



PARLIAMENT OF UGANDA

# PARLIAMENTARY DEBATES

(HANSARD)

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OFFICIAL REPORT

SECOND SESSION - SECOND MEETING

THURSDAY, 17 NOVEMBER 2022

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PARLIAMENT OF UGANDA

## IN THE PARLIAMENT OF UGANDA

### Official Report of the Proceedings of Parliament

#### SECOND SESSION - 9TH SITTING - SECOND MEETING

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**Thursday, 17 November 2022**

*Parliament met at 2.01 p.m. in Parliament House, Kampala.*

#### PRAYERS

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

*The House was called to order.*

#### COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable members, I welcome you to this afternoon's sitting. Yesterday, we stood over the consideration of the National Legal Aid Bill, 2022, pending harmonisation on a procedural matter.

This morning, we had a very elaborate and consultative meeting with the Attorney-General, plus the mover of the motion and the seconder. We agreed that there are some things that need to be harmonised with Government. I remember what Hon. Ssemujju said -that we should not always have Bills that go and come back unsigned. We want to avoid that scenario. We want to have the Bill assented to whenever we send it to the President. We can only achieve that once we do harmonisation. We agreed, as a subcommittee, that we refer back the Bill to the committee and the Attorney-General will appear before the committee to give his views. The committee will debate on those views and report back. Once that is done, then the Bill will come for the second reading. That is what we agreed on.

Honourable members, I have also received information - and since yesterday, I have also been receiving the same information about the Karuma-Pakwach Road, which has been cut off. The bridge is over-flooded and people cannot pass. I know that this has become a recurrent problem that has adversely affected the movement of people, goods and services, especially in that area of West Nile. When the bridge breaks and we have to waive off the road-user fees around that area as we try to harmonise the issue of the bridges, you cannot move and cannot do anything. I am happy that the people responsible are in the House. I also want to urge the Ministry of Tourism and Wildlife to work together with the Ministry of Works to ensure that they let these two ministries work together and waive off the fee so that people can pass there. At the end of the day, all that money goes to one account. What is important is that we want our people to have where to pass. These are businesspeople; they want to earn a living. The Ministers of Works and Tourism, you will report to this House on how far you have gone on harmonisation, but we want people to start using the road.

Honourable members during the sitting of the 9<sup>th</sup> and 15<sup>th</sup> of November 2022, I directed the Attorney-General to table the statutory instrument on the status and the mandate of women councils, which he is going to lay immediately after my communication and report on the state of human rights in Uganda as presented before the UN Committee Against Torture, which he is also supposed to lay on the Table. Honourable Attorney-General, I am

speaking to you. You are supposed to lay on Table a document, which was asked for - that you took to the UN.

Honourable members, an issue was raised by Hon. Goli Ogwal, where he said we are becoming a Parliament of lamentations. We discuss things here and we do not report back. There is no action that is taken. The public is looking at us as a Parliament that does not deliver. As I promised, today, I will dedicate the whole afternoon for action taken reports to be presented.

Honourable members, I also take this opportunity to confirm the re-designation of Hon. Juliet Kyinyamatama Suubi from the Committee on Finance, Planning and Economic Development to the Committee on Education and Sports.

*(Question put and agreed to.)*

**THE SPEAKER:** Honourable Members, thank you very much. We have many reports that we will have to look at. We also have many issues that are arising out of matters of national importance; there are over 20. I think we should look at those matters before the Prime Minister's Time or when matters are being discussed sector by sector. That is what we should do.

2.09

**MR CHARLES TEBANDEKE (NUP, Bbale County, Kayunga):** Thank you, Madam Speaker. In the previous plenary, you promised that the Attorney-General will come and explain on the affairs of the delayed Bills. From your communication, you have confirmed and put emphasis on the same. Madam Speaker we get confused at times, where the law is not so clear on the movement of the Bill after it has been passed from here to reach the President for assent.

Madam Speaker, I would like to introduce this House to Article 99(2), which states, "*A Bill passed by Parliament shall as soon as possible be presented to the President for assent.*"

Madam Speaker, I would like to seek your clarity on whether these Bills passed by this House over-delay to get transport between the Parliament to the State House. More so, on the same matter, if it is such a case, I would seek your indulgence whether it is procedurally right to move by Article 91(7), which gives this House powers to pass any Bill when time has passed that is granted for the President to assent. I beg to submit.

**THE SPEAKER:** Thank you. Attorney-General, I had actually forgotten that the Attorney-General had made a report, but I am happy that you can make a report here on the action that you have taken on the pending Bills that have not been assented to. Attorney-General, you can also take this chance to lay on the Table the report and respond to what concerns you.

2.11

**THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka):** Thank you, Madam Speaker. On the 9th and 10th of November, I represented the Government for the consideration of the second periodic report to the 75<sup>th</sup> Session of the Committee Against Torture. I made a statement on the 9<sup>th</sup> and on the 10<sup>th</sup> and I appeared again and filed responses to the questions that were raised by the committee.

As you requested, I beg to lay the statement I made on the 9<sup>th</sup> and the responses that I made to the committee. I beg to lay

**THE SPEAKER:** Thank you, Attorney-General. The documents are there and we will subject them to scrutiny. Attorney-General, on the Bills -

**MR KIRYOWA-KIWANUKA:** Madam Speaker, I beg to report that some of the Bills that are bulky take time because we sit and go through them with the Clerk's Office to try and prepare them. Some of them are sent to the President at different times.

We have requested for the status of these and have been advised, aside from the Markets

Bill, which was going through some further consultation, which should be done the rest should be completed within the time provided for in the Constitution. The Fisheries Bill was handled and brought back; we handled it and sent it back and it is being handled within that time. I beg to submit.

**THE SPEAKER:** The Fisheries Bill was returned and then we sent it back.

**MR TEBANDEKE:** Madam Speaker, the law is very clear and we need to move the country in line with the law. Whether it is bulky or light, the law specifies 30 days for assenting. I would like some clarification from the Attorney-General. I was not there during the formulation of this Constitution. And you are abiding by what is indicated here. So, what should we do in case the Bill is bulky?

The Fisheries Bill was passed in a week as we were going for recess. That is before 29<sup>th</sup> and it is now 30 days later. What should be the guidance when the stakeholders are asking us a lot of questions over the same?

Fishermen are being tortured and killed in disguise of enforcement, which enforcement is also illegal. This is a matter that needs to be clarified and handled well because it touches the economy.

This is not politics; we even sued some officers and opened files against them and officers are not arresting them. So, what should we do? We need clarity.

**THE SPEAKER:** All you need to find out is when the Bill is coming back, not discussing the merits of the Bill. I thought that is what we need to find out? (*Mr Bakkabulindi rose*) Former Sports minister, I thought you knew that you do not speak when the microphone is on.

**MR KIRYOWA-KIWANUKA:** Madam Speaker, I will definitely come back to the House on Tuesday with complete answers on everything. I am not aware of any Bill that is

outside its time. We discussed this extensively in Cabinet on Monday and we were given 30 days to finish all the Bills. (*Interruption*)

**MR SSEMUJJU:** Madam Speaker, the gentleman holding the Floor is a lawyer -

**THE SPEAKER:** The gentleman is called the honourable-

**MR SSEMUJJU:** The Attorney-General is a distinguished lawyer. We passed the Markets Bill in March. He now tells Parliament that as far as he is concerned, he is not aware that there is any Bill that has gone beyond the constitutional deadline.

Is the Attorney-General in order to mislead Parliament that he is ignorant about what takes place in Parliament - that when they pass laws, he is not aware or that he is ignorant of the Constitution; for a Bill passed in March, it is now almost a year and the principal legal advisor of Government is not even aware that a law was passed by Parliament?

**THE SPEAKER:** My presumption is that maybe he had forgotten it. But the Markets Bill was passed in March. So, you need to make a follow-up on that and give this House a response on Tuesday; on all the Bills.

**MR BAKKABULINDI:** Thank you, Madam Speaker. There is something new I have just heard from the Attorney-General. I am seeking clarification; for instance, the Markets Bill. "You know, some Bills, which are passed by Parliament, I need to sit down with the Clerk to scrutinise before we send them to the President."

I have never heard about it. If a Bill is passed by Parliament, what is the *Hansard* going to say - that you sit with the Clerk and change some statements before you send it to the President? That ceases to be our Bill? I am just seeking clarification.

**THE SPEAKER:** I am not sure whether any Bill is changed before it goes to the President. Did he say he changes them? Attorney-General, did you say you always change? (*Laughter*)

**MR KIRYOWA-KIWANUKA:** Thank you, Madam Speaker. I am absolutely certain that I did not use the word “change.” I am absolutely certain that I said that we sit and work with the Clerk’s Office –(Interjections)- yes because my office is the Office of the Attorney-General of the Republic of Uganda.

I also provide legal services to Parliament and when a Bill comes from this House and is sent to the President, the hand of the Attorney-General is in there. I participated in the Bill.

**THE SPEAKER:** Honourable Members, the President never assents to a Bill without it coming from Parliament and the legal advisor of the country is none other than KK. However, he does not make any changes.

**MR NIWAGABA:** Thank you, Madam Speaker. I think we have previously had challenges with the time within which the President assents to the Bills and I would not want to blame the Attorney-General’s Office. It falls back to Parliament, particularly the Clerk’s Office.

I would propose that possibly whenever we pass a Bill and the Bill is presented to the President, the Clerk furnishes copies of evidence of presentation to all Members of Parliament so that the business of us waiting until the Bill is returned or whatever is stopped. Once we have passed a Bill and we have got evidence of presentation to the President, those of us who have an interest in a particular Bill can fast-track it and see whether we can invoke the provisions of the Constitution on passing the law with or without the assent of the President.

I believe that once that is done, we will not be raising issues about how far the Bills have gone.

**THE SPEAKER:** Shadow Attorney-General, I cannot accept that the Clerk’s Office should be blamed. When a Bill is passed here, it does not even take two days for it to leave and I have all the copies of received Bills from the President’s Office.

The problem is that when a Bill goes to the President, they write a letter to the relevant ministry to respond to the issues that have been raised. It is actually those sectors that cause delays and when we follow up, they say “we have not got a response from the ministry.”

I think the Attorney-General agrees with me on this; they say, “We have not got a response from the ministries”. Maybe, the Attorney-General should make a follow-up on this and remind the President on the constitutional obligation. This needs to be done. Let us not take it like it is something that should be done at leisure, that Bills can be signed at any time of the year. It has a constitutional provision of 30 days.

Unless you want to bring up a constitutional amendment to that effect, we cannot go against the Constitution. Let us have these Bills brought back. If there is a problem with the Bills, then we can recommit them to the House.

**MR BASALIRWA:** Thank you, Madam Speaker –

**THE SPEAKER:** I hope it is not on what I have ruled.

**MR BASALIRWA:** No, I raised that here last time. He has answered; I will leave it to him. The House will deal with him at a later time. The procedural issue I seek to raise relates to the document that has been tabled by the learned Attorney-General regarding his presentation in the United Nations.

Madam Speaker, you guided that it will be scrutinised. I want to seek your indulgence whether it would not be procedurally right to refer that document to the Committee on Legal and Parliamentary Affairs to do the scrutiny and report back.

According to what was quoted, it raises serious issues about the status of torture in this country. Madam Speaker, I seek your guidance.

**THE SPEAKER:** I said I am referring this to the relevant committee for scrutiny. The Clerk’s Office will determine which

committee it will go to. - I said, “relevant committee”. Honourable members, is it still on my communication? Aren’t you going – [Hon. Atwijukire: “Order”] Order to who? (*Laughter*) Hon. Atwijukire, can I hear whom you are ordering?

**MR ATWIJUKIRE:** Thank you, Madam Speaker. Is it in order for a Member to come in the House with a cap?

**THE SPEAKER:** He is putting on traditional attire. (*Laughter*)

**MR RUHUNDA:** Madam Speaker, I seek your indulgence on the issue of the Bills. Rule 143(10) of our Rules of Procedure states, “Where the President returns the same Bill twice –“

**THE SPEAKER:** Hon. Alex Ruhunda of Fort Portal Tourism City, we have already ruled on that and we have moved on to the next item.

The learned Attorney-General says he is coming back on Tuesday on the same matter; let us stand over it up to Tuesday. Member from Kasese, I hope it is not on torture. (*Laughter*)

2.24

**MR ATKINS KATUSABE (FDC, Bukonzo County West, Kasese):** No, Madam Speaker. You have already ruled on that. Madam Speaker, this is in regard to your communication. Constitutionally, your word in this country is binding and nobody can question it.

Madam Speaker, Pakwach is cut off and I think we should find a reason to help our fellow citizens and have that road fixed. I am happy that the Minister of Works, Hon. Gen. Edward Katumba Wamala is in the House. This is something that I have personally spoken to him about. He has been in my community. I am happy that Rt Hon. Prime Minister is also here. They have been to my community and this is about three years ago.

The reason I am bringing this up, Madam Speaker, is that I have about three subcounties

or communities that are only brought together by a bridge. Madam Prime Minister, you remember. Mr Minister, you also remember. Even as I speak, the bridges are not there; three subcommittees are cut off. People on the other side keep on wondering whether you are still - Yes, Madam Commissioner –(*Interruption*)

**MS AFOYOCHAN:** Thank you, Madam Speaker –(*Interjections*)

**THE SPEAKER:** Honourable members, can you keep quiet?

**MS AFOYOCHAN:** Madam Speaker, I rise to give more information on the issue of Pakwach. This comes at a time when His Excellency the President is supposed to be in Zombo District tomorrow for the coronation anniversary.

If the President were to use the road today, I am sure he would never make it to Zombo District. I am saying this because we need to give particular attention to the roads in West Nile, especially in regard to the fact that we have talked continually.

I am grateful that we have another source of transport and that is air. Otherwise, my people would wait and the President would never arrive because of the state of the road. I am also hopeful that as he goes there tomorrow, we shall have some clear information from him regarding this issue. Thank you, Madam Speaker.

**MR KATUSABE:** Thank you very much, Madam Commissioner. Madam Speaker, three years down the road, a community is cut off. Churches, schools and health centres are cut off completely. Uganda National Roads Authority keeps telling us that they cannot move construction equipment to the other side because they have no bridge. Therefore, you have galleys and you wonder how your fellow citizens in the mountainous communities make it to Bwera General Hospital. Is it possible, my fellow citizens, that we cannot find money to build the bridge so that we have our citizens reconnected to the rest of the country?

Honourable Minister, the point that I have heard from these distinguished fellow citizens is that we do not have money. Minister of finance, if you are here - and they are not here. Madam Speaker, will you, please, direct that money be found within our financial system and this bridge and other bridges in the country are fixed? I appreciate you, Madam Speaker.

**THE SPEAKER:** Hon. Katusabe, these are some of the things that we raised before. That is why we have asked for action that has been taken and the ministers are going to present actions taken in their different ministries. Let us wait for the reports from different ministries and if your issue has not been responded to, then, you will raise it again when the particular minister is providing the actions taken in the next item.

**MR KATUSABE:** Much obliged, Madam Speaker.

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

MOTION FOR A RESOLUTION OF PARLIAMENT TO AUTHORISE GOVERNMENT TO BORROW UP TO SPECIAL DRAWING RIGHTS (SDR) 98.8 MILLION (EQUIVALENT TO \$ 140 MILLION) AND SECURE A GRANT FINANCING AMOUNTING TO SDR 42.4 MILLION (EQUIVALENT TO \$ 60 MILLION) FROM THE INTERNATIONAL DEVELOPMENT ASSOCIATION (IDA) OF THE WORLD BANK TO FINANCE THE UGANDA DIGITAL ACCELERATION PROJECT (UDAP) – GOVERNMENT NETWORK (GOVNET)

**THE SPEAKER:** Sorry, I had not seen the Minister of Works and Transport. I happy he is here. There is an issue that came out in my communication on Pakwach. Before we go to the next item, we would like to find out the short, medium and long-term remedy on that road and others.

**GEN. KATUMBA:** Thank you very much, Madam Speaker. We have had a challenge on that sector of Pakwach road. We have restored

Pakwach road and vehicles are moving. We also have an alternative route. If you cannot use the Pakwach main or Olwiyo Pakwach, then you can use the road through the park because there is a bridge.

We have already discussed this with the Minister of Tourism, Wildlife and Antiquities. They will not charge any vehicle passing through the park. (*Applause*) Therefore, there is an alternative route for people going to -

Madam Speaker, we are now looking at re-engineering that sector of the road for a permanent solution. For now, vehicles are moving.

**THE SPEAKER:** How about Zombo road?

**GEN. KATUMBA:** I know about Zombo road. His Excellency, the President directed that we work that road. The challenge is still what my people did yesterday - Commissions, Statutory Authorities and State Enterprises team is here and you heard what Uganda National Road Authority (UNRA) told you yesterday; it is lack of funds.

We would be doing the repairs now for emergencies - I saw Hon. Rwemulikya crying about the road network there. Madam Speaker, not that we do not want to work on the roads, but we do not have money. I will just be as blunt as that; the money is not yet available. If we get the release, we shall work on the roads.

Yesterday, UNRA told the committee that the debt we owe contractors who are supposed to be maintaining these roads is Shs 585 billion. The solution here is that we need the money so that we are able to work on the roads.

**THE SPEAKER:** Gen. Katumba, we will need a report on all the actions that are being taken on each road. Where there is no money, you cannot blame the minister for money not being available because he is not the one who provides it. He is only reporting and those are the reports we shall need. Then, this House will take action after he has presented the report.

**GEN. KATUMBA:** Thank you, Madam Speaker.

2.34

**MR JAMES NIRINGIYIMANA (NRM, Kinkizi County West, Kanungu):** Thank you very much, Madam Speaker –

**MR NIRINGIYIMANA:** Thank you, Madam Speaker, for giving me a chance. I know Gen. Edward Katumba Wamala is a good servant of this country. I also know he is working under the delegation of the President.

Madam Speaker, when you talked about Zombo, I remembered the declaration by the President in 2017, when he wrote letters telling the Ministry of Works and Transport, the ministry of finance and UNRA to work on specific roads, which are critical to this Government, including the tourism roads.

We are taking loans for other issues, yet, those letters have since become redundant. Can we know what happened to those letters the President wrote, giving those roads to specific companies for action?

Two, if those letters are there and the companies have failed to work, can't we get concessional loans and work on these roads?

**THE SPEAKER:** Honourable members, we are actually on the next item. We are going to look at all those issues, department by department. We approved a loan and gave UNRA money. What is required is to make a follow-up. Money was given and UNRA has the money.

Honourable members, there is an item that has been read. Can I invite the Minister of Finance, Planning and Economic Development who is going to be represented by Hon. Bahati to move a motion to that effect?

2.36

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE) (Mr David Bahati):** Madam Speaker, I move a motion on behalf of the

Government that Parliament authorises Government to borrow up to SRD 98.8 million (Equivalent to \$ 140 million) and secure a grant financing amounting SDR 42.4 million (Equivalent to \$60 million) from the International Development Association (IDA) of the World Bank to finance the Uganda Digital Acceleration Project Government of Uganda Network. I beg to move.

**THE SPEAKER:** Thank you very much, honourable minister. Is the motion seconded? *(Members rose)* It is seconded by Hon. Ibanda, Hon. Frank Tumwebaze, Hon. Komakech, Hon. Acrobat, Member for Kween, Hon. Solomon, Hon. Isabirye, Hon. Dan, and Member representing the Elders. It is seconded by the whole House. Would you like to speak to your motion?

**MR BAHATI:** Madam Speaker -

**THE SPEAKER:** Honourable members, can we listen.

**MR BAHATI:** The objective of this motion is to establish *-(Interruption)-*

**MR SSEMURUJU:** Thank you very much, Madam Speaker -

**THE SPEAKER:** Honourable Members, it is free sitting.

**MR SSEMURUJU:** Madam Speaker, I know, my friend Hon. Bahati -

**THE SPEAKER:** There is a procedural matter on *-(Member rose)*

**MR SSEMURUJU:** Madam Speaker, I know my friend, Hon. Bahati's appetite for borrowing. There are ministers assigned to superintend over the finance sector. I do not know why Hon. Bahati was removed.

The procedural issue I am raising is - Madam Speaker, you did not tell us whether they sought permission from you or not or whether Hon. Bahati has been now designated as the former minister of borrowing. Are we proceeding well



to have a former minister of borrowing again, table a motion for borrowing even when he has been moved away from that sector?

**THE SPEAKER:** Honourable Member, any of the ministers on the frontbench can be assigned to move a motion. I received an apology from the senior minister, Hon. Kasaija and the junior ministers who are attending a workshop. The Prime Minister is here; she is the leader of all the ministers and she delegated Hon. Bahati.

However, I have never seen Hon. Bahati borrowing for himself. He is also not the minister of borrowing. We do not have a ministry called the minister of borrowing. Hon. Bahati, go ahead.

**MR BAHATI:** Thank you. Hon. Ssemujju missed yesterday's Sitting where we agreed that as Members of Parliament, we should respect each other; so, we have to forgive him.

**THE SPEAKER:** You are forgiven.

**MR BAHATI:** The object of this loan is:

- i) to establish a national backbone infrastructure in the major towns of Uganda, where the backbone has not reached;
- ii) to connect all Government ministries to a single wide area network;
- iii) to establish a Government data centre, and;
- iv) to establish district information centres to support the efforts of Government in establishing and consolidating e-government.

Madam Speaker, the Committee on National Economy looked at this loan request and is ready to report. I beg to move.

**THE SPEAKER:** Thank you, honourable minister. I now invite the Chairperson, Committee on National Economy to present the report.

2.41

**THE CHAIRPERSON, COMMITTEE ON NATIONAL ECONOMY (Mr Bosco Ikojo):** Thank you, Madam Speaker. I report on behalf of the Committee on National Economy on the proposal by Government to borrow up to Special Drawing Rights (SDR) 98.8 million (equivalent to \$140 million) and secure a grant financing amounting to SDR 42.4 (equivalent to \$60 million) from the International Development Association of the World Bank to finance the Uganda Digital Acceleration Project (UDAP) - Government Network (GOVNET).

Before I present the report, I beg to lay it and the minutes of the committee's meetings while considering the loan. Madam Speaker, there is no minority report. I beg to lay.

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

**MR IKOJO:** Madam Speaker, at the First Sitting of the Second Meeting of the Second Session of the 11<sup>th</sup> Parliament, on 1 November 2022, the Minister of Finance, Planning and Economic Development presented a request for Government to borrow up to Special Drawing Rights 98.8 million (equivalent to \$140 million) and secure a grant financing amounting to SDR 42.4 million (equivalent to \$60 million) from the International Development Association of the World Bank. This is in line with the provisions of Article 159 of the Constitution, which provides that the Government may borrow from any source and that the terms and conditions of the loan shall be laid before Parliament and shall not come into operation unless they have been approved by a resolution of Parliament.

Madam Speaker, Section 36 of the Public Finance Management Act, 2015 authorises the minister to raise money through loans and issue guarantees on behalf of the Government. Our Public Debt Management Framework, 2018 outlines the principles for acquisition and utilisation of public debt for the financial years 2018/2019 up to 2022/2023.

I would like to give this House a brief background about the project. We are all aware

that the Government of Uganda embraced ICT as one of the tools to spur socio-economic transformation of our country. In 2006, the Government embarked on the national backbone infrastructure/electronic government infrastructure project with two components, including the national backbone infrastructure to cater for the laying of the optic fibre in the major towns.

This project had four key objectives, which were;

1. Establishing a national backbone infrastructure,
2. Connecting all ministries to a single wide area network,
3. Establishing the Government data centre, and
4. Establishing the district information centres.

The envisaged outputs were that: all government ministries shall be connected; the e-government shall be implemented; the optic fibre cables shall be laid across the country, and; the district information centres shall be established.

In 2010, with the enactment of the NITA-U Act, 2009, NITA-U took over the oversight responsibility for the national backbone infrastructure to promote standardisation in planning, acquisition and maintenance of the ICT system in the country.

In 2016 -

**THE SPEAKER:** There is a procedural matter.

**MR SSEMUJJU:** Madam Speaker, I want to draw your attention and that of the House to rule 155(7), which sets out documents that are supposed to accompany a loan request for Parliament to process. Some of the documents have not been presented by the minister assigned.

Also, the Constitution requires that Parliament looks at the terms of the loans after they have been cleared by the Attorney-General. I am

aware, Madam Speaker, that the Attorney-General has not cleared and reviewed this particular loan request. All these are supposed to be laid.

The only proof that he has done so is by evidence of his letter, laid together with the request that "I went through these particular terms and they are okay". The loan impact assessment is also not there.

The procedural issue I am raising is whether this Parliament can also quietly begin processing a loan knowing that the statutory requirements set out in our rules and the constitutional obligations have not been met, especially on loans that are project-related.

**THE SPEAKER:** Thank you, Hon Ssemujju. What you are raising is in anticipation. You have not heard the chairperson. When you look at the review of documents – paragraph 3.2 – it tells you all the documents that the committee received. These are supposed to be laid before the committee. The committee has not told you that they did not receive any document.

Secondly, you have not looked at the file that is being laid. You are just speaking in anticipation. The motion that has been brought here is seeking to borrow. By the time the committee approves or makes a report without even a minority report, it means they were satisfied with whatever was provided before them.

Chairperson, please, go ahead. Attorney-General, did you give authorisation to borrow? It was presented in the committee; it was cleared. Can we hear the report?

**MR IKOJO:** Madam Speaker, I would also refer my colleague, Hon. Ssemujju Nganda, to Table 1 to show that the committee looked at all the documents that were required as per -

**THE SPEAKER:** Actually, when you even look at paragraph 4.1 on the compliance with the Rules of Procedure of Parliament – look at that. He is going to lay them on the Table. Do you want him to lay them on your head?

**MR IKOJO:** Thank you very much, Madam Speaker. For avoidance of doubt, I would like to lay before this House the documents that this committee reviewed while preparing the report for the Committee on National Economy for the House to approve the borrowing that was presented by the Minister of Finance, Planning and Economic Development.

**THE SPEAKER:** Honourable members, the person that I would like to hear from - and I will trust what he says - is Hon. Hassan. He is a Member of a committee and I know he does not lie.

**MR IKOJO:** Madam Speaker, for the avoidance of doubt, we have a brief from the minister, a letter from the President clearing the law, a letter from the National Planning Authority and the social impact assessment report for the project. We have all the documents here and I beg to lay.

**MR SSEMUJJU:** Madam Speaker, the chairperson has just thrown a file there. There is no clearance from the Attorney-General. I speak as a Whip of a political party. I assigned people to a committee –

**THE SPEAKER:** The Attorney-General is here.

**MR SSEMUJJU:** There is no impact assessment that the committee has looked at.

**THE SPEAKER:** Why didn't the Members that you put in the committee write a minority report?

**MR IKOJO:** Thank you, Madam Speaker –

**THE SPEAKER:** I would like to clear this; that the loan request was in the committee irregularly. The loan request came to the House while we were on recess. Administratively, we referred it to the committee. I sought permission from the Business Committee, where Hon. Ssemujju is a voter and a participant. He is even the one who seconded the loan request in that committee. When I heard Hon. Ssemujju say that it was illegal – now, we came and

formalised it in the House. We referred the loan request to the committee. That is why the committee is coming up with a report. His borrowing is justifiable. It is not like any other borrowing that you would think of.

**MR IKOJO:** Madam Speaker, I was giving the background to the National Backbone Infrastructure Project. Initially, this project was financed under the China Exim Bank and I read out the four objectives –

**THE SPEAKER:** I think the Opposition side just likes the Attorney-General.

2.55

**THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka):** Thank you, Madam Speaker. This loan comes here under the provisions of Article 159 (5) which provide:

*“(5) Parliament may, by resolution, authorise the Government to enter into an agreement for the giving of a loan or a grant out of the public fund or public account.”*

An agreement under this shall not come into force until it is laid before Parliament so we will come back. Before we even start the conversation about borrowing, we must get the authority of Parliament. Therefore, once we get the authority of Parliament, then, we come back to deal with the agreement. We shall come back to deal with the agreement under article 159(6).

**THE SPEAKER:** By the way, getting a loan is not as easy as getting money on your accounts. It is a process. It is not like how you leave here and see a message that there is salary on your account. Honourable, can you summarise? We have very important reports.

**MR IKOJO:** Let me straight away move to the methodology and probably my other colleagues will get satisfied that the committee considered a number of documents.

One of the methodologies that the committee used was meetings. The committee met with a team from the Ministry of Finance, Planning

and Economic Development. We had a meeting with the Ministry of ICT and National guidance and the National Information Technology Authority (NITA-U).

The committee also reviewed a number of documents; the documents that I have just laid before the House. We looked at the brief by the minister and the performance of the previous loans in reference to Rules of Procedure 155(7).

I would also like to take the House through the compliance of the loan request with the Rules of Procedure and the loan approval guidelines. The Members are with their iPads and I believe that the report was uploaded.

Table 1 of our report clearly states the compliance with rule 155(7) of the Rules of Procedure. Table 2 deals with the compliance with the parliamentary approval guidelines. Madam Speaker, since you have told me to summarise, I implore Members to read through the table.

The project is in line with the National Development Plan III which recognises the promotion of science, technology, engineering and innovation as well as ICT as one of the core objectives. Specifically, the digital transformation programme under the National Development Plan III identifies ICT as a fulcrum for development and has a huge potential to improve our national productivity. The project will contribute to the achievements of the National Development Plan III, specifically, by increasing the ICT infrastructure coverage, improve on the efficiency and transparency of the Government. The project is in line with Vision 2040.

The performance of the previous loans

The Rules of Procedure mandate the Committee on National Economy to examine the performance of all loans under the sector in order to assess the viability of the new loan and recommend it for approval.

By the end of October this year, all the loans under the ICT sector had been completed. In phase 1, in 2007 to 2008, there was a loan

request of \$30 million. That loan was used for laying 168 kilometres of fibre optic cables around Kampala, Mukono, Jinja, Bombo, Entebbe and also connecting 27 ministries, departments and agencies.

In 2009 to 2013, there was a borrowing of \$61 million; 1,400 kilometres of optic fibre cables were laid and the National Backbone Infrastructure was extended to districts in Eastern, Northern Uganda and some parts of Western Uganda.

Madam Speaker, in 2016 - 2017, another loan of 15 million US dollars was borrowed and 76 kilometers of fiber optic cables were extended to the rest of the Western part of the country.

I would like to draw members specifically to the project description of the current Uganda Digital Acceleration Program (UDAP) loan. Specifically, Madam Speaker, the Government intends to extend access to high-speed internet in selected areas. The Government also intends to improve efficiency in digital service delivery in selected public sectors and also strengthen the digital inclusion of selected host communities and refugees in the refugee hosting communities.

This project has four components. The first component is the expansion of digital connectivity in selected areas which will cost approximately \$86 million and enabling the digital transformation of Government which will cost about \$ 50 million and promotion of the digital inclusion of the host communities that will cost about \$ 57 million under the refugee window.

The fourth component is project management which will take about \$ 7 million out of the project cost. Table 5 describes all that.

Table six explains the expected project outcomes. This is in line with the four components. We also have the indicators, the baseline and the expected end target.

Madam Speaker and honourable colleagues, the project cost and financing arrangement; the total cost of the project is about \$ 200million.

The project will be financed through IDA World Bank with a loan component of 70 percent which will be a loan component and 30 percent will be a grant under the refugee sub-window of the World Bank. The costs are still stipulated.

Madam Speaker, allow me to go to the loan terms and conditions. The total loan is about special drawing rights \$ 98.8 million, equivalent to 140. The maturity period is 38 years with a grace period of six years. The repayment period shall be 32 years. The loan attracts a commitment fee of 0.5 percent per annum on the undisbursed loan balance and a surcharge of 0.75 percent per annum on the disbursed loan balance.

The conditions of the loan. Madam Speaker and honourable colleagues, the loan has the following terms and conditions;

There should be an approval by Parliament that the Ministry seeking currently ensures issuance of the legal opinion of the Attorney-General of Uganda on the legal validity of the loan documents to the bank.

The other condition is that IDA is satisfied that the Government has an adequate refugee protection framework.

The other condition is that, the subsidiary agreement has been executed on behalf of the Government and the project implementing entity which is NITA-U and the project Operations Manual as referred to in section 1(C) of schedule 2 of the agreement has been prepared and adopted by the Government and the project implementing entity in the form and substance accepted by the IDA.

In addition, there are conditions for suspension of the financing, which include among others;

- a) The recipient no longer has an adequate refugee framework.
- b) The project implementing entity's legislation has been amended, suspended, abrogated, repealed or waived, so as to

affect materiality and adversely the ability of the project implementing entity to perform any of its obligations under the agreement. The project implementing entity has failed to perform any of its obligation under the project agreement. That is in reference to conditions reference to suspension of the project.

Uganda is one of the countries that assented; is a signatory to the 1951 refugee convention, the 1969 protocol, and the 1967 protocol and the 1969 Organisation of African Unity convention. Uganda is in line with the requirement by the IDA.

Madam Speaker, the concessionality of this loan; The level of concessionality is an indicator of how expensive a loan is, the higher the concessionality as measured by the grant element, the more favorable the loan terms. Concessional loans are cheaper in terms of debt service when compared to non-concessional loans. I want to allude to House that this loan is a concessional loan.

Our technical team subjected the loan to an evaluation. The nominal value of the loan is SDR 98.8 million when discounted at 5 percent, it comes to \$ 45.43 million, which is equivalent to \$ 64.37 million.

The total debt service of the loan shall be a SDR 115.1 million, equivalent to \$ 163 million. The grant element is 67 percent of the loan.

The budgetary implications. This loan forms part of the Government's approved budget estimates for the financial year 2022/2023, under the project code 1615. Government network or GOVINET project, which had a total allocation of 8.15 billion, of which 4.46 billion was under the Government of Uganda and 3.69 will be the first disbursement out of this external funding.

Economic returns of the project. The economic benefits from the proposed investment are significant given the economic net present value of the project estimated at Shs 413 billion, with an economic internal rate of return

of 16.5 percent. The project's economic rate of return is above the economic opportunity cost of the capital in Uganda, which is placed at 11 percent.

Madam Speaker, the implementation arrangement of the project shall have a Project Steering Committee, the Ministry of ICT and national guidance will be responsible for providing strategic guidelines and overseeing the implementation of the project. The project steering committee shall be chaired by the PS Ministry of ICT and comprised of permanent secretaries for the Ministry of Finance, OPM, Local Government and the Executive Director of NITA-U and PPDA.

The current debt situation of the country

Madam Speaker and honourable colleagues, by the end of June 2022, our total public debt stood at Shs 78.799 trillion and it increased by 13 per cent from Shs 69.513 trillion by the end of June 2021.

The debt stock constitutes Shs 48 trillion from external debt and Shs 30.6 trillion from our domestic borrowing. The share of our nominal debt to GDP increased from 46.9 per cent in June 2021 to 48.4 per cent in June 2022, performing within the thresholds of our charter of fiscal responsibility that was laid before this House.

According to Bank of Uganda, public debt had increased to Shs 80.04 trillion by the end of July 2022, translating to debt to GDP ratio of 49.2 per cent. The approval of the proposed borrowing equivalent to \$ 40 million will increase our external debt pressure from \$ 17.8 billion at the end of June 2023 to \$ 18.34 billion, including the recently approved budget support loan.

In addition, if implemented this financial year, the proposed borrowing alone will increase the debt to GDP ratio in Financial Year 2022/2023 by slightly more than 0.05 per cent, thus increasing the nominal share of the debt to GDP projected to perform at 51.9 per cent in the Financial Year 2022/2023.

However, public debt will remain within the sustainable levels as the Uganda Digital Acceleration Project (UDAP) forms part of the debt sustainability analysis on the debt and the indicators that debt will be sustainable. I would like to draw the House to the committee observations and recommendations.

Madam Speaker, the committee observed and made recommendations that were derived from rigorous scrutiny of the loan and the loan documents to inform effective implementation of the new UDAP project.

Conditions of the loan financing agreement

The committee noted with concern the conditions for the suspension of finance from IDA of the World Bank, which includes when the recipient no longer has an adequate refugee financing framework. The project implementing entity's legislation has been amended, suspended, abrogated, repealed or waived so as to affect the materiality and adversely affect the ability of the project implementing entity to perform any of its obligations under the agreement.

The project implementing entity has failed to perform any of the following. The committee is cognisant of the discussions of Cabinet on 22 February 2021, where it approved the recommendations for the rationalisation of agencies, commissions and statutory authorities with the objective of eliminating structural and functional duplications, overlap and wasteful expenditure.

The committee was concerned that merging NITA-Uganda would imply repealing the NITA-Uganda Act, which consequently would lead to the suspension of the credit facility by the World Bank.

The committee, therefore, recommends that Government should take cognisance of the condition stipulated in the financing agreement where NITA-Uganda is the project implementing entity and the committee recommends that NITA-Uganda should be retained in its autonomy during the implementation cycle of the project.

For the timely implementation of the project, Government carefully undertakes the rationalisation process in a manner that will not compromise the provisions of the financing agreements.

To avoid doubt, the Attorney-General should ensure that the final text of the financing agreement is clear so that the effect of mainstreaming NITA-Uganda into the ministry does not cause any loss to Government.

The second observation was commercialisation of the National Backbone Infrastructure Project. Government set out to invest in the national backbone infrastructure to cater for laying of optic fibre to ensure that hybrid data connection is available to all major towns in Uganda at a reasonable rate and to establish electronic Government infrastructure aimed at reducing the cost of doing business in Government and increasing efficiency.

The committee observed that Soliton Telmec Limited was contracted to manage the commercialisation of the national backbone infrastructure and has been doing it to date.

The committee was informed that the revenue generated from the national backbone infrastructure is shared between Soliton Telmec and the Government of Uganda, as per the provisions of the contract.

At the time the contract was awarded, NITA-Uganda did not have the capacity to manage the commercialisation of this infrastructure. The committee was informed that NITA-Uganda has since developed sufficient capacity to manage the commercialisation of the infrastructure.

The committee recommends that NITA-Uganda gradually phases out the contractual management of the project and uses the internally generated capacity it has built over time to manage the commercialisation.

This will reduce the cost of implementation and also money spent on the contract would be availed to extend connectivity to un-served areas.

The contract between NITA-Uganda and Soliton Telmec be reviewed by NITA-Uganda to gradually take on the commercialisation of the backbone infrastructure.

#### Accessibility and affordability of internet

Internet penetration in the country has improved from 16 per cent in 2016 to 51 per cent as of September, 2021 and the cost of internet bandwidth has come down from \$ 97 per minute per month per megabyte per second in 2016 to \$ 70 per month per byte per second.

In September 2022, negotiations are yet being made to bring the bandwidth costs to \$ 35 per month per byte per second. The utilisation of the backbone infrastructure remains at less than 30 per cent of its full capacity. The committee noted that the cost of the internet would be cheaper with the utilisation of the backbone infrastructure since the increased number of users would share the cost.

The committee recommends that:

- a) Government provides targeted free Wi-Fi spots and internet connections to institutions of learning and subcounty headquarters in order to step up the utilisation rate of the national backbone infrastructure; *(Applause)*
- b) Government should establish a policy that will continuously attract investment and competition among private sector operators and providers to drive down the cost of internet to the final consumer.

#### Expansion of the digital infrastructure in the country

Honourable members, Government has, to date, invested over \$175 million in the national backbone infrastructure. I will run to the committee recommendation.

The committee recommends that the digital infrastructure proposed under this project is rolled out to only unserved communities. To avoid any duplication, this financing should

only be used to the extent necessary to reach areas where it is considered that the private sector would not go without an additional incentive from the Government to invest to close the infrastructure gaps and the unserved and underserved areas.

On the low uptake of digital services; the committee recommends that:

- a) The Ministry of ICT and National Guidance collaborates with other MDAs, such as education, to build the capacity and skills of the population to enable them to use these services. In addition, it should liaise with the ministry of trade and the ministry of finance to lower the end user costs of mobile phones and other gadgets; and
- b) This project prioritises less served communities that are considered commercially unviable by the private sector and bridge the geographical divide.

Stakeholder coordination risk

The committee recommends that NITA-U and the Ministry of ICT and National Guidance should ensure that the needs and expectations of each stakeholder are considered for a smooth implementation of this project. Further, given the various activities supported under the project, stakeholders must be well aligned to the coordination efforts.

Sustainability of the project

The committee recommends that the Government of Uganda should adopt policies that will attract private sector participation in the broadband and infrastructure sharing via open access rules. Such a policy would allow private sector providers to utilise the excess capacity on the Government-owned national backbone infrastructure to offer value added services, especially in remote and commercially unviable areas.

In conclusion, Madam Speaker, in light of the above observations, the committee, therefore, recommends that that the request for

Government to borrow up to SDR 98.8 million, equivalent to \$140 million and securing a grant financing amount, amounting to SDR \$42.4 million, equivalent to \$16 million from the International Development Association of the World Bank to finance the Uganda Digital Acceleration Project Government Network be approved, subject to the above recommendations. I beg to move. *(Applause)*

**THE SPEAKER:** Thank you. [Mr Tebandeke rose\_] What is the point of procedure?

**MR TEBANDEKE:** Thank you, Madam Speaker. I rise on a procedural matter under Rule 155(7)(k) of our Rules of Procedure.

Borrowing is inevitable, given specific objectives. Uganda has borrowed a lot of money, but it is being diverted to other use; not servicing the actual interest. I am happy that the documents laid by the chairperson are, maybe, in line with the rules, but specifically, the report on the performance of the past loans is missing in the documents laid.

This is where we are getting a mess; we borrow money, but do not evaluate the previous loans, hence subjecting Ugandans to a lot of risks and suffocating them to the burden of payments.

I beg to submit.

**THE SPEAKER:** Thank you. Hon. Charles Tebandeke, the Committee on National Economy annually presents a report on the status of loans of the country. So, that is being catered for. However, I am very happy that you read the rules these days. *(Laughter)*

Honourable minister, do you have anything to say about the report? Thank you very much, Chairperson of the Committee on National Economy. *(Applause)*

3.27

**THE MINISTER OF INFORMATION, COMMUNICATION TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi):** Thank you very much, Madam Speaker. I want to appreciate the chairperson of the committee and the honourable members



who have worked day and night to process this loan request expeditiously.

The request for this loan is intended, like the chairperson explained, to expand the digital infrastructure to the rest of the country so that we can attain connectivity in our constituencies and communities.

It is also to work on e-services within the Government; to automate Government services, as well as handle connectivity in the refugee areas and refugee hosting communities. In summary, that is what this loan request is about. The implementing agency shall be NITA-U because it is still our agency, as a Government.

I would like to appeal to honourable members that this loan request is addressing issues of digitisation in this country. There is a digital revolution, where we are transiting from analogue to digital. Therefore, if we are looking at transforming this country, we have to go digital and that is what this loan request is all about. I appeal to Members to support it. Once again, I thank them.

We had very meaningful discussions with the committee; we spent a lot of time exchanging and sharing the details of this. I want to thank the committee that there is even no minority report because we provided sufficient information from NITA-U and the ministries of ICT and finance.

**THE SPEAKER:** Thank you. Honourable minister, since NITA-U is the implementing agency and is an MDA on its own, why can't it take a role on the project steering committee to avoid the bureaucracy of going through the ministry - it has its own vote.

**DR BARYOMUNSI:** The ministry of ICT that I head, is in charge of digital transformation in this country. With the way ministries are organised, we have agencies which fall under these ministries and we have a duty to provide leadership and oversight over them.

Therefore, the way the loan was structured is that the ministry will have that supervisory role, but the actual implementation will be done by NITA-U. Among the structures - *(Interjection)* - just hold on. Among the structures, there is a technical committee where the ministry will be in charge, but it links with other ministries such as the Ministry of Works and Transport and the Ministry of Finance, Planning and Economic Development. There, the minister does coordination, but the implementation is by NITA-U. So, there is no contradiction.

**THE SPEAKER:** Can we hear from Hon. Hassan?

3.30

**MR HASSAN KIRUMIRA (NUP, Katikamu County South, Luwero):** Thank you, Madam Speaker. The Committee on National Economy, of which I am a member, completed the processing of this loan – to borrow an equivalent of \$140 million. The sugar-coating was on the grant of \$60 million.

Together with some Members, we had eliminated objections to this loan, including the Minister of ICT and National Guidance failing to rule out the mainstreaming of the project implementing entity – NITA-U, the overall purpose of this loan, duplication and uncoordinated investments in fibre optics – where the private sector has also widely rolled out similar infrastructure; and the redundancy of the current national backbone infrastructure, with less than 10 per cent of the capacity in active use.

Now, whereas we elected not to object - and I would like to be very clear on this – after harmonising or covering the gaps that we had discussed, I am disappointed to see what the main report offered today.

Madam Speaker, the Minister of ICT and National Guidance informed the committee that the Government intends to make a position –*(Members rose)*–

**THE SPEAKER:** Why don't you leave Hon. Hassan to finish and then you bring the point of procedure?

**MR SSEMUJJU:** Madam Speaker, our rules do not allow members of the committee to debate their own report -

**THE SPEAKER:** No, He is making a correction on what was agreed in the committee *visa-a-vis* what has been read.

**MR SSEMUJJU:** Madam Speaker, there are two other rules. If a member of the committee raises issues of authenticity of the report, then, the report, under our rules, is supposed to be subjected to investigation.

Two, in our rules, if he has disagreement with the main report, he must write a minority report.

**THE SPEAKER:** He is not rising issues of authenticity, but content. It is just a simple thing – NITA-U and the Ministry of ICT and National Guidance.

**MR KIRUMIRA:** Thank you, Madam Speaker. The Minister of ICT and National Guidance informed the committee that the Government intends to make a position on the status of NITA-U and other agencies.

Aware that the financing agreement of this particular loan is expressed on the implementing entity being NITA-U, aware that the entity was created by an Act of Parliament and further aware that this House is bound not to legislate in anticipation of what the Government intends to bring to this House, now, therefore, I request my honourable colleagues to approve this loan on condition that it is resolved by this House not to amend or repeal The National Information Technology Authority – Uganda Act. *(Applause)*

Madam Speaker, I would like to make a simple prayer, in my conclusion. For avoidance of doubt and to set the record straight, I pray to move under rule 59 that this Parliament passes a resolution to compel the Government to ensure that NITA-U remains the implementing authority or agency for the entire duration of this loan *-(Applause)-* as per the financing agreement. I beg to submit.

**THE SPEAKER:** Thank you so much. He raises a very pertinent issue on rationalisation. Shadow minister?

3.35

**MR MUHAMMAD MUWANGA KIVUMBI (NUP, Butambala County, Butambala):** Madam Speaker, I thank you for this opportunity. We must legislate with clarity. Our intention cannot be obscured in ambiguity. Paragraphs 12(i) and (ii) - paragraph 12(i) establishes the project steering committee and paragraph 12(ii) details the composition.

However, paragraph 12(iii) also talks about the project implementing entity. You cannot have a project steering committee and a project implementing entity.

Paragraph 12(iv) establishes the project implementing unit and paragraph 12(v) establishes project management.

Madam Speaker, for us to clean up this ambiguity, let us be clear; the other day, the permanent secretary (PS) of this ministry literally wanted to take away the Vote of NITA-U –

**THE SPEAKER:** Not wanted, but took it away because she put it in writing.

**MR MUWANGA KIVUMBI:** Took away the Vote of NITA-U, illegally. We only arrested it here. Therefore, I see the PS now chairing the steering committee. For us to clean up and leave this ministry without doubt about our intention, I propose to amend his motion and move to delete paragraph 12(i) and paragraph 12(ii) –

**THE SPEAKER:** And then?

**MR MUWANGA KIVUMBI:** And then we leave the project implementation unit, which is NITA-U – which shall have the project management in order to avoid the ambiguity and interference of the PS – “the eating of the loan”. *(Laughter)*

**THE SPEAKER:** Then we move a motion?

**MR MUWANGA KIVUMBI:** Therefore, Madam Speaker, I move a motion -

**THE SPEAKER:** No, I am saying that after it is deleted, can we put the question?

**MR MUWANGA KIVUMBI:** No problem, Madam Speaker.

**THE SPEAKER:** Okay.

**MR MUWANGA KIVUMBI:** Madam Speaker, I move that paragraphs 12(i) and (ii) be deleted.

**THE SPEAKER:** Honourable members, there is an issue of ambiguity. We are saying this loan is going to NITA-U. NITA-U is a body of its own, although it is managed by the ICT ministry. Because of what happened – the documents that were laid on the Table here on how somebody wanted to smuggle in and take away the Vote – Members are concerned: won't this loan be like the one of the Rural Electrification Agency (REA), where we approved a loan and at the end of the day, REA was closed and the loan went to ICT. That is what the Members want clarity on.

**DR BARYOMUNSI:** Madam Speaker – (*Interjections*) – can I clarify a few issues?

**THE SPEAKER:** The minister is clarifying.

**DR BARYOMUNSI:** One, the other day that issue of the letter of the permanent secretary came here. When I went back, I found that the Permanent Secretary, Ministry of Finance, Planning and Economic Development had written in the budget circular call, saying permanent secretaries should plan and budget in the context of the rationalisation process that is going on.

I think it was in that spirit that the PS of the ICT ministry had written that letter, which has since been withdrawn after clarification –

**THE SPEAKER:** There is a procedural matter from this side.

**MR EKANYA:** Thank you very much, Madam Speaker. According to our rules, once a motion has been moved, it must be seconded and cleared before any other matter. Are we moving procedurally well that in the middle of a motion - which was not concluded - the honourable minister comes to interfere?

**THE SPEAKER:** No, I needed clarification on that motion before I put the question for secondment. I should give him freedom to respond.

3.39

**MR AMOS OKOT (NRM, Agago North County, Agago):** Thank you, Madam Speaker. I heard clearly what the Shadow Minister for Finance was trying to say about the different sections that have to be deleted so that we can accommodate the management of this loan and be well.

However, in the report, there were other loans that were borrowed before. Those loans also had a management committee. What different activities are we building on this loan that need a new management structure to manage it? Can we get to know, if there is a relationship with other loans. Now that it is NITA-U that we want to manage it, we had other loans with it; clarify those different activities.

**THE SPEAKER:** Honourable members, we are not going to subject this loan to much debate. It is clear. What is in contention is the issue of management. First of all, the House needs clarity on the institutional framework for implementation of this project.

Secondly, NITA-U is the lead implementing agency and the domicile for this project. The money will go to the Vote of NITA-U, not the ministry. Those are things we need to clarify and that is the position. I want to hear from the minister.

3.42

**MR ALEX RUHUNDA (NRM, Fort Portal Central, Fort Portal City):** Madam Speaker, before the minister comes, it is very clear that this is not the first loan NITA-U has received.

I have witnessed the implementation of what it has done in the country and they have been one of the Government agencies, which have been very effective. *(Applause)*

Madam Speaker, seeing that there are two layers added to this loan, this is the beginning of the failure of implementation of this loan given the Government red tape that happens when it comes to making decisions on how to effectively utilise the money.

Therefore, I am of the view that we second the motion. Those of us who have witnessed the mismanagement of loans from other government ministries, I second the motion that we delete the two bureaucratic steps before this loan is utilised. Let it go directly to NITA-U, which has its management structure. It has the board - all what it takes to get this loan effectively managed.

**THE SPEAKER:** Honourable members, is the motion seconded? I can see Hon. Banyima, Hon. Amongin, Hon. Richard and Hon. Muwuma. I now put the question that the House approves a motion for a resolution of Parliament to authorise Government to borrow up to Special Drawing Rights 98.8 million equivalent to \$140 million and secure a grant funding amounting to SDR 42.4 million equivalent to \$60 million from the International Development Association (IDA) of the World Bank to finance the Uganda Digital Acceleration Project - Government Network with the amendment of deletion of paragraph 12(i) and (ii).

*(Question put and agreed to.)*

**THE SPEAKER:** Thank you. There is a procedural matter.

**MR OSHABE:** Thank you, Madam Speaker. You have driven us at very high speed on this matter -

**THE SPEAKER:** That was by the Leader of the Opposition.

**MR OSHABE:** It is my humble request that the Committee on ICT comes back here with a detailed report on how the national infrastructure backbone is performing so that we have a discussion on it. We spent a lot of money on the NBI expecting -

**THE SPEAKER:** Honourable member -

**MR OSHABE:** Madam Speaker, let me conclude this.

**THE SPEAKER:** Hon. Patrick, we have already asked them - actually because you have been away. They are supposed to come back and report, but welcome back - *(Laughter)* - He has been away and that is what happened. The Committee on Information Communication Technology is supposed to give us a report. Thank you. Next item.

#### PRESENTATION OF THE ACTION-TAKEN REPORT ON RESOLUTIONS OF THE 11<sup>TH</sup> PARLIAMENT, MAY 2021 TO MAY 2022

**THE SPEAKER:** Honourable members, Rule 220 of the Rules of Procedure stipulates, "*A minister shall submit to Parliament an action taken report detailing what actions have been taken by the relevant ministry following the resolutions or recommendations of Parliament.*"

Since the beginning of the 11<sup>th</sup> Parliament, we have received many motions, petitions and reports, but never received any action taken report on the resolutions and recommendations that have been made by this House.

In the First Session of the 11<sup>th</sup> Parliament, this House passed 23 Bills, 71 Resolutions, adopted 31 reports, had 64 urgent questions and received 68 ministerial statements.

We are duty-bound, as Parliament of Uganda, to ascertain the status of the implementation of the decisions that this House arrives at. That is why we gazetted this afternoon for us to receive the reports from the different ministries in regard to the reports, resolutions and recommendations. Now, we want the

actions taken. I, therefore, ask the Leader of Government Business to lead us through.

3.48

**THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja):** Madam Speaker and colleagues, I would like you to take note of a letter I wrote to you, dated yesterday. We have compiled all the reports from all ministries. As Government, we wanted to go through these reports together with the Head of State in Cabinet so that we give you a concrete report of what actions we have taken.

Madam Speaker, I beg that you give us time. We shall bring these reports and put them on the Floor in line with Article 117 of the Constitution of the Republic of Uganda. I beg to submit.

**MR BASALIRWA:** Madam Speaker, rule 220 that you have read about action points is not in tandem with the response of the Prime Minister.

We have been on this Floor and each time a resolution is made, a report is presented and action is promised by the Government or whoever is at the front bench. They usually undertake to report. They even give themselves timelines, which they never fulfil.

Are we proceeding well if we concede to the request by the Rt Hon. Prime Minister that we wait for a full report regarding the various action points? If we do not move very fast, we will be overtaken by events. Shall we be proceeding well, Madam Speaker?

**MR OSHABE:** Thank you very much, Madam Speaker. It is not quite often that we have the number of ministers, like we have today, in the House. They are very many; at least the front bench is almost full. We need to thank them for coming today.

Madam Speaker, rule 220 does not require the Prime Minister to come and present. It requires the relevant ministry and the ministers are here. I think this is one of the things we must

be serious about. We went through almost the entire 10<sup>th</sup> Parliament without this report of Government responding to key issues.

Are we proceeding well if the Prime Minister comes here and wants to go coach the ministers on how to respond; what to tell Parliament, when the ministers are here? Madam Speaker, are we proceeding well?

**THE SPEAKER:** Honourable members, look Article 117 that the Prime Minister is talking about; that ministers shall individually be accountable to the President for the administration of their ministries. That is directed to the President. What is your role? Don't we need you in Parliament? We need you in Parliament. You are accountable to Parliament and the people of Uganda. You made commitments in this House to report back on the actions being taken. You are accountable to the country.

Minister, are you reporting on your own ministry? Is it on the action taken? You know, even when you are a seasoned lawyer – it is not about being a seasoned lawyer like the Prime Minister has said. All we want are actions taken on the reports that we made in this House; whether the Members of Parliament here are lawyers or not, we want actions for the good of our people. *(Applause)*

**THE STATE MINISTER FOR DEFENCE (GENERAL DUTIES)(Mr Jacob Oboth):** Madam Speaker, I would like to give information to Hon. Patrick. A minister envisaged under rule 220 includes the Prime Minister or Deputy Prime Minister under Part 1(2) of the interpretation of our Rules of Procedure.

**THE SPEAKER:** Okay, can you give us the actions taken in your ministry?

**MR OBOTH:** The Government protocol, which the Prime Minister has sought for - she speaks for us all. She is our team leader.

**THE SPEAKER:** Honourable members, let us be fair to each other. We need the actions

taken on whatever we resolve. We cannot go on national television and talk about the Bills and motions we passed without implementation. What did you implement?

3.55

**MR SOLOMON SILWANY (NRM, Bukooli County Central, Bugiri):** Thank you, Madam Speaker. You know, certain things need honesty. When we are in a House of Representatives, like this one, we need to talk with honesty.

I thought the Prime Minister would tell us what has been done, what has not been done and what is in the process of being done. It is not the crime of the Prime Minister not to have implemented some things yet; maybe it was because of the budget.

Therefore, let the Prime Minister just be clear to this House and tell us honestly what has been done, what has not yet been done, and what will be done on a particular date. Then, we shall move forward as a House, if we are honest with each other, because this country belongs to all of us. That is my view, Madam Speaker.

3.56

**THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi):** Thank you very much, Madam Speaker. I think the Rt Hon. Prime Minister has been very honest. She has said that the Government is consolidating the report and she will come back here. She has said that she is finalising the report and she will bring it here in Parliament. Therefore, nobody should impute that she is not honest enough in this House.

**MR FOX ODOI-OYWELOWO:** I thank you, Madam Speaker. On Tuesday this week, you communicated to the House that you would reserve today for action taken reports. The Executive was represented in the House. This communication got to them. The Order Paper, as issued by Parliament, indicates this matter as a substantive item.

Madam Speaker, I have had the benefit of reading rule 220 –

**THE SPEAKER:** Hon. Fox, just a correction, on Thursday last week, this issue was raised by Hon. Ogwal Goli and I assured him that the next Thursday would be reserved for action-taken reports. It was actually communicated last Thursday, not yesterday.

**MR FOX ODOI-OYWELOWO:** I thank you very much for the correction. Madam Speaker, the terms of rule 220 are:

*“A Minister shall submit to Parliament an action taken report detailing what actions have been taken by the relevant ministry following the resolutions or recommendations of Parliament.”*

“Shall” in this case is mandatory. This is a duty incumbent on every minister in this House. Are we proceeding correctly to allow a long debate on whether or not they should perform their duty?

**THE SPEAKER:** Honourable members, our First Session ended on the 24<sup>th</sup> of May. Today is the 17<sup>th</sup> of November, and you have been debating every day. You have been talking in this House every day. You have made resolutions in this House every day. You cannot tell me that in all that time you are not ready, up to today. Can we hear from the Prime Minister as to how much time she needs to bring -

**MS NABBANJA:** Madam Speaker, you know that all of us, especially those in the Government, have a Principal to whom we subscribe and that is the President. Yesterday, I handed over the report and the President is going to go through this report. This report has got some gaps and we need the money, like Hon. Katumba said. We are saying, Madam Speaker, give us two weeks so that we sit as Government and – No, colleagues, because a Member here said that you want to see whether we have done this, where we have reached and what we still need. So when I come here to ask for only two weeks, is that too much?

4.01

**MS DORCUS ACEN (NRM, Woman Representative, Alebtong):** Thank you, Madam Speaker. Before that motion comes, it is not yet time for questions to the Prime Minister, but it is prompting me to ask. I think when we need the status of implementation, we are not only asking for what has been completed; there could be some activities still ongoing and there is no harm in the Government or the ministers coming to share the status of implementation; what is completed, what is in progress and what is not yet touched. That is not asking for too much and that does not require the President. I thank you.

4.02

**MR HENRY KIBALYA (NRM, Bugabula County South, Kamuli):** Thank you, Madam Speaker. You gave me space to move a motion and I am moving it under rule 57(a). With due respect to the Prime Minister and the frontbench, May 2021 to May 2022 is a full year. Everybody gets up to raise issues and after a full year, nothing is taken yet the Prime Minister is saying yesterday, she wrote to the President.

Madam Speaker, I move a motion under rule 57 (a) that the House is adjourned until an action report is issued for further business. Otherwise, we cannot continue coming here every day to raise issues, to make resolutions and we are promised yet nothing has been done. Until we get an action report for whatever has been done, we cannot sit again, Madam Speaker. I move a motion.

**THE SPEAKER:** Honourable members, can you all sit? We have always said this is a people-centred Parliament. We come and debate in this House for the good of our people. Even if you go to class or to school, you can only be evaluated by your performance. How shall we be evaluated? What have we done? Have we been marked anywhere? How is our performance? We can only get our performance by getting action that has been taken.

When we come here, we come here as representatives of the people. We are not

saying that as a Government, you should do this because we know the constraints you have. We are saying, Government, if we tell you there is this problem, have you fixed it? If it is not fixed, come and report to us that the challenges we have are A, B, C, D. I like how truthful the Attorney-General is. Whether it hurts anybody or not, he will come and report. We must applaud you for that. He will come and report whether you like it or not.

What we are saying is, we want individual ministries to come and report to us and tell us - For instance, I see my good friend, Hon. Rwamirama. He would only come and report to us that on what we talked about concerning Foot and Mouth Disease, this is what we have done. That is all we need as a House. We have reports that are being made by every sectoral committee.

Honourable members, we need action reports ministry by ministry. That is why we are always pushing Health to give us reports on Ebola, on COVID-19 and they come and give reports. Consolidate all the committee reports that you have got and come and report to the House whether it takes a whole week, every ministry will report. There was a report on rice by Hon. Mpaka.

Up to today - leave Pinneti. There are things that affect you individually. Soroti Fruit factory, nothing. The trade committee has done us proud in this Parliament.

Honourable members, since you want to be a people-centred Parliament, you need to be seen to perform. We also need to put our ministers in check. We need to help the President of Uganda. We need action reports in this House and we need the action reports on Tuesday. We will have action reports ministry by ministry.

I am adjourning the House, awaiting action reports.

*(The House rose at 4.10 p.m. and adjourned until Tuesday, 22 November 2022 at 2.00 p.m.)*