

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. 28

*National Agricultural Advisory Services
(Amendment) Bill*

2024

**THE NATIONAL AGRICULTURAL ADVISORY SERVICES
(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 National Agricultural Advisory Services Act, 2001, Act 10 of 2001, to—

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

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

4. Provisions of the Bill

The Bill has 31 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 National Agricultural Advisory Services Act, 2001 which is to mainstream the functions of the National Agricultural Advisory Services Organisation (NAADS) into the Ministry responsible for agriculture. Clause 4 of the Bill seeks to abolish the National Agricultural Advisory Services Organisation (NAADS) and the Secretariat established by the Act and transfer the functions and responsibilities of the NAADS to the Ministry responsible for agriculture. The rest of the clauses of the Bill give effect to the transfer of the functions of NAADS to the Ministry responsible for agriculture.

FRANK TUMWEBAZE
Minister of Agriculture, Animal Industry and Fisheries

**THE NATIONAL AGRICULTURAL ADVISORY SERVICES
(AMENDMENT) BILL, 2024**

ARRANGEMENT OF CLAUSES

Clause

1. Interpretation
2. Objectives
3. Purpose of amendment of Act 10 of 2001
4. Dissolution of National Agricultural Advisory Services Organisation
5. Substitution of long title to Act 10 of 2001
6. Amendment of section 2 of principal Act
7. Substitution of heading for Part II of principal Act
8. Substitution of section 3 of principal Act
9. Repeal of section 4 of principal Act
10. Amendment of section 5 of principal Act
11. Amendment of section 6 of principal Act
12. Repeal of section 7 of principal Act
13. Repeal of section 8 of principal Act
14. Repeal of section 9 of principal Act
15. Repeal of section 10 of principal Act
16. Repeal of section 11 of principal Act
17. Repeal of section 12 of principal Act
18. Repeal of Part III of principal Act
19. Amendment of section 16 of principal Act
20. Amendment of section 17 of principal Act
21. Amendment of section 20 of principal Act

Bill No. 28 *National Agricultural Advisory Services*
(Amendment) Bill

2024

22. Amendment of section 21 of principal Act
23. Amendment of section 22 of principal Act
24. Amendment of section 24 of principal Act
25. Repeal of Part VI of principal Act
26. Repeal of section 30 of principal Act
27. Repeal of section 31 of principal Act
28. Amendment of section 32 of principal Act
29. Amendment of section 33 of principal Act
30. Repeal of First Schedule to principal Act
31. Savings

A Bill for an Act

ENTITLED

**THE NATIONAL AGRICULTURAL ADVISORY SERVICES
(AMENDMENT) ACT, 2024**

An Act to amend the National Agricultural Advisory Services Act, 2001, Act 10 of 2001, to mainstream the functions of the National Agricultural Advisory Services Organisation (NAADS) 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 10 of 2001

(1) The purpose of amending the National Agricultural Advisory Services Act, 2001, Act 10 of 2001, is to mainstream the functions of the National Agricultural Advisory Services Organisation (NAADS) into the Ministry responsible for agriculture.

(2) The amendment dissolves the National Agricultural Advisory Services Organisation (NAADS) and the Secretariat established by the Act.

4. Dissolution of the National Agricultural Advisory Services Organisation

On the commencement of this Act, the National Agricultural Advisory Services Organisation and the Secretariat shall be dissolved.

5. Substitution of long title of Act 10 of 2001

For the long title to Act 10 of 2001, in this Act referred to as the “principal Act”, there is substituted the following—

“An Act to provide for the promotion of market-oriented agriculture and to provide for other related and incidental matters.”

6. Amendment of section 2 of principal Act

Section 2 of the principal Act is amended by repealing the definition of “Board” “Organisation” and “Secretariat”.

7. Substitution of heading for Part II of principal Act

For the heading of Part II of the principal Act, there is substituted the following—

“PART II—ADMINISTRATION OF ACT”

8. Substitution of section 3 of principal Act

For section 13 of the principal Act, there is substituted the following—

“13. Administration of Act

This Act shall be administered by the Ministry.”

9. Repeal of section 4 of principal Act

Section 4 of the principal Act is repealed.

10. Amendment of section 5 of the principal Act

Section 5 of the principal Act is amended by substituting for—

“5. Objectives of the Organisation

The objects for which the Organisation is established are—” the following—

“5. Objectives of the Ministry

The objects of the Ministry are—”

11. Amendment of section 6 of principal Act

Section 6 of the principal Act is amended by substituting for “Organisation” wherever it appears the word “Ministry”.

12. Repeal of section 7 of principal Act

Section 7 of the principal Act is repealed.

13. Repeal of section 8 of principal Act

Section 8 of the principal Act is repealed.

14. Repeal of section 9 of principal Act

Section 9 of the principal Act is repealed.

15. Repeal of section 10 of principal Act

Section 10 of the principal Act is repealed.

16. Repeal of section 11 of principal Act

Section 11 of the principal Act is repealed.

17. Repeal of section 12 of principal Act

Section 12 of the principal Act is repealed.

18. Repeal of Part III of principal Act

Part III (sections 13 and 14) of the principal Act is repealed.

19. Amendment of section 16 of principal Act

Section 16 of the principal Act is amended by substituting for "Organisation" wherever it appears, the word "Ministry".

20. Amendment of section 17 of principal Act

Section 17 of principal Act is amended in subsection (1) by substituting for "Secretariat" wherever it appears, the word "Ministry".

21. Amendment of section 20 of principal Act

Section 20 of the principal Act is amended in paragraph (b) by substituting for "Organisation" the word "Ministry".

22. Amendment of section 21 of principal Act

Section 21 of the principal Act is amended in subsection (3) by substituting for "NAADS Secretariat" the word "Ministry".

23. Amendment of section 22 of principal Act

Section 22 of the principal Act is amended by repealing paragraph (e).

24. Amendment of section 24 of principal Act

Section 24 of principal Act is amended—

- (a) in subsection (1) by substituting for “Organisation” the word “Ministry”; and
- (b) in subsection (3) by substituting for “Board” the word “Ministry”.

25. Repeal of Part VI of principal Act

Part VIII (sections 26, 27, 28 and 29) of the principal Act is repealed.

26. Repeal of section 30 of principal Act

Section 30 of the principal Act is repealed.

27. Repeal of section 31 of principal Act

Section 31 of the principal Act is repealed.

28. Amendment of section 32 of principal Act

Section 33 of the principal Act is amended—

- (a) by repealing “on the recommendation of the Board”; and
- (b) by substituting for “Organisation” the word “Ministry”.

29. Amendment of section 33 of principal Act

Section 33 of the principal Act is amended by repealing “may on recommendation of the Board”.

30. Repeal of First Schedule to principal Act

The First Schedule to the principal Act is repealed.

31. Savings

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Agricultural Advisory Services Organisation (NAADS) shall vest in the Ministry responsible for agriculture.

(2) Any proceedings commenced by or against the National Agricultural Advisory Services Organisation (NAADS) may be continued by or against the Attorney General.

(3) The member of the Board and staff of the of the National Agricultural Advisory Services Organisation (NAADS) serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

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

(5) The staff of the of the National Agricultural Advisory Services Organisation (NAADS) serving immediately before the commencement of this Act may be redeployed to serve in the public service subject to availability of positions.

