**Wednesday, 27 April 2016**

*Parliament met at 2.12 p.m. in Parliament House, Kampala.*

PRAYERS

(*The Deputy Speaker, Mr Jacob Oulanyah, in the Chair.)*

*The House was called to order.*

COMMUNICATION FROM THE CHAIR

**THE DEPUTY SPEAKER:** Honourable members, I welcome you to this sitting. As I said yesterday, we remember the service and the passing of Hajji Aziz Kasujja who did some work for this country. I said that time would be found for us to discuss a tribute motion in his memory and that time has been found this afternoon. If you look at your Order Paper, we will be discussing that today, and I am glad that it is happening.

Honourable members, item No. 5 is supposed to be the committee of supply for us to deal with the figures, but I am informed by the Chairman of the Committee on Budget and its members that they are not ready with the figures. Going by what they are doing right now, they might not be able to even have the figures ready for tomorrow. Most likely, they said they could be ready on Friday. If by close of business tomorrow we are able to confirm that the figures for supply will be ready on Friday, then I will seek your indulgence, Members, to come back on Friday morning and we supply so that the rest of the budget processes can continue.

However, supplementary schedules 1, 2 and 3 for financial year 2014/2015 are ready and we should be able to supply that today and, therefore, close the matters for the last financial year and we proceed. You remember the issues that have been coming up back and forth on that matter, which have not enabled us to conclude it.

In the public gallery this afternoon, we have students and teachers of Gayaza Road Secondary School represented by hon. Abdu Latif Ssebagala and Nabilah Naggayi of Kampala District. They are here to observe the proceedings. Please, join me in welcoming them. *(Applause)* You are very welcome. Honourable members, let us do business.

2.16

**MS JESCA ABABIKU (Independent, Woman Representative, Adjumani):** Thank you, Mr Speaker, for this opportunity. I rise on a matter of national importance in regard to the high sequence of robbery of cattle in Adjumani District affecting the subcounties of Arinyapi and Dzaipi**,** whichhas highly affected the security of our people and their property.

Mr Speaker, on 17 April 2016, a total of 127 head of cattle were robbed and only two have been recovered. Last year, a businessman known as Drowiro who was coming back from South Sudan was killed. In 2014, 58 head of cattle were robbed and none was recovered. In 2008, 690 head of cattle were robbed and still none was recovered.

These two subcounties are just settling because they were hit worst by the insurgency. Therefore, we pray that Government intervenes by helping these people. First, the security at the border should be strengthened. We have only one police post with two staff members. When the robbers, whom we believe are from South Sudan, attack us, the two police officers cannot manage the situation. This time round, it was the office of the RDC and DPC that tried to help the community to secure the two animals.

Secondly, we also request that Government helps us to regulate the movement of the South Sudanese and their activities at the border. Every day they graze their animals in Uganda particularly in EleguParish. During the day, they have the privilege to do what they want - for example, they spy - and at night when going back, they go with our cattle. Therefore, I appeal to Government to ensure that the inward and outward movements of people must be regulated and this has been a big loophole used by these robbers.

Lastly, Mr Speaker, we request that these people be compensated. In 2011, after the occurrence of the incidence where Arinyapi and Dzaipilost 690 cattle, the President promised to compensate them. Now the new event of the loss of 125 head of cattle has added injury to the existing situation.

Therefore, I request Government to consider and compensate the affected people or else Government should go and address them because they have a feeling that the attention given to them is not adequate. My prayer is for Government to help us by talking to these people about their compensation. They did not benefit from the iron sheets that were promised although they are getting settled. Thank you very much, Mr Speaker.

**THE DEPUTY SPEAKER:** It might look like an Adjumani issue, so let –

2.20

**THE GOVERNMENT CHIEF WHIP (Ms Ruth Nankabirwa):** Thank you very much, Mr Speaker. I would like to thank the honourable member for raising this important issue. I would like to condemn the acts of criminality that have been inflicted on the people of Adjumani.

Mr Speaker, as a landlocked country, we have been facing problems of border insecurity for a long time. The problem worsens when we have no bilateral relationship with such a country. At least when we had problems of cattle rustling by the Pokot from the other side of Kenya, we tried very much to engage them. However, when it comes to the Democratic Republic of Congo and South Sudan, the process is always slow.

I have hope that as South Sudan joins the East African Community, we will be able to sit down and work on a modality that will bring total harmony between the two countries. It is bad to talk about regulating our brothers and sisters from across because of their acts, because we are moving towards free movement of people since we are the same people. However, it has been very unfortunate that the good hospitality that Uganda offers is not always reciprocated by our brothers and sisters. I want to pledge that we shall use the new environment where South Sudan is our baby in the East African Community to handle that particular issue.

Regarding compensation, since you are quoting the President of the country, I think we shall take it up from there and remind him so that it is worked out like it has been done in other regions where we have been doing compensation. Thank you.

**THE DEPUTY SPEAKER:** Thank you. Do you have a supplementary issue?

**MS ABABIKU:** Mr Speaker, I did pray that at least the security, in terms of increasing the number of police officers, also be handled.

**THE DEPUTY SPEAKER:** The minister said they are going to address all those. Given that she is just sitting next to the Deputy Leader of Government Business, it might be very easy to follow it up.

2.23

**MS CECILIA OGWAL (FDC, Woman Representative, Dokolo):** Thank you, Mr Speaker. I rise on a matter of national importance. I want to draw the attention of this august House to the core role of Parliament as an institution, which is to hold the Government accountable.

This particular matter that I am raising today concerns Government being accountable for lives and property of Ugandans. I have observed a pattern where lives have been lost in most parts of Uganda. The Government usually acknowledges that either the security forces are responsible or are doing something about it, but Ugandans do not get information as to what reports the security forces have come out with.

Mr Speaker, this Parliament will be asked to explain whether we actually have internalised our responsibilities as enshrined in the Constitution, Article 22, which states that, *“No person shall be deprived of life intentionally except in execution of a sentence passed in a fair trial by a court…”* This, I understand, should be the guiding spirit and principle. Unfortunately, the victims of Walk-to-Work who lost their lives in the year 2011 –

**THE DEPUTY SPEAKER:** Honourable member, what is the urgent matter?

**MS CECILIA OGWAL:** The pattern, Mr Speaker, is that people have died, whether during Walk-to-Work five years ago or recently with the killing of the Muslims. Very many people have been killed in the country and the Government agrees that the security forces are involved, but we do not get reports as to what Government has come out with as a result of those incidences.

You have now asked the Committee on Defence and Internal Affairs to investigate the incidences that took place in Kasese. The committee may come up with a report but we are not sure of what will become of it because we have done many of such investigations - Personally, I went to West Nile and investigated the death of people and destruction of property in Moyo but up to today, Government has not given us an account of what happened – whether the victims were compensated or not.

I am asking this Parliament to take action to ensure that Government compensates the relatives of those persons who lose their lives in unclear circumstances and those who are known to have been innocent but have died or lost their property and have not been compensated. Mr Speaker, I beg you to urge the relevant ministries concerned with this matter to make sure the victims of such circumstances are compensated. Thank you.

**THE DEPUTY SPEAKER:** Honourable member, you know there are processes and procedures that can help, since you have asked that Parliament should do something. First recourse is the court of law; an aggrieved person can access the courts and seek compensation through that mechanism.

If you are to move this Parliament, it cannot be the Speaker to move. You will need to prepare a formal motion outlining the issues you want covered in that motion and you present it formally, so that we can pass it by resolution. The motion would urge Government to solve those problems that could have arisen to some of our citizens. That would be the proper way to proceed.

I cannot order from the Chair that, “Honourable minister, do this and that.” That would be a bit difficult. However, if you prepare a motion and give us notice, we would be able to entertain that motion, have a full debate on it and take a decision on what advice we can give to Government to take certain measures to do compensations.

**MS CECILIA OGWAL:** Thank you for your guidance, Mr Speaker. However, in situations where very many people died and lost their property, like in the case of Moyo and the neighbouring districts, and you know that the victims affected are really very poor people who would not even know where to start from - they would not even have money to engage a lawyer - I think we must be sensitive.

How would we proceed with this matter? Maybe what we can do is to say that each individual Member of Parliament whose people are affected should come and pursue that issue on behalf of those affected. Definitely, it would be unfair for me to tell the people of Moyo and the neighbouring districts to come and seek justice by asking us to move a motion on their behalf. I know there are very many motions moved here and nothing has been done about them. So maybe, in a way, we are actually saying that there is nothing we can do about it. However, that would make our people even more desperate and yet they are really seeking for justice.

**THE DEPUTY SPEAKER:** Honourable member, if this Parliament, by a resolution, takes a decision on a particular matter, it is easy to follow it up. If there are gaps in what is supposed to be followed up, then the people who were supposed to have benefited from that resolution may not have been active to follow up the matter. This is because attention should have been brought back to Parliament and then we would see how to activate the processes that can lead to the implementation of the terms of that resolution.

If that motion is brought during the course of debate, all the Members will be here and will be able to feed into the debate, before we make a general decision on which now everybody affected by those circumstances can follow. They will be able to say, “Parliament made this decision; I am now accessing this through that resolution of Parliament.” It does not matter who is from where but they will have notice that Parliament has made such and such a decision urging Government to compensate people who have been affected by the operation of its agents. I think that would be a better way to do it. Thank you.

**MS CECILIA OGWAL:** Mr Speaker, I shall definitely bring a motion for Parliament to consider.

**THE DEPUTY SPEAKER:** Does that now serve as notice of a motion?

**MS CECILIA OGWAL:** Yes; this is a notice for a motion and I am asking the Clerk to take note. Thank you.

2.30

**MS ANNET NYAKECHO (NRM, Woman Representative, Otuke):** Thank you, Mr Speaker. I rise on a matter of national importance, especially as MP on transit from Otuke to Tororo. This matter arises from the plight of Ugandans in general and people of Tororo specifically.

Mr Speaker, I am challenged by the kind of work, especially roadwork, that is done in Uganda. Contractors construct roads but in most cases they do not complete the works and we end up having challenges. In the recent past, for instance, there have been a number of accidents along the newly constructed Tororo-Mbale Highway. Last week, we lost a very important member of our community to an accident. Why? It is because the contractors did not labour to think of placing an ordinary hump despite the fact that the area is a busy trading centre. I think they do this deliberately because they want to maximise profit.

Mr Speaker, we know that there is high traffic on this road and vehicles move at very high speeds. If humps were constructed, they would help control the speed at which vehicles move and also help us to save our innocent Ugandans from untimely deaths.

I was really hurt because this person in particular was close to me during the recent elections. He was my campaign manager for Molo Subcounty. Most of you are aware of the Magodes Trading Centre that I am talking about. It is my prayer that the Executive takes this into consideration and urges Government agencies like UNRA to make sure they put humps. They do not cost much but at least that will help in *– (Interruption)*

**MR FUNGAROO:** Thank you, honourable colleague, for giving way. I would like to give information to the effect that accidents are not only occurring on the Tororo-Mbale Highway. In West Nile, and in particular on the Arua-Koboko-Oraba Road in Arua Town, as you move towards the airfield, there are primary schools like Arua Primary School along the way. Very often, children are knocked down along that road. There is even one child who was knocked in front of me as I was returning from Obongi County. When I asked why there were no humps or road signs, there was no response.

The information I am giving is not only about humps but also road signs. The roads are not speaking to the motorists because there are no warnings maybe about the presence of a school or warnings to reduce speed. This is a national problem that we are facing and not only on the other side. I thank you.

**MS NYAKECHO:** I thank you, my brother. I am happy that all of us know that there is an urgent need for Government to look into this problem.

I pray that this Parliament comes up with a resolution that is mandatory to the road sector that all highways must have humps at the major trading centres and also road signs, so that our people can be saved from accidents, live longer and wait until God calls them. Their lives should not be cut short by speeding motorists. I thank you.

**THE DEPUTY SPEAKER:** I thank you. Does Government have something to say on that?

2.35

**THE GOVERNMENT CHIEF WHIP (Ms Ruth Nankabirwa):** Thank you very much, Mr Speaker and colleagues. Regarding the road signs, this country has been having a problem. My own road of Busunjju-Kiboga-Hoima is a vivid example where all the road signs were cut down because scrap has a big market in Uganda now.

There is a problem with guarding these signposts. The Ministry of Works and Transport is coming up with different materials that may not enjoy such a big market like steel does. I think that at an opportune time, the minister will be directed to come and tell us how far they have gone.

**THE DEPUTY SPEAKER:** Do they also steal humps?

**MS RUTH NANKABIRWA:** Mr Speaker, I was coming to the humps because I had picked two issues; one came from the information from hon. Fungaroo about road signs and the other was on humps.

I approached hon. Nasasira while he was the works minister because I wanted humps on the Hoima Road. I was told that highways have their regulations. According to the engineers, you do not just place humps anywhere.

**MR FUNGAROO:** Thank you, Mr Speaker. We attempted to speak to the Uganda National Roads Authority (UNRA) and the police in regards to the knocking down of children from Arua Primary School. They told us that the road from Arua to Oraba was a presidential highway, which is equivalent to an international highway. This highway begins from Kampala and connects to Juba.

If you go to Kiryandongo, which is along the same road, there are humps as you approach the town and the hospital and also as you exit Kiryandongo Town. So, why do you have double standards? On the same highway, you protect some people by placing humps while in other areas you refuse to place the humps because it is a presidential highway. Why?

As a government, you must clarify. What is the difference between the people in Kiryandongo, who are on the same highway connecting Kampala to Juba, and other people in places where you do not want to put humps? If you do not want to put humps, then put flyover bridges so that the pupils can cross using them and your president can move at any speed that he wants without being interrupted. I thank you.

**MS NYAKECHO:** I would also like to add to what my brother, hon. Fungaroo, is raising. The Kampala-Malaba Highway or Jinja-Malaba Highway has over 50 humps and yet this is one of the busiest highways in this country. Why do they choose to put humps and road signs on certain roads and not on others?

All these roads are busy. The Mbale-Tororo Highway that I am talking about also connects from Malaba/Tororo to Juba. It is also an international highway. We should not make exceptions in these matters. I concur wholly with you, my brother, that where we cannot place humps, then let us put flyovers to save the lives of our people. I am hurt because my man has died.

**MS RUTH NANKABIRWA:** Honourable members, those humps that were put on the highway wrongly will be removed. Our sister countries are complaining. Kenya and Rwanda are complaining about the humps. Two wrongs do not make a right. We have to remove those humps which were put through cherry-picking, diverting from the regulations.

The alternative that hon. Nyakecho is proposing is okay - let us put flyovers - but a highway is a highway. The protection of signposts, for example cattle crossings, zebra crossings or children’s crossings, is very important. Government is thinking about a mechanism that will maintain signposts on the road. So, adding humps on the highways is not a solution because we are required to make sure highways are respected as highways. It is unfortunate that our people have lost their lives but we have to expedite the plans to make sure safety is indeed observed on these roads. Thank you very much.

**THE DEPUTY SPEAKER**: Honourable minister, are you aware that there are regulations on the speed limits for crowded places and places that are not crowded? Are you aware that there are ways of enforcing the speed limits, for example forcing vehicles to slow down on highways?

**MS RUTH NANKABIRWA:** Thank you very much, Mr Speaker, for enhancing my argument. You have not asked me whether I am aware that putting humps on a highway is a recommended method. In other words, you are informing us that there are those other signposts like speed limits and regulations about speed that we must enforce. I would like to thank you for that information, Mr Speaker.

**MR NANDALA-MAFABI:** Mr Speaker, a highway is a highway; it is not supposed to be a “humps way”. Uganda must remove humps from highways because humps are causing accidents for people who do business and others. We must be realistic. What should we do? It is again the responsibility of the Ministry of Works. Where people are supposed to cross the road, they should build flyovers so that people can cross using flyovers; if one crosses the road and they die, that would be their problem.

People who deal in scrap have also removed road signs; they cut them. What do we do? I think we must use pavers so that they do not cut them. Maybe scrap is doing us harm; you get a good road sign here today but tomorrow it will be cut off. I had put one at my business premises but one morning I found it taken.

**LT COL (RTD) RWAMIRAMA:** Thank you, Mr Speaker. Honourable colleagues, it is very sad that we continue to lose our people because of the indiscipline of some community members. What hon. Nandala-Mafabi has said is true; we are in a community and we have signed protocols where we must respect the highway regulations. Humps are referred to as non-tariff barriers. When you cross into Uganda, you realise that we are not actually like our neighbours.

There is also a challenge of people stealing road signs. Like my colleague has said, I think we have to find mechanisms of putting up road signs that will last. All the new roads that have been constructed have had their road signs cut, including the ones in Isingiro, Kisoro and Bundibugyo, because I have seen them missing whenever I travel that side.

I suggest that Parliament recommends that - I have seen this in places like Kampala, Mbale - when children are crossing the road, the school must have an elder to help them cross safely. There must be somebody and schools should also take responsibility, like that one of Arua; there should be somebody to help students to cross the road.

Mr Speaker, I think you should give us a timeframe so that the minister responsible comes up with a comprehensive solution, otherwise there are more questions than answers available especially with enforcement of laws. People are stealing road signs; all these road signs were put up but they were all cut - *(Interruption*)

**MR FUNGAROO:** Thank you, Mr Speaker. The information I would like to give is that the road signs which are cut are those made out of metal. With the advancement of science and technology, there are certain types of plastic, for example fibre glass, which if used cannot be cut and used again. When a thief comes and attempts to cut, it breaks. Once they attempt to remove and it breaks, it becomes useless to them and they cannot continue breaking them. There is also concrete, which can be used in such a way that no one can waste his energy to break it because you cannot shift it to be re-used.

Why don’t we use different materials? You keep on promising but up to when do you want to see people dying? Do you want to protect outsiders, international travellers, and risk the lives of Ugandans here? What kind of country are you producing? Is Uganda for foreigners or for Ugandans? Thank you.

**LT COL (RTD) RWAMIRAMA:** Mr Speaker, what I was saying is that the minister should come with a comprehensive paper. What he is suggesting is not the solution because even reflectors have been stolen - (*Interjections*) - Those things, which reflect lights, are not metallic but they steal them and use them for solar production. I do not know how they use them in their families. Therefore, we need to come up with a comprehensive policy.

It is very sad, but these humps that were put are in violation of the protocols we have signed. Actually, Government was being responsible; in spite of this being a highway, they put many humps. From here to Mbarara, we have 25 humps or retarders and most of them are in series. So, one cannot move from here to Mbarara and reach in time on average speed. Thank you, Mr Speaker.

2.48

**MR STEPHEN MUKITALE (NRM, Buliisa County, Buliisa):** Thank you, Mr Speaker. From a transport and logistics background, I would like to thank hon. Nyakecho for bringing up this crosscutting matter.

Whereas we are only looking at the works and roads sector, we should also look at the management of our urban centres. It is also wrong to expect that anywhere in the city or town is a crossing area. Actually, humps are discouraged on these highways but they should also be fenced. In the physical planning of these roads, the bigger part should be fenced and only one area provided for a zebra crossing, not only for one school but for the bigger community. On Kampala Road, for example, it was at Post Office. That is what we have lost in terms of physical planning and management of our towns.

Looking at the bigger picture of road safety, we need to bring in the private sector - corporate social responsibility - for flyovers. Government may not have resources now but companies like MTN, banks, breweries, Coca Cola, etcetera, can come in. When you go to other countries, these companies are the ones that put up those flyovers. Yes, they place their adverts there but they help the citizens to cross busy roads.

Otherwise, from a logistics angle, it is a problem if we are going to expect trailers, which are moving internationally - Even the pressure you are causing to the trailer’s axel when it goes over these very bad humps is not good for us in transport and logistics. So, while we appreciate the need for our children to safely cross roads to schools, it should not override the bigger picture of making it a highway and making it usable.

By the way, one of the reasons I do not use Kiboga Road, which is the shortest to Masindi, is because of those bad humps on Kiboga-Hoima Road. I would rather go via Nakasongola, which is clear. You are also causing a problem to your own vehicle when crossing over those humps. Therefore, let us have a crosscutting bigger picture not just looking at the schools.

**THE DEPUTY SPEAKER:** Honourable members, can we roll this up. The minister has proposed that they come with a comprehensive statement and then we can have a debate on the issue.

**MR NANDALA-MAFABI:** Mr Speaker, you are right. The information I want to give is that it is Government that builds them and those companies use them for advertising. It is one of the sources of revenue. It is not that wherever you see Coca Cola, they are the ones who built a flyover; no. It is Ministry of Works to build them.

**THE DEPUTY SPEAKER:** It is okay; let us not have this exchange, honourable members, please.

**MR MUKITALE:** I was just giving information. It can be the Government doing it but the private sector can also offer to do it and it is allowed. Actually, Government can even use this to make money. By the way, that is one way we can even find money to address some of these challenges.

**THE DEPUTY SPEAKER:** Thank you. Can we now move to the Order Paper? I will be causing a slight alteration, before we go to the tribute motion, to accommodate a petition. Honourable members, you recall that yesterday we had this matter from Makerere University students about a particular course that is going to be scrapped off and there were issues. The petition has now been brought. Can we alter the Order Paper to accommodate that presentation before we move forward?

PRESENTATION OF A PETITION BY STUDENTS OF BACHELOR OF ARTS IN ETHICS AND HUMAN RIGHTS, MAKERERE UNIVERSITY

2.52

**MR NATHAN NANDALA-MAFABI (FDC, Budadiri County West, Sironko):** Mr Speaker, thank you very much again, for the opportunity and the piece of advice you gave me yesterday about this issue of the students of Makerere University.

Before I present this petition, Mr Speaker, since 2006 -

**THE DEPUTY SPEAKER:** Honourable member, please present the petition.

**MR NANDALA-MAFABA:** It is okay. Mr Speaker, this is a petition by the students of Makerere University to the Parliament of Uganda. I am moving it under Rule 29 of the Rules of Procedure of the Parliament of Uganda.

*The humble petition of the students of Bachelor of Arts in Ethics and Human Rights, Makerere University, over the proposal to scrap off the teaching of Bachelor of Arts in Ethics and Human Rights at the College of Humanities and Social Sciences, Department of Philosophy, in Makerere University states that:*

*There are 950 students who are currently doing Bachelor of Arts in Ethics and Human Rights, a three-year course at Makerere University. This course was introduced by Makerere University Senate, having identified that there is need to train competent human rights defenders.*

*Our communities are characterised by rampant cases of gross abuse of human rights and corruption amidst a population that is largely ignorant of their rights. There is, therefore, need to continue raising awareness about rights and freedoms and this can be competently done by well-trained and dedicated defenders.*

*At a meeting of the university senate held on 14 April 2016, it was resolved by the senate that Bachelor of Arts in Ethics and Human Rights be scrapped from the list of programmes taught at Makerere University.*

*Your humble petitioners wish to state that at Makerere University today, there are professional and highly-skilled lecturers and tutors who have been teaching this programme and are willing to continue doing the same.*

*Throughout the deliberations by the university in its consideration to scrap off this programme, there was no consultation whatsoever done with the students affected even at the departmental level. Your petitioners believe that this was a violation of the principle of natural justice.*

*The university has been earning an average of Shs 2.5 billion per year as tuition from students of this programme alone. This clearly shows that this is an economically viable course at the university and it can run its activities.*

*Some of the second year students under this programme who urgently require internship placements have been frustrated by different organisations because of this ongoing impasse stating that the course is irrelevant because it is being scrapped.*

*Most of the prestigious universities around the world are teaching this programme; for example, RMIT University of Australia teaches ethics, practice and human rights; University of Leicester teaches human rights and global ethics; Harvard University teaches humanitarian studies, ethics and human rights; Malmo University in Sweden teaches a Bachelor of Human Rights; University of York in UK teaches a Bachelor of Human Rights and Equity Studies; La Trobe University teaches a Bachelor of Human Services while Queensland University in Australia teaches Bachelor of Justice.*

*Mr Speaker, based on this, the global relevance of ethics and human rights as a distinct academic discipline cannot be overstated.*

*Therefore, your petitioners pray that Parliament resolves and urges Makerere University and the Ministry of Education, Science, Technology and Sports:*

*1) That the decision by the university senate be set aside;*

*2) That the Bachelor of Arts in Ethics and Human Rights be reinstated as an independent fully fledged undergraduate programme at Makerere University; and*

*3) The Committee on Education, Science, Technology and Sports investigates the activities and the process of restructuring courses at Makerere University.*

*And your petitioners, as in duty bound, will ever pray.*

I have over 500 signatures attached to this petition; the whole book is here. Mr Speaker, I beg to lay.

**THE DEPUTY SPEAKER:** Let the records capture the petition. Honourable members, I have looked at the subject and the prayers of this particular petition. This is a matter that is urgent. However, prayer No. 3 which says, “The Committee on Education, Science, Technology and Sports investigates the activities and the process of restructuring of programmes at Makerere University” makes it a bit difficult for the procedure I wanted to adopt.

I do not know whether this would assist me in leading us into helping the students who now have a timeframe that is fairly urgent. I wanted to proceed under rule 29(6) of the Rules of Procedure, which gives me discretion to refer a matter of this nature, which bears some urgency, to a minister who should take immediate steps to deal with it and report to the House what steps have been taken, but now prayer No. 3 makes it complicated.

**MR NANDALA-MAFABI:** Mr Speaker, that is for the future. Therefore, I would like to withdraw prayer No. 3 and instead say, “In future, the Committee on Education, Science, Technology and Sports looks into the process of restructuring courses at Makerere.” I would like you to stick to the first and second prayers.

**THE DEPUTY SPEAKER**: Thank you. Honourable members, we have received this petition and by the authority granted to me under rule 29(6), I will not be referring this particular petition to the committee; I will refer this petition to the minister responsible for education to look at the issues raised and the prayers contained therein, and to take appropriate action and report to the House on what measures have been taken. I instruct the Clerk to extract the minutes of the proceedings, attach a copy and transmit it to the minister responsible for education. Thank you.

MOTION FOR A RESOLUTION OF PARLIAMENT TO PAY TRIBUTE TO THE LATE HAJJI AZIZ KASUJJA

3.00

**THE SECOND DEPUTY PRIME MINISTER AND DEPUTY LEADER OF GOVERNMENT BUSINESS (Gen. (Rtd) Moses Ali):** Mr Speaker, I stand to move a motion for a resolution of Parliament to pay tribute to the late Alhaji Aziz Kalungi Kasujja. I move it under Rule 47 of the Rules of Procedure of the Parliament of Uganda.

*“WHEREAS Parliament of Uganda learnt with grief the sad news of the demise of Alhaji Aziz Kalungi Kasujja, the former Chairman of the Electoral Commission of Uganda, which occurred on Sunday, 17 April 2016 at Platinum Hospital in Wandegeya, Kampala;*

*AND WHEREAS, the late Alhaji Aziz Kasujja, who died at the age of 77, was born in 1939 and died after succumbing to a heart complication;*

*NOTING that the late Alhaji Aziz Kasujja held a Bachelor’s degree in Political Science from Dhaka University in East Pakistan and later obtained professional training in advanced banking with Midland Bank in the United Kingdom;*

*RECOGNISING that the late Alhaji Aziz Kasujja served in various Government offices including, as Uganda’s Ambassador to Saudi Arabia from 2006 to 2012, Chairman Electoral Commission from 1997 to 2002, Member of the Constituent Assembly from 1994 to 1996, Member of the Interim Electoral Commission, and in Ministry of Finance, Economic Affairs division, among others, where he served diligently and thereby contributed greatly to the political and economic development of the country;*

*NOW, THEREFORE, this Parliament resolves as follows:*

*1. That Parliament collectively conveys its deep condolences to the family, relatives, friends and the people of Uganda upon the loss of the honourable Alhaji Kalungi Kasujja.*

*2. That Parliament takes cognisance of the services rendered and the contribution made by the late ambassador, Alhaji Aziz Kasujja, to Uganda.”*

Mr Speaker, I beg to move.

**THE DEPUTY SPEAKER:** The motion is seconded by hon. Ruth Nankabirwa, hon. David Bahati, hon. Jesca Alupo, hon. Nandala-Mafabi, hon. Abdu Latif Ssebagala, hon. Sulaiman Kirunda and hon. Ndeezi. Would you like to speak to your motion, Mr Prime Minister?

**GEN. (RTD) ALI**: Mr Speaker, it is indeed with great sadness that Government received the news of the demise of our senior citizen, the late Alhaji Aziz Kalungi Kasujja, which occurred on Sunday, 17 April 2016 at Platinum Hospital in Wandegeya where he had been rushed after collapsing during a school meeting in Kawempe.

The late Alhaji Aziz Kasujja was born in 1939 to the late *Mzee* Asuman Kasujja and the late Mwajuma Nalubaale at Mbulire Village, Kitanda Subcounty, in present day Bukomansimbi District.

The late Alhaji Aziz Kasujja attended his primary education at Mbulire, Kabukunge and Bwale primary schools, Gombe Secondary School in Butambala District for O’ Level, Dhaka College for A’ Level and later he joined Dhaka University in East Pakistan, in present day Bangladesh, where he eventually graduated with a Bachelor of Arts honours degree in Political Science. He later acquired an advanced banking qualification from Midland Bank in the United Kingdom.

Mr Speaker, the late Alhaji Aziz Kasujja was a banker who served in Tropical Bank, Greenland Bank and Libyan Arab Uganda Bank. He also worked with the Ministry of Finance in the economic affairs division.

The late Aziz was a member of the National Resistance Council and a Member of the Constituent Assembly. He was also appointed a member of the Constitutional Commission and later served on the Interim Electoral Commission as a member. Due to his commitment and dedication, he was appointed deputy chairman to the then chairman, Mr Stephen Besweri Akabway, before being named the chairperson in 1997, a position he held until 2002.

Again because of his hard work and loyalty to the country, His Excellency the President appointed him Uganda’s Ambassador to Saudi Arabia in 2006, where he served honestly and diligently until 2012 when he retired to do his private work.

In his community service, from 2012 up to the time of his demise, the late Alhaji Aziz Kasujja was involved in private work and social development projects such as schools and mosques for the good of the community. This is evidenced by the fact that he served in several schools as a board member, a trustee member of House of Zakat, founder and director of Pearl Radio, and treasurer of the taskforce for the construction of the national mosque at Old Kampala.

Mr Speaker, let me add that in 1977, the Muslims of Uganda decided to form a steering committee for the construction of the national mosque. I was the chairman of the committee and I served together with many other prominent Muslims in the country; Aziz was our treasurer. At that time, he was working with Tropical Bank. We actually started construction of the foundation of the mosque at Old Kampala up to the first floor level before the late Gadhafi came and took over and put up that structure.

Before we could complete it, there was a problem that cropped up. Allegations were made to President Amin that we had collected the money and misused it and some of us, including the late Kasujja, were arrested because of those allegations. However, the truth is that there was no loss of money, except that as we fundraised for the construction, some people pledged through cheques and some cheques were cashed while others bounced. However, we collected more money compared to what was not collected.

A committee of inquiry was set up under Maj. Gen. Emilio Mondo, who later on said there was nothing wrong. Therefore, for those who are not aware of this information, the late Aziz Kasujja did nothing wrong. Of course, he suffered in prison but those are the professional hazards that always go with people. Mr Speaker and honourable members, Alhaji Kasujja served under my chairmanship and I would like to testify that he was an honest and trustworthy person with the project funds. That is what I have explained.

The late was pronounced dead at Platinum Hospital in Wandegeya after collapsing while attending a school meeting. This was due to heart failure. The late Alhaji Kasujja is survived by two widows, Sophia Kasujja and Amina Kasujja. He had 10 children and 11 grandchildren.

Mr Speaker, I take this opportunity to convey my sincere and heartfelt condolences to the widows, the children, the family and the people of Uganda for the loss of a distinguished and decent son. *Inna lillahi wa inna ilayihi* *raji’un.* Mr Speaker, I thank you and the House.

**THE DEPUTY SPEAKER:** Thank you, honourable. Let us have the seconder of the motion.

3.14

**MS SYDA BBUMBA (NRM, Nakaseke County North, Nakaseke):** Thank you very much, Mr Speaker and honourable colleagues. I stand to second the motion to pay tribute to the late Hajji Aziz Kalungi Kasujja. Before I proceed, on behalf of my family and my own behalf, I would like to extend our condolences to the bereaved family.

The late Aziz Kasujja inspired many Muslim parents to take their children for secular education at a time when Muslim parents feared that their children would be converted to other religions if they took them for secular education. He was a role model among the Muslim educated people. My father was a friend to his late father. He used to tell me that I should work hard at school and work with a bank just like Aziz Kasujja. His wish came true when I took up my first job in a bank.

Mr Speaker, the late Aziz Kasujja was an educationist and he assisted in starting up so many schools. He served on many school boards; no wonder, he collapsed and died while chairing a school board meeting. By the time of his death, the late Aziz Kasujja had educated all his 10 children up to Masters’ level in various disciplines.

He was a nationalist and non-sectarian. That is why he was given important positions in successive Governments, including the one under Idi Amin, which imprisoned him for nine months without any case being preferred against him.

I worked with the late Aziz Kasujja in the Interim Electoral Commission under the chairmanship of Stephen Akabway. In the 1996 elections when the commissioners were being allocated areas to supervise, the late Aziz Kasujja chose to work in northern Uganda. This was at a time when insurgency was at its peak. I asked him why he had chosen that area when among the commissioners we had one from that region. Kasujja told me that it was a difficult area and he thought he was best qualified among us to handle it, and it required a man of his standing.

During the elections, he indeed proved his point when the Kony rebels grabbed the ballot box and ran away with it. Kasujja, together with the constables guarding the polling station, pursued them and rescued the ballot box. They brought it back and polling continued.

Mr Speaker, the late Aziz Kasujja was a devout Muslim. He participated in the struggle right from Amin’s days to unite the Ugandan Muslims under one central leadership. Unfortunately, he has died too soon before achieving this.

He fought hard to see to it that Government improves the facilities of Ugandan pilgrims to Mecca. These included persuading the Ministry of Foreign Affairs to set up a consulate in Jeddah. The embassy was in Riyadh and it was quite far for the pilgrims if they had a problem. He even went further to persuade the Minister of Finance, Planning and Economic Development and the Minister of Foreign Affairs - I was the Minister of Finance at the time - to buy an ambulance for the pilgrims in Mecca.

In the Constituent Assembly, he was one of those who fought hard to have Qazi courts established in Uganda’s judiciary system. Unfortunately, 20 years down the line, these courts have not been operationalised. The excuse before was that there were no qualified Muslims to become judges in those courts. However, today, I speak with a lot of confidence that there are many Muslim leaders who have studied both the Sharia law and secular law. As a tribute to Aziz Kasujja, we request Government to operationalise the Qazi courts so that Muslims can get justice in accordance with their beliefs.

Kasujja was development oriented. He is one of those who pioneered Greenland Bank. I had the opportunity to work with him in that venture. Greenland Bank was a big success for some years until it was mismanaged by some people, which led to its collapse.

As a family man, he was both a loving husband and father. He had been looking after many orphans and distant relations to the extent that it was hard to tell who was a biological child to the late Kasujja and who was not. This is because he accorded the same love and facilities to the many children he looked after.

Mr Speaker, I second this motion. *Inna lillahi wa inna ilaihi* *raji’un.* It means, from God we come and that is where we return. May his soul rest in eternal peace.

**THE DEPUTY SPEAKER:** Thank you, hon. Syda Bbumba, for seconding this motion.

Honourable members, the motion that I now propose for your debate is for a resolution of Parliament to the effect that this Parliament collectively conveys its deep condolence to the family, relatives, friends and the people of Uganda upon the loss of Hajji Aziz Kalungi Kasujja; and that Parliament takes cognisance of the services rendered and contributions made by the late ambassador, Hajji Aziz Kalungi Kasujja, to Uganda. That is the motion for your debate and debate starts now. Each Member will speak for three minutes.

However, before that, in the VIP gallery and also on the technical bench behind my Chair, we have family members of the late Hajji Aziz Kasujja. They are led by his wife, Hajjati Sophia Kasujja, and his elder brother, Hajji Faisal Jjingo Kasujja. They are here to observe as Parliament pays tribute to the late Hajji Aziz Kasujja, the former Chairperson of the Electoral Commission. Please, join me in welcoming all of them. You are very welcome. *(Applause)*

Can we start the debate now with each Member taking three minutes. I will start with Kawempe North.

3.22

**MR LATIF SSEBAGALA (DP, Kawempe Division North, Kampala)**: Thank you, Mr Speaker. On my behalf and that of the people of Kawempe North Constituency, I would like to pass on condolences to the family of the late Alhaji Aziz Kasujja. He collapsed while chairing a board meeting of a school in my constituency, Broadway High School.

The late Alhaji Aziz Kasujja was a person of high integrity and a role model to many Ugandans. I got to know him more when he was appointed Ambassador to Saudi Arabia. Mr Speaker, you are aware that every year, hundreds of Muslims go to Saudi Arabia to fulfil one of the pillars of Islam. Before he was appointed ambassador, groups would go to Saudi Arabia in their private capacities as pilgrims to the holy places of Mecca and Medina. Under his wise leadership, he organised all groups taking Ugandans for pilgrimage under one umbrella, the Uganda Hajj Mission. All those who were responsible for taking Ugandans to Mecca and Medina had formed their organisations but that is now the umbrella body that has united many Muslim Ugandans and has also solved so many problems in as far as pilgrimage is concerned.

The late Hajji Aziz Kasujja was an educationist, as has been ably said by those who spoke before me. He was the chairperson of many board meetings, especially at schools. He had a big heart and when it came to helping those who were struggling in as far as education was concerned, he was always there. He was always there for the underprivileged and the poor that could not afford tuition. He has assisted many Ugandans to attain education.

I would like also to correct the record. I was listening to some radio stations and people were complaining and asking why the late Aziz Kasujja’s body was not brought to Parliament. I would like to clarify that the nature of our religion calls for a summarised burial arrangement; it is very brief and summarised. The late Hajji Aziz Kasujja died on Sunday and indeed was to be buried on Monday in Bukomansimbi, so there was no way we could have made an arrangement for that.

Secondly, unless otherwise, it is not really religiously –

**THE DEPUTY SPEAKER:** Wind up, please.

**MR SSEBAGALA:** Mr Speaker, as the Imam, I would like to say that if one of us passes on and is not brought here, it is normal. We would advise you to do exactly what we are doing right now, after the burial. With my status as the Imam, in case I go to the next world, please, do not bother my family members that I be brought here. You may do exactly the same thing you have done here but it should be after my burial and many Muslims would prefer that. Thank you very much.

3.27

**MS FLAVIA KABAHENDA (NRM, Woman Representative, Kyegegwa):** Thank you, Mr Speaker. On my behalf and that of the people of Kyegegwa, I would like to condole with the family of the late Aziz Kasujja and to support the motion.

From the history and the background of the late Aziz Kasujja that I have listened to from the Rt Hon. Moses Ali and hon. Syda Bbumba, there is something I have observed. Here in this country, people have done great things but for themselves and their families; there are very few who really do things on a national level. For the late Aziz Kasujja to start the foundation of the national mosque was not a simple thing and it was not a small thing.

At this time, I would like to propose that we establish an inventory based on faith, communities at national level to really start respecting and putting up monuments to remember such people who do things of a national character. I have visited the mosque at old Kampala, not once. There are guides who usually take me around but I have never heard a guide talk about Aziz Kasujja in relation to the background of the establishment of the national mosque.

I would like to propose that we adopt monuments for such people. Even Nsibirwa is not talked about at Makerere University; it is only when the family is remembering the day when he died that you see something in the newspapers. As a country, we really need to start remembering such people and attaching them to the history of such infrastructure and structures of national character. I would like to propose that. May his soul rest in eternal peace.

3.29

**MR NATHAN NANDALA-MAFABI (FDC, Budadiri County West, Sironko):** Thank you, Mr Speaker. I also pay tribute to the late Hajji Aziz Kasujja. Hajji Kasujja was one of the people who was in the Electoral Commission during the time of multiparty elections and has delivered a better election compared to the other difficult hajji who was responsible for the most recent mess.

I remember when Hajji Kasujja left the Electoral Commission, there was a report that he had invested the money of the Electoral Commission in a wrong place. Those were the allegations that Gen. Moses Ali talked about. Staff were contributing money and as an educated man and a good Muslim, he looked for the best rates; he went out of this country and got the best rates for his staff for retirement. People made a lot of noise about it and yet the staff that would be due for retirement would get the best out of their terminal benefits. Therefore, when you say that he was wrongfully arrested - I also saw some people who would have wanted him arrested wrongly and yet he was really a good man.

In fact, I can say that he loved Uganda, despite all the hardships he went through as the Chairman of the Electoral Commission. He has died but there are things he was forced to do that he should have not done. You know them.

Mr Speaker, when someone dies, that is when we say good things about that person. It is very bad. Why don’t we talk about people when they are still alive? Why don’t we talk about how hon. Ruth Nankabirwa is a good chief whip when she is still alive? Hon. Nankabirwa, when you die, everyone will forget the bad things you have done and they will say you were the best. This is very bad. We should also talk about the best and worst things about people when –

**THE DEPUTY SPEAKER:** Would you like to speak about the bad ones? (*Laughter)*

**MR NANDALA-MAFABI:** Mr Speaker, we should talk about the bad things when we are still alive. It is very unfortunate that we only remember the good about people in death.

Alhaji Kasujja should be remembered for all the contributions he made to the Muslim community. There should be a monument for him at Old Kampala. Gen. Moses Ali, I am sure you can do that for him before you do this for yourself because you started it.

He should be commended for what he did in Saudi Arabia when he bought an ambulance for the pilgrims, as the former Minister for Finance, Planning and Economic Development said. He thought ahead because Uganda has been there for many years but people with such thinking are very few - *(Member timed out.)*

3.33

**MR SULAIMAN BALYEJJUSA (NRM, Budiope County East, Buyende):** Thank you, Mr Speaker. On behalf of the people of Budiope East and on my behalf, I would like to convey our sincere condolences to all Ugandans and the family of the late Hajji Aziz Kasujja following his sudden demise.

Until 2011 when I went to perform my Hajj in Saudi Arabia, I had not known the late Hajji Aziz Kasujja very closely. He was the Ambassador of Uganda to Saudi Arabia. While there, I had the privilege to interact with him and I found him an informed person. He sat down with us, especially those of us who were first time pilgrims. I was with hon. Katoto Hatwib, the Lord Mayor Erias Lukwago, and a few other dignitaries. He had mobilised a tent for the VIPs and we used to chat with him about many issues.

Among the issues that we discussed with the late Hajji Aziz Kasujja while in Mecca was the idea of introducing Islamic banking in Uganda. He was very passionate about it. I am glad that recently, Government together with Parliament moved very vigorously to demonstrate that Islamic banking is a very viable idea in terms of financial deepening.

Mr Speaker, I also know, and indeed this has been attested to by the previous speakers, that the late Hajji Aziz Kasujja was a very hardworking and honest person. He was the Chairman of the Electoral Commission, among other responsibilities, and I know he executed those assignments very diligently.

I also know that he did not disappoint the confidence of the appointing authority - the President. I am not surprised that basing on that trend the appointing authority has adopted Muslims to head the Electoral Commission because he knows they are honest. I will not be surprised if the next Chairman of the Electoral Commission, since the current one has hinted on retiring - (*Member timed out.)*

3.36

**MR MOHAMMAD MUWANGA KIVUMBI (DP, Butambala County, Butambala):** Mr Speaker, on behalf of the people of Butambala and on my behalf, I offer my condolences.

Mr Speaker, I would like to underscore one point, which is very critical to the Muslim fraternity in this country, and which was alluded to by hon. Syda Bbumba. The history of Muslims’ education in Uganda cannot be traced without mentioning a tragedy that happened. The late President of the Republic of Uganda, Prof. Yusuf Lule Kironde, hailed from Butambala. When he was admitted to King’s College Budo, he converted to Christianity and he was a pioneer.

When he did that, many Muslim parents discouraged their children from going to secular schools especially the Christian-founded schools. It took the late Abu Mayanja, Dr Sulaiman Kiggundu, the late Hajji Aziz Kasujja, Faisal Kasujja and others to even adopt Muslim names while in those schools. Otherwise, Muslims were fond of calling themselves Muwanga Kivumbi, Bidandi Ssali, Kirunda Kivejinja in order to disguise so that they could be judged fairly. These people put up a very brave face and adopted Muslim names.

Very many young educated Muslims are who they are today simply because they put up a brave face and our parents gained courage to put us in good secular schools that were Christian-founded. Muslims could now find their way to St Mary’s College Kisubi (SMACK), King’s College Budo; parents could have the confidence to take their children there. Therefore, with a lot of respect, I would like to pay tribute to the pioneers on behalf of Muslims in this country.

Another point I would like to underscore is the ambulance that he pioneered while he was ambassador. I met Hajji Aziz Kasujja last year - I am a fresh Hajji from Mecca – and it is very sad to note that to date, we have only one ambulance, which he bought. Countries like Rwanda, Tanzania and Burundi do not have as many pilgrims as Uganda but they have got about four or five ambulances.

Those of you who have not been to Mecca do not know about the Day of Arafat. It is only ambulances that are allowed to serve the people. That is how we lost a couple of our people in the last pilgrimage because we had only one ambulance. I informed the Prime Minister when I came back and he promised to include it in this year’s budget. They should at least provide two more ambulances in memory of the late Aziz Kasujja. That will be a befitting tribute to him.

Mr Speaker, we are yet to supply this year. Can we ensure that we provide at least two more ambulances in memory of the good late Hajji Aziz Kasujja? I beg to move.

3.40

**THE GOVERNMENT CHIEF WHIP** (**Ms Ruth Nankabirwa):** Thank you very much, Mr Speaker. I stand here to join my colleagues in paying tribute to a gallant Ugandan, whom God has called. I am doing it on behalf of my family and the people of Kiboga.

Mr Speaker, my first interaction with the late Aziz Kasujja was in the Constituent Assembly and it was through my husband. My husband and the late Aziz Kasujja’s mother are related; they are fromthe Njovu clan. This is what I was told. My husband introduced me to the late Aziz Kasujja and told him, “I have brought to you your wife to take care of in the CA”. So, hon. Aziz Kasujja nurtured me during the CA with the late Besweri Mulondo whose mother, the late Namagembe, was of my clan, Mbogo clan. That was when I started interacting with both Aziz Kasujja and Besweri Mulondo.

Mr Speaker, we all agree that Aziz Kasujja was a very hard working man, a very good man, very religious, very generous and very respectful. He has died at 77 years old and one can easily say that we should not mourn him but we should thank God for his life because 77 years is not an untimely death.

As you move towards 40, 50 and 60 years, you realise that at 77 years old one is very active, especially when one is not bedridden. Hajji Aziz Kasujja was not bedridden because of ill health; you cannot say that he was in pain so that maybe he will rest. I was talking with a colleague who is 60 years old, a member of Cabinet, when Hajji Aziz Kasujja died. He said, “Oh, my God, at 77 years one is young because within 14 years I will be 77 years old myself”; that hurts.

As for the family, however religious they may be, they still have to mourn as they appreciate God who gave and took him away. Hajji Aziz Kasujja was a patriot and in the family he was a unifying factor from what I have heard. Everybody used to run to him and he was very accommodative. That is why we have to pray that God sustains the bereaved family and that his soul rests in eternal peace. Thank you very much.

3.44

**MR EMMANUEL DOMBO (NRM, Bunyole County East, Butaleja):** Thank you very much, Mr Speaker. I stand here to pay tribute to the late Aziz Kasujja. I wish to express my condolences to the members of the family but also tell them that the country is grateful for what Kasujja stood for and what he did for us. You must go back proud and tell the children and the other people to emulate him.

Death per se is something that we are all destined for. One honourable member here was asking why we do not pay tribute to people when they are still alive. This is because you do not want to give them an opportunity to do wrong after you have paid them tribute. That is the only reason this comes when you have done all you could do and cannot do wrong anymore. Hajji Aziz Kasujja will never come back here to blemish the record that he has set and he must be proud about it.

I have Muslim friends and I read a lot of Islamic literature. There is something which I read and I do not know how to interpret it. When you do something good, you get permanent returns even long after you have gone. My Muslim friend told me that if you plant a mango tree, for example, and people eat from that tree long after you are gone, you reap the benefits through eternity. If you build a school and the children get education through that school long after you are gone, you reap eternal benefits from that.

Let this remind us that whatever we do, let us try to do good so that when that ultimate time of death comes, we are remembered for the good things that we did other than the bad things. May his soul rest in eternal peace.

3.47

**MR MUHAMMAD NSEREKO (NRM, Kampala Division Central, Kampala):** Thank you, Mr Speaker. It is stated in the Holy Quran that death has been prescribed for us and every living soul shall have the test of death.

I would like to also rise and shower praises on the late Alhaji Aziz Kasujja as the first Muslim chairperson of the Electoral Commission of Uganda and also as a distinguished member of the Muslim community. He was a father to all of us and a comforting and uniting figure in the Muslim community. He was at the helm of saving Bwala Primary School in Masaka, whose land is under threat from grabbers.

This is what he said to me one time: “if we do not value education, then it will be impossible to produce new breeds of leaders and people that are distinguished in society.” Therefore, to us, the Muslim community, we have lost a distinguished member of our society. I would like to pray that God blesses his family. We from Mbulire, Bukomansimbi, will miss a great man. May his soul rest in eternal peace.

3.48

**THE THIRD DEPUTY PRIME MINISTER AND MINISTER OF EAST AFRICAN COMMUNITY AFFAIRS (Mr Kirunda Kivejinja):** Thank you very much, Mr Speaker. I stand to associate myself with the decision of Parliament to pay tribute to and recognise the late Alhaji Kasujja.

Kasujja was a brand of his own in society. Some of you may find that Muslims are a rare species among the elite and you may not know exactly why they are rare. The history of our country, which we are setting out to correct, was such that during the colonial struggle and the creation of the state of Uganda, the imperialists found it easy to create factions that fought each other. Those who had been under the brand of Islam, who were in charge of the matters at the time of colonialism, were the first to be ousted and then the Protestants and Catholics remained.

However, Lugard used the Protestants to again oust the Catholics. As a result, a small group of the society then, of Protestants, are the ones who concluded the 1900 Agreement. Therefore, they were associated with Government and they became the princely class of the colonial establishment. The Muslims were left to themselves and the Catholics were bailed out by a well-organised church and, therefore, the colonial Government supplemented their education and social welfare by giving them £350,000 as grants to establish the missions and schools for the children of the converts.

The Muslims, on the other hand, were left to themselves and that is why they developed the highest instinct of self-survival as butchers, petty traders and taxi drivers. Any attempt to try and get their children to these established missionary schools was greeted with a condition that they must convert and indeed Lule, who came from Kabasanda to Budo on merit, was forced to convert to Christianity.

With that, the Muslims said, “No, if we take our children there, there will be no inheritor of the Quran”. So they remained to themselves until later when they put up their own schools and allowed us to have education. However, as late as 1958, while the others were getting £350,000 every year as NGOs to promote their causes, the colonial Government, after a lot of agitation, gave £58 as a token to the Muslims. That explains why at the time of independence, out of the 103 graduates, only two were Muslims. I was one of them and I am still here for history, and I do not represent any religious faction. However, you will remember that in our struggle, point No.8 of our ten point programme was to correct the distortions created in our society by history.

Kasujja belongs to the first group of the Muslims who were able to attain education and that is why most of them are outstanding. To be able to succeed among so many and be on top appeared to be extraordinary. Therefore, it is no wonder that Kasujja was extraordinary. He acquired his education right from Mbulire to Bwala and from Bwala he joined a Protestant school to be able to get his O’levels. When he got his O’levels, his elder brother – (*Member timed out*)

**THE DEPUTY SPEAKER:** Your time is over; would you like to summarise?

**MR KIRUNDA KIVEJINJA:** I thought I would give you this information because some of you do not know why these people have been outstanding. It is because they emerged from huge competition and, therefore, they had to be relevant; they knew society and knew that they had to work with everybody to be able to make a mark.

Kasujjawas one of those who were presented by history to be useful to the country. He did his job and it is good that we are moving a motion in remembrance of him. This is a sign that no part of society should be left out. All of us need to come up and be able to contribute together so that Uganda can march ahead. May Kasujja’s soul lay in eternal peace.

**THE DEPUTY SPEAKER:** Honourable members, can we roll it up now and conclude.

3.55

**MR ABRAHAM BYANDALA (NRM, Katikamu County North, Luweero):** Thank you very much, Mr Speaker. I thank the Members for what they have said about the late Hajji Aziz Kasujja. On behalf of the people of Luweero, my family and myself, I convey our heartfelt condolences for the loss of Hajji Kasujja.

I will just talk about one point - the mosque at Old Kampala. I am the only non-Muslim official who participated very actively in seeing that it comes into existence. Before it was built, there was another one which had been built - I think by Concorp - up to the first floor. We went to inspect it and we had to make a decision. Due to my profession, I advised, with others, that the structure which was already there had to be demolished and we start afresh. Our colleague from Libya, Dr Shukri,listened to my advice and that structure was demolished.

I was attacked by many of my Muslim friends who said that I am not a Muslim and I have come to bring destruction and problems to Muslims. We would have just continued, but I advised according to my knowledge that the structure was not good enough. Hajji Kasujja approached me and told me not to worry. He said, “I have a lot of confidence in Uganda; if you suggested that, you stick to your guns”. The structure was demolished and we started again, but then progress was slow because the Libyans never wanted to have contractors. I begged Dr Shukrito change and get –(*Interjections*)- because I got a lot of pressure. I am very happy whenever I pass there and see that mosque because I contributed a lot with the encouragement of the late Hajji Kasujja. May his soul rest in eternal peace. Thank you.

3.58

**MR DAVID BAHATI (NRM, Ndorwa County West, Kabale):** Mr Speaker, I stand to support the motion. On behalf of the people of Ndorwa West and Kabale, I offer condolences to the family of Hajji Aziz Kasujja.

In how many ways shall we remember Hajji Kasujja as an honest man who provided leadership to the Electoral Commission? Members, you know how hard it is to be the Chairman of the Electoral Commission, especially in a country where everybody expects to win and sometimes it is very difficult for people to accept defeat. However, Kasujja was an honest man and we shall remember him for that.

The late Kasujja was also a great believer in the private sector. He believed that our economy would grow if we grew the private sector. Mr Speaker, we remember him and carry his words forward when in this House we pass legislations that support the private sector, especially on issues to do with local content. Look at the banking industry; out of the 24 banking institutions that we have, only two are indigenous. Greenland Bank, which he supported, unfortunately collapsed. However, I think we can support our local investors if we pass legislations that support local content.

For the works that he did for the nation, his family and community, today we say thank you Hajji Kasujja. May his soul rest in eternal peace.

4.00

**LT COL (RTD)** **BRIGHT RWAMIRAMA (NRM, Isingiro County North, Isingiro):** Thank you, Mr Speaker. On behalf of the people of Isingiro County North and Isingiro District, I stand to support the motion and to pay tribute to the late Hajji Aziz Kasujja.

In our culture, when somebody dies they ask two things - what he contributed to the community and whether he has left a family behind. Hajji Kasujja is remembered for his contribution to this country in many capacities, as the mover of the motion highlighted. However, when great men pass on, we should sit and have a moment to think about what we learn from them.

At the age of 77, Hajji Kasujja has died early and I think we, as Parliament, need to put in place a scheme to prolong lives of very important people in terms of their discipline, knowledge and capacity to contribute to society. In great countries like the USA, people do not retire and go back to the gardens with their brains; they are available for contracts and they serve in colleges, universities or boards. However here, we get rid of old brains very quickly and yet it is very difficult to develop a brain to that level. So, as we create jobs for the young the ones, we need to have the old – *(Member timed out.)*

**THE DEPUTY SPEAKER:** Please, wind up.

**LT COL (RTD) RWAMIRAMA**: Mr Speaker, I think we, as Parliament, need to take a learning example. With these few words, I offer my condolences to the bereaved family and I pay tribute to the people of Buddu for producing a nationalist in the name of Hajji Aziz Kasujja. May his soul rest in perfect peace.

**THE DEPUTY SPEAKER:** Thank you, honourable members, and thank you, Rt Hon. Deputy Prime Minister, for moving this motion that has given this House an opportunity to speak on the passing and contribution of the late Aziz Kasujja not only to this community and country but also internationally.

Honourable members, I will now put the question for your decision to the motion that Parliament collectively conveys its deep condolence to the family, relatives, friends and the people of Uganda upon the loss of Hajji Aziz Kasujja; and that Parliament takes cognisance of the services rendered and contributions made by the late Ambassador Hajji Aziz Kalungi Kasujja to Uganda.

*(Question put and agreed to.)*

MOTION THAT THE HOUSE RESOLVES ITSELF INTO A COMMITTEE OF SUPPLY TO CONSIDER THE ADDENDUM REPORT ON SUPPLEMENTARY SCHEDULES 1, 2 AND 3 OF THE FINANCIAL YEAR 2014/2015

**THE OPPOSITION CHIEF WHIP (Ms Cecilia Ogwal):** Mr Speaker, when this matter was raised last week, Members felt that they had to be given an opportunity to know the views of the Auditor-General. I would like us, before we go to the Committee of Supply, to get a summary of the views of the Auditor-General on the matter. I am just asking for procedural guidance. Thank you.

**THE DEPUTY SPEAKER:** Is that the position? Where is the honourable minister to guide us on this? Honourable minister, what did the Auditor-General say?

4.04

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING)(Mr David Bahati):** Mr Speaker, the Auditor-General issued a report which is available on our iPads; I do not know if you want me to go through the Auditor-General’s –

**THE DEPUTY SPEAKER:** Can you state the particular matter that related to the pause of this business and how it has been handled. You can borrow my copy if yours is not easily available, honourable minister.

**MR BAHATI:** Mr Speaker, the Auditor-General raised a number of issues and I will just go through them because they are not many. One of them was lack of documentation on the payment to Victoria General Repairs and Ms Albertina Opio, which we have now supplied to the Auditor-General, and also a copy of which I have here.

The second issue, which the Auditor-General raised in relation to this payment, was that there was lack of minutes of the negotiations committee meetings. We have attached the minutes that relate to the payments of court awards.

The other issue which the Auditor-General raised was the issue to do with overpayment to one of the court awardees. From our second look at this issue, Mr Speaker, we realised that the claimant in this case is still owed money. The figure that we paid came from the Auditor-General and there was no way we could have detected that it was overpayment because it came from the Auditor-General for payment by the Ministry of Finance.

**THE DEPUTY SPEAKER:** Was it overpayment or was it still payment within the debt?

**MR BAHATI:** The Auditor-General said it was overpayment but we have responded and made clarification. However, I must also say, as you all know, the Auditor-General did not come to us as people who were being audited to issue a management letter.

According to our standards of accounting, if an auditor is looking at your books, once he makes a draft, he forwards it to you for any comments just in case there is something you need to add. He did not do that; he wrote directly to the Speaker of Parliament, who had commissioned this audit. We were never given a copy, although a copy was given to us later. So when it was given to us later, we responded and we have made this clarification to the Auditor-General for a second opinion.

**THE DEPUTY SPEAKER:** What is the clarification that you made?

**MR BAHATI:** The clarification that we have made to the Auditor-General is that this payment came from the Attorney-General. We got instructions to pay a certain amount of money and that is what we paid.

There was an issue of whether we were supposed to pay only those court awards with orders of mandamus or pay all court awards, which came from the Office of the Attorney-General. The Auditor-General has made a distinction; out of the 78 billion, Shs 33 billion was for court awards with orders of mandamus and Shs 44 billion was for court awards without orders of mandamus.

Those are the key issues that we identified in the report and we have made a response to the queries by the Auditor-General and submitted a copy to the office –

**THE DEPUTY SPEAKER:** In other words, the total of Shs 78 billion is for court awards, expect that for part of it they went to court and got further orders of mandamus to enforce payment.

**MR BAHATI:** Yes, Sir.

**THE DEPUTY SPEAKER:** Okay. Let us hear from the Opposition Chief Whip.

4.11

**THE OPPOSITION CHIEF WHIP (Ms Cecilia Ogwal):** Mr Speaker, we can make a choice. We can decide to defer this matter until the Auditor-General goes through all the reports which have been submitted to him by the finance ministry or we go by the recommendations given by the Auditor-General on the matters that Parliament referred to him. My view, which I also did consult the finance minister about, is that we cannot keep postponing the matter.

Because we have to conclude the issue of supply for the past years in order to enter the new financial era with a clean record, I proposed to the minister that we go by the Auditor-General’s report for now. We can then ask the Auditor-General to carry out investigations on those other cases later.

When we were making our contributions on the matter, the general view was that there are so many court awards but they are not being paid according to first in, first out. There is a general feeling that there is a lot that needs to be streamlined in the payment of court awards because there are so many people who won court awards several years ago but have not been paid and yet there are those who won awards recently but have been paid.

We are proposing that those that have been cleared by the Auditor-General should be paid and then those that have not been cleared must be streamlined together with the others that have not come to our attention. The implication of this is that Parliament will now only pay those that have been brought to our attention and those that have not been brought to our attention will continue to remain on the shelves. We feel that this is unfair and we need to look at this matter across the board.

There are so many other issues that are connected to these orders of mandamus. Mr Speaker, I know that you are a lawyer but it is very suspicious that the lawyers that have been following up these court awards are more or less from a certain region, although it is not so important. However, this creates a problem for us as a Parliament; people will want to know why.

Secondly, we came to realise that even the acquisition of court awards must be investigated. That is why I want the Auditor-General to address his mind to that aspect. There is a case of Kananura & Company who got two court awards for one case within two months. One was awarded in February – These are two orders of mandamus on the same case within a period of two months. This shows that these orders of mandamus can actually be got everyday if somebody so wished. How do people get these court awards? This creates suspicion. Mr Speaker, these are some of the issues that tend to suggest that the Auditor-General must go through all these other cases to clear our minds on all those matters.

It is also up to the Minister of Finance to agree if we go by the Auditor-General’s recommendation or we allow the Auditor-General to investigate all matters; in other words, we reject all the Shs 78 billion. Personally, I feel that I have been given what I have asked for and my fears have been answered by the Auditor-General.

In that case, I stand here to propose that the Shs 38 billion, which has been recommended by the Auditor-General, be paid and the rest of the Shs 44 billion plus will have to be further investigated along with others which have not been brought to Parliament. We can then decide as a Parliament how to deal with them. That is my proposal in the capacity as the person that raised the matter to Parliament to further look at it. I thank you.

**THE DEPUTY SPEAKER:** Can somebody help us with the issue of mandamus?

**MR NANDALA-MAFABI:** Mr Speaker, I would like to try and understand mandamus but before I do that –

**THE DEPUTY SPEAKER:** Can somebody explain for us mandamus and then we go to the other things?

**MR NANDALA-MAFABI:** I would have liked to correct something which –

**THE DEPUTY SPEAKER:** No. Let hon. Oboth explain.

4.17

**MR JACOB OBOTH (Independent, West Budama County South, Tororo):** I thank you, Mr Speaker. Mandamus orders are prerogative remedies granted by court to compel an officer or somebody in authority to act.

I would like to say that in enforcement of judgement, you cannot ask why so and so was paid in two months and the other not. It differs how lawyers follow up their cases. Some lawyers have specialities to know how Government operates. To be honest, it is not a very good precedent that there are those who get orders of mandamus or the enforcement mechanism of compelling an accounting officer or the Secretary to the Treasury or anybody in authority to pay. I think it is something that Government must work against because the other lawyers who have been waiting for five or 10 years will definitely do the same and there will be no limit.

As Parliament, we cannot say that those who go for mandamus should be condemned. We cannot question how they got their remedies within the shortest time. Equity aids the vigilant. There is the saying of first in, first out. This is a normal public administrative process. However, where orders for mandamus are issued *– (Interjections) -* It does not have that order and it is unfair but that is one of the legal provisions that we have in our laws.

About lawyers from a particular region getting the mandamus orders, next time they could be from Tororo because I also know how Government operates because I worked there. If somebody worked there, they know how to get the case quickly and they argue and win a case against the Attorney-General. Such lawyers are a speciality and we cannot condemn specialists. We cannot even put them into the regions they hail from. This could be a coincidence but as Parliament, we cannot condemn them. In case there is something to be investigated, it is a welcome idea.

Many people who have court awards from Government are suffering. They are from as far as Karamoja, the Human Rights Commission, and all the way to the west of the country. Something needs to be done.

**THE DEPUTY SPEAKER:** Honourable members, just to further simplify; you get a court order against a particular person, especially against Government, and you serve that decree to the person who is supposed to pay you maybe Shs 10 million. If the person fails to pay within the timeframe that the court has given, if you are vigilant you go back to court to get an order of mandamus, which now compels the person to do what court had asked of them to do. It does not change the amount except that you now want to take another measure to enforce that payment. That is an order of mandamus.

Part of the Shs 78 billion was as a result of an order of mandamus to compel the accounting officer or whoever was responsible for this payment to pay, but it does not alter the total amount of the debt. If the accounting officer is to pay, priority goes to the amount that has mandamus on it because court has now given a second order compelling him or her to pay. If they do not do it, that would be contempt of court. That is why the distinction has got to be made.

It does not change the amount and does not alter anything but it is just further remedy available to any officer or person who has a debt with Government to follow. Therefore, anybody can do it and you cannot waive that right from anybody.

4.22

**MR NATHAN NANDALA-MAFABI (FDC, Budadiri County West, Sironko):** Thank you, Mr Speaker, for that education. I would like to give hon. Cecilia Ogwal some additional information about the two orders.

One of the orders was issued on 14th February and another one on 15th February. Both of them were served to the respondent on 22 April 2013. The issue was, why should there be two orders of mandamus on the same case and both of them served to the same person on the same day? It appears that these orders are easy to get. Was one original and the other not? Who keeps the orders of mandamus because an order is an order? There must be an account for this. That is where the question comes from.

Secondly, it looks like it is only one company of lawyers, which is very specialised in orders of mandamus. Bashasha is the only company authorised in mandamus orders. It means that other Ugandan lawyers do not know that there is an order called mandamus because if they knew, they would all compel Government to pay everybody. My question is: why is it that they respect orders of mandamus from this company and not from other companies? That is where my suspicion lies. These are the issues that are being raised - (*Interruption*)

**MR BAHATI:** Thank you, hon. Nandala-Mafabi. To help this House, I would like to say that the Ministry of Finance, Planning and Economic Development pays court awards. Now, did it pay the rightful beneficiaries? The answer to that is, yes. However, if Parliament goes into issues of how the lawyers got two mandamus orders in one month, I think we are going beyond the line. That would be auditing the work of the Judiciary - how did the judge issue two orders of mandamus?

For us, we are asking, did you receive the rightful court awards? Yes. Did you pay and did the beneficiaries get it? Yes. By the way, if you look at where this money was going, it could be Bashasha but the money is going to a different place - (*Interruption*)

**MS CECILIA OGWAL:** Mr Speaker, there are certain matters that cannot be discussed openly but from what the minister is saying, I am forced to let out a bit of them.

I would like the minister to know that the person who gets these mandamus orders, this specialist lawyer according to our colleague, conveniently deals with a specialist minister in the Ministry of Justice and Constitutional Affairs. That specialist minister also happens to come from the same region, and it so happens that all these orders eventually end up being paid by a specialist minister from the Ministry of Finance, Planning and Economic Development. Is it, therefore, in order for this minister to force me to bring all these things out when I feel so uncomfortable? (*Laughter*)

**THE DEPUTY SPEAKER:** I have been sitting here since the beginning of this discussion and I have not witnessed any minister forcing the honourable member to say anything. The honourable member actually rose voluntarily to say what she said and there was no duress upon her.

**MR BAHATI:** The final information I would like to give is that the Auditor-General also attempted to ask the same questions that we are asking. He tried to audit the court orders but he was taken to court and court has awarded the lawyer Shs 6 billion and he is going to pay it. Therefore, I think that we need to conclude on this matter. If the money was paid to the rightful beneficiaries, we cannot do much.

**MR NANDALA-MAFABI:** Mr Speaker, it is not that we are auditing a court order but we are saying, how did the judge come to that figure? (*Interjection*) Please, I want the minister to be careful. Why was the Auditor-General taken to court when he asked why a lot of money had been awarded? He intimated that the cases were similar but the smaller of the two was awarded more money and he asked why this was so.

What we are trying to question here are the orders and the accompanying documents. The Auditor-General says the order exists, this is the payment and that is all. He is not questioning how the order was issued. It is us who are saying, if all claimants are demanding for money and the entire system is orderly, it should be first in, first out. However, there are cases now where one is last in, first out. In this last in, first out scenario, there is no mandamus. That is the question. Why is it that this one that does not have mandamus is among the first out when it was last in? That is the issue.

Mr Speaker, the law we passed here, the National Audit Act, is very clear; anybody who does not give the Auditor-General information that he has asked for commits a crime. I am sure that the Auditor-General went to the Ministry of Finance to get this information and they gave him the information and what he got is what he based his opinion on.

Regarding what they have not given him, he cannot say anything because hon. Bahati is going to speak very well in Parliament and say, “he gave me this information”. The Auditor-General is saying, “This is what I have got; for this, I have got Shs 33.3 billion; for this, I do not have information; and for this, I do not see the orders of mandamus”*-(Interjections)-* What is your problem? Why don’t you create others from Nakasero –(*Interruption*)

**MR KWIZERA:** Mr Speaker, I am a member of the Public Accounts Committee and the information I want to give to my friend, hon. Nandala-Mafabi, is very important.

One, under the Government Proceedings Act, section 9, any order from court can be issued against the one who has Government resources to pay.

Secondly, we should be dealing with selectiveness or discrimination against some people getting paid when others are not. The other issue is that the Auditor-General was sued because he handled a matter where instead of the complainants having gone to court to appeal, they were instead handled by the Auditor-General who is not an appellant authority. That is why the court awarded Shs 6 billion, which with interest has now come to Shs 8 billion, against the Auditor-General.

The minister should be able to inform us. As hon. Nandala-Mafabi and hon. Ogwal are saying, there are many people who are claiming; what criteria do you use to pay those who have orders against Government and you leave out some who also have orders against Government? That would actually be discriminatory, contrary to Article 21 of the Constitution, because everybody is equal. I think that is the issue that we should be raising here. Honourable minister, why should you pay some firms and not others? What criteria do you use? Thank you.

**MR NANDALA-MAFABI:** Mr Speaker, one of the issues that was raised was that the order of mandamus is being paid by the Secretary to the Treasury because it is an order to him. In addition, the accounting officer who deals with court issues is in the office of the Attorney-General. Therefore, why should people go and be paid by the Ministry of Finance, Planning and Economic Development yet they should be paid by the Attorney-General’s chambers?

The Auditor-General concludes and says, *“I have made recommendations to the Permanent Secretary and Secretary to the Treasury (PS/ST) in my annual audit report of financial years 2013/2014 and 2014/2015 on mandamus payments by the Ministry of Finance, Planning and Economic Development”.* He made these recommendations as a way of streamlining the process of payment of court awards and compensations at the Ministry of Finance, Planning and Economic Development and the Ministry of Justice and Constitutional Affairs.

Mr Speaker, the Auditor-General is saying that the orders of mandamus, which he has seen, and that can be allowed by the Ministry of Finance, Planning and Economic Development, amount to Shs 33 billion. Where he has not seen orders of mandamus as well as the documents, the amount is Shs 44 billion. That is where we are.

I was still arguing for all but since hon. Ogwal has agreed to accept the Shs 33 billion, I would suggest that we go with it. However, at an appropriate time, we will need to make some adjustments on that Shs 33 billion because there is one of Dr James Rwanyarare *–(Interjection)-* Why are you laughing? The Auditor-General says, “On file, there is a certificate of order against Government.” He noticed it but the only thing he never noticed is the order of mandamus.

Mr Speaker, if the minister can accept this proposal for us to move forward, that is the best way to move - allow the Auditor-General to conclude the work or we give the audit documents back to the Auditor-General to issue. If you are taking this as a management letter, let us assume it is one, but this cannot be a management letter. The moment it comes to the Speaker, it is a report and the moment it is a report, it should be acted upon as it is. It would be wrong for us to act to the contrary in as far as the Auditor-General is concerned. This is because he is our officer whom we directed to audit on our behalf but the Ministry of Finance, Planning and Economic Development never gave him the information he wanted and that is very bad.

Finally, Mr Speaker, as hon. Kwizera said, it is true we must see first in, first out. I think we must get that tabulation. I know you have been a member of the Public Accounts Committee and you have these reports. The questions have come in every year about why you are paying this one and why you are leaving out that one. I think it is important now for the minister to come up and help us know how best we should handle this matter.

**THE DEPUTY SPEAKER:** Honourable members, let us see where we are going with this debate. I have figures that have been presented to me for supply on this supplementary expenditure, which if we supplied would go for the publication of the Supplementary Appropriation Bill and, therefore, cause a debate on it and its passage. This would enable us to close the financial year and move forward.

I am just trying to see where the discussion is going. I have a figure - We have not passed the Supplementary Appropriation Bill so we cannot have closed the financial year by any other means. The means by which we close is by the Supplementary Appropriation Bill, which we have not yet passed. It is not even published yet because the figures are not supplied. That is what we need to do, by Constitution, to close it.

Now, is there anything wrong with the figures I have here, honourable minister? On statutory supplementary expenditure, for example, I have Shs 574,780,301,875; on supplementary recurrent expenditure, I have Shs 389,095,885,902. Is there anything wrong with these figures?

If there is nothing wrong with these particular figures – I do not know the components as the papers have just been given to me - why don’t we supply these, let the ministry go and publish the Supplementary Appropriation Bill, it comes back to us and we finish with it? We can do that if those issues are not the same as these ones being raised now. However, if they are the same, then there should be another housing to accommodate them because this was for supplying these figures, to facilitate the publication of the Supplementary Appropriation Bill.

Vote 130, Treasury operations - Honourable minister, are we supposed to deduct anything from this or are we supposed to proceed this way? Please, help us so that we move and finish this. I think it is a simple matter.

**MR NANDALA-MAFABI:** Mr Speaker, for purposes of ease of movement, since hon. Cecilia Ogwal has agreed, let us deduct that figure and approve because we are removing a small portion out of the over Shs 500 billion.

**THE DEPUTY SPEAKER:** No, Treasury operations is Shs 389 billion.

**MR NANDALA-MAFABI:** Okay, so we remove Shs 44 billion *–(Interjection)-* The one they are bringing up is the total. Therefore, let us remove Shs 44 billion so that we remain with Shs 344 billion.

**THE DEPUTY SPEAKER:** Can we be assisted on this, honourable minister? What is the position of vote 130, Treasury operations?

**MR BAHATI:** Mr Speaker, the figures that you have read are the correct ones for statutory expenditure, which actually come here for Parliament to take note of but not for appropriation. Vote 130 is part of that statutory expenditure.

We would have loved for this figure to be provided as it is because this is money that has already been spent. As I have said before, we have documents that we have supplied in support of our arguments and I would like to lay on the Table all the documents that we have given the Auditor-General.

**THE DEPUTY SPEAKER:** Let the records capture that. Honourable minister, I need your help. There is supplementary recurrent expenditure under vote 130, Treasury Operations, amounting to Shs 389 billion. There is also statutory supplementary expenditure. The vote is not indicated but it is Shs 574 billion, which we would just supply. Wouldn’t it be so? Did you have issues with Treasury operations, vote 130?

**MR BAHATI:** Mr Speaker, we have an issue with statutory expenditure, which is Shs 574 billion. That is where Members are suggesting that we should not approve the Shs 44 billion, which the Auditor-General said were court awards which did not have orders of mandamus.

**MR NANDALA-MAFABI:** Mr Speaker, the committee report identified something. The Shs 574 billion was the net but the amount was more than that. The committee also removed Shs 12,192,000,000 because it lacked backing. Therefore, the Shs 574 billion is already less by Shs 12,192,000,000.

Look at vote 130; the committee removed Shs 12,192,000,000. It is the same process that we are suggesting; if you add the Shs 44 billion, instead of Shs 12 billion it will become Shs 46 billion. The committee had already deducted this by the time we reached there.

**THE DEPUTY SPEAKER:** Is this statutory supplementary expenditure also for vote 130? Is it for several votes?

**MR NANDALA-MAFABI:** The Shs 12,192,000,000 was under Treasury operations. There is also Shs 14.8 billion, which came from agriculture and the Office of the President. The Shs 44 billion that we are talking about is from Treasury operations. In addition to the Shs 12 billion, the Shs 44 billion should come from Treasury operations. Mr Speaker, this will be solved when the Auditor-General resolves the matter.

**MS CECILIA OGWAL:** Mr Speaker, if we are all looking at the same figures on supplementary schedules 1, 2 and 3 - amounts recommended for approval by the committee - you will find that under the Office of the President, Shs 2.5 billion was deducted that was found to have been -

**THE DEPUTY SPEAKER:** What is the total that the committee recommended under recurrent expenditure?

**MS CECILIA OGWAL:** No, we did not have an issue there. We only have an issue with vote 130. Under vote 130, Treasury operations, we have Shs 12.1 billion, which was recommended for deduction and the ministry agreed. We also have the writ of mandamus where we are now asking for Shs 44.4 billion to also be deducted so that we leave only Shs 33 billion. The Shs 12.1 billion has already been deducted

**THE DEPUTY SPEAKER:** You see, the bit that becomes difficult for the chairperson is that the statutory supplementary expenditure is one figure for all of them including vote 130. That is why I am asking for the total that the committee recommended because the total I have here is Shs 574 billion. That is what was recommended. Is that the correct figure? I am also seeking help from the Members who know these figures.

**MR BAHATI:** Mr Speaker, the only point of contention is the court awards of Shs 78 billion under the statutory expenditure of Shs 130 billion. The ministry requests the House to approve this statutory expenditure because these are court awards. However, on the other side, Members are saying that out of the Shs 78 billion, we deduct Shs 41 billion because they are now saying that we can also remove the one for Dr Rwanyarare and add it to the figure that we are okay with. If that is the situation, - (*Interjection*)- Mr Speaker-

**THE DEPUTY SPEAKER:** Please, let me first understand what he is saying. I will take procedure later.

**MR BAHATI:** I do not know what that would mean in essence, because this is statutory expenditure but we are making a comment that we are not approving it. I do not know what we are not approving because in the first place, this is statutory expenditure. However, if that is the case, we can take that route and then I will make a comment for the *Hansard* to record.

**THE DEPUTY SPEAKER:** What I need to understand is this: is the deduction because some of the figures lacked the writ of mandamus? What documentation are you talking about?

**MR KWIZERA:** Mr Speaker, thank you very much. The minister says that this is statutory supplementary expenditure which is within three per cent; is it a requirement for Parliament to approve? If it is not a requirement for Parliament to approve, how do we proceed?

**THE DEPUTY SPEAKER:** We still have to supply. That is where we are.

**MR KWIZERA:** I am saying, it is statutory supplementary expenditure and the law requires that if it is within three per cent, we do not come here to approve. If a crime was committed, what sanctions are prescribed in our laws or rules? That is what we should be proceeding on.

**THE DEPUTY SPEAKER:** That is precisely the way we should go.

**MR NANDALA-MAFABI:** Mr Speaker, we have the report of the committee. When they were deducting Shs 12 billion, the minister agreed and it is here in the report. I do not know if you have the report of the committee. The Shs 574 billion is less by Shs 12.1 billion and it comes from the same vote where we are suggesting this deduction. I think we should be very careful when we are moving.

**THE DEPUTY SPEAKER:** In essence, what we should be doing is to supply these figures and the investigations would reveal- This money is spent anyway and it is already spent within the three per cent. It is not like we are approving money to be spent. To activate the processes of oversight, we supply the figures and then we go back to find the people who have made this mistake. Isn’t that the way to go? You cannot stop this now because it is spent.

**MS CECILIA OGWAL:** Mr Speaker, supplementaries normally have specifications. They must indicate emergencies, unforeseeable elements and so forth. Normally, even if the ministry comes up with a demand under supplementary, we always ensure that they have complied as per the conditions set by the law and we have always deducted if they do not comply.

In this case, we discovered that the demand under the President’s Office of Shs 2.5 billion for RDCs was not in compliance with the prescription and it was deducted. The committee recommended the deduction and the ministry agreed. Again, under the Treasury operations, the committee discovered that this figure of Shs 12.19 billion was also not in compliance. The committee then recommended deduction and the ministry agreed.

Regarding the writ of mandamus, however, we asked if we could find out if these cases were actually under the writ of mandamus - How genuine were those cases *vis-à-vis* other court orders? Mr Speaker, you have given us clarification as to what the writ of mandamus is and we have agreed. However, we had issues because we discovered that there were those on the list, who were supposed to be paid by order of mandamus but they did not have the orders of mandamus. There were also so many other issues that did not comply with the regulations set up by the ministry, which must be followed before such payments are made. The Auditor-General discovered that there were overpayments.

By passing this figure as it is, this Parliament will have agreed that we are okay with the overpayments that were made and we will have also agreed to the payment of those that did not have documents. If that is what Parliament wants, let Parliament go ahead and supply this because you claim that the money has been spent.

However, I have also told you how these figures have come here. You know who those lawyers coming up with orders of mandamus are. You also know those in the Ministry of Justice and Constitutional Affairs who are processing orders of mandamus. You also know those who are in charge of payments in the Ministry of Finance, Planning and Economic Development. Let Ugandans outside there also know those of us who are now approving this in Parliament; after all, the money has already been spent and misused, what else can we do? If that is what you want, let us go by that.

**THE DEPUTY SPEAKER:** None of these court orders have to have an order of mandamus for them to be paid; they are due.

**MR OBOTH:** Mr Speaker, if I have got hon. Cecilia Ogwal’s point well, the concern is based on the report here that indicates that there could have been foul play. The Auditor-General found, as a fact, that out of the Shs 78 billion, payments for only Shs 33 billion had orders of mandamus. The other Shs 44 billion payments alleged to have orders were verified in court and forwarded to the Minister of Finance, Planning and Economic Development as well as the Minister of Justice and Constitutional Affairs and they never found any such writs of mandamus.

The thinking here is that there could have been foul play. They lied that they had writs of mandamus so that they would be handled expeditiously whereas they did not. According to this report, their concern sounds quite genuine, if it is investigated.

**THE DEPUTY SPEAKER:** Honourable members, the question we should ask is: is the payment of Shs 78 billion as a result of a court order? Is there a decree to pay this amount and the decree totalled to Shs 78 billion? Somebody help me with this.

**MR KWIZERA:** Mr Speaker, I would like to provide what I think is a solution to this problem. A report of the Auditor-General is a working tool for Parliament. Parliament is supposed to send that report to the Public Accounts Committee, which will listen to both sides and evaluate these matters. If this report was sent to the relevant committee of Parliament, it is that committee that would now recommend to us what to do. They would have called all those people concerned. However, we are now debating a report of the Auditor-General, which was actually brought here and was never taken to the committee.

I would, therefore, think that if this report was taken to a committee, more information would have been availed. We would not be debating a report of the Auditor-General when it is supposed to be resent to the committee. Mr Speaker, I would suggest that you refer the Auditor-General’s report to the Public Accounts Committee, which will then come and make recommendations because they will talk to all parties.

Mr Speaker, regarding supply, you cannot stop the supply because money was spent. However, sanctions will come upon discovery by the Public Accounts Committee of any wrongdoing. I thank you.

**THE DEPUTY SPEAKER:** That is the question I asked at the beginning – Would this discussion stop us from supplying the figures? In which case, Parliament now has the authority to investigate the matter – “You claim that you have spent it, let us now see how you have spent this money.” That is why I was asking, would it stop us from supplying the figures? If you do not supply, then you cannot investigate.

**MR ANYWARACH:** Mr Speaker, we have been debating this matter since last week. Whether we are going to supply or not is not the issue. We may supply but in the process of supplying, as we are discussing, there are anomalies that are manifesting.

You asked a very nice question: are these payments a result of court awards, whether accompanied by writs of mandamus or not? Last week, the issue was that a court order award is an award. However, once it attracts a writ of mandamus, it means the said permanent secretary must act immediately or be arrested. That is why there is need to supply as soon as possible. However, our question was: is that money still there? They said the money was paid in 2014.

What makes me sick with the supplementary budget, Mr Speaker, is that when it comes to delayed salaries, they say Parliament has not yet disposed of the supplementary request of Government so we cannot pay you. However, when it comes to this expenditure, they say it is already incurred. We, therefore, get stuck between what is supposed to be paid by the supplementary and what is supposed to be reimbursed.

In my opinion, if it were possible, we would supply minus what is in question so that we do not wait for long. Mr Speaker, you know how long it takes for a report of a committee to come here; like the one on Nonve Forest, up to today our report is ready but it has never found its foot on the Floor of Parliament.

**THE DEPUTY SPEAKER:** Honourable members, I get the point, but this is not a supplementary request that is approved prior to expenditure. This is the total of all the expenditure in the three quarters. That is why there are schedules 1, 2 and 3. This is the final process. The money is already spent under schedules 1, 2 and 3 to supply for the Supplementary Appropriation Bill and to close that chapter. If the Auditor-General has to do a proper audit of what was done, whether properly or not, that would now be the process for opening that up.

However, there are also supplementary requests that are done before expenditure. This is not one of them. These ones are already spent. For expenditure under schedule 1, requests were made here. Under schedule 2, the requests were made. This is now a summation of all the expenditure that was over and above what Parliament had approved. This is a final step.

**MR NANDALA-MAFABI**: Mr Speaker, You have raised something important. In the same supplementary expenditure you are talking about, we have already deducted some money and we actually passed this. I am now getting confused; we first deducted Shs 14 billion from recurrent expenditure and then we deducted Shs 12.192 billion from statutory expenditure. However, according to what you are saying, it is like we have already spent this money and, therefore, we cannot say anything.

Before my brother from Padyere finishes, I would like to read this statement:

*“Payments made without evidence of mandamus orders*

*I observed that some of the payments totalling to Shs 44,763,012,161 classified as mandamus were not supported by writ of mandamus from the courts of law. A review of the parent files in the Ministry of Justice and Constitutional Affairs failed to reveal any evidence of the said writ. The Ministry of Finance, Planning and Economic Development was not able to avail any evidence of the said writ. The table below summarises…”*

Mr Speaker, the Attorney-General has been there. We are talking about the writ of mandamus because it was paid by the Ministry of Finance, Planning and Economic Development; otherwise, there are orders, which are being paid through the Ministry of Justice and Constitutional Affairs. The question here is: why didn’t the Ministry of Justice and Constitutional Affairs pay? We are not saying this is the only Shs 78 billion, which has been paid – (*Interruption)*

**MR BAHATI:** I would like to give some information. Hon. Nandala-Mafabi, you recall we have made this point again and again: I would like to make it clear that there is no court order, which was picked from the street and paid by the Ministry of Finance, Planning and Economic Development. All court orders were forwarded to the Ministry of Finance, Planning and Economic Development by the Attorney-General. I have laid on the Table a letter from the Attorney-General for the sixth time and it is still in this file, and we have circulated it on the iPads; what more can we do?

**MR NANDALA-MAFABI:** Mr Speaker, if Ministry of Finance, Planning and Economic Development is supposed to be the one paying court awards, then there should be no awards here because there could be double payment from the Ministry of Justice and Constitutional Affairs. Let all awards be paid from Ministry of Finance, Planning and Economic Development.

There are awards which are paid from Ministry of Justice and Constitutional Affairs; there are also awards which are paid from the Ministry of Finance, Planning and Economic Development. The ones of Ministry of Finance, Planning and Economic Development have a writ of mandamus. Those are the ones issued to the Secretary to the Treasury. If what the Minister of Finance, Planning and Economic Development is saying is true, that they were paid from Ministry of Justice and Constitutional Affairs, from now onwards let the whole world know that you do not go to Ministry of Justice and Constitutional Affairs but you need to go to Ministry of Finance, Planning and Economic Development and get the awards paid.

5.05

**THE MINISTER OF STATE FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (ANIMAL HUSBANDRY) (Lt Col (Rtd) Bright Rwamirama):** Thank you, Mr Speaker. First of all, I appreciate the concerns of hon. Cecilia Ogwal. However, I also would like to remind Parliament that when we suspect something and we act on suspicion, we can really cripple the work of Government.

What happens is that the Auditor-General’s report most of the time comes after money has been spent. The onus is now on us to forward this report to the Public Accounts Committee, which must have time and interact with the people involved so that when we take a decision, we take it from an informed position.

Standing here, looking at lawyers and judges and categorising them, to me, is going too far. My considered opinion is that the concerns have been registered, money has been spent, we must now complete the circle but we must not lose focus on the issues that have been raised. This report should therefore go to the Public Accounts Committee, out-going and in-coming. (*Interjections)* You have been there, hon. Nandala-Mafabi, and many times all the questions that have come up here as allegations - not all of them - have turned out not to be true. We have evidence. I can go to the archives and get these reports. You come here and people say that they want to put heaven down but when the final report comes here, you find nothing. We have evidence.

Therefore, I do not want us in Parliament to sit and suspect judges, lawyers and ministers when we have mechanisms in place to cure this problem. Let this report go to the Public Accounts Committee but let us supply. (*Applause*) This is my contribution, Mr Speaker.

**THE DEPUTY SPEAKER:** Honourable members, I do not know why we are facilitating false accounting; for example, those figures that you have deducted, how are you going to account for them? How are you going to blend them within the oversight function of Parliament? You have already deducted, that is fine, that is gone, and you cannot ask questions about it.

**MR KWIZERA:** Mr Speaker, hon. Nandala-Mafabi knows that most of the payments are actually approved by the Auditor-General’s authorisation.

**THE DEPUTY SPEAKER:** Accountant-General.

**MR KWIZERA:** The Auditor-General. The Auditor-General must be sure that there is an audit warrant. What I am saying is that at least an audit warrant must be issued.

**MR NANDALA-MAFABI:** Mr Speaker, we passed the Public Finance and Accountability Act, which allowed the Auditor-General to issue only one warrant. He issues one warrant for the whole budget. Is the Member in order to say that for every small payment, the Auditor-General has to authorise? Is he in order?

**THE DEPUTY SPEAKER:** Honourable member, you now know. *(Laughter)*

**MR KWIZERA:** Mr Speaker, I would like to inform my colleague that Government has paid; are we going to reverse that payment? Therefore, I would think that this has been done in error.

**LT COL (RTD) RWAMIRAMA:** Mr Speaker, we in the ministries most times run out of money depending on the demands of the day, sometimes arising out of the recommendations of Parliament, and we accumulate domestic arrears.

The payment by Ministry of Finance, Planning and Economic Development is not new. I have been here with you in Parliament for a long time. When there is an order to arrest the Permanent Secretary/Secretary to the Treasury, the only way to do it is to offload it to the Ministry of Finance, Planning and Economic Development. There is no other option.

I think it should not be insinuated that Ministry of Finance, Planning and Economic Development is the one attracting them. I have seen that letter which has been circulating. These payments were recommended by the Ministry of Justice and Constitutional Affairs and I thought I would also make that clear.

**MR BAHATI:** Mr Speaker, the right path through this discussion, in my opinion, would be that we supply and make a strong recommendation by Parliament to forward the pending issues to PAC for the committee to dig deeper into them. If there is anything they find, it will come back to the House. Thank you. *(Applause*)

**MR ANYWARACH:** Mr Speaker, my suggestion is not far from what he is saying. However, like you have asked, the question we have asked seems to be bringing up the position that if we supply leaving out the Shs 44 billion or the amount which is in question, then it will evade the Parliamentary role or prevent PAC from investigating it; therefore, it is better we supply so that it becomes an issue for us to consider. My other question is: if we supplied minus the amount in question, what - *(Interjections)* - Mr Speaker, may you protect me from hon. Baba Diri?

**THE DEPUTY SPEAKER:** No, I cannot protect you from hon. Baba Diri. (*Laughter)*

**MR ANYWARACH:** My understanding would be, if we left the amount in question and supplied minus the amount in question, it will be on record that we have Okayed all the expenditures of Government, which have been properly spent. However, we shall also be saying that there is this other one, which we are still questioning and we are, therefore, referring this to PAC. After pronouncing ourselves here, when they investigate and bring us the report, we will see how to debate the report.

The reason is that there was gross dishonesty. The minister should search his conscience. There was gross dishonesty when he said every court award was accompanied by a writ of mandamus here on record.

**THE DEPUTY SPEAKER:** No, he did not say that.

**MR ANYWARACH:** No, last week *– (Interjections)* Last week, it was on record - *(Interruption)*

**MR BAHATI:** Hon. Anywarach, what we stated here was that these are orders of mandamus and court awards but the debate on the Floor of the House moved towards mandamus*.* I am not the Speaker to stop the debate from moving towards that. It is the House, which kept on moving towards the order of mandamus and neglecting the other things and court awards.

**THE DEPUTY SPEAKER:** Honourable members, let us make the distinction. This debate here is not an oversight debate. The oversight debate will be after PAC looks at what has been spent, which is authorised, and then comes back and says “No, this one was spent wrongly based on the queries raised by the Auditor-General.”

This is not an oversight debate. We are not yet asking, “How did you spend the money?” No, what we are saying is that yes you have spent it, we give you the figures, then the audit process takes place and then PAC will now come back and say, “Well, in this category of expenditures, these ones were not properly done and these queries are here.” So, PAC will have handled them and come back to the House.

**MR NANDALA-MAFABI:** Thank you very much, Mr Speaker. I have the *Hansard* of 6 April 2016 here. This is what hon. Rukutana said *(Interjections)* – Yes, he said it and hon. Bahati also said it.

Let me start with what hon. Bahati said: *“Madam Chairperson, we have two options. The first one is that you could allow us to bring all the evidence tomorrow that these were writs of mandamus and that will be cleared. We do not want to create any impression that we fear any investigation. Secondly, you can instruct the Auditor-General, who is our officer, to look at it in three days and then, we will have a report about this issue”* That was what he said.

Hon. Rukutana said, *“Madam Chairperson, what would we like to achieve? Are we doubtful that the Shs 78 billion, assuming that some of it was not covered by writ of mandamus, was not properly expended? As I told you, the Ministry of Finance, Planning and Economic Development, whenever they are paying or settling a court order, consult with us. It could be true that some of the items are covered by writ of mandamus. It could as well be that there was a reason as to why the Minister of Justice and Constitutional Affairs asked the Minister of Finance, Planning and Economic Development to settle a particular differential amount.”* He went on to say *“the writ of mandamus are directed to the Secretary to the Treasury and the others to the Attorney-General’s Chambers*”

What they are saying is that mandamus orders are directed to the Secretary to the Treasury and others are directed to the Attorney-General’s Chambers. What actually hon. Rukutana was saying is that the Ministry of Finance, Planning and Economic Development can make payments for some orders of mandamus and others should go to them. However, here the Auditor-General is saying “I have seen mandamus orders for the Shs 33 billion*.”* We said, okay, the Shs 44 billion should be hon. Rukutana’s responsibility. That is what we are saying.

**MR BYANDALA:** Thank you very much, Mr Speaker. You have wrapped up this argument very nicely, that we are not doing an oversight function here but we are supplying. What we are trying to supply, I have been informed, is within the statutory three per cent.

I would like to suggest that we supply what was submitted by the Ministry of Finance, Planning and Economic Development because the committee seems to have gone into the oversight function and they deducted money. Imagine, from the President’s Office, they deducted money. This was not their function. I suggest that let us supply what was supplied by the Ministry of Finance, planning and Economic Development. When the time of oversight comes, they will have the opportunity to question, investigate and do whatever is needed. Let us supply what Ministry of Finance, Planning and Economic Development brought to the Floor of Parliament. Thank you.

**THE DEPUTY SPEAKER:** That should be the spirit.

**MS CECILIA OGWAL:** Mr Speaker, the Auditor-General was directed by Parliament to look through the request of the Ministry of Finance, Planning and Economic Development and advise us accordingly. The Auditor-General, on page 5 of his report, says, *“I also secured payment details from the Integrated Financial Management Systems (IFMS) to confirm the actual amounts paid by the ministries.”* As far as I am concerned, the actual amounts paid by the ministries have been verified and the Auditor-General has given us the details in his report. That is why I stand here to confirm that going by this statement, the Auditor-General has verified the payments of Shs 33 billion.

We are now saying we must supply because this money has already been paid. If the money has already been paid, the Auditor- General would have, in this report, also confirmed that the actual amounts paid are hereby detailed, which is absent. The Auditor-General said he interfaced with the officials of the Ministry of Finance, Planning and Economic Development to get an explanation on each and every file and after that he secured details of the payments of each of those cases, which he has recommended to us and said “Yes, these have been paid”. We are now saying, “Fine, even those where the Auditor-General has not found the details for the actual payments, let us go ahead and supply.” This is where I defer from the view coming from the Government side.

We commissioned the Auditor-General to guide us on this matter. The Auditor-General has come out to confirm that only the ones he has recommended are the ones where he has found the actual amounts paid. In some of the areas, he has even highlighted where overpayments were done. However, from this exercise we are about to do, we are actually endorsing the overpayments. We are now saying, “Yes, we know the actual amount paid is Shs 33 billion but for us we are going to supply Shs 78 billion.” This would be conspiracy of the highest order, Mr Speaker.

Mr Speaker, this is why I am at pains; we have the facts before us but we want to act contrary. We are arguing about actual amounts paid and saying “let us supply because this money has already been paid”. The Auditor-General is saying that he has established facts about actual amounts paid and the facts are about Shs 33 billion. However, we are saying, “No, it is Shs 78 billion” – (*Interjections)* Please, read the Auditor-General’s report. I am reading from the Auditor-General’s report, page 5.

**THE DEPUTY SPEAKER:** Honourable members, I need confirmation from the minister and I would like this statement going to be made by the minister to be extracted and handled later by the people responsible for this.

I need confirmation that the actual expenditure that you are now proposing for us to supply, which facts were not given to the Auditor-General, is actually more than what the Auditor-General saw. I need your confirmation that what the Auditor-General saw is less than what you actually spent. Let the minister say they spent more than what the Auditor-General saw or what they showed the Auditor-General and let it be on record.

**MR BAHATI:** Mr Speaker, I am a chartered accountant like hon. Nandala-Mafabi is, and hon. Cecilia Ogwal is also familiar with figures. There is nowhere in the report of the Auditor-General that suggests that the Shs 44 billion was not paid. The Auditor-General, or any auditor, states exactly what they mean and mean what they state. If there is anywhere in that report where it says Shs 44 billion was not paid, then we can get that record.

What he said was that writs of mandamus cannot be seen for the Shs 44 billion but they are court awards. That is the clarification he is making. If there was any problem with this expenditure, he would have issued a qualified report, a disclaimer, but he never said it is a disclaimer. So, sometimes interpreting the Auditor-General’s explanation should be put in context and not in the way you are interpreting. I do not see anywhere where the Auditor-General is saying Shs 44 billion was not paid.

**THE DEPUTY SPEAKER:** Okay, I think we are clear and we need to move on.

**LT COL (RTD) RWAMIRAMA:** Mr Speaker, the Auditor-General’s report is not disputed but it needs to be qualified to demand punitive measures or sanctions by Parliament. There is something hon. Cecilia Ogwal or hon. Nandala-Mafabi mentioned, that it can be sent to the committee for three days and returned. That is very dangerous; it is a landmine.

We only need to supply and give a timeframe for the committee to study the queries and get answers so that they come here to Parliament and then we can take decisions from an informed position. We are not going to reverse the expenditure at the time. We need to complete our responsibility and also do the oversight function. So, Mr Speaker, I propose that we supply.

**MR ANYWARACH:** Mr Speaker, the amount in court awards against this Government is close to over Shs 400 billion. The writ of mandamus took precedence and all of us said yes. Equity aids the vigilant; you can be granted a court award against Government but if you do not run and procure the writ of mandamus, you will not be paid. If you want to be paid very fast, a writ of mandamus is an absolute solution.

Today, we are hearing that there were some other awards, which were not accompanied by a writ of mandamus, but we have so many awards against Government. Our issue last week was Bashasha and Company, but how about other court awards, which are still pending even from 2004? They were not so urgent but they attracted supplementary expenditure. So, they said these ones have the writ of mandamus.

However, today if we are going to supply, then we must learn. Supplementary requests in relation to court awards may become avenues for abusing Government or public funds. Secondly, Mr Speaker, I would think that as we supply, we must give the committee a timeframe within which to report but now, because of the transition, I am still wondering whether we will really catch up with the proceedings of the committee - the PAC report.

I am not saying there are people who have played us, but if there are people who have played games, they are smarter than us; you can see here. I think the Auditor-General just feared to come out clearly and say that there are some dishonest people -

**THE DEPUTY SPEAKER:** Honourable member, please-

**MR ANYWARACH:** In conclusion, Mr Speaker, we can supply this money but as we do the supply, I will sit down and my conscience will be extremely hurt because matters of procedure are muzzling my inner conviction that there was some foul play. Thank you, very much.

**THE DEPUTY SPEAKER:** Honourable members, let us proceed properly. As of now, let us understand these issues properly. When we supply whatever figure will be supplied, it will go to finalise the expenditure for the budget of the year 2014/2015. Once it is finalised, that whole budget execution will go to the Auditor-General. The Auditor-General will then audit the whole budget under the Constitution and provide a report to Parliament in a comprehensive way, categorising, including the supplementary budget, and will raise queries, not this report that we are going to send to the committee.

When he raises queries about the whole budget, those are the queries that will be sent to PAC, and this will definitely come out as an audit query and the committee will handle the queries and come back to Parliament. We cannot say we are going to send anything to PAC and tell them to come back in three days; to do what? There is no audit by the Auditor-General as required by the Constitution.

**MS CECILIA OGWAL:** Mr Speaker, I think it is important for us to know that the supplementary we are dealing with is for 2014/2015. I would like those who are defending this issue to search their conscience, particularly hon. Bahati. You know very well that Dr James Rwanyarare has not been paid; if you do, stand up and confirm. Has he been paid Shs 3 billion? That is the problem.

Mr Speaker, we are supplying this money because we have been told the money has been paid and I am standing here to confirm that the money has not been paid. Even the President had to write a letter requesting that Dr Rwanyarare be paid. Now, we are here saying, “No, the money has already been paid.”

Secondly, I come from Lango; the Auditor-General confirmed in his report that some man from Lango was given Shs 44 billion for the compensation of animals. I stand here to confirm that that man called Moses Ocipnever got Shs 44 billion but he got Shs 10 billion and out of the Shs 10 billion, the lawyer got either half of that or 30 per cent of that. We can even bring to Parliament the list of people who got animals; the money cannot reach Shs 10 billion, but here we are saying Government has already spent Shs 44 billion.

Mr Speaker, may God rescue my soul if I stand here and say that this Shs 44 billion to compensate Langi for the animals has already been paid. I stand here to say the Shs 44 billion never crossed the border of Lango. However, we have been told that the money has already been paid. I can almost confirm on behalf of somebody I have known for many years, called Dr Rwanyarare, that if he got Shs 3 billion there is no need for him to have begged the President to write another letter.

Mr Speaker, are we talking about the same thing? Please, I did not want to say this; I have been saying there are certain things I do not want to say in public but I am being forced to do it and I feel very uncomfortable to do it.

**MR BYANDALA:** Mr Speaker, this House should thank hon. Cecilia Ogwal for the concerns she has expressed. They are good for this House. However, in life when and where you say something is also very important. What she has raised is very important but at the wrong time. That is why I am saying, and I will repeat what I said, we are within law - the three per cent. So, let us supply.

That concern, which is very heavy, from hon. Cecilia Ogwal, will become very relevant at the right time when we are doing oversight work. Now we are supplying. Let us supply and let her reserve those queries for that time when they will make sense. All of us love God. If somebody came and started praying here, she or he would be taken out because they would be doing it at the wrong place. Let us do things at the right place and time. However, thank you, sincerely, for raising this.

**THE DEPUTY SPEAKER:** Honourable minister, was the Shs 44 billion paid?

**MR BAHATI:** I have spoken to the Director of Budget who is responsible for this expenditure; he has confirmed that Dr Rwanyarare was paid. He also confirmed that the Shs 78 billion, which appears in this expenditure, was paid. It is unfortunate that hon. Ogwal made that statement.

**MR MAWANDA:** Mr Speaker, thank you very much. Even in the Auditor-General’s report, he did mention that there was an overpayment. The Attorney-General replied saying that in fact, the overpayment he was talking about was never paid. So, he raises issues and the answers are given.

In that report that was laid on the Table by the honourable minister, that letter from the Attorney-General is there- the case of Ocip and some other payments. The Attorney-General confirmed, through the Solicitor-General, that there was no overpayment. I thank you very much.

COMMITTEE OF SUPPLY

**THE DEPUTY CHAIRPERSON:** Honourable members, I put the question that the total sum of Shs 389,095,885,902 be provided for as supplementary recurrent expenditure for vote 130, Treasury operations, for the Financial Year 2014/2015.

*(Question put and agreed to.)*

**THE DEPUTY CHAIRPERSON:** Honourable members, I put the question that the total sum Shs 574,780,301,875 be provided for as supplementary statutory expenditure for vote 130, Treasury operations, for Financial Year 2014/2015.

*(Question put and agreed to.)*

MOTION FOR THE HOUSE TO RESUME

5.39

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING)(Mr David Bahati):** Mr Chairman, I beg to move that the House do resume and the Committee of Supply reports thereto.

**THE DEPUTY CHAIRPERSON:** Honourable members, the motion is for resumption of the House to enable the Committee of Supply report. I put the question.

*(Question put and agreed to)*

*(The House resumed, the Deputy Speaker presiding.)*

REPORT FROM THE COMMITTEE OF SUPPLY

5.39

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING)(Mr David Bahati):** Mr Speaker, I beg to report that the Committee of the Supply has considered the supplementary schedules 1, 2 and 3 of Financial Year 2014/2015 and passed them. (*Applause)*

MOTION FOR ADOPTION OF THE REPORT FROM THE COMMITTEE OF SUPPLY

5.40

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING)(Mr David Bahati):** Mr Speaker, I beg to move that the report from the Committee of Supply be adopted.

**THE DEPUTY SPEAKER**: Honourable members, the motion is for adoption of the report of the Committee of Supply.

*(Question put and agreed to.)*

*Report adopted.*

**THE DEPUTY SPEAKER:** Thank you, honourable members. There was a particular document that the Chairman of the Committee on Health promised to lay on the Table. It is a report on some standards. I now request him to do so for our information and we see how to proceed.

5.41

**THE CHAIRPERSON, COMMITTEE ON HEALTH (Dr Medard Bitekyerezo):** Mr Speaker, yesterday, when I was reading the report of the Committee on Health on the ministerial policy statement and budget estimates for the Financial Year 2016/2017, I gave highlights in my report on the report of the 23rd East African Community partner states’ national medical and dental practitioners’ boards and councils that sat in Kampala Uganda on 14 November 2015. I also promised to bring a report on the second joint inspection of Kampala International University and Teaching Hospital that was written on 9 November 2015. Mr Speaker, this report is very important and it gives recommendations.

For purposes of keeping records, I beg to lay these two reports on the Table for follow up by the next Parliament because this could be my last time here. Thank you. Mr Speaker, I beg to lay.

**THE DEPUTY SPEAKER:** Let the records capture that. Honourable members, that is for information of all Members.

**MR NANDALA-MAFABI:** Thank you, Mr Speaker. Yesterday, for the first time since multiparty politics began, I saw a Member of Parliament from the Opposition presenting a report of a sectoral committee and it was very good. That means these committees can also be headed by Members of Parliament from the Opposition. You saw it, and there were even no questions raised.

Mr Speaker, I have risen up because the Chairperson of the Committee on Health has mentioned that this is his last time here. I do not think so because from the reports he has raised, this would be the best Minister of Health. *(Laughter)* I would imagine that in case he is appointed the Minister of Health and we see him here, should we arrest him since he has said this is the last time for him to be seen here?

**THE DEPUTY SPEAKER:** That can only be addressed in the appropriate forum where the persons responsible can handle that kind of request. For the purpose of this meeting, that request cannot be made; it would be received by the wrong person.

Honourable members, you will recall that there were items that we carried forward from yesterday’s Order Paper, which we should have handled today, but new issues emerged, including the tribute motion that we handled. Yesterday, we went on up to about 9.00 p.m.; today I do not want to stretch the House for that long since we might not even be able to receive the figures for supply from the Committee on Budget tomorrow. By close of business tomorrow, we will know the state of readiness of the Committee on Budget in terms of figures for supply.

Today, we will not go on for very long but when we come tomorrow, there are reports to consider. There is the Auditor-General’s report on Kampala audit region. There is one on the rehabilitation and maintenance of feeder roads in Uganda- a case study of Hoima, Kumi and Masindi. There is one on value-for-money audit reports of the Auditor-General for National Agricultural and Advisory Services (NAADS) programme, advisory and information services component; and also NAADS Kabarole, Kasese, Lira and Mubende. That was also received but we did not debate it.

There was also a report on the petition by prison officers of Kasese District. You recall that the committee said the petition should not have been brought but we said that we wanted to debate. So, we also need to deal with it tomorrow.

Therefore, these four reports, which were already received by the House, should be debated and we shall conclude them tomorrow. Yesterday, I also said that two motions needed to be brought up, and they were done, for today’s discussion. One was for the establishment of the Eastern African standby force by the Minister of Defence, and then the ratification of the East African Protocol on Cooperation and Defence Affairs. Those two were also brought forward. These are the issues that will come up tomorrow.

I expect a new matter that will come on de-gazettement, which will be raised by the committee responsible for this sector. That will be the only new matter that will come on the Order Paper tomorrow. We will then conclude business and see how to proceed. Honourable members, this House is adjourned to tomorrow at 2 o’clock.

*(The House rose at 5.46 p.m. and adjourned until Thursday, 28 April 2016 at 2.00 p.m.)*