
BILLS**SUPPLEMENT No. 4****27th March, 2024****BILLS SUPPLEMENT***to The Uganda Gazette No. 22, Volume CXVII, dated 27th March, 2024*Printed by UPPC, Entebbe, by Order of the Government.

Bill No. 18*Children (Amendment) Bill***2024****THE CHILDREN (AMENDMENT) BILL, 2024****MEMORANDUM****1. Policy and principles of the Bill**

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

2. Defects in existing law

The Constitution establishes a definite number of Government agencies, including constitutional commissions, authorities, boards, local councils and other statutory bodies. These were established to perform certain specified constitutional functions. Over the years, however, there has been a proliferation of agencies established by Acts of Parliament, Executive Orders and administrative arrangements. Whereas most of the agencies are necessary due to the critical nature of the functions they perform, Government has established that a certain limited number of agencies were established without due consideration to the aspects of institutional harmony, functional duplications, overlaps and affordability. Government has also established that some agencies have served the purpose for which they were established. The mandate of a few other agencies has been overtaken by events. Such agencies need to be rationalised.

More importantly, the proliferation of agencies has created mandate overlaps and jurisdictional ambiguities among the agencies.

Additionally, the high cost of administering the agencies has drained the national treasury at the expense of effective service delivery. This has overstretched the capacity of Government to sustain them. Government has also established that the generous salary structures of the agencies has created salary disparities between employees of the agencies and public officers in the traditional civil service leading to demotivation of human resources in the mainstream public service.

3. Remedies proposed in the Bill.

The intention of the Bill to amend the Children Act, Cap. 59, to—

- (a) enable the mainstreaming of the functions of the Children Authority into the Ministry responsible for children which has a fully established department responsible for children affairs and was responsible for children affairs before the establishment of the National Children Authority in 2016, thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure on funding the National Children Authority yet there is a fully established and capable department responsible for children affairs;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the department responsible for children in relation to other government agencies and departments, thereby avoiding duplication of mandates and functions;
- (c) promote coordinated administrative arrangements, policies and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
 - (ii) enabling the Government to play its proper role more effectively; and

(iii) enforcing accountability.

4. Provisions of the Bill

The Bill has 10 clauses. Clause 1 provides for the interpretation of the terms used in the Bill. Clause 2 provides for the objectives of the Bill. Clause 3 provides for the purpose of amending the Children Act, Cap. 59, which is to dissolve the Children Authority and mainstream the functions of the National Children Authority into the Ministry responsible for children. (Ministry of Gender, Labour and Social Development). Clause 4 provides for the dissolution of the National Children Authority. The remaining clauses of the Bill seek to give effect to the consequential amendments resulting from the dissolution of the National Children Authority.

BETTY ONGOM AMONGI (MP)

Minister of Gender, Labour and Social Development.

THE CHILDREN (AMENDMENT) BILL, 2024

ARRANGEMENT OF CLAUSES

Clause

- 1. Interpretation**
- 2. Objectives**
- 3. Purpose of amendment of Children Act, Cap. 59**
- 4. Dissolution of National Children Authority**
- 5. Amendment of section 1 of Act 1 of Cap. 59**
- 6. Repeal of Part IIA of principal Act**
- 7. Amendment of section 43I of principal Act**
- 8. Amendment of section 54 of principal Act**
- 9. Amendment of section 114 of principal Act**
- 10. Savings**

A Bill for an Act

ENTITLED

THE CHILDREN (AMENDMENT) ACT, 2024

An Act to amend the Children Act, Cap. 59 to give effect to the Government program on rationalisation of Government agencies and public expenditure; to mainstream the functions of the Children Authority into the Ministry responsible for children, and for related purposes.

BE IT ENACTED by Parliament as follows:

1. Interpretation

In this Act, unless the context otherwise requires—

“agency” means a body established by an Act of Parliament and includes an authority;

“commission” means a body established by the Constitution;

“Government” means the Government of Uganda;

“Ministry” means the Ministry of Gender, Labour and Social Development.

2. Objectives

(1) The main objective of this Act is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure adopted by the Cabinet on 22nd February, 2021 and contained in Cabinet Minute No. 43(CT 2021).

(2) Without prejudice to the general effect of subsection (1), the following objectives shall be deemed to fall under the objective specified in that subsection—

- (a) the merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- (b) the facilitation of efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments and thereby avoiding duplication of mandates and functions;
- (c) the promotion of coordinated administrative arrangements, policies and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
 - (ii) enabling the Government to play its proper role more effectively; and
 - (iii) enforcing accountability; and
- (d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

3. Purpose of amendment of Children Act, Cap. 59

The purpose of amending the Children Act, Cap. 59, is to dissolve the National Children Authority and mainstream the functions of the dissolved National Children Authority into the Ministry responsible for children.

4. Dissolution of the National Children Authority

On the commencement of this Act, the National Children Authority shall be dissolved.

5. Amendment of section 1 of Cap. 59

Section 1 of Cap. 59, hereinafter referred to as the “principal Act” is amended by repealing the definitions of “Authority”, and “board”.

6. Repeal of Part IIA of principal Act

Part IIA (sections 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X and 9Y) of the principal Act is repealed.

7. Amendment of section 43I of principal Act

Section 43I of the principal Act is amended in subsection (1) by repealing the following—

“and submit a copy of the order to the National Children Authority.”

8. Amendment of section 54 of principal Act

Section 54 of the principal Act is amended by substituting for the word “registrar” the words “National Identification and Registration Authority”.

9. Amendment of section 114 of principal Act

Section 114 of the principal Act is repealed.

10. Savings

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Children Authority

shall vest in the Ministry responsible for children.

(2) Any proceedings commenced by or against the National Children Authority may be continued by or against the Attorney General.

(3) The members of the board of directors and staff of the of the National Children Authority serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(4) Compensation is not payable to any member of the of the board of directors of the National Children Authority for loss of office resulting from the abolition of the of the Board by this Act.

