

BILLS SUPPLEMENT

to The Uganda Gazette No. 22, Volume CXVII, dated 27th March, 2024

Printed by UPPC, Entebbe, by Order of the Government.

Bill No. 23

*Agricultural Chemicals (Control)
(Amendment) Bill*

2024

**THE AGRICULTURAL CHEMICALS (CONTROL)
(AMENDMENT) BILL, 2024**

MEMORANDUM**1. Policy and principles of the Bill**

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

2. Defects in existing law

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

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

3. Remedies proposed in the Bill.

The intention of the Bill is to amend the Agricultural Chemicals (Control) Act, 2007, Act 1 of 2007, to—

- (a) enable the mainstreaming and rationalisation of the functions of the Agricultural Chemicals Board into the Ministry responsible for agriculture and to dissolve the Agricultural Chemicals Board thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure on a fully established Board yet the Ministry responsible for agriculture may ably perform the functions of the Board with less drain on scarce resources;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the Ministry responsible in respect to the administration of the Act thereby avoiding duplication of mandates and functions;
- (c) promote coordinated administrative arrangements, policies and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;

- (ii) enabling the Government to play its proper role more effectively; and
- (iii) enforcing accountability.

4. Provisions of the Bill

The Bill has 12 clauses. Clause 2 of the Bill provides for the objectives of the Bill. Clause 3 of the Bill provides for the purpose of amending the Agricultural Chemicals (Control) Act, 2007, Act 1 of 2007, which is to mainstream the functions of the Agricultural Chemicals Board into the Ministry responsible for agriculture. Clause 4 of the Bill seeks to dissolve the Agricultural Chemicals Board and transfer the functions of the Agricultural Chemicals Board to the ministry responsible for agriculture. The rest of the clauses of the Bill seek to give effect to the dissolution of the Agricultural Chemicals Board.

FRANK TUMWEBAZE

Minister of Agriculture, Animal Industry and Fisheries

**THE AGRICULTURAL CHEMICALS (CONTROL)
(AMENDMENT) BILL, 2024**

ARRANGEMENT OF CLAUSES

Clause

1. Interpretation
2. Objectives
3. Purpose of amendment of Act 1 of 2007
4. Dissolution of Agricultural Chemicals Board
5. Amendment of section 2 of Act 1 of 2007
6. Repeal of section 5 of principal Act
7. Amendment of section 6 of principal Act
8. Repeal of section 7 of principal Act
9. Amendment of section 8 of principal Act
10. Amendment of section 9 of principal Act
11. Amendment of section 18 of principal Act
12. Savings

A Bill for an Act

ENTITLED

**THE AGRICULTURAL CHEMICALS (CONTROL)
(AMENDMENT) ACT, 2024**

An Act to amend the Agricultural Chemicals (Control) Act, 2007 to mainstream the functions of the Agricultural Chemicals Board into the Ministry responsible for agriculture in order to give effect to the Government Policy on Rationalisation of Government Agencies and Public Expenditure, and for related purposes.

BE IT ENACTED by Parliament as follows:

1. Interpretation

In this Act, unless the context otherwise requires—

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

“commission” means a body established by the Constitution;

“currency point” has the value assigned to it in the Schedule to this Act;

“Government” means the Government of Uganda;

“Ministry” means the ministry responsible for agriculture.

2. Objectives

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

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

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

3. Purpose of amendment of Act 1 of 2007

The purpose of amending the Agricultural Chemicals (Control) Act, 2007, Act 1 of 2007, is to mainstream the functions of the Agricultural Chemicals Board established under section 5 of the Act into the Ministry responsible for agriculture.

4. Dissolution of the Agricultural Chemicals Board

On the commencement of this Act, the Agricultural Chemicals Board shall be dissolved.

5. Amendment of section 2 of Act 1 of 2007

Section 2 of Act 1 of 2007, in this Act referred to as the “principal Act” is amended by repealing the definition of “Board”.

6. Repeal of section 5 of Act principal Act

Section 5 of the principal Act is repealed.

7. Amendment of section 6 of principal Act

Section 6 of the principal Act is amended—

- (a) by substituting for “Board” wherever it appears the word “Ministry”;
- (b) by repealing subsection (2); and
- (c) by repealing subsection (3).

8. Repeal of section 7 of principal Act

Section 7 of the principal Act is repealed.

9. Amendment of section 8 of principal Act

Section 8 of the principal Act is repealed.

10. Amendment of section 9 of principal Act

Section 9 of the principal Act is amended in subsection (1) by repealing the words “on the advice of the Board”.

11. Amendment of section 18 of principal Act

Section 18 of the principal Act is amended in subsection (1) by repealing the words “in consultation with the Board”.

12. Savings

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the Agricultural Chemicals Board shall vest in the Ministry responsible for agriculture.

(2) Any proceedings commenced by or against the Agricultural Chemicals Board may be continued by or against the Attorney General.

(3) The members of the Board and staff of the Agricultural Chemicals Board serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(4) Compensation is not payable to any member of the Board of the Agricultural Chemicals Board for loss of office resulting from the abolition of the Board by this Act.