for the future? Should we maintain rule 89 and rule 90 and then you study what you are proposing in the next amendment. Yes?

MR KATUNTU: I think others are getting more than they asked for – *(Laughter)*. The committee can look further into it and try to do the parameters as advised by the head of the Temple of Justice. However, somebody to go through - and let me tell you this, colleagues. The reason is that you sit as members of the disciplinary committee then you are stuck with what sort of sanctions - if you find somebody who has offended the rules - are sufficient to deter somebody from repeating it but –

(Interjections) - No, I do not work that way. We shall look through it as of now.

THE CHAIRPERSON: Are you conceding to dropping 85A as you study?

MR KATUNTU: I would rather you make proposals, but if you do not wish to, throw them out.

THE CHAIRPERSON: Hon. Abdu, I know you as a gentleman. Concede honourably. I know the person I am talking to. *Hajji*, look at me when you are talking. *(Laughter)*

MR KATUNTU: I will look down and concede. *(Laughter)* Madam Chairperson, I concede.

THE CHAIRPERSON: Thank you. Honourable members, rule 85A has been dropped.

MOTION FOR THE HOUSE TO RESUME

7.45

THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Abdu Katuntu): Madam Chairperson, I move that the House do resume and the Committee of the whole House reports thereto.

THE CHAIRPERSON: Honourable members, whoever has a recommittal, we are not making the rules for the last time. You will bring the amendment.

I put the question that the House do resume and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

THE SPEAKER: Honourable committee chairperson? Yes, what is your issue?

MS NABAGABE: Thank you, Madam Speaker. I am looking at rule 83 –

THE SPEAKER: Let us go to – Hon. Abdu – report of –

Report adopted.

MS NABAGABE: No, Madam Speaker, I have a point of order for Hon. Ariko. Since we sat in this House, I have been looking at him and he has been chewing as if he is chewing curd since we entered here. He is violating rule 83 on the behaviour of Members in the House and rule 85 on general behaviour. He keeps chewing like a cow. Is it in order for him to constantly and continuously chew curd in the House? Why are we being subjected to his mouth like that?

THE SPEAKER: Honourable members, I direct the Clerk to extract all these amendments, produce new rules and have them gazetted and then we will reprint them.

Also, I would like to thank the Members of Parliament for making sure that they are here to pass these rules for three days. I would also like to thank the chairperson of the committee and the committee.

THE SPEAKER: Hon. Flavia, why is your interest in Hon. Ariko? *(Laughter)* I am not sure whether you are size mates. You are not size mates. Next?

Honourable members, the rules take effect. *(Applause)*

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

Hon. Olanya, first stand up. Have you seen how smart he is? Do you see today how smart Hon. Orone is? Hon. Flavia, have you seen Hon. Ariko? *(Laughter)* The youngest boy here, the Leader of Opposition (LOP), ever smart. Okay, the youngest man. Honourable members, truth be told, let us differentiate a Member of Parliament from other people. I want to thank you very much.

THE SPEAKER: Committee chairperson?

7.48

THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Abdu Katuntu): Madam Speaker, I wish to report that the Committee of the whole House considered amendments to the Rules of Procedure of Parliament and passed many of them with amendments.

MR KATUNTU: Thank you, Madam Speaker. Colleagues, rules are very boring and there is nothing exciting about this process. I would like to thank all of you for the keen interest you have taken, especially staying in this House this late. At times I was so worried that there would be a handful of us here. I would like to thank, especially those who have contributed to further amendment of the rules.

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

Lastly, before I thank the Speaker, I would like to thank our colleagues, members of the committee, who took off their time to attend meetings and produce this report.

7.49

THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Abdu Katuntu): Madam Speaker, I move that the House adopts the report of the Committee of the whole House.

I would like to thank, in a special way, members of the UPDF because when we moved the amendment, it affected their manner of dressing. However, they took it with grace. They even appreciated it. It shows how disciplined the Uganda People's Defence Force is. On behalf of my colleagues, members of the committee, we express our sincere thanks and appreciation. To those who the new rules will offend, especially those who wanted to dress in a particular way, our apologies.

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

(Question put and agreed to.)

However, this is an institution, and I would like somebody to take it to court; whether it is constitutional to dress properly or not. Go to court and say, for us in Parliament - and you tell judges who have a particular code of conduct, including the way they dress. By the way, the judges also have a dress code. Go and tell them that for us, we want to dress like we are going to the market, it is our African way of doing things. They will say, that is your right and you may not succeed.

This is all in good faith. We think we should be an inspiration to the public in the way we dress, in the way we speak, and in the way we behave.

Lastly, to the captain of the ship, you are always patient with us. Sometimes I wonder where you get that patience. I may not be as patient as you are. We have all sorts of ideas but you are willing to listen. Thank you very much and God bless you all. *(Applause)*

THE SPEAKER: Thank you very much, Members. On a very special note, I would like to thank Hon. Norbert Mao, chairman and your team, for what you did for us today. As we wait for tomorrow, God bless all of you. I now adjourn the House to tomorrow at 2.00 p.m.

(The House rose at 7.55 p.m. and adjourned until Wednesday, 19 February 2025 at 2.00 p.m.)