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**Wednesday, 2 August 2017**

*Parliament met at 2.07 p.m. in Parliament House, Kampala.*

PRAYERS

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

*The House was called to order.*

COMMUNICATION FROM THE CHAIR

**THE DEPUTY SPEAKER:** Honourable members, I welcome you to this sitting. In the last few days, many Ugandans have lost their lives in road accidents. The carnage on our roads seems to be on the rise. It is reported that seven lives were lost in an accident on Masaka-Kampala Road and several were injured. In Bundibugyo, the driver of a minibus lost control and plunged into a valley and it is reported that eight lives were lost and some passengers got injured. Many other accidents have occurred in various parts of the country resulting in loss of lives. It is indeed sad that many families are grieving and affected by these road accidents.

Two weeks ago, I made some communication on these issues and made some directives on how we need to handle this matter. The global status report on road safety, released by the World Health Organization (WHO) in 2015, states that more than 1.2 million people die each year in the world on roads, making road traffic injury a leading cause of death globally. Most of these deaths happen in low and middle-income countries where rapid economic growth has been accompanied by increased motorization and road traffic injuries.

As well as being a public health problem, road traffic injuries are a development issue. Low and middle-income countries lose approximately three per cent of their Gross Domestic Product (GDP) because of road traffic crashes. Uganda as a country is no doubt a victim of this challenge cited in the report.

It is also important to note that last week, it was reported in the mass media that the Ministry of Works and Transport had released a report on the occurrence of accidents in Uganda. If true, this report must be tabled here immediately and the relevant committee should scrutinize it, invite all the stakeholders to put their heads together and try to work out measures that will help Uganda reduce on the incidents of road accidents.

Honourable members, once again death has struck one of our elder statesmen - Maj. Edward Rurangaranga, a former deputy minister for local government, freedom fighter, a teacher and a former national chairman of the Uganda People’s Congress (UPC). Maj. Rurangaranga’s contribution in Uganda is evidenced, among others, by his keen participation in the 1978/1979 war, initiating the construction of schools and other infrastructure in the Ankole sub region in the early 1980s, and generally supporting development initiatives. He was principled in his political beliefs and until his death, he remained steadfast in espousing the ideology of UPC.

I wish to inform you that Government has accorded Maj. Rurangaranga an official burial. His body will be brought to Parliament tomorrow, Thursday 3 August 2017, for public viewing in the morning and for the tribute motion starting at 2 o’clock.

On behalf of Parliament and on my own behalf, I wish to convey our heartfelt condolences upon the loss of all the Ugandans I have mentioned above, and to wish the families courage and perseverance to bear the loss. Honourable members, let us rise and observe a moment of silence.

*(Members rose and observed a moment of silence.)*

**THE DEPUTY SPEAKER:** Honourable members, yesterday, a set of car keys was found on this side of the bench. Therefore, if you misplaced your keys, they are with the Sergeant-At-Arms. Please go pick them. I do not know how you were able to go home but we thank God for the grace he gave you to find your way home. However, keys were found, so please recover them from the Sergeant-At-Arms.

Honourable members, I received a letter from the honourable Minister for Gender, Labour and Social Development in respect of the delayed reporting to Parliament of the Persons with Disabilities Bill. You will recall that this Bill was first introduced in the last Parliament, in the year 2014, and it is among the Bills that should have come back but it has not found its way back.

The minister now writes here saying that there are some consultations going on before the Bill comes to the House. She has given herself a timeline of two months to go through this process. Honourable members, if at the lapse of two months from the date of this communication there is no Persons with Disabilities Bill, I urge us to activate other provisions of our Rules of Procedure to make sure that this particular Bill comes to this House and is debated, because it affects people of this country.

There was a matter raised about students from Gulu University who study law. We were supposed to have a response today on how they are going to be handled but the communication I got is that this response is supposed to come tomorrow, but we will be having a special sitting tomorrow. Therefore, if this communication comes, it will now come to the Speaker’s office and we will find ways of distributing this information to the affected persons.

The actual report was supposed to have come tomorrow. However, because they will not be able to submit it to Parliament, we expect that when the document comes, we shall circulate it to the people concerned and alert the students and parents so that they can take appropriate steps in fulfilling this.

The other matter that is burning and is still pending, after being debated, was the issue of the regional sports competition in Gulu and the state of preparedness of the schools to host it. That has been a challenge. A request was made to Government and we expected the Minister of Finance to come here, as he had agreed yesterday, to tell us what they have been able to find to support this competition that is happening in Gulu. However, I just got information from the minister himself that he has been delayed. However, as soon he gets here, he will be making the statement on what needs to be done about it.

2.17

**MR DANIEL MUHEIRWE (NRM, Buhaguzi County, Hoima):** Mr Speaker, I rise on a matter of national importance.

On 27 July 2017, Government lost a case in Masindi High Court. This case was filed by Bunyoro Kitara Reparations Agency (BUKITAREPA) against the district land boards of Hoima, Buliisa, Masindi, Kiryandongo, Kakumiro, Kibaale and Kagadi, all in Bunyoro Kitara Kingdom. They were seeking, among other things, declaration that the land in Bunyoro is owned by the indigenous people, the Banyoro, and held in trust by the king; and that the district land boards did not have power to recommend issuance of titles in the kingdom. Their argument was, and still is, that customary land can only be owned by the indigenous people in the area.

The Bunyoro Kitara Reparations Agency also prayed for cancellation of all land titles issued by the respective district land boards. Unfortunately, all the district land boards did not appear in court to defend themselves in the case. The Assistant Registrar of Masindi High Court entered a judgment in default against the land boards and awarded all the prayers sought, including a declaration that all land titles granted by the defendant land boards in the form of freehold or leasehold was done so unconstitutionally and that all land titles issued after 1998 are null and void. It also freezes the work of land boards.

In essence, this default judgment erodes property rights of all persons in Bunyoro sub-region –

**THE DEPUTY SPEAKER:** What is the urgent matter? We are not going to start debating court judgments. What are you talking about? *(Laughter)*

**MR MUHEIRWE:** Mr Speaker, this judgment has set a precedent in all regions with kingdoms that people who are non-indigenous –

**THE DEPUTY SPEAKER:** Honourable member, I am going to ask you to resume your seat. What is the urgent matter that you would like to raise?

**MR MUHEIRWE:** The urgent matter is that I would request that Parliament prevails over the Attorney-General to challenge this matter –

**THE DEPUTY SPEAKER:** Please, resume your seat.

**MR MUHEIRWE:** I have some documents to lay on the Table –

**THE DEPUTY SPEAKER:** Please, resume your seat.

2.20

**DR KEEFA KIWANUKA (NRM, Kiboga East County, Kiboga):** Thank you, Mr Speaker. I rise on a matter of national importance about the looming strike of judicial officers from the third arm of Government. In a democratic state, it would be unimaginable that one arm of Government would not function. They announced their strike on the 24th and have given Government an ultimatum until 24th August. Therefore, we have about 21 days.

Mr Speaker, as you know, the salary scales that we have in the country were set up for public officers many years ago and there has been no review since then. Although a salary review commission was agreed upon way back in 1995, it has never been set up.

The response to the various strikes has been piecemeal. I think the response has been according to the strength of the institutions striking. Those that are not within the ambit of Public Service have been able to set astronomical salaries for themselves. We have recently seen some institutions and groups such as the Electoral Commission, permanent secretaries, teachers, lecturers having their salaries increased. The most recent case, which was partially resolved, was that of prosecutors.

Right now, we have some university lecturers threatening to strike. We also have public universities support staff threatening to strike. The Uganda Local Governments Association, which recently embarrassed our minister, are also coming up with a strike. They announced a slow strike, which will eventually turn into a full-blown strike.

The most important issue for me, which is the reason I rose, is the consequences or what it will mean if the judges, who we know as very disciplined officers, go on strike. I have been looking at literature regarding what happened in Malawi, for instance, where a strike caused a full constitutional crisis. One of the prisons in Blantyre, which was supposed to host 800 inmates was accommodating over 3,000 because their cases could not be processed. It was said that some prisoners were sleeping on top of others. This is a very serious issue.

My prayer, Mr Speaker, is that Government comes to Parliament and explains how it is trying to avert this crisis, and also updates us on what is happening with regard to setting up of a salary review commission, which probably would reassure all other groups that something is being done to bring their pay up to scale.

2.24

**THE MINISTER OF PUBLIC SERVICE (Mr Wilson Muruli Mukasa):** Mr Speaker, the member for Kiboga has raised a very serious matter and indeed Government is treating it very seriously.

At the moment, the ministries of public service and finance are working out an arrangement where some of these issues, especially the disparities, will be addressed. As soon as the consultations are done, the issue is going to be tabled in Cabinet and a decision will be taken and explained to the rest of the country. At the same time, the concerned ministries and leaders in those ministries are engaging the people concerned in this matter, to try and make sure that a crisis is not precipitated and that an amicable solution is found to this issue.

On the issue of a salary review commission, Mr Speaker, indeed the matter was accepted in principle, but it awaits some amendments of the Constitution, which must be done. When those amendments come in, a salary review commission will be established.

In the meantime, the Ministry of Public Service together with the Ministry of Finance, Planning and Economic Development have been charged to make sure that some preliminary work is done to make sure that all these issues that have given rise to discontent and disparities are handled. We have been tasked to come up with a harmonised salary structure that is going to take into account the economic situation, the conditions under which we work and indeed the ability of the economy to sustain that kind of remuneration which we would like to have.

Mr Speaker, I can say that within a very short time, maybe less than a month, all these consultations will be over and proposals will be presented to Cabinet to take a decision on the matter.

**THE DEPUTY SPEAKER:** Thank you.

2.27

**THE MINISTER OF STATE FOR DEFENCE AND VETERAN AFFAIRS (VETERAN AFFAIRS) (Maj. (Rtd) Bright Rwamirama):** Thank you, Mr Speaker. Yesterday, a matter of our fallen comrades who were part of a peace mission in Somalia was raised on the Floor and we were requested to make a statement today.

Mr Speaker, a board of inquiry was instituted to establish the circumstances of the fateful incident and as standing procedure, the African Union (AU) has also instituted a board of inquiry. The findings and details of the circumstances will be communicated when the board of inquiry is concluded. Thank you very much, Mr Speaker.

**THE DEPUTY SPEAKER:** Thank you. Once that is done, please bring a copy to Parliament. Whether we debate it or not will be our prerogative. Can I have the Member for Kibuku County while they are fixing the microphone?

2.28

**MR HERBERT KINOBERE** (**Independent, Kibuku County, Kibuku):** Thank you, Mr Speaker. I rise on a matter of national importance and this concerns the visit of the Minister of Water and Environment to Kibuku District.

On 14 January, National Environment Management Authority (NEMA) slashed people’s rice. When I talked to the minister, he went to Kibuku on 21 January and intervened. He allowed the people to get their rice and we agreed with the minister that by July, we should have come up with a permanent solution to this issue. One of the solutions was to meet with the NEMA team to go and clearly demarcate the buffer zone where people should end with their farming, so that they do not encroach on the wetland.

To my surprise, on 18 July, the minister sent me a WhatsApp message saying, “Kinobere, I am in your constituency, where are you?” I told him I was in Kampala. I called the district chairperson to inquire if the minister was in Kibuku and he confirmed that he was there and that they were going to the wetland to demarcate and resettle people from the wetland. As I talk, over 7,500 families have been displaced because their land has been taken away and they want to demonstrate.

Mr Speaker, we had agreed to come up with clear demarcations. Personally, I would not want people to encroach on the wetland. However, my concern is that we should come up and *- (Interjections) -* Okay, I will take the information.

**THE DEPUTY SPEAKER:** Please, finish. You have the information.

**MR KINOBERE:** Thank you, Mr Speaker. People want to demonstrate because they had agreed that the minister would come, meet them and guide them on where to end so that they do not encroach on the wetland again. However, when the minister visited the area, they planted signposts on people’s land and they have been told not to go beyond certain points, which is not fair.

Mr Speaker, my prayer is that the minister should halt the process of evicting people from using their land. Also, the minister should come up with a list of all gazetted wetlands in Uganda and their demarcations. In that way, I can also extract the one for Kibuku and meet with my people and tell them that Limoto and Mpologoma, for example, are gazetted and they are not supposed to go beyond this point. I believe I am one of those persons who can speak to my people and listen to them compared to the minister because they are my voters. Thank you very much, Mr Speaker.

2.32

**MS AGNES AMEEDE (NRM,** **Woman Representative, Pallisa):** Thank you, Mr Speaker. I would like to shed more light on that subject.

The issue that hon. Kinobere is raising is very serious. That region has a unique problem. Swamps have been a source of livelihood for a long time. As of now, the uplands are very compact due to population pressure and people have nowhere to cultivate. It is also absurd that there is no cash crop grown at the moment in that area and no deliberate programme that Government is undertaking to improve people’s livelihoods. Therefore, cultivating rice is the prevailing economic activity that is catering for school fees and all basic needs.

Whereas I appreciate Government’s effort to conserve the environment, they should do it in a manner that addresses local issues. There is no land and no cash crop. Has Government explored the possibility of people growing rice without destroying the environment? Has Government designed quick impact projects that can give alternative incomes? Mr Speaker, going into this without those alternatives may not be very successful. Thank you.

2.34

**THE MINISTER OF WATER AND ENVIRONMENT** **(Mr Sam Cheptoris):** Thank you very much, Mr Speaker. At the beginning of this year, I went to Kibuku and we had a meeting with Members of Parliament of Kibuku, including hon. Kinobere. We also held a meeting with farmers who were planting rice in the wetlands and we agreed that by 1 July, they would vacate the wetlands. We were all very happy, including the Members of Parliament. In fact, we received a standing ovation for the decision we made. I am surprised now that hon. Kinobere is accusing us of very many things.

First of all, when I went recently to Kibuku to monitor what had taken place since we last visited the place, we found that the farmers had voluntarily left the wetlands. I am actually happy to report that the wetlands have regenerated and as we speak, the people are harvesting fish from the wetlands - *(Interruption)*

**MS ANYWAR:** Thank you, honourable minister, for giving way. Mr Speaker, I seek clarification from the minister. I heard a colleague say that over 7,500 families have been displaced from the wetlands. I would like to find out from the minister if all this time 7,500 families have been settled in the wetlands. What has the ministry been doing about this?

**MR CHEPTORIS:** Thank you very much, Mr Speaker. There were no people who had settled on the wetlands. First of all, it is not possible to have a house on a wetland. Anyway, it may be possible but what I am saying is that there were no families settled on the wetlands.

What happened is that some of these people, who were cultivating in the wetlands, were coming from various places. Some were coming from as far as Pallisa and Mbale. Otherwise, there was nobody who had settled on the wetlands. Therefore, nobody was evicted from settling but it is true that they were cultivating there.

I would like to report this to the Member, because he may not have been there of recent, that when we went to Kibuku, we got a very warm welcome. People were happy and we agreed that there should be proper demarcation showing the wetlands and the land that belongs to the people. That is the directive I left and I advised NEMA to work very closely with the people. I hope they are doing so. Thank you, Mr Speaker.

**THE DEPUTY SPEAKER:** Thank you. Hon. Muheirwe, would you like to summarise your urgent matter?

**MR DANIEL MUHEIRWE:** Mr Speaker, because of that High Court ruling in Masindi, which is actually a default judgment, banks are no longer accepting land titles as collateral. Some people have also started allocating pieces of land, in case there is an eviction and people are told to leave their land. There is insanity that used not to be there. All tribes in Bunyoro used to live harmoniously but we now see each other as rivals and this is uncalled for. My prayer is that Parliament prevails over this matter so that we challenge this default judgement. Thank you so much.

**THE DEPUTY SPEAKER:** Honourable member, you would like Parliament to challenge a judgment of the court? Honourable members, the issue that hon. Muheirwe raised to me is that as a result of that judgement, there is some confusion at the moment. That is the issue that you should have clearly raised so that you can be assisted. However, Parliament cannot start saying, “go and appeal”. Can somebody responsible for land issues in the district go and sort it out before people get bigger problems about this issue? Thank you.

Honourable members, today we will be dealing with the amendment of the Rules of Procedure; we need to finish with them. Therefore, all other business will be stayed until we finish the Rules of Procedure because tomorrow, we have a special sitting and I had said that it is very likely that we will go on recess tomorrow. However, arising from the situation that we have to deal with this other matter tomorrow, we have to deal with Rules of Procedure today. For that reason, I am calling this matter forward and we are going to deal with it.

Statements that are pending will come immediately after we have finished the Rules of Procedure. If the Minister of Finance, Planning and Economic Development comes, we will deal with the issue of sports in Gulu. We will also need a conclusion on the issue of the nodding syndrome centres that are being abandoned by the donors who were there, so that we know what the community will be expecting from Parliament.

In the public gallery this afternoon, we have members of the Global Network Evangelistic Association from Makindye, Kampala District. They are represented by hon. Allan Ssewanyana and hon. Nabilah Sempala. They are here to observe the proceedings. Please, join me in welcoming them. *(Applause)*

MOTION FOR ADOPTION OF THE PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE OF PARLIAMENT OF UGANDA

2.43

**THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Clement Ongalo-Obote):** Mr Speaker, at the last sitting yesterday, we stood over rule 162 pending a redraft of the draft that the committee had presented before this House. The committee has redrafted the rule as follows: Rule 162 - Composition and functions of the Committee on Public Accounts (Central Government). Replace the entire rule to read as follows:

“(1) The Committee on Public Accounts (Central Government), shall comprise of 30 members designated by party whips on the basis of proportional party membership in the House, taking into consideration the interests of independent Members.

(2) The Clerk shall receive the Auditor-General’s report submitted in accordance with clause (4) of Article 163 of the Constitution relating to the Central Government and the Judiciary.

(3) The Speaker shall cause the report to be laid before the House by a Commissioner and the report shall be referred to the Committee on Public Accounts (Central Government).

(4) The committee shall, upon receipt of the Auditor-General’s report under subrule (3), consider and examine the recommendations of the Auditor-General on the audited accounts of the Central Government and the Judiciary.

(5) The chairperson of the committee shall lay the report of the committee on the Table for debate by the House under clause (5) of Article 163 of the Constitution.”

**THE DEPUTY SPEAKER:** Honourable members, is that clearer now? Can I put the question?

**MS OSEGGE:** Mr Speaker, I am wondering about the chronology because the current subrule (2) talks about the role of the committee. However, the chairperson is proposing we jump straight to the Auditor-General’s report. I do not know if that chronology is correct. I wonder if he could look at it again. I thought it is important to talk about what the committee does and then we go to the Auditor-General’s report and then the processes thereto.

**THE DEPUTY SPEAKER:** What is being proposed by the chairperson of the committee will run from subrule (3). In other words, we retain subrules (1) and (2) in the existing rule and then what he is presenting now starts from subrule (3). Is that correct?

**MR ONGALO-OBOTE:** Mr Speaker, the committee has no objection.

**THE DEPUTY SPEAKER:** Can I put the question to this, honourable members? I put the question.

(*Question put and agreed to.*)

**MR ONGALO-OBOTE:** Mr Speaker, the House stood over rule 166 and we had received an alternative proposal from hon. Nzoghu to complement the proposals that the committee had submitted to this House. However, hon. Nzoghu had just presented his proposals and then the House was adjourned without a ruling on them. However, the proposals were that we rephrase part (d) of rule 166 to read:

“(f) To assess annually the performance of loans and guarantees approved by Parliament;

(g) To examine the annual state of indebtedness and management of Government debt, including the Debt Management Performance Assessment Framework;

(h) To examine loan guarantee requests and assess the performance of existing ones by Government;

(i) To examine the report on grants received by Government.”

Mr Speaker, this still maintains the spirit of the proposals of the committee and the committee has no objection to this.

**THE DEPUTY SPEAKER:** Can I put the question on the functions of the Committee on National Economy? I put the question.

*(Question put and agreed to.)*

**THE DEPUTY SPEAKER:** Hon. Nzoghu is voting loudest because this that is his proposal. Congratulations, honourable member.

**MR ONGALO-OBOTE:** Rule 167 - functions of the Government Assurances and Implementation Committee. Insert a new subrule (5) to read as follows: “The committee shall submit to the sectoral committees a list of Government assurances that are pending fulfilment during the consideration of reports on policy statements and budget estimates by Parliament.”

The justification is: to ensure that Government fulfils its pledges.

**THE DEPUTY SPEAKER:** Is that clear now? Can I put the question to that?

**MR FUNGAROO:** Thank you very much, Mr Speaker. As members of the committee, we propose that the proposed amendment should be redrafted as follows: Instead of the committee submitting the list of Government assurances to the sectoral committees during the budget process, our report should come to the House so that it is debated.

Actually, we propose a complete redrafting of the rule as follows: Delete that part, which you have amended, and substitute it to read as follows:

“(a) Record and scrutinise the assurances, promises and undertakings given by any minister, Prime Minister, President, Vice-President in the House from time to time;

(b) Monitor and evaluate the fulfilment of Government assurances;

(c) The Chairperson of the Committee on Government Assurances and Implementation shall present a committee report on the status of implementation and the extent to which the Government assurances, promises and undertakings have been implemented from time to time;

(d) The report of the committee so presented by the Chairperson of the Committee on Government Assurances and Implementation shall be debated by the whole House;

(e) The Leader of Government Business shall respond to the report and the issues raised by the Members during the debate in the House before the approval of the Budget Framework Paper.”

Thank you.

**THE DEPUTY SPEAKER:** Chair, was this proposed to you and the committee?

**MR ONGALO-OBOTE:** Mr Speaker, this is a new proposal from the committee.

**MR FUNGAROO:** Mr Speaker, we met the committee and we have our records here. We are very surprised to see that what we proposed to the committee was never included as we proposed. We met as recently as the day before yesterday and our legal counsel took our draft to the legal officer of the Committee on Rules, Privileges and Discipline. However, we do not know why these proposals we made have not been included.

In the current form of the rules, the whole House is excluded from debating Government assurances and their level of implementation yet every Member of Parliament is affected -

**THE DEPUTY SPEAKER:** It is okay, honourable chairperson. The situation is that there are two processes; one that has been proposed by the rules committee and the one that has been proposed by you. The two are not conflicting and they can work together. There is the normal procedure for the committee to do in the course of its work and lay reports accordingly. However, there is also that role, which is now being assigned to the committee, to advise the sectoral committees on the different assurances that have been made as the committees are examining the ministerial policy statements and budgetary proposals.

You can assist the committee and say, “this sector had these assurances” so that they report on all those without affecting what you are going to report in the overall report. Therefore, the two can actually co-exist, if somebody could help us with combining the two drafts so that we can adopt them.

**MR FUNGAROO:** Mr Speaker, in that way, what he has proposed there should become an addition as (f); after all, these that I have read -

**THE DEPUTY SPEAKER:** The numbering is okay and does not matter. That can be the general thing to assist other committees. Once it is adopted, the numbering can be done by the drafting people.

**MR FUNGAROO:** If our proposals are not left out, we have no problem with the proposal of the Committee on Rules, Privileges and Discipline.

**THE DEPUTY SPEAKER:** What I was trying to say is that there is no conflict between what you have proposed and what the committee has proposed. If it is harmonised, it actually works better.

**MS JOY ONGOM:** Thank you, Mr Speaker. I wanted to add to what the chairperson has proposed. Yes, there is need to notify the Committee on Government Assurances but sometimes, by the time the report is laid here, ministers have already come with draft proposals.

I would propose that as they give the report to the committees, they should also forward it to the line ministries so that they are aware of it and it is captured in the draft budget. Even if it has a funding gap and no budget, it is already captured and it can be assured in the next budget. Therefore, my proposal is that if they are giving to the different committees, they should also send it to the line ministries to capture it in the draft budget. Thank you.

**MR ONGALO-OBOTE:** Mr Speaker, the committee has no problem with these proposed amendments. Their exclusion from our report is simply because they were brought after the report had been submitted. However, the committee has no problem with the new proposals.

**THE DEPUTY SPEAKER:** Okay, can we have the redraft? We have a technical team here; can they assist and submit a draft after? We can stand over this so that we can get the text right.

**MR ONGALO-OBOTE:** The technical committee is here and I am sure they will do that.

**THE DEPUTY SPEAKER:** Let them capture the spirit of what is proposed by hon. Fungaroo, the Chairperson of Government Assurances, and also what has been proposed by the committee on rules.

Honourable members, there is a petition that we need to handle. We will find time and handle it shortly. Let us first see how we move with this.

**MR ONGALO-OBOTE:** Mr Speaker, as a consequence of the redrafting of rule 162, the committee has also found it prudent to redraft rule 169 - functions of the Committee on Commissions, Statutory Authorities and State Enterprises - as follows: Replace subrules (3) and (4) to read as follows:

“(3) The Clerk shall receive the Auditor-General’s report submitted in accordance with clause (4) of Article 163 of the Constitution, relating to commissions, statutory authorities and state enterprises.

(4) The Speaker shall cause the report to be laid before the House by a Commissioner and the report shall be referred to the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises).

(5) The committee shall, upon receipt of the Auditor-General’s report under subrule (3), consider and examine the recommendations of the Auditor-General on the audited accounts of the commissions, statutory authorities and state enterprises.

(6) The chairperson of the committee shall lay the report of the committee on the Table for debate by the House under clause (5) of Article 163 of the Constitution.”

**THE DEPUTY SPEAKER:** Thank you. However, look at the headnote of that rule; I thought you amended the name of the committee earlier.

**MR ONGALO-OBOTE:** Yes. The name of the committee is now the Public Accounts Committee/Committee on Commissions, Statutory Authorities and State Enterprises.

**THE DEPUTY SPEAKER:** Is that what we adopted? Please read what we adopted. We adopted a more compressed name - Public Accounts Committee (Commissions, Statutory Authorities and State Enterprises). I thought that captured it better. We adopted it already in an earlier amendment.

**MR ONGALO-OBOTE:** Mr Speaker, we shall correct that. I cannot find it in the report right now but I will do it.

**THE DEPUTY SPEAKER:** Okay, it is a consequential amendment to what we had already adopted as the name of the committee.

**MR ONGALO-OBOTE:** It is actually PAC –

**THE DEPUTY SPEAKER:** What is PAC?

**MR ONGALO-OBOTE:** It is Public Accounts Committee.

**THE DEPUTY SPEAKER:** Public Accounts Committee, and in brackets what is the title?

**MR ONGALO-OBOTE:** It is the Public Accounts Committee (Commissions, Statutory Authorities and State Enterprises)

**THE DEPUTY SPEAKER:** Correct. Thank you. Honourable members, can I put the question to that amendment.

(*Question put and agreed to.)*

**MR ONGALO-OBOTE:** Mr Speaker, the amendments made to rule 162 yesterday make it irrelevant now to amend rule 170. This is because it is the same amendment that we had proposed in rule 162, to have the Clerk replaced with the Speaker. That is the only proposal and it was rejected. Therefore, we do not see any point in bringing it to rule 170.

**THE DEPUTY SPEAKER:** What about the title?

**MR ONGALO-OBOTE:** The title was, “Functions of the Committee on Local Government Accounts”. We had proposed in subrule (3) to replace “Clerk” with “Speaker”. This proposal was rejected yesterday in rule 160 -

**THE DEPUTY SPEAKER:** Wouldn’t we have to improve it to be in consonance with the ones we have adopted for PAC 1 and PAC 3? Wouldn’t we have to now bring those amendments to apply to this particular committee; in other words, also change the name of this committee so that there is consistency in the names of the three accountability committees?

**MR ONGALO-OBOTE:** Thank you, Mr Speaker, for your wise guidance. Rule 170 - Functions of the Committee on Local Government Accounts. Replace the entire rule as follows: subrule (1)-

**THE DEPUTY SPEAKER:** Is it the whole rule or do we start from some parts - retain the functions and go to the accountability procedures?

**MS OSEGGE:** Thank you, honourable chairperson. Mr Speaker, I noticed that in the chairperson’s amendment, he is not explicit about the entities that that Public Accounts Committee handles. Probably, it would be prudent to mention them, just like we have done with the statutory authorities. “Public Accounts Committee on Local Governments, Municipalities and…” Would that be okay, to make it explicit?

**THE DEPUTY SPEAKER:** That is central Government. By the time you finish listing central Government entities, those rules would be 500 pages long.

**MS OSEGGE:** Local Government Accounts, that is, PAC 3.

**THE DEPUTY SPEAKER:** What is local government? Local government is local government and central Government is central Government. If we are going to break it down, it will be very long.

**MR ONGALO-OBOTE:** Rule 170 - Functions of the Public Accounts Committee or PAC (Local Government Accounts). Replace the entire rule to read as follows:

“(1) In accordance with section 88(8) of the Local Governments Act, 1997, the minister responsible for local government shall lay before Parliament reports of the local government public accounts committees on the examination of the reports of the Auditor-General, Chief Internal Auditor and any reports of commissions of inquiry.

(2) The report submitted by the minister shall be referred to the Committee on Public Accounts (Local Governments).

(3) The Clerk shall receive the Auditor-General’s report submitted in accordance with clause (4) of Article 163 of the Constitution, relating to local government accounts.

(4) The Speaker shall cause the report to be laid in the House by a Commissioner and the report shall be referred to the Committee on Public Accounts (Local Governments).

(5) The committee shall, upon receipt of the Auditor-General’s report under subrule (3) and reports submitted under subrule (1), consider and examine the recommendations of the Auditor—General and the report of the local government public accounts committees.

(6) The chairperson of the committee shall lay the report of the committee on the Table for purposes of debate by the House under clause (5) of Article 163 of the Constitution”. –(*Interruption*)

**MS OSEGGE:** I am sorry, Mr Speaker. Probably, I did not hear well. I think the chairperson omitted the law on which this committee bases its responsibility, and that is the Local Governments Act, section 89. I think it is important that we quote it in the rules so that it is clear.

**MR ONGALO-OBOTE:** Mr Speaker, the House has been proceeding in error. Section 89 deals with removal of a member of a local government public accounts committee; it does not apply to this particular section. Therefore, the committee has rectified that and section 88(8) is what applies but not section 89. Thank you.

**THE DEPUTY SPEAKER:** I am sure the other rule was also okay except from the realignment of the law, the sections could have changed. Can I put the question to this?

**MR ANYWARACH:** Mr Speaker, I have no problem with the amendments but with subrule (1). Instead of starting with “In accordance with the Local Governments Act”, I think it should rather be, “The minister shall do a, b, c, d” and then you change “in accordance” at the end of the sentence. That is just legislative drafting anyway. Thank you.

**MR ONGALO-OBOTE:** Mr Speaker, as the honourable member has said, that is purely technical and I think the technical committee will handle that.

**THE DEPUTY SPEAKER:** Can I put the question to this amendment as proposed by the chairperson.

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** Rule 175 - Sectoral committees. Under subrule (2), insert a new paragraph (p) to read as follows: “(p) science and technology.”

The justification is that the committee has to provide oversight over a line ministry, and that is the Ministry of Science and Technology.

**THE DEPUTY SPEAKER:** We made this amendment to move science and technology – No, I think it is a new committee.

**MR ONGALO-OBOTE:** Mr Speaker, we deleted section (l) from rule 146 to move this committee from a standing committee to a sectoral committee. Therefore, here we have just found a home for it.

**THE DEPUTY SPEAKER:** Okay, that is correct.

**MR OBUA:** Mr Speaker, I agree entirely with whatever proposal the chairperson has brought forward. However, we need to realign it in totality with the sector that it will oversee. You have only talked about science and technology and yet the ministry is called the Ministry of Science, Technology and Innovation. Therefore, we should realign the name of the committee to the Committee on Science, Technology and Innovation. Thank you.

**THE DEPUTY SPEAKER:** That is okay. However, honourable members, if every time the President realigns names in Cabinet we have to come and amend the rules, we will have a problem. I think our rules should capture the general aspect of sectors; the innovation bit just came recently. It was not there before so it might also disappear.

If we capture the sector broadly and the name is changed, it will still be that sector. What do you think? We are not corresponding directly to what the ministry is called. I think there was a time when one committee was handling two sectors and one of them was tourism. Also, a particular ministry was split into two - natural resources and tourism. Chairperson, that is your bid, not for the Speaker. Can we handle the issue of hon. Obua and then we can come to that amendment?

**MR ONGALO-OBOTE:** Mr Speaker, the committee has no objection in including the word “innovation”, keeping in mind your wise guidance that science and technology captures the spirit of what we are doing and we should not amend the rules every time a new name is given to a ministry by the President. However, the committee has no problem calling this new sectoral committee, “the Committee on Science, Technology and Innovation”.

**THE DEPUTY SPEAKER:** Should we adopt the amendment from hon. Obua? I put the question to that amendment to include the word “innovation”.

*(Question put and agreed to.)*

**MS ANYWAR:** Thank you very much, Mr Speaker. I also would like to move an amendment. In light of the effects of climate change on our country, I would like to suggest that we have a fully-fledged committee that can fast-track the adaptation and mitigation of the effects of climate change. As Parliament of Uganda, we can have periodic reporting so that we can address this problem in totality.

As it stands, Mr Speaker, we are relying so much on a forum that is doing good work, but it is not really answerable to the House. Therefore, I move that we create this climate change committee so that we are able to address this problem in totality. I beg to move.

**THE DEPUTY SPEAKER:** Was this matter brought to you, chairperson?

**MR ONGALO-OBOTE:** Mr Speaker, I spoke to the member for Kitgum today and she explained to me why she was not able to appear before the committee. I understood that she has had a series of personal tragedies. However, this matter did not come before the committee although we consider it important enough for the committee to take it up. We shall advise the House at a later date on its desirability and how we would fit this committee into the current structure of administration that we have.

**THE DEPUTY SPEAKER:** Honourable members, the issue of creation of a committee is a really a substantial affair and it has to go through a process. There has to be a budget and all these issues that have to be handled before it is created. Therefore, I am not so sure whether at this stage we can create a committee of the House.

The Office of the Speaker should have been consulted and a proper meeting arranged and the details beaten out before the committee is proposed to come in. If you do it now, what happens? Where is their budget going to come from? Hon. Anywar, could we handle this at a later date?

**MS ANYWAR:** Thank you very much, Mr Speaker. Indeed, I understand the procedure of creating a committee. I was just bringing it to the attention of the House and talking about the importance it carries.

With the comfort that the chairperson of the committee has already given, we shall work closely so that we can have this very important committee put in place. I will gladly work with you to see that the normal procedure is met. Probably, at a later date, we will have this very important committee cater for our needs. Thank you.

**THE DEPUTY SPEAKER:** You have already made your speech even before their proposal. Can I finish with this matter? Chairperson, do I need to adopt that? Can I now put the question to the amendment proposed? We adopted the amendment proposed by the Member for Ajuri County. Can I now put the question to the amendment proposed by the committee, which is inclusive of what has been proposed by the Member for Ajuri County and adopted? I put the question.

*(Question put and agreed to.)*

**MR JONATHAN ODUR:** Thank you, Mr Speaker. I had a similar thought as hon. Anywar. However, I now propose that under rule 177, which is not in the report, one of the roles of the sectoral committees should be to examine subsidiary legislations that this Parliament gave powers to the ministers and the different stakeholders to come up with.

The justification for this is that there are many subsidiary legislations and statutory instruments that are being issued by the ministers. However, as it is, the House only receives them because they are laid here, but there is no other procedure to actually follow up on them and yet they have serious implications.

Many of the things we see at the moment causing a lot of excitement in the public are as a result of this; for example, the levy by SGS and others. The minister will sit, make the rules, set some fees and then it will be implemented and it just comes to Parliament for laying.

If there is a committee in place that supervises a sector, then they should be able to look at and examine the instruments that relate to their sectors. Therefore, I wanted to propose that under rule 177, we have a committee to examine and comment on subsidiary legislations or all statutory instruments that have been issued by the sectors or the ministries they supervise. Thank you.

**THE DEPUTY SPEAKER:** All the statutory instruments? We used to have a procedure whereby it was the mandate of the Committee on Legal and Parliamentary Affairs to scrutinise the statutory instruments - the subsidiary legislation. This was for purposes of establishing its consistency with the main Act. So, it used to be there.

However, some statutory instruments are just for information; do we need to scrutinise those that are for information? If they say we are changing currency points, for example, do we need to send that to the committee to scrutinise?

**MR JONATHAN ODUR:** Mr Speaker, I will give an example. You might be aware that there has been an uproar about how a motorcycle can be inspected at Shs 100,000 and a vehicle at Shs 200,000. These regulations were made by the minister and laid here. After that, we did not have any other opportunity to look at it. Therefore, I think probably where levies are involved, we need to review the legislation to ensure that it is consistent, people are not being cheated and it is not levying exorbitant amounts on the Ugandans.

**THE DEPUTY SPEAKER:** Honourable members, I think we have to be careful with the issue of statutory instruments. Nobody has to scrutinise the category of statutory instruments that are laid here for information. By the time Parliament is giving this away, we know there is no need for claw-back because it is something the minister can handle. Unless it goes wrong, of course, then it will be a public issue.

However, there are two categories; there are those ones that we withhold and say they should first start but when there is a problem, we will recall them. The other category is where the legislation will not start operating until we have approved it; for example, amendment of some schedules which Parliament reserves the right to approve. I think those are the categories that need to come, and it is specific in the Act. Where it has to come back to Parliament for approval, it comes back to Parliament and there are processes of handling it. Do we have to specifically say “to examine statutory instruments” as a mandate?

**MR MAKMOT OTTO:** Thank you, Mr Speaker. Just to add to what you have said, our concern is the issue of over legislating in respect to this proposal, and the other bit is the floodgate as you clearly articulated. I think that we should also be mindful of one of the amendments that has been brought in, which probably could address my friend’s concern.

While before, most of this subsidiary legislations were just being laid here, in the new amendment to the rules, whoever is laying these papers is supposed to give some sort of summary of what they are laying. I think that was captured in the committee’s proposed amendment. I think that if there is some sort of summary that is going to be brought out, it might help to address the concern of my friend as opposed to what the status quo was. Thank you.

**THE DEPUTY SPEAKER:** If you look at the Public Enterprises Reform and Divestiture law, there was a schedule 1 where Parliament said that if you are going to move enterprises from class A to another class, please bring back the matter to Parliament because on that one, we intend that Government must own 100 per cent; that is the intention of Government. If you think that it should change, come back to Parliament. However, for the other enterprises, please go ahead and privatise without having to come back to Parliament.

That is why I am saying that the law will specify what will happen to that instrument. The law that gives the authority to pass the instrument will give the procedure on how it should be handled. If it says that it comes back to Parliament and it is brought back to Parliament for prior approval, it is sent to the appropriate committee just like a Bill.

However, where it is for information, I do not think that this House should be sitting down to examine, unless an issue comes up. However, for us to sit down and also send statutory instruments on currency points, court fees and things like those - I think let us leave those to the people we have entrusted with the responsibility.

**MR OBUA:** Mr Speaker, in addition to your able guidance, under Article 79(2) of our national Constitution, the institution of Parliament delegates part of its primary role. The honourable member is suggesting that we deal with subsidiary legislation, but that falls under Article 79(2).

Statutory instruments are for the minister and ordinances for district councils. The procedures are very clear, and they are signed by the Attorney-General. I strongly believe that as a Parliament, let us not bite more than we can chew. Let us have what we have and maintain the status quo. Thank you.

**THE DEPUTY SPEAKER:** Honourable members, can I put the question on this matter and we proceed?

*(Question put and agreed to.)*

**THE DEPUTY SPEAKER:** In the public gallery this afternoon, we have students from Light College Secondary School, represented by hon. Betty Nambooze and hon. Peace Kusasira, Mukono District. They are here to observe the proceedings. Please, join me in welcoming them. *(Applause)*

**MR ONGALO-OBOTE:** Rule 178 - Select committees. Replace the current provision with the following:

“(1) The House may, at any time upon a motion made after notice given, appoint a select committee to investigate a particular matter.

(2) The Speaker shall, in consultation with the Government Chief Whip and the Chief Opposition Whip, appoint members and the chairperson of the select committee.”

The justification is: the current practice is that the Speaker, in consultation with the whips, constitute a select committee.

**THE DEPUTY SPEAKER:** What are you proposing?

**MR ONGALO-OBOTE:** Mr Speaker, the old rule said that the select committee is to be nominated by the Business Committee but in practice, it has been that the Speaker consults the whips and it is constituted. So, the committee thought it fair just to formalise the process.

**THE DEPUTY SPEAKER:** Is it to formalise consultation?

**MR ONGALO-OBOTE:** The Speaker will consult the whips, instead of having it in the rules, which are really not followed.

**THE DEPUTY SPEAKER:** Okay, can I put a question to that amendment?

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** Rule 184 - Removal of a chairperson from office. Amend rule 184 (3) to read as follows: “(3) The motion shall not be debated before the expiration of 14 days after a copy of the notice is received by the chairperson.”

The justification is that the chairperson is the subject of removal and should be the right person to be given time before debate on the motion.

Secondly, introduce a new subrule (7) to read as follows: “The Chief Whip shall designate another chairperson within seven days after the removal of a chairperson.”

The justification is: to avoid creating a leadership gap in a committee.

**MS NAUWAT:** Thank you, Mr Speaker. To me, the aspect of the Chief Whip does not come out clearly. This is because we have the Government Chief Whip, we have the Chief Opposition Whip and we also have the Speaker in the case of the independents. I am just wondering to which particular whip we are leaving the issue of designation in case of the removal a chairperson.

**MR ONGALO-OBOTE:** Mr Speaker, we can redraft the new subrule (7) to read as follows: “The Chief Whip or the Chief Opposition Whip or the Speaker shall designate another chairperson within seven days after the removal of a chairperson.”

**MR WAMAKUYU:** Mr Speaker, when you look at the principal rule, rule 184, it talks about the removal of a chairperson from office and then subrule (1) talks about a chairperson or a deputy chairperson. I propose that the amendment we are coming up with says that a copy of notice is received by the chairperson or the deputy chairperson.

The justification says that the chairperson is the subject of removal and that he or she should be the right person to be given time before the debate on the motion. I, therefore, propose that we also include the deputy chairperson.

**MR ONGALO-OBOTE:** Mr Speaker, we can incorporate the proposal into our amendments so that it will read as follows: “The motion shall not be debated before the expiration of 14 days after a copy of the notice is received by the chairperson or vice-chairperson, whichever one is the subject of the motion.”

We could then also rephrase the new subrule (7) to read, “The Chief Whip, Opposition Whip or Speaker shall designate another chairperson or vice-chairperson within seven days after the removal of a chairperson or vice-chairperson.”

**MR WAMAKUYU:** We could also amend the headnote of rule 184 to read, “Removal of chairperson or vice-chairperson”.

**THE DEPUTY SPEAKER:** That one was done. Can I now put the question to this?

**MR OGUZU:** I wish to disagree with the committee a bit. They are proposing that whips should be able to designate a vice-chairperson or a chairperson to the committee to bridge any leadership gaps. However, my understanding is that when a chairperson is removed, the vice-chairperson can act.

In addition, before the House debates the issues raised against the chairperson, I really wonder why the whips should be able to designate someone to fill the position even when there is no verdict on the issues raised against the person.

**THE DEPUTY SPEAKER:** There is no substantial chairperson if the chairperson is removed.

**MR OGUZU:** But there will be a vice-chairperson.

**THE DEPUTY SPEAKER:** The vice will be acting and not be the substantive chairperson. Can I put the question to this?

**MS OSEGGE:** Mr Speaker, I am just wondering whether it would be procedurally correct. Chairpersons are designated by party whips and in this rule, we are making it summarily a decision of the committee. There is no option for the whips to caution or talk to the chair or something. I think we might not be setting a good precedent.

Why don’t we propose that a report is taken to the relevant whips and then we probably give some levels before you finally decide to say now the committee can decide to dismiss this chair or vice-chairperson? I think we might cause some kind of anarchy.

**MR JONATHAN ODUR:** Mr Speaker, I wanted that amendment to be cross-referenced with the appointment of the chairpersons. You are saying that the Government Chief Whip or the Chief Opposition Whip or the Speaker should appoint a chair or vice-chair within seven days. However, you know that the authority of the Government Chief Whip, the Chief Opposition Whip or the Speaker is referred to in an earlier article.

In the circumstances, it is going to create confusion where after the chairperson is removed, the three struggle to appoint the chairperson. Therefore, we should cross-reference that one with the previous rules, which allow those three to appoint Members to the committee.

**MR ONGALO-OBOTE:** Mr Speaker, I think again that is a technical matter that can be handled by our technical committee. However, it is indeed the Government Chief Whip or Opposition Whip or the Speaker who appoint these chairpersons. I do not see a situation where the Opposition Whip will try to appoint the chairperson of the Committee on Rules, Privileges and Discipline when the rules clearly provide that he is appointed by the Government Chief Whip. However, this is a technical problem that I believe can be handled by our technical committee.

Also, rule 184 is already in existence in our Rules of Procedure. What this amendment is intended to do is actually to protect the chairperson because before, the notice was given to the Speaker for the removal of the chairperson. However, we are saying the chairperson or vice-chairperson who is the subject of the motion should actually be one of the persons protected by receiving that notice before he or she is removed.

**THE DEPUTY SPEAKER:** Honourable members, by the time these Members are bringing the matter to the House, it is beyond the whip. If it was still with the whip, that is where they should have gone even without the Rules of Procedure to resolve it from there. If they cannot informally resolve it with the whip and the matter has come here, you can no longer say now by the rules, take it to the whip because that should be an informal process of consultation. Where that fails, the recourse is to the House. Can I put the question to this?

*(Question put and agreed to.)*

**THE DEPUTY SPEAKER:** Honourable members, in the public gallery this afternoon we have students and teachers from Bugambi Secondary School in Sironko, represented by hon. Nandala-Mafabi and hon. Florence Namboozo. They are here to observe the proceedings. Please, join me in welcoming them. *(Applause)*

We also have students from Divine Secondary School, represented by hon. Wakayima Musoke Nsereko and hon. Rosemary Sseninde. They have come to observe the proceedings. Please, join me in welcoming them. *(Applause)*

**MS NYAKECHO:** Thank you, Mr Speaker. I am sorry for taking the House back a little but I had stepped out when they were looking at this rule. I would like to propose an amendment to amend rule 175 (2)(n), which reads, “Information, Science and Communication Technology”. I would like to propose an amendment to the name of the committee. I propose that the name is changed to the Committee on Information, Communication Technology and National Guidance.”

The justification is: to avoid an overlap in mandate with the Committee on Science, Technology and Innovation. In addition, the Committee on ICT carries out an oversight role over the Ministry of ICT and National Guidance. It is, therefore, critical that national guidance is one of the issues to be examined by the committee. Thank you.

**MR ONGALO-OBOTE:** Mr Speaker, the committee has no objection to that amendment.

**THE DEPUTY SPEAKER:** I put the question to that.

(*Question put and greed to*.)

**MS KAMATEEKA:** Thank you, Mr Speaker. I would like to propose a new rule after rule 192 to the effect that reports of committees should include an assessment of gender and equity, human rights and the Sustainable Development Goals. I beg to submit.

**THE DEPUTY SPEAKER:** Chairperson, is there a general provision relating to committees? Can we house that in the general provisions, or are we now dealing with the general provisions? No, we are now dealing with the operations of committees generally. That is where we are.

**MR ANYWARACH:** Mr Speaker, we cannot reinvent the wheel in the rules. When we talk about our rules requiring a certificate of gender compliance and the other one which I have forgotten, they are direct imports from the Public Finance Management Act. If we intend to introduce another certificate of human rights compliance, I do not know under what primary law we are going to insert the rules. I think we cannot reinvent the wheel here. These are just rules which must be in line with the primary laws.

**MR ONGALO-OBOTE:** Mr Speaker, in our amendments to rules 137 and 138, we specifically provided for a certificate of gender responsiveness.

**THE DEPUTY SPEAKER:** Thank you.

**MS KAMATEEKA:** Mr Speaker, we did not provide for human rights compliance and we are not asking for a certificate of compliance. However, it is a responsibility of this House to make sure that all Government programmes are human rights compliant and that they take forward the agenda of the Sustainable Development Goals. Therefore, even if we have already provided for gender compliance, we can still provide for human rights and Sustainable Development Goals. I beg to submit.

**THE DEPUTY SPEAKER:** The point that was made by the Member for Padyere is that those ones are housed in the Act and we are now bringing those provisions to the rules. If you bring this one that is not housed in any Act, how do we anchor it in the rules? That was the point made by the Member for Padyere. Can I put the question to this matter?

*(Question put and agreed to.)*

*New rule agreed to.*

**MR ONGALO-OBOTE:** Rule 193 - Report to be signed by the chairperson and Members. Insert a subrule immediately after subrule (2) to read as follows: “(3) Any Member’s initial or signature appended to a report shall not be withdrawn.” The justification is that this will ensure that Members do not withdraw their signatures.

**THE DEPUTY SPEAKER:** Can I put the question to this?

**MR OKIN OJARA:** Thank you, Mr Speaker. When considering this amendment, this rule should be considered in tandem with rule 194, which is about the minority report. There are circumstances where even the chairperson, who has conducted the business of the committee, may not necessarily agree with the report of the entire membership and would actually agree with the minority report. What happens in that kind of circumstance? Should he sign the minority report and leave the majority report?

**THE DEPUTY SPEAKER:** Honourable members, we need to understand this whole thing about the minority report properly. I have not found in my life in Parliament a situation where a Member disagrees with the entire report. A Member will agree with the rest of the report but disagree on one or two issues. Therefore, you agree with the report but sign out your disagreement.

That is why even when you are signing international treaties, you sign with reservations. You sign saying, “We will not be bound by this particular article”. That is called reservation. You sign because you agree with the rest of the report. On the area where you disagree, you voice it out that “Yes, we agree but my point of disagreement with the rest of the committee on this subject is this”.

Therefore, there is no conflict in signing the main report and signing a minority report. Please, if you agree with the rest of the report, do not fear signing both reports unless you are saying you disagree with the entire report of the committee. That will be a situation that can still be anticipated by the rules *-* I am not opening debate on this matter, honourable members. We do not have time, please.

**MR OLANYA:** Mr Speaker, there is something very important.

**THE DEPUTY SPEAKER:** Please, everything is important but listen to the Chair first. Let us process these things properly. If I have four Members standing at the same time, it means we want to open debate and I do not have the time for debate right now. If you do not want to amend that rule, we just leave it as it is and proceed. Chairperson, where are we?

**MR ONGALO-OBOTE:** We are on rule 193, which is just about signing. It does not matter whether it is the minority report or the main report; it is just that when you have signed, you should not withdraw. That is all.

**THE DEPUTY SPEAKER:** That is the amendment. Where you have already appended your signature, the committee is saying you should not come again and say “No, I do not want to sign the report, so I want to remove my signature”. Let us talk about that.

**MR OLANYA:** Thank you, Mr Speaker. Given the level of technology that we have, I remember in the Ninth Parliament where the chairperson and the vice-chairperson went aside and changed the contents of a report after Members had already signed. Therefore, if you are tying Members never to withdraw their signatures, it means we shall put Members in danger.

**THE DEPUTY SPEAKER:** Honourable, please, that one was cured. You now sign on each page. Are you saying that they can even take the signatures, photocopy and –*(Laughter)*

**MR OLANYA:** Mr Speaker, that is why I am saying –

**THE DEPUTY SPEAKER:** Members, let me put this matter to a vote. The issue is that where you have already signed, should you be allowed to un-sign? I now put the question to the amendment as proposed by the chairperson that once you have signed the report, you should not be given the authority to withdraw your signatures.

*(Question put and agreed to.)*

*Rule 193, agreed to.*

**MR ANYWARACH:** Mr Speaker, the procedural point I am rising on is that there is tabling of the report and there is a time between signing and bringing the report here. If before the report is tabled I want to withdraw my signature, why must I be stopped from withdrawing my signature? My understanding is that once a report is laid here, that is when you cannot be allowed to withdraw your signature because it may defeat debate on the report. However, if it is before the report finds its feet here, why should I not be allowed to withdraw my signature?

**THE DEPUTY SPEAKER:** You rose on procedure and the procedure you are raising is not proper. We have taken –

**MR ANYWARACH:** Wouldn’t it be procedurally right for me to be allowed to withdraw my signature before the report is tabled?

**THE DEPUTY SPEAKER:** In fact, your proposal itself is not procedurally right -*(Laughter)-* because we have already moved from that point.

**MR MAJEGERE:** Mr Speaker, I am still not happy with what we have just passed here. When we were recalling Parliament after Nebanda’s death, Members realised that the people who were mobilising them had not signed.

**THE DEPUTY SPEAKER:** That was not a report. We are talking about reports.

**MS OSEGGE:** Thank you very much, Mr Speaker. Since we are dealing with the general functions of committees, I would like to bring to the attention of this House that overtime, I have noticed there is no linkage between standing and sectoral committees. While accountability committees *- (Interruption)*

**THE DEPUTY SPEAKER:** Honourable member, propose the amendment and then speak to it. Do not do it the other way round. What would you like to introduce?

**MS OSEGGE:** I propose that the resolution after adoption of this Parliament of the reports of accountability committees be processed and forwarded to relevant sectoral committees for their use during budget considerations as information.

**MR ONGALO-OBOTE:** Mr Speaker, the Committee on Rules, Privileges and Discipline invited submissions from Members of this House over a very long period of time and most of the Members appeared before this committee. What I would like to point out is that it is really unfair to the committee to do its work for all this time and then come to the Floor and receive new proposals. The chairperson *– (Interruption*)

**MS OSEGGE:** Mr Speaker, we are in this House to help the committee process the report so that it becomes part of Parliament’s document. Is the Chairperson of the Committee on Rules, Privileges and Discipline in order to separate himself from the rest of the House? We are debating and bringing amendments to make these rules more useful to us. I think that should be the spirit. Therefore, is he in order to insinuate that we are wasting their time?

**THE DEPUTY SPEAKER:** Honourable members, the reason these matters are sent to committees is to facilitate the processing, interrogation and consultation so that by the time the matter comes here, we are properly guided. This issue of waiting when we are debating and then you bring a substantial amendment can derail this House. I will give you an example.

Look at Article 8A of the Constitution. When the 1995 Constitution was adopted in the Constituent Assembly, they intended that the directive principles of state policy and all those things should never be part of the Constitution; they should be directive principles of state policy.

I presented a report here in the course of the debate like we are doing now. However, a Member from the Frontbench rose and proposed Article 8A. In other words, the entire meeting of the Constituent Assembly was struck down by one proposal in the course of a committee handling this issue on the Floor. I said, “Mr Speaker, we have not analysed this and we cannot understand the full implication of what the proposal is”. However, he was very popular and it passed. As we speak, the whole directive principles of state policy are now part of the Constitution, which we never intended.

Honourable members, that is the importance of having these matters interrogated by committees and that is why committees are important. I will give you another example. In the UK, marriage was by an Act of Parliament and so was divorce. For one to have a divorce, it had to be declared by an Act of Parliament. You would come and propose a Bill that this marriage be annulled and Parliament would vote on it. That is how tough it was.

One time, the Mayor of the City of London had a problem of having his divorce effected because he could not find any grounds to bring this matter to Parliament. However, when they were bringing the water works Bill to Parliament, he put a clause inside it to annul his marriage. By then, there were no committees. The House deliberated and passed the Bill into an Act because no one saw the details. He went back home and started waving to his wife saying “out”. The wife said, “How?” He said, “I got the divorce. We went with the water works Bill and I inserted a section for our divorce.” They had to come back to Parliament to delete that clause. That is why committees are important.

Honourable members, it is important for us to engage with the committees. Therefore, the chairperson is right in not associating himself with the processes that he has never interrogated so that if the House is taking a decision, it takes the decision as a House not binding the chairperson as part of the decision - I speak this with authority. *(Applause)* The chairperson is saying “I will not be bound” but the House can take a decision on it, such that if there are mistakes made in the course of taking the decision, the committee cannot be blamed and so, the chairperson is right. Is he in order? He is very much in order and proceeding properly.

Therefore, the chairperson is very much proceeding properly and protecting the integrity of his committee. If you want to propose your amendment, propose it to the House. Why I asked the chairperson is because we needed to find a common ground. If the chair is unkind to accept - even if it was not before the committee, like what was proposed by the member from Tororo, it was not before the committee but they consulted and concluded that it was not something bad, we can accept it. That is why I gave laxity to the chairperson. However, if the chairperson says they do not agree with that, I am not saying stop there; you can propose to the House and we put the vote.

**MS OSEGGE:** Thank you very much, Mr Speaker. It is in good spirit. Actually, I appeared before the committee and submitted our proposals for amendments. I would like to state here that none of our amendments were taken up and yet I submitted a whole write-up of amendments.

Mr Speaker, we can now realise and agree that this is not an amendment in bad faith because we need to be coherent in the way we do our work. I propose an amendment that the resolution of accountability committees that consider the Auditor-General’s report, upon adoption by this House, be extracted and forwarded to the relevant sectoral committees as information for them to use during consideration of annual budgets. I think that will give us information as we consider budgets.

**THE DEPUTY SPEAKER:** Can I put the question to that amendment? I put the question to the amendment as proposed by hon. Osegge that there should be a linkage between the standing and sectoral committees.

*(Question put and negatived.)*

**MR ANYWARACH:** Mr Speaker, I know that after rule 193, we are going to rule 197. When you look at rule 193, it says “The report to be signed by the chairperson and Members.” It is very clear on the general report of the committee, to the extent that subrule (6) says, “The report of the committee shall form part of the record of the House.” However, in rule 194 on minority reports, which sometimes actually give us the other side of the story, which is very authentic, it does not have any provision stating whether minority reports form part of the record of the House. It does not even provide whether it can be adopted and if it is to be adopted, who should move it.

Also, rule 193 (5), which talks about the report of the committee says, *“The Chairperson or a member of the committee may move in the House that the report from the committee be adopted.”* Mr Speaker, this gives an impression that the minority report is just a by-the-way –*(Interruption)*

**THE DEPUTY SPEAKER:** No. Honourable member, have you read rule 194 (1)? It says the minority is supposed to be part of the main report. It should not be a standalone. There is a practice, which has cropped up and it should be curbed; there are situations where the main report is filed today in the House, and then you come three months later with a minority report.

You voice your area of disagreement in the meeting; for example, you may say, “Mr Chairperson or Madam Chairperson, on this issue, I disagree and I will file a minority report” and then you process your minority report in the course of the preparation of the main report, so that you submit them together. The chairperson then presents the main report and opportunity is given to the author of the minority report to present it and they are handled together. That is what should be happening.

It is not a separate report; it is part of the report. A dissenting judgement is not a separate judgement; it is the same case. After they have read the judgement or a person has been acquitted from the jail or property has been taken, then you say you have a dissenting opinion on the judgement. That one is very well taken care of.

**MR KATUSABE:** Thank you very much, Mr Speaker. Chairperson, I would like to take you backward a little in regard to rule 178 which says that the House may, at any time, upon a motion made after notice given, appoint a select committee to investigate a particular matter.

Mr Speaker, a select committee, as you are fully aware, should be a committee with the full force of the relevant capabilities. Now, I wonder whether it would not really do us good if we amended this to say, “The House may, at any time, upon a motion made after notice given, appoint a select committee comprising of Members with the relevant competencies.”

The reason why I am saying this, honourable colleagues, is –*(Interruption)*

**MR ANYWARACH:** Mr Speaker, we have moved an amendment vesting the power in the Speaker to nominate the members of the select committee. In the wisdom of the Speaker, he or she will know who is competent on this matter when he or she is making the appointment.

The argument my brother is bringing is to the extent of demeaning that power or ability of the Speaker to determine who has the capabilities. Is he in order to proceed with that kind of submission?

**THE DEPUTY SPEAKER:** Honourable member, that matter was handled. Can we leave it like that, please?

**MR ABACACON:** Thank you very much, Mr Speaker. On rule 193, I remember in the Eighth Parliament when I was on the select committee looking into the relationship between Members of Parliament, the public and the police, after we did our work very well and even signed the report, the chairperson disappeared with the report up to date. *(Laughter)*

Now, where are we covering this kind of behaviour when a report is not brought back to Parliament? We should have dealt with this decisively, unless we think it will not repeat itself in future. We were disappointed to learn that the chairperson, hon. Peter Nyombi, was rewarded with the position of Attorney-General after disappearing with that report. What are we doing with that report which should have helped the House and the country? Thank you very much.

**THE DEPUTY SPEAKER:** Okay. That discussion is not right here at the moment. Can we deal with that when such issues arise?

**MR ONGALO-OBOTE:** Rule 197 - Special powers of committees. Replace paragraph (d) with the following:

“Shall have the powers of the High Court for –

1. enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
2. compelling the production of documents; and
3. issuing a commission or request to examine witnesses abroad.”

The justification is that this is the position provided for under Article 90, subsection (3) (c) of the Constitution.

Insert a new paragraph (e) as follows:

“(e) Shall have the powers to confine for any specific periods any recalcitrant witnesses and cite any person for contempt.”

The justification is that this is a consequential amendment arising out of amendment to paragraph (d).

**THE DEPUTY SPEAKER:** Can I put the question to this, Members?

**MR NZOGHU:** Mr Speaker, I have some reservation on this. I would like to know from the chairperson about the issue in respect to having the powers to confine for any specific period when the period is not mentioned.

Secondly, Mr Speaker, we are aware that Parliament is not court or police and when a scenario of that nature happens, it is prudent that the witness can be confined but we need to be particular with the period. This is because we may be misinterpreted to be taking powers of the police and court.

To this, I wish to actually propose that it should not be more than one day because when you confine a witness as a committee or select committee of Parliament, you should be able to hand over the witness to the police.

Mr Speaker, to leave it open like this may be abused. Therefore, *-(Interruption)*

**MR ANYWARACH:** I need to apologise because the information I am giving you may not be friendly. Article 90 (3) (c) on the committees of Parliament states,

*“shall have the powers of the High Court for-*

*(i) enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;*

*(ii) compelling the production of documents; and*

*(iii) issuing a commission or request to examine witnesses abroad.”*

I think what this amendment has done is simply pick what is in the grand norm, that is, the Constitution. Any attempt to convince Parliament and struggle to sway us away from this position of the Constitution may be unconstitutional. Actually, you are unconstitutional.

**THE DEPUTY SPEAKER:** No, the Member’s point is: what about the issue of confinement? The purposes for which Parliament does this is clear. Parliament wants correct information and that is why the examination is under oath. Therefore, the Member would like to know about the issue of confinement and how it facilitates this process.

If it is going to be a temporary situation, why don’t you say it so that after the sitting of the committee, you hand over the person? It is because you do not even have the facilities to - I think the point is made. Let the chairperson speak to his submission.

**MR NZOGHU:** That is why you are a Speaker and you have correctly understood it. *(Laughter)*

**THE DEPUTY SPEAKER:** Can he now respond because you have raised the matter already, hon. Nzoghu?

**MR ONGALO-OBOTE:** Mr Speaker, in the first instance, what the committee was doing in this amendment was to clearly distinguish the powers that are derived directly from the Constitution and those powers that Parliament has allocated by implication.

Now, as to the duration for confinement, the committee would probably propose that it is a day or a week. However, what is important is to leave it to the discretion of the committee to decide because these cases arise from the interaction of the specific witnesses with the committee.

I do not know but the committee could maybe propose that the witness is detained until the meeting is over then he or she is released. However, what is the purpose for confining the witness? Would the purpose be served if he or she was confined for one day or an hour? That is the dilemma of the committee at the moment.

**THE DEPUTY SPEAKER:** Honourable members, what is being proposed is not new; I do not even know why you are proposing this because it is and has been in the rules for all these years. The power to confine is there. However, I am just wondering why you have left out the issue of contempt. Is it there?

Hon. Nzoghu, the rules are there and clear. Do you now want to remove this? Can I put the question and we proceed?

**MR OBUA:** Mr Speaker, whereas we have the powers of the High Court in compelling a witness to do a, b, c, d what I would like to bring forth is the fact that in certain instances, these witness are confined within the precincts of Parliament. For us to have clarity and to avoid the risk of one day this institution being dragged for confining a witness in an area which is not gazetted, I would move that we clarify on that particular provision. Let the confinement be supported by Parliament in our rules but in a gazetted place.

I have seen this in the ongoing land probe; once a witness is referred to the Criminal Investigations Department (CID), either the person or witness is moved to Wandegeya. We cannot continue confining people within the precincts of Parliament. I believe there is no room here gazetted for confinement. I thank you.

**THE DEPUTY SPEAKER:** How has it been done? What is “confinement” within the meaning of the rules and the practice of Parliament? Which chairperson has ever ordered confinement of a witness? How do you do it? Public Accounts Committee, how do you confine people?

**MS OSEGGE:** Mr Speaker, it is not confinement because we have CID officers attached to the committee. If we see a matter that needs investigation, we send them to the CID and they go and make a statement. It is up to the CID to decide whether to confine them and they take them to the Central Police Station (CPS).

**THE DEPUTY SPEAKER:** Therefore, that is the practice and procedure. How clearer do you still want it? Does the Member for Kumi Municipality want to be confined? *(Laughter)*

**MR AOGON:** Thank you very much, Mr Speaker. When we are dealing with matters of confinement, sometimes these people get highly embarrassed and at the end, you find that the person was innocent -

**THE DEPUTY SPEAKER:** The issue is not that they are going to be embarrassed. We are not talking about people being embarrassed. We are talking about you coming and refusing to give information. Then you have the right to be embarrassed.

**MR AOGON:** The suggestion is, let it be so clear that the person is handed over to the CID. But for how long?

**THE DEPUTY SPEAKER:** That is for the CID.

**MR FUNGAROO:** Mr Speaker, what is good for us is that the word we have is confinement. Now, the issue raised by hon. Obua is about the availability of facilities for confinement here. By the standards of the Uganda Police management, Parliament has a police post headed by a director. Therefore, what is required in the structure and architecture of Parliament is to construct a room for confinement*. (Laughter)* Thank you, Mr Speaker.

**THE DEPUTY SPEAKER:** Honourable members, this is the procedure that has been working ever since the rules of Parliament were enacted under the new Constitution giving Parliament the powers of the High Court. Is there any need for us to review that? Can I, therefore, put the question to this please?

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** The committee proposes a new rule on action taken reports. Insert a new rule immediately after rule 208 as follows:

“Action taken reports

A minister shall submit to Parliament an action taken report detailing what actions have been taken by the relevant ministry following the resolutions of Parliament and observations or recommendations of a parliamentary committee.”

The justification is that this will ensure that Parliament’s resolution and recommendations are implemented or adhered to.

**MR KATUSABE:** Thank you, Mr Speaker. Mr Chairman, this is a good provision. My only concern is that it is open-ended. How much time is required for the minister’s response or action?

Secondly, could you explore the possibility of inserting a sanction in the event that the minister does not comply with this particular rule? What happens? The existing rules mandate the minister to give a response within two weeks but we have seen situations where ministers do not really adhere to the same rule.

This is a great opportunity and I think it is important for us to create space for a sanction provision. For instance, Madam Minister, in the event that you do not comply with this particular rule, then the Speaker certainly can refer you to the rules committee. Thank you.

**MR OBIGA KANIA:** Thank you, Mr Speaker. I just wanted to comment on the issues of the observations and actions required by ministers on observations. I agree with the resolutions and recommendations but in my layman’s language, observations are comments which are neither here nor there as far as an action is concerned on which a concrete position has not been taken by either Parliament or that committee.

Therefore, how will a minister act on an observation which has been made in a committee? I think that when a committee or Parliament wants an action to be taken, they reduce it into a resolution or specific recommendations. I suggest that the chair removes the word “observation”. Thank you.

**MR ONGALO-OBOTE:** Mr Speaker, indeed the committee has no objection to removing the word “observation” from this recommendation.

In this case, the proposed rule would read, “A minister shall submit to Parliament an action taken report detailing what actions have been taken by the relevant ministry following the resolutions of Parliament and recommendations of a parliamentary committee.”

**THE DEPUTY SPEAKER:** Is it “and” or “or”?

**MR ONGALO-OBOTE: “**A minister shall submit to Parliament an action taken report detailing what actions have been taken by the relevant ministry following the resolutions of Parliament or recommendations of a parliamentary committee.”

**THE DEPUTY SPEAKER:** Plenary also makes recommendations. The print was captured and we leave out observation. Can we draft it to capture that? What about the timeframe? Is it necessary? Do you want to set a timeframe?

**MR ONGALO-OBOTE:** Honourable colleagues, the timeframe, in my opinion, would be given by the Speaker to the minister depending on the resolution. This is because for me to say two weeks does not really capture the spirit of fairness.

**THE DEPUTY SPEAKER:** Honourable members, the issue of timeframe should be on a case by case basis. This is because you can say two weeks and yet the investigations alone could take six months. Therefore, like we have always done, we would ask the honourable minister how much time he or she would need for this particular one and then they can deal with this.

**MR KATUSABE:** Thank you very much, Mr Speaker. My question had two components. The second component was what happens; can we create a provision or space for sanctions for noncompliance?

This is very important because that is intended to tame the culture of impunity, where people try to scandalise or trivialise proceedings and business of Parliament. Honourable colleagues, you have heard some people, unfortunately, saying resolutions of Parliament are not binding and that is tragic.

**THE DEPUTY SPEAKER:** Indeed they are not. There are specific resolutions that are binding; for example, if Parliament passes a constitutional resolution, then that becomes binding. However, the rest of the resolutions are advisory and that is the rule.

**MR KATUSABE:** We need to amend the rule, Mr Speaker.

**THE DEPUTY SPEAKER:** No. That amendment will be in vain.

**MR KATUSABE:** Mr Speaker, my last submission on that one - I am wondering whether it is still not possible to put the specific sanctions in the event that we get noncompliance from the responsible minister.

**THE DEPUTY SPEAKER:** We already have a general provision on contempt of Parliament. Can we proceed, honourable member? With the drafting done now, can I put the question to that amendment?

*(Question put and agreed to.)*

**MR SABIITI:** Thank you, Mr Speaker. I was thinking that these actions taken on the reports should be included in the ministerial policy statements. The other time, we were listing what a ministerial policy statement should contain; even these actions should be listed there so that they are looked at at that stage. That is what I would like to suggest because they appear there every financial year.

**THE DEPUTY SPEAKER:** Suppose it happens now, then you wait for the ministerial policy statement in April next year for it to be captured there?

**MS KAMATEEKA:** Mr Speaker, before we go to the general *– (Laughter)*

**THE DEPUTY SPEAKER:** Hon. Kamateeka, I was wondering whether the chairperson had changed the tone of his voice *–(Laughter)*

**MS KAMATEEKA:** Mr Speaker, before we go to the general provisions, I would like to beg for your indulgence to go back to rule 192.

The argument given by hon. Anywarach was that there is no Act of Parliament on human rights. However, Mr Speaker, there is a comprehensive bureau of rights in the Constitution. Chapter Four, which guarantees human rights for the people of Uganda, is the longest chapter in the Constitution with 38 sections which are comprehensive enough.

Mr Speaker, recently, we received a report from the Committee on Science and Technology and they had a section on gender and equity, which has rightly been provided for under rule 138 on the budget. The report of the Committee on Science and Technology had a section on human rights and Sustainable Development Goals. We all agreed that this was the way that we wanted to go as Parliament because at the end of it, we want to ensure that we realise the Sustainable Development Goals; for example, issues concerning maternal health, education, security and the 17 goals and their targets.

Mr Speaker, we are requesting that all the committees should have a general awareness of the need for Government programmes to be human rights compliant to take forward the agenda of human rights in this country.

**THE DEPUTY SPEAKER:** Can you restate the amendment.

**MS KAMATEEKA:** Mr Speaker, I, would therefore, like to propose that we insert a new rule, that the committee report will have an assessment on human rights and Sustainable Development Goals. I beg to submit.

**THE DEPUTY SPEAKER:** Would it be a new rule or do you want it to go along with where there is gender and equity? Do you want it to open that and include those two or you wanted a standalone rule?

**MS KAMATEEKA:** Mr Speaker, it could be included under rule 138, but that is specifically for the budget. It would be nice indeed if the budget could guarantee that all Government programmes are human rights compliant and that they move Agenda 2030 forward.

However, I am aware that for gender and equity, there is a certificate that is required and issued under the Ministry of Finance, Planning and Economic Development issued by the Equal Opportunities Commission, but we could have it there, Mr Speaker.

**THE DEPUTY SPEAKER:** Honourable members, can I put the question to the inclusion of those principles?

**MR JONATHAN ODUR:** Mr Speaker, the Bill of Rights as hon. Kamateeka has rightly pointed out, is the longest. I do not see how we shall operationalise it here given that even the Constitution in terms of hierarchy of laws is higher.

Therefore, we are automatically bound to go by the provisions of the Constitution. However, bringing it here, I do not see the value it will add *–(Interruption)*

**MS KAMATEEKA:** Mr Speaker, that is for matters of emphasis to ensure that we are all aware and that we are all going to look out for the human rights –

**THE DEPUTY SPEAKER:** Honourable member, you have already spoken. If there is something you have not yet said, you will not be able to say it.

Can I put the matter to vote for the inclusion of those? I put the question to the amendments as proposed by hon. Kamateeka who is also the Chairperson of the Committee on Human Rights of this House. I put the question for that amendment.

*(Question put and negatived.)*

**THE DEPUTY SPEAKER:** Honourable members, the problem that you have from both sides is that you only hear your side but do not hear from the other side. For me, I hear both so I can judge. From your location you could think you have been louder, and yet you have not heard the rest. Secondly, I am not voting so I listen. For you, you are voting so you cannot listen to what you have *- (Laughter)*

**MR ONGALO-OBOTE:** Mr Speaker, the committee proposes to insert a new rule immediately before rule 209 as follows:

“Consideration of the Treasury Memoranda:

The Speaker shall, after receiving the Treasury Memoranda, submit it to the Auditor-General for auditing in accordance with the National Audit Act, 2008.”

The justification is that the rules are not specific on what should be done with the Treasury Memoranda once received by Parliament under the Public Finance Management Act, section 53. This is important for purposes of completing the accountability cycle.

**THE DEPUTY SPEAKER:** I put the question to that, honourable members.

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** The committee proposes a new rule immediately after rule 215 as follows:

“Expunging from the Official Report

Where the Speaker is of the opinion that the words that have been used in debate are defamatory, indecent or unparliamentary or undignified, the Speaker shall order that such words be expunged from the official record of Parliament.”

The justification is that the amendment will provide for situations when words or phrases may be expunged from the *Hansard*.

**THE DEPUTY SPEAKER:** Okay, can I put the question to that?

*(Question put and agreed to.)*

**MS OSEGGE:** Mr Speaker, thank you so much. I did not seem to hear how we complete the process after the Treasury Memoranda have been audited by the Auditor-General because they come back to Parliament. Where do they go because they come back to the Floor after a committee has considered them?

In our benchmarking in different parliaments, we discovered that they go to the Public Accounts Committee. I do not know what this House would think because they have to find their way to the Floor of the House through a committee.

**THE DEPUTY SPEAKER:** I thought it would be like an audit report. Once it comes to Parliament, it is sector-driven. Will it go straight to the Public Accounts Committee, even if it touches on the issues of the local government? After auditing, it will come back to Parliament and once it comes back to Parliament, Parliament knows who handles which bit of those issues that have been raised.

If the issues involve the central government, it goes straight to PAC 1; if it has to do with local government, it goes to PAC 2 and the other one goes to PAC 3. Would that not be a way to look at it?

**MS OSEGGE:** My problem is that it is all amalgamated, so I do not know if this House will be able to sit down and disaggregate it, unless we are going to tell the Auditor-General to disaggregate it.

**THE DEPUTY SPEAKER:** I think that should be standard procedure. In the request, we should have this guidance. When we request for these matters on the Treasury Memoranda, which is sent to the Auditor-General for auditing, it should come in those categories. That is also how the Auditor-General reports on local government, central government and state enterprises. The reports are disaggregated already. So, even these ones should come in that form. Will that be okay? Can we proceed?

**MR ONGALO-OBOTE:** Mr Speaker, the committee had proposed a new rule after rule 215 - expunging from the official report and -

**THE DEPUTY SPEAKER:** Didn’t you finish that? Didn’t we vote on that? We voted on that.

**MR ONGALO-OBOTE:** Okay. Rule 221 - Lapse or reinstatement of parliamentary business upon *- (Interruption)*

**MR ANYWARACH:** Mr Speaker, the heading for rule 215 is “Expunging from the Official Report”. I thought it should have been “…from the Official Record.”

**THE DEPUTY SPEAKER:** Yes, it should be “Official Record”.

**MR ONGALO-OBOTE:** Mr Speaker, the heading should read “Expunging from the Official Record.”

**THE DEPUTY SPEAKER:** Okay, I put the question to that amendment.

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** Rule 221 - Lapse or reinstatement of parliamentary business upon dissolution of the House. Insert a new subrule (4) as follows:

“(4) The resolution of Parliament referred to in subrule (2) shall be passed in the Second Sitting of the First Session of Parliament.

(5) Any business reinstated shall be handled and completed in the First Session of Parliament.”

The justification is: to provide for a binding mechanism for handling business that has been reinstated.

**THE DEPUTY SPEAKER:** Can I put the question to this?

**MR ANYWARACH:** Chairperson, I think this is a very dangerous precedent. Mr Speaker, sometimes we have Bills, for example the Biotechnology and Biosafety Bill, whereby a new Parliament such as the Tenth Parliament comes on board and the new Members must be given ample time to understand the Bill in totality due to its technicality.

We have moved to so many other places to benchmark. Even those of us who were in the Ninth Parliament have accompanied Members of the Tenth Parliament to so many other places to acquaint ourselves with the benchmark findings of different countries. Basing on some of the technicalities, for us to say that once such a business is reinstated, it must squarely be handled in the First Session of Parliament becomes technically very hard.

Mr Speaker, I am praying for your indulgence to prevail in this matter. We cannot tie the hands of Parliament to, as squarely as possible, strictly process that business and finish it in the First Session of Parliament, when Members are not well acquainted with the information. I think we need to reconsider this amendment.

**THE DEPUTY SPEAKER:** Honourable members, the rule is that a Parliament must finish its work; so why are we making the exception so perfect as if that is how we want to proceed? After failing to finish it in the other Parliament and they have had the courtesy of now allowing another Parliament to take it over, do you still want it to be handled for years?

The business should have been finished by the other Parliament. Now this new Parliament has had the courtesy of bringing it, should it take more years when it took many years in the other Parliament? Now they are trying to cap the exception and allow it to be brought but they are also asking you to finish with it in the first session. If you cannot finish with it, withdraw it and reintroduce it to this new Parliament.

In other words, we are not saying we should throw it away. It is up to the person who is interested in the Bill to bring it back as a fresh Bill to a new Parliament.

**MR JONATHAN ODUR:** Mr Speaker, I wanted to mention that I thought the Business Committee had a special duty and power to determine what can actually come to the Floor of the House. Therefore, by bringing this provision here, we are actually undermining the work of the Business Committee.

**THE DEPUTY SPEAKER:** We are giving guidance on what should have been done. Honourable members, I will put the question to this. If you do not want it, vote against it and if you want it, vote for it. I put the question to this amendment.

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** Rule 222 - Assistance to persons with disabilities.

Under Rule 222 (2), replace the words “keep secret” with “take oath of secrecy”. The justification is that an oath of secrecy is the more ideal in the circumstances.

**THE DEPUTY SPEAKER:** I put the question on that amendment.

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** Mr Speaker, the committee proposes that we insert a new rule immediately after rule 225 to read as follows:

“Publication of the Rules of Procedure of Parliament.

The Speaker shall, as soon as it is practicable, cause the publication of these rules in the *Gazette*.”

The justification is that section 19 of the Interpretation Act, Cap 3, provides that all specified instruments shall be published in the *Gazette* and shall be judicially noticed.

**THE DEPUTY SPEAKER:** I put the question to that.

*(Question put and agreed to.)*

**MR ONGALO-OBOTE:** Mr Speaker, I am pleased to inform you that Appendix B on page 27, which was 26, was passed by this House on 19 January 2017 and the table under Appendix H is really just to align it to – This is the timeline for rules 137 and 138, as it has been amended already. That brings us to the end of the amendments to the Rules of Procedure.

**THE DEPUTY SPEAKER:** What about those that were stood over? We stood over two rules - rules 148 and 153. Do you want us to re-start? Have we done the redraft of 167, concerning Committee on Government Assurances? Has harmonisation been done? Who has the text?

**MR ONGALO-OBOTE:** The new rule 167 is to be rephrased as follows: 1. Rephrase subrule (1) (a) and (b) to read as follows:

“The Committee on Government Assurances and Implementation shall -

1. record and scrutinise the assurances, promises and undertakings given by any minister, Prime Minister, President, Vice-President in the House from time to time;
2. monitor and evaluate the fulfilment of government assurances.”

2. Insert the current subrule (2).

3. Replace subrule (3) with the following subrule: “(3) The chairperson of the committee shall present a report to the House on the status of the implementation and extent to which the assurances, promises and undertakings have been fulfilled, withdrawn or broken from time to time.”

“(4) The report submitted under subrule (3) shall be debated by the House.

(5) The Leader of Government Business shall respond to the report and issues raised during the debate.

(6) The committee shall submit to each sectoral committee a list of government assurances that are pending fulfilment during consideration of policy statements and budget estimates.”

Subrule (7) would just be an insertion of the current subrule (4).

**THE DEPUTY SPEAKER:** Is that okay, Members? Can I put the question to this amendment now?

*(Question put and agreed to.)*

**THE DEPUTY SPEAKER:** Chairperson, there were clauses that were stood over, clauses 148 and 153.

**MR ONGALO-OBOTE:** Mr Speaker, the House stood over rule 148, which the committee proposed to be amended by inserting a new subrule immediately after subrule (7) to read as follows: “(8) Notwithstanding subrule (6), the Committee on Human Rights shall be chaired and deputised by…” – *(Interruption)*

**MR ANYWARACH:** Mr Speaker, sometime back, we had issues of whether the pledges made by the President will constitute Government assurances. The practice of the House has been that those assurances have been captured, because whatever is a pledge by the President made as a proclamation and followed by directives is immediately taken by the line ministries and captured for Government implementation.

I think if we are moving on 167 – for example, (1)(a) is talking of the assurances which are all promises or undertakings which are given in the House by the minister or Prime Minister or the Vice-President or the President. I was thinking that before we leave this, we should correct it, because some time back, Mr Speaker, you also said that one day we need to consider whether those pledges by the President constitute government assurances.

**THE DEPUTY SPEAKER:** No, they do not. Assurances to Parliament are assurances made in the House. If it is made outside, then a Member has to find a way of bringing it and making it an assurance of the House.

**MR FUNGAROO:** Mr Speaker, this is provided for under subrule (4), which has been indicated to be carried as it is from the old rules to the current rules we are making. When it is made in the constituency, a Member comes here and reads it and the Leader of Government Business or someone confirms, then it becomes an assurance.

**THE DEPUTY SPEAKER:** That is true. However, from Padyere there, it is tricky. *(Laughter)* Where are we? Are we on rule 148?

**MR ONGALO-OBOTE:** The committee had proposed an amendment to rule 148 by inserting a new subrule immediately after subrule (7) to read as follows: “(8) Notwithstanding subrule (6), the Committee on Human Rights shall be chaired and deputised by Independent Members of Parliament designated by the Speaker.”

**THE DEPUTY SPEAKER:** What is the justification?

**MR ONGALO-OBOTE:** The justification is that human rights are inherent and due consideration should not be tagged to the politics of the day.

**MR MUWANGA KIVUMBI:** Mr Speaker, first of all, the human rights committee literally should be an accountability committee. This is because when you recall the history of our country and the actual grounding of our Constitution, it was to ensure that the Executive at all times is held accountable. In our own perspective, this is an accountability committee like any other.

I was not in Parliament then but I was informed that when we were having a discussion on this issue, the ruling of the Speaker then – when the Opposition wanted to chair this committee as an accountability committee – was to give it a chance and a trial and to see if it is chaired by the Government side, it would do its duty dutifully. However, when you look at the state of human rights in this country, you realize that we need to hold agencies fully accountable and that can best be done if we classify the Human Rights Committee as one of the public accounts committees.

Two, we are stretching the question of Independents too far. Uganda made a decision to go multiparty and we are in a multiparty dispensation –*(Interruption)*

**MR AOGON:** Mr Speaker, this is Uganda; we move with the laws of the country and we have a Constitution. It allows Independents to operate, that is why I am here and that is why we are here. Is it in order for the Member to touch the issue of Independents and feel like we should go away from that and yet he knows that is our total refuge when the country has failed? Is he in order?

**THE DEPUTY SPEAKER:** The statement was: “We are stretching the issue of the Independents too far. Uganda has adopted a multiparty system.” That was the statement. Is that statement correct? In his opinion, it is correct. However, the second part of it is in fact correct. It is what the Constitution says. In July 2005, a resolution was raised by this House and sent to the whole country and they voted to adopt a multiparty political system. Therefore, it is factual. It is actually constitutional; so should I rule him out of order? No.

**MR MUWANGA KIVUMBI:** That is why you should be there for quite many more years. *(Laughter)* I am not saying solo. Mr Speaker, the point I was trying to articulate is that we deliberately took a decision to go multiparty. In addition, we practice Commonwealth standards in our Parliament and I understand that we are members of all those other structures of Commonwealth, including the Parliamentary Group of the Commonwealth Club.

If we judge consciously as Parliament that the human rights committee should be a watchdog on human rights abuses and if that is our call and our judgment, then it should be placed where it belongs and we tackle the issue of human rights, because they know no colour. The other day it was the NRM chairperson of Masindi, today it is Kahonda, tomorrow it can be Kahinda, you never know the other day it may be me.

That is why our bone of contention, Mr Speaker, is that this should be classified as an accountability committee. Independent Members in this House, truth be told, some cooperate with the Opposition by their own volition while others with the establishment. You will never know –*(Interruption)*

**MR OKIN:** Thank you for giving way, hon. Kivumbi. Much as you are trying to say that the human rights committee is an accountability committee, when you look at the type of accountability human rights exhibited, it is actually accountability to the Constitution. When the Opposition are in defiance, they are actually also abrogating human rights. When the Government is also not fulfilling certain laws, they are also abrogating human rights. Therefore, it posits in the situation where the human rights committee should be positioned within the independents category of Members of Parliament to chair because it looks at both sides; you can abrogate it or the other side can abrogate it as well. Therefore, it is actually positioned very well to be with the Independents. Thank you.

**MR MUWANGA KIVUMBI:** Thank you for the information but just for debating purposes, I do not know which forces of coercion the Opposition really has. Let us not stretch this too far. There are almost near zero chances that an Opposition that does not command police or security apparatus, that has nothing of those instruments, can be a human rights offender. *(Interjection)* Really? Using which means?

Therefore, my bone of contention –*(Interjection)*– You know I am a democrat; I do not shy away from this.

**MS ADONG:** Thank you, Mr Speaker. I would like to inform the Member on the Floor that the new guidelines issued by United Nations now recognise that even private individuals violate human rights. It is not necessarily that it is only Government that violates human rights but even companies. Therefore, the violation of human rights does not only rest with Government. Therefore, we are looking at human rights in its entirety, not only Government.

**THE DEPUTY SPEAKER:** Therefore, even the independents.

**MS ADONG:** The Independent Members of Parliament should chair the committee so that we are able to put the Opposition to account and even Government.

**MR MUWANGA KIVUMBI:** Mr Speaker, as I wind up my submission, I do not want to debate forever. We have an annual human rights report in this country and it ranks human rights offenders. This year’s human rights report put police as the number one human rights offender, and then UPDF as number two - *(Interjections)*– I can tell you up to ten and all those are Government agencies.

Therefore, it is so critical going forward, because every single day our role should be to extend frontiers of democracy, frontiers of enjoying our rights to ensure that it is never narrowed by anybody. The best people to do so, to put a watchful eye on the Government without compromise or undue influence can only be Members of the Opposition.

**THE DEPUTY SPEAKER:** Honourable members, we debated this matter last time and stood over it so that we could go and consult and come back. However, from the beginning of debate, it looks like there has been no consultation and it is the same with 153. Therefore, by directive from the Chair, we will go by the status quo of the rules, both in rule 148 – because we have been there and we have not seen any problem – and in rule 153. It is so ordered. Which other one did we stand over? Is that the last one?

Honourable members, today we then have finished with the consideration of the Rules of Procedure of the Parliament of Uganda and the rules take effect immediately. It is done; we will go with the status quo – let us handle the petition. It is said under the prerogative of the Speaker under rule 7 of the Rules of Procedure. Okay, point of procedure from hon. William Nzoghu.

**MR NZOGHU:** Mr Speaker, yesterday we stood over three items and we have so far sorted out two. The third was on the Appointments Committee and it is not yet sorted. Therefore, I would like to seek your indulgence to see how we can also sort out the issue of the Appointments Committee. Thank you.

**THE DEPUTY SPEAKER:** I have just ruled on that. Thank you. Let us proceed.

PRESENTATION OF A PETITION

4.59

**MR FELIX OKOT-OGONG (NRM, Dokolo South County, Dokolo):** Mr Speaker, this is a petition to the Parliament of the Republic of Uganda, moved under rule 29 of the Rules of Procedure of the Parliament of Uganda.

Mr Speaker, this is a humble petition of the following companies:

1. Ake-Jo Company Limited
2. Amos Investments
3. Absolute Home Limited
4. Benico Investments Limited
5. Gunya Company Limited
6. JB Trading Agency Limited
7. Herbco Colour Printers Limited
8. Opentenc Uganda Limited
9. Apel Engineering Company Limited
10. Menelico Stores; and
11. JARUTS. They are represented by hon. Felix Okot-Ogong, MP Dokolo South County.

*The humble petitioners showeth and state thus:*

1. *Your humble petitioners are Ugandan traders who supplied goods to the Government of the Republic of South Sudan between 2008 and 2010 but were never paid.*
2. *Following a presidential directive to verify all claims against the Government of the Republic of South Sudan, your petitioners’ claims were duly verified and a report was submitted to the Ministry of Finance, Planning and Economic Development.*
3. *Your petitioners are aware that Government of Uganda entered into a bilateral agreement with the Government of the Republic of South Sudan on the 22nd day of September, 2016 regarding payment of monies owed to Uganda-South Sudan traders by the Government of the Republic of South Sudan.*
4. *However, under schedule 1 to the agreement, the Government of the Republic of South Sudan has acknowledged debt arising out of only 10 traders without acknowledging the debt it owes your petitioners.*

*Now, therefore, your humble petitioners pray thus:*

*Parliament withholds its approval of the bilateral agreement between the Government of the Republic of South Sudan and the Government of Uganda signed on the 22nd Day of December, 2016 until the list of verified companies indicated in schedule one is reviewed to include all companies and traders that have been duly verified and whose claims have been validated.*

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

Hereto appended are your humble petitioners’ signatures as attached. Mr Speaker, I lay on the Table the petition and the relevant documents. I beg to move

**THE DEPUTY SPEAKER:** Let the records capture that. Honourable members, there was an item that had been proposed but did not come on the Order Paper. The item is coming from the Ministry of Finance, Planning and Economic Development to the effect that they want to present a request to this House to authorise - I have the information and that is why I am speaking like this.

The Government of Uganda is now going to pay some of the debts on behalf of the Government of South Sudan on an arrangement that has been agreed between the two countries. Therefore, because of that, there is a process of the consideration of this matter within the Ministry of Finance, Planning and Economic Development.

Since the matter is being considered by the Ministry of Finance, Planning and Economic Development, I will refer this petition directly to the Minister of Finance, Planning and Economic Development to handle it in line with what it is doing right now, so that when it comes to the House these issues are already harmonised. Okay? Therefore, this petition is referred to the Ministry of Finance, Planning and Economic Development to handle and report to the House.

**MS SUUBI:** Thank you, Mr Speaker. The procedural matter is that the petition has very few companies that were operating in South Sudan. My issue is that if the Government or ministry is ready, it should come up with a compiled list of all the traders that were operating in South Sudan *– (Applause) -* not just those that have influence in Government, because that is what has been portrayed here. They were all Ugandan traders and we are going to use Government money to pay them and so, we should consider a comprehensive list of all the traders.

**THE DEPUTY SPEAKER:** You see, that matter is not before the House. We do not debate petitions. I have used the prerogative of the Speaker and instead of referring it to the committee I have referred it to the minister. We do not debate petitions at this stage. When the minister comes with whatever he or she is coming with, we will be able to raise these issues to the minister before we make the approval that we are talking about.

However, depending on how the motion comes, it may even be referred to a committee. If it goes to a committee, there will be time for interface with the committee on these issues so that it is handled comprehensively. Otherwise, we cannot start debating a petition or raising matters that are not before Parliament at the moment. Are we okay? You want to debate the petition, hon. Kaps Fungaroo?

**MR FUNGAROO:** Mr Speaker, I rise on a point of procedure. I appeal for your kindness to consider this issue. My problem is the express referral of this matter to the minister when if it were handled within Parliament, there would have been room for more information to be brought here. There are people choking down in West Nile. I even have a list here in my office –

**THE DEPUTY SPEAKER:** Hon. Fungaroo, it cannot be brought here. I would have two options - to either refer it to the committee or to the minister. However, I have told you there is a pending motion coming from the Government on this issue, which might be referred to the committee or exhausted from here where all these issues you want to raise can be raised and substantially handled.

**MR FUNGAROO:** Basically, the problem here is that we are allowing ourselves to play into the hands of the powerful people. Payments were made before and some of the people who have been paid are actually Government officials, including ministers in the Ministry of Finance, Planning and Economic Development. Their companies are listed there. Where do we leave out the poor and the weak people?

**THE DEPUTY SPEAKER:** Honourable member, that is not the matter before the House. The matter before the House is that a petition has been presented and the Speaker has two options: to refer the petition to the committee or to the minister to handle. However, the Speaker has not chosen to refer the petition to a committee to handle but has chosen to refer it to the minister.

I have already done that. I have already referred the matter to the minister. So, what are you debating again? I have said there will be opportunity, once this matter comes back to the House, for you to debate it but as of now I have already referred the matter to the minister. Do you want me to withdraw the matter from the minister and send it to you?

Honourable members, tomorrow we have a special sitting of the House to pay respect to Maj. Edward Rurangaranga. I had told you that this Parliament will be proceeding on a short break starting tomorrow. However, tomorrow being a special sitting, I am asking you to come and be part of the discussion on the motion that will be tabled by the Prime Minister on the demise of the statesman, Maj. Edward Rurangaranga.

However, as we close, there are issues that are pending. One is on the issue of nodding syndrome. It has not been sufficiently handled and there was no conclusion. The directive I am giving to Government is that in the course of this break, steps should be taken, as has been promised, to take over those liabilities, which were part of what the donor, Dr Suzanne, was using, so that those centres are not closed and the children who are in them at the moment are properly looked after by interventions from the Government in form of medical services, food and nutrition.

The other issue that should have come tomorrow is the admission of students from Gulu University who undertook a degree course in law but have not been considered for admission for postgraduate legal practice studies at the Law Development Centre. That statement was supposed to have been presented tomorrow but tomorrow we shall not have a normal sitting of Parliament. That statement will be submitted to the Office of the Speaker, which will disseminate the information accordingly. That is what the minister has undertaken.

The third is the issue of hosting sports in Gulu. There has been an undertaking and we shall also follow up administratively with the people concerned. The days are close; it is in two weeks’ time. So, we shall follow up to make sure that whatever the Government has to contribute is made available for the operations of those things, so that we do not have an embarrassing situation when the games start.

On the issue of the statement that was raised yesterday, on the situation that happened in Somalia, the minister was here earlier and made a statement of what is going to happen following that incident. A commission has been instituted by both the African Union and the Government of Uganda that will harmonise these things and then come back to us.

Honourable members, this House stands adjourned sine die.

*(The House rose at 5.11 p.m. and adjourned sine die.)*