



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

THIRD SESSION - SECOND MEETING

WEDNESDAY, 18 OCTOBER 2023



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 8TH SITTING - SECOND MEETING

Wednesday, 18 October 2023

Parliament met at 2.27 p.m. in the Parliament House, Kampala.

PRAYERS

(The Deputy Speaker, Mr Thomas Tayebwa, in the Chair.)

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable colleagues, I welcome you to today's sitting. I hope you are relaxed. – I am also relaxed. I will communicate briefly on a few issues which I would like to put out clearly to help us guide the House.

This House is guided by the Rules of Procedure and from today onwards, I would like us to apply them to the letter. Appealing to the lenience and flexibility of the Speaker will no longer apply. I will only apply the Rules the way they are and I request that we let the rules be rules.

These include: Firstly, when a Member is speaking, we must listen in silence and only after can we also have a chance to speak. Secondly, after my communication, there will be no reactions. The rules do not provide for reactions after my communication; so, I will apply the rules as they are. That is what you have demanded of me. In the rules, there is no provision called "Reaction to the Chair's communication."

Thirdly, I would like us to enforce the rules properly including the dress code. *(Applause)*

The dress code is clearly provided for under Rule 82 of our Rules of Procedure will be - The African wear has been abused. I will no longer allow only shirts in the House because this is a place of dignity and suits. *(Applause)* Let us apply properly what is defined as an African shirt - though some are bought in Europe and are not even African.

This rule will also apply to the committees. It has been brought to my attention that Members attend committee meetings in jeans, sneakers, canvas, flats and some are about to enter in shorts.

To the women, kindly try to be as decent as possible. *(Applause)*

For clarity, the African wear must be a full matching suit and not just a shirt; it can be a safari suit.

In addition, from today onwards - If a Member has an injury and cannot dress appropriately but approaches the Speaker well in time and explains himself, there can be an exception – The Speaker must be heard in silence; you are already breaking the rules.

No more approaching the Speaker's chair. *(Applause)* I would like to repeat this; no more walking over to the Speaker except for the following three: The Leader of Government Business, the Leader of the Opposition and the Government Chief Whip. And any other

person whom the Speaker or presiding officer invites for consultation.

You will approach the Chair using chits; that is why we have officers in white uniform. They will pick your communication to which I will respond in the same manner. That will help me to listen and concentrate. Sometimes, a Member is submitting while I am talking to a colleague yet I am supposed to guide. I end up giving communication that is not satisfactory.

Honourable colleagues, as per the rules, there is an exception to the rule about reactions to my communication; it is a given, according to the rules, for the leaders of the Front Bench on either side to react to the communication from the Chair. However, the limitation is that it should not be a statement or 10 minutes or so. The good thing I have two decent people who understand the rules here and would want us to indeed progress.

Furthermore, I want to read verbatim two very critical rules:

1. *Rule 83: Behaviour of Members in the House*

(1) *During a sitting -*

- (a) *a Member shall enter or leave the House with decorum;*
- (b) *a Member shall not cross the Floor of the House or move around unnecessarily;*
- (c) *while a Member is speaking, all other Members shall be silent and shall not make unseemly interruptions;* - I remember how Hon. Yeri Ofwono suffered some time back and his time was gone.
- (d) *when a Member has finished his or her observation, he or she shall resume his or her seat;*
- (e) *a maiden speech shall not be interrupted* - I do not think we have maiden speeches coming up.

(f) *a Member shall not, without the consent of the Speaker, bring into the House anything other than papers, books or other documents that are directly connected with the Business of the House;*

(g) *a Member shall not bring into the House any camera, arms or weapon, tape recorder, transistor radio; and*

(h) *a Member shall not clap in the House.*

2. *Notwithstanding paragraph (g), a Member may bring in specific electronic devices that cannot disrupt the proceedings of the House and also pass the security test of Parliament.*

Rule 84: Use of unparliamentary language

“It is out of order to use offensive, abusive, insulting, blasphemous or unbecoming words or to impute improper motives to a Member or to make personal allusions.”

Of course, under Rule 85 of our Rules of Procedure, the behaviour of a Member shall be guided by the Code of Conduct of Members prescribed in Appendix F.

I have seen that flexibility is never rewarded, and you have proved that to me from all sides. Of course, I will remain - I can assure you of this; I am a very patient character and I will continue being that. If any Member thinks I will react to what they do to me outside, in terms of social media platforms like TikTok, Twitter and others, I will also join and follow them and we shall all laugh together because it makes people happy. I want us to apply the rules here the way they are.

If there is anything I have read or I have referred to outside these rules, I will need your guidance. You could tell me, “Rt Hon. Speaker, what you have said is outside the rules.” Otherwise, the rules I will be applying are rules which you, honourable colleagues, made and I must implement.

Additionally, when I make a ruling, it will be final. If you want to challenge my ruling, the

rules give you a leeway; I am not the alpha and omega. I know that, as honourable colleagues, you have a duty to deliver to your constituents; for them to see you behaving in a certain manner or to have delivered “ABCD”, but I have a duty to protect the dignity of this House, and I will ensure that is done.

However, I request you, honourable colleagues, to accommodate each other, because it is in Parliament where we can accommodate each other. I will give you time to speak, as long as your content is in line with the rules, and to bring your issues here because it is provided for. The day you stop accommodating each other, as a House, we shall have lost it. Thank you.

The Leader of the Opposition had requested me to say something.

By the way, I forgot about the issue of procedure and all that. Now, whenever you rise up on a point of procedure - I had introduced it, and honourable colleagues said it was too hard and rough - procedure should be about proceedings that are going on at that time. So, whenever you raise a point of procedure, kindly start with the rule that is being affected by the ongoing proceedings. I have said that my communication will not be debated because it is not provided for, and you have requested me to follow the rules - I am still communicating; so you cannot raise a point of procedure.

Honourable colleagues, as most of you might have seen, last night, the country experienced a tragedy, whereby some tourists and their guide were attacked in Kasese, around the Katwe area, in Queen Elizabeth National Park. It is a very sad moment, especially for a sector which was recovering after being hit hard by COVID-19. People want to come and see the marvel of our beauty, as a country, but all of a sudden this happened. I know it will affect the tourism sector, but the Government, indeed, will need to reassure the people of the safety of our visitors in the country.

We shall give all the necessary support, as a House, and we do hope that with this incident,

as a country, we do not lose focus and declare ourselves extremely insecure. I have seen it happening in other countries, but the way we handle it as a country matters most. So, I request, honourable colleagues, that we observe a minute of silence for our visitors, our guide and others who might have died in this incident.

(Members rose and observed a moment of silence.)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, let me allow the Leader of the Opposition to speak before taking a procedural matter.

2.44

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Thank you, Mr Speaker. First of all, I thank you for the plethora of communications you have made in regard to the rules; it is elaborate. I have asked my Attorney-General to study the directives therein, so that they can advise us on the mode of compliance to the Speaker’s directives, as they relate to the rules, because they have far-reaching implications on the running of Parliament. When we are done, we will seek space to share with you our considered opinion on the applications of your directives, Sir.

That said, Mr Speaker, we are coming from the backdrop of a standoff in the House, over matters relating to the demands we made on the Floor, regarding disrespect of human rights and other tendered violations.

Your communication, today, relates to our own conduct, Mr Speaker, and the mode of application of rules; there are two. I received reports from my Members that even when you were communicating to that effect, our space – our House - is not safe, and we are actually surrounded. We are surrounded by the military, including vehicles in which some of us were dumped during the *Togikwatako* debate.

Whether by your own instruction or by the intervention of external forces, Mr Speaker, you have spoken to decorum, order, and

Members talking and submitting under the rules - If the House is surrounded, that is a toxic environment.

It would be in the interest of this House that you use your authority to ascertain the circumstances under which the House is sitting. If we are sitting under duress, then we have lost it as well, regardless of what the rules say.

Mr Speaker, that said, we had a meeting in your boardroom - my side and the Government's side - to speak to the issues that obtained in the House over the last two sittings. When I asked you to take leave to go and compare notes with my team, we had a conversation about the happenings and what took place in that meeting. We still have challenges, and my side is still constrained to make proper progress.

We have studied the Order Paper; I have informed them of your guidance and directive. We still find a constraint that the Order Paper is starting on a fresh page as if nothing has happened.

The recollection is that we had an inconclusive debate over the last two days, and that the debate does not augur and offer hope to a nation that was waiting for Parliament to sit and offer direction to this country as to the happenings, regardless of the altercations on either side of the House.

Mr Speaker, my side is still demanding that this House will progress well if we have that debate concluded. *(Applause)*

In addition, we are ready to play to the rules as long as there is respect from either side of the House. Namely; we find it constraining that the Government cannot commit, even after the statement was made, that there will be no violations. Therefore, my side is finding it problematic to progress with the business on the Order Paper without that matter being settled.

Thirdly, you had guided that I will make my official statement tomorrow. I will be available to make a detailed statement relating to a

plethora of issues relating to these violations, including unanswered questions from the Minister of Security, under whose docket citizens were abducted and disappeared; the Minister of Internal Affairs, under whose superintendence violations continue; the Prime Minister, under whose superintendence there is no action taken on murders, on disappearances. I will make that statement tomorrow, Mr Speaker, and I give the House oral notice that I shall bring a motion - with your indulgence - next week to have these matters considered by the House.

In the circumstances, we are constrained to continue, Mr Speaker. *(Applause)*

THE DEPUTY SPEAKER: Thank you, Leader of the Opposition.

MR MPUUGA: Can I just conclude that in compliance with the rules - because the rules do not constrain us from taking that decision; it is better than putting the House on fire. We are looking for decency to prevail as long as people are opening their eyes and ears to the afflictions of our people. This is not about these Members. It is not about us; it is about the country.

Mr Speaker, lastly, we are also requesting that you reconsider the sitting arrangement of the House. *(Applause)*

In compliance with the rules, the arrangement hitherto undertaken by the Speaker was okay - that Members would freely sit, after all, we are legislating for the same people - but it has been abused.

I am unable to tell who are the people coming to my side and smelling intoxicants and behaving in a manner I cannot control. I want to have a team that I can control and when asked to account for the conduct of my Members, I can make full accountability.

There are Members whose conduct I cannot manage, and I do not know them. I have no idea about their background and cannot understand their motivation. *(Applause)*

That the Speaker invokes Rule 9, that we are compliant with the sitting arrangement. That will help the presiding officer to observe and guide on decorum because you do not have a hundred eyes.

However, if you ask the Chief Opposition Whip on this side to account for a particular noise that we cannot explain, then he is able to account for his people. I am very sure my brother, Hon. Hamson Obua, will also be able to account for the conduct of his people, including probably managing the gate to keep out those who are not fit enough to be part of this honourable audience, Mr Speaker. I so submit.

THE DEPUTY SPEAKER: Thank you, Leader of the Opposition. I have received a notice from the Sergeant-at-Arms with regard to the issue of security.

First of all, I want to make it very clear that I have not ordered for any extra security at Parliament, and it is not necessary. There is nothing that warranted that.

And- honourable colleagues, just listen. I have received this note, *“Rt Hon. Speaker, security being referred to is the security outside Parliament, under Kampala Metropolitan Police. They have received information; that the extra security we are seeing outside was intelligence information of rowdy groups of people that were planning to come to Parliament.”*

Honourable colleagues, as a presiding officer, I cannot have powers over issues outside Parliament. My jurisdiction is Parliament. Maybe if the minister needs to inform me if there are any extra measures they have taken, then I will be glad. However, inside the Parliament and anything to do with parliamentary security, we are still okay.

MR MPUUGA: Mr Speaker, thank you for that assurance. In 2016, I survived by a whisker. Those who attacked us came from outside the Parliament. What should even scare Members more, is that two televisions - NBS and NTV - always livestream, but they have been put off the live stream. Therefore, can we legislate in

that kind of environment? They are off; you can confirm, Mr Speaker. I think it is adequate enough for me to honourably take leave. Thank you.

(Whereupon Members of the Opposition exited the Chamber.)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, the honourable minister for security wanted to give an update on the issue of the attacks in Queen Elizabeth National Park.

It is free sitting, honourable colleagues.

2.57

THE MINISTER, OFFICE OF THE PRESIDENT (SECURITY) (Maj. Gen. (Rtd) Jim Muhwezi): Thank you, Mr Speaker and honourable colleagues. As rightly mentioned by the Speaker, last night, we had a nasty incident in Queen Elizabeth National Park, where terrorists attacked tourists, killing two of them, and the tour guide.

I was preparing a statement but fortunately, His Excellency the President issued a press release about the same.

With your permission, Mr Speaker, may I be allowed to read this short press release, which summarises everything about that incident. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Go on, honourable minister.

MAJ. GEN. (RTD) MUHWEZI: *“Fellow Ugandans and, especially the Bazzukulu, yesterday, 17 October 2023, we had the most unfortunate and infuriating incident in the Queen Elizabeth National Park.*

A couple of tourists and the Ugandan driver with them were killed at around 1800hrs on the Katwe-Kabatooro murrum road, by a small group of terrorists running away from our operations in Congo, as I had shared with you in a previous message. It was a cowardly act on the part of the terrorists attacking innocent civilians and tragic for the couple who were

newlyweds and visiting Uganda on their honeymoon.

Of course, these terrorists will pay with their own wretched lives. However, killing these wretched individuals will not bring back the lives of these wonderful friends of Uganda, who had chosen our country for their honeymoon out of the 193 countries of the world.

Our High Commission in the UK will reach out to their families and provide whatever support is necessary in this tragic situation. More importantly, the UPDF, the Police, the UWA and intelligence services should ensure that these mistakes do not happen again and that ADF is wiped out.

The wiping out is moving very well. What needs to be done is to ensure that the remnants do not commit these atrocities. That is why I congratulate, again, the “wananchi”, the Police and other agencies on preventing the bombing of Bunamwaya, Kayanja’s church and the churches in Kibibi, Butambala.

There were a few gaps in the handling of these remnants. UWA was guarding tourists once they were in the park. However, apparently, the tourists were arriving and departing individually. It is this gap that they used.

Secondly, the UPDF has been using one form of tracking these fugitive groups from Congo, “Kufuata Nyayo” - following their tracks (ekisinde, ekirari). There are more reliable ways of tracking, which we have discussed with the army. The terrorists will be defeated like Kony was defeated and the cattle rustlers that have been killing people in Karamoja and the surrounding districts or those that were cutting people with pangas (bijambiya) in Masaka.

May their souls rest in eternal peace.

*Signed:
Gen. (Rtd) Yoweri K. Museveni
Ssaabalwanyani.”*

I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I do not want to open this matter for any comments. It is a very sensitive matter; let us be cautious on it. I beg your indulgence.

MR TINKASIIMIRE: Mr Speaker, I am moving under Rule 8 of our Rules of Procedure. For avoidance of doubt to the Members who have not read the rule, it is on a matter that is not provided for in our Rules of Procedure but requires the guidance of the Speaker. I heard you properly when you submitted that reaction to your communication is not provided for in the rules.

In the circumstances that we find a critical matter touching the ordinary citizens of this country - who I think are the owners of this country - and we would like to react to it, can we be guided whether we can use this rule to make a reaction?

I have observed that our public gallery does not have the people who usually attend to observe parliamentary sessions.

I am concerned with what is happening; I am only seeing cameramen and we have just heard the Leader of the Opposition saying that we could be having a security threat. Could it be the reason members of the public are excluded from observing what is going on in the House?

THE DEPUTY SPEAKER: Thank you, honourable member. Honourable colleagues, I guided you - we listen to the Member.

First, I do not invite people to come to the public gallery but they request to come to the public gallery. Sometimes, it is full and sometimes, it is not.

If you remember, we usually have students. However, with our behaviour, of late, which school can send their students here? People will even fear to come here if we continue behaving in a manner that shows apparent tension around Parliament. I would not send my child in this kind of situation.

Honourable colleagues, I do not know of anyone who had a visitor and was not allowed in the public gallery. Our gallery is open; if there is anyone who would want to come, let them come.

Secondly, when you have a critical matter, you know the procedure we use on matters of national importance; I always receive them. I would like to assure Hon. Tinkasiimire that I will still be receiving matters of national importance.

However, you remember whenever I am communicating, Members rise up and say, "Reaction to your communication". This is what we have ended up getting into. Honourable members, we have an Order Paper- Procedure?

MR KIBALYA: Thank you, Mr Speaker. The minister has read a press release-

THE DEPUTY SPEAKER: The rule?

MR KIBALYA: Rule 8.

THE DEPUTY SPEAKER: No. *(Laughter)* Hon. Kibalya, when you start, I know Rule 8 does not apply. I know how you start and I know the rule that applies. The presentation by ministers is provided for in our Rules of Procedure, so it is not among matters that are not provided for. Rule 8 is for issues not provided for. - Honourable member, we have rules here and you are the ones who have made me go strict on them.

MR ENOS ASIIMWE: Mr Speaker, Rule 25(2)(e) mentions short reactions to your communication. Kindly guide us on whether it has been suspended using your powers under Rule 7 or not?

THE DEPUTY SPEAKER: Honourable colleagues, my communication as a Speaker is mine. I put out a communication regarding this debate that has been happening and issues generate that override the Order Paper - all this is aimed at having a House that follows a clear Order Paper. However, if you have any issues, please reach out to me early and we go to the

Order Paper. Now, let us make progress and there are two things: Today, the Order Paper is for accountability reports.

Rule 204(8) is very clear; any member of the committee can present the business of the committee. I have appointed Hon. Gerald Nangoli to present reports of COSASE, so that we move as a House and conduct business. *(Applause)*

We cannot continue without business.

Before that, I will allow three statements which are ready and they are very brief. I would like to clear them because the Government Chief Whip has been "on my neck". He has around 21 statements which he wants to be given priority.

One is on the allegedly bloated delegation to the UN General Assembly. The Third Deputy Prime Minister will do that. I will amend the Order Paper to provide for that.

There is another one on the ban of importation of maize and wheat from Uganda by the Kenyan authorities, which the Ministry of Trade has ready.

I also have another one from the Attorney-General, which is on the status of amendment of the Copyright and Neighbouring Rights Act, 2006. I will allow those statements in the order I have read them, and then we go to COSASE reports.

MINISTERIAL STATEMENT ON THE
ALLEGEDLY BLOATED DELEGATION OF
71 GOVERNMENT OFFICIALS TO THE
UNITED NATIONS GENERAL ASSEMBLY,
2023 IN NEW YORK

3.11

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, this is a response to Parliament on the allegedly bloated delegation of 71 Government officials to the 78th Session of the United Nations General Assembly, 2023.

Introduction

The United Nations General Assembly is the main deliberative platform of the United Nations, comprised of 193 member states. It also plays a governance role in the management of the United Nations Secretariat, as well as its specialised agencies, funds, commissions and experts committees.

Typically, the assembly meets annually in two sessions; the main part starting from the first week of September to the last week of December, while the resumed part lasts from mid-January to the end of August.

This high-level week of the General Assembly marks the formal opening of each session, during which, Heads of State and Governments participate in the general debate and deliver country statements, expressing their countries' views on key matters of interest on the agenda of the Assembly. The high-level week normally lasts approximately seven working days.

Justification for the country representation at the UN General Assembly

Multilateral negotiations are very complex, including multiple actors who deal with multiple issues and seek multiple, often incompatible, interests.

In the UNGA, the membership has grown from the original 51 to today's 193 states and the UNGA session agendas have lengthened from 120 sub-items in 1946 to 335 in 2023.

The complexity is further intensified by practical obstacles such as multiple meetings going on simultaneously, informally in the corridors or until the night in last-minute attempts to reach consensus.

Such an environment places pressure on the delegation size. Small delegations lack staff that could be physically present in all meetings and last-minute negotiation marathons.

Given the wide and ever-growing scope of the agenda, the General Assembly conducts

its main work simultaneously through six functional committees as follows:

1. First Committee - Disarmament and International Security.
2. Second Committee - Economic and Financial.
3. Third Committee - Social, Humanitarian and Cultural.
4. Fourth Committee - Special Political and Decolonisation.
5. Fifth Committee - Administrative and Budgetary.
6. Sixth Committee – Legal.

Each of the UNGA committees has a distinctive culture and procedural practice, which require specialists who understand the specific body.

As a result, only sufficiently large delegations can represent their national interests effectively in all the committees, while the small delegations are systematically disadvantaged.

Mandate of the Ministry of Foreign Affairs in Relation to Government Delegations Abroad; The Foreign Policy Implementation and Representation of Uganda Abroad

The Ministry of Foreign Affairs is charged with the mandate of promoting and protecting Uganda's national interests abroad, in accordance with the country's foreign policy, as stipulated under Objective XXVIII of the National Objectives and Directive Principles of State Policy.

As stated earlier, the nature of diplomacy and foreign policy today continues to evolve with new and complex issues of international significance with added responsibilities and challenges.

The successes that we have registered over the years have been the result of shared efforts between the Ministry of Foreign Affairs and other relevant national stakeholders including Government ministries, departments, agencies and civil society organisations.

The attraction and retention of the UN Regional Service Centre in Entebbe is a classic of these successes, which bring into our economy more than \$43 million annually.

In order to be engaged in the multilateral space, most countries maintain a permanent presence in New York, accredited to the United Nations. While some have large delegations, ranging from 40 to 150 diplomats, many do not have the resources to do so and maintain smaller missions. Uganda is one of those which maintain a small number of staff of only 10 diplomats in New York.

Accreditation of Delegations to the United Nations meetings

The accreditation list to the UN General Assembly (UNGA) contains the full composition of each country's delegation. According to the rules of procedure for the UNGA, an accreditation list of all participating delegations is required to be submitted for endorsement by the general committees.

Under Rule 27, the credentials of representatives and names of members of a delegation shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs.

The only mandate of the Ministry of Foreign Affairs, in this regard, is to prepare and submit the country's accreditation list based on submissions received from the Government ministries, departments and agencies (MDAs) and stakeholders.

The Rt Hon. Prime Minister has the mandate to authorise ministers and Government delegations travelling abroad on official duty.

Composition of Uganda's Delegation to UNGA 2023

His Excellency, the President delegated Her Excellency the Vice-President to represent him at the high-level week of the 78th Session of the UNGA, making her the head of delegation.

The accompanying delegation included representation from MDAs with the mandate on issues that were on the agenda. These included; Office of the Prime Minister, Ministry of Health, Ministry of Water and Environment, Ministry of Foreign Affairs, the National Planning Authority as well as civil society organisations.

Being the mid-term point towards achieving the Agenda 2030, there was a sharper focus on the Sustainable Development Goals during this year's UN General Assembly session. The Rt Hon. Prime Minister participated in the High-Level Political Forum on Sustainable Development.

It is worth noting that;

- a) The high-level week of the General Assembly typically also has a very high number of associated side events and bilateral meetings. In this case, the Uganda delegation participated in the various side meetings and events. Attached, as Annex A, is a list of the high-level meetings Her Excellency the Vice-President and the delegation participated in.
- b) Not all members on the delegation were funded by the Government. Instead, a significant number was funded either in part or wholly by relevant UN agencies or development partners, as indicated in Annex B. For those whose source of funding is unknown to my ministry, we have brought the request by Parliament to those institutions' accounting officers for them to apprise Parliament.
- c) Some members on the delegation list did not travel as highlighted in Annex B.
- d) The 10 officials of Uganda's Permanent Mission to the UN in New York are based in New York. The Government did not incur any additional cost on travel and per diem for them to participate in the meetings.

- a) Given the fact that Uganda is scheduled to host the summits of the Non-Aligned Movement (NAM) and the Group of 77 (G-77) plus China in January 2024, the delegation participated in a number of bilateral meetings on the margins of the assembly. The membership of the G-77 plus China reaffirmed the decision to host the Third South Summit in Kampala in January 2024 and adopted the Ministerial Declaration.
- b) The list submitted to the UN for accreditation contains names of accompanying persons whom high-level government officials like the Vice-President, Prime Minister and ministers are entitled to travel with. Spouses of Cabinet officials can accompany them on official overseas trips with the approval of His Excellency the President. For avoidance of doubt, the spouses that travelled obtained the necessary clearance.
- c) Given the multiple complex issues on the agenda as well as the multiple meetings that were held simultaneously, relative to the size of Uganda's delegation where some MDAs were not represented, many issues of great importance to the country were not attended to.
- d) Finally, an analysis of the information detailed in Annex B, discloses the following facts:
- i) 31 delegates were funded by the respective MDAs.
 - ii) 17 delegates were funded by the UN and partners.
 - iii) 21 delegates did not travel to New York for the UN General Assembly 2023 as portrayed. Indeed, 10 of these are diplomatic staff at our Permanent Mission in New York.

In conclusion, the UN General Assembly provides a unique platform for multilateral discussions on the full spectrum of international

issues. Uganda's delegation actively participated in the UN General Assembly debate and several bilateral meetings were held on the margins.

The delegation:

1. Highlighted Uganda's progress in implementing the SDGs and affirmed the Government's commitment to poverty reduction, gender equality, inclusive development, promoting regional peace and security;
2. Brought Uganda's perspectives to debates relating to health, refugees, climate change, UN reforms, among others; and
3. Strengthened engagement with developing countries, especially members of the Global South to support Uganda's upcoming chairmanship of NAM and G-77 plus China.

Finally, Uganda's delegation, for all intents and purposes, was modest compared to other delegations. Additionally, only 31 were funded by MDAs, and not 71 as has been portrayed.

As mentioned earlier, the size of the delegation was informed by the agenda of the session and the need to be effectively represented and influence the final policy outcomes.

Thank you.

THE DEPUTY SPEAKER: Thank you, Rt Hon. Prime Minister, for the detailed statement.

Honourable colleagues, I think what we are dealing with is just a public relations issue even beyond anything else.

Next time, the Government needs to handle these matters better so that they do not find themselves on the Floor. I will pick only five Members. Since this was a Government matter and this is the position of - Is it on the same issue? - Honourable minister, were you mentioned? - I am usually very cautious - honourable minister, do not mind; just wait a bit.

When it is a statement of the Government, then I allow a minister later, once they are clarifying a debate. So, let other Members first debate and then I can allow a minister to come in.

Hon. Agnes Apea, Hon. Nsaba-Buturo, the Member for workers; I will have a representative of the Pan-African Parliament and Hon. Lillian Aber.

Then I will end with the Minister of Local Government who seems to have a salient issue with regard to this.

Honourable members, let us be quick.

3.27

MS AGNES ATIM (NRM, Woman Representative, Amolatar): Thank you, Mr Speaker. I also thank the Rt Hon. Prime Minister for the statement. There is no doubt our representation, as a country, in such a forum, is very critical and pertinent for our international relations. However, all the issues that came along with it highlight a few concerns that I would like to present.

First, it is showing us that there are some issues around media polarisation of things - as you rightly said, Mr Speaker, that it should not have actually been reported the way it was.

Secondly, it also reflects the uncoordinated movements of troops of the ministries, departments and agencies (MDAs). This is an issue we have talked about for quite some time - that it is prudent that all our Government agencies start working as one body. Also, the unnecessary reactive communication from our leaders jeopardises all the good intentions - even if the things that were done and the achievements as indicated in the statement-

For that matter, it would be prudent that in future, such communication and meetings are well guided by our Constitution and guidelines so MDAs can work in a coordinated manner.

Thank you.

3.28

MR JAMES NSABA-BUTURO (NRM, Bufumbira County East, Kisoro): Mr Speaker, in the last few days, we have witnessed a matter that has fundamental implications regarding this nation.

The idea that we who belong to this nation are the same people causing the kind of injury that does not benefit anyone of us regardless of which side of the political equation one belongs to. The absence of that willingness to defend our country; the absence of readiness to say, "Look, it is in my interest that a story that goes out does not injure our interest as Ugandans." We have seen this very graphic case from our brothers on the other side who are passionate about damaging the reputation of this institution.

For whatever reasons that we may delve into later, I would like to say that we should find out what can be done for all of us who are here, regardless of the side of the House. We have to be passionate about defending this country. Matters to do with this nation go beyond the political differences we have. I see a total absence of that situation - the readiness to defend this nation.

Lastly, I see a problem - The story about Uganda's representation came from the media. The media should be informed that before a story goes out, there should be research. However, I do not see research in many of the stories that come out, and the effects of that, are what you have seen over time.

Can we spend time engaging the media regarding the importance of giving out stories that have been properly researched? As you can see, the story was not accurate at all. I hope next time, we will have time to delve into matters to do with how we collectively defend Uganda's interest.

THE DEPUTY SPEAKER: Thank you. Before we even blame the media, doctor, how does such a letter go to the media? How is the Government operating? Otherwise, the media did not go and - I am sure the media - I

even saw the letter. If such letters are meant for certain officers, how does the Government control their documents? You will find that it is people within the Government giving this to the media. I hope they can control their own channels.

3.31

MR ABDULHU BYAKATONDA (Independent, Workers Representative): Thank you, Mr Speaker. I would like to thank the Prime Minister for the statement that has ably clarified the delegation and the financing thereof.

However, such conferences are an opportunity for an economy like Uganda. I would like to seek your indulgence so that the Rt Hon. Prime Minister comes out clearly on the benefits and the core issues that were pertaining to the conference that we can benefit from and cascade into our operations.

Why am I saying this? A number of conferences have actually been attended. For example, there was the Earth Summit, which talked about climate change. However, the implementation and cascading those things into our operations is quite wanting.

So, I beg that we look at the benefits of the conference - what we can benefit as a country and what we can cascade into our operations and policy framework. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, this is what a sectoral committee does. It is the sectoral committee that goes into those details because all these are provided for under the ministerial policy statements. So, the sectoral committees analyse them deeply and advise. If a sectoral committee analyses and finds they are not helpful and we should not be spending on them, it then advises the House, other than us originating it from here, which would make it difficult.

3.33

MR ERIC MUSANA (Independent, Buyaga East County, Kagadi): Thank you, Mr Speaker. I commend the Prime Minister for a very detailed report that gives a response to the

country. It is very critical for the Government to design better communication strategies that do not spoil the image of our country.

We are discussing this matter because probably, inside your Cabinet, Rt Hon. Prime Minister, information is left to few people and the other people who are in charge, keep on speculating; what could be the problem? In real practice, there would be a better mechanism of keeping it open so that people know what we are doing.

This is also the guidance of the President. His Excellency guided that this time around in this term, he is limiting foreign travel. The numbers, just like you have explained, are from different votes but there should be an explanation as to why it rose up to this level.

Lastly, it is about Uganda's image abroad. We appreciate that this UN Summit would bring more publicity, explanation and sale of our image abroad. This may not necessarily require a delegation of that magnitude, because if we all shared this information, it would work out. This is a learning point to the Cabinet so that next time, it works out better. Thank you.

3.35

MS LILLIAN ABER (NRM, Woman Representative, Kitgum): Thank you, Mr Speaker. I thank the Rt Hon. Prime Minister for the report. Rt Hon. Prime Minister, representation abroad is very necessary. There is no crime in having a large number of ministers going to attend meetings abroad. I do not even know if the "bloatedness", we are talking about is defined. I do not know how "bloated" a delegation should look like. That is not a point of concern.

My point of concern is: Whenever there is an outcry from the public, it is important that there is an immediate *communiqué* communicating the truth about what took place. The problem is, we blame the media but the media make money from information they pass; whether it is wrong information or not. However, it is upon us, the administration, to come out clearly and explain.

Also to mention, Rt Hon. Prime Minister, if there are fights within the Cabinet or anywhere else, let us always try to narrow it outside the public. Some of these things came out because of the utterances made by some officials - one against the other.

As legislators, we feel that where the country's resources are involved - and it is for the right cause - let it be communicated officially, and we should always control our emotions.

Otherwise, there is nothing wrong with having a number of people going abroad.

I thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, this is a statement for information purposes. No resolutions should be made about it. Hon. Chemaswet.

3.37

MR KISOS CHEMASWET (NRM, Soi County, Kween): Mr Speaker, I am standing here under Rule 9, which states that to the right hand side of the Speaker will be the ruling party and the Opposition on the left hand side. But today let us call it the "alternative voice". Amending the alternative voice, Mr Speaker, I would wish that you give me an opportunity because I am the leader on this side.

THE DEPUTY SPEAKER: Thank you. Hon. Chemaswet; we have free sitting. Every Member is here at their own discretion. I do not want anyone to take up the position of the Leader of the Opposition when he has put it on record that they have walked out. That would be extremely wrong of me. *(Laughter)*

Right Honourable, is there anything you need to respond to?

3.38

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, I thank honourable colleagues for their positive submissions to the paper. I would say in summary that, like we agreed here in Parliament, it is better to bring statements. If we had a statement before the delegation went,

it would have been known by everybody that this is the team that is going. *(Applause)*

We pledge to do better and continue requesting everybody to be patriotic. If we are patriotic, as Hon. Nsaba-Buturo said, we need to defend, love and work for this country.

Mr Speaker, I thank everybody for all that was said and also apologise, on behalf of those who decided to go out in the media narrating what I was not aware of and was not party to. On behalf of the Government we say, we shall do better next time. I thank you.

THE DEPUTY SPEAKER: Thank you. Procedure?

MR DAVID ZIJJAN: Mr Speaker, I rise under Rule 52(2). You have mentioned that the statement was for information purposes and not debate.

THE DEPUTY SPEAKER: Not a resolution.

MR ZIJJAN: I am seeking your clarification as to whether there can be a debate that does not seek a resolution. If you would clarify on Rule 52(2).

THE DEPUTY SPEAKER: Honourable members, Rule 52 says there may be a debate, and a debate is not only upon a resolution, but also to generate more ideas and understanding because if it is an information paper, you are enriching-

MR ZIJJAN: Thank you, Mr Speaker. The reason I say that is because the statement left gaps for debate in a sense that, for example, Hon. Lillian Aber was wondering what the definition of "whacking" may be, since it leaves the net wide open. To one interpreter, 31 members are few. To others, that is whacking, especially if we consider the quality and benefits of the people travelling.

THE DEPUTY SPEAKER: Honourable members, these are statements - a statement where a resolution is needed is very clear - they are motions. These statements are usually

for the House's general information. But usually the sectoral committee picks interest in such statements and it helps them in processing reports especially the ministerial policy statements, when making budget allocation proposals.

"Honourable minister, you brought your statement here. You are sending a delegation to the United Nations (UN). Either it served a purpose, and they should add you more money, or you even could not justify before the House, and therefore, we feel you should not get this money." That is usually the purpose of these statements and most of them are usually responses. Thank you.
Next statement?

STATEMENT BY THE MINISTER
OF TRADE, INDUSTRY AND
COOPERATIVES ON THE BAN OF
IMPORTATION OF MAIZE AND WHEAT
FROM UGANDA BY THE KENYAN
AUTHORITIES

3.43

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE) (Ms Harriet Ntabazi): Thank you, Mr Speaker, for giving me this opportunity to present from the alternative side; this time not as a Shadow Minister but as a real Minister of Trade, Industry and Cooperatives. Second observation is, sitting in a garage -

THE DEPUTY SPEAKER: Honourable minister, you are supposed to make a statement and it is in written form. *(Laughter)*

MS NTABAZI: Thank you, Mr Speaker. There was an issue in regard to the ban of maize and wheat exports to Kenya. I would like to proceed as follows:

First of all, there is no ban on maize exports to Kenya. All the maize that is coming from Uganda is received very well by the Kenyan Government and the Kenyan traders.

THE DEPUTY SPEAKER: Honourable minister, Rule 52(3) says, "*A statement by a*

minister shall be in written form."

Read the statement as is written.

MS NTABAZI: I am reading.

THE DEPUTY SPEAKER: No, you are not. I have your statement. Read it.

MS NTABAZI: Word for word?

THE DEPUTY SPEAKER: Yes, because it is in written form.

MS NTABAZI: Thank you, Mr Speaker. I am sorry, I thought as a minister I can give extra information. But most obliged, let me read it verbatim.

In regard to the ban on maize and wheat exports to Kenya, I would like to proceed as follows:

1. There is no ban on maize exports from Uganda by the Kenyan Government. Trade in maize between Uganda and Kenya continues to move smoothly with exports averaging about \$30 million annually for the past three years.

Within the East African Community, we have adopted the harmonised standards on grain with maize inclusive. All exporters must meet the East African Standards prior to export.

2. Regarding wheat, Uganda is a net importer of wheat as well as the rest of the East African Community. Uganda does not have any significant exports of wheat to Kenya or any other part of the East African Community - because we are a deficit producer. Within the East African Community, wheat is under duty remission and stay of application. Thank you.

THE DEPUTY SPEAKER: Thank you, honourable minister. That is beautiful. *(Applause)*

Whenever I require a minister to keep it short, I usually ask them to summarise, but when I do not say that, it means that you must read it verbatim. As you can see it was a very short statement.

Honourable colleagues, it was for clarification purposes. If you have information contrary to what the minister has said - the minister has said that there is no ban to Kenya and the question was on Kenya.

Now, do not bring matters about Tanzania, or any other place, except if they are contrary to what has been presented.

3.48

MR HERBERT TAYEBWA (NRM, Kashongi County, Kiruhura): Thank you, Mr Speaker. The minister has presented a statement but there are a few questions we need to understand. I am a maize farmer and in the recent past, the price of maize, which is determined by demand, has been between Shs 1,500 to Shs 1,800 per kilogramme. This price is now going down, and right now it is at Shs 800.

However, we all understand that normally, price is determined by demand and we know that the people who have been taking this maize have not died; in any case, they are increasing.

Therefore, the minister needs to explain to us why the price is going down, and yet there has not been an increase in the production. We need that clarification because our belief is that since maize is no longer going to Kenya or to other people, who have been consuming it, that is the reason for the price fall. I thank you.

3.49

MR PETER OKEYOH (NRM, Bukooli Island County, Namayingo): Thank you, Mr Speaker. This question was raised by my colleague, Hon. Geoffrey Macho. I come from the border, like you have clearly stated. Namayingo, Mayuge, Bugiri, and as far as Mubende and Mityana, have been the sole suppliers of maize to the border.

However, as we speak now, people are stranded with maize in Busia, and they are mainly women - I was there on Friday and Saturday. These are women who have borrowed money from the Microfinance Support Centre. They have got money from the Parish Development Model, moneylenders - and are now stranded with their maize.

Maize is not going to Kenya through Busia and even through the lake - Much of the maize had been going through the lake to Busia. Actually, we cannot talk of standards because the maize we have been supplying has mainly been going to institutions like schools, but the Kenyan authorities stated that they no longer want our maize.

The question is: Are we really in the East African Community? Why is it that Uganda is the one always suffering when it comes to business? When it comes to supplying maize, eggs, and even fish, we are always the victims.

I think the Ministry of Trade, Industry and Cooperatives and our Government should find out why we are always given less, and yet we are the ones propagating the East African Community. Why are we always given a raw deal? I feel like the minister has not substantially answered the question. There is a problem and our people are likely to lose out. Even the Parish Development Model may not work.

THE DEPUTY SPEAKER: Hon. Okeyoh, if I may just inquire from you; has the issue of standards been raised? Today, I hosted the Ambassador of South Sudan in my office and it seems the countries are very hard on the issue of standards. We have not yet addressed the issue of post-harvest handling. The issue of aflatoxins is also still a big one. Has it been raised when you talked to your farmers, the exporters?

MR OKEYOH: Thank you, Mr Speaker. Mr Speaker, all the measures have been put in place at the border. Right from the gardens, our people are now drying their maize on tarpaulins. When it goes to Busia, we have people who sort the maize. The question of standards has been handled, Mr Speaker. Our only problem is that we are always given a raw deal. That is why I am saying that the trade ministry needs to negotiate for better terms for our country. Thank you.

3.53

MR JOHN MUSILA (Independent, Bubulo East County, Namisindwa): Thank you, Mr Speaker. I am speaking for the first time in over four months *-(Interjections)-* I do not know. I have been standing and until I catch the eye of my Rt Hon. Speaker, I could not do otherwise, but I have been around and -

THE DEPUTY SPEAKER: Honourable colleagues, the *Hansard* is very clear. I have had sessions where I have asked if there is any Member who has not spoken and we extend the time. I ensure that every Member who wants to speak gets the opportunity. I did it and by the way, it has been deliberate because I had spoken to a few Members who said, "Give me a chance because I want to gain confidence."

I even make signs for you to try and stand and now when my brother, Hon. John Musila, says that he did not catch my eye - you catch my eye when you are here. When you are not here - let us go straight to the matter, Hon. Musila.

MR MUSILA: Thank you, Mr Speaker. I apologise for that. I am the type who follows competence-based legislation; I can only debate on an issue that I am competent on; I just do not talk.

The chaos here was that - anyway back to the issue, Sir, I thank my minister for the submission. The border of Lwakhakha is in my constituency and there is a beehive of activity - both exports and imports - but more or less 60 percent of this is agricultural products. All the wheat that comes to Uganda and feeds into the factories in Mbale owned by private people comes from Kenya.

Under local economic development, we are doing so well that at one time, I invited my sister to visit the border, which is not international on our side, but is considered international on the Kenyan side. This was to help her get an understanding of the situation so that we may also internationalise the Ugandan side.

However, the small traders are the ones bearing the brunt of this. All the products,

especially maize, go through the processes; the phytosanitary certificate by the Ministry of Agriculture, Animal Industry and Fisheries in Uganda is acquired. The small traders who are below the threshold of US\$2,000 meet all these requirements, but when they take it to our brothers in Kenya, it is a problem.

I also wish to address my colleague's concerns. I am from the border; it is harvest season in Kenya as well. It is a temporary situation. When the Kenyans talked of aflatoxins, in Busia, we found a way around and we smuggled the maize across unofficial borders. We did that by the way -

THE DEPUTY SPEAKER: Honourable colleague, I request that you withdraw your statement; it cannot be on our *Hansard*.

MR MUSILA: Thank you, Mr Speaker. I beg to withdraw. It was cross-border trade, which is illegal, and I do not support it; but it certainly happened.

THE DEPUTY SPEAKER: That issue of small traders is critical. For example, at the Lwakhakha and Suam borders, there is a lot of activity; that is where the local people engage. The minister will clarify more on that.

3.57

MR DAVID ZIJJAN (Independent, Butembe County, Jinja): Thank you, Mr Speaker. Contrary to the Minister's statement, on Thursday, 5 October 2023, the President of Kenya, while meeting a delegation from Narok led by their area Member of Parliament, as a measure of protecting local maize farmers in Kenya, made a statement that I will read verbatim. He said, "*No permits will be issued to millers to import wheat or maize into the country*".

While there may be no ban on Uganda exporting maize or wheat into Kenya, there is a ban on issuing permits to millers in Kenya to import maize from any country, including Uganda. I suggest that the minister liaises with the sister ministry on the other side- *(Interruption)*

MR TUSIIME: Thank you, Hon. Zijjan. I would like to inform you that trade barriers or bans are issued through permits and government policies.

In Kenya, they have a subsidy that has given farmers fertilizers, which has enhanced their harvest and, therefore, they cannot take the maize from Uganda.

It is high time the Ministry of Trade, Industry and Cooperatives started issuing trade advisories to our people. Some of us are investors in maize and we have local traders in our constituencies whom we support with some money. I have a trader in my constituency who is stuck with more than five lorries of maize in Busia. I believe by the time he sells, the maize will have aflatoxins. Thank you.

MR ZIJJAN: Thank you, honourable colleague, for the information. Mr Speaker, that explains the concerns of the honourable member as to why the price of maize in Uganda has fallen from Shs 1,500 to Shs 800. Thank you.

4.00

MR MOSES OGWAL (NRM, Dokolo North County, Dokolo): Thank you, Mr Speaker. I would like to advise the minister, particularly on her statement on the issue of standards. One standard of maize is that one must export maize packed in a 50-kilogramme bag yet when exporting, one must export as preferred by the buyer. That may explain why small traders may be beaten under standards.

You need to design standards that facilitate trade because if you look at issues like the level of foreign matter, that may be okay. Those are issues that you may wish to consider such that you are not beaten. On the issue of wheat, are they allowing wheat products? Because you can have wheat but how about exporting what is processed, for example, wheat flour? What is the situation on that? Thank you.

4.02

MR BARNABAS TINKASHIMIRE (NRM, Buyaga West County, Kagadi): Thank you, Mr Speaker. I would like to thank the honourable minister for being brief, but she was too brief for us to understand anything that goes on in her sector.

I expected the minister to state the volume of trade of maize between Uganda and Kenya and who the biggest contributor to that trade is, for instance, in the region.

You said \$30 million is what we get; at what price and tonnage are we selling to them? What do we need to improve as a country such that we can get better? You would equally help us to know whether we are selling raw maize or one with value-addition. That should have come out clearly in your statement. However, it was too brief for us to pick anything.

Mr Speaker, a Member submitted and totally disagreed with the honourable minister. He said we still have issues in the trade of maize between Uganda and Kenya. Between his and her words, whose position should the House take?

Mr Speaker, with your indulgence, I recommend that we engage the Committee on Trade, Tourism and Industry to establish the truth *-(Interjection)-* we cannot trust the minister now that the information has been rebutted on the Floor of Parliament.

The last question I would like to ask is; could there be a system where farmers and traders are guided? For instance, those dealing in forex post every day that a dollar or a pound is at this exchange rate. Is your ministry guiding traders and farmers in accordance with such a system? We would like to know how you are doing it. Do you post it in the newspapers, YouTube, Facebook or television? Where is that information shared and in what period? That should have been part of your ministerial statement. I beg to submit.

4.05

MR FREDRICK ANGURA (NRM, Tororo South County, Tororo): Thank you, Mr Speaker. I would also like to thank the minister for the brief statement. What the majority of colleagues have said here has a bearing on what is happening at the borders.

For me who represents a border constituency, and one of the main exit points and the main artery as far as imports and exports to this country are concerned, I share the views that colleagues have expressed. Maybe the minister only needs to harmonise.

One thing we should take caution of strongly is the issue of standards. Many of our traders at the border still have challenges with standards. The ministry should come out clearly on how to support our people to cope with the requirements and interests of standards from across the border.

What Hon. Ogwal has said is one of the things that our Kenyan brothers should take very seriously as part of what is expected to support the issue of standards.

However, I would like to inform the House that the small traders are not doing well. We have a challenge that has affected our neighbours in Kenya arising from inflation. You are aware that the Kenyan Shilling exchange rate dropped from Shs 37 to Shs 25, which is a big margin.

Therefore, the cost of doing business is not favourable for our small traders who go to Masindi and other places to buy maize. By the time they arrive at the border with the continuous drop in maize price and the unfavourable exchange rate, they start thinking of plan B.

Hon. Musila, we do not smuggle; it is just cross border movement which may be beyond us. We only ensure that where there is demand and supply, some factors come into play and things move on.

However, we need to get a lasting solution to this. Mr Speaker, you are aware that our

Kenyan brothers have silos along the border. Whenever the prices drop drastically, the borders open and all the maize ends up in the silos. In Kenya, just across Malaba, about 200 metres from the border line, there are big silos. We should practice that too, on our side, now that the prices have started to drop.

In the last Parliament, you may recall when the price of maize dropped to Shs 200. Our farmers and traders petitioned us. We requested the Government to build silos so that we could store maize in such circumstances. Nature has now helped us to determine these prices because it is raining. In Kenya and Uganda, the harvests will be very good.

However, if Kenya does not buy our maize, it means that our price will drop. What is Government's fallback position? We should be looking at not only short-term but medium-term and long-term solutions in order to support our farmers, traders and the business community at large.

Therefore, the minister needs to interact with her colleagues. The Kenyans across are not going to be issued permits in the short run because they want to ensure that what they have is absorbed before they come to us when ours has got a problem at the border.

We will continue to provide whatever we can at the border, but Government should play their role. Thank you, Mr Speaker.

4.09

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you, Mr Speaker. I join my honourable colleagues to thank the minister, who doubles as my friend.

I am one of the maize farmers in Masindi, and Kenyan trucks used to pick our maize as a team. These truck drivers and our buyers told us that they had a challenge. They had been stopped from buying Ugandan maize.

Now, when the minister says that there is no problem, I get confused. I beg, if possible, that you go deeper to find out what is happening in the Kenyan government.

Secondly, for other countries to say that we have aflatoxins, Terego District harbours more than 200,000 refugees, a little more than the number of the host community. Now, what are these refugees eating? Is it not the so-called maize they claim has aflatoxins? They are trying to get a loophole to divert our minds that our maize is not good. We need to seal each and every avenue for this kind of loophole.

Honourable minister, I beg that this comes from your ministry because it will help us the farmers. Thank you very much.

THE DEPUTY SPEAKER: Honourable minister, Hon. Tinkasiimire raised a critical issue. I have looked at your statement, but I think that your technical people are not helping you. It looks like you were moving in the corridors of Parliament and you asked for a paper to type. Just take a look at it and compare it with the ministerial statement from the Ministry of Foreign Affairs.

As Government, I thought you had a standard for writing ministerial statements. I request the Government Chief Whip to reject these statements if they are not written well before they come here. We have a very clear standard. Who owns this statement? Apart from the person who read it, I do not know whose signature it is.

With this statement, honourable minister, you have heard the sentiments. I accommodated it because it was an urgent matter. Honourable minister, I request you to go back -

4.12

PROF. ELIJAH MUSHHEMEZA (Independent, Sheema County South, Sheema): Thank you, Mr Speaker. Maybe this could help the minister. At first, I thought this was a demand-supply issue, but as more submissions came in, I realised that it was much more than demand and supply. I see the angle of international relations, which is very volatile and can easily undermine our agenda of regional integration.

Mr Speaker, one time I was in a committee of Government that was fast-tracking political integration. After our findings, you see governments of East Africa settling for a confederation - some kind of loose organisation in terms of administration. However, this is because of the fears that we found in East Africa; the fear of land and lack of free movement of goods and services. What will convince the people of East Africa to embrace integration is the free movement of goods. We have seen these problems arising not only in Kenya but even in Tanzania, on rice and other materials.

I want to come to what you can do as Government so that when the minister goes back, she puts this into consideration. I suggest that the Minister of Trade, Industry and Cooperatives liaises with the Minister for East African Community Affairs, together with the President, and engage the governments of East Africa.

We have had challenges with Rwanda and Tanzania on rice and on the Kenyan side; these are persistent. We cannot continue like this in the marriage of integration. No, this is not a simple matter of demand and supply. Even if you write another statement, that will not be enough. We need to engage these governments in serious business. Integration should not be limited to words; it must be seen in action. People must see the free movement of goods and services in practice. That is what will convince our people that we are in serious business of integration.

Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Isaac Otimgiw, do you have a procedural matter?

MR OTIMGIW: Thank you, Mr Speaker. I rise under Rule 70(11). It is almost 4 o'clock and we are not even halfway the Order Paper. I request your indulgence to invoke Rule 70(11) to allocate time to the debate because the Members are debating for quite a long time. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I love the fact that you can quote the rules. However, this is under Rule 52(2) of our Rules of Procedure, whereby I can allow debate for a maximum of one hour and we have not exceeded one hour. So, I am within the rules. *(Laughter)*

Honourable members, to make it very easy, let the minister go back and make a comprehensive statement - I am uncomfortable referring it to a sectoral committee to process, and get a report - these issues also involve foreign relations. Sometimes I know where we can go overboard and where we cannot.

So, I need to first give the minister another chance but I will also request the minister to visit the borders and meet these traders on the borders. Do a fact-finding visit and establish the real facts, then engage your counterpart in Kenya, as Prof. Mushemeza guided.

Then you will bring a comprehensive statement, which can enable you to address most of the issues without much debate. Minister, how much time do you need? *[Mr Otimgiw rose]*

On what point? No, under our rules, we do not have something called the same. Honourable members – *(Mr Otimgiw rose)* - on what point are you rising? Honourable minister, how much time do you need?

MS NTABAZI: Thank you, Mr Speaker. Since it involves a multi-sectoral approach of consulting my senior minister for the East African Community Affairs and then crossing over to the border to meet my counterparts and even in Agriculture and other sectors, I request for one month.

THE DEPUTY SPEAKER: No, one month is too long. It is an urgent issue; people are stuck at the border. Let us do two weeks - I know how you work. I have a lot of confidence in you; two weeks will do.

MS NTABAZI: Tomorrow, we are taking Uganda Airlines to Nigeria and that is four days.

THE DEPUTY SPEAKER: No.

MS NTABAZI: I am asking for at least -

THE DEPUTY SPEAKER: No. Honourable, parliamentary business is for two weeks -

MS NTABAZI: Okay, most obliged.

THE DEPUTY SPEAKER: Honourable members, under Rule 89, I have the power to name and shame. This time I want to apply the rules properly. So, please, behave, so that I do not name and shame.

When you stand up, mention the point as to why you are standing up. But when you stand up and say, “Under rule this”, is it a point of procedure or a point of order? I must know why I am picking you.

That is why I did not pick you because I did not know under what point you rose. This matter is already done. Let us go to the next statement.

STATEMENT BY THE ATTORNEY-
GENERAL ON THE STATUS OF THE
AMENDMENT OF THE COPYRIGHT AND
NEIGHBOURING RIGHTS ACT, 2006

4.19

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you, Mr Speaker. You will recall that on the 30th day of July 2022, Hon. Hillary Kiyaga, also known as Dr Hilderman, was granted leave by Parliament to draft a Bill to amend the Copyright and Neighbouring Rights Act, 2006.

On 23 September 2022, a meeting was held at the Office of the Leader of the Opposition in Parliament, which resolved that Hon. Hillary Kiyaga should work together with the Government to prepare a holistic amendment to the Act since the Uganda Registration Services Bureau(URSB) and the Uganda Law Reform Commission(ULRC) were already working together to amend the Copyright and Neighbouring Rights Act, 2006.

Following that meeting, URSB and the Uganda Law Reform Commission carried out

stakeholder consultations, and prepared a study report and the regulatory impact assessment on copyright and neighbouring rights.

My office received requests for an update on the process of amendment of the Copyright and Neighbouring Rights Act, 2006 from different stakeholders including the Uganda Music Association, the Uganda National Culture Forum and the Uganda National Musicians Federation.

On 20 September 2023, I met with Hon. Hillary Kiyaga, his representatives of the Uganda Music Association, representatives of the Uganda National Culture Forum, representatives of Uganda Reproduction Rights Organisation, officials from URSB and from the Law Reform Commission.

On 5 October 2023, I met with the members of the Uganda National Musicians Association, officials from the Ministry of Gender, Labour and Social Development, URSB and the Law Reform Commission.

Honourable members, in both meetings, I noted that there was a need for extensive stakeholder consultations. I, therefore, directed that (URSB) and the Law Reform Commission work together to carry out further consultations around the country.

The Uganda Registration Services Bureau (URSB) together with the Law Reform Commission are currently carrying out regional consultations with all stakeholders around the country before submission of a Regulatory Impact Assessment to the Cabinet.

The roadmap for the consultations is as follows;

- i. 12th October, Northern Uganda. This is already done.
- ii. 18th October, Eastern Uganda.
- iii. 1st November, Western Uganda; and
- iv. 15th November, Central Uganda.

Following the consultations, URSB, the Uganda Law Reform Commission and my office, from the 20 – 24 November 2023, will incorporate

the stakeholders' views on the study report and prepare a Cabinet memorandum for the amendment of the Copyright and Neighbouring Rights Act, 2006.

Consequently, on 27 November 2023, a meeting shall be held where stakeholders shall validate the final document and that meeting will include Hon. Hillary Kiyaga, the mover of the motion.

Upon completion of the consultations, we shall proceed to have the matter tabled before the Cabinet for consideration of the principles for amendment of the Copyright and Neighbouring Rights Act, 2006.

After the Cabinet has considered and approved the principles for the amendment of the Copyright and Neighbouring Rights Act, 2006, the Executive will table the amendment Bill before Parliament for enactment. I beg to submit.

THE DEPUTY SPEAKER: Thank you, Attorney-General. Honourable members, this was the update I had requested last time and I am glad, Attorney-General, that you are closely working with the mover.

Honourable colleagues, if you have a Private Member's Bill, it is very critical to work closely with the Attorney-General. I have found him and his office very accommodating. If you have challenges, tell me and I will organise, other than passing laws and then he gives an opinion to the President not to sign them because he feels that they are not in line with what we need.

Hon. Kafuuzi and his senior colleague are always here; they are extremely accommodating, especially to the honourable colleagues that I have sent. I have sent honourable colleagues on both sides because matters of the law are not matters of just the NRM party. For your information, I would not want us to process a law here and, again, we reach in between – for example, if there is any law that has pained me, it is the local content law, where there was a very big rigidity. I told honourable colleagues to be flexible and work together.

What happened? The President rejected it twice. What does the law require? The law requires that on the third time, if we pass it, it will become law – but you must have two-thirds of the Members of Parliament to pass that law.

Hon. Tinkasiimire can tell you the task you would have to raise all those Members. Why? It is because we have not accommodated each other. The Member had to withdraw the law. Otherwise, it was going to fail because he saw that there was no quorum. So, when we urge you to work with the Attorney-General, it is not that we are frustrating Private Members. No, it just urging you that he can listen and guide and we work out a better solution. Please, I request you, honourable colleagues. Thank you.

4.27

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Mr Speaker, you have spoken what I have always emphasised. We keep saying Private Members have the right to move Private Member's Bills, which is an emphatic "yes". However, under the Constitution, rights move with responsibilities. When you look at Article 94(4)(c) and (d) – let me start with (b).

It says:

“(b) a Member of Parliament has the right to move a Private Member's Bill;

(c) the Member moving the Private Member's Bill shall be afforded reasonable assistance by the department of Government whose area of operations is affected by the Bill; and

(d) the office of the Attorney-General shall afford the Member moving the Private Member's Bill professional assistance in the drafting of the Bill.”

How I wish all colleagues intending to move Private Members' Bills could comply with Article 94(4)(c) and (d). If they come here, Mr Speaker – because this is a command of the Constitution – and there is proof that they have complied with the responsibilities imposed

upon them by the Constitution, the House will proceed with their Private Members' Bills.

I would like to say I am at one with you. Thank you.

THE DEPUTY SPEAKER: Thank you. Maybe what I have seen – yes, let me allow Hon. Baba.

4.29

MR JAMES BABA (NRM, Koboko County, Koboko): Mr Speaker, the issue, to me, is not so much that a Private Member brought this Bill. First of all, I would like to compliment the Attorney-General for cooperating and helping the Private Member in coming up with this Bill. However, the issue is that on this important matter of copyright protection, it should have been an initiative of the Government.

Why? It is because these young men and women who have established themselves as very talented in this country are the ones who need the most protection. They have shown their interest in the performing arts. This is an area where you can make tonnes and tonnes of money through copyrights. Your music is played on the radio, on announcements or on *birango*, and money enters your kitty. The Government should have taken the forward steps to bring this law instead of waiting for a Private Member's Bill.

However, now that it is here, this should be expedited so that these young men in performing arts can be protected and they can begin to earn their money quickly and reasonably. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you, Hon. Baba. Honourable colleagues, for further guidance, usually on Private Members' Bills – and I have our very senior colleague, Hon. Fox Odoi, here – there is a misconception: Members think that you go to the Attorney-General after you have been granted leave. You should know that before you come here for leave – when you are on the motion – you should attach a draft Bill.

I have talked to some of you. You do not even want to go to the Clerk. You go straight to legal affairs. There is a Member who came and the Clerk did not even know about it, yet I would have to send it to the Clerk for it to be put on the Order Paper. So, they think that after they have been granted leave here, then, they can go to the Attorney-General or the Government for assistance. No! You should go before so that we do not waste time here.

I have many requests for Private Member's Bills. I look at some of them – and when you explain to the Member, he feels you are suffocating him. He even takes it in bad faith. Some of you go and say: “You know, the Deputy Speaker does not like me; he cannot give me an opportunity.” I know what I am doing. I know that we are going to waste time – the committee will waste time – and we will get frustrated.

Honourable members, I really urge you that under rule 121(4) the Clerk shall compile the final Bill to be attached to the motion under rule 122. So, the Clerk must be involved. That is number one.

Under rule 122(1): “*A Private Member's Bill shall be introduced first by way of motion to which shall be attached the proposed draft of the Bill.*” So, you cannot escape the Attorney-General.

With that guidance, I will not be accepting any motion for Private Members' Bills if you have not sought the guidance of the Attorney-General.

Attorney-General, I request you - let it be formal so that we have a fall-back position. Let a Member formally write to the Attorney-General and the Attorney-General will give a formal response. Let us do it in a limited time so that we do not frustrate Members and we avoid - you know; I was pained by the Local Content Bill. I was among the people supporting it, but I saw the rigidity. Out of rigidity, we ended up losing a very critical law. I hope the Government can take it up so that we can support our people.

MR KAFUZI: Mr Speaker, I thank you for that guidance. We have a whole team known as the First Parliamentary Counsel – a team of senior lawyers dedicated to drafting Bills. So, they will always be at the disposal of each and every Member of Parliament as and when they are called upon. Thank you.

MOTION FOR THE ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF UGANDA NATIONAL BUREAU OF STANDARDS FOR THE FINANCIAL YEAR ENDED 30 JUNE 2022 AND OTHER MATTERS

THE DEPUTY SPEAKER: Thank you. As Hon. Nangoli comes, honourable minister for trade, I request that when working on your statement, also hold a meeting with the border Members of Parliament. Get their input; you know the issues affecting them seriously.

Secondly, Hon. Enos has made a request – and I think you should consider it seriously – that you also update us on the process of the implementation of the warehouse receipt system, which he feels would address issues of price fluctuations. Let it be as comprehensive as possible and I will give it enough time for debate. (*Hon. Ababiku rose*) Hon. Ababiku, do you have a procedural matter?

MS ABABIKU: I rise under Rule 65(1)(d), based on your communication, Mr Speaker. I propose that the minister should go the extra mile to ensure that we have markets instead of looking at only Kenya.

THE DEPUTY SPEAKER: Hon. Ababiku, under what rule did you stand?

MS ABABIKU: Rule 65(1)(d).

THE DEPUTY SPEAKER: We do not have that rule, honourable colleague. (*Laughter*) Honourable member, proceed.

4.38

MR GERALD NANGOLI (NRM, Elgon North County, Bulambuli): Thank you, Mr Speaker, for this great opportunity. I am here to present the report of the Committee on Public Accounts –

THE DEPUTY SPEAKER: Just a minute, Hon. Nangoli. Honourable colleagues, I request that you update your rules because someone is whispering to me that it is under the old rules. They are old, so they cannot apply.

MR NANGOLI: Thank you, Mr Speaker. I am here to present a report of the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) on the report of the Auditor-General on the financial statements of Uganda National Bureau of Standards for the Financial Year ended 30 June 2022 and other matters therein.

For purposes of time, I will not go through the entire report because it has been uploaded and I know Members can access it on their *iPads*.

THE DEPUTY SPEAKER: The Clerk will capture the full report on the *Hansard*.

MR NANGOLI: I lay a copy of the same. I will go directly to the findings, observations and recommendations.

1. Implementation of the approved budget

The entity had an approved budget of Shs 65.04 billion, out of which Shs 64.07 billion was released.

1.1 Revenue performance

1.2 According to the approved budget, the entity was supposed to receive Shs 65.04 billion, out of which Shs 64.08 billion was released, resulting in a shortfall of Shs 0.96 billion. The deficit represents 1.4 per cent of the approved budget.

Observation

The committee observes that:

- i. The accounting officer was negligent in using inappropriate performance indicators; and
- ii. Using inappropriate performance indicators to measure performance negates the purpose of performance measurement, impairs accountability for funds appropriated and is likely to mislead the users of the performance information produced.

Recommendation

The committee recommends that the accounting officer should always prepare performance indicators that accurately measure performance.

As I mentioned earlier, I will go straight to the observations, recommendations and then conclusion because of time, since they are quite many.

Recommendation

The committee recommends that any changes to the budgets of entities as approved by Parliament, should only be made by Parliament, which is clothed with the responsibility of appropriation.

1.3 Implementation of the outputs and activities

1.4 The Auditor-General assessed the implementation of a sample of six outputs that had been fully quantified with a total of 28 activities worth Shs 14.83 billion and noted the following:

- i. The outputs with seven activities and expenditures worth Shs 7.75 billion were fully implemented.
- ii. Four outputs with 21 activities worth Shs 7.05 billion were partially implemented. Out of the 21 activities, the entity fully implemented four activities. Thirteen activities were partially implemented, while four activities remained unimplemented.

Recommendation

The committee recommends that any changes to the budget approved by Parliament should only be made by Parliament, which is clothed with the responsibility of appropriation.

On the issue of contingent assets arising from enforcement fees to UNBS; I will go directly to the observation and recommendation.

Observation

The committee observes the following:

- i. Uncollected conformity stamps enforcement fees lead to loss of non-tax revenue;
- ii. Failure to remit the enforcement fees to UNBS affects the enforcement of standards conformity, which may lead to standard items being released to the market and it deprives UNBS of its revenue for the implementation of its planned activities.

Members, just to chip in - I am also a member of this committee. I participated and fully signed all these reports, so there is no doubt about that.

Recommendation –

THE DEPUTY SPEAKER: Hon. Nangoli, since you have mentioned that, the only issue is the minutes, which should be laid under rule 219. However, I will allow you to lay them in the next sitting because we have more business to conduct here.

MR NANGOLI: Thank you, Mr Speaker.

Recommendation

The committee recommends that the accounting officer should follow up on the matter and ensure that the vendor expedites the transfer of enforcement dues to UNBS within 30 days from the date of adoption of this report.

4. Inadequate surveillance at border posts

Observation

The committee observes that there is a risk that substandard goods are entering the Ugandan market through border points where the bureau staff are not present.

Recommendation

The committee recommends that the Ministry of Finance, Planning and Economic Development should urgently avail funds for the recruitment of more staff at the border points.

5. Lack of a budget to destroy substandard commodities

Recommendation: The committee recommends that:

- i. The Ministry of Finance, Planning and Economic Development should allocate funds for the destruction of prohibited items; and
- ii. The accounting officer should initiate timely legal measures seeking the relevant court orders for destruction.

6. Management of land

Untitled land in Mbale

Observation

The committee observes that there was laxity on the part of the entity, regarding efforts to secure the land in a timely manner, which renders the land susceptible to enforcement and land grabbing.

Recommendation

The committee recommends that the accounting officer expeditiously follows up on the process and ensures that the land title is secured within six months from the date of adoption of this report.

7. Review on human resources and payroll

The committee recommends that the accounting officer should:

Observation

The committee observes that failure to pay pension and gratuity on time contravenes Article 254(1) and (3) of the Constitution of the Republic of Uganda, 1995 which provides that a public officer shall, on retirement, receive such pensions as commensurate with his or her rank, salary and length of service and the payment of pension shall be prompt, regular and easily accessible to the pensioners.

The committee recommends that the accounting officer should always budget for and promptly pay pension at gratuity.

- i. Enhance the entity's planning processes.
- ii. Liaise with the Ministry of Finance, Planning and Economic Development to obtain the requisite funds to undertake planned procurements.

9. Management of Information and Technology (IT) investments at UNBS.

The committee observes that failure to optimally utilise all IT systems brings into question the value of money invested in the procurement of such a system.

8. Gaps in the Uganda National Bureau of Standards (UNBS) salary structure

The committee recommends that the accounting officer should always ensure that all procured IT systems are optimally utilised in order to fully attain value for money.

The committee observes that any inappropriate structure, understaffing and overstaffing in some positions negatively affects service delivery.

The committee recommends that the accounting officer should follow up with the Ministry of Public Service regarding the review of the staffing structure.

10. Other matters

10.1 Failure to take action against staff who caused a financial loss of Shs 9.2 billion.

Review on procurements

Honourable members, I beg to read this because it is an important matter in this report.

The committee observes that awarding contracts without market price assessment violates the Public Procurement and Disposal of Public Assets (PPDA) Act regulations, and may lead to obtaining supplies at non-competitive prices and failure to obtain value for money from the contracts awarded.

The Chairperson of the National Standards Council, the Board of UNBS, told the committee that the accounting officer had failed to take action against five staff- import inspectors - who had backdated inspection dates in inspection reports and edited application dates on the e-portal applications, which caused financial loss to the bureau amounting to Shs 9.282 billion.

The committee recommends that the accounting officer should always carry out market price surveys for all procurements.

The accounting officer explained that following the allegations against the staff, he instructed that a team be formed to investigate the matter.

8.1 Incomplete procurements

The committee observes that failure to complete planned procurements affects the ability of the entity to fully implement its planned activities.

He stated that at the time the report was ready, the council was not constituted and the management reviewed the issues and established that there were flaws within the e-portal system.

He explained that he was cautious against terminating the employment of the staff cited because earlier, the Court had ordered UNBS to reinstate the employment of six staff whose employment had been terminated, and ordered UNBS to pay damages to them.

According to him, the circumstances involving the five staff were the same as the ones over which UNBS was ordered to pay damages and given the weaknesses within the system, it was better to have further review and take appropriate action.

He explained to the committee that he redeployed the staff away from assignments that gave them access to the system.

Findings

The accounting officer appointed a team of staff to investigate allegations that five import inspectors were engaged in malpractice on the ASYCUDA system operated by UNBS. The investigation produced two reports. The first dated 6 June 2021 found that, among others;

Various entries involving the accused officers miscellaneously went missing from the system. The e-portal clearance system had and continues to have very weak internal controls.

The total financial loss to UNBS caused by the alleged malpractices could not be quantified because the e-portal clearance system does not provide chargeable fees.

The team recommended, among others, that the e-portal system be re-assessed to identify and redress all the control weaknesses including lack of segregation of duties.

The second report dated 6 June 2022 found that the five officers had caused a financial loss of Shs 9,282,644,835. It recommended that the matter be forwarded to the management of UNBS for a decision in accordance with UNBS policies and procedures.

The minutes of the management meeting held on 20 June 2022 indicated that the meeting

resolved that the Executive Director evaluates the report and takes appropriate action given that it was not a disciplinary report.

It was pursuant to this that he chose to redeploy the staff who had caused loss.

The committee recommends that the Inspectorate of Government should investigate the matter with the view of prosecuting all those involved in causing the financial loss.

10.2 Money spent at source without Parliament's approval

Mr Speaker and honourable members, I request to read this too because it is where the urgent issues to do with financial loss are.

The committee found that the Executive Director collected and spent money, Non-Tax Revenue (NTR), at source without consulting the Board and without approval from Parliament as required by the law.

From the PVoC collections, an amount totalling to US \$4.9 million was collected. Out of this, \$1.5 million was remitted to the Consolidated Fund, while US \$3.4 million, approximately Shs 12.5 billion, through the GAIN account at Standard Chartered Bank, was spent at source by the accounting officer, contrary to the requirement of the Public Finance Management Act, 2015.

On the same account, an amount in excess of Shs 330 million had been withdrawn from the collection account at Stanbic Bank, Lugogo Branch, and spent at source.

I remember when we interacted with the accounting officer, he told us that he had no way he could leave the money on the account yet he had issues with the staff. He, thus, had to get the money in order to sort things out.

This collection account was for purposes of security deposits, that is, cash bonds by traders and businesses. Authority to operate the account was granted by the Accountant-General only on condition that there would be

no cash withdrawals from the above account by the entity and any expenditure was to be refunded to the qualifying security depositors.

The accounting officer explained that he withdrew and spent the money because the entity was short of funds.

The committee observes that the accounting officer acted outside the law when he spent money at source without the approval of Parliament and the knowledge of the Board.

The committee recommends that the accounting officer should be held personally liable for this illegality.

Corruption allegations

During the inquiry, the committee got wind of information that the Executive Director had bribed the board for his contract to be extended. The Executive Director conceded to this and told the committee that he had given a bribe of Shs 100 million to board members. It was everywhere on social media; TVs, because he confessed before the committee and it is on record - to woo the board members to renew his contract. The board members denied the allegations before the committee.

The committee interacted with the Minister of Trade, Industry and Cooperatives who acknowledged the fact that the revelations made before the committee had severely dented the moral standing of the Executive Director. This created a doubt about his ability to run the entity with integrity. The minister dismissed him from the position of Executive Director.

Recommendation

The Inspectorate of Government picked interest in this matter and embarked on the prosecution of the Executive Director. It is already in the hands of the IGG.

The committee, therefore, recommends that the Inspectorate of Government and the Directorate of Public Prosecutions take up this matter, with a view of prosecuting all those involved in the

allegations of corruption in accordance with the law.

Conclusion

Mr Speaker and Members, I beg to move that this report be adopted by the House. *(Applause)*

THE DEPUTY SPEAKER: Thank you, Hon. Nangoli. Thank you, COSASE team, because I have six reports and we are stuck. We are stuck because the Constitution clearly states under Article 163(5) that, within six months, Parliament must have already adopted these reports, so that the Ministry of Finance, Planning and Economic Development can make a Treasury Memorandum and submit it to Parliament again. That Treasury Memorandum has to be processed by the same accountability committee.

Today, we have to sort out all issues to do with COSASE because we are already behind time, by the threshold given by the Constitution. Tomorrow, we shall handle PAC (Local Government). Then, on Tuesday, we shall handle PAC (Central Government) so that all reports -

I remember, in the 10th Parliament, because of this law, the presiding officer and the House were forced to put the question to all reports and they were all adopted, since that is what the Constitution requires. Either you process them in time or they are adopted. So, we have no way of saying we can move around. We are already beyond six months, so today, this week, we have to ensure – that is why I wanted - I knew this week, yesterday, today and tomorrow, we would sort this matter.

We are going to have a quick debate on this, but today we must finish all COSASE reports. However, I want to guide you; if you agree with the recommendations of the report, you do not have to repeat yourself. If you have additional information or are proposing an amendment to the recommendation, you can bring it.

Members of the committee, you do not debate. Hon. Enos, you had spoken earlier. Members,

we have six reports. The group I have picked now will not submit on the next report. I am going to pick as many Members as possible.

5.00

MR ALEX BYARUGABA (NRM, Isingiro County South, Isingiro): Thank you, Mr Speaker. I would like to extend my most sincere thanks to the committee chairperson and Members of the committee for a very well-written report.

As you have already alluded to, these reports are more detailed. They are based on facts, the law, and figures and these have come out very clearly. That is why I stand here and support you, Mr Speaker, that given the time limit we have on our side, we have as little debate as possible, if need be. *(Applause)*

If it was not for the sake of having everybody talk, we should honestly have gone directly to put the question on all - because these are done by our colleagues.

Are we going to change the law? Are we going to change the figures? We are talking about impunity, clear-cut corruption and having these people taken to book. This is exactly what has been recommended. I beg that we put the question, if need be, and if my colleagues do allow it. Thank you.

THE DEPUTY SPEAKER: To emphasise what Hon. Alex has said, these reports are processed by the Auditor-General, who took a lot of time and interacted - in essence, when such a report appears before the committee, what the committee should be asking is, are there issues you raised in the exit meeting that the Auditor-General did not consider? If so, we listen to you.

Otherwise, Parliament's role, under accountability issues, is not whether or not to forgive accounting officers. They had all the time to provide everything to the Auditor-General.

Now, the question would be, as a committee, where are you getting new issues? Have you done an audit? No, you are limited to the report of the Auditor-General.

5.03

MS JANE PACUTO (NRM, Woman Representative, Pakwach): Thank you, Mr Speaker. Listening to the report, first of all, I would like to start by congratulating Hon. Gerald Nangoli for stepping in and showing his leadership potential. Honourable, congratulations. *(Applause)*

To some extent, I agree with Hon. Alex. However, listening to the report, there seems to be legislative and appropriation gaps that we must, as Parliament, talk about; how we can support UNBS and strengthen it.

One of them is: when you talk about the collection accounts, we must ask ourselves what the gap is in the Public Finance Management Act that enables a CEO to access money on a collection account. To the best of my knowledge, a collection account is not an operational account. Whatever has been collected must be remitted to the right account. That, therefore, calls for our legislative role for action to be taken.

The other gap that I observed, that requires Parliament's action, is the issue of understaffing. Recently, we were at the customs borders and these are one-stop border posts. As the Committee on Finance, Planning and Economic Development, we realised that the staffing at the border, especially for UNBS, is wanting. Therefore, as Parliament, during appropriation time, we need to support UNBS when they bring their work plan and budgets.

We should retrieve these reports to inform the allocation that we make for this institution. Mr Speaker, I thought I should mention this.

I thank the committee for the good report and I do not, in any way, condone - where there are areas of corruption, action must be taken as the committee has responded. Thank you very much.

THE DEPUTY SPEAKER: This is where it is interesting. Hon. Pacuto agrees with the committee. All you have said is what the committee is saying. Therefore, what you have

done is to express your commitment. Hon. Opio, do you have something different?

5.06

MR SAMUEL OPIO (Independent, Kole North County, Kole): Yes, thank you, Mr Speaker -

THE DEPUTY SPEAKER: Let us listen to the Leader of the Opposition here.

MR OPIO: I would like to make a recommendation. The committee raised the issue of the lack of a budget to destroy substandard goods, and recommended that we need to provide a sufficient budget for the destruction of substandard goods.

However, we need to know that substandard goods can have both environmental and health impacts. In many jurisdictions, when you impound imported substandard goods, you are fined and you have to pay for the cost of the destruction. Otherwise, it will not be sustainable to say that we are appropriating for substandard goods as Parliament, when there are shortages in other places.

I recommend a review of the legal regime such that the fines cater for the cost of the destruction. It is impounded and seized within the UNBS warehouse, but you pay for the cost of the destruction. Thank you.

MR NDYOMUGENYI: Thank you, Mr Speaker. To clarify what Hon. Opio has said, if the culprit has run away and you have impounded the goods, what do you do for him to pay the cost?

THE DEPUTY SPEAKER: Thank you. Is that a clarification or? *-(Laughter)*

5.07

THE MINISTER OF DEFENCE AND VETERAN AFFAIRS (Mr Vincent Ssempijja): Let me help my honourable brother who made clarification instead of advice. What happens is that most of the culprits of substandard goods disappear.

When I was in the Agriculture Ministry, we had a lot of stuff in Namulonge. By the time our researchers would go through the systems to ascertain whether these are substandard goods, these people would have disappeared because they already knew what they did. These are companies and they are not very easy to trace. I think that is why somebody was talking about getting a budget, just in case.

THE DEPUTY SPEAKER: Thank you. Honourable Minister for Trade, do you want to say something? That is what the committee has recommended.

5.09

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE) (Ms Harriet Ntabazi): Thank you, Mr Speaker. I thank the committee for the well-researched report. The issues that have come up in the recommendations, that affect the ministry directly, have been alluded to by my sister Hon. Pacuto *-(Interjection)-* the honourable speaking to you -

THE DEPUTY SPEAKER: Honourable members, at the start, I said Members no longer have access to the Speaker's Chair. You have to do it in writing. The Clerk will communicate that in writing.

MS NTABAZI: As we speak, Mr Speaker, there is a challenge at the border with South Sudan. Trucks have lined up at Elegu because of the lack of materials and testing equipment used by UNBS.

It is unfortunate that I am reporting myself, but the challenge is not the ministry or the agency, but the lack of funds. The money is collected - all millers and exporters pay, but the money goes directly to the Consolidated Fund, which UNBS cannot access.

Therefore, we request that as we wait for this process to take place, there is a challenge already at the border and we are stuck. We thought of writing a paper to the Cabinet, which would direct us to Parliament to have a concrete solution.

We thank God that the issue has been raised by the committee and the Ministry of Finance will be directed on what to do because the money is there, but nobody can access it.

THE DEPUTY SPEAKER: Thank you. Honourable members, this is a straightforward matter. The minister does not need the permission of Parliament to consult the Cabinet, but it is good you have informed us and you have our support.

I now put the question that the report of the Committee on Public Accounts (COSASE) on the Report of the Auditor-General on the Financial Statements of Uganda National Bureau of Standards for Financial Year ended 30 June 2022 and other matters be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Honourable minister, ensure that you bring the Treasury Memorandum as provided for under Section 53 of the PFMA within six months; we need action taken. That is where you will have addressed all these issues and then we can discuss it further from that side.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
PUBLIC ACCOUNTS (COMMISSION,
STATUTORY AUTHORITIES AND
STATE ENTERPRISES) ON THE REPORT
OF THE AUDITOR-GENERAL ON
THE FINANCIAL STATEMENTS OF
THE NATIONAL ANIMAL GENETIC
RESOURCE CENTRE AND DATA BANK
FOR THE FINANCIAL 30 JUNE 2022

THE DEPUTY SPEAKER: Thank you. Hon. Nangoli.

5.12

MR GERALD NANGOLI (NRM, Elgon North County, Bulambuli): Thank you, once again, Mr Speaker. I am here to present the Report of the Committee on Public Accounts (Commissions, Statutory Authorities and State

Enterprises) on the Report of the National Animal Genetic Resource Centre and a Databank for the Financial Year ended 30 June 2022.

As I mentioned earlier, I will go directly to the observations and findings because these reports have been uploaded and you can access them.

There is something that I would like to say before I proceed, especially on the report that has just been adopted. The UNBS, by law - there is money that the importers are supposed to pay by law for standard goods, especially those that are substandard - *(Interjection)*- I know the Speaker has already guided, but I wanted to give you information. It is important.

THE DEPUTY SPEAKER: Honourable, you know you are on a certain item, please go for that item.

MR NANGOLI: Much obliged, Mr Speaker. Implementation of the approved budget.

The entity had an approved budget of Shs 73,362,161,639 out of which Shs 72,762,071,309 was warranted by the Ministry of Finance, Planning and Economic Development.

10.2 Revenue performance

The Auditor-General reviewed the NTR estimates, revenue sources and rates charged at vote level for the Financial Year 2021/2022 and noted that the entity budgeted to collect NTR of Shs 1.56 billion during the year under review. Out of this, Shs 2.629 billion was realised, representing a performance of 169 per cent.

The accounting officer explained that the main source of NTR was sale of livestock and the sale follows a generational cycle of cultivated assets, and in the financial year under review, the cycle had matured which explains the high return of NTR.

He submitted that the sales had been expected to be low owing to the general life cycle and the anticipated steep decline in the entity's

animal genetic products due to the after effects of COVID-19 pandemic.

Committee observation

The committee observed that the unrealistic NTR estimates at vote level result in unrealistic NTR estimates at treasury level which negatively affects the credibility of the budget.

Committee recommendation

The committee recommends that the accounting officer should comprehensively analyse the entity revenue sources and projections at the time of budgeting in order to develop more realistic NTR estimates.

Performance of Government of Uganda (GoU) receipts

Observations

The committee observes that:

- i. The deficit in the GoU receipts resulted in the failure to implement planned activities;
- ii. The failure by the Ministry of Finance, Planning and Economic Development to allocate the resources appropriated by Parliament distorts planning, usurps the powers of Parliament to appropriate and undermines the implementation of the National Development Plans;
- iii. Under Section 15(1) of the Public Finance Management Act, the Secretary to the Treasury can only issue annual cash flow plan of the Government based on procurement plans, work plans, and recruitment plans approved by Parliament.

Committee recommendations

The committee recommends that:

- i. The accounting officer should liaise with the Ministry of Finance, Planning and Economic Development during implementation of the work plan to ensure that Government of Uganda funds are

released as planned and roll over the unimplemented activities;

- ii. The Ministry of Finance, Planning and Economic Development should adhere to the Appropriations Act as passed by Parliament.

1.3 Implementation of outputs and activities

Committee observations

The committee observes that non-implementation of planned activities implies that the expected services to the beneficiary communities were not attained.

Committee recommendations

The committee recommends that the accounting officer should:

- i. Always ensure that the activities and outputs are implemented in a timely manner;
- ii. Fast-track the implementation of all pending activities and report back to Parliament within six months from the date of adoption of this report.

1.4 Diversion/Mischarges: Shs 470,003,354.

Committee observation

The committee observes that diversion of funds is contrary to Section 22 of the Public Finance Management Act and negatively affects the delivery of services and negates the purpose of budgeting.

Committee recommendations

The committee recommends that management should always ensure that charging of expenditure is based on the expenditure classification and coding as defined by the chart of Accounts.

Committee observation

The committee observes that the failure to implement the planned activities in time, negatively impacted service delivery.

Committee recommendation

The committee recommends that the accounting officer should fast track implementation of the planned activities.

2. Management of public land

2.1 Encumbrance on public land

2.2 Titling and transfer

Committee observation²

The committee observes that:

- i. Encumbrances hinder management's ability to utilise the land and poses a risk of loss of land;
- ii. Lack of land titles may result into encroachment, disputes and loss of public land;
- iii. Given the enormous size of the land owned by the entity, supervision of the boundaries is difficult.

Committee recommendations

The committee recommends that the accounting officer should:

- i. Resolve all forms of encumbrances to ensure uninterrupted utilisation of land for service delivery;
- ii. Expedite the process of acquiring land titles and where the Uganda Land Commission is the registered proprietor, they should register the entity as the user within six months from the date of adoption of this report.

3. Outstanding domestic arrears

The committee observes the following:

- i. Continued incurrence of domestic arrears adversely hampers budget performance in the subsequent year as outputs anticipated in the appropriated budget cannot be attained due to settlement of the arrears;
- ii. Longstanding arrears incur interest charges, which lead to nugatory expenditure.

Committee recommendation

The committee recommends that the accounting officer should adhere to the Government commitment control system and comply with Section 21(2) of the Public Finance Management Act, 2015.

4. Loss of livestock through death and theft

Committee observation

The committee observes that continued loss through death and theft of animals leads to loss of Government biological assets and Government revenues.

Committee recommendations

The committee recommends that the management should:

- i. Ensure full implementation of the mentioned interventions to minimise these losses;
- ii. Submit a report to Parliament on the implementation of the interventions within six months from the date of adoption of this report;
- iii. Conduct an investigation into the loss of animals and bring to book all those culpable within six months after the adoption of the committee report.

5. Status of outstanding letters of credit

Committee observation

The committee observes that the failure to complete the projects hampers service delivery because of the delay to obtain the anticipated benefits.

Committee recommendations

The committee recommends that the accounting officer should:

- i. Fast track implementation of the delayed projects, enhance project management and revise the planned activity completion dates;
- ii. Undertake efforts to recover liquidated damages for the stalled projects and those not started or deliveries made more than a year after contracting.

1.1 Delivery of services from prior year outstanding letters of credit

Recommendations

The committee recommends that the accounting officer should undertake measures to improve the level of service delivery by the entity.

Human Resource issues

Recommendations

The committee recommends that the accounting officer should expedite this human resource review process and ensure that the issue of excess staff beyond the structure is addressed.

Staff in acting capacity

Observation and recommendation

The committee observes that keeping staff working in acting capacity for long leads to work overload and loss of morale, which affects output from the concerned staff, and it is contrary to the Public Service Standing Orders, 2021.

The committee recommends that the accounting officer should comply with the Public Service Standing Orders and promptly dispose the same.

Management of IT investments

Observation and recommendation

The committee observes that delays in the implementation of ICT system and equipment may lead to increased costs and loss of public resources.

The committee recommends that the accounting officer expedites the installation of the system so that anticipated benefits can be realised.

7.2 ICT Governance

The committee recommends that the accounting officer institutes governance policies and structures to effectively manage ICT investments in consultation with other stakeholders.

8.0 Failure to recover Withholding Tax amounting to Shs 330,349,408

Observation and recommendation

The committee observes that non-remittance of tax exposes the entity to a risk of loss due to fines and penalties that may be imposed by Uganda Revenue Authority.

The committee recommends that the accounting officer should always ensure that Withholding Tax is remitted in time.

With that, Mr Speaker, I beg to move that the House adopts this report. Thank you.

THE DEPUTY SPEAKER: Thank you, Hon. Nangoli. Hon. Nakut -

5.28

MS FAITH NAKUT (NRM, Woman Representative, Napak): Thank you, Mr Speaker. I propose an additional recommendation on the unrealistic NTR

estimates as reported. Normally, these provide a basis for under declaring Non-Tax Revenue (NTR). I move that we add another recommendation to read as follows: “Non-Tax Revenue is digitalised across all Government entities.”

THE DEPUTY SPEAKER: Hon. Faith Nakut, whereas that is a very good observation, the biggest problem I have discovered is that the ceilings for the NTR estimates issued by the Ministry of Finance, Planning and Economic Development are the problem.

An entity says, “I will collect this money” but the ministry says, “no, you will not collect it.” Next, they will bring a supplementary budget where we are re-appropriating excess NTR.

I would like to give a very good example: I visited Kabale University recently, and this was one of the critical issues, where the university has been requesting the Ministry of Finance, Planning and Economic Development to revise their NTR estimates.

The university has close to 6000 students now, but the finance ministry refused and they are still basing on the NTR of 2000 students. I asked the ministry – “...every student that is admitted pays functional fees and other fees but this is the NTR that we later give as appropriation-in-aid.” I asked, “where do you base yourself and how did it come?”

In the last financial year, Kabale University’s money, which was around Shs 7 billion, under NTR, was not appropriated, and so the entity lost it yet this is money from NTR, which should have gone back to deliver services to the students but now the entity is in debts. I asked the ministry: “if the university has shown you that you are using projections of 2000 students when they have 6000, then you are saying that the 4000 students are studying without paying fees.”

Therefore, with the issue of NTR, I observe that the problem is still under-projection. However, I assign the Budget Committee and the Committee on Finance, Planning

and Economic Development to revise NTR projections for Ministries, Departments and Agencies (MDAs) in an appropriate manner.

Otherwise, we shall continue going through situations where the MDAs will be over-performing on NTR because the Ministry of Finance, Planning and Economic Development did not revise their NTR projections, which raises audit queries but simply because we keep recommending that the accounting officer is under-projecting, yet it may not be their problem.

As we budget, let us handle the issue of ceilings. During the supplementary budget discussions, you are going to see appropriations of NTR for districts and you will wonder why their projection was not allowed.

5.32

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Thank you, Mr Speaker. I rise on this very issue that you have guided on. I agree that in most cases, it is the Ministry of Finance, Planning and Economic Development. However, in this particular case, going by the report, it was the failure by the accounting officer to incorporate what he expected from the results of the generational cycle into the procurement plan and he does not quote the ministry anywhere. In this case, it is the accounting officer.

While the problem of under-budgeting causes laxity, it is brought about by the “copy and paste” approach. You find that what they had in the procurement plan for the previous financial year may be still what they have now and because of that, things may not work out. So, any moment they meet the target, they will not be motivated to collect more. Therefore, this issue requires more seriousness.

Lastly, on the issue of Withholding Tax, while I would like to thank Hon. Nangoli for the report, the recommendation is too weak.

For Withholding Tax to the tune of Shs 330 million, the accounting officer needs to be given a deadline of three months to collect

it. Failure to do so, he should pay it himself because Withholding Tax is charged on behalf of Uganda Revenue Authority. So, when the accounting officer forgives the suppliers, it should be their case because they are supposed to collect that tax on behalf of URA.

Therefore, I would like to amend the recommendation by proposing that the accounting officer be given three months within which to collect and remit Withholding Tax to URA, and failure to do so, they should pay it themselves. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, on such, even if you give them three months, you should remember that the rule gives them six months. If you give a deadline –(*Laughter*)

MR KYOOMA: Much obliged, Mr Speaker. Six months. Thank you.

THE DEPUTY SPEAKER: Okay, let us remain within the confines of the law. Yes, Hon. Karubanga.

5.35

MR DAVID KARUBANGA (NRM, Kigorobya County, Hoima): Thank you, Mr Speaker.

My first comment is on the NTR. I remember one time the finance minister said that the finance ministry had nothing to do with NTR, especially for the local governments. He said that it was the local governments, at the time, which were under-declaring their targets. So, indeed, as the honourable member has said, the problem is with the accounting officers.

Secondly, I would like the committee chairperson to clarify on Withholding Tax, where he said that the returns should be submitted in time. What I know is that you take care of Withholding Tax at the end of the financial year. Is it the auditor who is not collecting all the records? I suppose that if you capture all the records, you should be able to get Withholding Tax.

THE DEPUTY SPEAKER: Thank you. I had allowed Hon. Amos Okot to speak; he is an agriculturalist.

5.36

MR JOHN AMOS OKOT (NRM, Agago North County, Agago): Thank you, Mr Speaker. I would like to speak to two issues.

On the diversion of funds, the committee has given a recommendation and cautioned the accounting officer on diverting funds yet the law was breached. Being lenient will promote such behaviours. It would be right to take back that money to the required Vote. Why should we promote such behaviours?

The second issue is about the land use. The animal genetic resource centres in all those different ranches where they have been posted were especially for crossbreeding animals, for either milk or beef production. When you go to other places, for example Aswa Ranch, which is near where I live, the land is being used for different activities such as maize production - which maize production is not even there - and activities, which are not about animal breeding. What was the main purpose of setting up those ranches?

When you relate it to the issue of the losing of animals, you wonder whether we are really doing the right thing. If they do not use that money for animal breeding, we should tell them to use the money for the correct purpose. Additionally, let the land that has been given be used for that particular purpose. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, this is what a sectoral committee should be doing. I always hear you are in the field; what are you seeing?

I now put the question that the Report of the Committee on Public Accounts (Commission, Statutory Authorities and State Enterprises) on the report of the Auditor-General on the Financial Statement for the National Animal Genetic Resource Centre and Data Bank, for the Financial Year ended 30 June 2022 be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Honourable colleagues, these are the reports, which sectoral committees are going to follow up, because these issues were raised by the Auditor-General.

There is one accounting officer who said: "Parliament should help and clear this." I said: "No!" Our role is not to forgive you. You had all the time with the Auditor-General. Why did you fail to explain yourself? Give us your exit meeting report. If the Auditor-General missed out on very critical items in that exit meeting, then, we shall listen to you.

However, if he came, audited, you had an exit meeting but you could not explain because you were waiting to explain to Parliament – and then Parliament clears you, that is not our work. Okay, next item.

MOTION FOR THE ADOPTION OF THE
REPORT OF THE COMMITTEE ON
PUBLIC ACCOUNTS (COMMISSIONS,
STATUTORY AUTHORITIES AND STATE
ENTERPRISES) ON THE REPORT OF
THE AUDITOR-GENERAL ON THE
FINANCIAL STATEMENTS OF THE
NATIONAL AGRICULTURAL RESEARCH
ORGANISATION FOR THE FINANCIAL
YEAR ENDED 30 JUNE 2022

5.41

MR GERALD NANGOLI (NRM, Elgon North County, Bulambuli): Thank you, Mr Speaker. I am here to present a report of the Committee on Public Accounts Committee -

THE DEPUTY SPEAKER: Mr Chairman, it is already called, so, shoot straight.

MR NANGOLI: Okay, I will go to the observations, issues and recommendations.

Performance of Non-Tax Revenue (NTR)

It was noted by the entity that it had budgeted to collect NTR of Shs 2.834 billion during the year under review, out of which Shs 3.097 billion was collected, representing a performance of 109 per cent of the target.

Observation

The committee observes that under-budgeting for NTR collections at Vote level results in an aggregate under-budgeting of NTR at the Treasury level, which negatively affects planning for the implementation of activities by the Government and the credibility of the budget.

Recommendation

The committee recommends that the accounting officer should ensure that NTR projections set for the entity are realistic.

I move to management of public land, that 2.2, maintainence of land registry –

THE SPEAKER: No, Chairperson, you are on NARO. You have 1.2, performance of GoU receipts, then 1.4 on diversion.

MR NANGOLI: I am sorry for that, Mr Speaker. I had skipped that.

Performance of Government of Uganda receipts

Observation

The committee observes that the total budget from the Government was Shs 107.8 billion, while the total GoU receipts were Shs 109.1 billion, leading to a variance of Shs 1.3 billion, over and above the approved budget.

The committee recommends that the Secretary to the Treasury should be held accountable for warranting more funds than what was appropriated by Parliament, as provided for under Section 15(1) of the Public Finance Management Act, 2015.

Diversion/mischarges of Shs 92,542,681

2.2 Encumbrance on public land

Observation

Observation

The committee observes that the mischarge was contrary to paragraph 10.3.1 (Step 4: Approval of invoice (Payment Voucher) by the Accounting Officer) of the Treasury Accounting Instructions, 2017.

The committee observes that encumbrance hinders management's ability to utilise the entity's land and poses a risk of loss of land.

The Charter of Accounts provides for similar codes that can easily result in mischarges.

Recommendation

The committee recommends that the accounting officer follows up matters relating to the encroachment on the entity's land with the aim of finding a long-lasting remedy.

Recommendation

Paragraph 10.3.1 (Step 4: Approval of invoice (Payment Voucher) by the Accounting Officer) of the Treasury Accounting Instructions, 2017 states thus: *"In reviewing payment requests, an Accounting Officer shall have a primary responsibility of ensuring that there is no mischarge and diversion of funds through wrong coding of transactions. An Accounting Officer shall be held personally liable for any wrong charge on accounts used for expenditure incurred by his or her vote."*

2.3 Titling and transfer

Observation

The committee observes that the entity has not carried out an inventory of some of its land and this makes it susceptible to encroachment.

The committee recommends the following:

Recommendation

The committee recommends that the accounting officer expedites efforts to have all the entity's land registered.

- i. The accounting officer be held liable pursuant to Article 164(2) of the Constitution; and
- ii. The Accountant-General should review the Charter of Accounts and institute control measures to detect and prevent mischarges.

3. Outstanding domestic arrears, worth Shs 2,577,323,874

Observation

The committee observes as follows:

2. Management of public land

- i. That there was no adequate budget provision for arrears by the entity;
- ii. Failure to clear arrears owing to international organisations is a violation of the respective cooperation agreements and taints the image of the country;
- iii. Failure to clear local suppliers may attract costs in litigation.

Allow me to read the subheadings and then straightaway proceed to the observations and recommendations.

Recommendation

Recommendations

The committee recommends that the accounting officer should complete the process of migrating the register to Government Financial Management Information System (GFMIS) fixed asset model within six months from the date of adoption of this report

- i. The Ministry of Finance, Planning and Economic Development should provide funds for the entity to clear the arrears; and

iii. The accounting officer should adequately budget for domestic arrears.

4.0 Human resource management

4.1 Staffing gaps

I will go direct to the observation. The table is clearly illustrated.

The committee observes that understaffing adversely affects service delivery, overstretches the available staff establishment and negatively impacts the strategic objectives and the implementation of planned activities.

Recommendation

The committee recommends that the accounting officer engages the Ministry of Public Service and the Ministry of Finance, Planning and Economic Development to fill the vacant positions.

5.0 Management of IT investments

5.1 ICT governance

Recommendation

The committee recommends that the accounting officer should:

- i. institute governance structures to effectively manage ICT investments in consultation with other stakeholders; and
- ii. assign, train and empower some of the existing entity staff to manage ICT issues in the meantime, until such a time when the entity is in a position to recruit additional staff.

6.0 Management of public land

6.1 Failure to transfer land into the custody of the Uganda Land Commission

Observation

The committee observes that whereas the Uganda Land Commission is vested with

the power to hold all Government land, an institution like National Agricultural Research Organisation (NARO), a body corporate under Section 2(2) of the National Agricultural Research Organisation Act, Cap. 205 has powers to hold land in its capacity. This is also in line with the guidance of the Attorney-General dated 13 January 2022. Refer to the annex attached to this report.

Recommendation

The committee recommends that the accounting officer should hold all land in its name without a need to transfer the same to Uganda Land Commission.

Failure to utilise land for delivery of services

Observation

The committee observes that unutilised land is susceptible to encroachment.

Recommendation

The committee recommends that the Ministry of Finance, Planning and Economic Development should allocate adequate resource to enable the entity fully utilise land.

Conclusion

Mr Speaker, I beg to move that this report be adopted by the House. Thank you.

THE DEPUTY SPEAKER: Thank you, honourable colleague. I identified a mistake when I was reading through your report. I brought it to the attention of the chairperson and the committee clerk that next time, please, work very closely with the committee clerk to avoid such mistakes.

The mistake is on page 2, item 1.2, which is about the performance of Government of Uganda receipts. You said, we appropriated Shs 110.60 billion. You also said the Secretary to Treasury warranted Shs 109.089 billion. Yet, he did not release 1.37 percent.

Then, in your observation, you said the approved budget was Shs 107 billion and he released Shs 109 and so, you recommend that he should be held accountable for releasing money above.

I received a complaint from the Secretary to Treasury so, I checked with our budget office and the budget office confirmed to me that we approved Shs 110.60 billion. So, the Secretary to the Treasury did not warrant beyond what we appropriated. I have confirmed with your clerk and he told me that was a mistake. So, we need to withdraw that part.

MR NDYOMUGYENYI: Thank you, Mr Speaker. The clarification I would like to make is that these figures are not wrong. In the financial statements of NARO, there was NTR of around Shs 2.8 billion. When they were preparing their financial statements, they included it as part of the total budget yet in actual sense, Shs 107 billion is what was warranted. So the budget -

THE DEPUTY SPEAKER: Is that what was approved?

MR NDYOMUGYENYI: That is what was warranted.

THE DEPUTY SPEAKER: Yes, but here you are saying he warranted beyond what we approved and your recommendation is he should be held accountable.

MR NDYOMUGYENYI: No, maybe there was an issue -

THE DEPUTY SPEAKER: The issue is simple: in the report, you are saying that the House appropriated Shs 107 billion - in fact, you gave two figures. In the first line, you said, we approved Shs 110 billion and in the second line, you said that we approved Shs 107 billion. So, which figure do we take? I had to crosscheck with our Budget Office and we found out that it was Shs 110 billion.

When the accounting officer releases less money, it is totally different from saying he has released more money than what was

appropriated. Here, the recommendation of the committee is that he should be held accountable. So, Chairperson, I need you to concede on that part. If you have found it okay and then we have to -

MR KATALIHWWA: Mr Speaker, just to add on what you are saying -

THE DEPUTY SPEAKER: Hon. Nangoli, please, take your seat.

MR KATALIHWWA: I think, for clarity, when you look at the statement in the performance of Government of Uganda receipts and observation - the observation does not even speak to the first narration they have given; the observation is totally different. When you read this, you notice that it does not speak to the statement, so, I think it should be withdrawn, Mr Speaker.

THE DEPUTY SPEAKER: Yes, Hon. Kyooma.

5.55

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Thank you, Mr Speaker. In line with what you are saying, even under Shs 1.4 on diversion, the accounting officer said that what was received was less than what was warranted. However, the committee did not make any observation on that, meaning that it is true that what was released was less than what was warranted, so, this statement needs to be corrected; Mr Speaker, you are very right.

THE DEPUTY SPEAKER: Thank you, Hon. Rose.

5.56

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you very much, Mr Speaker. The committee rightly observed that - the accounting officer observed that what was received was less than what was warranted. I want to bring to you evidence; I was there for the celebration of World Food Day at National Agricultural Research Organisation (NARO) Centre in Mukono.

Mr Speaker, honestly, what is given to these people is really justifiable in terms of value for money. I encourage all members of Parliament to go to NARO Centre of Mukono. You will be panting to give them more money. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Nangoli?

MR NANGOLI: Thank you so much, Mr Speaker. I concede that there are errors but we are going to reconcile and have an amendment on this. We -

THE DEPUTY SPEAKER: No, we are adopting, so, that part -

MR NANGOLI: Only this part, Mr Speaker, I concede that we are going to -

THE DEPUTY SPEAKER: No, it is not you to go; you finished your work. Okay?

MR NANGOLI: I concede that we can delete it, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. So, that part of the report on performance of GoU receipts should be deleted, Clerk and *Hansard*, take note.

There was also another issue on 6.1, on page 7, relating to your recommendation, where you say, "The committee recommends that the accounting officer should hold all land in his name." You see, it is the entity; the accounting officer cannot - it is the entity - you want the accounting officer to register Government land in his names? (*Laughter*) If you can also correct that, honourable chairperson. I just touched on your recommendation. Yes, Hon. Karubanga.

MR DAVID KARUBANAGA: Mr Speaker, it is true that entities have been losing land and we know, as per the law, land is vested with the Uganda Land Commission. However, I think, to cure that, we can refine the recommendation that all land, if it is to be given out, let it be with the approval of the vote, because we had a lot of - you remember National Animal

Genetic Resources Centre(NAGRC) in Njeru and other places? So, where we have any development by the Government, let it be with the approval of the vote, other than stopping at the recommendation.

Thank you.

THE DEPUTY SPEAKER: But the recommendation is - yes, Hon. John Faith Magolo?

MR MAGOLO: Thank you very much, Mr Speaker. On the issue of the Government entities losing land, it is really -

THE DEPUTY SPEAKER: Honourable, there is a matter we are still sorting. I thought that is what you are contributing to. It is a very clear matter; here you were recommending that it should be in the name of the accounting officer yet in the observation - (*Laughter*) - Hon. Gerald Nangoli, can you help us?

MR NANGOLI: Thank you, Mr Speaker. I concede and I go by the amendment by the whole House that instead of having the land registered in the name of the accounting officer, it should be the entity. Thank you.

THE DEPUTY SPEAKER: Yes, it should be the entity because that is a body corporate. Thank you - what do you want to add on, honourable minister?

5.59

THE MINISTER OF DEFENCE AND VETERAN AFFAIRS (Mr Vincent Ssempijja): I thought, Mr Speaker, that you would help the Member who was talking about entities losing land. This one, if we go by the decision of Parliament, that it should be registered in the names of the entity, yes, what about the other entities? I think this is what the honourable Member was talking about. I do not know whether we can cure that, within this debate.

THE DEPUTY SPEAKER: You see, the honourable colleague was saying; with the approval of the Board and all that.

There are clear procedures on how Government land is acquired and disposed of. We do not need to put that here; it is already provided for in the law. So, on a matter, which is already provided for in the law, there is no way Parliament can now start repeating itself.

If it was a grey area, you would make a recommendation, but this is clearly in the law. Yes, Hon. John Faith Magolo.

MR MAGOLO: Mr Speaker, on the issue of the Government entities losing land, I just want to agree with the recommendation because whereas the Uganda Land Commission is mandated to hold the land of Government in trust, many times, there are loopholes in Uganda Land commission. So, when the entities themselves, which are legal within Government can hold their own land, it is safer.

Because, many times they guard it because it is the closer look within the entity itself. So, really, I agree with the recommendation, and I pray that that cuts across that all Government entities, which are registered, have their land registered in their own names, as long as they are registered entities.

THE DEPUTY SPEAKER: Thank you. Since you agree, I now put the question that the Report of the Committee on Public Accounts (COSASE) on the Report of the Auditor-General on the financial statements of the National Agricultural Research Organisation for Financial Year ended 30 June 2022 and other matters, be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Honourable colleagues, we are about to finish the reports. Let us finish these reports so that tomorrow, we do Public Accounts, the next day we do - and we know we are in line with the Constitution. So, I beg your indulgence; lend me a few more minutes.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF UGANDA REVENUE AUTHORITY FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022

6.02

MR ROLAND NDYOMUGYENYI (Independent, Rukiga County, Rukiga):

Thank you, Mr Speaker. I will definitely go to the report of Uganda Revenue Authority (URA). This report has two components, colleagues. It has a report on corporate services and the revenue collection account. So, I am going to start with corporate services.

You will bear with me, in some areas, being a URA report, there are so many figures and laws that are quoted in this report, and also, it is a bit bulky. So, please, bear with me a bit.

Implementation of the approved budget
Mr Speaker, URA had an approved budget of Shs 534.16 billion out of which Shs 568.87 billion was warranted. Already you can see there is a difference but it will be captured in the next issue.

The next issue now is Performance of GoU receipts Our observations are that there was money, which was brought forward from the previous financial year, amounting to Shs 31 billion that was spent without being sent to the Consolidated Fund. It was spent at source, without the permission of Parliament.

Recommendation

The committee recommends that the appointing authority should sanction the minister for violating Section 79(1)(b) of the Public Finance Management Act, 2015. It is a strong recommendation because the accounting officer sought the permission of the minister –

THE DEPUTY SPEAKER: Hon. Ndyomugenyi, we shall not finish, when you start explaining every point. Do it the way Hon. Nangoli was doing it, so we move on.

MR NDYOMUGYENYI: Okay.

Absorption of funds

Mr Speaker, the committee observed as follows:

1. URA's annual approved budget was Shs 534.16 billion, whereas the available amount for expenditure was Shs 568.87 billion. The difference of Shs 34.71 billion was the unspent balance of the previous financial year not remitted to the Consolidated Fund;
2. The failure to return unutilised funds over the years is contrary to Section 17(2) of the PFMA Act, 2015 and affects service delivery;
3. Out of the total available funds of Shs 568.87 billion was spent, leaving an unspent balance of Shs 125.08 billion, which was not remitted to the Consolidated Fund, as required by Section 17(2) of the PFMA, 2015; and
4. Out of the unspent balance of Shs 125.08 billion, activities worth only Shs 56.33 billion could be established, leaving an unspent balance of Shs 68.75 billion unexplained.

Recommendation

The Auditor-General should conduct a special audit into this unspent balance, which was not explained.

Implementation of outputs and activities

Observation

Failure to implement planned activities led to low domestic tax collection, low filing ratio of

VAT and PAYE, low electronic cargo tracking and increased clearing time for imports.

The committee recommends that the Authority acquires a robust and self-sustaining cargo monitoring system to track 100 per cent of all the cargo.

Off-budget financing/non-disclosure of the source of funding

An amount to the tune of about Shs 105 million and another \$ 135,000 were found on the URA accounts, but their source of funding could not be explained.

We recommend that the accounting officers should be cautioned for flouting the Treasury instructions.

Management of IT investments

Procurement/development and use of software/licences

The committee observes as follows:

1. That there is absence of a centralised ICT system within Government, leading to duplication; and
2. That the Integrated Financial Management System used by the Government does not have all modules necessary for all Ministries, Departments and Agencies, with the result that various entities have to procure tailor-made ICT systems for their operations.

Recommendation

The committee recommends that the Ministry of Finance, Planning and Economic Development should procure a single system to support all functions of MDAs to avoid duplication and wastage of resources.

ICT Governance

The committee observes that the failure to have the positions filled impairs the functioning of the entity, given that much of its work is reliant on the support from ICT.

The committee recommends that the accounting officer should expedite the filling of all vacant positions in the department.

Land management

Compliance of the land acquisition processes with the relevant laws –there is the irregular procurement of land, and doing direct procurement to procure land.

Observation

The committee observed that the acquisition of this land without clearance from the Attorney-General and the Solicitor-General is contrary to the Constitution (Exemption of Particular Contracts from Attorney-General's Legal Advice (Amendment) Instrument No.97 of 2014), which requires that all agreements involving an amount of more than Shs 200 million should be approved by the Attorney-General.

The committee, therefore, recommends that the accounting officer should be cautioned for flouting the law.

Review of the TREP (Tax Registration and Expansion Programme)

I am not going to go into this write-up; I will go to our observation.

Observation

The committee observes that URA purchased land by direct procurement because it was the only piece of land available in the circumstances and it was needed for the construction of a one-stop border post. In the absence of clearance from the Attorney-General

Like I alluded earlier, I will go to the recommendation, which is on page 9, and the committee recommends that the accounting officer should review and set higher targets given that the project has the potential to perform much better.

TREP Revenue collection performance

The Auditor-General noted that TREP had a revenue target of Shs 127 billion in the financial year under review, but only Shs 92.88 billion was collected, representing a 72.7 per cent performance rate.

Recommendation

The committee recommends that the accounting officer should engage the relevant stakeholders to improve the project mobilisation capacity and fast-track its implementation.

Review of procurements

There was an unapproved multi-year contract - this was to a tune of Shs 27.4 billion, without evidence of approval by Parliament. The accounting officer made a submission. The committee, however, observed that failure to obtain parliamentary approval for these multi-year commitments is irregular and could lead to commitment of the Government without the necessary funding.

Recommendation

The committee recommends that the accounting officer should be cautioned for not adhering to the law.

Delayed procurements of Shs 65 billion

On this, the committee recommends that the accounting officer should also be held liable for not adhering to the procurement plan.

I will now go to the second part of the report.

Revenue collection

There was underperformance in revenue collection.

The committee observed that the under-collection of revenue affects the overall delivery of public services by the Government and leads to the escalation of the public debt

because borrowing increases to close budget funding gaps.

The committee recommends that the accounting officer should intensify measures to attain the set targets.

Performance of the compliance improvement plan

The committee recommends that the accounting officer should intensify the initiatives in place to improve the compliance improvement plan.

Performance of tax compliance audits

There was an issue to do with compliance audits and the recommendations are three:

1. That the accounting officer engages the concerned stakeholders to secure additional resources to strengthen tax audits and enforcement;
2. Improve tax education and dialogue with the tax community to ensure continued compliance; and
3. Strengthen the various digital platforms to disseminate information to the different stakeholders.

Unbudgeted-for tax revenues collected – Shs 370.58 billion.

I think I can read this one a bit because I have moved.

A total of Shs 370.58 billion was collected from unbudgeted tax heads. It was further noted that Gross Payments Account (GPA) deposits were included as revenue under tax heads despite being deposits by different taxpayers to ease the processing of their imports, which we think was irregular.

The observations are:

- i. The absence of targets makes it difficult to assess performance and aids misappropriation of funds;

ii. There is no code for Gross Payment Account deposits, which separates Government revenue from the deposits received yet all the money received is treated as revenue, which is irregular; and

iii. The inclusion of GPA deposits in the revenue overstates the actual revenue collected.

The recommendations are:

- i. The accounting officer should carry out a deep analysis of the budget performance to make better projections of collectable revenue under the various tax heads before the budget approvals are made; and
- ii. The Accountant-General should provide a separate code for GPA deposits.

Unrealised revenue in defunct banks totalling Shs 917.2 million

This was from the banks, which closed, and the observation is that there was little effort by management to recover the outstanding amount from the banks.

The committee recommends that the accounting officer should recover all the outstanding amounts from the defunct banks.

Un-receipted collections

Mr Speaker, we found out that some money comes to URA but it is not receipted. URA does not know where it came from and this was to the tune of Shs 182.96 billion.

The committee observes that the absence of real-time automated exchange of data between URA, the Ministry of Finance, Planning and Economic Development, and the Bank of Uganda (BoU) has continued to hinder URA's ability to provide efficient services and effective compliance management and has resulted in several challenges including:

- i. Manual reconciliation and in some instances, lack of reconciliation of

tax payments through BoU, leading to untimely revenue reporting and un-updated taxpayers' ledgers;

- ii. Unidentified taxpayers on BoU statements;
- iii. Unshared Oil and Gas account statements by BoU; and
- iv. Limited visibility into government suppliers.

All of the above mean that any fraud and errors may not be easily detected.

Our recommendations are as follows:

- i. The finance minister should be held responsible for failing to ensure the full automation of the system of revenue collection; and
- ii. The Inspectorate of Government should investigate the matter and ascertain the amount of money that Government has so far lost.

Management of importation and exportation of precious minerals

The lack of documented customs procedures for handling precious minerals. The recommendation is that the accounting officer should expedite the process of updating the Customs Business Compendium by including standard customs processes for handling precious minerals.

Failure to collect taxes on gold exportation of Shs 340.56 billion. I beg to read this matter –

THE DEPUTY SPEAKER: Go to the observations; we will read it. The whole report is captured on the *Hansard*. Therefore, Members can read it.

MR NDYOMUGYENYI: The committee observed as follows:

- i. It was irregular for the Minister of Energy and Mineral Development to interfere with the tax collection process;

ii. It was irregular for the accounting officer to act upon a letter from the Minister of Energy and Mineral Development; and

iii. It was irresponsible for the finance minister to write to the accounting officer giving him instructions in anticipation of the amendment of the law.

Recommendations

- i. The Minister of Finance, Planning and Economic Development should cause the immediate collection of taxes due on Gold in accordance with the law; and
- ii. The Minister of Finance, Planning and Economic Development, Minister of Energy and Mineral Development and the accounting office should be held liable for the non-collection of the tax on gold export.

Review of Value Added Tax (VAT)

Adoption and usage of Electronic Fiscal Receipting and Invoicing System (EFRIS) by VAT-registered suppliers

The committee recommends that URA should strengthen, support, and create awareness of the implementation and usage of EFRIS among the taxpayers to improve VAT tax administration.

Customs management

There was money assessed through customs but not paid and there is a table here. However, the Speaker ruled that everyone has – so, we are going to committee observations.

The committee observed that the accumulation of tax arrears by Ministries, Departments and Agencies (MDAs) impedes the efforts of URA to collect taxes, which distorts national planning.

Recommendations

- i. All MDAs should pay all outstanding taxes due from them; and

- ii. The accounting officer should strengthen mechanisms to follow up, monitor and collect taxes assessed.

Revenue lost due to non-payment of VAT on rice from EAC partner states

The committee observes that URA cannot levy taxes on the rice imports from the partner states in question owing to an interim injunction, which is still subsisting.

Mr Speaker, I move that the House adopts this report. I beg to move.

THE DEPUTY SPEAKER: Thank you, honourable, for the job well done. Hon. Enos, Hon. Angura, Hon. Paparu, Hon. Otingiw and Hon. Faith -

Thank you.

MR ENOS ASIIMWE: Thank you, Mr Speaker. I am seeking your guidance on the methodology used. When you look at item number three, you notice that they are saying they held meetings with the management of URA but they never held a meeting with the finance ministry.

The Ministry of Finance, Planning and Economic Development is the supervising entity of URA but we are now making recommendations that we hold the minister responsible without listening to his side of the story -

THE DEPUTY SPEAKER: There is also the Ministry of Energy and Mineral Development.

MR ENOS ASIIMWE: If you read the report, you will notice that most of the directives were coming from the ministries. Is it procedurally right to pass this report, yet they never interviewed all the relevant agencies?

THE DEPUTY SPEAKER: Honourable member, did you engage the ministers?

MR NDYOMUGYENYI: Yes, we wrote to the Minister of Finance, Planning and Economic Development, but he did not

appear. However, for the Minister of Energy and Mineral Development, we relied on the evidence on file.

THE DEPUTY SPEAKER: No, even if you have evidence on file, someone can challenge the evidence. Hon. Mutembuli, can you guide us on this matter?

6.22

MR YUSUF MUTEMBULI (NRM, Bunyole East County, Butaleja): Thank you Mr Speaker. A right to a fair hearing is a fundamental constitutional right that at any time before you take any decision against any person, that person must be heard. I have heard someone talk about natural justice; it is one of the tenets of natural justice.

Therefore, in a report containing a finding where a decision was made against a person who was not heard, in my view, I would say that is null and void, I mean that particular aspect, not the entire report.

I am not the Attorney-General but now that I was invited, honourable members, every time we are going to make any decision that is going to affect any person mentioned in a report, we must attempt to serve that person.

There must be evidence and it must be indicated in your report that you invited minister so and so severally to appear - there is even evidence on the record - but they refused to come because the right to a fair hearing does not mean that someone must be heard but an opportunity must be given to that person.

If he decides not to come, then that must be indicated in your report, so that in the future people cannot have issues as far as this is concerned, Members. Thank you.

MR KATALIHWI: Thank you, Mr Speaker. I am not defending the committee but when you read the attachment to this report, there are letters from the Minister of Finance, Planning and Economic Development and the Minister of Energy and Mineral Development.

Therefore, the committee could have based on these formal communications to come up with a judgement. Mr Speaker, the committee is right in a way.

THE DEPUTY SPEAKER: Honourable members, you can call the minister, for example, the letter - I thought we agreed on a new chapter to follow the rules *-(Laughter)-* from the Minister of Energy and Mineral Development reads, "...the purpose of this letter therefore, is to request that the Uganda Revenue Authority halts the implementation..." The fair hearing would be for the minister to justify why she did it. Look at the recommendation you made. You are saying that she should be held responsible and you want action to be taken.

However, you might find that the person you want to take action on is the one who directed her. So, while doing all this – Hon. Rose Obigah, you are one of our lawyers and I can see you boiling.

6.25

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you, Mr Speaker. With due respect, we are under pressure yet we want work done. You have invited the ministers; you give written submissions but they do not say anything. The undersecretaries say that they do not have powers to do anything yet we are running out of time. We have been pressed to the wall yet work must be done.

Would it not be right for you to again remind these ministers, through the Prime Minister, who is the Leader of Government Business - she is around - the ministers are not helping us. Thank you.

THE DEPUTY SPEAKER: Hon. Obigah, you have concluded well. When a committee is stuck, they go to the presiding officer and say that this minister is being called but has not appeared.

Honourable colleagues, this is a big mistake and it is an indictment on the House. If we keep making recommendations and they are taken

to court and our reports are struck out because of failing to listen to someone - the minister here will say "no, you looked at my letter and concluded. Why didn't you call me to justify my letter?" What will you say?

Let us first hear from Hon. Mutembuli, before I call on Hon. Muruuli Mukasa, the Minister of Public Service who is in charge of disciplining people, to guide us on such a matter.

MR MUTEMBULI: Thank you, Mr Speaker. Before you rely on a document, you must invite someone first of all, to own that document. While these letters are submitted, you cannot be sure whether it is that particular minister who wrote them or someone purportedly wrote them on behalf of the minister. So, the authenticity of that document can only be tested when you invite the person who appears to have written it to speak to it.

Otherwise, by merely looking at the document and you conclude prima facie that this is – I think that would not be in order, honourable colleagues.

As I rightly guided, once a document is written and you summon the minister and they do not appear, please, indicate it in your report so that the right to a fair hearing is seen to have been complied with because you will have indicated that on such and such a day, we invited the minister, but they did not turn up. This is something very important and we should not even debate it. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: That is why I always encourage the chairpersons of committees to be in the House.

6.27

THE MINISTER OF PUBLIC SERVICE (Mr Mukasa Muruuli): Mr Speaker, what Hon. Mutembuli is saying is right. It is obvious that the right to a fair hearing cannot be compromised. The minister should have been invited. Normally, when the minister is invited, he or she will comply. If she or he does not comply, they will obviously give a response why they could not make it. If that does not

happen, there is still a provision in the rules, which calls for a summon; the minister can be summoned and he or she comes up.

The conclusion to be put in the report should have facts; we cannot just rely on the letter.

THE DEPUTY SPEAKER: Chairperson of the committee, that component of the report where you are saying *–(Member rose_)*– we have concluded on that matter and we are going for the recommendation. Is that the one you wanted to submit on?

6.28

MR FREDRICK ANGURA (NRM, Tororo South County, Tororo): Thank you, Mr Speaker. I thank the committee for the report.

However, aware that Section 15 of the Public Finance Management Act, 2015 calls for three key components:

1. The work plan;
2. The recruitment plan; and
3. The procurement plan.

For the Uganda Revenue Authority to have budgeted for Shs 534 billion but did not absorb Shs 34 billion, which was not taken back to the Consolidated Fund, yet the following year, they still did not absorb Shs 125 billion, which was, as well, not returned to the Consolidated Fund, - this means that URA is running its own account and not the Consolidated Fund.

This is an indictment that should be taken seriously, and so, your recommendation for a caution is not appropriate. What that means is that when you over-budget and you do not absorb those resources, you deprive other Government entities that need that money yet you will be holding it to yourself. That is why in the first year, they did not absorb Shs 34 billion and in the second year, Shs 125 billion.

Secondly, you have Shs 105 million and \$ 135,000. This money is off-budget and is supposed to constitute part of your budget. That is why it is recommended that if you receive off- budget funds, they should constitute part of

your budget so that it can be released through supplementaries in the event that the money comes late.

Since the Ministry of Finance, Planning and Economic Development is the direct supervisor of URA and they are the ones who originate this, this is also an indictment and you should have written a strong recommendation on it.

Finally, we need to take keen interest on the waiver. I do not remember off head but the legal people can open it shortly – in the *Heritage Oil & Gas Ltd v. Uganda Revenue Authority*, I remember there was a waiver that was given to Heritage Oil & Gas Ltd at the time of negotiation. However, court ruled that the minister did not have the authority to waive taxes other than Parliament.

Therefore, these tax waivers that are being given to companies is the responsibility of Parliament. I do not know who became the Speaker, the Clerk or the minister, who presented, and the Members who debated to allow that tax waiver. I thank you.

THE DEPUTY SPEAKER: Honourable colleagues, these are the issues I guided on. The sectoral committee should pick it up. If I were on the sectoral committee, I would immediately pick this report and engage the entity because they deal with the entity in detail. We are the ones who pass their budgets and some of these things are unnecessary.

For example, why would you say that someone should retain the money instead of returning it to the Consolidated Fund when you have powers, under the 3-percent rule, whereupon every 1st July, you can send back the money and follow the law? This is impunity.

However, I do not want us to lose focus on the issue raised by Hon. Enos, which was included – So, Hon. Roland Ndyomugenyi, this is a very delicate matter that you did not handle well, as a committee.

MR NDYOMUGYENYI: I concede, Mr Speaker. Owing to the matters that are

contained in this report, I beg Members not lose the gist and importance of –

THE DEPUTY SPEAKER: No, we can have an observation without a recommendation so that then the sectoral committee can go and interrogate it further. So, you can withdraw the recommendation so that the sectoral committee can handle.

MR NDYOMUGYENYI: Mr Speaker, on areas where we have recommended and those recommendations are in –

THE DEPUTY SPEAKER: No, it is specific.

MR NDYOMUGYENYI: Yes, there are many recommendations where we talk about the minister -

THE DEPUTY SPEAKER: And without giving them audience?

MR NDYOMUGYENYI: Yes, it is not one. So, we are going to withdraw all the recommendations we made without giving the ministers a hearing. (*Laughter*)

THE DEPUTY SPEAKER: No, this is no longer your report. The moment you put it here, we ask you and when you concede on it, you withdraw the recommendation(s).

MR KYOOMA: I concede, Mr Speaker.

THE DEPUTY SPEAKER: Do you withdraw the recommendation?

MR NDYOMUGYENYI: Yes.

THE DEPUTY SPEAKER: Procedure, Hon. Paparu.

6.39

MS LILLIAN PAPARU (NRM, District Woman Representative, Arua): Thank you, Mr Speaker. Why don't we give this committee leave to take back this report and do better work? Now, how are we going to start looking for where a recommendation has a minister - we could give them a day to clean up this report.

THE DEPUTY SPEAKER: No, honourable members, I already informed you that we are behind schedule. Even for the other reports of COSASE that have not come, at the end of this session, we are receiving a motion from the Parliamentary Commission to have them adopted because we are already behind the constitutional schedule.

Secondly, the reason we have the *Hansard* and for every session, we have minutes, which the presiding officer signs - the *Hansard* editor always packages it, clears all these issues and picks - when they are communicating resolutions of Parliament all these issues are sorted because they go to the *Hansard* when they are cleaned up. And that is why whenever we do a Bill, we spend like two weeks when the *Hansard* team is looking for those nitty-gritties relating to what the intention was, what was clarified here, what was withdrawn – that is how we end up having a neat report brought to the presiding officer.

Therefore, to me, this is enough - please, when I say that is enough, then I have ruled and I stick to my rule on that. The issue of natural justice is very clear and we cannot take back this report - please, I have concluded the matter, Hon. Amos.

So, if you have any other issue apart from that of natural justice, let the observation remain so that the sectoral committee has a basis of following up on these matters; we should not let them die.

6.36

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Thank you, Mr Speaker. I have two issues, and one regards the off-budget financing and non-disclosure of the source of funding. The accounting officer laboured to explain the source of funding but he did not say anything about the failure to disclose and declare the amounts to the treasury so that it could be appropriated by Parliament.

It is pointed out clearly by the Auditor-General that information was not given to him, to the effect that these funds were declared for appropriation.

In such a case, there is a very big risk of double expenditure because the funds have not been appropriated. They are spent on an activity, which may also have been facilitated by the appropriated funds. I feel this should have been captured by the committee and observations made to that effect.

Another issue is about the unreceipted collections, to the tune of Shs 182 billion. This is a very big risk - because in a circumstance that you cannot receipt collections, there is a risk that you do not know your taxpayers, the account receivables and to whom you expect money - because you receive money but you do not know where it has come from, whether it is company A or company B, and you do not know how much is owed by company C and others.

In this era where we need a lot of revenue, how does this come about? This may not be for the chairperson but if he is privy to telling us how this came about and how they concluded - it is not a small matter because I belong to the Committee on Finance, Planning and Economic Development and we have been doing as much as possible – actually, Hon. Nangoli and I, the temporary Chairperson of COSASE, have been doing much to facilitate Uganda Revenue Authority to capture all these. So, when I came across such information where Shs 182 billion is collected and not receipted, I consider that a very big risk. Honourable chairperson, what do you say about this?

THE DEPUTY SPEAKER: Thank you.

6.39

MS LILLIAN PAPARU (NRM, District Woman Representative, Arua): Thank you, Mr Speaker. Mine is on the failure to collect taxes on gold. The recommendation was that the minister should take concern and collect these taxes. I would like to move that we add a recommendation to the effect that let there be a forensic audit to establish why these taxes were not collected because going forward, that will help us to understand what actually happened.

Then, there are critical areas of spending money at source and failing to disclose what is being collected. The recommendation the committee gave is that the accounting officer should be cautioned. I think that recommendation is so mild. These are areas where these accounting officers should be held liable, and so, cautioning seems to be so weak. Thank you.

THE DEPUTY SPEAKER: The minister will also be coming in to clarify on recommendation for a caution. Otherwise, under the Public Service Standing Orders, you have to go through stages. So, when you are giving him a duty, it should be within the mandate.

Honourable members, I guided the House on the issue of forensic audits, after I had met the Auditor-General. He told me that a forensic audit minimum costs him over Shs 1.5 billion minimum.

Secondly, he said that the accused entity is the one that pays because he does not have the money. So, he goes to the entity and says “pay Shs 1.5 billion so that we can catch you properly” then the entity says, “...but this money was never appropriated for me, where do I find it?” What this means is that the recommendation of Parliament remains in abeyance.

Therefore, Parliament should never legislate in futility. We should be extremely cautious. Where we find ourselves as an institution - that is why in court, where you doubt that your judgment is going to be implemented, you do not make that judgement. Otherwise, you are weakening yourself.

Therefore, like on this gold matter, the one we dealt with it some time back, the Minister said that he had been directed by the President and wondered what type of forensic audit we wanted to be conducted?

The Auditor-General has raised it here. So, it is more of a policy issue and we should push Government to collect these taxes because the amounts are known but they are simply not collected. So, what forensic audit would you

need? I advised the finance committee that in the next budget, we should provide money for forensic audits. We can project about 10 forensic audits and appropriate that money to the Auditor-General, so that when we say “forensic audit” we know he has the money. That will save us from being frustrated again on forensic audits.

6.43

MS FAITH KUNIHIRA (NRM, Woman Representative, Kyenjojo): Thank you, Mr Speaker. I would like to thank the chairperson for the report. My concern is on page 3 - my iPad suffered internet interruptions and went off but on page 3, the very first paragraph, there are two figures; I thought there should be a third figure that they subtracted from, and I do not understand how that came up.

THE DEPUTY SPEAKER: Thank you. They can clarify that.

MS FAITH KUNIHIRA: Thank you.

MR NDYOMUGYENYI: Thank you very much. On page 2, there is a figure on observations – the Shs 568.37 billion and the Shs 534.16 billion. When you subtract one from the other, you get Shs 34 billion. However, here we are talking about the warranted amount *vis-à-vis* the spent amount, which we will find in the spent amount in paragraph 1.2 – absorption of funds. When you subtract Shs 443.79 billion from the Shs 568 billion, you will get the Shs 125.08 billion.

MS FAITH KUNIHIRA: Mr Speaker, I would have been more comfortable if that whole explanation was in that one small bullet.

THE DEPUTY SPEAKER: As long as it is in the report. Honourable members, let us take advantage – for those who do not know Hon. Roland Ndyomugenyi, he was one of the senior auditors at Ernst & Young. We studied Social Sciences together, so, I do not know how he became a senior auditor. *(Laughter)* I think he went and studied other things.

MR NDYOMUGYENYI: Mr Speaker, when I got a first class degree at Makerere University – and I was the best student then – I was given an opportunity to join Ernst & Young so, I changed to accounting. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, I encourage you to always read the profiles of your colleagues. We have these on record. You will appreciate, which colleague to consult. When you have any tax matter, always reach out to Hon. Roland Ndyomugenyi.

Honourable colleagues, I am stopping at this. *(Mr Musila rose)* - is it on the report?

MR MUSILA: Not on the report, Sir –

THE DEPUTY SPEAKER: Let us first maintain the issues of the report. Yes, Hon. Atima.

6.46

MR JACKSON ATIMA (NRM, Arua Central Division, Arua): Mr Speaker, you guided very well on the matter of forensic audit but the recommendations of the committee are to the effect that a special audit be conducted.

I would like to get a clarification on the difference between special audit and forensic audit.

THE DEPUTY SPEAKER: The auditor should explain that, not me.

MR NDYOMUGYENYI: Thank you, Mr Speaker. A special audit is different from a forensic audit in this way. One, when you are carrying out a forensic audit, your objective is actually to prosecute. After the audit, the findings can be used in court, mostly for prosecution and it is more detailed. It requires fingerprints, assessments and all that.

THE DEPUTY SPEAKER: There is an element of fraud.

MR NDYOMUGYENYI: Yes. Now, a special audit is easier because you concentrate on a

certain area so that you can pick out all the matters in that specific area.

If it is revenue collection, then you are not going to look into human resource or procurement; you concentrate on that specific area to bring out all the issues pertaining to that specific area.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues – and committee chairperson – where the Auditor-General has done his work and you are using his data but again, you say “you go back and do..”! Isn’t it really - remember, the Auditor-General is an officer of Parliament.

6.47

MS FAITH NAKUT (NRM, Woman Representative, Napak): Thank you, Mr Speaker. I agree with you entirely. The Auditor-General is very qualified and has a very good team that does an excellent job.

Requesting for audit after audit is not good for this Parliament and for our country. I know that there is a particular problem with this committee: every time, they are shy to make recommendations. They will highlight the problem or issues, but become shy to recommend.

Honourable colleagues, let us not be shy to make recommendations. Hon. Bishanga is a qualified accountant just like I am, and I know that he has the capacity to guide the committee. As to the reasons he did not do his job, I do not know.

THE DEPUTY SPEAKER: Now, this is where we get problems – if I can be open to you, honourable colleagues – and maybe we shall sit, as leadership, and see how best handle this.

We have a problem: the content in news stories coming out of your committee meetings is not reflected in your recommendations. When I see a story on COSASE, I see people sweating and getting arrested but when it comes to the recommendations, what I am getting is “caution”, “should improve”, “policy recommendations.” *(Laughter)*

Remember, you have made the public to judge a person because of what you did to them in your committee meetings but when it comes to the final recommendations – *(Laughter)*

MR NDYOMUGYENYI: Mr Speaker, I would like to clarify like this: one, on the recommendation on special audits, the Auditor-General uses sampling when he is doing the work. They tell us - because we always do these reports with them - they say, “...in that area, we did not go deep because of either time and resources.” That is why we say: “You do a special audit on this matter so that you can get out all the issues because when you were doing sampling, maybe not enough work was done.” So, although we are saying the Auditor-General has done the work, when you do sampling, you can lose out on some information.

THE DEPUTY SPEAKER: But Hon. Roland Ndyomugenyi, when the Auditor-General is doing his work and feels that here, he should go deeper, he goes deeper. Where he feels that he is satisfied with the sampling, he is okay.

6.51

MR AMOS OKOT (NRM, Agago North County, Agago): Thank you, Mr Speaker. On the same note, we are at the point of almost adopting the report but the fact is that the recommendations are not to a great extent and we are also time-bound, and almost losing out on some grounds. For example, on the taxes on gold, which we have been talking about, we feel that there is something missing there, yet we cannot let all that money go like that. Besides, in their recommendation, they have tasked the minister to be answerable. However, we cannot do much because ministers sometimes do not attend these meetings.

Would it not be prudent enough for us to take on this particular one and give it a special audit so that we do not lose all that money; the one on gold.

THE DEPUTY SPEAKER: Honourable colleagues, if you have been following the proceedings of this House, this is one of the pending issues for the minister to respond to.

Remember she brought a statement here on that same issue and we said that she should go back and update that statement so that Parliament can pronounce itself on it.

However, COSASE must tackle this issue because it was in the Auditor-General's report; they could not jump it. So, this is an issue that the House has already assigned the minister to handle. So, let us take our time.

I have also guided that the committee responsible should take it up because we did not strike out the whole part; we only struck out the recommendations.

On the observations, I have guided the committee responsible to follow up the matter because the issue is on recovery. On the amount, there is no big dispute. The dispute is in recovery, where the minister is saying: "No, we waived; we cannot recover." We are saying: "No, go and recover."

6.53

MS CHRISTINE APOLOT (NRM, Woman Representative, Kumi): I relate the recommendations here – the way they are – with the recommendations we normally come up with under the Committee on Public Accounts Committee (Local Government). There are matters that are cross-cutting. Since the time I joined Parliament, matters of misappropriation, unspent balances mischarges and the rest arise in every audit report of the Committee on Public Accounts (Central Government), Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) and other accountability committees. I feel defeated when the Auditor-General audits on a yearly basis but there is no improvement.

I would like to find out from the Ministry of Local Government and the Ministry of Finance, Planning and Economic Development whether it is possible to have a capacity building workshop for all accounting officers and other responsible officers such that they are taken through the recurring performance gaps in the audits. This will save us allocating money for forensic audits.

Otherwise, people will get lazy since they know that a special audit will be done. We need to have these commonly occurring issues by the Auditor-General addressed instead of discussing them every other time on the Floor of Parliament. Thank you.

THE DEPUTY SPEAKER: Let the Committee on Finance, Planning and Economic Development, which oversees the Treasury that appoints these accounting officers, take up that matter.

6.54

THE MINISTER OF PUBLIC SERVICE (Mr Muruuli Mukasa): Thank you, Mr Speaker. Concerning what punishments should be given, it depends on the gravity of the offence and the circumstances of the situation. The punishments include caution, reprimand and interdiction, after investigations have been done, leading to outright dismissal with disgrace from the service. A decision can be taken depending on the gravity and circumstances surrounding the offence and appropriate punishment given. That is what governs us.

The issue of capacity building is right but I think enforcement - Everyone should carry their cross. If you have misused money and broken the rules, why not answer for what you have done?

THE DEPUTY SPEAKER: That is what we expect under the Treasury Memoranda and that is why it goes back to the same committee; to see whether the recommendations were implemented. Honourable chairperson, there was an issue of audits that needed to be sorted. We cannot continue with those audits -

MR NDYOMUGYENYI: Mr Speaker, we wanted to recommend a forensic audit but the chairperson informed us of your guidance; that it would be expensive. The House can amend our recommendation to what is appropriate, under the circumstances.

THE DEPUTY SPEAKER: The problem that arises when you recommend a forensic audit

is that in six months, the action taken must be brought here. At the level of Parliament, when we are processing Auditor-General reports, we are conclusive on what we recommend; we do not leave issues in an abyss. We must conclude so that action can be taken.

When we order new audits on the Auditor-General's report, we are carrying things forward. No action will be taken and there will be no Treasury Memoranda. However, issues that do not concern the Auditor-General's report can come.

MR NDYOMUGYENYI: Mr Speaker, the issue here was that out of the unspent balance of Shs 125 billion, URA could only give accountability for Shs 56.336 billion and the Auditor-General did not go ahead to investigate the difference of Shs 68.75 billion. This is why we are saying, should we just let it pass?

THE DEPUTY SPEAKER: No, we can get a befitting recommendation where either the accounting officer or the Secretary to the Treasury is held accountable to ensure that, that money is accounted for. Can you propose one from an audit perspective?

MR NDYOMUGYENYI: What I would propose is that the accounting officer be held responsible for this difference. If he fails to account, he should refund the money.

6.59

MR ISAAC MODOI (NRM, Lutshe County, Bududa): The ruling we had, if they were not given a fair hearing –(Interjection) – Oh, was he there? Then that is okay.

THE DEPUTY SPEAKER: We need to ensure that money is recovered. Is that not the main issue? Hon. Kyooma, how do we capture it?

6.59

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Mr Speaker, we need to understand this matter. I understand the sentiments of the committee. From their submission, part of the money that was not spent was clearly tagged to some activities but part of it was not tagged to any activity.

The concern of the committee is, why should you hold on to money that you intend not to use yet other entities do not have money? There is nothing like saying the accounting officer should refund because the money was held without activities tagged to it.

THE DEPUTY SPEAKER: Is the money available?

MR KYOOMA: Yes, the money is available. As you guided, Mr Speaker, the sectoral committee should take up this matter and find out why an entity should have money at its disposal that is not tagged to any activity when other entities are suffocating.

THE DEPUTY SPEAKER: That is fair. Let us refer the matter to the sectoral committee; they will capture the recommendations very well. The sectoral committee looks into this all the time, especially during budgeting so it will be one of the questions asked.

I now put the question that the report of the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) on the report of the Auditor-General on the financial statements of the Uganda Revenue Authority (URA) for the Financial Year ended 30 June, 2022 be adopted, as amended.

(Question put and agreed to.)

Report adopted with amendments.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NATIONAL AGRICULTURAL ADVISORY SERVICES FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022 AND OTHER MATTERS

THE DEPUTY SPEAKER: I need Gen. Kavuma, the Deputy Coordinator of Operation Wealth Creation that has worked closely with NAADS while we handle this.

7.02

MR GERALD NANGOLI (NRM, Elgon North County, Bulambuli): Thank you, Mr Speaker. I will go directly to the findings, observations and recommendations.

Revenue performance

Observations

The committee observes that shortfalls in the NTR collections at vote level result in the aggregate NTR/revenue short falls at the Treasury level, which negatively affects the implementation of planned activities by the Government.

Recommendations

The committee recommends that the accounting officer should liaise with the Ministry of Finance, Planning and Economic Development to ensure that realistic NTR targets are set.

Performance of Government of Uganda receipts

Observation

The committee observes that failure to realise all the Government of Uganda receipts resulted in the failure to implement and plan the activities and affected service delivery.

Recommendation

The committee recommends that the accounting officer should engage the Minister of Finance, Planning, and Economic Development to ensure that all budgeted activities are financed.

1.2 Utilisation of warrants

Recommendation

The committee recommends that:

- (i) The accounting officer should endeavour to effect payments early enough to avoid end of year system failures.

- (ii) The accounting officer should follow up on the recruitment of provided-for staff.

1.3. Implementation of outputs and activities

Observation

The committee observes that non-implementation of planned activities affects service delivery.

Recommendation

The committee recommends that the accounting officer should ensure that all planned activities are implemented in a timely manner.

1.4 Diversion/mischarges, Shs 172,517,544.

Observations

The committee observes the following:

- (i) However justifiable the reason for diversion of funds may be, the necessary approvals ought to have been sought by management.
- (ii) Diversion of funds is not only contrary to Section 22 of the Public Finance Management Act, 2015 but also negates the purpose of budgeting.

Recommendations

The committee recommends the following:

- (i) The accounting officer should be held liable for diversion of funds, which happened outside the law.
- (ii) The accounting officer should always charge expenditure based on expenditure, classification and coding, as defined by the chart of accounts.
- (iii) Ensure that any reallocations are always undertaken in accordance with the law. You can see that the committee is biting. You said we are not recommending it but you can see that we are doing a good job. *(Interjections)*

1.5. Delivery of Services from implemented activities.

Observations by the committee on page 9 –

THE DEPUTY SPEAKER: You bite a rat and you say – *(Laughter)*

MR NANGOLI: Not really, Mr Speaker.

Observations on page 9.

The committee observes the following:

- (i) Various gaps affected the functionality of the UHT line and service delivery.
- (ii) There seems to have been no feasibility study for the projects.
- (iii) There was no coordination between various Government agencies and ministries in implementing the projects.
- (iv) Failure to implement work plans is in contravention of Section 45 of Public Finance Management Act, 2015.

Recommendations

The committee recommends the following:

- (i) The accounting officer and all officials who failed to implement the projects, as per the work plan and the budget, should be held liable as provided for in the Public Finance Management Act, 2015.
- (ii) The accounting officers should fast-track the implementation of all incomplete projects.

2. Outstanding domestic arrears of Shs 14,353,976,164

The observation and recommendation is on page 12.

The committee observes that court dismissed the suit with costs and that the committee was within its mandate to request for the said documents.

Honourable colleagues, you remember that when we were investigating this matter, one of the witnesses took the committee to court and that issue was quashed in favour of the committee. Actually, the court gave us a go-ahead to do this work.

Recommendations

The committee recommends the following:

- (i) Mr Patrick Katabazi Kiconco should be prosecuted for failure to fully remit money meant for tea nursery bed operators.
- (ii) Mr Patrick Katabazi Kiconco should pay all the amounts due to the beneficiaries within six months from the date of adoption of this report.
- (iii) Going forward, the Government should make all pending payments directly to the beneficiaries, not through the lawyers.

You will recall, honourable colleagues, when we were in Kyankwanzi, that the President objected to the issue of paying lawyers money. Therefore, our recommendation is in line with that directive. We are biting. *(Laughter)*

3. Non-performance letters of credit

Recommendation

The committee recommends that the accounting officer should strengthen the mechanisms for contract management and supervision to ensure that contractors deliver as expected and where applicable, contract terms such as liquidated damages should be enforced against the contractors.

4. Status of sugarcane production project in Northern Uganda.

Page 14, observations

The committee observes that a delay in the implementation of the sugarcane production project of Northern Uganda negatively impacts the livelihood of vulnerable groups in Northern Uganda as recipients of the intended benefits.

Recommendations on page 15.

The committee recommends the following:

- (i) The accounting officer should engage the Ministry of Trade, Industry and Cooperatives, Uganda Development Corporation (UDC), and other stakeholders to ensure the resumption of operations at Atiak Sugar Factory.
- (ii) The accounting officer and Uganda Development Corporation should fast-track the procurement of the machines needed at the factory.

6. Management of IT Investments

6.1 Procurement/Development and the use of software, licences, IT systems and equipment

Observation

The committee observes that non-compliance may lead to duplication of acquisition, procurement of non-compatible solutions and equipment and general diversion from Government's efforts to rationalise resources for better service delivery.

Recommendations by the committee

The committee recommends the following:

- (i) The accounting officer should enforce provisions of the contracts to ensure ownership of the system. Where contracts do not have provisions of ownership, they should be reviewed.
- (ii) The accounting officer should enhance controls and improve compliance with policies and guidelines.

6.2 ICT governance

Observation

The community observes that absence of ICT governance structures hampers formulation of

appropriate ICT policies, strategies and real-time upgrade of ICT interventions and may lead to misalignment of IT investments with the overall entity's strategic objectives.

Recommendations

The committee recommends that the accounting officer should institute governance structures to effectively manage ICT investments in consultation with other stakeholders.

Conclusion

Mr Speaker, I move that the House adopts this report. I beg to move. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable, we did not only send you to bite. What we told you is simple; what we see in the media when you are processing these reports should be reflected. This is because we see you conclude and sometimes hold press conferences. You communicate what you discovered, put it on your social media accounts then you recommend things that are different. You make the public judge someone and then you give a different conclusion. We really -

MR NANGOLI: Thank you, Mr Speaker. This committee is evidence-based. In most cases when we begin investigating, there is information that we get but along the way, we may find that some items lack evidence and we drop them -

THE DEPUTY SPEAKER: What I have told you is simple; you make the public judge someone. You need to be cautious when you are handling people because one day, someone will come and say, "I need an apology from Parliament. My son at school is being attacked that I am a thief." One day, someone will come and take on this House and we will look bad.

However, I also need the services of our Chairperson of the Committee on Legal and Parliamentary Affairs, who is here. I have seen the recommendations, under 12, on Mr Katabazi. I know this case very well and what

happened to the people is really bad. I want him to guide us on Parliament powers.

I thought our recommendation should be, “Mr Patrick Katabazi Kiconco should be investigated with a view of being prosecuted.” I do not know how you can conclude here that you prosecute him. That is the work of the DPP. What I want to know is where our powers stop, as Parliament.

7.14

MR YUSUF MUTEMBULI (NRM, Bunyole East County, Butaleja): Mr Speaker, you have already answered the question that you were putting to me but I would like to emphasise that, as Parliament, we do not have powers to direct anyone to be prosecuted. It is only the DPP who has the power to direct prosecution.

Like you have rightly guided, we can have a recommendation to the effect that this matter can be further investigated by the relevant authorities with a view of having such persons prosecuted but for us to direct that, honourable colleagues - It is beyond our jurisdiction, as a Parliament. Thank you.

THE DEPUTY SPEAKER: Thank you. If I were Mr Katabazi, I would be extremely happy with this recommendation. Why? I would just go to court and the report is struck out and I go. Parliament will never demand anything.

In Article 120(6) of the Constitution, the DPP is the one who has powers of prosecution. It reads:

“In the exercise of the functions conferred on him/her by this Article, the Director of Public Prosecution shall not be subject to the direction or control of any person or authority”. Do you get it?

We also said that he should pay all amounts due. This means that you have concluded the case; you have judged him. You are saying he is guilty so he should pay. How? And yet you are still – No, you do not have that power. That is where the court clearly ruled; that the

resolutions of Parliament are advisory, unless expressly stated that they are final. So, why harm someone who you know has done wrong and give him evidence to take to court and strike out your report so that he goes scot-free?

Do you remember the Temangalo case of Amama Mbabazi? The Constitutional Court made it very clear that the resolutions of Parliament are advisory. The moment the court pronounces itself, unless you go and challenge whether it was unfair or not - I am only advising you to know where we stop. Let this gentleman be investigated with a view of being prosecuted and recovering this money, which should be paid in case he is found guilty. Would that be fair, honourable colleagues?

Chairperson, if you concede on that recommendation, we have it well sorted to avoid the problem.

MR NANGOLI: Thank you, Mr Speaker, for your guidance. I concede to the amendment by the whole House that Mr Patrick Katabazi Kiconco should be investigated with a view of being prosecuted by the DPP. Thank you.

THE DEPUTY SPEAKER: No, and recover -

MR NANGOLI: And recover all the money, which was paid to him, with a view of being prosecuted by the DPP. *(Laughter)*

THE DEPUTY SPEAKER: Anyway, the *Hansard* will clean it up. I got it very clearly, honourable colleagues and the honourable Member has stated it very clearly; that Mr Patrick Katabazi Kiconco should be investigated with the view of being prosecuted. It can be, “with the view of being prosecuted” - for the committee recommendation to flow - “and recover the amount due for the beneficiaries.” Once they are recovered, they will be given to the beneficiaries. The *Hansard* will capture it very well.

Hon. Patience from Kanungu, I know you are one of the aggrieved parties on that issue.

7.20

MS PATIENCE NKUNDA (NRM, Woman Representative, Kanungu): Thank you, Mr Speaker. I thank the committee for this elaborate report. It is very unfortunate for the tea nursery bed operators in Kanungu because some people have gone as far as killing themselves. They have committed suicide because of Counsel Patrick Katabazi. Some have lost their homes to banks because of the loans they acquired to set up these nurseries.

They trusted him as their lawyer but what he has done is to betray them. Most of the people are not paid and women have lost everything. They have lost their husbands and children because they lost a lot of money in the process. You know what money means; money can divide the whole world.

Mr Speaker, in Kanungu and other districts, especially in the Kigezi Subregion, people are divided because of this matter. I ask the Government to investigate Counsel Katabazi and if found guilty, he should immediately pay so that people can get back their livelihoods. He has the money because the Government gave him Shs 39 billion. He made these people sign documents that they did not know. He would take someone to the bank, people would sign and get paid and immediately the money would be withdrawn. You can imagine such a crook. I am sorry, I withdraw that word because it is not parliamentary.

THE DEPUTY SPEAKER: Honourable, conclude. Do you agree with the recommendation?

MS NKUNDA: I agree with the recommendation but I want to ask if we can amend it and ask the Uganda Law Society to investigate Counsel Katabazi. If found guilty, he should lose his law practising certificate in Uganda.

THE DEPUTY SPEAKER: The complainants can do.

MS NKUNDA: Yes.

THE DEPUTY SPEAKER: We cannot do all the work for them; they should also do some work. We have done enough for them.

MS NKUNDA: Thank you, Mr Speaker. I ask that the people of Kanungu be paid immediately. For those who are still demanding, the Government should pay them so that they can recover what they invested in the tea nursery beds. Thank you.

THE DEPUTY SPEAKER: Thank you. I had allowed the Chairperson of the Committee on Gender, Labour and Social Development, then Hon. Museveni.

7.22

MS FLAVIA KABAHENDA (NRM, Woman Representative, Kyegegwa): Thank you, Mr Speaker. I thank the committee for the report. I would like to satisfy myself that this issue on the NAADS came from the Auditor-General's report. That is one of my concerns.

Secondly, Mr Speaker, you already alluded to the fact that Parliament needs to know where our boundaries are. I want to understand whether Parliament should interfere by giving timelines to citizens on how they should pay money to each other, to the extent that we even want to guide how private people will be paid.

These are people who already entered a contract with their lawyers, whether they are good or bad. As Parliament, are we now putting off the contract or we would rather wait for all this to be sorted, when the DPP investigates? We would not want to give timelines on how people pay each other and the mode of payment, unless the DPP comes up with – It may be that the lawyer or lawyers defrauded the beneficiaries -

THE DEPUTY SPEAKER: But honourable, you are submitting on a matter, which we have already amended and agreed on. We have already dropped the issues you are raising.

MS KABAHENDA: Thank you, Mr Speaker.

THE DEPUTY SPEAKER: There is a question on which I need clarification - Can I

have my chairperson, Hon. Nangoli? There is a question, which the honourable raised; was it an issue raised by the Auditor-General or it is under other matters?

MR NANGOLI: Mr Speaker, this issue was under domestic arrears and it was raised in the Auditor-General's report. We did not pick it outside the Auditor-General's report and that is why -

THE DEPUTY SPEAKER: That is enough. I just wanted clarity.

7.26

MR WILLIAM MUSEVENI (Independent, Buwekula South County, Mubende): Thank you, Mr Speaker. I thank the committee for the report. My concern is on the recommendation on Atiak Sugar Factory Limited.

Mr Speaker, we had a committee designated by this House to investigate matters of Atiak Sugar Factory Limited but they have never reported to this House. Are we proceeding well before the other committee reports back to this House? Because we are recommending that Atiak resumes its activities.

THE DEPUTY SPEAKER: Thank you.

MR MUSEVENI: I think it would be better, Mr Speaker, if they reported back because I expect them to have investigated matters of Atiak thoroughly and they are the best people to report to this House.

THE DEPUTY SPEAKER: Thank you.

MR MUSEVENI: Another concern, Mr Speaker, is on committees releasing information about matters before them during public investigations. I think the best practice is that when matters are still before committees, they are not fit for public consumption. It should be after the report is presented to this House that such matters can be released for public consumption.

THE DEPUTY SPEAKER: Thank you. Just for clarification, honourable, I will check with regard to the report of the other committee,

but the function of COSASE is accountability, which is clearly provided for under Rule 181 of our Rules of Procedure of Parliament. Section 53 of the Public Finance and Management Act (PFMA) and our Constitution are also very clear on that. Therefore, this is constitutional and mandatory.

The other ones were at our discretion, but COSASE had to do its work and when it is doing its work, it is independent work. That is why this accountability committee is always given to the Opposition. If the sectoral committee, which is given to the Government does not do its work very well, the Opposition led by Hon. Nangoli is ready to continue and delve into this mandate. *(Laughter)*

7.28

MS ROSEMARY NYAKIKONGORO (NRM, Woman Representative, Sheema):

Thank you, Mr Speaker. I also thank the committee. I have been trying to rise on the issue of domestic arrears, which cuts across, but there is no recommendation that comes out clearly on what the Government can do to avoid domestic arrears. These are local people who partner with and supply Government in business. Once they are not paid over a period of one to four years, they are out of business.

I wanted to find out from the Government, what plans - Because even during budgeting, this issue of domestic arrears keeps on coming. What can we do in order to cure that? People are running out of business because of Government's failure to pay them. Thank you.

THE DEPUTY SPEAKER: But how is it arising and maybe I can - the law is very clear; you cannot commit the Government without the availability of resources. You should not; how are they arising?

Hon. Mujungu - I am first allowing colleagues who have not submitted today.

7.28

MR GIDEON MUJUNGU THEMBO (NRM, Busongora County South, Kasese):

Thank you, Mr Speaker. When the chairperson of the committee was presenting the report,

in the preliminary observations - I do not remember the page but he noted that it seems that most of these projects did not have feasibility studies.

I am tempted to think, Mr Speaker, that the committee did not do a good job because they should have interrogated the concerned persons as to whether these projects were backed by feasibility studies. I would like the committee to inform this House whether they are satisfied that there were feasibility studies backing these projects. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Atima.

7.30

MR JACKSON ATIMA (NRM, Arua Central Division, Arua City): Thank you, Mr Speaker. I would like to add a recommendation on Atiak. The two recommendations are good; that the accounting officer should engage the Ministry of Trade and Cooperatives -

THE DEPUTY SPEAKER: Do not read for us what we have here, honourable. Give us the new recommendation. You are reading what is written here –*(Laughter)*

MR ATIMA: Mr Speaker, what I wanted to add is that there should be a special audit done on the procurement of machines in the factory because from the information we are collecting, the procurement system was not clear. I recommend that a special audit be conducted over the procurement. Thank you.

THE DEPUTY SPEAKER: Honourable colleague, let us handle that matter when the report of the Committee on Trade comes. We can then handle that matter at that time. Hon. Wanda -

7.30

MR RICHARD WANDA (NRM, Bungokho Central County, Mbale): Thank you, Mr Speaker. The issue of domestic arrears is surfacing in all entities and it is very clear in the PFMA and even the guidelines given to the entities how they can spend or even procure.

My question is, how do they begin procuring if the warrant to spend has not been given to the accounting officers or to those entities? I think it is an issue of indiscipline and I want to believe it is a way of defrauding the Government of funds. We should make a strong recommendation to the effect that the PS/ST should take disciplinary action against accounting officers who spend outside the warrants. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. The rest of the Members will submit on the next report as they have more or less the same issues.

MR NDYOMUGYENYI: Mr Speaker, you have raised a very important issue about how they accumulate these arrears yet they are supposed to first get confirmation of funds. What happens today is that the Ministry of Finance, Planning and Economic Development can give you warrants but will not release the money to you. That is why the warrants are different from the budgets. The finance ministry is the one causing this problem and as Parliament, we need to make a recommendation to this ministry.

What is happening now is that even when we appropriate and approve budgets, the finance ministry makes its own budgets. They even decide who to pay and where money should go; it is a big problem. Thank you.

THE DEPUTY SPEAKER: Honourable members, I am assigning this to the Committee on Finance, Planning and Economic Development and they should report back. Is it the Committee on Finance, Planning and Economic Development or the Budget Committee? [*Members: "Finance."*]

We have assigned it to the Committee on Finance, Planning and Economic Development and it is already working. Let the finance committee report back to the House on this matter. Hon. Itungo needed a clarification. Are you a member of the committee?

MR NATHAN TWESIGYE: Yes, I am a member and I seek clarification, Mr Speaker.

THE DEPUTY SPEAKER: From who?

MR NATHAN TWESIGYE: From you, Mr Speaker.

THE DEPUTY SPEAKER: No, this is your report. I cannot give clarification on your report; the rules do not allow it.

MR NATHAN TWESIGYE: Please, give me an opportunity, Mr Speaker.

THE DEPUTY SPEAKER: No. Honourable member, the rules do not allow it; it is a matter of the rules. You are a member; why did you sign a report, which was not clarified to you? *(Laughter)*

I now put the question that the report of the Committee on Public Accounts (COSASE) on the Report of the Auditor-General on the Financial Statements of the National Agricultural Advisory Services for the Financial Year ended 30 June 2022 be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Honourable colleagues, you write your report, sign it and then come to seek for clarification. *(Laughter)* I will allow it if it is a general issue. Do not mind; it can cut across reports.

MR NATHAN TWESIGYE: Thank you, Mr Speaker. I have been on accountability committees even in the last Parliament. Article 90 of the Constitution and Rule 208 of our Rules of Procedure give powers to the committees. However, I do not see a standard on these issues when we are making recommendations and observations.

For example, one of the Members already stated that there are some crosscutting issues in these accountability committees and they

include mischarge, arrears, under absorption and Withholding Tax, among others.

The guidance I seek from you, Mr Speaker, is whether we can have a standard of reporting so that if it is an issue of mischarge or arrears, the accounting officer should be handled in A, B, C or D. We should have a standard recommendation on most of these cross-cutting issues. This is the guidance I seek from you. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: That is general and that is why I said maybe, it cuts across all committees. I will first seek guidance from the Committee on Legal and Parliamentary Affairs on that.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE NATIONAL LOTTERIES AND GAMING REGULATORY BOARD FOR THE FINANCIAL YEAR ENDED 30 JUNE, 2022

7.37

MR ROLAND NDYOMUGYENYI (Independent, Rukiga County, Rukiga): It is me presenting this report and I will take a maximum of five minutes because it is a small report.

Implementation of the approved budget

This entity had a budget of Shs 8.37 billion and it got Shs 8.31 billion.

Revenue performance

We observed that failure to realise all the projected Non-Tax Revenues resulted in failure to implement various activities.

The recommendation is that the accounting officer should put in place measures to realise all projected revenue.

1.2. Performance of GoU receipts

Observation

The committee observes that failure to release all the budget funds compromises service delivery.

Committee recommendation

We recommend that the accounting officer should always engage the Ministry of Finance, Planning and Economic Development to ensure that all budgetary funds are released to enable the implementation of all planned activities.

1.3. Appropriation of key performance indicators

The committee recommends that the accounting officer should immediately adjust the performance indicators used to measure performance and ensure that they are appropriate and facilitate accurate assessment of performance.

1.4. Implementation of outputs and activities

We observed that non-implementation of planned activities implies that the expected services were not delivered.

The committee recommends that unimplemented activities be carried forward to the subsequent financial year, as provided for under Section 17(3) of the Public Finance Management Act.

1.5 Accuracy of the reported expenditure and achieved targets

The committee observed that failure to reconcile information on a timely basis between the IFMIS and PBS creates variances between reported and actual figures.

The committee recommends that the system should be integrated to ensure accuracy.

2. Staffing gaps

The committee observed that staffing gaps in key positions of the organisation affects performance and overall achievement of the organisation's goals and objectives.

We recommend that the Ministry of Finance, Planning and Economic Development should provide funds to enable the recruitment of officers to fill all missing positions to enable the entity effectively execute its mandate.

3. Failure to prepare regulations

We observed that if the industry is not properly regulated, there is a risk of abuse by operators and it makes the implementation of responsible gaming difficult.

We recommend that the Ministry of Finance, Planning and Economic Development should finalise the regulations within 30 days from adoption of this committee report.

4. Review of governance

4.1. Failure to prepare a national register of gaming or betting machines and devices

The committee observes that the absence of a register of machines and equipment being used in the industry makes the process of monitoring and renewal of licences difficult. This exposes industry players to risks of using inappropriate machinery and equipment.

Therefore, we recommend that the UNBS should review and approve technical standards for licensing of machines and equipment within 30 days from the date of adoption of this committee report.

5. Management of Information Technology investment

5.1 Improper maintenance of IT Assets Register

We recommend that all IT assets should be accurately recorded in the assets register within three months from the date of adoption of this report.

5.2. Business continuity and disaster recovery

The committee observed that without a proper business continuity/ disaster recovery plan, the organisation is exposed to the risk of loss of data in the event of a disaster.

We recommend that the accounting officer should, with immediate effect, put in place and implement a robust business continuity and recovery plan to aid business continuity. In addition, the disaster recovery sites should be established in consultation with NITA-Uganda and other stakeholders.

Conclusion

Mr Speaker, I move that the House adopts this report. I beg to submit.

THE DEPUTY SPEAKER: Thank you, Honourable. This is very clear. I have seen one recommendation, which I feel we can better clarify and it is on page 8 where you say, “The minister should finalise regulations within 30 days.” I can finalise and have them in my library.

Secondly, being realistic, if you want the minister to have a regulation in 30 days, he or she will have to go to the Attorney-General and later to the Cabinet, have it gazetted and then, it is brought to Parliament. Let us give deadlines which are realistic. Hon. Mutembuli, do you want to first give clarification?

MR NDYOMUGYENYI: Mr Speaker, the entity said that they sent the draft regulations a long time ago but the minister has not responded to them yet these regulations are very important for service delivery by this entity.

The 30 days may be too few. However, the minister should be put to task to respond to those regulations because they were drafted and sent.

THE DEPUTY SPEAKER: Honourable, reporting on this issue is six months. That is what the law provided for and that is the

problem with the Auditor-General’s report; there is no shortcut. The minister will say, “I will report back in six months as per the law.”

7.44

MR YUSUF MUTEMBULI (NRM, Bunyole East County, Butaleja): Mr Speaker, that is what I wanted to point out. Section 70 of the Lotteries and Gaming Act, 2015 gave the minister six months within which to come up with the regulations. Therefore, if within eight years they have not come up with the regulations, I do not think it will be realistic for us to say that within 30 days they can come up -

My proposal is that we still give them the six months, like you have rightly explained, so that they will not have any excuse.

Honourable members, as the Speaker guided, this business of us coming up with directives and orders that are not enforceable will not help us. For the past eight years, we have not had them. We are saying, within six months but they can even do it within one month.

THE DEPUTY SPEAKER: Hon. Mutembuli, how about you say, “The minister should expeditiously...”, without putting dates. The sectoral committee will then put the minister to task.

MR MUTEMBULI: Mr Speaker, that word “expeditious” is subjective. How expeditious is it? If we say six months are many, can we suggest three? However, if we just say expeditious, we shall give these people leeway and they may not give us these regulations.

Secondly, I have a serious observation – (*Members rose*)

THE DEPUTY SPEAKER: Honourable members, when one Member is speaking, all of you should be seated.

MR MUTEMBULI: I have an observation in as far as the Ministry of Finance, Planning and Economic Development and making of regulations is concerned. There are many Acts

that authorise the Minister of Finance to come up with regulations but 10 years, 12 years - A few weeks ago, we were struggling with the Tier 4 Microfinance and Money Lending Act that authorised the minister, in 2016, to come up with regulations, but to-date, there are no regulations.

This is something that we should take seriously. If the Minister of Finance and other ministers have been authorised to make regulations, they should act because without them, it becomes very difficult for the Act to be enforced. Thank you.

THE DEPUTY SPEAKER: Thank you. Clerk, please, comb through the records with the Legal Department and look at all laws that still have pending regulations. Submit the report to me and we will take action from there. I need this by Monday so that on Tuesday, I pronounce myself on it. Let us close that. Hon. Enos, do you have any –

MR ENOS ASIIMWE: I have an issue on Information Technology (IT), but before I get to that, on the issue of regulations -

THE DEPUTY SPEAKER: No, I have closed it.

MR ENOS ASIIMWE: I would like to give you information that he has missed. Look at page 7.

THE DEPUTY SPEAKER: Honourable member, when the Speaker has pronounced himself -

MR ENOS ASIIMWE: It is okay; I was just guiding -

THE DEPUTY SPEAKER: Hon. Enos, go to your point.

MR ENOS ASIIMWE: Thank you, Mr Speaker. My issue is on the recommendation on IT, which was generic. Most of the reports had issues to do with IT systems not being rationalised and every entity having its own system.

The committee did not come out properly to give the Ministry of Finance, Planning and Economic Development timelines on when we can have a centralised system. I will give you an example. When we were handling ministerial policy statements, we found that the Ministry of Finance can spend about Shs 50 billion on IT systems and licences. You go to the Uganda Revenue Authority and the Ministry of Defence and Veteran Affairs and they are spending almost the same amount of money.

Why can't Government come up with a centralised system so that we can limit the amount of money we are spending on these foreign companies to maintain their systems?

When you go to this particular report, on page 10, they are making a recommendation that the accounting officer should, with immediate effect, put in place a robust system for a recovery plan but his submission does not match your recommendation.

When you say, "The accounting officer submitted that all systems are hosted at NITA", I think that would be good enough. That is already a recovery plan that covers your recommendation. Therefore, I believe we need to amend that recommendation to make it better.

THE DEPUTY SPEAKER: Thank you. Honourable members, IT systems are a very crucial point. Just like public universities are all in a system called Academic Institute Management System (AIMS) which was a directive from Ministry of Finance - It even first supported them.

I was the Chairman of the Finance Committee of Makerere University, as a member of the University Council, we were paying South Africans a lot of money. You would find that you need Shs 20 billion, Kyambogo University needs this - There was a system, which was started by people at Makerere who later on went to Kyambogo. Since it was a locally made solution, we decided to have a tailor-made solution for all public universities.

The late Keith Muhakanizi, at that time, said, “All of you should be on one system that can handle marks and timetables and every student will pay Shs 30,000 annually for that” and it has worked.

This is an issue, which we cannot just recommend and conclude on. It needs to be studied. Therefore, I will assign the Committee on Information, Communication Technology and National Guidance, where NITA Uganda reports, to handle that matter and report back to the House within three weeks so that we have a harmonised position.

On the generic issue, which was raised by Hon. Itungo, there used to be what we called an accountability handbook that would guide accountability committees. I am going to link up with the Clerk tomorrow because it does not look good where you have a mischarge; one committee is saying “caution”, another is saying “hold accountable” while the another says, “the accounting officer should ensure this is not done again.” We lose consistency; that was a good observation. For uniformity of our recommendations, I think we shall ensure that this is handled and I will report back to the committee.

I now put the question that the report of the Committee on Public Accounts Commissions Statutory Authorities and State Enterprises on the Report of the Auditor-General on the Financial Statements of the National Lotteries and Gaming Regulatory Board for Financial Year ended 30 June, 2022 be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Thank you, honourable colleagues. Let us have just one more item. There is a motion from the Parliamentary Commission. I would like to amend the Order Paper to include it so that we sort issues of COSASE.

MOTION FOR A RESOLUTION
OF PARLIAMENT TO ADOPT THE
RECOMMENDATIONS CONTAINED IN
THE AUDITOR-GENERAL’S REPORT FOR
THE FINANCIAL YEAR ENDED 30 JUNE,
2022

7.53

MS PROSSY AKAMPURIRA (NRM, Woman Representative, Rubanda): Mr Speaker, I beg to move a motion for a Resolution of Parliament to Adopt the Recommendations contained in the Auditor-General’s Report for the Financial Year ended 30 June 2022. I move under Rule 56 of the Rules of Procedure of Parliament.

“WHEREAS the Auditor-General is required by Article 163(3) of the Constitution of the Republic of Uganda, 1995 and Section 13(1) of the National Audit Act, 2008 to audit and report on the public accounts of Uganda and of all the public offices, including the courts, the Central and local government administrations, universities and public institutions of the like and any public corporations or other bodies established by an Act of Parliament and;

WHEREAS the Auditor-General, in accordance with Article 163(4) of the Constitution and Section 19(3) of the National Audit Act, 2008 submitted to Parliament, the report of the Financial Year 2021/2022 and the same was presented to Parliament on 19 January 2023;

AWARE that Article 163(5) of the Constitution and Section 19(4) of the National Audit Act, 2008 require Parliament to debate and consider the report of the Auditor-General and take appropriate action within six months after submission of the report;

ACKNOWLEDGING the need to consider the reports of the Auditor-General within a prescribed time in order to ensure timely preparation of the Treasury Memoranda and timely implementation of the recommendations of Parliament;

NOW THEREFORE Parliament, in accordance with Article 163(5) of the Constitution and

Section 19(4) of the National Audit Act, 2008 resolves to adopt the recommendations of the Auditor-General in respect of the following entities:

1. Electoral Commission ...”

THE DEPUTY SPEAKER: Read where the entities fall.

MS AKAMPURIRA: “*Entities under the Committee on Public Accounts (COSASE):*

1. Electoral Commission
2. Parliamentary Commission
3. Law Reform Commission
4. Uganda Human Rights Commission
5. Uganda AIDS Commission
6. National Planning Authority
7. Uganda National Meteorological Authority
8. Uganda Industrial Research Institute
9. National Curriculum Development Centre
10. Uganda National Roads Authority
11. Uganda Tourism Board
12. Uganda Road Fund
13. Dairy Development Authority
14. National Lotteries and Gaming Regulatory Board
15. Public Procurement and Disposal of Assets
16. Cotton Development Organisation
17. Uganda Land Commission
18. National Forestry Authority
19. Uganda Coffee Development
20. Uganda Free Zones Authority
21. Uganda Microfinance Regulatory Authority
22. Uganda Retirement Benefits Regulatory Authority
23. Science, Technology and Innovations -”

Mr Speaker, before I –

THE DEPUTY SPEAKER: If there are others that you have missed out, we can move another motion later.

MS AKAMPURIRA: Thank you for that guidance. Mr Speaker, I beg to move the motion.

THE DEPUTY SPEAKER: You already mentioned it at the beginning. Thank you so much, Commissioner. These reports are laid by the Commissioner.

Is the motion seconded? (*Members rose*) It is seconded by Hon. Lillian Aber, Hon. John Musila, Hon. Mutembuli, Hon. Faith, Hon. Isaac, Hon. Gen. Kavuma, Hon. Judith Alyek, Minister Ssempijja, Minister Muruuli, Hon. Angura, Hon. Rose Obigah – nearly all of you, honourable colleagues.

Do you want to give any justification or should I go to the seconds? Okay, the Commissioner feels she has given sufficient information. The seconder, Hon. Lillian Aber, take a few minutes.

8.00

MS LILLIAN ABER (NRM, Woman Representative, Kitgum): Thank you, Mr Speaker. Honourable members, as we all know, this House is mandated to do work within the appropriate time. If we do not achieve that, we will not be doing what we are supposed to do. Reports are supposed to be submitted, scrutinised, presented, debated and action taken on time – we already alluded to that earlier on. It is on that basis that I rise to support this motion to ensure that business runs within the appropriate time.

As earlier noted in the report, the Auditor-General, who is also an officer of Parliament, submitted this report on 9 January 2023, in accordance with the Constitution and the National Audit Act, 2008, which means Parliament ought to have concluded this business. We are already past that time. Therefore, if we are to achieve, we need to handle this.

Mr Speaker, my appeal is that the leadership of the various committees take this on and comply with Rule 174(6) of the Rules of Procedure. We are doing this because it has already been faulted so, it is my humble appeal that this is done in a better way in future to avoid delays.

I beg to move and I implore Members to support this motion.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, for the record, all reports that were ready have been processed by the House. (*Applause*) No one can say, “I finished the report but I did not get space on the Order Paper”. We were remaining with six reports, which we have handled today.

Someone said, “But we are going to be redundant”. No. There are Treasury Memoranda that are supposed to be processed by the same accountability committees so, the committees need to move and ensure that those Treasury Memoranda are processed because they are very critical in showing the action taken on recommendations of the Auditor-General.

The question that would be asked is, did you take action or not? With this, I would like to request the Rt Hon. Prime Minister to urge the Ministry of Finance, Planning and Economic Development to table all pending treasury memoranda so that the committees can start processing them and ensure that accountability issues are handled seriously.

8.04

MR ENOS ASHIMWE (NRM, Kabula County, Lyantonde): Thank you, Mr Speaker. My grounds for supporting the motion have already been well addressed by your communication.

My argument is, one, the Auditor-General is an officer of Parliament so we trust the work that he did.

Two, once the Treasury memorandum is worked on and submitted to Parliament, we shall have enough time to debate. Therefore, adopting the motion as it was presented earlier is the best direction we can take in the interest of meeting the constitutional requirement. Thank you very much, Mr Speaker.

8.04

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Thank you, Mr Speaker. Regarding these other reports that

we have handled, I do not have any problem. For the others that have been taken omnibus, I would like to hear from the chairperson; what has happened? Is it that some of the reports that have been outlined by the commissioner did not go through the committee yet we are adopting them?

I would like to find out whether this is not some kind of vote of no confidence in the committee. Can we hear from the chairpersons of the committees what the problem was? Why didn't they handle these reports and submit them in time?

Mr Speaker, for the Treasury Memorandum that we are talking about; the reports we have not handled here, we would be responding to a report we have not handled. Therefore, we would be auditing the Treasury Memoranda for reports we have not handled yet some of the reports of these entities are very crucial.

Mr Speaker, I would like to find out from the chairperson why they could not handle these reports in time. Thank you.

8.06

MS CHRISTINE APOLOT (NRM, Woman Representative, Kumi): Thank you very much, Mr Speaker. I stand to second the motion for adoption of the report of the Auditor-General, as handled by the committee.

I support it because the reports, as presented, are a true reflection of what is on the ground. In addition, we are adopting amendments. Therefore, it is worthwhile that as Parliament, we adopt the report. Thank you.

8.06

MR ALEX BYARUGABA (NRM, Isingiro County South, Isingiro): Thank you, Mr Speaker. This is good work done so far. I always love to thank myself and honourable colleagues; we are doing very well. This is something we have always done, even in previous Parliaments.

Like I said at the beginning of this debate, most of the recommendations are a repetition of what the Auditor-General recommended.

We did not change a lot, except the semantics in the recommendations here and there, which is fine.

I would like to support this motion with all my heart. However, next time, these accountability committees should come out very strongly to bite, as one of our honourable colleague indicated. One of the most cardinal roles of Members of Parliament is oversight and we should be biting.

Finally, in future, should an accounting officer receive negative reports for two consecutive financial years, we should recommend that he/she be relieved of his or her duties. Thank you.

THE DEPUTY SPEAKER: Thank you. One, I would like to comfort Hon. Kyooma that this has been a practice; it is not the first time.

Two, action can only be taken once we have adopted the report. We had situations in 10th Parliament where this was raised. Members said there were reports that had not been worked on for a year but the Minister of Finance, Planning and Economic Development said he could not take action until the reports were adopted by Parliament. However, for two years, reports could not be adopted because they were very many. That was when it was provided that we should always adopt them so that we focus on the action taken.

Honourable colleagues, to be honest, if you read through these recommendations, how many have changed from the recommendations of the Auditor-General? Why do we delay the implementation of what the Auditor-General recommended? We demand action.

8.09

MR ROLAND NDYOMUGYENYI (Independent, Rukiga County, Rukiga):

Thank you, Mr Speaker. In Kenya, when the Auditor-General tables a report in January, it is adopted. The committee then selects the entity they want to interact with, but the adoption is done at the beginning. I just wanted to comfort Hon. Kyooma about the adoption; it is not something outrageous or out of practice.

Most importantly, Mr Speaker, Hon. Kyooma raised an issue of the many entities whose reports were not processed. I would like to tell you that this year, we have processed more than 20 reports and this has never been done by any Committee on Public Accounts (COSASE). This is according to available data but we can still do better than this.

Mr Speaker, as a committee, it is a matter of internally identifying the best way to ensure that these reports are processed on time. We promise that going forward, we are going to do better.

MR OKOT: Thank you very much, Mr Speaker and honourable member for giving way – Mr Speaker, he gave me space.

THE DEPUTY SPEAKER: No, he was getting off the Floor. He just passed on the microphone. A Member only gives way when he or she is still holding the Floor because the information is to help him or her in his or her submission.

Hon. Roland, I would like to clarify that I have received information that you have processed 11 reports not 20. We shall ensure it is well captured. I will meet the leadership of the committee and some Members. I request the chairperson to come with some Members so that we can come up with *modus operandi*. For example, if you have 100 entities, you have to come up with subcommittees and then adopt. If the chairperson thinks he or she will chair each and every meeting - Haven't we processed reports here?

Honourable colleagues, this is not a directive; it is a *modus operandi* of the committee. I will meet the leadership of the accountability committees to see how best we can handle this issue.

Hon. Nangoli - He is the chairperson today.

8.12

MR GERALD NANGOLI (NRM, Elgon North County, Bulambuli): Thank you so much, Mr Speaker. I am the chairperson for today, but my time is running out.

Mr Speaker, regarding what you have just mentioned, I was in Zambia on a benchmarking trip with my brother, Hon. Itungo, and they actually have more than 100 entities. They form sub-committees and when I came back here, I brought the same idea before the committee. I said, why don't we have sub-committees so that we can finish this work? However, things did not work out.

Mr Speaker, I am requesting for your indulgence that you talk to the leadership of the accountability committees so that we solve this once and for all.

THE DEPUTY SPEAKER: Thank you.

MR NANGOLI: Mr Speaker, another challenge we have is that when we go on recess, we are not allowed to process these reports or meet the agencies. In this year alone, we have had more than four recess periods and it becomes very difficult for us to harmonise some of these things.

THE DEPUTY SPEAKER: Honourable, it was only one recess where we instructed you not to work. For the other recesses, that was the business of your committee; you are the ones who decided. Do not accuse the leadership.

MR NANGOLI: [Nathan Twesigye: "Information, Hon. Itungo."] Since I was with you in Zambia, you can say something.

MR NATHAN TWESIGYE: Thank you, Mr Speaker. That is why I was raising this concern earlier. As he said, when we went to Zambia, they had a standard procedure of handling entities. Either you go to the field or you do not go but here, you get one entity and you spend almost two weeks, you go to the field, come back, you ask for this and then for another entity, you do not.

That is why I am saying that we need a standard. If we get a report and it says there is a mischarge, the conclusion is done. If the report says there was withholding tax or arrears, the report is done. If we do not have a standard - That is why the chairperson says, "I have to chair every entity. When I am not there, you

are free. When I am there, that is when the business is on."

Chairperson, give us a standard on how we can approach - because I am told the way the other accountability committees have made their reports -

THE DEPUTY SPEAKER: We are going to work on that as a leadership. Honourable colleagues, please, let us allow Hon. Mpindi. Yes, I know you are also a Member and you have been allowed. *(Laughter)*

8.14

MR BUMALI MPINDI (Independent, PWD Representative): Thank you, Mr Speaker. I want to supplement on that and my request is to you the leadership because we are handling these entities on behalf of this Parliament.

If the chairperson says, "I am the one to handle this; if I am not there, nothing will take place", then we are losing out. We will keep on adopting reports without scrutinising them.

I pray that the leadership of Parliament directs - because you were saying it is not a directive. It can be a directive for the benefit of Ugandans. I submit, Mr Speaker.

THE DEPUTY SPEAKER: Hon. Angura, you have one minute.

8.15

MR FREDRICK ANGURA (NRM, Tororo South County, Tororo): Thank you very much, Mr Speaker. What you have said happened in the 10th Parliament and you will recall that the backlog that was accruing year after year was disabling.

I was one of the seconders of that motion that was moved by Hon. Nandala-Mafabi to cover all entities and bring a level ground in order for us to start on a right note.

However, Mr Speaker, I come from the Public Accounts Committee (PAC) Central Government and you can see that my files are ready. I thought we would also move.

I want to inform the whole House that in PAC (Central), we are closing everything. After our presentation tomorrow, everything will be done. The practice there has been simple.

I am not a member of the Opposition. The leadership of this committee is vested in the Opposition but I have had the privilege of chairing as many meetings as are delegated by my chairperson officially, unlike certain circumstances where people come and say no, you cannot. I am delegated officially and I chair meetings. We formed sub-committees of about three to four groups and that is how we have managed to decongest our work.

Indeed, there are certain circumstances when you may not attend to all entities. In the same way that the Auditor-General samples, we can also sample a few that may have generic issues and we are able to work. Let us wait for tomorrow, watch the space when we shall be presenting and you will see that nothing will be left. Thank you very much.

THE DEPUTY SPEAKER: Honourable colleagues, I will be meeting the leadership of the accountability committees so that we agree and support each other. If you see on the statement, we had 1-14 and then 31-39. There is a page, which was missing and I do not know how the Commissioner wants to handle this matter.

8.18

MS PROSSY AKAMPURIRA (NRM, Woman Representative, Rubanda): Mr Speaker, I beg to amend my motion so that the following 15 entities are included in the motion:

1. 15. Equal Opportunities Commission
2. 16. National Information Technologies Authority
3. 17. Uganda Virus Research Institute
4. 18. Financial Intelligence Authority
5. 19. Education Service Commission
6. 20. Health Service Commission
7. 21. Uganda Export Promotion Board
8. 22. National Identification and Registration Authority

9. Uganda Investment Authority
10. Petroleum Authority of Uganda
11. Uganda Bureau of Statistics
12. Public Service Commission
13. Local Government Finance Commission
14. Judiciary Service Commission
15. National Population Council
16. National Environment Management Authority

Mr Speaker, I beg to move.

THE DEPUTY SPEAKER: Is the amendment seconded? (*Members rose*) Yes, it is seconded by Hon. Tom Aza, Hon. Mujungu, Hon. Kyooma, Hon. Gen. Kavuma, Hon. Chemonges, Hon. Nangoli, Hon. Roland, Hon. Aber. Thank you.

MS AKAMPURIRA: Mr Speaker, to support what you and the Members were saying, in the last Parliament, I was on the Committee on Public Accounts (COSASE) and when the backlog was big, one thing that helped the members was to stand our ground and say, we should split ourselves.

I remember that is the only way we could move, especially in the last two years when it was really hard for us to work without the chairperson.

I thank you when you say you are going to call on the leadership of the committees so you can add your voice to that of the Members because I have heard some of them present their issues. Hopefully, it will help with the work. Thank you so much, Mr Speaker and Members.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I now put the question that a motion for a Resolution of Parliament to Adopt the Recommendations contained in the Auditor-General's Report for the Financial Year ended 30 June, 2022 be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Thank you. Clerk, extract this and ensure it is conveyed and relayed to the Ministry of Finance, Planning and Economic Development so that a Treasury Memorandum can be prepared.

I thank you, honourable colleagues, for being here. We have covered yesterday and today's job. The House is adjourned to tomorrow at 2.00 p.m.

(The House rose at 8.21 p.m. and adjourned until Thursday, 19 October 2023 at 2.00 p.m.)

REPUBLIC OF UGANDA
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PARLIAMENT OF THE REPUBLIC OF UGANDA

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES & STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF NATIONAL AGRICULTURAL ADVISORY SERVICES FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022

[Handwritten signatures and initials]

Office of the Clerk to Parliament
Parliamentary Building, Kampala

October, 2023

[Handwritten signatures and initials]

1. INTRODUCTION

In accordance with Article 163(5) of the Constitution of the Republic of Uganda, 1995, Rule 181(2) of the Rules of Procedure of Parliament, this is the Report of the Committee on Public Accounts (Commissions, Statutory Authorities & State Enterprises) –PAC (COSASE) on the Report of Auditor General on the Financial Statements of National Agricultural Advisory Services (NAADS) for Financial Year ended 30th June, 2022.

2. BACKGROUND

The Report of the Auditor General was laid before Parliament on 19th January, 2023, and referred to the Committee in accordance with Rule 181(4) & (5).

3. METHODOLOGY

In the consideration of the Report, the Committee:

- a) Held meetings with the management of NAADS.
- b) Reviewed various documents including:
 - i. The Report of the Auditor General on the Financial Year ended 30th June, 2022;
 - ii. Responses to the queries from the management of NAADS.

4. FINDINGS, OBSERVATIONS, AND RECOMMENDATIONS

1. Implementation of the Approved Budget

1.1 Revenue Performance

Performance of Non-Tax Revenue (NTR)

For the financial year 2021/2022, NAADS budgeted to collect NTR of UGX.0.06Bn during the year under review. Out of this, only UGX.0.03Bn was collected, representing a performance of 50% of the target.

The Accounting Officer submitted that the sources of NTR were majorly sales of bids and disposal of assets, and informed the Committee that the targets were set by the Ministry of Finance and were high.

Observation

The Committee observes that shortfalls in NTR collections at vote level result in aggregate NTR/revenue shortfalls at the treasury level, which negatively affects the implementation of planned activities by Government.

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Recommendation

The Committee recommends that the Accounting Officer should liaise with the Ministry of Finance, Planning & Economic Development to ensure that realistic NTR targets are set.

Performance of GoU receipts

According to the approved budget, the entity was supposed to receive UGX.104.49Bn out of which UGX.88.73Bn was warranted, resulting in a shortfall of UGX.15.75Bn. The shortfall represents 15.1% of the approved budget. The funds that were not warranted were meant for the implementation of activities which were not implemented.

Observation

The Committee observes that failure to realise all GoU Receipts resulted into the failure to implement planned activities and affected service delivery.

Recommendation

The Committee recommends that the Accounting Officer should engage MOPPED to ensure that all budgeted activities are financed.

1.2 Utilization of warrants

Out of the total warrants of UGX.88.73Bn received during the financial year the entity submitted invoices totaling to UGX.88.45Bn resulting in un-utilised warrants of UGX.0.29Bn representing an absorption level of 99.7%. The warrants that were not utilized were meant for the following activities which were subsequently partially or not implemented at all.

| No | Out-put | Activity | Amount-Unspent (UGX) | Reason for the under-utilization |
|----|--|-------------------------|----------------------|--|
| 1 | 015406- Program management and coordination | Contract staff salaries | 104,502,507 | The staff for whom these resources were provided were never recruited during the year. |
| 2 | 015406- Program management and coordination | Maintenance-Vehicles | 3,197,799 | Payments bounced due to wrong payee account details uploaded on the IFMS |
| 3 | 015414- Provision of Priority and Strategic Agricultural Inputs to Farmers | Agricultural Supplies | 139,468,100 | Payments bounced due to wrong payee account details uploaded on the IFMS. |
| 4 | 015418- Support to upper end agricultural value | Travel Inland | 1,060,000 | Payments bounced due to wrong payee account |

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| | | | | |
|---|--|--|------------|---|
| | chains and agribusiness development | | | details uploaded on the IFMS |
| 5 | 015472- Government Buildings and Service Delivery Infrastructure | Non-residential buildings | 41,418,187 | Payments bounced due to wrong payee account details uploaded on the IFMS |
| 6 | 015477- Purchase of Specialised machinery and equipment | Monitoring, supervision and appraisal of capital works | 2,370,000 | Payments bounced due to wrong payee account details uploaded on the IFMS. |

The Accounting Officer explained that all the funds had been fully spent in June 2022 however, the corresponding payments bounced in July 2022 due to errors in the suppliers' bank account details uploaded on the IFMS.

Recommendations

The Committee recommends that;

- i. the Accounting Officer should endeavor to effect payments early enough to avoid end of year system failures.**
- ii. the Accounting Officer should follow up on recruitment of the provided for staff.**

1.3 Implementation of outputs and activities

The Auditor General assessed the implementation of one (1) output that had been fully quantified with a total of two (2) activities worth UGX.0.62Bn and noted that:

One (1) output with two (2) activities worth UGX. 0.62Bn was partially implemented. Out of the two (2) activities, the entity partially implemented one (1) activity; while one (1) activity remained unimplemented.

The Accounting Officer explained that the output was subsequently implemented.

Observation

The Committee observes that non-implementation of planned activities affects service delivery.

Recommendation

The Committee recommends that the Accounting Officer should ensure that all planned activities are implemented in a timely manner.

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1.4 Diversion/mischarges: UGX.172,514,557

Paragraph 10.3.1 (step 4-approval of payments) of the Treasury Instructions 2017 states that in reviewing payment requests, an Accounting Officer shall have a primary responsibility of ensuring that there is no mischarge and diversion of funds through wrong coding of transactions. An Accounting Officer shall be held personally liable for any wrong charge accounts used for expenditure incurred by his/her vote.

From a sample of transactions reviewed, the Auditor General noted that funds to the tune of UGX.172,514,557 were irregularly diverted from the activities on which they were budgeted and spent on other activities without seeking and obtaining the necessary approvals.

The Accounting Officer explained that as the financial year was coming to an end, there were demands from farmers for various inputs, and yet there were balances from items such as meetings and workshops. In light of that, management found it prudent to support farmers with inputs by using funds available from other budget lines, especially considering that there was also a budget shortfall. Consequently, management took a decision to reallocate the funds and devote them to projects that were long outstanding.

Observations

The Committee observes that:

- i. however justifiable the reason for diversion of funds may be, the necessary approvals ought to have been sought by management;
- ii. diversion of funds is not only contrary to Section 22 of the Public Finance Management Act, 2015 but it also negates the purpose of budgeting.

Recommendations

The Committee recommends that;

- i. **the Accounting Officer should be held liable for the diversion of funds which happened outside the law**
- ii. **the Accounting Officer should always charge expenditure based on the expenditure classification and coding as defined by the chart of Accounts**
- iii. **ensure that any reallocations are always undertaken in accordance with the law.**

1.5 Delivery of services from implemented activities

The Auditor General undertook procedures to establish if activities were undertaken in a timely manner, were of expected quality and quantity, and if

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citizens were getting the expected services. In addition, the Auditor General assessed if the works/services were delivered at reasonable costs.

| No | Activity details | Total expenditure (UGX) | Summary of findings | Conclusion regarding service delivery | | Management Response |
|----|---|---------------------------------------|---|--|---|--|
| 1 | UHT Tooro Dairy | 346,080,000 (30% of 1,153,600,000) | <p>I undertook inspection of the site on 18th October 2022 and noted the following;</p> <p>The project was supposed to have been completed by 30th September 2022.</p> <ul style="list-style-type: none"> The UHT line that was installed was not operational due to lack of power. The existing transformer and the (42KVA) generator provided by the beneficiaries could not handle the new UHT line. The water treatment unit of the beneficiary was of smaller quantity (500ltrs) and not of good grade, yet the steriliser delivered was of 2000ltrs | <p>These gaps affected the functionality of the UHT line and have affected service delivery.</p> | • | <ul style="list-style-type: none"> The utilities for this project particularly the power and water were supposed to be handled by the beneficiaries. The beneficiaries had engaged UMEME on the issue of the transformer which indicated that power was generally unstable during the day and therefore the plant should be run during the night until the issue is resolved. The beneficiaries have however committed to buy a new generator with the required capacity. The beneficiary was in the process of procuring an appropriate water treatment unit and associated water reservoir of minimum capacity 5,000L |
| 2 | Civil works for five (5) grain storage buildings -Moto United Farmers (Kasese) -Nyakera Twimukye Group (Katigwenda) | 799,504,965 (50% of 1,555,830,825) | <p>Inspection of two of the five grain stores that was supposed to be constructed between 18th - 22nd October 2022 showed the following;</p> <ul style="list-style-type: none"> The initial contract completion date was supposed to be 30th April 2022 which had been extended several times to 30th December 2022. | <ul style="list-style-type: none"> The anticipated services from the grain storage buildings will be delayed. | • | <ul style="list-style-type: none"> Three facilities (2 in Kitagwenda & one in Kasese) had reached practical completion and were ready for handover while the remaining two were estimated at 80% completion level and were expected to be fully completed by 30th December 2022. In Kasese particularly Motomoto site the Contractor has had to re-construct the |

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| | | | <ul style="list-style-type: none"> • At the time of inspection October 2022, none of the structures had been completed. • At the site in Kasese, the ceiling of the office on the grain storage building had been badly damaged by rain due to delays in roofing. • The grain drying slab that was built had been greatly damaged by running water, casting doubt on the quality of works • The site had no caretaker and appeared to be abandoned. | | | <ul style="list-style-type: none"> • ceiling and the drying slab that were affected by the heavy rains at the time arising from delay in roofing. • The contractor was instructed to ensure mobilization (of personnel, materials and equipment) is done for all sites and expedite the works |
| 3 | <p>Civil works for five (5) maize milling structures and two feed mill structures</p> <p>-Moto United Farmers (Kasese)</p> <p>-Kiburara quality millers (Kasese)</p> <p>- Nyakyera Twimukye group (Kitagwenda)</p> | <p>1,609,548,558</p> <p>(94% of 1,714,624,512)</p> | <p>Three of the seven structures for the maize and feed mills were inspected and below are the findings;</p> <ul style="list-style-type: none"> • The contracts were completed on 28th Feb 2022 • All the three structures had been completed but yet to be handed over to the beneficiaries • There is no transformer available to supply power to the building yet the structure is for milling equipment powered by 3 phase. • The toilet fittings were not yet installed. | <ul style="list-style-type: none"> • The utilisation of the structure will be delayed due to absence of the power source (transformer). This could also delay the delivery and installation of the milling equipment and hence delays in service delivery. | | <ul style="list-style-type: none"> • Management had communicated to Ministry of Energy and Mineral Development the need for power connection to the milling facilities to leverage on the grant for power extension for agroindustry under the Ministry. • The Contractor was supposed to install the VIP latrine fittings, specifically the hand wash basin, soap and tissue dispensers upon handover. <p style="text-align: right;"><i>[Handwritten signature]</i></p> |
| 4 | Civil works for | 1,114,749,221 (54% of | I inspected two of the seven coffee huller | <ul style="list-style-type: none"> • The utilisation of the | | <ul style="list-style-type: none"> • Fencing was not part of the scope works for the |

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| | seven (7) coffee huller structures - Kabujogera Coffee Farmers group (Kitagwenda) - Buhanda Coffee farmers group (Kitagwenda) | 2,070,767,545) | structures at Kabujogera and Buhanda and noted the following; <ul style="list-style-type: none"> The project was expected to be completed by 30th October 2022; The drying slabs at both sites were not yet complete; There were no transformers to connect the coffee huller equipment; At the Buhanda site, the area was not fenced, exposing the facility to potential vandalism. | structure will be delayed due to absence of the power source. This will result in delayed service delivery. | | contractor; however, the beneficiaries were advised to consider it for safety purposes. <ul style="list-style-type: none"> NAADS had communicated to Ministry of Energy the need for power connection to the milling facilities. Whereas the PS promised that the Ministry would provide the required support for power extension to the sites, no action had materialized to date. |
| 5 | Construction of mini irrigation scheme at Nyakakindu Kasese District | 0% of 4,063,330,200 | <ul style="list-style-type: none"> At the time of inspection between 18th - 22nd October 2022; works had not commenced at the site of the irrigation scheme four months after the contract for the works was signed. | <ul style="list-style-type: none"> This will result in delayed service delivery. | | <ul style="list-style-type: none"> The initial delay in commencement of the works was due to delay in finding suitable Clerk of works locally with the district. The contractor was instructed to commence works. |
| 6 | Yumbe Fruit Factory | 12,525,000,000 | <p>At the time of inspection between 18th to 22nd October 2022, the expected project completion date 17-11-2022</p> <ul style="list-style-type: none"> Plant installation was 100% complete Construction of the dispatch shade is ongoing. Works on electrical fittings, correction of minor defects and final coat painting was ongoing Works on packaging shade, guard house, waste skip, and boundary wall | <ul style="list-style-type: none"> Much as the equipment installation is at 100% (installed and tested) completion of peripheral works like the dispatch shade, packaging shade and boundary wall could delay utilisation of the facility. | | <ul style="list-style-type: none"> The funds for supporting the establishment of the Yumbe Mango fruit processing factory had been mobilized along a Financial Year arrangement through Budget support. Management reported that substantial progress had been made, and factory establishment was at the final stage. |

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|---|---------------------------------------|---------------|--|--|--|--|
| | | | were not yet complete (56%). | | | |
| 7 | Kayunga Pineapple factory | 2,500,000,000 | <p>I inspected the factory in October 2022 and noted that</p> <ul style="list-style-type: none"> • There was delayed commissioning of the factory yet works were completed including installation and testing of equipment. • The users had not yet been trained. | <ul style="list-style-type: none"> • The utilisation of the facility was delayed which results in delayed service delivery. | | <ul style="list-style-type: none"> • Management acknowledged the delay in commissioning the factory which had been largely due to unforeseen circumstances. However, preparations for training of users and technical commissioning were underway to have the commissioning by 15th December 2022. |
| 8 | Kapeka Multi-Fruit processing Factory | 3,250,000,000 | <p>The works were supposed to be completed by 30th April 2022. Inspection was carried out between 18th to 22nd October 2022 and below are the findings;</p> <ul style="list-style-type: none"> •The structure in which the machinery was installed appeared to be rather small compared to the other similar factories Yumbe and Kayunga. •In addition, the equipment appeared to have little operational space. •The cold room was non- functional. | <ul style="list-style-type: none"> •Given that the equipment was installed in an old pre-existing structure, there could be a requirement to rehabilitate the structure to match with the modern installed machinery. This is likely to make the project more costly. | | <p>Management acknowledged the gaps noted and had earlier on brought the same to the attention of the beneficiary for redress. Management had considered this request and was mobilising funds for this purpose.</p> <p>The non-functional cold room was to be removed by the beneficiary since it was not required for any function within the factory.</p> |

The Accounting Officer submitted that for various projects, assessments were made before the start and it was found that there were power lines in place but the power was unstable and required an upgrade by UMEME. However, the upgrade did not occur and a number of activities stalled. He stated that he had had engagements with UMEME which was making efforts to upgrade the power lines. In some of the projects, management was planning to procure generators.

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He explained that overall, management was making efforts to ensure that all activities are completed, and that a number of them had been completed in the financial year that followed (2022/2023).

Observations

The Committee observes that:

- i. the various gaps affected the functionality of the UHT line and have affected service delivery;
- ii. there seems to have been no feasibility study for the projects;
- iii. there was no coordination between various government agencies and ministries in implementing the projects;
- iv. failure to implement work plans is in contravention with section 45 of the Public Finance Management Act 2015.

Recommendations

The Committee recommends that:

- i. the Accounting Officer and all officials who failed to implement the projects as per the work plan and the budget should be held liable as provided for in the Public Finance Management Act, 2015;**
- ii. the Accounting Officer should fast-track the implementation of all the incomplete projects.**

2. Outstanding domestic arrears: UGX.14,353,976,164

Section 21(2) of the Public Finance Management Act, 2015 states that a vote shall not take any credit from any local company or body unless it has no unpaid domestic arrears from a debt in the previous financial year; and it has capacity to pay the expenditure from the approved estimates as appropriated by Parliament for that financial year.

On the contrary, the Auditor General noted that the entity had unsettled domestic arrears as at 30th June 2022 to the tune of UGX.14,353,976,164. Although the figure reduced by 41.5% from the prior year balance; it was noted that the arrears balance remained substantial. Out of this balance, UGX.1,234,379,525 were new arrears accumulated during the current year under review as indicated in the table below:

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The trend of accumulated arrears

| No | Year End | Amount (UGX) | % increase/decrease |
|----|----------------------------|----------------|---------------------|
| 1 | 30 th June 2020 | 13,228,441,399 | - |
| 2 | 30 th June 2021 | 20,313,148,061 | 34.9% |
| 3 | 30 th June 2022 | 14,353,976,164 | (41.5%) |

The Accounting Officer explained that the bigger chunk of the arrears related to tea nursery operators, and that UGX 1bn of the arrears had been paid in the previous financial year. He further explained that part of the reasons for the delay was because there were problems with the accounts of some of the operators and the money paid bounced back.

He further explained that in some instances there were commitments made and yet the money received was less.

The Committee found that part of the money related to nursery bed operators in the Districts of Kisoro, Kabale, Rukiga, Rubanda, Ntungamo, Rukungiri, Mitooma, Kanungu, and Mbarara who had supplied seedlings to NAADS but were not paid.

The nursery bed operators, numbering 711, sought to sue NAADS to recover the money. Some of the operators; Frank Byaruhanga, Dr. Francis Runumi, George Owakukiroru, Caleb Kipande Tumwesimira, Sam Kajojo Arinaitwe, Julius Tumushabe, Fidelis Kanyamunyu, and Rev. Bernard Mugisha sought the assistance of a lawyer, a one Patrick Kiconco Katabaazi to obtain a Representative Order to allow them file a suit against the government. The Representative Order Misc. Application No. 0009 of 2019 was obtained on 1st July, 2019.

The Plaintiffs instructed the lawyer to file a suit, *Byaruhanga Frank & 7 Ors. V National Agricultural Advisory Services & 11 Ors. Civil Suit No.889 of 2019*, in which they claimed UGX 143,621,201,500. The matter culminated into a consent judgment filed on 07th January, 2021. At the time of the consent judgment, UGX 27.3bn was outstanding.

It was agreed that the payments be made through the lawyer/law firm. The lawyer, Mr Katabaazi informed the Committee that he had received a total of UGX 39bn on behalf of the Plaintiffs.

Some of the operators the Committee interfaced with informed the Committee that they had not received all the money due to them, and accused Mr. Katabaazi of not remitting to them all the money due to them. Mr Katabaazi submitted that the Plaintiffs had instructed him to pay the 711 persons based on a criteria

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agreed upon by the Plaintiffs and the persons they had authorised to represent them, and that the persons had received some of the money.

The Committee interacted with some of the beneficiaries who stated that they were not paid money that was due to them. The Committee sought to verify the claims against Mr Katabaazi and requested him to provide evidence that he had paid the beneficiaries.

He informed the Committee that with the exception of the Representative Order, other documents the Committee had requested for fell in the ambit of the Advocate-Client relationship and was privileged information which he could only provide with consent from the parties involved, and yet he had not sought that consent.

In the meantime, Mr Katabaazi filed a suit, *Patrick Kiconco Katabaazi v Attorney General, Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises, OC/CID Parliamentary Police Division Misc. Cause No. 00086 of 2023*, seeking the following:

- i. A declaration that the committee's investigations and inquiries into payments made under Orders of Court and / or in execution of Orders of Court in *High Court (Commercial Division) Civil Suit No. 889 of 2019; Bvaruhanga Frank & 7 others v. National Agricultural Advisory Services (NAADS) and 11 others* and the actions of the 2nd and 3rd respondents as agents of the 1st respondent are *ultra vires*, illegal and an affront to the Advocate-client privileged information and the independence of the Judiciary;
- ii. A declaration that orders of 2nd and 3rd respondents to produce generic and personal information regarding transactions on the client account, general lists of payments and client bank account details, sums paid on such accounts, Advocate-client service agreements are *ultra vires*, illegal and an affront to the Advocate-client privileged information;

An order of prohibition restraining the respondents, their agents or servants from demanding or forcing the applicant to release to the Committee, law firm account details, client payment lists, Client's bank account numbers, advocate-client agreements from the applicant;

- iv. A permanent injunction prohibiting the respondents, their agents or anyone operating under their authority from investigating, inquiring, auditing or interfering in any way whatsoever with subsisting orders of Court in *High Court (Commercial Division) Civil Suit No. 889 of 2019*;

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Bvaruhanga Frank & 7 others v. National Agricultural Advisory Services (NAADS) and 11 others, and any payments therefrom.

Observations

The committee observes that the Court dismissed the suit with costs and observed that the committee was within its mandate to request for the said documents.

Recommendations

The committee recommends that:

- i. Mr. Patrick Katabaazi Kiconco should be prosecuted for failure to fully remit money meant for tea nursery bed operators;**
- ii.**
- iii. Mr. Patrick Katabaazi Kiconco should pay all the amounts due to the beneficiaries within six months from the date of adoption of this report;**
- iv. Going forward, Government should make all pending payments directly to the beneficiaries.**

3. Non-Performing Letters of Credit

Section 17.15.6(i) of the Treasury Instructions, 2017 provides that in the management of letters of credit, it shall be the responsibility of the Accounting Officer of the procuring entity to carry out due diligence on the supplier before a contract is entered into. The purpose of undertaking this due diligence is to ensure that contractors have the capacity to deliver as expected.

It was noted that the entity had Letters of credit (LCs) that did not perform during the year totaling to UGX.46,297,375,490. Out of this, LCs worth UGX.21,243,050,143 (45.8%) had not performed for a period of more than two financial years.

The Accounting officer submitted that letters of credit were used where projects run for more than a year and the budget was such that there was no certainty for funds in subsequent years such as those related to the sugarcane projects which were running for three years, as well as projects involving imports. The letters of credit were to guarantee that funds would be available for the activities. He explained that the rest of the letters of credit had performed except the one for sugarcane growing in Atiak and other projects relating to imports.

He explained that previously payments were made for work done. However, money was received towards the end of the financial year and yet operations were still ongoing and the letters were meant to guarantee that funds would be available for the activities.

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He further explained that the money was meant for the establishment for sugarcane, land opening, fertilisers, etc, following the establishment of an estate and preparation for the construction of a sugar factory in Atiak. He explained that NAADS' involvement came after receiving letters from the Ministry of Finance and the Office of the Prime Minister requesting them to establish out-growers and expand cane plantation to benefit the people near Atiak Sugar Factory. NAADS worked with Horyal to undertake land opening, planting, and acquisition of fertilisers. The relationship was contractual and they worked to plant more sugarcane on behalf of the members of the cooperatives.

Recommendation

The Committee recommends that the Accounting Officer should strengthen mechanisms for the contract management and supervision to ensure that contractors deliver as expected, and where applicable, contract terms such as liquidated damages should be enforced against the contractors.

4. Status of the Sugarcane production Project in Northern Uganda

The Government of Uganda through the National Agricultural Advisory Services (NAADS) has since the FYR 2017-18 been supporting sugarcane production for the Atiak sugar factory under the sugar cane out growers' scheme. Launched in August 2017, the intervention initially started at the pioneer sugarcane production site in Atiak sub county Amuru District, and subsequently expanded to two additional sites in Lamwo district, namely, Palabek Kal (Lamwo 1) and Palabek Nyimur (Lamwo 2).

The goal of the intervention is to empower and uplift the most vulnerable groups including women in the Sub-region to have a source of livelihood through sugar cane growing. At the national strategic level, the intervention is aimed at boosting sugarcane production for increased sugar production for both the domestic and export markets.

At its inception the intervention targeted to establish 13,841 acres of sugarcane at the pioneer site at Atiak, Amuru District; and 15,000 acres and 31,159 acres at the two expansion production sites in Lamwo district, namely Palabek Kal production site (Lamwo 1) and Palabek Ogilli site (Lamwo 2).

By October 2019 up to 7,906 acres of sugar cane had been established at the pioneer production site in Atiak after which the contractor ceased operations at the site. By the end of 2020 up to 4,994 acres of sugarcane had been established at the Palabek Kal production site (Lamwo 1). Despite the progress made over the period, implementation of the intervention has been affected by several challenges which have resulted in ceasing of operations by the Project. Some of the challenges affecting the Project include.

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- Slow progress at the Atiak site attributed to adverse weather, field conditions and other operational constraints;
- Slow progress at the Palabek Kal production site, with progress initially constrained by the shortage of seed cane within the proximity of the plantation site and the related complications of acquiring seed from distant areas;
- Unfortunate incidences of fire outbreaks in 2020, which wiped out a substantial acreage especially at the production site in Atiak;
- And subsequently, the decision by the Shareholders (of HHIC Ltd) to halt operations after 2020 to allow for the proposed shift from the predominantly manual field operations to fully mechanized farm operations under the oversight of Uganda Development Corporation (UDC).

The Accounting Officer explained that he received instructions from the Minister of Finance in July 2017 to conduct an assessment and advise the Ministry on the appropriate steps to take to acquire equity in the sugar factory in Amuru. He further explained that he received communication from the Minister of Finance instructing him to apply funds to the out-grower scheme for the Atiak Sugar Factory, and that several thousands of acres of cane were grown and infrastructure set up.

The Committee interacted with Mohamud Ahmed, the Director of Planning & Business Development at Horyal Investment Ltd. He informed the Committee that the factory had temporarily closed due to insufficient sugarcane production, yet the company had encountered challenges while dealing with out-growers, and several hectares of sugarcane were burnt.

He told the committee that the company had set up a factory and planted cane on out-growers' schemes in both Atiak and Lamwo. He explained that there were several challenges that the company had encountered including the lack of accommodation for labourers, necessitating the need to put up such accommodation. He also cited the failure to build a bridge on the Aswa River, which means trucks from Lamwo to the sugar factory have to travel longer distances.

He further informed the Committee that there was machinery that the factory requires, which was to be provided by the Uganda Development Corporation, and that the factory would resume production after the arrival of that machinery.

Observation

The Committee observes that a delay in the implementation of the sugarcane production project of Northern Uganda negatively impacts the livelihood of the vulnerable groups in Northern Uganda, as the recipients of the intended benefits.

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Recommendations

The Committee recommends that;

- I. the Accounting Officer should engage Ministry of trade, industry and cooperatives, Uganda Development Corporation and other stakeholders to ensure the resumption of operations at the Atiak Sugar Factory.**

- II. the Accounting Officer and UDC should fast-track the procurement of the machines needed at the factory.**

6. Management of IT Investments

6.1 Procurement/Development and Use of Software/Licenses (IT Systems) and Equipment

The ICT Systems Development Lifecycle (SDLC) requires a systematic approach which includes; initiation, planning and execution. In addition, the Auditor General made my assessment basing on PS/ST and NITA-U guidance on ICT developments which aim to promote rationalisation and avoid further development of isolated IT systems in MDAs and LGs. During the audit of NAADS, the Auditor General observed the following:

- i. A total of 11 IT systems/equipment procured at UGX.146,038,800 were not cleared by NITA-U.

- ii. The Auditor General reviewed documents relating to the procurement/development of one (NAADS Agri-monitoring Systems-NAMS) system and noted that the system is owned by the entity.

- iii. The Auditor General noted that the NAMS system is not integrated with other systems and does not automatically share information with them, but has capacity to integrate.

Observation

The Committee observes that non-compliance may lead to duplication of acquisition, procurement of non-compatible solutions and equipment; and general deviation from Government's efforts to rationalize resources for better service delivery.

Recommendations

The Committee recommends that the Accounting Officer should:

- i. enforce provisions of the contracts to ensure ownership of the system. Where the contract(s) do not have the provisions of ownership, they should be reviewed;**

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- ii. **enhance controls and improve compliance with policies and guidelines;**

6.2 ICT Governance

IT governance entails leadership, structures, and processes that enable an organization to make decisions to ensure that its IT sustains and extends its strategies and objectives. However, a review of the ICT governance structure of the entity revealed that;

There were no specific structures that steer and oversee ICT implementation. The entity did not have an approved IT staff structure in place despite ICT prioritisation in NDP III.

Observation

The Committee observes that absence of ICT governance structures hampers formulation of appropriate ICT policies, strategies and real time upgrade of ICT interventions and may lead to misalignment of IT investments with the overall entity strategic objectives.

Recommendation

The Committee recommends that the Accounting Officer should institute governance structures to effectively manage ICT investments in consultation with other stakeholders.

5. CONCLUSION

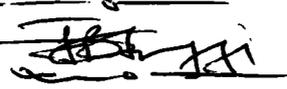
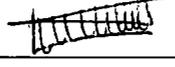
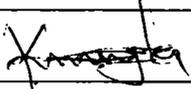
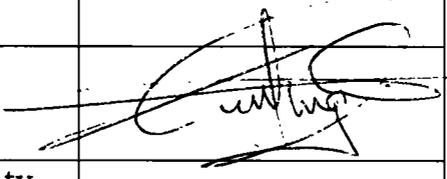
Rt. Hon. Speaker and members, I move that the House adopts this report.

I beg to move.

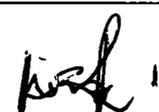
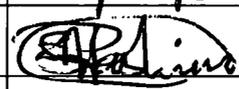
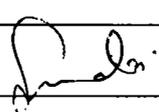
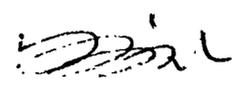
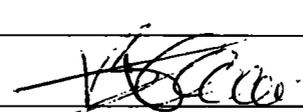
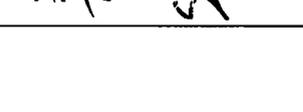
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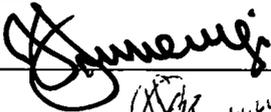
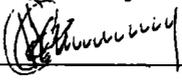
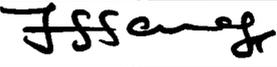
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REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES & STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF NATIONAL AGRICULTURAL ADVISORY SERVICES FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022 AND OTHER MATTERS

| S/N | NAME | CONSTITUENCY | SIGNATURE |
|-----|--------------------------------|-------------------|---|
| 1 | Hon. Ssenyonyi Joel – C/Person | Nakawa West |  |
| 2 | Hon. Akello Lucy – D/CP | DWR Amuru |  |
| 3 | Hon. Lagen David | Agago County | |
| 4 | Hon, Mbwatekamwa Gaffa | Igara West County | |
| 5 | Hon. Afoyochan Esther | DWR Zombo | |
| 6 | Hon. Anywar Ricky Richard | Agago West County | |
| 7 | Hon. Acan Joyce Okeny | PWD National | |
| 8 | Hon. Achan Judith Peace | DWR Nwoya |  |
| 9 | Hon. Akampulira Prossy Mbabazi | DWR Rubanda | |
| 10 | Hon. Atwijukire Dan Kimosho | Kazoo County | |
| 11 | Hon. Bakkabulindi Charles | Workers Rep | |
| 12 | Hon. Gafabusa Richard Muhumuza | Bwamba County | |
| 13 | Hon. Mugabi Muzaale Martin | Buzaaya County |  |
| 14 | Hon. Ssekikuubo Theodore | Lwemiyaga County | |
| 15 | Hon. Abigaba Cuthbert Mirembe | Kibale County | |
| 16 | Hon, Okumu Gabriel | Okoro County | |



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|----|----------------------------|-----------------------|---|
| 17 | Hon. Kambale Ferigo (New) | Kasese Municipality | |
| 18 | Hon. Ruhunda Alex | Fort Portal Central | |
| 19 | Hon. Sekyanzi Benard Kirya | Budyobo County | |
| 20 | Hon. Wandwasi Robert | Bungokho South County |  |
| 21 | Hon. Hashim Sulaiman | Neebi Municipality |  |
| 22 | Hon. Maneno Zumura | DWR Obongi | |
| 23 | Hon. Nangoli Gerald | Elgon North County |  |
| 24 | Hon. Ababiku Jessica | DWR Adjuman | |
| 25 | Hon. Wakabi Pius | Bugahya County | |
| 26 | Hon. Linda Irene | DWR Fort Portal |  |
| 27 | Hon. Kamukama Davis | Bunyangabu County | |
| 28 | Hon. Twalla Fadil | Tingey County | |
| 29 | Hon. Nsibambi Yusuf | Mawokota South County |  |
| 30 | Hon. Ekanya Geofrey | Tororo County | |
| 31 | Hon. Okot Santa | DWR Aruu North | |
| 32 | Hon. Auma Kenny | Kwania North | |
| 33 | Hon. Sebamala Richard | Bukoto Central | |
| 34 | Hon. Okupa Elijah | Kasilo County | |
| 35 | Hon. Mpindi Bumali | PwDs Rep |  |
| 36 | Hon. Nsanja Patrick | Ntenjeru County South |  |
| 37 | Hon. Acora Nancy | DWR Lamwo |  |
| 38 | Hon. Mugema Peter | Iganga Municipality |  |

| | | | |
|-----|--------------------------------|------------------|---|
| 39 | Hon. Roland Ndyomugenyi | Rukiga County |  |
| 40 | Hon. Nkunyingi Muwada | Kyadondo East |  |
| 41 | Hon. Kazibwe Bashir Mbazira | Kawempe South | |
| 42 | Hon. Kiwanuka Abdallah | Mukono South |  |
| 43 | Hon. Bagala Joyce Ntwatwa | Mityana District | |
| 44. | Hon. Dr. Nekesa Victor | UPDF Rep. | |
| 45. | Hon. Itungo Nathan | Kashari South |  |