



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

FIFTH SESSION - THIRD MEETING

THURSDAY, 26 MARCH 2026



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

FIFTH SESSION - 4TH SITTING - THIRD MEETING

Thursday, 26 March 2026

Parliament met at 2.05 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, I welcome you to this afternoon's sitting. I also want to inform you that I received a letter from the Speaker of the East African Legislative Assembly on the two seats that fell vacant upon the elections of Hon. James Kakooza and Hon. Namara, who were from Uganda, and all of them were from the National Resistance Movement (NRM).

As you are aware, Article 51(3)(c) of the Treaty for the establishment of the East African Community states that, "*An elected member of the Assembly shall vacate his or her seat in the Assembly upon the happening of any of the following events: upon his or her election or nomination as a member of the National Assembly of the Partner States.*"

This, therefore, has paved the way for us to have a by-election. We have set the by-election for 15 April 2026. I repeat; the seats that fell vacant are for the NRM.

Pursuant to Rule 3(1) Appendix C of the Rules of Procedure governing the elections of

the members of the East African Legislative Assembly (EALA), the Clerk has already published a notice in the Gazette, appointing the dates for the nomination of candidates and the by-elections of the members of EALA.

The same notice was published in the *New Vision* on Tuesday, 24 March 2026. The nomination dates for candidates for the by-election will be on 30 and 31 March 2026, and that will be from 9.00 a.m. to 5.00 p.m.

Government Chief Whip, we expect to receive your list before that day. The nomination will be in the Parliamentary building, in the Conference Hall.

Pursuant to Rule 8 of Appendix C of the Rules of Procedure of Parliament, which requires us to have a vetting committee to verify these intending members of the Assembly, I propose the names that will do the vetting:

I have Hon. Herbert Ariko, Hon. Gyaviira Ssemwanga, Hon. Mapenduzi Ojara, Hon. Lucy Akello, Hon. Asuman Basalirwa, Hon. Abdu Katuntu, Hon. Irene Linda, Hon. Anna Adeke Ebaju, Hon. Sarah Najjuma, Hon. Susan Abeja, Hon. Julius Acon Bua, Hon. Lillian Paparu Obiale, Dr Charles Ayume, Hon. Emely Kugonza, Hon. Asinansi Nyakato, Hon. John Baptist Nambeshe, Hon. Mariam Naigaga, Hon. Fredrick Angura, Hon. Amos Kankunda, and Hon. James Kaberuka.

Those are the 20 Members who we proposed for verification. Is there anybody who is not comfortable with any name?

2.11

MR ANTHONY AKOL (FDC, Kilak North County, Amuru): Madam Speaker, I do not have any objection to the names, but my concern is that the number needed to be odd so that in a situation where there is voting, at least you will have a number that can decide.

THE SPEAKER: Rule 8 of Appendix C specifies 20 Members.

2.12

MR PATRICK OSHABE (NUP, Kassanda County North, Kassanda): Thank you, Madam Speaker. I have no problem with the names proposed. My concern was –

THE SPEAKER: ...and, I also want to tell you that the rules do not say I should get the names from the political party whips. I have been watching, and everybody has a side. The ones I have picked do not have sides.

MR OSHABE: Madam Speaker, that is not my concern. My concern is that I thought this election would have happened after the swearing-in of the Members of Parliament who were part of the EALA. After their swearing-in here, they will assume responsibilities, and their replacement will then start. I just needed to know why the process came earlier than their swearing-in, Madam Speaker.

THE SPEAKER: I want to refer you to Article 51(3)(c) of the Treaty for the establishment of the East African Community which says, “An elected member of the assembly shall vacate his or her seat in the assembly upon the happening of the following events: upon his or her election or nomination as the Member of Parliament of the National Assembly of the Partner State”. “Nomination”. It does not talk about swearing-in. We are only acting because we got a notice from EALA. We were given a deadline of 15 April 2026 to present the name.

Yes, Leader of the Opposition. Leader of the Opposition, before you come in, let us have the small drums first. *(Laughter)*

2.14

MR SILAS AOGON (Independent, Kumi Municipality, Kumi): Madam Speaker, I thank you for the timely information. There is no way we are going to behave like we fear elections. Elections must be conducted, and the law is very clear. Once somebody has been gazetted, it is automatic. When they say MP-elect, it is for sure that the person has been elected. Therefore, there is no more doubt. Let us prepare.

Madam Speaker, I support the vetting team that you have proposed so that we are able to go ahead and do the needful.

Thank you.

THE SPEAKER: Thank you. Hon. Elijah.

2.14

MR ELIJAH OKUPA (Independent, Kasilo County, Serere): Thank you, Madam Speaker. I seek clarification to understand, maybe from the Attorney-General - the legal *guru*. You have talked about a position falling vacant upon either a nomination or an election. What is the meaning of a nomination? Some people have been interpreting it in different ways. What about those who were nominated, went in for elections, but did not get elected?

I think the public and candidates who are vying for those positions need that clarification. What is the meaning of nomination or election?

THE SPEAKER: Hon. Elijah, before the Attorney-General comes, we have parliaments that have nominated Members of Parliament (MPs) like Kenya. They are not elected. It is simple logic - Attorney-General.

2.16

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Thank you, Madam Speaker. I have listened to your communication to the House. I tend to hold a different view of what an election is because it is not an event. It is a process.

Like an honourable member said, one is a member-elect. However, you do not become

a Member of Parliament until you have completed certain activities. For example, we have the 11th Parliament sitting now but there are MPs-elect who are not in the 11th Parliament. They cannot be called MPs until they are sworn in. The term of office in Uganda ends on the 12th of May.

Madam Speaker, you will allow me to take time off. That is my understanding of the provision as it is and you are correct. Article 51(3) was providing for different methods of accession into office. There are those who do it by nomination and others by election. Since an election is not an event but a process, you cannot say you have completed the election unless you have completed that process. I will probably -

THE SPEAKER: What would you advise the Ugandan Parliament? Not to go through an election and disregard the letter from the East African Legislative Assembly (EALA)?

MR KIRYOWA KIWANUKA: Madam Speaker, if you allow me to study this matter, confer with the Counsel to the Community (CTC) at EALA in Arusha and understand what the issue is from their perspective, then we can render a written opinion for necessary guidance.

Right now, you have a letter that EALA has given. I am sure that Parliament is well within its right to proceed with that, but we shall confer with them and guide because we think there is a misinterpretation of the law in that regard.

Thank you.

THE SPEAKER: In the meantime, I put the question that the 20 members whose names I have read be approved as a verification committee for the purpose of EALA by-elections.

(Question put and agreed to.)

2.18

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Madam Speaker, I think we are just trying to draw this House to not

find ourselves running into a legal brick wall. I do concur with the Attorney-General because our two honourable colleagues who are current members of EALA and have now been elected to the 12th Parliament, are not MPs yet, until they do swear in.

What happens if, for example, God forbid - Okay, let me use a lighter one. If, for example, court decides to throw one of them out before they swear in - somebody petitions and the matter is heard summarily - *(Interjections)* - the "God forbid" was for something worse. I decided to use a lighter one to say that if any of these is thrown out and they do not get to swear in, they will not have become Members of Parliament. Therefore, it is very important that we are careful with the law. These honourable colleagues will become MPs after they have sworn in.

Also, I have seen a communication by the Clerk to the Community, which actually disagrees with the communication of the Speaker of EALA. The Clerk says these two have not yet become Members of Parliament of a partner state. This is because the swearing-in has not happened. There is now quibbling between the Speaker of EALA and the Clerk to the Community, then us here proceeding with these matters. I think we need to just wait a little bit so that we are on the right side of the law.

Madam Speaker, the other issue tethered to that as well is that you mentioned that only honourable colleagues belonging to the National Resistance Movement (NRM) can be nominated -

THE SPEAKER: I did not say only honourable colleagues belonging to the NRM will be nominated. I emphasised that the honourable colleagues who lost are NRM. I am an authority on that.

MR SSENYONYI: I do not doubt that you are the Speaker of Parliament -

THE SPEAKER: No, I am saying that I am an authority because I took Parliament to court.

MR SSENKYONYI: Actually, the ruling is the authority but here is the issue -

THE SPEAKER: The ruling is the authority but I am the one who took it.

MR SSENKYONYI: Yes. The ruling that was given becomes the authority. Here is the issue though, Madam Speaker: You know that the rules were altered. Previously, the Opposition had two slots. The NRM honourable colleagues would choose their seven and then the Opposition, the two. What happens is generic voting.

Therefore, it is very possible for the Opposition to have no representation at EALA, or like the current state, to have just one, whom we are also not too sure whether he is with us or with the honourable colleagues on the NRM side - (*Laughter*) - but that is for another day. Somebody says we do a DNA.

The point is that he is just one. Previously, there were two. If he did not get the threshold of the votes that enabled him to fall within the nine, there is a very possible situation that we could have only NRM honourable colleagues representing us at EALA. That is a problem.

Now, the slots that previously belonged to the Opposition were taken away. If you have the voting as it happens and our honourable colleagues say we should send just the NRM people after all we have the numbers, the Opposition gets to be left out. I would like to urge this Parliament to address that matter too because it is important. In fact, in the past, we were saying only two is too little but that was taken away as well.

The same way we are all here, it is important that all our voices are represented at the East African Legislative Assembly.

Thank you.

THE SPEAKER: Thank you. Honourable members, before we get an opinion or letter, there are only two things that can stop us from having the election. A contrary letter from EALA or a court order. For now, we are proceeding.

Honourable members, this afternoon we will have Easter Carols and the Holy Communion service officiated by His Grace, the Archbishop of Church of Uganda - the Most Reverend Dr Samuel Kazimba Mugalu. It will be in our main hall.

Honourable members, the sectoral committees are currently scrutinising the ministerial statements. I would like to urge you to do that, finish the work and report back on the day that has been stated. Once more, I welcome you and wish you nice deliberations.

2.24

MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso): Thank you, Madam Speaker. I had thought that if you allowed me to use the window to respond to your communication, there is an ongoing demolition under the name of 'Trade Order' throughout the country. You may have seen images of women and young people crying. The National Planning Authority, Madam Speaker, puts the figure of the working population at 15.8 million but 13.3 are in the informal sector. With this good government, that is giving people the Parish Development Model (PDM) - (*Hon. Otimgiw rose*)

THE SPEAKER: There is a procedural matter.

MR OTIMGIW: Madam Speaker, with due respect to my honourable colleague, the matter he is trying to raise is not in any way part of your communication. We are not on matters of national importance. I am wondering, under which procedure, is he trying to sneak in the matter of traders that he is raising. Thank you very much.

THE SPEAKER: Was it part of the communication?

MR SSEMUJJU: Madam Speaker, the rules are vast. If you have read one -

THE SPEAKER: Hon. Ssemujju, we are going to go into matters of national importance. I was still waiting for reactions on matters that I have raised.

MR SSEMUJJU: Madam Speaker -

THE SPEAKER: I am still giving my ruling - I was still waiting for matters arising out of my communication. Now that there are none, I will start with Hon. Acuti on matters of national importance.

2.26

DR SAMUEL OPIO (Independent, Kole North County, Kole): Thank you, Madam Speaker. I rise together with my colleagues from Oyam North, Kole South, Omoro County, and Tochi County on a matter of national importance in regard to construction of the Corner Aboke-Corner Ayer-Icheme-Bobi road as part of the African Cup of Nations (AFCON) project.

Madam Speaker, in the next one year, Uganda will be hosting the AFCON, and part of the Government's commitments involves certain critical infrastructure projects. One of them is the Akii-Bua stadium, which will be linked to the Gulu Airfield through the Corner Ayer-Corner Aboke-Icheme-Bobi road.

We are aware that the process for procurement was initiated, and the contracting process also went ahead. We had approval by the Ministry of Works and Transport, clearance by the Solicitor-General - the Ministry of Justice and Constitutional Affairs. However, the process stalled in the Ministry of Finance, Planning and Economic Development, and we have been informed by the ministry of works that there has been a change in priority and this project is going to be dropped.

Procurement has been done, contracting was ongoing - it is like reaching at the marriage altar, you have exchanged the vows, then you are told there is no ring to put on the finger. Madam Speaker, we call for an urgent intervention on this matter and we pray that the Ministry of Finance, Planning and Economic Development clarifies whether this project has indeed been dropped because it was cleared by the ministry of works, cleared by the Attorney-General's office and the Solicitor-General's office, and now we are told at the Ministry of

Finance, Planning and Economic Development that it has been dropped, yet there was already a contractor that had been put in place.

Madam Speaker, I would like to give a chance for information from my colleague from Oyam North, Dr Eunice, where the road also traverses, and Hon. Okot.

DR EUNICE APIO: Thank you very much, Madam Speaker. Further to that, I would like to thank Hon. Acuti very much for elaborating in detail on the progress or the lack of it, on that road.

The President himself, during his recent campaign tour in Oyam North but also in the neighbouring districts in the north, pledged to have this road tarmacked as a matter of priority. We also had a number of meetings - Hon. Acuti and I, with the minister of works, late last year - to urge our communities, both in Kole, Oyam, and also in Toci, to accept to sign or to enter into agreement with the Government by signing commitment forms to allow compensation to take place after the works have started.

It baffles me and the communities of Oyam and Kole that this project, which is really important, can be left out at this critical time. I would like the House - and you in particular, Madam Speaker, to urge or direct the relevant committees and the responsible ministry to prioritise this project in this ongoing budgeting process. Thank you very much.

2.29

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obuga): Madam Speaker, since Hon. Opiyo alluded to the fact that the delays are being occasioned by the Ministry of Finance, Planning and Economic Development, and in the House, we have Hon. Henry here, I would give that pass to him to tell us.

However, from the point of view of the Government, that road, Aboke-Ngai-Bobi, remains an AFCON road. We have not yet made any contrary decision, and we are all aware that the delays are being occasioned at the point of signing the contract between the

contractor, MS SAMCO, and the Ministry of Works and Transport. To some extent, the delay you have alluded to, they allege, is being occasioned by the minister of finance. Maybe, I invite him to tell us.

2.31

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES)

(Mr Henry Musasizi): Thank you, Madam Speaker. Let me check with my team to find out where the challenge is.

THE SPEAKER: Okay. You will report back in 10 minutes. Hon. Kimosho - *(Hon. Ssemujju rose_)* There is a motion.

MR SSEMUJJU: Madam Speaker, this motion is moved under Rule 64 of our Rules of Procedure, relating to adjournment to allow discussion of a matter of public importance. The matter, Madam Speaker, is the ongoing demolition under the name of-

THE SPEAKER: Rule 64 is on withdrawal of motions. Hon. Kimosho - *(Hon. Ssemujju rose_)* First get the right rule. *(Laughter)*

2.32

MR DAN ATWIJUKIRE (NRM, Kazo County, Kazo): Thank you very much, Madam Speaker. I rise on a matter of national importance about the over-flooded illicit alcohol on the Ugandan market.

The market is flooded with illicit alcohol that has not been approved by regulatory bodies. Most of it is advertised as energy-giving drinks. On most radio stations, they tell men that when they drink, they will be like horses in bed, and it is becoming a public health danger. Women are meant to be convinced that it enhances their marital exercising *-(Interruption)* - some women - thank you very much. Some are naturally gifted. *(Laughter)*

Madam Speaker, this issue has exacerbated the already worsening situation of the non-communicable diseases. When you are moving around some villages, you see people's cheeks

swollen, and you think they are growing in size and yet they are being affected by some of these drinks. You had allowed me to lay on the Table, some, if you accept. I have some samples here.

THE SPEAKER: Have you tested them? *(Laughter)*

MR KIMOSHO: Madam Speaker, it is very difficult for anyone who has contested to say they have not tested because sometimes it is a requirement in the field. Personally, I have not. This is a very serious matter, and if you allow me, I can lay on the Table, some of them. *(Laughter)*

THE SPEAKER: Please, do.

MR KIMOSHO: This is called *Kombucha*. Hon. Linos knows it. This is called *Officer's Choice*. This is called *Jajja*. This is called *Torero*. This is called *Sabula*. This is called *Buganda*. This is called *Hell*. This is called *Kituzi*. This is called *Buhweju*, where Hon. Mwijukye comes from. *(Laughter)* This is called *Diplomat*. This is called *LC5*. *(Laughter)* This is called *Kabiriti*. This is called *Sanyuka*. Hon. Kabanda wants to taste Sanyuka. This is called *Boda-Boda*.

I have so many here. This is called *Kwetegeleza*. That when you take it, you understand things better. This is *Katoki*. This is *Buganda Kombucha*. This is *Leo*. This is *Honey Waragi*. This is *Mpenkoni*. *(Laughter)* This is *Kaziro*. This is *Club 5*. This is *Coffee Flavoured Vodka*. This is *Work*, and you know what they are insinuating when they say this is "Work". This is called *Embatura*. At least I was able to get these, and they do not even form a quarter of what is on our market. Some of them have the logo, but you cannot confirm that they are certified. My prayer is that the Ministry of Trade - *(Hon. Anthony Akol rose_)*

THE SPEAKER: Yes, Procedure?

MR AKOL: Madam Speaker, some of the products displayed here are certified by the Uganda National Bureau of Standards (UNBS). Is it possible for him to give us exactly which

one he is complaining about and whether there is some research done to show that it is the one affecting Ugandans? It will be important to put all of them here on the Floor of Parliament. Thank you.

THE SPEAKER: Hon. Anthony Akol, these products are a danger to human life. Let us stop protecting them. Even if they have been verified, they are still a danger to human life, unless you are one of the beneficiaries. The Leader of the Opposition is the one on the Floor. Is it because you are tall? *(Hon. Anthony Akol rose)*

2.39

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): I had to extend a little bit because Hon. Anthony Akol has an interesting history in this House. *(Laughter)*

Madam Speaker, we need to find some middle ground because this is a very important issue. We also have to be careful not to be dragged to court if it is - *(Hon. Kimosho rose)*

THE SPEAKER: I wish we could hear his prayer. He had a prayer. He did not finish his prayer, but you can tie it to your prayer or submission.

MR SSENYONYI: No problem.

MR KIMOSHO: Thank you, Madam Speaker. One of my prayers is that the Ministry of Trade, Industry and Cooperatives, first of all, bring a list of the UNBS-satisfied products. This is because, while members argue that some of these products have the UNBS logo, some have fake logos. We need UNBS to be on record on what is certified and what is of quality. We need to be-

THE SPEAKER: And what is not of human danger.

MR KIMOSHO: Yes. We also need to know the ingredients of these - because they make people behave indifferently. We need to know - *(Interruption)*

THE SPEAKER: Order, Members.

MR KIMOSHO: Where need be, we can subject them to the Government Analytical Laboratory, especially for those that have not been approved by UNBS.

Secondly, Uganda Communications Commission (UCC) should limit the method and the way they advertise. When you advertise with statements like “when you take the drink, you can fly”, that is a misleading advert. *(Interruption)*

THE SPEAKER: Honourable members, can we have some order? I want to tell you that the Bill we are going to handle, the National Drug and Health Products Bill, touches some of those things that pretend to be -

MR KIMOSHO: Some of these, when you follow radio stations, are advertised as health drinks. For me, that is misleading, and indeed for anyone who has taken alcohol, when you drink, you think you are powerful, but as it gets out of you that is when you realise you are very weak. What about this one that is not even tested, nor certified?

THE SPEAKER: Thank you. There is information here.

MR KATESHUMBWA: Thank you Madam Speaker. I thank my colleague, Hon. Kimosho, for raising this matter. The information that I have to give this House is that the Uganda Alcohol Association actually released a report showing that out of the alcohol that is on the market, 40 per cent is illicit, worth around Shs 6 trillion. This matter is not only a danger to health, but also costs the Government a lot of money in the form of taxes. It is double jeopardy for the Government; that you have to treat people who are suffering from the effects of this illicit alcohol, but at the same time losing a lot of revenue.

Therefore, we need both the Ministry of Trade, Industry and Cooperatives and the Ministry of Health to pick interest in this matter so that we protect our people.

THE SPEAKER: Thank you. Honourable.

MR KIMOSHO: Thank you very much, Madam Speaker. I beg to rest my case and to carry away my things.

THE SPEAKER: Thank you.

MR SSENYONYI: Honourable, when you submit evidence, you cannot withdraw it. Madam Speaker, in 2023, as the chairperson of the Committee on Commissions, Statutory Authorities and State Enterprises (COSASE), I presented a report to this House which was adopted unanimously. This was about UNBS and we discovered massive corruption therein. They certify products that do not warrant being certified because of bribery and so on.

That report led to the dismissal of the then Executive Director and we hoped that reforms would be carried out within that entity. I do not know what is happening there now. I wanted to emphasise the point that sometimes a product can have a UNBS certification, which is actually from UNBS. Forget those who forge those certifications; some could be from UNBS but then they do not meet the threshold due to the corruption that we discovered in UNBS.

What, perhaps, needs to happen, as a way of finding a middle ground - because it is possible there are some products out there that meet the certification - so that we do not lump them together with those that do not warrant being on the market.

We need to task the Ministry of Trade, Industry and Cooperatives together with the Ministry of Health - I see the Minister of Health is here - because these are health concerns. The Ministry of Trade has maybe got certain limitations that the Ministry of Health would help to come in because people will keep dying if we do not do anything about it.

I think it was the Ministry of Health that said, "Do not take these things. You will keep getting blind". I am told there were some people who were taking some of those things. They were in a bar somewhere, drank the products, got blind and said, "Even if you switch off the lights, we

shall continue taking it". We need to save our people.

The Ministry of Health, tethered hopefully with the Ministry of Trade, Industry and Cooperatives can come in quickly. We also do not want Parliament to be accused of frustrating certain genuine businesses out there. There could be some genuine ones, obviously, but there are those that are not and are causing harm to our people.

Madam Speaker, these issues normally happen in our local communities. (*Hon. Naluyima rose*) The Shadow Minister for Local Government is requesting to give information.

MS NALUYIMA: Thank you very much, Leader of the Opposition, for giving way. Madam Speaker, I would like to inform this House that in September last year, Hon. Muwuma moved a Bill on this matter called "The Food and Nutrition Bill". I am one of the seconders and we looked at many of these products on the market, including what our children consume. We realised several gaps in their certifications.

However, we are being hindered by the Ministry of Finance, Planning and Economic Development to offer us a Certificate of Financial Implications to cater for all these gaps we have seen in our communities. We are praying, through you, Madam Speaker, that the Ministry of Finance gives us this certificate such that this issue is handled. Thank you.

2.47

MR DAVID KABANDA (NRM, Kasambya County, Mubende): Thank you. Through you, Madam Speaker, I would like you to request the Ministry of Trade, Industry and Cooperatives or the people responsible to also include these energy drinks.

What Hon. Kimosho has stated here is a quarter of what is happening in the country. You have fake energy drinks. I do not want to mention some of them, but they have very dangerous names: "Sting", "See Me", "Touch me, I touch you". (*Laughter*)

These energy drinks are very dangerous. I request that you direct the minister responsible to also include these energy drinks. I beg to submit.

THE SPEAKER: Thank you. Member for Aruu? Let us be brief. We are running out of time. I will give you time, honourable minister.

2.48

MR CHRISTOPHER KOMAKECH (Independent, Aruu County, Pader): Thank you very much, Madam Speaker. I thank my colleague, Hon. Dan Kimosho for bringing up this motion.

My concern is majorly on the content. Most of those drinks have alcohol content of more than 50 per cent. I will take you through. When you are taking Club Beer, it has 5 per cent alcohol content. A small, five-millilitre bottle has 50 per cent alcohol content, meaning a villager or common man consuming a five-millilitre bottle is almost consuming more than 50 bottles of Club in a minute and that is dangerous.

Therefore, I call upon the Minister of Health to look into the content of the products being made.

Thank you so much, Madam Speaker.

2.49

MR JONATHAN ODUR (UPC, Erute County South, Lira): Madam Speaker, the primary responsibility of any government is to protect its citizens. This problem is not only limited to drinks.

In this country, even on the record of Parliament here, the Government has been invited to look deeply into the issue of consumer protection. In Uganda, we do not have a comprehensive law on consumer protection.

There is an element of fakeness in almost each and everything that we have in this country - the accidents we are having, the tyres coming into the country and the fuel. The medicines that people are consuming in some areas are even being made around here. The mineral water that people are consuming is being made in slums around here.

I would like to thank Hon. Dan Kimosho. This evidence you have laid here clearly demonstrates the lack of will on the side of the Government to protect its own citizens that gives them money that sustains development in this country.

Wouldn't it now be proper that the Government addresses us on how it plans to bring a comprehensive consumer protection law that will deal with all the aspects outside the issue of these drinks that my brother is well experienced with that I am yet to know what they actually do? Thank you.

THE SPEAKER: Honourable members, we passed the Competitions Act in 2024 which has that element of consumer protection. We need to maybe improve it better.

In the public gallery this afternoon, we have staff from the Directorate of Research Services of the National Assembly of Kenya. We have:

1. Mr Chelang'a Maiyo - Head of Delegation and acting Chief Research Officer
2. Mr David Ng'eno - Principal Research Officer
3. Mr Charles Atamba - Principal Research Officer
4. Mr Eric Kariuki - Research Officer 1

They are here on a benchmarking mission. You are most welcome; join me in welcoming them. *(Applause)*

Still in the public gallery, we have staff from the Department of Security and Risk Management Services in the Parliament of Namibia. We have:

1. Mr Evans Simasiku – Head of Delegation
2. Mr Lukas Shefika - Senior Security Operations Officer
3. Mr Onesmus Namwandi - Security Operations Officer

They are here on a benchmarking visit. You are most welcome; join me in welcoming them. *(Applause)*

In the VIP Gallery this afternoon, we have Members of Parliament-elect. They have come to observe the proceedings. They include:

1. Hon. Alex Egoro Irukan - Bunya County East
2. Hon. Jane Frances Amongin – Kaberamaido District
3. Hon. Jeniva Arinaitwe Nalongo – Rubirizi District
4. Hon. Patrick Musinguzi – Kashari North County
5. Hon. Wilfred Babanga Erima – Terego East County
6. Hon. Johnson Nyeko – Lamwo County
7. Hon. Harriet Joyo – Obongi District
8. Hon. Adrine Katusiime – Sheema District
9. Hon. Peter Ojiit – Pingire County
10. Hon. Noel Matilda Kataike – Budaka District
11. Hon. Peace Tibyase
12. Hon. Etilu Margaret from Amuria
13. Hon. Ogwal Joseph Jones from Dokolo
14. Hon. Kiyimba Emmanuel from Bukoto County West
15. Hon. Kibaju Charity, Mbarara City
16. Hon. Nabaduka Annet from Kibale
17. Hon. Acom Esther Lucy from Serere
18. Hon. Kasule Ismail, Alliance for National Transformation (ANT) from Hoima West
19. Hon. Twinamasiko Onesmus – Old Boy (OB) (*Applause*)
20. Hon. Ahebwa Wilber from Nakaseke
21. Hon. Ssewagudde Robert, representing Persons with Disability and;
22. Hon. Mulemya Ismail Sowed from Busia.

Join me in welcoming them. You are all most welcome. (*Applause*)

Honourable members, can we now hear from the minister because this is a serious matter?

2.56

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Thank you, Madam Speaker. First, I -

MR SSENTAYI: Thank you, Madam Speaker -

THE SPEAKER: What are you rising on; procedure or order?

MR SSENTAYI: Madam Speaker, it is a small correction. I heard you introducing a Member from Bukoto West, and yet I am the only representative from Bukoto West in this House. (*Laughter*) Therefore, I just want it to be -

THE SPEAKER: He is from Bukoto Midwest.

MR SSENTAYI: Thank you, Madam Speaker, for the correction. I had feared.

THE SPEAKER: He is called Kiyimba Emmanuel. I love the way Members are protective of their constituencies. We are now protecting the gains. Honourable minister?

MR BAHATI: Thank you, Madam Speaker. First, I thank Hon. Kimosho for raising this important point. I am also wondering why he did not bring *Mukama Nayamba* and *Mukomboti*. I do not know why he deliberately left them out.

I would like to make this point clear; that it is not about the name but it is about the content in the bottle. Therefore, we are not going to harass people because they have called them *Kombucha*, but what is in *Kombucha* is what we are concerned about.

I want to let you know that we have a huge problem of counterfeit and fake goods on the market, which we are addressing. I agree with Hon. Jonathan, who raised the issue of a comprehensive Consumer Protection Bill. It is true we passed a Competition Bill, but we also promised the House, Madam Speaker, that we are coming up with a Consumer Protection Bill.

I also inform you that all these products, as long as they have the sign of the Uganda National Bureau of Standards (UNBS), means that we have tested them. They have gone through the

standards and it is okay. The problem that we are facing is that people get certification from the UNBS, then when they reach the factory site, they go and do other things. An example is when 28 people died in Arua. We had given this factory a certificate, but in the backyard, they started producing something else.

We are cracking down on these people who are producing fake things on the market. I appeal to all Ugandans to be alert, and in order for us to strengthen the enforcement, we have formed a committee that involves the district level, Resident District Commissioners (RDCs), and internal security to help us fight the issue of counterfeit and fake products on the market. Therefore, Madam Speaker, we are working on it on both the policy level and implementation in terms of enforcement.

THE SPEAKER: Honourable minister, you are saying that UNBS verifies and tests, and you have given a very good example of Arua. What happened? This is because as UNBS, you are supposed to continue doing surveillance and ensure that there is compliance with what you tested. There is also a problem with UNBS.

MR BAHATI: Madam Speaker, on the issue of Arua, I have given that example because we tested and gave certification to this person producing that liquor. However, when they reached the courtyard, they started producing something else. What was coming out of that factory was both the one that is certified and another product. It is an issue of enforcement, which we are doing. We all need to be alert, including citizens, that something which has no UNBS on the -

THE SPEAKER: There is a point of order. As Parliament, we should not continue lamenting. We make the laws. The implementation is not on us. Let the responsible bodies implement and we will protect the human beings outside there.

MS OPENDI: Thank you, Madam Speaker. I did bring the Alcohol Control Bill to this House and what we are discussing today is the reason I had moved it as a private member's Bill to

protect the health of Ugandans, aware that we have illicit alcohol in this country.

Also, as we speak, there is no law -

THE SPEAKER: What is the point of order?

MS OPENDI: Is it in order for the honourable minister to come and tell us that they are doing everything possible to deal with the problem when they are the ones who failed that Bill in this House? My brother, the Attorney-General, was here, and they raised a matter that my Bill had financial implications, which is why it was shelved. Therefore, is the minister in order to tell this House that they are doing something -?

THE SPEAKER: You have only diverted the debate. If you want to bring your Bill, bring it and continue with it. Do not divert. Yes, Hon. Nankabirwa?

MR BAHATI: I propose, Madam Speaker, that we take all these samples mentioned, test them, do a market survey, and ensure that we have robust reinforcement to get them out of the market. Thank you.

THE SPEAKER: Attorney-General, they are also talking about the Consumer Protection Bill and counterfeit. When will we have that Bill in the House?

3.02

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, the first draft of the Bill has already been done, and consultations are ongoing. For clarification, Hon. Opendi; what this Bill is discussing is what people drink, not when they drink. If you left these bad things to be drunk at night, they would still kill people. Your Bill was discussing when to drink. Here we are discussing what to drink. *(Laughter)*

THE SPEAKER: Hon. Elijah? We are looking at the content, not the time.

3.03

MR ELIJAH OKUPA (Independent, Kasilo County, Serere): Thank you, Madam Speaker. I rise on two issues of national importance.

One is about the sugarcane growers who have petitioned, asking this Parliament and the Government –

THE SPEAKER: Procedure -

MR KIMOSHO: Madam Speaker, I thought you would guide on this matter so that we conclude it logically and know who we are to hold accountable and when – *(Interjection)* - No, we did not conclude it. He gave us a statement that was very –

THE SPEAKER: He is going to present a report on which products have been verified and who is responsible. He is also going to have these products tested.

You know, “Baby Face” is seated next to you; I think you got taken up by “Baby Face”. *(Laughter)* Honourable minister, give us a report. We are going to have this as a substantive item in the next Sitting.

3.05

MR PATRICK OSHABE (NUP, Kassandra County North, Kassandra): Madam Speaker, you highlighted the capacity of Uganda National Bureau of Standards (UNBS) to track down some of these certifications that they make. As the minister comes back, can he report to us on the capacity of that institution that we entrust with the health of our people? Are they capacitated to do the work or not?

3.05

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Madam Speaker, I would also like to emphasise the same matter. UNBS might be registering and signing all these companies, but in Uganda, people want to make money. Once you have a weak supervision of these small-scale industries, they will continue producing what makes them earn money.

Without the establishment of UNBS at the regional levels, where they can carry out area supervision – through the budgeting system, by the way – we shall not solve any problem. A businessman will use any advantage to make

more profits. That is where UNBS becomes weak; they are not fully established.

THE SPEAKER: Hon. Elijah? Let us be brief and we go to the next item.

MR OKUPA: Thank you, Madam Speaker. Like I was saying, the sugarcane growers request this House to help them. On the 17th of March 2026, the Prime Minister wrote a letter emphasising the one that had been written on the 7th of February 2025, by the Minister of Trade, Industry and Cooperatives, regarding the issues of weighbridges.

They said they were not consulted. They said the issue of having weighbridges at the place of sale or in their farms was to control theft by the truck drivers while delivering the sugarcane to the factories.

However, now, there has been a directive by the ministry that these weighbridges should not be there, but that they should be installed at the factories, yet the factories are far from the farmers. The request by the sugarcane growers is that the ministry and the Government consult further on this matter and have a thorough interaction with all stakeholders before they implement it – or through the parliamentary Committee on Tourism, Trade and Industry.

That is number one, Madam Speaker.

THE SPEAKER: Is it before they implement it or it has already been implemented?

MR OKUPA: When the minister issued the directive, I think they failed to implement it. That is why the Prime Minister has reinforced it with another letter. They are now taking it up, requesting that it be reconsidered because they cannot afford to have the weighbridges at the factories. They said some of them came from far, and are also trying to prevent the truck drivers from selling the sugarcane while on the way.

Their concern is that when sugarcane is taken to the factories, the factories will not allow them to check the weight at the factories. That is why they are requesting for help.

MR BAHATI: Madam Speaker, you know that sugar is sweet. This matter has many issues and different stakeholders. We have been at it; yesterday, the Prime Minister issued an instruction to us. I request that you give us one or two days to come and make a statement on the steps that we are taking to resolve this matter.

THE SPEAKER: When taking those steps, you need to involve the stakeholders.

MR BAHATI: Madam Speaker, we will involve all the stakeholders.

MR OKUPA: The final one, Madam Speaker, is the issue for which, one – first of all, I would like to thank the President and the Government for taking the position to compensate the people of Lango, Acholi and Teso with five cows each. However, the concern is in relation to a letter that was written on Monday, 23 March 2026, by the Permanent Secretary, Ministry of Information, Communications Technology and National Guidance, Dr Aminah Zawedde, directing that the village chairpersons update the household registers between the 26th and 5th - which is less than 10 days.

I have called the Chief Administrative Officers (CAOs) of Serere and Soroti and they have not yet received the letter. Now, if you are giving them such a short time, they will not be able to have this verified. That is how we have always had problems. So, I request that this office extends the days for the parish chiefs to update

THE SPEAKER: Is the letter in relation to the CAOs?

MR OKUPA: It is on the implementation of the restocking programmes using the Parish Development Model Information System (PDMIS). It was written on 23 March 2026 to all CAOs, City Clerks and Town Clerks.

3.11

MR ANTHONY AKOL (FDC, Kilak North County, Amuru): Madam Speaker, in relation to what Hon. Elijah raised, the chairpersons

of Acholi, Lango and Teso were invited when Cabinet was discussing this particular issue. To date, in Acholi Subregion – including my district – I am not aware of the 10 days that have been given. Therefore, it would be right to extend the number of days and have the right communication sent to the relevant people.

Otherwise, the list of the households that should be registered will not be correct and, at the end of the day, there will be complications the same way we have been having them. It is important that this is addressed.

THE SPEAKER: Even when the President was making that pledge, he did not limit it to Acholi, Lango and Teso only. Bugisu, Bukedi, Karamoja and some parts of Busoga were all involved. So, if we are going to do that, all the places that were involved must be considered.

3.12

MR JONATHAN ODUR (UPC, Erute County South, Lira): Madam Speaker, I recall that on the 8th of January or thereabout – this year, there was a communication from the Office of the Prime Minister on the same, which had directed all the Chief Administrative Officers to file the lists of all households to be paid five cows each.

That time, the promise was that the payment would be made before 15 January 2026. Now, we are seeing another letter purporting to handle the issue of the payment of the five cattle per household.

Can the Government first clarify who the direct contact person is? Is it the Office of the Prime Minister or is it the Ministry of Information Communication and National Guidance whom we are seeing here?

Is it the Attorney-General? Because these multiple letters coming from different stakeholders - I do not know if it is to mock or enjoy the cattle that were stolen, for which many people in Lango, Teso, Acholi and Bugisu missed the opportunity to go to school, trade and many other things. So, when you are talking about these cattle, it is beyond the letters, Madam Speaker.

THE SPEAKER: Thank you. Let us not start that debate now. Government Chief Whip -

3.14

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, let me respond as follows;

1. On the matter of restocking in Teso, Lango and Acholi. In the Financial Year 2025/2026, which is soon ending, there is Shs 80 billion meant to kick-start the process.
2. There is an inter-ministerial committee, chaired by the Prime Minister, where a number of relevant ministries have been incorporated. The letter read by Hon. Okupa is talking about the Parish Development Model Information System (PDMIS) which is the PDM Information System, and that is the system that Government will use to do this restocking.

Now, the entire restocking programme, apart from the Shs 80 billion available in this financial year, requires Shs 8 trillion, and that will be rolled out to more than 1.6 million households in Teso, Lango and Acholi.

The implementation has been rolled out to 10 years, where every year there will be a budget.

On the issue of the letter, Hon. Odur is talking about, it is true that as the Government, we had made progress and with the available Shs 80 billion, Government wanted to kick-start the process.

However, during the campaigns of His Excellency the President, when he came back to Lira City and Kole for the rally, I believe he had picked some intelligence to the effect that that letter had resulted in most districts picking people from the list of those who went to court, and yet the restocking will now take care of all households.

The President then used his executive authority and halted the process. We came back to the Cabinet; the matter was discussed again and as

I speak, that letter must be part of generating the relevant information. We will start with families with the elderly, persons with disabilities, the vulnerable families will be the ones to benefit from the Shs 80 billion.

Madam Speaker, this is how I can respond to the matter of restocking.

THE SPEAKER: Thank you. Hon. Elijah, that is enough.

MR OKUPA: I want to lay this document on the Table.

THE SPEAKER: No, we have the document. You can share it from behind the curtains.

MR OKUPA: Thank you. However, Hon. Obua should clarify which office is really handling this matter.

THE SPEAKER: Inter-ministerial?

MR OKUPA: But there is a lead ministry. Please. The lead is the Prime Minister who chairs the inter-ministerial.

MR OBUA: Madam Speaker, there was a prayer on extending the period. I believe that is a valid point. We have taken it up and we will notify the minister.

THE SPEAKER: Hon. Obua, extending the period and the area, according to the pledge of the President.

MR OBUA: Madam Speaker, on the issue of cattle restocking and to the best of my knowledge, applies to Teso, Lango and Acholi. What you are talking about - for instance in the case of Busoga - these are victims of Lakwena - (*Interjection*) - Members, let us understand; I am giving you privileged information.

The compensation in Busoga are majorly victims of the Lakwena insurgency, and that is also being handled by the Office of the Prime Minister. So do not mix and match.

THE SPEAKER: Next.

3.18

MR IBRAHIM SSEMUJJU: (FDC, Kira Municipality, Wakiso): Thank you, Madam Speaker. The motion I had earlier requested to move is under Rule 66 of the Rules of Procedure. You know there are many rules that are available that will need to be withdrawn and it is an adjournment motion to discuss a matter of urgent public importance.

I had stated the matter as the ongoing, almost countrywide violent demolition of kiosks and structures. Madam Speaker, as I said earlier, you may have seen images of traders crying. In some areas like Kira, they give a one-day notice and the following day they are demolishing people's businesses.

Therefore, that is the motion that I am seeking to move, for Parliament to first set aside the business we are transacting and deal with this matter that is causing a lot of cries countrywide.

THE SPEAKER: Honourable member, you are saying it is countrywide but what I am seeing, is in urban areas and what is being done is a trade order. Although for me, I have not seen it in Bukedea. So, when you say it is countrywide - what we can do is to include it on the business of the next sitting so that we debate and discuss the issue.

However, before we debate it, we will ask the minister to come with a report. We will not adjourn the House or any matter. Now, let us continue with the proceedings as it is. But we will set a date - Mr Okema, put it on the Order Paper of the next sitting, the minister must bring a report to that effect.

MR SSEMUJJU: Thank you very much, Madam Speaker. The reason I am using rule 66 is because by the time you put it on the Order Paper, people's structures will not be returned. People are crying. They may not be crying in Bukedea, but I have seen the ones here who are also crying for cattle.

These ones are crying for businesses that are being demolished. They cannot pay school fees and the rule says this matter should be debated

today, not at the next sitting. That is why the rule is there.

THE SPEAKER: But honourable member, as an area Member of Parliament, get in touch with the minister directly. We will not stop work in the House because there are so many things to discuss.

Next item.

LAYING OF PAPERS

ALTERNATIVE POLICY STATEMENTS FOR THE FINANCIAL YEAR 2026/2027, JUSTICE AND CONSTITUTIONAL AFFAIRS

THE SPEAKER: Honourable members, Rule 154 of the Rules of Procedure requires the Shadow Minister to submit alternative policy statements to Parliament by the 29th day of March.

And because of what we explained in the last sitting, we will now invite the Leader of the Opposition to delegate his various ministers to submit the alternative policy statements.

3.22

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you, Madam Speaker.

Rule 153 of our Rules of Procedure provides that ministers shall by the 15th day of March present to Parliament ministerial policy statements.

The wording of the rule is "shall", meaning it is mandatory for the ministers on this end.

Madam Speaker, Rule 154 provides that shadow ministers may provide alternative policy statements by the 29th day of March. Madam Speaker, "may" would presuppose it is optional. Even though it is optional, we consider this duty a cardinal duty and very important, and that is why, on an annual basis, we present alternative policy statements in time. It is mandatory for our colleagues on that end, and optional on ours, but we still do

it because it is important for our country to see what an alternative would look like -

THE SPEAKER: Hon. Engola, anything?

3.24

MS BETTY AWOR (NRM, Woman Representative, Apac): Yes, Madam Speaker, before one o'clock today, I came to your office to indicate that I have an issue to raise as a matter of national importance - *(Interruption)*

THE SPEAKER: Let Hon. Engola raise what she wants to.

MS AWOR: Thank you, Madam Speaker. On Tuesday night, the 24th day of March, this week, heavy rains with very strong winds devastated Igoti Village in Aganga Parish, Ibuje Subcounty, Apac District. A family house was destroyed to the ground, leaving one person dead, that is a young girl of six years, and several others injured.

Besides, the roofs of two classroom blocks were blown off. The situation is not good. Thirty-four households were affected. I appeal to the Office of the Prime Minister to come to our rescue. We need cement, iron sheets, and other materials. I beg to submit.

THE SPEAKER: Thank you. Disaster minister? Honourable members, I want to request that when you have such things, kindly, just walk to Hon. Aber. She is always available, and she picks up her phone calls all the time. Hon. Aber -

3.26

THE MINISTER OF STATE, OFFICE OF THE PRIME MINISTER (RELIEF, DISASTER PREPAREDNESS AND REFUGEES) (Ms Lillian Aber): Madam Speaker, I take note of what has been raised by my colleague. I need the details of the family members of the person who died and those who are injured.

As you are aware, normally, we support families -

THE SPEAKER: First of all, our condolences to the family for the loss.

MS ABER: Normally, we support the family of the deceased with Shs 5 million and Shs 1 million to support treatment for those who are injured. Also, we will be able to provide the iron sheets that she has requested. I need the details, Madam Speaker.

THE SPEAKER: Okay. You could also get a disaster report from the district. Honourable Leader of the Opposition (LOP) - Honourable members - *(Dr Acuti rose_)* - Dr Acuti, I have got your note. The minister is going to respond to you.

MR SSENKYONYI: Madam Speaker, I had set the stage, so allow me to invite my colleagues, the shadow ministers to table the alternative policy statements.

3.27

THE SHADOW MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS (Mr Jonathan Odur): Madam Speaker, I beg to lay on the Table the alternative policy statements for the Ministry of Justice and Constitutional Affairs for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.27

THE SHADOW MINISTER OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Ibrahim Ssemujju): Madam Speaker, I beg to lay the alternative policy statement for the Ministry of Finance, Planning and Economic Development for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.28

MS ASINANSI NYAKATO (FDC, Woman Representative, Hoima City): Thank you, Madam Speaker. On behalf of the Shadow Minister of Defence and Veterans Affairs, I beg to lay the alternative policy statement for the Financial Year 2026/2027 of the defence and veterans affairs sector. I beg to lay.

THE CHAIRPERSON: Thank you.

3.28

MR KARIM MASABA (Independent, Industrial Division, Mbale City): Thank you, Madam Speaker. Pursuant to Rule 154 of the Rules of Procedure, I beg to lay the alternative policy statement for the East African Community Affairs for the financial year 2026-2027. I beg to lay.

THE SPEAKER: Thank you.

3.29

DR HILLARY KIYAGA (NUP, Mawokota County North, Mpigi): Madam Speaker, I beg to lay the alternative policy statement for the Ministry of Gender, Labour and Social Development for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.29

THE SHADOW MINISTER OF HEALTH (Dr Timothy Batuwa): Madam Speaker, in accordance with the rules of this House, I beg to lay the alternative policy statement for the health sector for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.30

THE SHADOW MINISTER OF INFORMATION AND ANTI-CORRUPTION (Ms Hellen Nakimuli): Thank you, Madam Speaker. I beg to lay the alternative policy statement for the digital transformation programme, ICT and Anti-Corruption sector for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.30

THE SHADOW MINISTER OF INFORMATION AND ANTI-CORRUPTION (Ms Hellen Nakimuli): Madam Speaker, on behalf of the shadow minister, Hon. Betty Nambooze, I lay the

alternative Ministerial Policy Statement for the Internal Affairs sector for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.31

THE SHADOW MINISTER OF INFORMATION AND ANTI-CORRUPTION (Ms Hellen Nakimuli): Again, Madam Speaker, on behalf of Hon. Ronald Balimwezo, I beg to lay the alternative policy statement for Kampala Capital City Authority and the Ministry of Kampala Capital City and Metropolitan Affairs for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.31

THE SHADOW MINISTER OF LANDS, HOUSING AND URBAN DEVELOPMENT (Mr Paulson Luttamaguzi): Madam Speaker, I beg to lay the alternative policy statement for the Ministry of Lands, Housing and Urban Development for the Financial Year 2026/2027.

THE SPEAKER: Thank you.

3.31

THE SHADOW MINISTER OF EDUCATION (Mr Joseph Ssewungu): Madam Speaker, I beg to lay the alternative policy statement for the education and sports sector for the Financial Year 2026/2027.

THE SPEAKER: Thank you.

3.32

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Madam Speaker, on behalf of the shadow minister, Hon. Evans Kanyike, I hereby beg to lay the alternative policy statement for the energy and mineral development sector for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.32

THE SHADOW MINISTER OF AGRICULTURE (Ms Asinansi Nyakato): Madam Speaker, as the Shadow Minister of Agriculture, I beg to lay the alternative policy statement for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you.

3.33

THE SHADOW MINISTER OF FOREIGN AFFAIRS (Mr Muwada Nkunyinji): Madam Speaker, in accordance with the Rules of Procedure of Parliament and as the Shadow Minister for Foreign Affairs, I beg to lay the Alternative Policy Statement for the sector of foreign affairs for Financial Year 2026/2027. I beg to lay.

3.33

THE SHADOW MINISTER FOR THE PRESIDENCY AND SECURITY (Mr Francis Zaake): Madam Speaker, I beg to lay the Alternative Policy Statement for the Presidency and Office of the Prime Minister for the Financial Year 2026/2027. I beg to lay.

3.34

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you very much, Madam Speaker. On behalf of the Shadow Minister for Public Service, Hon. Anna Adeke, and in accordance with Rule 154, I beg to lay the Alternative Policy Statement for the public service sector. I beg to lay.

3.35

THE SHADOW MINISTER FOR LOCAL GOVERNMENT (Ms Betty Naluyima): Thank you, Madam Speaker. I beg to lay the Alternative Policy Statement for the local government sector for the Financial Year 2026/2027. Thank you.

3.35

THE SHADOW MINISTER FOR TOURISM, WILDLIFE AND ANTIQUITIES (Mr Karim Masaba): Thank you, Madam Speaker. I beg to lay the Alternative Ministerial Policy Statement for tourism, wildlife and antiquity sector for the Financial Year 2026/2027. I beg to lay.

3.35

MS JOAN ACOM (FDC, Woman Representative, Soroti City): Madam Speaker, I beg to lay the Alternative Policy Statement for trade, industry, cooperatives and microfinance affairs sector for the Financial Year 2026/2027. I beg to lay.

3.36

THE SHADOW MINISTER FOR WATER AND ENVIRONMENT (Ms Christine Kaaya): Madam Speaker, I beg to lay the Alternative Ministerial Policy Statement for the water and environment sector for the Financial Year 2026/2027. I beg to lay.

3.36

THE SHADOW MINISTER FOR WORKS AND TRANSPORT (Mr Francis Mwijukye): Thank you, Madam Speaker. I beg to lay the Alternative Policy Statement for the works and transport sector for the Financial Year 2026/2027. I beg to lay.

THE SPEAKER: Thank you, honourable members. The Alternative Policy Statements are referred to the relevant sectoral committees for consideration.

Can we get feedback from Hon. Musasizi before we go to the next item?

3.37

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you Madam Speaker. I have cross-checked with the team at the ministry. It is true there is a pre-financing arrangement for the design and build of the Aboke–Bobi road.

However, the Attorney-General advised – cleared the contract, but put a condition that Article 159 of the Constitution must be followed. What does Article 159 require? That we process the borrowing and bring it to Parliament for approval.

In order to achieve that, we need clearance. There is a condition that the President must

clear the borrowing. So, we have written to him, and we await feedback. Thank you.

MOTION SEEKING LEAVE OF
PARLIAMENT TO INTRODUCE A
PRIVATE MEMBER'S BILL, "THE
PUBLIC FINANCE MANAGEMENT
(AMENDMENT) BILL, 2026"

THE SPEAKER: Honourable Members, Article 94(4)(b) of the Constitution of the Republic of Uganda 1995 and Rule 127 of the Rules of Procedure grant Members a right to move a Private Member's Bill and Hon. Gyaviira wants to exercise his right and is ready to move his motion. Please do.

3.38

MR GYAVIIRA SSEMWANGA (NRM, Buyamba County, Rakai): Thank you very much, Madam Speaker. I rise under Rules 121 and 122 of the Rules of Procedure to move a motion seeking leave of Parliament to introduce a Private Members Bill entitled "The Public Finance Management (Amendment) Bill, 2026".

"WHEREAS Article 79 of the Constitution of the Republic of –

THE SPEAKER: Under what rule did you say you rose?

MR GYAVIIRA: Rules 121 and 122 of the Rules of Procedure of Parliament of Uganda 2025.

"WHEREAS Article 79 of the Constitution of the Republic of Uganda, 1995 empowers Parliament to make laws on any matter –"

THE SPEAKER: Can you correct your rule? It is Rule 127, not Rule 121. Rule 127 is on a Private Member's Bill. Rule 127(1) a Member has a right to move a Private Member's Bill.

MR GYAVIIRA: Much obliged, Madam Speaker. Since we amended the rules, I had used the previous ones (*laughter*)

THE SPEAKER: Honourable member, can you use the right rule?

MR GYAVIIRA: Madam Speaker, I rise under Rule 127 of the Rules of Procedure of Parliament to move a motion seeking leave of Parliament to introduce a Private Member's Bill entitled, "The Public Finance Management (Amendment) Bill, 2026".

"WHEREAS Article 79 of the Constitution of the Republic of Uganda, 1995 empowers Parliament to make laws on any matter for peace, order, development and good governance of Uganda;

WHEREAS Article 94(4)(b) of the Constitution and Rule 127 of Rules of Procedure of Parliament of Uganda permit a Member of Parliament to move a Private Member's Bill;

AWARE THAT Article 153(1) and 156 of the Constitution of the Republic of Uganda, 1995 require all revenues and other monies raised or received for purposes of or on behalf of or in trust of the Government be paid into the consolidated fund and withdrawn only under the authority of an Appropriations Act or the Supplementary Appropriation Acts;

FURTHER AWARE that, notwithstanding clause 1 of Article 153 and clause 2(b) of Article 153 of the Constitution, permit a department of the Government to retain revenues or other monies for purposes of deferring the expenses of such a department through an Act of Parliament;

NOTING THAT the Public Finance Management Act Cap 171 was enacted to operationalise the constitutional framework for management of public finances, including the Consolidated Fund, and appropriation of monies by Parliament;

FURTHER NOTING that Section 27(3) of the Public Finance Management Act, Cap. 171 authorises state enterprises and public corporations through appropriations by Parliament to retain revenue collected or

received in the form of levies, licenses, fees, or fines;

AWARE THAT appropriation is defined in Section 2 of the Public Finance Management Act, Cap. 171 to mean an authorisation made under the Appropriation Act permitting payment out of the Consolidated Fund or Petroleum Fund. Therefore, the appropriation referred to in Section 27(3)(a) of the Public Finance Management Act is not possible for any funds that are retained by collecting agencies;

FURTHER AWARE THAT in 2015, the Government initiated a process of consolidating government accounts into a single treasury account to streamline treasury operations, cash management, and consolidation of the Government fiscal position at the Bank of Uganda;

NOTING THAT many state corporations, enterprises, statutory authorities and other entities currently collect and have their budgets and supplementary budgets approved solely by the line ministers and governing boards under their relevant Acts, and therefore spend substantial own-source revenues outside the Consolidated Fund, thereby weakening Parliament's exclusive powers over budget scrutiny and appropriation;

CONCERNED THAT the exclusion of certain authorities and statutory funds from the Consolidated Fund has contributed to a reconciliation variance of approximately Uganda Shillings 4.3 trillion between the Government Consolidated Fund statement and the Consolidated Statement of Appropriation. This is because some budgets are treated as appropriated, yet they are not executed through the Consolidated Fund;

FURTHER CONCERNED THAT significant deposits of public funds have accumulated on the statutory fund accounts of public corporations, state enterprises and authorities, some of which are used to provide loans to staff, and to invest in fixed deposits and government securities, including treasury instruments,

while the Government as the original investor in these entities continues to borrow and seek finance elsewhere at market rates;

CONSIDERING THAT this fragmented and extra-budgetary treatment of large public revenues creates a parallel fiscal space with limited parliamentary oversight and undermines the unity and credibility of the national budget. This thereby exposes the country to risks of revenue leakage, inefficient resource allocation, and potential financial loss to the Government through avoidable interest costs;

FIRMLY CONVINCED that there is an urgent need to amend the Public Finance Management Act, Cap. 171 to require all revenues collected by state corporations and public enterprises, statutory authorities, and other public entities to be deposited in the Consolidated Fund to ensure that such monies are not spent without parliamentary approval;

NOW, THEREFORE, be it resolved that: Parliament grants me leave to introduce a Private Member's Bill entitled "The Public Finance Management (Amendment) Bill," a draft of which is attached to this motion."

Madam Speaker, I beg to lay the draft Bill entitled "The Public Finance Management (Amendment) Bill, 2026." I beg to lay.

THE SPEAKER: Is the motion seconded?

It is seconded by Hon. Omara, Hon. Teira, Hon. Rita Atukwasa, Hon. Kabanda, Hon. Denis, Hon. Ojara, Hon. Mutembuli, Hon. Chris, Hon. Vicky, Hon. Linda, Hon. Ocan, Dr Apio, Hon. Akol – Hon. Omara, I mentioned you, stop standing – Hon. Ssentayi, Hon. Baka, Hon. Magogo – (*Laughter*) - by this entire side.

Would you love to speak to your motion?

MR SSEMWANGA: Thank you very much, Madam Speaker. In the spirit of consolidating funds, we have just passed rationalisation Bills in this House to ensure that we rationalise all the money to reduce public expenditure. The

spirit of this Bill is to ensure that all monies collected are in one pool for spending.

Madam Speaker, our Constitution is very clear that all public monies must go through the Consolidated Fund and be spent only with the approval of this House.

Number two, this is not, Madam Speaker, a technical rule. It is the foundation of Parliament's control over national resources. Today, however, we have allowed situations where many public entities collect and spend large sums of money outside the Consolidated Fund, and their budgets are approved by ministers and their boards, but not Parliament. This has created a parallel financial system outside the scrutiny of this House.

Madam Speaker, the current law talks about appropriation of retained revenue, but appropriation by law only applies to money in the Consolidated Fund. You cannot appropriate money in commercial banks, and you cannot appropriate money in SACCOs, as Parliament. That is the spirit in which I am bringing this amendment Bill.

Madam Speaker, this Bill does one key thing; it requires all public revenues to go through the Consolidated Fund, and to be spent after the approval of Parliament. *(Laughter)* It restores order without stopping institutions from – *(Interjections)* - Yes, for emphasis. This Bill restores order without stopping institutions from functioning.

Madam Speaker, this is not about creating a new tax or new spending. It is about bringing the existing public money under discipline, transparency, and accountability. It is about ensuring that this House exercises its constitutional mandate.

In conclusion, I, therefore, respectfully urge honourable members of the 11th Parliament to give a gift to Ugandans by passing this amendment Bill to restore the integrity in financial management. I beg to move.

THE SPEAKER: Thank you. Those are the seconders. Hon. Herbert Ariko, one minute.

3.53

MR HERBERT ARIKO (NRM, Soroti East Division, Soroti City): Thank you, Madam Speaker. I stand here to second the motion proposed here by my friend, Hon. Gyaviira, seeking leave of this House to introduce the Public Finance Management (Amendment) Bill.

First, the gist of the matter is whether or not it is right for the honourable member to propose a Private Member's Bill here. He has elaborated that it is a duty of a Member of Parliament to exercise the Constitutional mandate that they have been given to enact laws for the good governance of this country.

Our Bill seeks to ensure that all revenues that are collected by Government parastatals and agencies are reflected in the national budget so as to enable better planning and alignment of national priorities.

Honourable colleagues, in certain cases when we are processing sectoral Ministerial Policy Statements, these agencies, among other Votes, come to this Parliament seeking us to provide resources for some of them to run their projects and their operations. However, they do not clearly disclose to the House how much they receive in terms of revenue that is outside what Parliament allocates.

The purpose of the Bill, therefore, is to ensure that whatever is generated by these parastatals is known and disclosed to Parliament while appropriating. I believe that even when we speak, Madam Speaker is listening to us.

THE SPEAKER: I am listening to you. Speak.

MR ARIKO: The current system of fragmented public finances makes planning difficult and leads to inefficient allocation of resources across all sectors. It is the reason some of these parastatals and agencies appear to be able to perform and attend to their planned activities

and mainstream - *(Member timed out.)*(Hon. Niwagaba rose_)

THE SPEAKER: Before you go into clarification, the seconder, first address your mind to Article 153(2) on the Consolidated Fund.

MR NIWAGABA: The clarification I would like to get from you is that when we were making this particular law in 2013 or 2015 or thereabout -

THE SPEAKER: It was 2015.

MR NIWAGABA: Yes, we captured everything to do with all entities that either collect revenues from the public or receive funding from this particular Parliament. Have you listed down the state enterprises you have in mind that you would like to be captured under this proposed amendment?

THE SPEAKER: When answering that, you should also look at why they included in the Constitution agencies that are formed by an Act of Parliament to receive their own money. If they receive the money, are we going to amend the Constitution too to remove Article 153(2)?

MR ARIKO: Madam Speaker, at this stage, the proposers of the amendment are not dealing directly with the merits of the Bill. We want to persuade the House that it is at this point that it may accord us the liberty, first, to go and exercise the rights of a Member of Parliament to introduce the Bill. At the point when we are refining the very details of the Bill, we shall provide justification of its necessity.

Madam Speaker, what you have asked me to address in as far as 153(2) is concerned relates to the fact that there is this exception. However, the Public Finance Management Act in the definition of what Parliament should do in as far as appropriation is concerned, specifically says that Parliament shall allocate resources that have been provided for in the Consolidated Fund.

Some of these agencies and institutions do come to this House and request us to appropriate to them. It presupposes that we are exercising the appropriation role in as far as the definition in the Public Finance Management Act is concerned. If those resources have not actually gone to the Consolidated Fund, where do we therefore get the liberty to exercise our power of appropriation?

Our argument is that once the resources are provided within the ambit of the Consolidated Fund, then it is possible for us to -

THE SPEAKER: Hon. Herbert, do you have the institutions outside the ambit of Article 153(2) that are retaining the money without an Act of Parliament and that you want them to take the money to the Consolidated Fund?

MR ARIKO: Madam Speaker, my colleague, Hon. Otimgiw would like to help me elaborate on that.

4.00

MR ISAAC OTIMGIW (NRM, Padyere County, Nebbi): Thank you, for giving way, honourable colleague. On some of the entities that you have requested him to highlight, we have this important Bill, which is coming up right now - the National Drug and Health Products Bill.

I sit on the health committee – *(Interjections)* - I am not going to talk about the Bill. The same Parliament, not this 11th Parliament, enacted the National Drug Policy and Authority Act. The National Drug Authority does not have a Vote and we do not even appropriate any money for them. They collect a lot of revenue and spend it at their own liberty. That is an example of some of the entities that can fall in that category.

THE SPEAKER: Attorney-General.

4.01

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, I may appreciate the principle that the Member wants to raise. However, we need to caution ourselves not to write a law, which will in itself, be unconstitutional.

The Constitution said that all the money will go to the Consolidated Fund. Then, if you want any money not to go to the Consolidated Fund, Parliament must write a law for that, and it has, in some instances.

Therefore, for you to come and say that now we are writing a law to say no money can go to any other account will be contrary to the Constitution because it has said some money can go to other accounts.

Madam Speaker, I think this motion will create a problem which is unnecessary.

However, if Members are saying there are entities which keep money where there is no Act of Parliament authorising them to do so, that is absolutely illegal, and such an entity should necessarily be brought to book. If a person requires to retain money, it is this Parliament that can make a law which authorises you to retain money under Article 153(2). The motion that is being proposed by the honourable member would in itself be unconstitutional. I beg to submit.

4.03

MR GEOFFREY EKANYA (FDC, Tororo North County, Tororo): Thank you very much, Madam Speaker. The Public Finance Management Act 2015, and the Constitution give this Parliament all the powers- and the provision in the Public Finance Management Act is categorical - any organisation or institution that collects money by whatever name - if you collect public money by whatever name, that money is supposed to go to the consolidated fund, and if you want to use it, you come and seek the authority of Parliament.

The problem has been we, Members of Parliament and chairpersons of committees, who do not demand these parastatals - Under the law, Madam Speaker, we are supposed to clear all accounting officers. Even if it is the drug authority, the board appoints an accounting officer; those accounting officers are cleared by the Secretary to the Treasury. All their names are supposed to be brought to you here to clear as Parliament. The problem

is we, the MPs, who should stand. The law is very clear.

THE SPEAKER: What do the MPs do? All the accounting officers are always cleared by the Public Accounts Committee (PAC).

MR EKANYA: Madam speaker, what I am saying, like the -

THE SPEAKER: Do not put the blame on MPs. We are not the ones who collect the monies.

MR EKANYA: I withdraw, Madam Speaker.

THE SPEAKER: We are not the ones who collect money.

The Ministry of Finance, Planning and Economic Development gives us a list of accounting officers, and PAC scrutinises it and sends it back to the House.

MR EKANYA: Okay, Madam Speaker. You have parastatals like the National Drug Authority; their accounting officers are appointed by the board. Even though the accounting officer appointed by the board is an accounting officer according to the Constitution and the Public Finance Management Act, they are supposed to come here to be cleared. If a parastatal wants to retain NTR, they present it in their budget estimates, and then the committees present that to Parliament to be cleared. Therefore, Madam Speaker, under the current Public Finance Management Act, the provision is adequate and is in line with the Constitution of Uganda. Thank you.

4.05

MR JONATHAN ODUR (UPC, Erute County South, Lira): Madam Speaker, I was actually going to oppose this motion on the basis that the general rule is that all monies collected for and on behalf of the Government should go into the Consolidated Fund. The exception is that if there is a corporation or an entity that has justification, they will come to Parliament, and it is done through an Act of Parliament. My basis was that if you allow

this motion, you are amending, consequently, several other Acts where we had already given them power. If they want to address this, they should actually amend directly those Acts of Parliament where Parliament has -

THE SPEAKER: Or even amend the Constitution by removing that provision that we should be able to get Acts that - Yes, Jonah, go ahead.

MR ODUR: If, for example, we have a corporation called National Enterprise Corporation (NEC), which does things on behalf of the Government through the army, and they are keeping the money there, you bring the NEC Act, because in that Act, we gave them authority to retain the money. You cannot try to amend it ineffectually by amending the Public Finance Management Act, and then say all these other entities are also now affected.

If your intention is that no corporation at all, then compile all those Acts of Parliament, then amend each one of them, or bring an omnibus - I do not know how it will fit, to amend but this motion. Well, that is my opinion, Madam Speaker.

4.07

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, I want to thank the honourable Member for moving this important motion about how we can efficiently utilise our resources, but as we speak, I think all the institutions are spending money within the law. There is no institution that is spending money outside the law. If it is doing that, then it would be a crisis.

I see the point of the mover, but I also hear what the Attorney-General has advised us, and for us not to lose your intention, is it possible that the mover of this motion can go back and consult, refines it and consult the Attorney-General so that the idea does not just die or the motion collapses under its own weight as we speak. Can we go back and consult a bit and then come back when we are prepared? Thank you - *(Laughter)*

THE SPEAKER: Hon. Gyaviira, the Public Finance Management Act, requires a comprehensive amendment. This is just a small bit of it but the Act needs to be comprehensively amended - I mean the Public Finance Management Act. What Hon. Bahati is saying is that it would be prudent enough for us to do it, and we will work together with the Government to ensure that we have that amendment.

MR GYAVIIRA: Thank you very much, Madam Speaker. I am glad that this honourable House has been able to also observe that there is a gap because Shs 4.3 trillion - *(Laughter)* - is a very big variance. I want to bring this House to understand that the way we passed the rationalisation Bill -

THE SPEAKER: Honourable Members, we have a lot of work. Maybe let me just put the question on this. I put the question that Hon. Gyaviira be granted leave to introduce a Private Member's Bill, entitled the Public Finance Management (Amendment) Bill, 2026.

(Question put and negatived.)

BILLS SECOND READING

THE NATIONAL DRUG AND HEALTH PRODUCTS AUTHORITY BILL, 2025

THE SPEAKER: Honourable Members, the National Drug and Health Product Authority Bill, 2025, was read for the first time on Thursday, 4 September 2025, and referred to the sectoral Committee on Health. The committee has considered the Bill and is ready to report, and I want to request the chairperson to make a summary of the report so that we have sufficient time to look at it clause by clause. Before that, as per Rule 136(1) of the Rules of Procedure, we will request the Minister of Health to move a motion to that effect.

4.11

THE MINISTER OF HEALTH (Dr Ruth Aceng): Madam Speaker, I beg to move that the Bill entitled, the National Drug and Health

Products Authority Bill, 2025, be read for the second time.

THE SPEAKER: Seconded? Seconded by Hon. Taylor, Hon. Magogo *-(Laughter)-* Hon. Bright, Dr Achayo, Hon. Orone, Hon. Isamat, by the whole House. Yes. Would you like to speak to your Motion? The objects of the Bill.

DR ACENG: Madam Speaker, the object of the National Drug and Health Products Authority Bill, 2025 is to establish the National Drug and Health Products Authority, to provide for the functions and powers of the Authority, to regulate the manufacture, distribution, importation, exportation, and supply of drugs, medical devices, cosmetic products, public health products, and nutritional supplements. To provide for the administration and enforcement of the Act, and to repeal the National Drug Policy and Authority Act and amend the Food and Drug Act.

THE SPEAKER: Thank you. Honourable members in the VIP Gallery, we have Hon. Peter Pex, the Member of Parliament-elect for Dodoth East, Kabong District. Peter Pex, you are welcome.

We also have a team from the National Drug Authority (NDA). Dr David Nahamya, you are welcome. Hon. Mutasanga, and Amos Atumanya, you are welcome. They are here to witness the proceedings of the Bill.

Give us a summary of your report so that we have time for the committee.

4.14

DR JOSEPH RUYONGA (NRM, Hoima West Division, Hoima City): Thank you very much, Madam Speaker. I am here to present a Report of the Committee on Health on the National Drug and Health Products Authority Bill, 2025. Before I present the report, I beg to lay it on the Table and also, lay the minutes. I beg to lay.

THE SPEAKER: Thank you. Please lay.

DR RUYONGA: The Bill is quite long, but I will try to summarise it. It has been uploaded on the iPads. I hope that the Members have gone through it. I will not read it verbatim, some sections, Madam Speaker, if you allow me.

In the introduction, the National Drug and Health Products Authority Bill, 2025 was read for the first time on 4 September 2025 by the Minister of State for Health, Hon. Anifa Kawooya. In accordance with Rule 135(1) of the Rules of Procedure of Parliament, the Rt Hon. Speaker referred the Bill to the Sectoral Committee on Health, for consideration.

The committee proceeded to handle the Bill according to Rule 135(2), (3), and (4) by examining the Bill in detail, and made all such inquiries, received and scrutinised proposed amendments that were relevant to the subject of the Bill. For the background, I request that members read through. I will go to the aims.

The aim of the Bill is:

- (a) To establish the National Drug and Health Products Authority (NDHPA), replacing the existing National Drug Authority (NDA);
- (b) To provide the functions and powers of the Authority;
- (c) Regulate the manufacture, distribution, importation, exportation, and supply of drugs, medical devices, cosmetics, public health products, and nutritional supplements;
- (d) Provide for the administration and enforcement of the act;
- (e) Repeal the National Drug Policy and Authority Act, Cap. 198;
- (f) Amend the Food and Drug Act, Cap. 307;
- (g) Amend the Narcotic Drugs and Psychotropic Substance Control Act, Cap. 37.

Then we can go to page 4, the Defects in the National Drug Policy and Act. That is the current law. We can go to the Importance of this, how we want to amend:

- (a) There are so many new products such as medical devices, cosmetic products, nutritional supplements, and other related products.
- (b) We have complex drug markets with falsified and substandard products posing a risk of treatment failure and antimicrobial resistance.
- (c) There are global best practices under the World Health Organisation, which require broader and more integrated regulation.

In the interest of time, you can read the methodology. Then the stakeholders we have interfaced with; there are a number of them. We had also written submissions. We can go to the Committee Analysis, Observations and Recommendations, on page 9:

Certificate of Financial Implications

The committee notes that section 74(1) of the Public Finance Management Act, Cap 171 and Rule 124(1) of the Rules of Procedure of Parliament require every Bill to be accompanied by a Certificate of Financial Implications issued by the Minister responsible for finance. The committee considered the Certificate of Financial Implications accompanying the Bill. We can go to the general observation, which is on page 10, but let us go to page 11.

Implications of the Bill on Investment

Observation

The committee observed that certain provisions of the Bill may increase the cost of doing business due to multiple licenses that are to be issued by the different regulatory authorities, high fees rising from different applications and absence of statutory timelines for regulatory decisions. The committee noted that the investors in pharmaceuticals and medical devices operate within strict commercial timelines and that prolonged processes may affect market entry and increase the risk of product expiry.

Recommendations

The committee recommended the Bill should support investment by:

- (a) Providing clear statutory timelines for licensing and approval of decisions.
- (b) Establishing a comprehensive framework that will evaluate and strengthen the legislative systems of medicines, vaccines, and medical devices through empowerment of the Authority to license manufacturers, suppliers, distributors, importers, or exporters in line with the global benchmarking tool (GBT).
- (c) Ensuring that the provision on dual regulation in the Bill is amended as by the Cabinet principles, which clearly stipulate which products should be regulated under the Bill.

Notwithstanding the above, the committee observed that several provisions in the Bill require amendment to make the law practical, fair, technically sound, and responsive to Uganda's institutions commercial and socioeconomic realities.

Observations for Overlapping and Duplication of Legislative Mandates

We discovered that there are dual regulations of some products. For example, we have some products that are being regulated by the Uganda National Bureau of Standards (UNBS) and also by NDA. That is dual regulation. Most of the stakeholders complained about that.

Observations

- (a) The committee noted with concern that this Bill was empowering two regulatory bodies, the UNBS and the National Drug Authority, to set standards for regulated products under the Act. The committee was guided by the principles approved by the Cabinet under minute 170 (CT 2023), which noted that the Ugandan National Bureau of Standards would cede the

mandate and regulation of medical devices to the National Drug Authority.

(Question put and agreed to.)

Clause 1, agreed to.

(b) – *(Interruption)*

THE SPEAKER: There is a point of procedure.

THE CHAIRPERSON: Clause 2 is on interpretation; we can stand over it and then come back to it. Honourable members, when we are at the committee stage, I do not want interruption. At this stage, we want the clauses to flow.

MR EKANYA: Madam Chairperson, under our rules –

Clause 3

THE SPEAKER: Dr Ruyonga, when there is a point of procedure, you sit.

THE CHAIRPERSON: I put the question that clause 3 stands part of the Bill.

MR EKANYA: Madam Chairperson, the Rules of Procedure grant authority to the chairperson, who is the Speaker, to guide business in the House. I wish to move, under our rules, to seek your guidance to exercise your authority to manage business, aware that we have more business and several Bills to process and complete.

(Question put and agreed to.)

Clause 3, agreed to.

Clause 4, agreed to.

We have a Budget timeline. As a member of the Budget Committee, we need to clear all reports and present the Budget within the time, as provided for in the Budget Act.

Clause 5

THE CHAIRPERSON: Committee chairperson -

Isn't it procedurally right that you exercise your power for us to move to committee stage, then the chairperson together with the Members will debate some of those issues then, to save time? Thank you.

4.20

THE CHAIRPERSON, COMMITTEE ON HEALTH (Dr Joseph Ruyonga): Madam Chairperson, clause 5 is amended:

THE SPEAKER: Thank you. Is it seconded? It is seconded by the Shadow Attorney-General. Thank you so much for making my work very easy. I put the question that the National Drug and Health Products Authority Bill, 2025 be read the second time.

- a) In subclause (1):
 - i) In paragraph (a)(iii), by deleting the word “unwholesome” and wherever it appears in the Bill;
 - ii) In paragraph (a)(vii), by deleting the words “for vaccines, biologicals and diagnostics”;
 - iii) In paragraph (b)(iv), by inserting immediately after the words “medical devices”, the words “cosmetic products, public health products and nutritional supplements”; and
 - iv) By inserting immediately after paragraph (b)(vi), the following – “to prescribe standards for medical devices, cosmetic products, public health products and nutritional supplements”.

(Question put and agreed to.)

BILLS
COMMITTEE STAGE

THE NATIONAL DRUG AND HEALTH PRODUCTS AUTHORITY BILL, 2025

Clause 1

- b) In subclause (2), by inserting immediately after the words “nutritional supplements”, the words “in accordance with this Act and any other applicable law”.

THE CHAIRPERSON: I put the question that clause 1 stands part of the Bill.

- c) In subclause (4)
- i) In paragraph (b), by inserting immediately after the word “guidelines”, the words “in accordance with this Act and any other applicable law”; and
- ii) In paragraph (d), by inserting immediately after the words “nutritional supplements”, the words “in accordance with this Act and any other applicable law”.

The justification is:

1. To empower the Authority to retrieve drugs that are falsified, adulterated, substandard or expired;
2. To empower the Authority to regulate premises where drugs are analysed, tested and researched; and
3. For consistency in referring to different products being regulated under this Bill; and
4. To provide for compliance with relevant laws.

Thank you, Madam Chairperson. I beg to submit.

MR KIRYOWA KIWANUKA: Thank you, Madam Chairperson. We agree with the amendments that are proposed by the committee, save for this. We would like to propose a further amendment to clause 5(b)(iv) to read as follows:

“5(b)(iv) To license the premises on which medical devices, cosmetic products, public health products, and nutritional supplements are manufactured, distributed, and supplied by wholesale”.

I beg to submit.

THE CHAIRPERSON: Minister, are you okay with that?

DR ACENG: Madam Chairperson, I agree to all the amendments. I would also like to propose a consequential one on clause 5(1)(c). “5(1)(c) To regulate clinical trials for drugs, medical devices, cosmetic products, and public health products, not chemicals”.

Thank you.

THE CHAIRPERSON: Committee chairperson -

DR RUYONGA: I agree.

THE CHAIRPERSON: I put the question that clause 5 be amended, as proposed, further amended by the Attorney-General and the Minister of Health.

(Question put and agreed to.)

Clause 5, as amended, agreed to.

Clause 6

DR RUYONGA: Madam Chairperson, clause 6 is amended by substituting for subclause (2), the following:

“The directions given by the Minister under subsection (1) shall not adversely affect or interfere with the independence of the Authority or the performance of the functions and exercise of the powers of the Authority under this Act.”

The justification is that the amendment clarifies that ministerial directions are of a general policy nature and shall not undermine the statutory independence of the Board in the discharge of its functions and powers. I submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Thank you, Madam Chairperson. We have no objection to the proposed amendment.

THE CHAIRPERSON: I put the question that clause 6 be amended as proposed.

(Question put and agreed to.)

Clause 6, as amended, agreed to.

Clause 7

MR BASALIRWA: Thank you, Madam Chairperson, for giving me this opportunity.

We are in the middle of a Bill, and the Constitutional Court has just nullified the Computer Misuse Act. One of the issues cited was that voice voting is archaic -

taking affirmative action in favour of women as a marginalised group.

I beg to submit.

THE CHAIRPERSON: What is the relationship between that? Clause 7?

THE CHAIRPERSON: Attorney-General -

DR RUYONGA: Clause 7 is substituted for the following -

MR KIRYOWA KIWANUKA: Madam Chairperson, we have no objection to the reduction of the members of the committee from nine to seven. We have no objection to the inclusion in clause 7(3), the nature or calibre of persons you would like to sit on this board. Maybe to add at the end of clause 7(3) "or such other related fields."

"Board of Directors

- (1) The Authority shall have a board, which shall be the governing body of the Authority.
- (2) The Board shall consist of seven members appointed by the minister.
- (3) A member of the board shall be a person of high moral character and proven integrity, with qualifications and experience in the field of pharmacy, medicine, law, financial management, traditional and complementary medicine, investigations, biomedical engineering, nutrition, cosmetology, bioethics, consumer protection, or public health.
- (4) The minister shall appoint a chairperson of the Board from among the members of the Board.
- (5) At least a third of the members of the board shall be women."

THE CHAIRPERSON: That is actually better.

DR ACENG: I concur.

THE CHAIRPERSON: I put the question that clause 7 be amended as proposed by the chairperson and amended by the Attorney-General.

(Question put and agreed to.)

Clause 7, as amended, agreed to.

The justifications are:

Clause 8

DR RUYONGA: Clause 8 is amended -

- i) The Bill expands the mandate of the Authority beyond pharmaceuticals to include medical devices, cosmetic products, nutritional supplements and health products, each of which presents a distinct technical and safety considerations requiring specialised oversight.
- ii) It is necessary that the board collectively possesses expertise in the regulated products to ensure effective governance, informed decision-making, and proper supervision of the Authority's regulatory functions.
- iii) The clause on gender is to align the Bill with the constitutional policy of the State,

(a) By substituting for subclause (1) the following-

"(1) A member of the Board shall hold office for four years and is eligible for re-appointment for one more term only."

(b) By inserting immediately after the subclause (1), the following -

"A member of the Board shall hold office on terms and conditions specified in his or her instrument of appointment."

(c) By inserting after subclause (3) the following -

"The minister shall fill the vacancy on the Board in accordance with the procedure prescribed by regulations made under this Act."

The justifications are:

- i) The re-arrangement of subclause (1) is for clarity and to provide a definite term of office for board members to strengthen accountability and enhance performance while allowing reappointment based on merit and performance.
- ii) The new insertion is to obligate the minister to fill a vacancy within stipulated timelines under regulations to ensure efficiency in functioning of the board.

I beg to submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: We have no objection to the proposed amendment.

DR ACENG: I concur.

THE CHAIRPERSON: I put the question that clause 8 be amended as proposed.

(Question put and agreed to.)

Clause 8, as amended, agreed to.

Clause 9, agreed to.

Clause 10

THE CHAIRPERSON: Chairperson of the committee -

DR RUYONGA: Clause 10 is amended in subclause (1) by substituting for the word “supervision” the word “control.”

The justification is to reflect the proper governance role of the Board. The Board exercises strategic authority and overall control over the affairs of the Authority while the Executive Director exercises supervision relating to day-to-day administrative oversight over the secretariat.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, the proposal to amend “supervision” with “control” can be a bit problematic because it takes away the accountability provision. The secretariat, the board, and as you come down - everyone carries a responsibility. When you supervise them, they are responsible for the decisions they make, but if you say you control them, then why do you have them? I think it will not be good to say that you have a secretariat, which is controlled by a board.

I propose that the clause remains as it is in the Bill to read, “The Authority shall have a secretariat which shall be under the direction and supervision of the board”, not control.

THE CHAIRPERSON: I put the question that the clause 10 stands part of the Bill. It is just common sense that supervision is done, not control.

(Question put and agreed to.)

Clause 10, agreed to.

Clause 11

DR RUYONGA: Clause 11 is amended –

(a) By substituting for subclause (1) the following -

“(1) The secretariat shall be headed by an Executive Director who shall be appointed by the Board for a term of five years and is eligible for reappointment for one more term only.”

(b) By inserting immediately after the subclause (1), the following -

“(2) The Executive Director shall hold office on terms and conditions specified in his or her instrument of appointment.”

Justification

The introduction of a limitation of the Executive Director’s term is to strengthen accountability, enhance performance and provide orderly

leadership transition within the Authority while allowing for reappointment based on merit and performance.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 11 be amended as proposed.

(Question put and agreed to.)

Clause 11, as amended, agreed to.

Clause 12

DR RUYONGA: Clause 12 is amended in subclause (3) by deleting the words “and the discipline of the Executive Director and”.

Justification:

This is for clarity. Since the clause is providing for regulation of the terms and conditions of service for the other employees of the Authority, including discipline of the executive director would cause confusion.

I beg to submit.

MR KIRYOWA KIWANUKA: We propose that the provision in the Bill stands as it was presented because there is no other provision for the discipline of the executive director. Actually, we are redrafting these Bills now to place executive directors under staff, because there has been a tendency for them to think they are not staff of the Authority.

When you have a specific clause for them and another for staff, they tend to feel they are above the staff. They are staff of the Authority, and they must be disciplined by the board. We propose that the provision remains as it stands in the Bill.

DR ACENG: I agree with the Attorney-General’s amendment.

DR RUYONGA: I agree with the Attorney-General’s amendment.

THE CHAIRPERSON: No, it is not an amendment. You concede.

DR RUYONGA: Madam Chairperson, I concede.

THE CHAIRPERSON: I put the question that clause 12 stands part of the Bill.

(Question put and agreed to.)

Clause 12, agreed to.

Clause 13

DR RUYONGA: Clause 13 is amended by deleting the words “in conformity as may be applicable with the Uganda Public Service Standing Orders”.

Justification:

To remove ambiguity by enabling the Authority to make internal staff rules appropriate to its functions, while remaining subject to the Act and other applicable laws.

I beg to submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, we have been going through the process of rationalisation to reconvene and re-cluster the public service. There has been a tendency for these MDAs to create a persona different from public service, where a person working in an MDA, while a public servant, can get 45 days of leave, but a person in this ministry can get only 21 days of leave.

Therefore, we are saying no. The rules must be consistent across the public service. There may be specific aspects attached to that, but they will also be handled in accordance with the public service rules. We are not creating another public service. We want to maintain a single public service.

We propose that the clause remains “the board shall make rules in conformity as may

be applicable with the Uganda Public Service Standing Orders to regulate the appointment and release of these persons”.

We beg to submit.

THE CHAIRPERSON: It stands part of the Bill, not so?

DR ACENG: I agree with the Attorney-General.

THE CHAIRPERSON: Withdraw your proposal.

DR RUYONGA: I withdraw my proposal and concede.

THE CHAIRPERSON: I put the question that clause 13 stands part of the Bill.

(Question put and agreed to.)

Clause 13, agreed to.

Clause 14, agreed to.

Clause 15, agreed to.

Clause 16, agreed to.

Clause 17, agreed to.

Clause 18, agreed to.

Clause 19, agreed to.

Clause 20

DR RUYONGA: Clause 20 is amended in subclause (1), by substituting for the words “as soon as practicable, but not later than six months”, for the words “within three months”.

Justification

To promote timely reporting and enhance accountability by requiring submission of the annual report within three months after the end of the financial year.

MR KIRYOWA KIWANUKA: We agree with the proposal as made by the committee.

THE CHAIRPERSON: I put the question that clause 20 be amended as proposed.

(Question put and agreed to.)

Clause 20, as amended, agreed to.

Clause 21

DR RUYONGA: Clause 21 is amended -

(a) In subclause (1), by inserting immediately after the word “notified”, the word “listed”.

(b) by substituting for subclause (3), the following –

“Notwithstanding subsection (1), the Authority may, for a specified purpose, and subject to conditions the Authority may deem fit, authorise the manufacture, importation, exportation, distribution, supply or dispensation of a drug which is not registered, notified or listed by the Authority –

(a) where the drug is required by the Authority for purposes of registration, notification or listing of the drug under this Act;

(b) where the drug is required for purposes of conducting a clinical trial;

(c) with respect to importation, where the drug is imported for personal use;

(d) where the drug is required for compassionate use;

(e) where the drug is required under extraordinary circumstances, as may be prescribed in regulations made under this Act; or

(f) where the drug is required for approved scientific education and research.”

(c) in subclause (8) -

(a) in paragraph (a), by substituting for the words “three thousand”, the words “ten thousand”; and

(b) in paragraph (b), by substituting for the words “five hundred”, the words “five thousand”.

Justification

- i) The amendment for listing serves as an additional regulatory mechanism to ensure that drugs that may not be subject to full registration are still brought under the Authority's supervision. The listing facilitates market oversight, traceability, and enforcement while allowing a proportionate regulatory approach.
- ii) The exemption on grounds of "compassionate use" allows timely access to drugs in exceptional cases of unmet medical need where the ordinary registration or notification process may cause harmful delay, while the person is suffering from a life-threatening disease.
- iii) The insertion of a provision prescribing an application for the exemption preserves the Authority's regulatory control over the conditions and procedure.

I submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, this Act is being brought to regulate the use of drugs. So, if you amend the clause to say "notwithstanding subsection (1), the Authority may, for a specified purpose, and subject to conditions the Authority may for a specified purpose and subject to conditions the Authority may deem fit, authorise the manufacture, importation, exportation of drugs which are not listed for compassionate use", we would just need to define that.

Some of these things are - we understand the purpose that the committee is looking to give, but I would propose that we drop 'D' and use 'E' to cover 'D'. If there is a drug that you would like to use, at least let some regulation be put in place, so we know how this drug is being used in Uganda.

However, when you say 'for compassionate use', it can be misused. So, we agree with the committee's proposed amendment, except for

the amendment to clause 21(3)(d). I beg to submit.

MR NIWAGABA: I am not sure whether you have addressed your mind to clause 21(8) - the amendment, especially in increasing the currency for sentencing powers, because it may contradict the Law Reform (Miscellaneous Provisions) Act, where the number of imprisonment term corresponds to the currency notes. So, I would pray that we retain what is in the Bill as opposed to the proposed amendment.

MR KIRYOWA KIWANUKA: Madam Chairperson, yes, I did address my mind to what was being proposed here, and it does not contravene the Law Reform (Miscellaneous Provisions) Act.

Madam Chairperson, as I always said, the Law Reform (Miscellaneous Provisions) Act does not in any way fetter the power of Parliament to prescribe penalties. So, it cannot be argued that because we gave you Shs 5,000 last week, we must give you Shs 5,000 this week. Parliament is at liberty to prescribe the appropriate penalty for that. And I think the increase in these currency points is because what you are dealing with here is a deterrent sentence.

You want to deter people from attempting to use and import illicit drugs because once consumed, they are extremely dangerous - that is what we are discussing here today. If the penalty for bringing these illicit drugs is high, then people will stay away from them, but because the penalties are still outdated and lax, I propose that the committee's proposal, to that extent, be upheld by the House.

THE CHAIRPERSON: Yes, Hon. Aceng -

DR ACENG: Madam Chairperson, I do not want to disagree with my Attorney-General, but I would like to refer us to the definition of "compassionate use" before we delete it. Compassionate use, as it is in the interpretations, means "The use of an unregistered drug or a drug under clinical investigation, which is not a clinical trial, for the treatment of a patient suffering from a serious or life-threatening

condition, where no satisfactory registered prevention or treatment is available in Uganda.”

Madam Chairperson, we did this during the time of COVID-19 and also during the time of the Sudan Ebola virus. And personally, I think it is useful to have it there because if you have a life-threatening condition and there is a drug that is not registered, it is not under clinical trial, but we think it can save you, then why not give it to you?

THE CHAIRPERSON: Yes, like *Covidex* then. Yes, Hon. Attorney-General –

MR KIRYOWA KIWANUKA: Madam Chairperson, she is the doctor. I concede - (*Laughter*) - mine is to draft.

THE CHAIRPERSON: Thank you. I put the question to the amendment.

(Question put and agreed to.)

Clause 21, as amended, agreed to.

Clause 22

THE CHAIRPERSON: Honourable chairperson –

DR RUYONGA: Madam Chairperson, clause 22 is amended in subclause (5)(b), by substituting for the words “Five years”, the words “Ten years”.

The justification is to enhance the penalty for manufacturing drugs without a license issued under this Act. I beg to submit.

THE CHAIRPERSON: Attorney-General –

MR KIRYOWA KIWANUKA: We have no objection to the proposed amendment by the committee.

THE CHAIRPERSON: Thank you. I put the question to the amendment.

(Question put and agreed to.)

Clause 22, as amended, agreed to.

Clause 23

THE CHAIRPERSON: Honourable Chairperson –

DR RUYONGA: Clause 23 is amended in subclause (6)

- a) In paragraph (a), by substituting for the words “Five thousand”, the words “Ten thousand”; and
- b) In paragraph (b), by substituting for the words “Five years”, the words “Ten years”

The justification is to enhance the penalty for distributing drugs without a license. I beg to submit.

THE CHAIRPERSON: Minister. Deterrent -

DR ACENG: We are okay with it.

MR KIRYOWA KIWANUKA: We have no objection.

THE CHAIRPERSON: I put the question to the amendment.

(Question put and agreed to.)

Clause 23, as amended, agreed to.

Clause 24

THE CHAIRPERSON: Honourable Chairperson -

DR RUYONGA: Clause 24 is substituted for the following:

“24. Lot release by the Authority;

1. The Authority shall establish and maintain a system of lot release of biologicals, vaccines, diagnostics, and other medicinal products;
2. A person shall not release on the market a biological, vaccine, diagnostic, or medicinal product unless the person has

been issued with a certificate of lot release by the Authority;

(Question put and agreed to.)

Clause 24, as amended, agreed to.

3. A person who intends to release a biological, vaccine, or diagnostic product on the market shall, upon payment of the prescribed fee, apply to the Authority for a certificate of lot release;

Clause 25

THE CHAIRPERSON: Honourable Chairperson –

4. The Authority shall grant a certificate of lot release to a person who meets the requirements and conditions prescribed by regulations made under this Act, and may impose such conditions on the certificate as the Authority may consider appropriate;

DR RUYONGA: Clause 25 is amended;

(a) In subclause (2) by;

5. A person who contravenes this section commits an offence and is liable on conviction,

i) Substituting for the words “Which is not registered”, the words “Without a license.”

ii) Inserting immediately after paragraph (d), the following -

i) In case of a corporate body, to a fine not exceeding ten thousand currency points; and,

“(e) purposes of compassionate use;

(f) extraordinary circumstances as may be prescribed in regulations made under this Act;

ii) In case of an individual, to a fine not exceeding five thousand currency points or imprisonment not exceeding five years, or both.

(g) provide scientific education and research.

(b) by deleting subclauses (6) and (7).

(c) in subclause (8)(b) by:

Justification

i) The substitution is to ensure clarity that the lot release system is to be established by the Authority.

i) Substituting for the word “re-export”, the word “return”.

ii) Substituting for the word “import”, the word “export”.

ii) To prescribe the process of applying for a certificate of lot release.

(d) by inserting immediately after subclause (9), the following: “A person who imports a drug contrary to this section commits an offence and is liable on conviction:

I beg to submit.

i) in case of a body corporate, to a fine not exceeding ten thousand currency points; and

THE CHAIRPERSON: Honourable minister –

ii) in case of an individual, to a fine not exceeding five thousand currency points or imprisonment not exceeding five years or both.

DR ACENG: No objection.

THE CHAIRPERSON: Honourable Attorney-General.

Justification

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

i) To cater for situations of compassionate use of drugs and academic research purposes.

ii) To establish legal responsibility for owners of vessels or vehicles to critically inquire into the legalities of the drugs transported in their vessels.

THE CHAIRPERSON: I put the question to the amendment.

iii) To provide for punishment as a way of deterring importation of drugs contrary to the provisions of this section.

I beg to submit, Madam Chairperson.

THE CHAIRPERSON: Honourable minister -

MR KIRYOWA KIWANUKA: Madam Chairperson, the proposed amendment tends to change the entire reading and meaning of this provision because it says the principle is that you should have a license to import drugs.

Subclause (2) says, “Notwithstanding subclause (1), the Authority may, for a specified purpose, and subject to conditions the Authority may deem fit, authorise the importation of a drug which is not registered under this Act, where the importation is for” - When you say without a licence, it contradicts because the top part is already saying you will be authorised by the Authority.

Madam Chairperson, I am proposing that we carry amendments (2)(e), (f) and (g), but leave the chapeau at clause 2 to stand as it is in the Bill and read: “Notwithstanding subsection (1), the Authority may, for a specified purpose, and subject to the conditions the Authority may deem fit, authorise the importation of a drug which is not registered under this Act, where the importation is for...” those reasons. I beg to submit.

THE CHAIRPERSON: Thank you. Minister? Okay.

MR OTIMGIW: Madam Chairperson, on clause 25 on the importation of drugs, I want to suggest that whereas we agree with the amendment of the committee, except the proposal of the committee to delete subclause (6) of clause 25, I propose to amend clause 25 by substituting for subclause (6) the following:

“The Authority may, in public interest, authorise the importation into Uganda of a drug or medical device by a person who is neither:

- a) the holder of a certificate of registration, notification or listing in respect of that drug or medical device; or
- b) an authorised representative in Uganda of the holder of such certificate where the drug or medical device has been lawfully placed on the market in the country of export”.

Then, by substituting for subclause (9) the following:

“Where a drug is imported into Uganda in contravention of this Act, and the importer cannot be traced, the Authority may:

- a) order the owner of the vehicle or vessel used in the importation of the drug to destroy the drug at the cost of the owner of the vehicle or vessel; or
- b) cause the drug to be destroyed at the cost of the Authority, where the owner of the vehicle or vessel used in the importation of the drug cannot be traced.

I beg to submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, maybe we need to look at the first part of the proposed amendment because it is saying, the Authority may, in public interest, authorise the importation into Uganda of drugs or medical device by a person who is neither the holder of a certificate of registration, notification - so, we are writing into our law that we are going to breach rights.

THE CHAIRPERSON: But who defines public interest?

MR KIRYOWA KIWANUKA: No, we cannot say that. Even if it is in public interest and you know you need the drug, you must use it with the authority of the owner.

THE CHAIRPERSON: Yes, you need the owner’s licence. Lawfully.

MR KIRYOWA KIWANUKA: Therefore, you cannot write in the law and say for us, if we want it, we shall authorise someone to bring it here.

On the second part, where the importer of drugs that are not allowed to be traced incurs the cost, we have no objection.

THE CHAIRPERSON: What about (b), which says, “cause the drug to be destroyed at the cost of the Authority, where the owner of the vehicle or vessel used in the importation of the drug cannot be traced.” Why are you limiting it to the owner? What about the importer?

MR KIRYOWA KIWANUKA: This clause has come on the Floor, but I think what they are saying is that if you import and we find you, you will be responsible for the cost. If we do not find you, the principle is that the person who brings the illicit product should bear the cost of its destruction.

The law allows the National Drug Authority (NDA) to destroy them at its own cost. I think it would be more of an accounting issue when they come back to Parliament and say, “ We spent so much money on the destruction of goods.” We shall ask why the importer wasn’t the one who incurred that cost. I think it is a good principle. I beg to submit.

THE CHAIRPERSON: Yes?

DR BATUWA: Madam Chairperson, I request the Attorney-General to concede to the committee to the extent of only subclause (2) because it only seeks to open up the boundary to allow drugs that are for compassionate use to get into the country without a licence.

Madam Chairperson, in the committee, we learnt that Uganda is training pharmacists and other related scientists. They will also need drugs for the purpose of their education. In that clause, we opened up to allow for research and those other details. That is the wording in subclause (2). To that end, I pray that you agree to the committee’s amendment. Thank you.

THE CHAIRPERSON: Redraft it the way you want it to be.

MR KIRYOWA KIWANUKA: Madam Chairperson, I agree with the principle that imports may be made without a licence. I just changed the drafting, but the principle is that anyone without a licence can obtain authority from the NDA to bring the product.

When you change the drafting, as proposed by the committee, it has a double negative: you say, on top, you will be authorised, and again, you say without a licence. The principle is correct.

THE CHAIRPERSON: Thank you.

MR NIWAGABA: The only change the Attorney-General has not agreed to is substituting the words “a drug that is not registered” with the word “licence”, because that is the gist.

THE CHAIRPERSON: Okay. I put the question that clause 25 be amended as proposed by the committee, amended by the Attorney-General, and further amended by Hon. Isaac.

(Question put and agreed to.)

Clause 25, as amended, agreed to.

Clause 26

THE CHAIRPERSON: Committee chairperson?

DR RUYONGA: Clause 26 is amended in subclause (5):

- a) In paragraph (a), by substituting for the words “three thousand” the words “five thousand”.
- b) In paragraph (b), by substituting for the words “five hundred”, the words “three thousand”.

The justification is to enhance the penalty for importing drugs for donation in contravention of this Act. I beg to submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: We have no objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 26 be amended as proposed - she told me she has no objection. Speak through the microphone.

DR ACENG: Madam Chairperson, the Attorney-General advises me that instead of just standing up, I must always go on record. I apologise to the Attorney-General. I will always be on record. I concur.

THE CHAIRPERSON: I put the question that clause 26 be amended as proposed.

(Question put and agreed to.)

Clause 26, as amended, agreed to.

Clause 27, agreed to.

Clause 28

DR RUYONGA: Clause 28 is amended in the headnote by deleting the words “wholesale or retail.”

b) by inserting immediately after subclause (5) the following: “An application for a license to operate a pharmacy under this section shall specify the location of the pharmacy and shall comply with the minimum distance requirements prescribed by the regulations made under this Act.”

In subclause (6), in paragraph (a), by substituting the words “five thousand” with the words “ten thousand”.

In subclause (b), by substituting for the words “five hundred”, the words “five thousand”.

Justification

i. To empower the Authority to regulate all forms of pharmacies.

ii. To provide a clear statutory basis for the Authority to consider the location of the proposed pharmacy premises at the point of application and to enforce minimum distance requirements through regulation.

iii. It also promotes orderly distribution of pharmacies, avoids undue clustering of outlets and supports equitable access to pharmaceutical services.

I beg to submit.

THE CHAIRPERSON: Honourable minister, first start. You are very harsh on this clause.

MR KIRYOWA KIWANUKA: Madam chairperson, we agree with the amendment in the headnote of clause 28 to remove “wholesale or retail” and to remove it everywhere it appears in this paragraph because it also appears in clause 28(1).

However, Madam Chairperson, I am not sure that this issue of specifying locations at this point and distance is an administrative matter. The NDA can deal with it at the time of licensing, and we also do not want to create disruption in an already existing market.

Therefore, let it be handled administratively. They can make regulations to handle that after due consultation. However, this was not part of our Government Bill, and we propose that it be dropped. I beg to submit.

DR ACENG: Madam chairperson, we shall put it in the regulations.

DR RUYONGA: I concede.

THE CHAIRPERSON: Why were you so annoyed by this clause?

DR RUYONGA: I am not annoyed. At least I do not have a pharmacy.

THE CHAIRPERSON: I put the question that clause 28 be amended as proposed by the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Hon. Ethel, this law is for the Local Government, please come back. You are the consumer -

MS NALUYIMA: Madam Chairperson, you had told us to go for prayers at 4.00 p.m. It is almost 4.00 p.m.

THE CHAIRPERSON: Where two or three meet - I put the question that clause 28 be amended as proposed.

Clause 28, as amended, agreed to.

Clause 29, agreed to.

Clause 30

DR RUYONGA: Clause 30 is amended by inserting immediately after subclause (3), the following:

“The requirements for issuance of a certificate of suitability of premises shall be prescribed by regulations made under this Act.”

Justification

- i) The proposed insertion provides a legal basis for prescribing the requirements for the issuance of a certificate of suitability of premises through regulations.
- ii) It will also allow the Authority to establish clear and flexible technical standards for premises used in regulated activities while ensuring updates to reflect evolving regulatory and safety standards. I submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, we concede. It is actually a good proposal, so that everyone dealing with this knows the criteria to be used. I think it is fair.

DR ACENG: I concur.

THE CHAIRPERSON: Do you have something?

MR NIWAGABA: Well, my view was that it was not necessary because it is implied. However, for purposes of being clear and unambiguous –

THE CHAIRPERSON: I put the question that clause 30 be amended as proposed.

(Question put and agreed to.)

Clause 30, as amended, agreed to.

Clause 31, agreed to.

Clause 32, agreed to.

Clause 33, agreed to.

Clause 34

DR RUYONGA: Clause 34 is amended by inserting immediately before subclause (1) the following:

“A manufacturer, importer, exporter, distributor, or supplier of a drug shall cause the label of each drug to be a unique identifier for purposes of traceability as may be prescribed by regulations made under this Act.”

Justification

The amendment introduces a unique identifier for each drug, thereby strengthening traceability for recalls, pharmacovigilance, and enforcement against diversion and counterfeiting.

I beg to submit.

MR KIRYOWA KIWANUKA: I have no objection to the proposed amendment.

THE CHAIRPERSON: You saw how those bottles were labelled.

DR ACENG: Madam Chairperson, I concur with the Attorney-General.

MR NIWAGABA: If you put an obligation on an importer to put a label on a drug which has been manufactured elsewhere, won't that bring

confusion? How will the importer now tamper with the existing label by a manufacturer outside the country?

Why don't we leave this particular section as is? This is because, to me, the amendment may bring more complications in implementation than we thought it would.

THE CHAIRPERSON: Can't we bring in traceability regulations, say, a batch number or something?

DR ACENG: Madam Chairperson, we are introducing the GSI traceability track, and we need all these drugs to have unique identifiers so we can trace them back to the beneficiary. That is why we need that amendment –

THE CHAIRPERSON: From the producer.

I put the question that clause 34 be amended as proposed.

(Question put and agreed to.)

Clause 34, as amended, agreed to.

Clause 35

DR RUYONGA: Clause 35 is amended in subclause (1) by substituting for paragraph (a) the following:

“Class A1 drugs, narcotic drugs and psychotropic substances which shall only be dispensed on the prescription of the medical practitioner or dental practitioner for medical or dental purposes and which shall be dispensed by a pharmacist.”

b) by substituting for paragraph (b) the following -

“Class AII drugs, other prescription-only drugs, which shall only be dispensed on the prescription of a medical practitioner or a dental practitioner for medical and dental purposes, and which shall be dispensed by a pharmacist.”

c) by substituting for paragraph (c) the following -

“Class B drugs, which may be dispensed by a pharmacist without a prescription of a medical practitioner or a dental practitioner.”

b) by inserting immediately after subclause (2), the following-

“A person who dispenses any drug contrary to this section commits an offence and shall be liable, on conviction, to a fine not exceeding three thousand currency points or imprisonment not exceeding five years or both.”

Justification

- i) To create a penalty provision to backstop compliance. Without an express penalty, enforcement is weak, and deterrence is minimal for such a high-risk area.
- ii) Clear penalties improve prosecutorial certainty and consistent punishment.

I submit.

DR ACENG: Madam Chairperson, we agree to the amendment.

MR KIRYOWA KIWANUKA: Madam Chairperson, my experience with drugs is very limited. *(Laughter)* Since the doctor has said, I concede.

MR NIWAGABA: I do not intend to derail you, but if you look at clause 98 of the Bill, particularly (1)(b) and (c), it could, by necessary implication, apply to this provision. However, I leave it to you and the House.

DR ACENG: Madam Chairperson, regulated products are not drugs. Regulated products include medical devices, cosmetics, nutritional supplements, and drugs are regulated separately. Thank you.

THE CHAIRPERSON: I put the question that clause 35 be amended as proposed.

(Question put and agreed to.)

Clause 35, as amended, agreed to.

Clause 36

DR RUYONGA: Clause 36 is amended in subclause (4) by inserting immediately before the words “any person”, the words “subject to Narcotic Drugs and Psychotropic Substances (Control) Act.

Justification

To align the penalty under the Act with the penalty under the Narcotic Drugs and Psychotropic Substances (Control) Act. I submit.

THE CHAIRPERSON: Yes, Hon. Isaac Otimgiw.

MR OTIMGIW: Thank you, Madam Chairperson. I want to make an additional amendment to clause 36, by substituting for subclause (3) the following:

“A medical practitioner or dental practitioner shall not prescribe any narcotic drug or psychotropic substance used for medical or dental purposes other than for medical or dental purposes.

A pharmacist shall not supply or dispense any narcotic drug or psychotropic substance used for medical or dental purposes other than for medical or dental purposes.”

The justification will be to clearly differentiate between the roles of prescribing for medical or dental practitioners and of supply or dispensing by the pharmacist. I beg to move.

THE CHAIRPERSON: Thank you.

MR KIRYOWA KIWANUKA: I think we concede to the amendment by the committee and the Member. I think they have just clarified the distinction between the person dispensing and the person prescribing.

THE CHAIRPERSON: Okay. I put the question that clause 36 be amended as proposed

by the committee, and further amended by Hon. Isaac Otimgiw.

DR ACENG: Madam Chairperson, I wanted to concur with my Attorney-General and be on record.

THE CHAIRPERSON: I put the question that clause 36 be amended as proposed by the committee and further amended by Hon. Isaac Otimgiw.

(Question put and agreed to.)

Clause 36, as amended, agreed to.

Clause 37

DR RUYONGA: Clause 37 is amended by substituting for subclause (6) the following-

“(6) Subsection (1)(a) shall not apply where the drug is supplied or dispensed -

- a) whether personally or on a signed order -
 - (i) to a medical practitioner, dental practitioner, or a pharmacist; or
 - (ii) to a pharmacy for the purpose of the drug being subsequently supplied or dispensed, or used for approved scientific education or research.
- b) from a dispensing department of an approved health unit to another department for purposes of the drug being subsequently supplied or dispensed in accordance with regulations made under this Act.”

Justification

- i) The insertion of the medical practitioner and dental practitioner is to cater for all the different personnel who are authorised under this Act to dispense class AI and AII drugs.
- ii) To cater for and allow legitimate institutional supply chains that operate on purchase orders rather than individual prescriptions.
- iii) To align research procurement to the waiver mechanism so that research access does not undermine prescription controls.

I submit.

healthcare provision.

THE CHAIRPERSON: Hon. Isaac Otimgiw.

I submit.

MR OTIMGIW: Madam Chairperson, I would like to propose further amendment on clause 37(6) in paragraph (b), by substituting for the words, “health unit”, the words “health facility”. The justification will be for proper referencing with the nomenclature used in the health sector. It is just a substitution of the word. I beg to submit.

THE CHAIRPERSON: Doctor.

DR ACENG: Madam Chairperson, we are happy with the amendments.

THE CHAIRPERSON: Okay. Attorney-General.

DR ACENG: Madam Chairperson, the honourable member is right, as we are referring to a department within the health facility.

MR KIRYOWA KIWANUKA: I can see the committee is trying to reduce our employment levels, because we had created a new position there between the pharmacist and the thing, but we concur with the amendment.

THE CHAIRPERSON: Okay. Attorney-General.

THE CHAIRPERSON: I put the question that clause 38 be amended as proposed by the committee.

MR KIRYOWA KIWANUKA: Madam Chairperson, we concede to both the amendments by the committee and the further amendment by the honourable member.

(Question put and agreed to.)

Clause 38, as amended, agreed to.

THE CHAIRPERSON: I put the question that clause 37 be amended as proposed by the committee and further amended by Hon. Isaac Otimgiw.

Clause 39

(Question put and agreed to.)

THE CHAIRPERSON: Deletion.

Clause 37, as amended, agreed to.

DR RUYONGA: Clause 39 is deleted.

Clause 38

Justification

DR RUYONGA: Clause 38 is amended –

Promotion is regulated alongside advertisement under clause 46 of the Bill. Therefore, it would be repetitive. I submit.

- a) in the headnote by deleting the words “mixing”;
- b) subclause (2)(b)(ii) by substituting for the word “ingredient”, the word “drug”; and
- c) by deleting subclauses (4) and (5).

DR ACENG: Madam Chairperson, we agree to the deletion.

Justification

MR KIRYOWA KIWANUKA: Madam Chairperson, we concede to the deletion.

- i) The deletion of “ingredient” is because the dispenser under this clause is not obliged to know the ingredients in the drug dispensed.
- ii) The practice of mixing and compounding drugs is no longer done at that level of

THE CHAIRPERSON: Thank you. I put the question that clause 39 be deleted.

(Question put and agreed to.)

Clause 39, deleted.

Clause 40

DR RUYONGA: Clause 40 is amended in subclause (1) by substituting for the words “medical practitioner, dental practitioner, or a pharmacist,” the words “A pharmacist or an authorised person registered or enrolled under the Nurses and Midwives Act or the Allied Health Professionals Act.”

Justification

The amendment is consequential to the amendments in clauses 35 and 38. I submit.

THE CHAIRPERSON: Honourable minister -

DRACENG: Madam Chairperson, we concur.

THE CHAIRPERSON: The Attorney-General?

MR KIRYOWA KIWANUKA: Madam Chairperson, we have no objection.

THE CHAIRPERSON: I put the question that clause 40 be amended as proposed by the committee.

(Question put and agreed to.)

Clause 40, as amended, agreed to.

Clause 41, agreed to.

Clause 42

THE CHAIRPERSON: Hon. Isaac, do you have an amendment to clause 42?

MR OTIMGIW: Madam Chairperson, I would like to propose an amendment to clause 42 by deleting subclause (2).

The justification will be that it is redundant since there is no reference to the word “sell” in the clause.

THE CHAIRPERSON: Committee Chairperson, do you agree with that?

DR RUYONGA: Madam Chairperson, I concede.

THE CHAIRPERSON: Doctor, do you agree with that?

DRACENG: Madam Chairperson, I agree.

THE CHAIRPERSON: And Attorney-General?

MR KIRYOWA KIWANUKA: I concede, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 42 be amended as proposed by Hon. Isaac.

(Question put and agreed to.)

Clause 42, as amended, agreed to.

Clause 43, agreed to.

Clause 44

DR RUYONGA: Clause 44 is amended in subclause (2) by deleting the words “and on its own decision.”

Justification

To avoid repetitive and redundant use of words. I submit.

THE CHAIRPERSON: Thank you. Hon. Isaac -

MR OTIMGIW: Madam Chairperson, I would like to make further amendment to clause 44(1) by deleting the words, “or listing holder of a drug.” The justification is for clarity since the sector has no such nomenclature.

THE CHAIRPERSON: Doctor -

DR ACENG: Madam Chairperson, we agree with both the committee chairperson and the honourable member’s amendments.

THE CHAIRPERSON: The Attorney-General.

MR KIRYOWA KIWANUKA: Madam Chairperson, the only challenge I would have with amending clause 44(2) is that when we say, "...the Authority may, where it deems fit and on its own decision..." I think we are saying that the Authority may move itself. It does not have to wait for someone to report, if the Authority knows or has information that something is going wrong. I propose that clause 44(2) stands part of the Bill.

MR NIWAGABA: Well, the intention is good and clear. The only challenge is, do we have remedies for the affected license holders, especially when the Authority decides on its own? They can withdraw the drug, yet I have a license to trade in that drug. Are there any provisions?

MR KIRYOWA KIWANUKA: Madam Chairperson, any person aggrieved by the Authority's decision may proceed under Part 13. Part 13 is on legal proceedings and administrative enforcement. There are provisions for that.

The issue here is that if you say the National Drug Authority (NDA) can only respond if it is moved by someone, then even if they see something wrong, they cannot act until someone moves them. This provision is extremely important to tell them that it is not about who tells you, but your responsibility to supervise and survey the market.

THE CHAIRPERSON: Thank you. They will be exercising an oversight role. I put the question that clause 44 be amended as proposed by the committee and Hon. Isaac, and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 44, as amended, agreed to.

Clause 45

DR RUYONGA: Clause 45 is amended in subclause (3) –

(a) In paragraph (a), by substituting for the words "ten thousand" the words "one

hundred fifty thousand," and

(b) In paragraph (b), by substituting for the words "five thousand" the words "twenty thousand" and the words "five years" with the words "fifteen years."

Justification

The amendment in subclause (3) is intended to enhance the penalty, since the improper advertising of regulated products could mislead consumers into making uninformed decisions, which could lead to fatal consequences.

I submit.

THE CHAIRPERSON: Yes, Professor -

PROF. MUSHEMEZA: I am seeking clarification from the committee chairperson. From the above, you have been consistently giving 10 years as an adequate deterrent. What makes you move from 10 to 15 years? Your justification is not convincing enough.

THE CHAIRPERSON: Deception is a grave crime.

DR RUYONGA: Thank you, honourable member. This is an error of commission. You might deceive and kill a whole constituency. That was why I put this very big penalty.

DR ACENG: Madam Chairperson, life is extremely important, and there is only one life. Whoever intentionally deceives consumers should be heavily punished. We agree with the amendment.

THE CHAIRPERSON: Thank you. I put the question that clause 45 be amended as proposed.

(Question put and agreed to.)

Clause 45, as amended, agreed to.

Clause 46

DR RUYONGA: Clause 46 is amended in subclause (2) by inserting a new paragraph immediately after paragraph C as follows:

“Giving free samples, sponsorship, or promotion of a drug.”

In subclause (4)(a), by substituting for the words “five thousand” the words “one hundred and fifty thousand”.

In paragraph (b), by substituting for the words “three thousand”, the words “twenty thousand” and for the words “five years”, with the words “fifteen years”.

Justification

To enhance the punishment since false advertisement of drugs directly affects the decision of consumers, and consumption of drugs based on false advertisement could lead to fatal results. I submit.

DR ACENG: Madam Chairperson, we are happy with the amendment.

MR KIRYOWA KIWANUKA: Madam Chairperson, I thought I was a proponent for very tough penalties, but this committee -(*Laughter*)- but I concede.

THE CHAIRPERSON: I put the question that clause 46 be amended as proposed by the committee.

(Question put and agreed to.)

Clause 46, as amended, agreed to.

Clause 47

DR RUYONGA: Clause 47 is amended, subclause (5)(a), by substituting the words “twenty thousand” with the words “one hundred and fifty thousand”.

In paragraph (b), by substituting for the words “five thousand”, the words “twenty thousand”.

Justification

To enhance the punishment since falsification of drugs directly affects the decision of consumers, and consumption of such products should lead to fatal results. I submit.

DR ACENG: Madam Chairperson, we agree.

MR KIRYOWA KIWANUKA: We agree - (*Laughter*)

THE CHAIRPERSON: I put the question that clause 47, as amended, stands part of the Bill.

(Question put and agreed to.)

Clause 47, as amended, agreed to.

Clause 48

DR RUYONGA: Clause 48 is amended by deleting subclause (4). In subclause (5)(a), by substituting for the words “five thousand” with the words “one hundred and fifty thousand”.

In paragraph (b), by substituting for the words “three thousand” with the words “twenty thousand”, and for the words “five years” with the words “fifteen years”.

Justification

The deletion of the definition of ‘not fit for intended purpose’ in subclause (4) is to avoid repetitiveness since the term is defined in the interpretation section.

To enhance the punishment since deception of consumers directly affects the decision of consumers, and the consumption of each product could lead to fatal results. I submit.

DR ACENG: Madam Chairperson, we agree with the penalties.

MR KIRYOWA KIWANUKA: No objection to the proposed amendment.

THE CHAIRPERSON: I put the question that clause 48 be amended as proposed.

(Question put and agreed to.)

Clause 48, as amended, agreed to.

Clause 49

(Question put, and agreed to.)

THE CHAIRPERSON: Is it only Hon. Gabriel who is answering? Are you all busy watching TV?

*Clause 50, as amended, agreed to.**Clause 49, agreed to.*

Clause 51

Clause 50

DR RUYONGA: Clause 50 is amended -

- a) In the headnote by inserting immediately after the words “clinical trials” the words “for drugs”.
- b) In subclause (1), by inserting immediately after the words “clinical trial” the words “for a drug”.
- c) In subclause (2), by substituting for the words “field trial” appearing at the end of the of the clause, with the words “clinical trial”.
- d) By inserting immediately after subclause (9), the following: *“This section should not apply to a clinical trial of a drug conducted by the ministry in public interest. Notwithstanding subsection (9), the ministry shall, while conducting a clinical trial of a drug, conduct the clinical trial in accordance with good clinical practices prescribed by regulations made under this Act.”*

DR RUYONGA: Clause 51 is amended in subclause (1), by deleting immediately after the words “clinical trial” for the words, “for a drug”.

Justification

It is a consequential amendment. I submit.

DR ACENG: We are okay with that amendment.

MR KIRYOWA KIWANUKA: No objection. They are just clarifying what we are talking about.

THE CHAIRPERSON: I put the question that clause 51 be amended as proposed.

*(Question put and agreed to.)**Clause 51, as amended, agreed to.*

Clause 52

Justification

1. To facilitate the seamless execution of the mandate of the Ministry of Health.
2. To clarify, since the clause is on a clinical trial, not a field trial. I submit.

DR ACENG: Madam Chairperson, we accept the amendment.

MR KIRYOWA KIWANUKA: No objection to the proposed amendment.

THE CHAIRPERSON: I put the question that clause 50 be amended as proposed.

DR RUYONGA: Clause 52 is amended –

- a) By substituting for subclause (2) the following: “The Authority may, where deemed necessary, request the person referred to in subsection (1) to conduct for the drugs, a safety study, an efficacy study, or both.”
- b) By inserting immediately after subclause (3) the following: “The Authority shall, upon approval of the pharmacovigilance system, issue a certificate of good manufacturing practices.”

Justification

To introduce a grant of a certificate upon approval of a pharmacovigilance system. I submit.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 52 be amended as proposed.

(Question put and agreed to.)

Clause 52, agreed to.

Clause 53

DR RUYONGA: Clause 53 is amended by deleting the word “care” wherever the word appears in the phrase “healthcare professional” and wherever it appears in the Bill.

Justification

The term “healthcare professional” is not a recognised term in the health sector. I submit.

THE CHAIRPERSON: Minister. Isaac.

MR OTIMGIW: Madam Chairperson, I propose a further amendment to Clause 53 by substituting the clause for the following:

- (a) A responsible officer who, in the course of his or her professional duties, becomes aware of an adverse event or adverse reaction shall, without delay, report the matter to the Authority and submit verified information in the form prescribed by regulations made under this Act.
- (b) In the same clause 53, in this section, a “responsible officer” means a person designated by a health facility or institution to receive, verify, and transmit reports of adverse events and adverse drug reactions under this Act. I beg to submit.

THE CHAIRPERSON: Is it not operational? Could it not come in regulations? The Attorney-General -

MR OTIMGIW: I thought this would make it clearer.

THE CHAIRPERSON: No, let us not mix legislation with regulations.

MR KIRYOWA KIWANUKA: Madam Chairperson, I think you may be correct because there is an obligation to report.

THE CHAIRPERSON: Yes.

MR KIRYOWA KIWANUKA: How; the mechanism through which it can be done -

THE CHAIRPERSON: That is operational, actually.

DR ACENG: I concur with the Attorney-General.

THE CHAIRPERSON: Thank you. I put the question that clause 53 be amended as proposed by the committee.

(Question put and agreed to.)

Clause 53, as amended, agreed to.

Clause 54

DR RUYONGA: Clause 54 is substituted for the following –

- (1) The Authority shall establish a pharmacovigilance system for monitoring and analysing the adverse reactions and adverse events of a drug.

The Authority shall share information on adverse reactions, adverse events, and remedial actions taken with regional and international safety monitoring systems.

The justification

To create an obligation for the Authority to establish a mechanism for receiving information on adverse reactions and adverse events, since the Authority is not involved in the actual management of the patients. I submit.

THE CHAIRPERSON: Doctor.

MR KIRYOWA KIWANUKA: Madam Chairperson, this clause deals with duty because clause 54 reads that the Authority shall monitor, authorise, and analyse adverse reactions and adverse events through monitoring, identification, and all. This is the duty of the Authority. The proposed amendment by the committee is about the mechanics, the how. We are saying we have placed a duty on the Authority. How it is going to do it, we now leave that to the authorities. I propose that clause 54 do stand part of the Bill.

THE CHAIRPERSON: Doctor.

DR ACENG: I concur with the Attorney-General.

THE CHAIRPERSON: I put the question that clause 54 stands part of the Bill.

(Question put and agreed to.)

Clause 54, agreed to.

Clause 55, agreed to.

Clause 56

DR RUYONGA: Clause 56 is amended by substituting for subclause 2, the following - (2), “Notwithstanding sub section (1), the Authority may, for a specified purpose and subject to conditions the Authority may deem fit, authorise the manufacture, distribution, importation, exportation, or supply by wholesale or retail of a medical device which is not registered, notified, or listed by the Authority.

- (a) Where the medical device is required by the Authority for purposes of registration, notification or listing the drug under this Act.
- (b) Where the medical device is required for purposes of conducting a clinical trial.
- (c) With respect to importation, where the medical device is imported for personal use.
- (d) Where the medical device is required for compassionate use.

- (e) Where the medical device is required under extraordinary circumstances as may be prescribed in regulations made under this Act or,
- (f) Where the medical device is required for approved scientific education or research.”

Justification

For consistency in having similar exemptions. I submit.

THE CHAIRPERSON: Minister.

DR ACENG: We agree to the amendment.

THE CHAIRPERSON: The Attorney-General.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 56 be amended as proposed.

(Question put and agreed to.)

Clause 56, agreed to.

Clause 56, as amended, agreed to.

Clause 57

DR RUYONGA: Clause 57 is amended in subclause 5(a) by substituting for the words “five thousand” the words “ten thousand”.

Justification

To enhance the penalty for a corporate body which manufactures a medical device contrary to the Act, from five thousand currency points to ten thousand currency points. I submit.

THE CHAIRPERSON: Minister.

DR ACENG: We agree, Madam Chairperson.

THE CHAIRPERSON: The Attorney-General.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 57 be amended as proposed by the committee.

(Question put and agreed to.)

Clause 57, agreed to.

Clause 57, as amended, agreed to.

Clause 58

DR RUYONGA: Clause 58 is amended by substituting for subclause (2), the following: (2) Notwithstanding subclause (1), the Authority may, for a specified purpose or subject to conditions the Authority may deem fit, authorise the importation of a medical device which is not licensed under this Act.

- (a) Where the importation of the medical device is required by the Authority for purposes of registration, notification or listing of the medical device under this Act.
- (b) Where the medical device is imported for purposes of conducting a clinical trial.
- (c) Where the medical device is imported for personal use.
- (d) Where the medical device is imported for an emergency situation.
- (e) Where the medical device is imported for compassionate use.
- (f) Where the medical device is imported under extraordinary circumstances as prescribed in regulations made under this Act.
- (g) Where the medical device is imported for approved scientific education and research.

In subclause (b), by substituting the words 're-export' for the words 'return', and by substituting the words 'import' for the words 'export'.

In subclause 8(a), by substituting for the words "five thousand", the words "ten thousand".

Justification:

1. To empower the Authority to make the decision of exemption of importation of a medical device without a license.
2. Also, to provide for the return of a medical device imported contrary to the provisions of this Act to the country of export. 3. To increase the penalty for a corporate body that imports a medical device contrary to this Act from five thousand currency points to ten thousand currency points.

I submit.

THE CHAIRPERSON: Minister -

MR KIRYOWA KIWANUKA: Madam Chairperson, we are agreeable to the proposed amendment to clause 58, except the amendment to clause 58(6)(b), which reads:

"Where a medical device is imported into Uganda contrary to the provisions of this Act, the Authority shall order the person granted the certificate of registration, notification or listing for the medical device, as the case may be, or the authorised representative of that person or the importer of the medical device to re-export the medical device."

The proposal to change it to return is not - if it is imported into the country, you must re-export it to the country of import, not the country of export. If you invert them, Uganda becomes the exporting country. If the goods are coming from outside Uganda, Uganda is the exporting country. If you want to return them to the country of export, then that means you are going to return them to Uganda.

Therefore, I propose that clause 58(6)(b) do stand part of the Bill. I beg to propose.

THE CHAIRPERSON: The rest of the amendments are okay, except subclause (6)(b). Hon. Isaac -

MR OTIMGIW: Madam Chairperson, we had the same issue when we were talking about the destruction of medicines. We tried to ensure

there was a justification for why the cost was not charged to the Consolidated Fund.

That is why I would like to make a substantial amendment to clause 58 by substituting subclause (7) for the following:

“Where a medical device is imported into Uganda in contravention of this Act, and the importer cannot be traced, the Authority may:

- a) Order the owner of the vehicle or vessel used in the importation of the medical device to destroy the medical device at the cost of the owner of the vehicle or vessel; or
- b) Cause the drug to be destroyed at the cost of the Authority where the owner of the vehicle or vessel used in the importation of the medical device cannot be traced.”

The justification is that the amendment is intended to avoid imposing financial consequences of illegal importation on the Authority and ultimately the public. We handled it the same way when we were dealing with the destruction of medicines.

MR KIRYOWA KIWANUKA: Madam Chairperson, the destruction at the cost of the importer already exists in clause 58(6)(a). It says, “Where a device is imported into Uganda contrary to the provisions, the Authority shall order a person granted the certificate to destroy the same at their own cost.”

Clause 58(7) states that where the devices are imported into Uganda, and the importer cannot be traced, the Authority will destroy them. So, that provision already exists. To include it here would be a repetition. I pray that clause 58 takes the amendment proposed by the committee in subclause (2) and the rest of clause 58 stands part of the Bill.

THE CHAIRPERSON: What about the proposed penalty enhancement?

MR KIRYOWA KIWANUKA: I have no objection to the penalty enhancement, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 58 – (*Dr Aceng rose*) Dr Aceng -

DR ACENG: Madam Chairperson, I do not want to contradict the Attorney-General, and I agree with him. However, I would like to offer an explanation to avoid the Authority incurring unnecessary costs.

Where that medical device is brought into Uganda and we cannot trace the importer but have information as to the owner of the vehicle or the vessel, can the vehicle or the vessel that brought it be destroyed at their cost? If we cannot find the owner of the vehicle or the vessel, then the Authority destroys it.

This is what that clause was saying. As I said, I am not contradicting the Attorney-General, but I wanted to explain. I concur with him.

THE CHAIRPERSON: Honourable minister, when you give me something to transport, I deliver it to its destination. Our relationship with the owner of the goods stops there. Why would you want me to take responsibility? Attorney-General?

MR NIWAGABA: Madam Chairperson, I would like to support the AG’s position, as extending liability to a mere carrier would overreach the law.

THE CHAIRPERSON: I put the question that clause 58 be amended, as proposed by the committee, with further amendment from the Attorney-General.

MR KIRYOWA KIWANUKA: For clarity, Madam Chairperson, we concede to the amendment of the committee on clause 58(2) and 58(8)(a) of the Bill. We pray that the rest of the provisions do stand part of the Bill.

THE CHAIRPERSON: I put the question that clause 58 be amended, as proposed by the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 58, as amended, agreed to.

Clause 59

DR RUYONGA: Clause 59 is amended in subclause (5)(a) by substituting for the words “five thousand”, the words “ten thousand”.

The justification is to enhance the penalty for the distribution of a medical device without a licence by a body corporate from five thousand currency points to ten thousand currency points.

THE CHAIRPERSON: Minister -

DR ACENG: We agree.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 59 be amended, as proposed.

(Question put and agreed to.)

Clause 59, as amended, agreed to.

Clause 60

THE CHAIRPERSON: Committee chairperson -

DR RUYONGA: Clause 60 is substituted for the following:

“60. Licensing of supply of medical devices by wholesale or retail and inspection of premises by the Authority.

- (1) A person shall not supply a medical device by wholesale or retail without a licence issued by the Authority;
- (2) A person who intends to supply a medical device by wholesale or retail shall, on payment of the prescribed fees, make an application to the Authority in a form prescribed by regulations made under this Act;

(3) The requirements for carrying out the business of wholesale or retail of a medical device, including the inspection of premises to be used for carrying out of the business of wholesale or retail of a medical device, shall be prescribed by regulations made under this Act;

(4) The Authority shall grant a person who satisfies the requirements under this section a licence to supply a medical device by wholesale or retail;

(5) A person issued with a licence to supply a medical device by wholesale or retail shall be required to comply with good storage and distribution practices prescribed by regulations under this Act;

(6) The Authority shall, before issuing a licence for the manufacture, importation, distribution, exportation or supply by wholesale or retail of a medical device, satisfy itself that the premises where the business is to be carried out are suitable for the business for which the license is required.

(7) For purposes of subsection (6), a person who intends to apply for a license for the manufacture, distribution, importation, exportation, or dispensation of a medical device shall, upon payment of the prescribed fees, make an application for a certificate of suitability of premises in respect of the premises at which the business activity is to be carried.

(8) The Authority shall, prior to issuing a certificate of suitability of premises, inspect the premises, fixtures, equipment, and other physical attributes of the premises to determine that the premises are suitable for the purpose for which the certificate is to be issued.

(9) The requirement for issuance of a certificate of suitability of premises shall be prescribed by regulations made under this Act.

(10) A person who manufactures, distributes, imports, exports, or supplies by wholesale or retail a medical device contrary to this section commits an offence and is liable on conviction:

- (a) in case of a corporate body, to a fine not exceeding ten thousand currency points; and
- (b) In case of an individual, to a fine not exceeding five thousand currency points or imprisonment not exceeding five years or both.”

The justifications are:

- i) The amendments are for clarity by empowering the Authority to license the business of wholesale or retail of medical devices, to empower the Authority to inspect premises for certification of suitability of premises before issuing licenses for manufacturing, distribution, importation, exportation, or supply by wholesale or retail of the medical device.
- ii) To enhance the penalty for a body corporate that manufactures, distributes, imports, exports or supplies by wholesale or retail a medical device without a license from five thousand currency points to ten thousand currency points.

THE CHAIRPERSON: Doctor -

DR ACENG: Madam Chairperson, we are okay with the amendments.

MR NIWAGABA: Madam Chairperson, I am afraid we are repeating - This particular clause is about licensing of premises, but the proposed amendments are repeating the clauses we have already passed, particularly when it comes to manufacture; look at clause 56 and the like. In my view, the proposed amendments have been brought in a way that misreads this particular clause, and they cover areas we have already touched.

I pray that we retain the provisions in this particular clause 60 as they are because they

relate to premises, licensing of premises, not manufacturing, which has already been touched in clause 56 and the antecedent clauses.

THE CHAIRPERSON: Hon. Moses -

MR OGWAL: Thank you, Madam Chairperson. I am concerned with the elements of importation. I want the Attorney-General to clarify. The SQMT Act of EAC bestows this to standards bodies. On matters related to licensing for importation within the EAC, the SQMT Act mandates that the standard bodies do so. Are we diverting from what EAC is saying?

MR KIRYOWA KIWANUKA: I am not sure which clause you are referring to.

MR OGWAL: I was concerned when the chairperson was talking about licensing, but also bringing the issues of importation; so, I was a bit touched by that problem of EAC.

THE CHAIRPERSON: Hon. Goli, this law regulates the importation, but the authorities do not import on their own.

MR OGWAL: That is the challenge I am facing. The regulation of the importation of such items is handled in the EAC under the SQMT Act, including standards, metrology, and so on. It is there, and it mandates the standards bodies.

THE CHAIRPERSON: Don't we have to domesticate it?

MR OGWAL: If we are domesticating, then the institution to do it is not the National Drug Authority.

THE CHAIRPERSON: No, we are dealing with this.

MR KIRYOWA KIWANUKA: That is a misread. The standards body is a custodian of standards, but the standards in every field are determined by the experts in that field. Once the standards are determined, they are given to the custodian, who keeps the standards and

assists in surveillance. The specialised areas are handled by the specialised entities. Each of our partner states has a Drug Authority and of course they are not redundant. So, we are proceeding well.

However, the amendment - I think what the committee did is that when we brought the Bill, it was licensing of premises to be used for manufacture, but when the committee sat, they expanded the licensing from only the supply of medical devices by wholesale or retail, and then inspection of premises. You are correct. What they have done is just said in so many words what was said here, but I do not think it creates any contradiction at all. I have no objection to the amendment.

THE CHAIRPERSON: You have no objection to the amendment? I put the question that clause 60 be amended as proposed.

(Question put and agreed to.)

Clause 60, as amended, agreed to.

Clause 61

THE CHAIRPERSON: Committee Chairperson -

DR RUYONGA: Clause 61 is amended in subclause (2) by substituting for the word “patient” the word “person”.

The justification is to widen the scope of applicability. I submit.

THE CHAIRPERSON: Doctor -

MR KIRYOWA KIWANUKA: Clause 61 is okay, Madam Chairperson. It is better drafting to say that you should not supply the medical device to a person, because if he is not a patient, then it seems that you will not be committing an offense. I think the committee is correct.

THE CHAIRPERSON: I put the question that clause 61 be amended as proposed.

(Question put and agreed to.)

Clause 61, as amended, agreed to.

Clause 62

THE CHAIRPERSON: Committee Chairperson?

DR RUYONGA: Clause 62 is amended in subclause 5(a) by substituting for the words “five thousand” the words “ten thousand.”

The justification is the enhancement of the penalty for exportation of a medical device by a body corporate contrary to the provisions of the section is to deter potential offenders.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 62 be amended as proposed.

(Question put and agreed to.)

Clause 62, as amended, agreed to.

Clause 63, agreed to.

Clause 64

THE CHAIRPERSON: Committee chairperson -

DR RUYONGA: Clause 64 is amended -
(a) By substituting for subclause (2) the following -

“(2) Notwithstanding subsection (1), the Authority may, for a specified purpose or subject to conditions the Authority may deem fit, authorise the manufacture, distribution, importation, exportation or supply by wholesale or retail of a cosmetic product which is not registered, notified or listed by the Authority –

(a) Where the cosmetic product is required by the Authority for purposes of registration, notification, or listing of the cosmetic product under this Act;

- (b) Where the cosmetic product is required for purposes of conducting a clinical trial;
- (c) With respect to importation where the cosmetic product is imported for personal use;
- (d) Where the cosmetic product is required for compassionate use;
- (e) Where the cosmetic product is required under extraordinary circumstances as may be prescribed in regulations made under this Act; or
- (f) Where the cosmetic product is required for approved scientific education or research.”

- (b) In subclause (6) -
 - (i) in paragraph (a), by substituting for the words “five thousand”, the words “ten thousand”.
 - (ii) in paragraph (b), by substituting for the words “five hundred”, the words “five thousand”.

Justification

To empower the Authority to make the decision for the exemption of the manufacture, distribution, importation, exportation or supply by wholesale or retail of a cosmetic product, which is not registered, notified or listed by the Authority.

To provide for the return of a medical device imported contrary to the provisions of the Act to the country of export.

To increase the penalty for a corporate body, which imports a medical device contrary to this Act from five thousand currency points to ten thousand currency points.

I submit.

DR ACENG: Madam Chairperson, we agree.

MR KIRYOWA KIWANUKA: We have no objection to the proposed amendments by the committee to clause 64.

THE CHAIRPERSON: I put the question that clause 64 be amended as proposed.

(Question put and agreed to.)

Clause 64, as amended, agreed to.

Clause 65

DR RUYONGA: Clause 65 is amended in subclause (6)(a) by substituting for the words “five thousand”, the words “ten thousand”.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 65 be amended as proposed.

(Question put and agreed to.)

Clause 65, as amended, agreed to.

Clause 66

DR RUYONGA: Clause 66 is amended -

- (a) in subclause (2) -
 - (i) by deleting paragraph (c); and
 - (ii) inserting immediately after paragraph (d), the following-
 - “(e) extraordinary circumstances as may be prescribed in regulations made under this Act; or
 - (f) approved scientific education and research.”

- (b) in subclause 6(b), by-
 - (i) substituting for the word “re-export”, the word “return”; and
 - (ii) substituting for the word “import”, the word “export”.

- (c) In subclause (8)(a), by substituting for the words “five thousand”, the words “ten thousand”.

Justification

For clarity and to enhance the penalty for a corporate body that imports a cosmetic product contrary to the provisions of the Act.

I submit.	Justification
<p>MR KIRYOWA KIWANUKA: Madam Chairperson, I have no objection to the amendments proposed by the committee to clause 66(2)(e) and (f), and also to clause 66(8) (a).</p> <p>However, we propose that clause 66(6)(b) do stand part of the Bill for the reason that I explained earlier, that the change of this nomenclature changes the purpose.</p> <p>I beg to submit.</p> <p>DR ACENG: I concur with the Attorney-General.</p> <p>THE CHAIRPERSON: I put the question that clause 66 be amended as proposed by the committee and further amended by the Attorney-General.</p> <p style="text-align: center;"><i>(Question put and agreed to.)</i></p> <p style="text-align: center;"><i>Clause 66, as amended, agreed to.</i></p> <p>Clause 67</p> <p>DR RUYONGA: Clause 67 is amended-</p> <p>(a) by substituting for the words “on the advice of the Authority, by notice in three newspapers of nationwide circulation”, the words “by statutory order”;</p> <p>(b) in paragraph (a), by substituting for the word “risk”, the word “harm”;</p> <p>(c) by renumbering the clause as subclause (1)</p> <p>(d) by inserting immediately after subclause (1), the following subclause-</p> <p>“The Minister shall, upon issuing the statutory order under subsection (1), publish in a newspaper of nationwide circulation a notice of the cosmetic product prohibited under this Act.”</p>	<p>To empower the minister to prohibit, by a statutory order, the importation of a cosmetic product which may cause harm to human beings.</p> <p>DR ACENG: No objection.</p> <p>MR KIRYOWA KIWANUKA: No objection.</p> <p>THE CHAIRPERSON: I put the question that clause 67 be amended as proposed.</p> <p style="text-align: center;"><i>(Question put and agreed to.)</i></p> <p style="text-align: center;"><i>Clause 67, as amended, agreed to.</i></p> <p>Clause 68</p> <p>DR RUYONGA: Clause 68 is amended in subclause (5)(a) by substituting for the words “five thousand”, the words “ten thousand”.</p> <p style="text-align: left;">Justification</p> <p>To enhance the penalty for distribution of cosmetic products without a licence issued under this Act.</p> <p>DR ACENG: No objection.</p> <p>MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.</p> <p>THE CHAIRPERSON: I put the question that clause 68 be amended as proposed.</p> <p style="text-align: center;"><i>(Question put and agreed to.)</i></p> <p style="text-align: center;"><i>Clause 68, as amended, agreed to.</i></p> <p>Clause 69</p> <p>DR RUYONGA: Clause 69 is amended in subclause (5)(a) by substituting for the words “five thousand”, the words “ten thousand”.</p> <p style="text-align: left;">Justification</p> <p>To enhance the penalty for exportation of</p>

cosmetic products without a licence issued under this Act.

DR ACENG: No objection.

MR KIRYOWA KIWANUKA: No objection.

THE CHAIRPERSON: I put the question that clause 69 be amended as proposed.

(Question put and agreed to.)

Clause 69, as amended, agreed to.

Clause 70

DR RUYONGA: Clause 70 is amended by inserting immediately after paragraph (d) the following -

“any other category as may be authorised by the minister, with the approval of Cabinet.”

Justification

To provide for an avenue for emerging public health products that may require categorisation under this section.

DR ACENG: No objection.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 70 be amended as proposed.

(Question put and agreed to.)

Clause 70, as amended, agreed to.

Clause 71

DR RUYONGA: Clause 71 is amended-

(a) By substituting for subclause (2), the following-

a) Notwithstanding subsection (1), the Authority may for a specified purpose and subject to conditions the Authority may deem fit to authorise the manufacture,

distribution, importation, exportation or supply by wholesale or retail a public health product which is not registered, notified or listed by the Authority –

a. where the public health product is required by the Authority for purposes of registration, notification or listing of the medical device under this Act;

b. where the public health product is required for purposes of conducting a clinical trial;

c. with respect to importation where the public health product is imported for personal use;

d. where the public health product is required for compassionate use;

e. where the public health product is required under extraordinary circumstances as may be prescribed in regulations made under this Act or

f. where the public health product is required for approved scientific education and research.”

In subclause (c)

i. in paragraph (a) by substituting for the words “Five thousand”, the words “Ten thousand”; and

ii. in paragraph (b), by substituting for the words “Five hundred”, the words “Five thousand”

Justification:

i) To empower the Authority to authorise the manufacture, importation, exportation or supply of public health products which are not registered, notified or listed under exceptional circumstances.

ii) To enhance the penalty for manufacture, importation, exportation, or supply of public health products which are not registered, notified or listed by the Authority. I submit.

DR ACENG: No objection, Madam Chairperson. Clause 73

THE CHAIRPERSON: Attorney-General –

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 71 be amended as proposed.

(Question put and agreed to.)

Clause 71, as amended, agreed to.

Clause 72

THE CHAIRPERSON: Clause 72 –

DR RUYONGA: Clause 72 is amended in subclause (6)(a) by substituting for the words “Five thousand”, the words “Ten thousand.”

Justification is to enhance the penalty for the manufacturer of public products without a license. I submit.

THE CHAIRPERSON: Public health products.

DR ACENG: Madam Chairperson, we have no objection, but we would like the word ‘public health products’ written as ‘public health products.’

THE CHAIRPERSON: It is in the justification. Public health products. Attorney-General –

MR KIRYOWA KIWANUKA: No objection to this amendment, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 72 be amended as proposed.

(Question put and agreed to.)

Clause 72, as amended, agreed to.

DR RUYONGA: Clause 73 is amended -

A. by substituting for subclause (2) the following-

(2) Notwithstanding subsection (1), the Authority may, for a specified purpose and subject to conditions the Authority may deem fit, authorise the importation of a public health product which is not licensed under this Act:

- a. Is required by the Authority for purposes of registration, notification or listing of the medical device under this Act;
- b. Is required for purposes of conducting a clinical trial or field trial for the public health product;
- c. Is required for an emergency situation;
- d. Is required for compassionate use;
- e. Is required under extraordinary circumstances as may be prescribed in regulations made under this act, or
- f. Is required for approved scientific education and research.

B. In subclause 6(b) by -

- i) Substituting for the word “Re-export”, the word “Return”; and
- ii) Substituting for the word “Import”, the word “Export”

C. In subclause (8(a), by substituting for the words “Five thousand” the words “Ten thousand”

Justification:

- i) It is a consequential amendment
- ii) To increase the penalty for a body corporate that imports a public health product contrary to this Act from five thousand currency points to ten thousand currency points. I submit.

THE CHAIRPERSON: Honourable minister –

MR KIRYOWA KIWANUKA: Madam Chairperson, we agree to the amendment of clause 73 except the amendment of clause 73(6)(b), which we propose stands part of the Bill for the reasons we have already explained.

THE CHAIRPERSON: Hon. Aceng -

DR ACENG: I concur with the Attorney-General.

THE CHAIRPERSON: Honourable Chairperson -

DR RUYONGA: I concede.

THE CHAIRPERSON: I put the question to the amendment.

(Question put and agreed to.)

Clause 73, as amended, agreed to.

Clause 74, agreed to.

Clause 75

THE CHAIRPERSON: Clause 75 -

DR RUYONGA: Clause 75 is amended in subclause (5)(a) by substituting for the words "Five thousand" the words "ten thousand."

The justification is to enhance the penalty for the export of public health products without a license. I submit.

THE CHAIRPERSON: Hon. Aceng -

DR ACENG: Madam Chairperson, no objection.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question to that clause 75 be amended as proposed.

(Question put and agreed to.)

Clause 75, as amended, agreed to.

Clause 76, agreed to.

Clause 77

THE CHAIRPERSON: Honourable Chairperson -

DR RUYONGA: Clause 77 is amended -
(a) by substituting for subclause (2) the following:

"(2) Notwithstanding subsection (1), the Authority may for a specified purpose and subject to conditions the Authority may deem fit, authorise the manufacture, distribution, importation or supply by wholesale or retail of a nutritional supplement which is not registered or listed by the Authority:

- a) where the nutritional supplement is for purposes of registration, notification, or listing of the nutritional supplement under this Act;
- b) where the nutritional supplement is required by the Authority for purposes of registration, notification, or listing of the nutritional supplement under this Act;
- c) where the nutritional supplement is required for purposes of conducting a clinical trial;
- d) with respect to importation, where the nutritional supplement is imported for personal use;
- e) where the nutritional supplement is required for compassionate use;
- f) where the nutritional supplement is required under extraordinary circumstances as may be prescribed in regulations made under this Act;
- g) where the nutritional supplement is required for approved scientific education and research."

b. in subclause (6) by-

- i) in paragraph (a), by substituting for the words "five thousand" the words "ten thousand"

ii) In paragraph (b), by substituting the words “five hundred” with the words “five thousand.”

The justification is that it is a consequential amendment. I submit.

THE CHAIRPERSON: Doctor -

DR ACENG: Madam Chairperson, no objection.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 77 be amended as proposed.

(Question put and agreed to.)

Clause 77, as amended, agreed to.

Clause 78

THE CHAIRPERSON: Committee chairperson -

DR RUYONGA: Clause 78 is amended in subclause (6)(a) by substituting for the words “five thousand”, the words “ten thousand”.

The justification is to enhance the penalty for a corporate body that manufactures a nutritional supplement without a licence. I submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 78 be amended as proposed.

(Question put and agreed to.)

Clause 78, as amended, agreed to.

Clause 79

DR RUYONGA: Clause 79 is amended –

(a) In subclause (2) by inserting immediately after paragraph (d), the following:

“(e) the importation is required for compassionate use.

(f) the importation is required under extraordinary circumstances as may be prescribed in regulations made under this Act or,

(g) the importation is required for approved scientific academic research.

(b) in subclause (6)(b) by -

(i) substituting for the word “re-export”, the word “return” and

(ii) substituting for the word “import”, the word “export”.

(c) In subclause (8)(a), by substituting for the words “five thousand”, the words “ten thousand”.

The justification is to enable the importation of a nutritional supplement for compassionate use, extraordinary circumstances, or approved scientific and academic research. I submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, we concede to the amendment of clause 79 as proposed by the committee, save for clause 79(6)(b) in respect to the nomenclature of the import or export countries as earlier submitted. We pray that clause 79(6)(b) do stand part of the Bill.

MR OBOTH: Madam Chairperson, I have heard extraordinary circumstances in this Bill, and I am tempted to ask whether it is defined. If it is extraordinary and it is defined, it is repeated many times. We attempt to list the circumstances: compassionate use, importation for licensing, regulation, and then extraordinary circumstances. Is it defined, Attorney-General? Just for those who will read this law.

THE CHAIRPERSON: In interpretation.

MR OBOTH: And what are these extraordinary - which cannot be named?

THE CHAIRPERSON: As of now.

MR OBOTH: As of now.

THE CHAIRPERSON: It cannot be named as of now.

MR OBOTH: So, we leave the - why do we list some which we know and - if we do not know, what would come our way? Why can't everything be extraordinary? I am just thinking. *(Laughter)*

THE CHAIRPERSON: Doctor -

DR ACENG: Madam Chairperson, the listing was required because when you are talking about, for example, scientific education or research, you will not put it under extraordinary circumstances. However, an extraordinary circumstance may occur that you are not prepared for, and then, you have to provide medicines for it.

THE CHAIRPERSON: Emergencies.

DR ACENG: Yes, and we wanted it captured here so that we do not have to start looking elsewhere. *(Hon. Oboth rose_)*

THE CHAIRPERSON: Yes, it is different from emergencies.

MR OBOTH: I had to be schooled by the doctor.

THE CHAIRPERSON: Yes, thank you. Are you in agreement with the amendment?

DR ACENG: Madam Chairperson, we are in agreement with the amendment.

THE CHAIRPERSON: Okay, I put the question that clause 79 be amended as proposed by the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 79, as amended, agreed to.

Clause 80

THE CHAIRPERSON: Clause 80.

DR RUYONGA: Clause 80 is amended in subclause (5)(a) by substituting for the words "five thousand", the words "ten thousand".

The justification is to enhance the penalty for the distribution of nutritional supplements without a licence issued under this Act. I submit.

THE CHAIRPERSON: Minister -

DR ACENG: No objection, Madam Chairperson.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 80 be amended as proposed.

(Question put and agreed to.)

Clause 80, as amended, agreed to.

Clause 81

DR RUYONGA: Clause 81 is amended in subclause (5)(a) by substituting for the words "five thousand", the words "ten thousand".

The justification is to enhance the penalty for the exportation of nutritional supplements without a licence under this Act. I submit.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 81 be amended as proposed.

(Question put and agreed to.)

Clause 81, as amended, agreed to.

Clause 82, agreed to.

Clause 83

THE CHAIRPERSON: Clause 83.

DR RUYONGA: Clause 83 is amended:

- a) by substituting for the headnote the following: “Conformity to standards of Authority.”
- b) by substituting for subclause (1), the following:
“A person shall not manufacture, import, export, distribute, or supply a regulated product which does not conform to the standards prescribed under this Act.”
- (2) by inserting after subclause (1), the following:
“The Authority shall prescribe standards for regulated products under this Act.”
- c) in subclause (3)(a), by substituting for the words “five thousand”, the words “ten thousand”.

Justification:

- i) To avoid the duplication of mandate between the Uganda National Bureau of Standards and the Authority.
- ii) To enhance the punishment for non-conformity to the prescribed standards. I submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, I just need to get to understand the principle that we are following here. NDA and UNBS are not going to work in isolation of each other, because all the standards of the country are put under UNBS. If someone wants to know the standards in Uganda, you have the Uganda National Bureau of Standards. Even if the NDA prescribes standards, they must be kept and managed under UNBS standards.

Madam Chairperson, I understand what we are saying, but I want us to understand whether the clause clearly states this: “A person shall

not manufacture, import, export, distribute a regulated product that does not conform with the standards prescribed under...” I think we want to say, “under the law” instead of “under the Act or prescribed under this Act.” What I am trying to say is that it is not one law, that deals with standards.

Once the NDA finishes setting its standards, it must put them in the Bureau of Standards because all the people who are dealing with these will have to go to the Bureau of Standards. So, all standards in Uganda are put under one bureau, under the International Organisation for Standardisation (ISO) certification. I just wanted it to be the Authority to prescribe standards for the regulation of products under this Act. That is correct. The products under this Act will be prescribed by this Authority. However, if you say, “to conform with standards prescribed under this Act” only, then when you go to the UNBS Act, you may get a contradiction. I beg to submit.

MR EKANYA: Madam Chairperson, coming from the border, UNBS regulates institutions that offer services and also have standards. At the border, we have staff from the National Drug Authority. So, if you have imported drugs, you must first get clearance from the Uganda National Drug Authority, and then it goes to UNBS to clear you to move the cargo. That is how it works with other products.

DR OPIO: Madam Speaker, what we are trying to cure with this law is the issue of dual regulation. Where a product comes into the country, for example, gloves, the UNBS does an analysis, but the NDA also does analysis. Two entities are regulating one item. Why we are saying that we must insist on the standards under this Act is to avoid dual regulation. What is currently happening is that you find one entity has passed the item, but the second fails it. So, then you end up having people confused in it. That is why we want to insist on this Act. However, those standards will be kept at UNBS.

MR KIRYOWA KIWANUKA: Madam Chairperson, I concede, but I wanted us to

understand what we are trying to achieve here. But it is okay, we can say under this Act, and we will administratively deal with it in the Government to ensure that the standards are put there, but a person can check for standards under this Act. I concede.

THE CHAIRPERSON: I put the question that Clause 83 be amended as proposed.

(Question put and agreed to.)

Clause 83, as amended, agreed to.

Clause 84

DR RUYONGA: Clause 84 is amended -

- (a) by substituting for the headnote the following:
“Monitoring system and reporting of adverse reactions or adverse events of regulated products.
(b) by inserting, after subclause (3), the following:

“Where a manufacturer, distributor, or importer of a regulated product becomes aware of any adverse reaction or adverse event arising from the use of the regulated product, or which reveals any defect in the regulated product, the manufacturer, distributor, or importer shall in a form in a form prescribed by the regulations made under this Act make a report to the Authority.”

In subclause (5)

- (i) in paragraph (a), by substituting for the words “five thousand”, the words “ten thousand”;
(ii) In paragraph (b), by substituting for the words “five hundred”, the words “five thousand”.

Justification

- i) The insertion is to provide for compulsory reporting to the Authority by the manufacturers, distributors and importers in case of an adverse reaction or adverse event; and

- ii) The amendments in subclause 5(a) and (b) are to enhance punishment for non-conformity to the, contravention of the provision. I submit.

DR ACENG: No objection.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 84 be amended as proposed.

(Question put and agreed to.)

Clause 84, as amended, agreed to.

Clause 85, agreed to.

Clause 86, agreed to.

Clause 87, agreed to.

Clause 88, agreed to.

Clause 89, agreed to.

Clause 90

DR RUYONGA: Clause 90 is amended by inserting, immediately after subclause (8), the following:

“(9) This section shall not apply to a clinical trial or a field trial conducted by the ministry in public interest.

(10) Notwithstanding subsection (9), the ministry shall, while conducting a clinical trial or field trial, conduct a clinical trial or field trial in accordance with good clinical practices, prescribed by regulations made under this Act.”

The justification is to facilitate the seamless execution of the mandate of the Ministry of Health. I submit.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

DR ACENG: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 90 be amended as proposed.

(Question put and agreed to.)

Clause 90, as amended, agreed to.

Clause 91, agreed to.

Clause 92, agreed to.

Clause 93, agreed to.

Clause 94, agreed to.

Clause 95

DR RUYONGA: Clause 95 is amended in subclause (3) –

- (c) in paragraph (a), by substituting for the words “five thousand”, the words “one hundred and fifty thousand”; and
- (d) in (b), by substituting for the words “five thousand”, the words “twenty thousand”, and for the words “five years”, the words “fifteen years”.

The justification is to enhance the punishment since the deception of consumers directly affects the decision of the consumers, and the consumption of such products could lead to fatal results. I submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, it will be remiss of me to oppose a proposal made by the representatives of the people on how to deal with the people. I concede.

THE CHAIRPERSON: I put the question that Clause 95 be amended as proposed.

(Question put and agreed to.)

Clause 95, as amended, agreed to.

Clause 96

DR RUYONGA: Clause 96 is amended by –

(a) inserting before subclause (1) the following:

“(1) A person who intends to advertise a regulated product shall, upon payment of prescribed fees and in the form prescribed by the regulations made under this Act, submit the advertisement to the Authority for approval.

2) A person who intends to advertise a regulated product by -

- a) publication of information on the regulated product or by promotion or distribution of information on the regulated product;
- b) bringing to the notice of the public, information on the regulated product by causing or permitting to be published, promoted, or distributed, information on the regulated product;
- c) bringing to the notice of the public, information on the regulated product in any manner; or
- d) sponsorship or promotion of a regulated product, shall comply with the requirements prescribed by regulations made under this Act.”

b) substituting in subclause (1) with the following -

“(1) A person shall not advertise -

- a) a regulated product or cause any other product to be advertised as a regulated product;
- b) a regulated product or cause a regulated product to be advertised in such a manner that it represents the regulated product as being usable for a purpose other than the purpose for which it was registered or notified, or listed.”

c) in subclause (4) -

- i) in paragraph (a), by substituting for the words “five thousand”, the words “one hundred fifty thousand”; and
- ii) in paragraph (b), by substituting for the words “five hundred”, the words “twenty thousand”; and the words “five years”, the words “fifteen years”.

Justification

- i) To empower the Authority to approve all advertisements, promotions, and sponsorship for regulated products for the purpose of protecting the consumer;
- ii) The redraft in subclause (1) is for clarity, and
- iii) The amendment in subclause (4) is to enhance the punishment since wrong advertisement of regulated products could mislead consumers to make uninformed decisions, which could lead to fatal results.

I submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, we agree with the principle that the committee wants to bring here in terms of regulating advertisement, but I do not think it is for here. If we become overprescriptive in administrative functions within a law, it becomes difficult to manage because these are moving targets. When you say everyone who intends to put an advert must come to the Authority—so, people on *WhatsApp* - it becomes very difficult. I was proposing that Clause 96, save for the penalties, do stand part of the Bill, and then the rest of the administrative issues can be done through regulation, on how the advertisement should be done. I beg to submit.

DR ACENG: I concur with the Attorney-General.

DR RUYONGA: I concur with the Attorney-General.

THE CHAIRPERSON: I put the question that Clause 96 be amended as per the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 96, as amended, agreed to.

Clause 97

DR RUYONGA: Clause 97 is amended in subclause (3)-

- a) in paragraph (a), by substituting for the words “five thousand”, the words “one hundred fifty thousand”; and
- b) in paragraph (b), by substituting for the words “five thousand”, the words “twenty thousand”.

The justification is that the amendment in subclause (3) is to enable the punishment since falsifying regulated products is harmful to consumers and could lead to fatal results. I submit.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 97 be amended as proposed.

(Question put and agreed to.)

Clause 97, as amended, agreed to.

Clause 98

DR RUYONGA: Clause 98 is amended-

- a) by deleting subclause (3).
- b) In subclause (4) -
 - i) in paragraph (a), by substituting for the words “five thousand”, the words “one hundred fifty thousand”; and
 - ii) in paragraph (b), by substituting for the words “three thousand”, the words “twenty thousand”, and for the words “five years”, the words “fifteen years”.

Justification

- i) The definition of the term “not fit for intended purpose” has been transferred to the interpretation section since it is used in other clauses outside this Clause 98; and
- ii) The amendment in subclause (4) is to enhance the punishment since substandard regulated products are harmful to consumers and could lead to fatal results.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 98 be amended as proposed.

(Question put and agreed to.)

Clause 98, as amended, agreed to.

Clause 99

DR RUYONGA: Clause 99 is amended by inserting immediately after subclause (4), the following: “For purposes of this section, analyst means a person who is qualified, and designated by the Authority to perform laboratory examination, testing and analysis of products regulated under this Act.” I submit.

DR ACENG: No objection.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 99 be amended as proposed.

(Question put and agreed to.)

Clause 99, as amended, agreed to.

Clause 100, agreed to.

Clause 101

DR RUYONGA: Clause 101 is amended in subclause (1)(a)(i), by inserting immediately after the word “retain”, the words “or quarantine”.

The justification is to empower the inspector to quarantine regulated products where necessary. I submit.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson. I have just been schooled here that you can quarantine non-living things in the medical world, but if the medical people say they can quarantine non-living things, I have no objection.

THE CHAIRPERSON: I put the question that clause 101 be amended as proposed.

(Question put and agreed to.)

Clause 101, as amended, agreed to.

Clause 102

DR RUYONGA: Clause 102 is substituted for the following-

“Administrative review and appeal process

- 1) A person aggrieved by a decision or action of the Authority may, within 30 days after being notified of the decision, apply to the Authority for the administrative review;
- 2) The Authority shall, after receipt of the application under subsection (1), determine the application within a reasonable time; and
- 3) A person aggrieved by the decision of the Authority made under subsection (2), may within 30 days after being notified of the decision, appeal to the High Court.

The justification is to provide a clear and orderly mechanism for challenging the enforcement decision of the Authority, beginning with internal administrative review before recourse to court. This promotes procedural fairness by allowing the Authority an opportunity to consider its decision and preserves the right of the aggrieved person to appeal to the High Court. I submit.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: Madam Chairperson, we welcome the proposal of the committee. We want to make a further

amendment to 102(2), “The Authority shall determine an application under subsection one to remove within reasonable time and say within a period of 30 days after receipt of the application.”

Remember the decision that is being questioned is a decision of the Authority. It must have had answers by the time it made the decision. There is nothing like reasonable time. Remember they have quarantined materials and they are taking things away.

I think 15 to 30 days for the Authority to make a decision and then it gets out of their hands would be- I propose they make a decision within 15 days so that we do not create another avenue for corruption.

THE CHAIRPERSON: Reasonable may be subjective.

MR NIWAGABA: Further to that, I prefer that we include the fact that the decision so made should be in writing. I have experience with NDA making decisions verbally and orally.

THE CHAIRPERSON: How much time have we agreed? 30 days in writing. Reasonable time is subjective. What is reasonable to me may not be reasonable to you. So, there must be a time element.

DR OPIO: Madam Chairperson, the reason we came up with reasonable time, at times the administrative review by the National Drug Authority may require you to re-analyse a sample and that could take 15 to 30 days. That is why we said reasonable time.

THE CHAIRPERSON: Those people are very difficult.

MR KIRYOWA KIWANUKA: Madam Chairperson, the danger with this is we are saying that you can make a decision flippantly in the first place as NDA. Before you make a decision, which is going to affect the public, you better be sure about what you are doing.

We are asking them to be diligent. If I have made a decision that the product is wrong and the other person has come up with results, when the person comes for the administrative review, he comes with his own evidence as to why he thinks you are wrong.

I think the moment you put reasonable time, if you do not put a time, the decision on what is reasonable will be determined by the NDA and we shall have more problems than we are trying to solve. I propose that if we think 30 days are not enough, let us put a specific time so everyone knows when the answer must be given.

THE CHAIRPERSON: 30 days. Attorney-General, can you redraft?

MR KIRYOWA KIWANUKA: Redraft for clause 102(2). “The Authority shall determine an application under subsection one in writing within 30 days after receipt of the application.” I beg to submit.

DR ACENG: I concur with the Attorney-General.

THE CHAIRPERSON: I put the question that clause 102 be amended as proposed.

(Question put and agreed to.)

Clause 102, as amended, agreed to.

Clause 103

DR RUYONGA: Clause 103 is substituted for the following-

“103 Destruction of products under court order.

- (i) Where a product regulated under this Act is on testing analysis by the Authority found to be substandard, not fit for the intended purpose, or falsified, the Authority shall apply to the Court for an order for the destruction of the product.
- (ii) Where the Court is satisfied that the product is substandard, not fit for intended

purpose or falsified, the Court shall order the destruction of the product.

- (iii) Court may order the person granted the certificate of registration, notification or listing or the authorised representative of that person or the importer or manufacturer, to:
 - (a) Destroy the products regulated under this Act.
 - (b) Bear the cost of the destruction.
- (iv) The Authority shall supervise the destruction ordered by the court under subsection three.
- (v) The Authority shall, by regulation made under this Act, prescribe the manner in which a product regulated under this Act may be destroyed.

Justification

To empower the Authority to make the decision for the determination of destruction of the product regulated under this Act instead of the inspector. I submit.

MR KIRYOWA KIWANUKA: Madam Chairperson, we would concede to the amendment of clause 103(i) to read “where the Authority is satisfied that the product regulated under this Act is on testing and analysis found.”

However, the practicality of this means that if I have products I have found in Busia, tested them and they are not wrong, they must come to the Authority, it first sits because here we have courts everywhere.

What we have taken away is the authority of the inspector to destroy your goods. If the inspector finds that they are not fit and proper, we have put another avenue where you can go, a neutral arbiter who is the court; it is only the court that can order, but the determination of whether the goods are not fit should not be made by the Authority.

Otherwise, we are centralising all the work in one place. The proposal will become

impractical. Secondly, if the destruction is under a court order, you cannot then make regulations on how they will destroy them. It is the court that directs you on how.

You cannot say I have come to you for an order to destroy, but if you order me to destroy, this is how I want to destroy them; no. The moment you submit to the jurisdiction of the court; the court must be able to give you directions.

I am proposing that clause 103 of the Bill do stand as it is in the Bill. It has addressed all the issues that the committee would like to address, but what the committee is proposing will become impractical, and it will create an onerous burden on the users of these services if you centralise everything in just the Authority. I beg to submit.

THE CHAIRPERSON: Honourable minister -

DR ACENG: I concur with the Attorney-General.

THE CHAIRPERSON: Committee chair.

DR RUYONGA: I also concur with the Attorney-General.

THE CHAIRPERSON: I put the question that clause 103 stands part of the Bill.

(Question put and agreed to.)

Clause 103, agreed to.

Clause 104, agreed to.

Clause 105, agreed to.

Clause 106, agreed to.

Clause 107, agreed to.

Clause 108, agreed to.

Clause 109

THE CHAIRPERSON: Deletion.

DR RUYONGA: Clause 109 is deleted.

Justification

- i) The clause is redundant because the Authority already has the general statutory mandate to regulate and ensure the quality of drugs in Uganda, including in the public sector; and
- ii) Retaining the specific clause on National Medical Stores is unnecessary and may distort the distinction between the Authority's regulatory role and the supply mandate of the National Medical Stores. I submit.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: I agree, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 109 be deleted.

(Question put and agreed to.)

Clause 109, deleted.

Clause 110, agreed to.

Clause 111, agreed to.

Clause 112

DR RUYONGA: Clause 112 is amended by substituting for subclause (1), the following: "The Authority shall establish and maintain registers necessary for the performance of the function of the Authority under this Act, including a register for –

- a) Registered, notified, or listed drugs and regulated products;
- b) Licensed manufacturers, distributors, suppliers, importers, exporters, wholesalers, or retailers of drugs and regulated products;
- c) Prohibited or banned drugs or regulated products or substances under this Act;

- d) Authorised laboratories for carrying out functions of the authority under this Act;
- e) Lot release;
- f) Clinical trials carried out under this Act;
- g) Field trials carried out under this Act; and
- h) Any other purpose as the Authority may deem fit.

The justification is that this is for clarity and to enlist all registers required to be maintained by the Authority. I submit, Madam Chairperson.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 112 be amended as proposed.

(Question put and agreed to.)

Clause 112, as amended, agreed to.

Clause 113

DR RUYONGA: Clause 113 is amended in subclause (2) by substituting for the words "fifty thousand", the words "five thousand".

THE CHAIRPERSON: Okay. Is it from five hundred to five thousand?

DR RUYONGA: They wrote five thousand.

THE CHAIRPERSON: In the Bill, it was fifty hundred.

DR RUYONGA: "Fifty hundred", to the words "five thousand".

THE CHAIRPERSON: Okay.

DR RUYONGA: The justification is that this is for clarity. I submit, Madam Chairperson.

DR ACENG: No objection.

THE CHAIRPERSON: I put the question that clause 113 be amended as proposed.

(Question put and agreed to.)

Clause 113, as amended, agreed to.

Clause 114, agreed to.

Clause 115, agreed to.

Clause 116, agreed to.

Clause 117, agreed to.

Clause 118

DR RUYONGA: Clause 118 is amended in subclause (2)-

- a) By inserting immediately before paragraph (a), the following: “For registration, notification, and listing of drugs, including any conditions for registration, notification, or listing of the drugs”;
- b) By substituting for paragraph (a), the following:
“For registration, notification, and listing of regulated products.”
- c) In paragraph (e), by substituting the words “marketing”, with the words “advertisement and promotion”.
- d) By inserting immediately after paragraph (j), the following: “(i) Pharmacovigilance;
- e) Classification of medical devices; or
- f) For the suitability of premises for the manufacture and distribution of products regulated under this Act.”

The justification is to empower the minister to make regulations for items prescribed under the substantive provisions but not included in the clause. I submit, Madam Chairperson.

DR ACENG: No objection, Madam Chairperson.

MR KIRYOWA: No objection, Madam Chairperson. It is just inclusive of many things, so we concede.

THE CHAIRPERSON: I put the question that clause 118 be amended as proposed.

(Question put and agreed to.)

Clause 118, as amended, agreed to.

Clause 119, agreed to.

Clause 120

DR RUYONGA: Clause 120 is amended by deleting subclause (3).

Justification

Section 14 empowers NDA to be the licensing authority for export, import, production, and distribution of narcotic drugs for medical purposes, and this has not been provided for under the Bill. It is best to retain the mandate under the Narcotic Drugs and Psychotropic Substances (Control) Act, Cap. 37. I submit, Madam Chairperson.

DR ACENG: No objection.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 120 be amended as proposed.

(Question put and agreed to.)

Clause 120, as amended, agreed to.

Clause 121

DR RUYONGA: Clause 121 is amended –

- (a) By substituting for subclause (1), the following:
“A member of the board of the National Drug Authority in office at the commencement of this Act is eligible for appointment if he or she meets the terms and conditions for appointment prescribed under this Act.”
- (b) By substituting for the subclause (2), the following: “The Secretary to the National Drug Authority in office at the

commencement of this Act shall continue in office until the expiry of his or her instrument of appointment, and is eligible for appointment if he or she meets the terms and conditions for appointment prescribed under this Act.”

(c) By substituting for the subclause (3), the following:

“At the commencement of this Act –

- i) All persons who were employed by the National Drug Authority shall continue in the employment of the Authority;
- ii) The terms and conditions of service, including salary, on which a person referred to in paragraph (a) was employed, shall not be less favourable than the terms and conditions of service applied to the person before the commencement of this Act; and
- iii) There shall be no break or interruption in the employment of the persons referred to in paragraph (a).”

Justification

The amendment provides a transitional safeguard for the employees of the Authority to ensure continuity in offering the services to the Authority following the commencement of this Act and prevents disruption in the functioning of the Authority. I submit, Madam Chairperson.

MR KIRYOWA KIWANUKA: Madam Chairperson, you are sitting here creating a new entity. You have said the entity will have a board, which you are going to appoint. You have said the Authority shall make terms of reference in accordance with the Public Service Standing Orders and all those things, because you are reorganising this. However, you are setting the salary by law.

I think what we should say is that they will be eligible for reappointment in the structure of the Authority. The terms-, because you see, if the Government came and said I cannot afford to pay this anymore, we know the rules of how a person leaves the office.

We discussed this several times in Rapex. We had this fear, but we went through it because we told you the purpose is that we want them to stay. After all, they are already there, and then we manage it. When you prescribe and say that the secretary of the Authority-

MR EKANYA: Madam Chairperson, I was wondering why the Chairperson of the committee was making a law, proposing a provision with the eye of all the people in the current structure, why only the secretary? Attorney-General, you are spot on. I support you.

THE CHAIRPERSON: You know he is trying to mean that he wants to go there as a secretary. *(Laughter)*

MR NIWAGABA: Madam Chairperson, in addition to the concerns raised by the Attorney-General, the number of board members under this Bill has been reduced to seven from the current 22.

THE CHAIRPERSON: Nine:

MR NIWAGABA: From nine - at the end of the day, you want to make a law to maintain the nine when we have reduced them to seven?

THE CHAIRPERSON: 22. What?

MR KIRYOWA KIWANUKA: Yes, the National Drug Authority (NDA) board had 22; it was reduced to nine.

THE CHAIRPERSON: Now, we are reducing them to seven.

MR KIRYOWA KIWANUKA: The committee has reduced it to seven. It was a big number. What we are saying is that the persons who are eligible for appointment in the Authority as per the law, will be accommodated. Anyone who is being disengaged will be disengaged in accordance with the law.

THE CHAIRPERSON: Yes, the RAPEX law.

MR KIRYOWA KIWANUKA: The employment law; it is there. Or the contracts or their service terms.

THE CHAIRPERSON: We did it in RAPEX and we succeeded. Are you okay with the amendment, Attorney-General? Redraft; it stands.

MR KIRYOWA KIWANUKA: I am proposing an amendment to say that a transitional period, that all persons who are employed in the National Drug Authority, who are eligible for appointment to the position may be appointed, and anyone who is disengaged should be disengaged in accordance with the law.

THE CHAIRPERSON: Which law? The Employment Act? I put the question that Clause 121 be amended as proposed by the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 121, as amended, agreed to.

Clause 122

DR RUYONGA: Clause 122 is amended in subclause (2), (a), by substituting for paragraph (b) the following:

- (a) Any reference to clinical trials includes veterinary clinical trials and veterinary field trials;
- (b) In paragraph C, by inserting immediately after the words veterinary drugs, the words veterinary vaccines, veterinary biologicals, veterinary medicated feeds, veterinary hormones, veterinary herbal products or veterinary complementary medicine; and
- (c) By inserting immediately after paragraph h the following: Any reference to, any reference to pharmacovigilance includes veterinary pharmacovigilance. Any reference to drug advertisement and promotion includes promotion and advertisement of veterinary drugs,

veterinary medical devices, veterinary vaccines, veterinary biologicals, veterinary medicated feeds and veterinary supplements or veterinary medicated cosmetics. Any reference to the cosmetic products includes veterinary medicated cosmetics. Any reference to herbal medicine and complementary medicine refers to the veterinary herbal and veterinary complementary products, and any difference to nutritional supplements includes veterinary supplements.

The justification is to qualify the provisions under the Bill to specifically apply to veterinary products. I submit.

MR KIRYOWA KIWANUKA: Thank you very much, Madam Chairperson. We have no problem with this amendment. Just for clarity, because a member was saying what about the Bill that we have been working on from agriculture. That is why this provision has been written in such a way. Until that act comes into force. The moment that the Act comes into force, this becomes a spent provision, and these go to the agriculture sector. Therefore, we agree with the proposed amendment.

THE CHAIRPERSON: I put the question that clause 122 be amended as proposed.

(Question put and agreed to.)

Clause 122, as amended, agreed to.

Clause 2

DR RUYONGA: Clause 2 is amended –

- (a) in the definition of “adverse event”, by substituting for the word “unpleasant”, the word “unintended”; and
- (b) by substituting for the definition of “adverse reaction” the following: “Adverse reaction” means any noxious or unintended response to a drug, cosmetic product, public health product, nutritional supplement or a medical device occurring at a dose normally used in human for

- prophylaxis, diagnosis or therapy, including use outside the marketing authorisation, where there is a reasonable possibility of a cordial relationship between the product and the response”;
- (c) In the definition of “authorised pharmacopoeia”, by inserting immediately after the word “means” the word “any pharmacopoeia recognised by the Authority, including”;
- (d) In the definition of “biologicals”, by inserting immediately after the word “includes” the word “vaccines”;
- (e) in the definition of “cosmetics” by inserting immediately after paragraph (f), the paragraphs providing for “glutathione”, “Kojic acid”, “salicylic acid” or “alpha hydroxyl acid”;
- (f) In the definition of “drug”, by inserting immediately after the word “used”, the words “or those intended to be used”; And in paragraph (c), by deleting the word “gene therapy”.
- (g) in the definition of “healthcare professional” by deleting the word “care”. And in (2), by inserting immediately after the words “Allied Health Professionals Act”, the words “or any other recognised professional regulatory body”.
- (h) in the definition of “lot release”, by substituting for the word ‘medicines’ the word ‘diagnostics’; and
- (i) in the definition of “medical device” in paragraph (b), by inserting immediately after the word “disinfection” the words “cleaning or sterilization”.
- (j) By inserting in the appropriate alphabetical order the following. “adulterated” means a drug, medical device, cosmetic product, public health product or nutritional supplement which is contaminated or unsafe for human consumption or manufactured, prepared, packed, stored, transported or distributed under unsanitary conditions, or contains any harmful or unauthorised substance, or has been substituted, diluted or otherwise treated in a manner that reduces its quality, purity, safety or efficacy or renders it injurious to the health;
- “Compassionate use means the use of an unregistered drug or a drug under clinical investigation, which is not a clinical trial, for the treatment of a patient suffering from a serious or life-threatening condition where no satisfactory registered prevention or treatment is available in Uganda;
- “Falsified” means a drug, medical device, cosmetic product, public health product or nutritional supplement that deliberately misrepresents the identity, composition or source of the drug, medical device or cosmetic product, public health product or nutritional supplement;
- “Manufacture or manufacturing” includes all operations of receipt of materials, production, processing, packaging, repackaging, labelling, relabelling, quality control, release or storage, and related controls of drugs, medical devices, cosmetic products, public health products, and nutritional supplements;
- “Ministry” means the ministry responsible for health;
- “Not fit for intended purpose” means a regulated product which:
- Is multifunctional;
 - Is not safe or efficacious;
 - Does not meet the quality prescribed under the Act; or
 - Is expired.
- “Substandard” means a drug, medical device, cosmetic product, public health product or nutritional supplement that is not of the nature, substance, quality or specifications prescribed under this Act.
- The justifications are:

- i) The substitution of the word “adverse reaction” is to align the provision with internationally recognised regulatory standards on the definition of the word;
- ii) The amendment of the word “drug” is to cater for intended use of drugs; and
- iii) The insertion of the new terms in the Bill is to define the meaning of the terms for clarity and to remove ambiguity in the interpretation of the terms.

by the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 2, as amended, agreed to.

Schedule 1, agreed to.

The Title, agreed to.

I submit, Madam Chairperson.

MOTION FOR THE HOUSE TO RESUME

THE CHAIRPERSON: Thank you.

THE CHAIRPERSON: Honourable Minister of Health and Member of Parliament for Lira City. *(Laughter)*

MR KIRYOWA KIWANUKA: Madam Chairperson, we thank the committee for the work on these amendments and we agree with all their proposals.

7.45

THE MINISTER OF HEALTH (Dr Jane Aceng): Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

While we were going through the body of the Bill, we found ourselves using the words “extraordinary circumstances” severally and an honourable member asked for its definition –

THE CHAIRPERSON: I put the question that the House do resume and the Committee of the whole House reports thereto.

THE CHAIRPERSON: The honourable minister.

(Question put and agreed to.)

MR KIRYOWA KIWANUKA: The Minister of Defence and Veteran Affairs - Madam Chairperson, we propose the inclusion of the definition of “extraordinary circumstances” to be included immediately after “emergency situations” to read: “Extraordinary circumstances may include pandemics, emergencies like shortage of pharmaceuticals, epidemics, economic embargo on importations of pharmaceuticals, etc, and such other similar circumstances.”

(The House resumed, the Speaker presiding.)

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

I beg to submit.

7.46

THE MINISTER OF HEALTH (Dr Jane Aceng): Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled, “The National Drug and Health Products Authority Bill, 2025” and passed it with amendments.

THE CHAIRPERSON: Thank you. Dr Aceng -

MOTION FOR THE ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

DR ACENG: I concur with the Attorney-General.

7.46

THE MINISTER OF HEALTH (Dr Jane Aceng): Madam Speaker, I beg to move that the Report from the Committee of the whole House be adopted.

THE CHAIRPERSON: Thank you. I put the question that clause 2 be amended, as proposed

THE SPEAKER: I put the question that the Report of the Committee of the whole House be adopted by this august House.

(Question put and agreed to.)

Report adopted.

BILLS
THIRD READING

THE NATIONAL DRUG AND HEALTH
PRODUCTS AUTHORITY BILL, 2025

7.47

THE MINISTER OF HEALTH (Dr Jane Aceng): Madam Speaker, I beg to move that the Bill entitled, “The National Drug and Health Products Authority Bill, 2025” be read the third time and do pass.

THE SPEAKER: I put the question that the National Drug and Health Products Authority Bill, 2025, be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED, “THE
NATIONAL DRUG AND HEALTH
PRODUCTS AUTHORITY ACT, 2026”

THE SPEAKER: Title settled and Bill passed.
(Applause)

Honourable members, I wish to congratulate you upon passing this very long Bill. Congratulations, chairperson. Thank you and the committee so much for the good work. Honourable minister, I would like to thank you. The Attorney-General, you have been very instrumental.

Thank you, Hon. Oboth and everybody in the House, and the Prime Minister for being here. *(Laughter)* The Leader of the Opposition and the shadow Attorney-General, I would like to thank you so much. *(Dr Ruyonga rose.)* Would you like to say something?

7.48

THE CHAIRPERSON, COMMITTEE ON HEALTH (Dr Joseph Ruyonga): Just one minute. Thank you, Madam Speaker, for

giving me this chance. I would like to thank my committee members for the good job well done. We had a number of stakeholders we interacted with. The technical staff of Parliament, my honourable minister, the Attorney-General, and the honourable Members of Parliament, for your input, last but not least, the Speaker, for guiding me; I thank you all. Let me hope this Bill will be assented to by the President.

THE SPEAKER: Thank you, Committee Chairperson, and congratulations on your Bill.

7.49

THE MINISTER OF HEALTH (Dr Ruth Aceng): Madam Speaker, allow me to express my appreciation to you for all the support, to the Members of this House and the Attorney-General. In a special way, allow me to appreciate the Committee on Health. They did a good job, and also to appreciate the Authority itself.

THE SPEAKER: On a special note, I thank Hon. O.O, for being in the House and being attentive.

BILLS
SECOND READING

THE ENERGY EFFICIENCY AND
CONSERVATION BILL 2024

THE SPEAKER: Honourable members, you may recall that the Energy Efficiency and Conservation Bill, 2024 was read for the first time on 4 February 2025. It was referred to the Sectoral Committee on Environment and Natural Resources. Debate on this motion for the second reading was done, and then it was referred for harmonisation. What was left was harmonising the clauses.

However, a question was not put for the second reading and I am aware that harmonisation has taken place between the Shadow Minister of Energy, the Shadow Attorney-General, the Attorney-General, and the minister. I will now put the question and then we go into the harmonised clauses. Shadow Attorney-General, is that okay? Go on record.

7.51

MR NIWAGABA WILFRED (Independent, Ndurwa County East, Kabale): That is the position. We did the harmonisation meetings and we are ready to proceed.

THE SPEAKER: I put the question that the Energy Efficiency and Conservation Bill, 2024, be read for the second time.

(Question put and agreed to.)

BILLS
COMMITTEE STAGE

THE ENERGY EFFICIENCY AND
CONSERVATION BILL, 2024

Clause 1

THE CHAIRPERSON: I put the question that clause 1 stands part -

MR NIWAGABA: Madam Chairperson, we have an amendment to Clause 1 and we are proposing that the section reads thus: “This Act shall come into force on a day appointed by the minister by statutory instrument with the approval of Cabinet, and different days may be appointed for the commencement of different provisions, except for part one and part two, which shall come into force on the date of publication in the gazette”.

The justifications are:

- i) To require the minister to seek the approval of Cabinet before bringing into force the critical provisions of the Bill, after assessing the readiness of the country to operationalise the implementation of the provisions and after carrying out stakeholder awareness;
- ii) To provide for a staggered commencement which enables the minister to only commence provisions that the country is ready to implement; and
- iii) To provide for the commencement of part one, which is preliminary, and part two, which is on administration, on publication in the gazette to allow for the

operationalisation of the administration-related provisions under Clauses 4, 5, 6, 7, 8, and 9, such as functions of the minister, functions of the commissioner, establishment of committees, role of local governments, and incentives for energy-saving measures.

THE CHAIRPERSON: Honourable minister, is that the harmonised position?

MR OKAASAI: Madam Chairperson, that is the harmonised position. No objection.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, that is the harmonised position.

THE CHAIRPERSON: I put the question that Clause 1 be amended as proposed.

(Question put and agreed to.)

Clause 1, as amended, agreed to.

Clause 2, agreed to.

Clause 3

THE CHAIRPERSON: Committee Chairperson?

MR ARIKO: Clause 3 is amended –

- (a) In the definition of the word “appliance”, by inserting the word “lighting” immediately after the word “cleaning”;
- (b) In the definition of the word “charging point”, by inserting the words “or other locomotives” immediately after the word “battery”;
- (c) In the definition of the word “charging station”, by inserting the words “or other locomotives” immediately after the words “electric vehicles”;
- (d) In the definition of the words “clean cooking” by substituting for the words “and the environmental impact of traditional cooking methods”, the words “the negative impact of cooking methods

- on the environment”;
- (e) In the definition of the word “clean cooking technologies” by inserting the word “negative” immediately after the word “minimises”;
- (f) In the definition of the word “dealer”, by deleting the word “specified”;
- (g) by substituting for the definition of “energy manager” the following-
“Energy manager” means a person appointed or designated under section 11;
- (h) by inserting the definition of the word “Ministry,” immediately after the definition of the word “Minister”, the following-
“Ministry” means the ministry responsible for energy efficiency and conservation; and
- (i) In the definition of the word “vehicle”, by inserting the words “air, water, or railway” immediately after the words “along roads.”

The justifications are:

- i) To make the provisions on appliances more inclusive;
- ii) To make the provision more inclusive beyond motor vehicles;
- iii) In the definition of clean cooking and cooking technologies for clarity;
- iv) To provide a broader definition to an energy manager whose appointment and designation are provided for under Section 11; and
- v) To provide a meaning and clarity that the “Ministry” being referred to in the Bill is the Ministry responsible for energy efficiency and conservation used in the Bill.

MR NIWAGABA: A further amendment, we are proposing to insert immediately after the definition of the words “sustainable public procurement” the following new definition, “transport means the conveyance, movement, carrying, or shipping of people, goods or animals by any means, including road, air, rail or water.”

The justification is to clarify the scope of the proposed law to include all modes of transport.

The second proposal is to amend the definition of “vehicular emissions” by adding the words “or vessels” immediately after the word “vehicles”.

The justification is that this is to include all modes of transport.

(c) by inserting immediately after the definition of “vehicular emissions”, the following new definition -

““vessel” means every description of watercraft, aircraft or railway used or capable of being used as a means of transport.”

The justification to align the scope to cover all modes of transport.

MR OKAASAI: We took long discussing this, and this was an agreed position. We have no objection.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: Thank you. I put the question that clause 3 be amended by the committee and further amended by the Shadow Attorney-General.

(Question put and agreed to.)

Clause 3, as amended, agreed to.

Clause 4, agreed to.

Clause 5

MR ARIKO: Madam Chairperson, the committee recommends that clause 5 is amended in paragraph (a), by deleting the words “prepare and”.

The justification is that preparation of the National Energy and Efficiency Conservation Plan is already covered under clause 17, as a function of the minister.

MR NIWAGABA: No objection.

(Question put and agreed to.)

MR OKAASAI: No objection.

Clause 9, as amended, agreed to.

MR KIRYOWA KIWANUKA: No objection,
Madam Chairperson.

Clause 10, agreed to.

Clause 11, agreed to.

THE CHAIRPERSON: I put the question
that Clause 5 be amended as proposed.

Clause 12, agreed to.

(Question put and agreed to.)

Clause 13

Clause 5, as amended, agreed to.

MR ARIKO: Madam Chairperson, the committee proposes that clause 13 is amended in subclause (3), paragraph (c), by deleting the words “taking into account a suitable period of time”.

Clause 6, agreed to.

The justification is that the deleted words are redundant.

Clause 7, agreed to.

Clause 8, agreed to.

Clause 9

MR OKAASAI: No objection.

MR NIWAGABA: Madam Chairperson, we propose an amendment to Clause 9. We propose to amend subclause (1), by substituting for the words “the Minister may, in consultation with the Minister responsible for finance” with the words “the Minister responsible for finance may, in consultation with the Minister”.

MR NIWAGABA: No objection.

THE CHAIRPERSON: I put the question
that clause 13 be amended as proposed.

(Question put and agreed to.)

Justification

Clause 13, as amended, agreed to.

The incentives envisioned under this Act fall under the responsibility of the minister responsible for finance, including tax incentives, grants, and rebates. It is, therefore, important for the minister responsible for finance to grant the incentives, in consultation with the minister responsible for energy, under which this particular Bill is housed.

Clause 14

MR ARIKO: The committee proposes that clause 14 is amended –

MR OKAASAI: No objection to the amendment

- (a) in subclause (1), by deleting the words “to identify areas where energy is used inefficiently or where energy saving measures can be implemented”;
- (b) (by deleting subclause (3); and
- (c) in subclause (7), by inserting the words “and implementation plan,” immediately after the words “audit report”.

MR KIRYOWA KIWANUKA: We thank the Shadow Attorney-General for this amendment. We have no objection.

Justification

THE CHAIRPERSON: I put the question
that Clause 9 be amended as proposed by the Shadow Attorney-General.

- i) The words “to identify areas where energy is used inefficiently or where energy saving measures can be implemented” are restrictive in light of subclause (4);

- ii) Subclause (3) has been merged with subclause (7), given that the two clauses are similar;
- iii) The amendment in subclause (7) is a consequential amendment, arising from the merging of subclasses (3) and (7); and
- iv) An implementation plan is one of the requirements that a designated energy consumer should comply with.

MR NIWAGABA: No objection.

MR KIRYOWA KIWANUKA: Madam Chairperson, first of all, clause 14 is dealing with energy audits, and subclause (1) says: “A designated energy consumer shall undertake energy audits to identify areas where energy is used inefficiently or energy-saving measures can be implemented.”

To delete that is to take away the purpose of the designated energy consumer.

Therefore, what is happening in this Bill is that the minister will designate someone and say, “You are an energy consumer”. It is like an experimental person. If you take it away, and they will not do this exercise, then there is no purpose for them being “a designated energy consumer”.

The audit reports in subclauses (3) and (7) are different. In subclauses (3) and (7), they are required to submit to the minister, together with the plans, within the period. In subclause (7), a designated energy consumer shall submit an energy audit report to the Minister within the prescribed time.

There are two things. You do the energy audit, get the report and, then you are required to submit the report to the minister. However, you also have a second requirement: to submit the plan. So, to delete subclause (3) would be to delete the second purpose. I would propose that we retain subclause (3) and delete subclause (7) because subclause (7) has one leg, but subclause (3) has two legs.

I beg to submit.

MR NIWAGABA: I had overlooked that, and I agree with the Attorney-General because subclause (3) is in respect of the energy consumer and subclause (7) is in respect of the energy auditors. So, we need to maintain the provisions in the Bill as they are. I invite the chairman of the committee to abandon the proposed amendments.

THE CHAIRPERSON: Honourable minister

-

MR OKAASAI: I agree with both the Shadow Attorney-General and the Attorney-General.

THE CHAIRPERSON: Okay. So, Attorney-General does it stand part of the Bill?

MR KIRYOWA KIWANUKA: Yes, I pray that clause 14 stands part of the Bill.

THE CHAIRPERSON: Committee Chairperson -

MR ARIKO: Madam Chairperson, in the spirit of the harmonisation, I concede. Thank you.

THE CHAIRPERSON: I put the question that clause 14 stands part of the Bill.

(Question put and agreed to.)

Clause 15, agreed to.

Clause 16, agreed to.

Clause 17

MR NIWAGABA: Madam, Chairperson, we just have a small amendment on clause 17. In clause 17(4), we propose to amend it by inserting after the word “Shall”, the words “Apply to all sectors of the economy and”.

The justification is to ensure the implementation of the energy efficiency strategy is in the sectors of the economy that are not explicitly provided for in this Bill.

THE CHAIRPERSON: Attorney-General -

after the word “Vehicles.”

MR KIRYOWA KIWANUKA: That is correct, Madam Chairperson, because as the economy grows, other things would change. This allows the ministry to do a plan which can be expansive. We concede the amendment. Thank you, Shadow Minister.

The justification is that the custodian of standards in Uganda is the Uganda National Bureau of Standards, and this amendment is to require the Uganda National Bureau of Standards to issue the standards in respect of this Bill in consultation with the responsible ministers.

THE CHAIRPERSON: Minister -

THE CHAIRPERSON: Attorney-General -

MR OKAASAI: That actually opens the way. So, I agree with the amendment proposed.

MR KIRYOWA KIWANUKA: Yes, thank you very much, Madam Chairperson. That is a harmonised position, and we thank the committee and the Shadow Attorney-General.

THE CHAIRPERSON: I put the question that Clause 17 be amended as proposed by the Shadow Attorney-General and confirmed by the Attorney-General.

THE CHAIRPERSON: Thank you. I put the question that clause 19 be amended as proposed by the harmonisation committee.

(Question put and agreed to.)

(Question put and agreed to.)

Clause 17 as amended, agreed to.

Clause 19, as amended, agreed to.

Clause 18, agreed to.

Clause 19

Clause 20

THE CHAIRPERSON: Committee Chairperson -

THE CHAIRPERSON: Committee Chairperson. Is that the harmonised position? Shadow Attorney-General -

MR ARIKO: Madam Chairperson, in the spirit of harmonisation, Clause 19 is one of those that we have a middle ground position. So, I would like to give space for the committee proposal for the Shadow Attorney-General to move the harmonised position.

MR NIWAGABA: Most obliged. Madam Chairperson, we are proposing to amend clause 20 in subclause (1) –

THE CHAIRPERSON: Shadow Attorney-General -

- (i) by deleting the words “Subject to the Traffic and Road Safety Act”;
- (ii) by substituting for the words “Motor vehicle, trailer, or engineering plant”, the words “Vehicle or vessel”;

MR NIWAGABA: Most obliged, Madam Chairperson. We do propose that we amend Clause 19(1) by substituting for the words “The minister responsible for transport shall in consultation with the relevant authorities” the words in subclause (1), “The Uganda National Bureau of Standards shall in consultation with the minister responsible for transport and the minister responsible for energy efficiency and conservation.” And in subclause 2(b) by inserting the words “All vessels” immediately

In subclause (2), by substituting for the words “Any motor vehicle of a class, description, or type specified” under, the words “A vehicle or vessel referred to in” by substituting for the words “Motor vehicle, the words “Vehicle or vessel”; and

- (iii) by substituting for the words “Chief Licensing Officer”, the words “Responsible Officer”. In subclause (3), by substituting for the words

“Chief Licensing Officer”, the words “Responsible Officer”.

The justification is the amendment is intended to broaden the scope of the provision to cover the entire transport sector by covering both vehicles and vessels, because currently the provision addresses motor vehicles only.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: That is a correct position, Madam Chairperson.

THE CHAIRPERSON: Thank you. I put the question that Clause 20 be amended as proposed by the by Shadow Attorney-General and further okayed by Attorney-General.

(Question put and agreed to.)

Clause 20, as amended, agreed to.

Clause 21

MR NIWAGABA: Madam Chairperson, in Clause 21, we are proposing to amend by substituting the words “Motor vehicle” with the words “Vehicle or vessel” wherever they appear as a consequential amendment.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: That is correct, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 21 be amended as proposed by the committee.

(Question put and agreed to.)

Clause 21, as amended, agreed to.

Clause 22

MR NIWAGABA: Madam Chairperson, we are proposing to amend clause 22 by inserting after the words “Electric vehicle”, the words “All vessels” wherever they appear.

The justification is that this is a consequential amendment to cover all modes of transport.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: That is okay, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 22 be amended as proposed.

(Question put and agreed to.)

Clause 22, as amended, agreed to.

Clause 23

MR ARIKO: Madam Chairperson, the committee proposes that Clause 23 is amended in sub-clause (1) by substituting the word “Minister” for the word “Commissioner”.

The justification is that these are operational functions that should be performed at the level of a commissioner.

THE CHAIRPERSON: Minister -

MR OKAASAI: No objection.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection.

THE CHAIRPERSON: I put the question that Clause 23 be amended as proposed by the committee.

(Question put and agreed to.)

Clause 23, as amended, agreed to.

Clause 24, agreed to.

Clause 25

MR NIWAGABA: Madam Chairperson, we propose to amend Clause 25(a) by inserting the word “All vessels” immediately after the word “Vehicles”.

The justification is to cover all modes of transport. Clause 28

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection.

THE CHAIRPERSON: I put the question that Clause 25 be amended as proposed by the Shadow Attorney-General.

(Question put and agreed to.)

Clause 25, as amended, agreed to.

Clause 26, agreed to.

Clause 27

THE CHAIRPERSON: Committee chairperson -

MR ARIKO: Madam Chairperson, the committee proposes that clause 27 is amended in subclause (5) by deleting the words “and customer outcomes.”

The justification is that the customer outcomes are diverse and they are not easily measurable.

THE CHAIRPERSON: Shadow minister -

MR NIWAGABA: No objection.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, the clause now reads that a registered energy service company shall provide specific reports to the minister on its activities, performance and customer outcome. You are saying that it should give only a report on its activities and performance. No objection.

THE CHAIRPERSON: I put the question that clause 27 be amended as proposed.

(Question put and agreed to.)

Clause 27, as amended, agreed to.

MR NIWAGABA: Madam Chairperson, in clause 28(6), we are proposing to delete the words “develop and update standards” immediately after the words “the minister shall.”

The Justification is that the custodian of standards in Uganda is the Uganda National Bureau of Standards, and the amendment is to require the Uganda National Bureau of Standards to issue the standards in consultation with the responsible minister, but not the minister to state the standards.

THE CHAIRPERSON: Yes, minister.

MR OKAASAI: We discussed that, too. I concur with the proposal.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: That is correct, Madam Chairperson.

THE CHAIRPERSON: Okay, I put the question that clause 28 be amended as proposed.

(Question put and agreed to.)

Clause 28, as amended, agreed to.

Clause 29

MR NIWAGABA: Madam Chairperson, we are proposing to amend Clause 29(2) by substituting for the words, “the minister shall in consultation of the Uganda National Bureau of Standard”, the words, “the Uganda National Bureau of Standards shall in consultation with the minister”.

The justification is as per my earlier submission on the previous clauses.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: We have no objection to that amendment.

THE CHAIRPERSON: I put the question that Clause 29 be amended as proposed. Clause 39

(Question put and agreed to.)

Clause 29, as amended, agreed to.

Clause 30, agreed to.

Clause 31

THE CHAIRPERSON: Clause 31.

MR NIWAGABA: Madam Chairperson, again, we do propose that we amend Clause 31 (1) by substituting for the words, “the minister shall in consultation with the Uganda National Bureau of Standards”, the words “the Uganda National Bureau of Standards shall in consultation with the minister”. The same reasons apply as earlier Submitted.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: We have no objection to the proposed amendment.

THE CHAIRPERSON: I put the question that Clause 31 be amended as proposed.

(Question put and agreed to.)

Clause 31, as amended, agreed to.

Clause 32, agreed to.

Clause 33, agreed to.

Clause 34, agreed to.

Clause 35, agreed to.

Clause 36, agreed to.

Clause 37, agreed to.

Clause 38, agreed to.

THE CHAIRPERSON: Committee chairperson -

MR ARIKO: Madam Chairperson, the committee proposes that Clause 39 is amended in subclause (1)(f) by inserting the words “and stakeholders” immediately after the word “agencies”.

The justification is to give relevant stakeholders the opportunity to be consulted before establishing the national energy efficiency and conservation database.

THE CHAIRPERSON: Shadow minister -

MR NIWAGABA: Madam Chairperson, since this is a law that will affect the public, it is important that the public is involved, rather than consulting only Government agencies. Therefore, we support the proposal.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, the Government is a very consultative one. Everything we do, we do through consultation. I am very happy to add to that, but we are going to do it anyway; we will add it for avoidance of doubt.

THE CHAIRPERSON: I put the question that clause 39 be amended as proposed.

(Question put and agreed to.)

Clause 39, as amended, agreed to.

Clause 40, agreed to.

Clause 41, agreed to.

Clause 42

THE CHAIRPERSON: Committee chairperson.

MR ARIKO: Madam Chairperson, the committee proposes that Clause 42 is amended

in the headnote by deleting the word “specified” and wherever it appears in the clause. The justification is to broaden the scope for the minister to regulate all the energy consuming products.

THE CHAIRPERSON: Shadow minister -

MR NIWAGABA: Well, we hadn’t discussed it, but since we are talking about regulating anything to do with what brings inefficiency in energy consumption, I have no objection.

THE CHAIRPERSON: Thank you. Yes, Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, everything that we are going to use is energy-consuming. However, the public needs to know what is regulated. If you say that a person shall not deal or use any of these products without a license, it becomes difficult. The purpose of this is to say, we are going to regulate a few at a time, and it is only those that are specified that you shall not deal in.

Also, it is important because you need to specify them in time to allow the people to change - certain kettles, certain flat irons. So, if you say all at the same time, the coming into force of this product will affect all. For example, if the minister commences this section, then it will affect all energy-consuming products, yet here, there is a responsibility of the minister to first specify what exactly they are regulating. It is a good clause. We will get there eventually, but it allows organic growth in the ministry.

I propose that Clause 42 do stand as it is in the Bill. I beg to submit.

THE CHAIRPERSON: Honourable minister -

MR OKAASAI: I concur with the Attorney-General because you cannot bring it into an omnibus regulation. It should be selective and continually getting us to where we would wish to be. This is a growing economy.

THE CHAIRPERSON: Shadow minister -

MR NIWAGABA: It was not my amendment but I have no objection to what the Attorney-General has -

MR ARIKO: Madam Chairperson, whereas the honourable minister was in his original state with us and has quickly shifted, I concede so that I follow him where he is.

THE CHAIRPERSON: I put the question that Clause 42 stands part of the Bill.

(Question put and agreed to.)

Clause 42, agreed to.

Clause 43

MR ARIKO: Madam Chairperson, in light of the explanation given by the learned Attorney-General, we would like to drop the proposal on clause 43.

THE CHAIRPERSON: Clause 43 stands part of the Bill. I put the question that clause 43 stands part of the Bill.

(Question put and agreed to.)

Clause 43, agreed to.

Clause 44, agreed to.

Clause 45

MR ARIKO: Madam Chairperson, we propose that Clause 45 be amended by substituting the word “five” with the word “ten”.

The justification is to make the punishment more deterrent.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 45 be amended as proposed.

(Question put and agreed to.)

Clause 45, as amended, agreed to.

Clause 46

(Question put and agreed to.)

MR ARIKO: Madam Chairperson, whereas the committee had a proposal under Clause 46 –

Clause 46, as amended, agreed to.

- (a) Clause 46(a) still, in light of the learned Attorney-General's explanation, is conceded on our part;
- (b) we propose an amendment under 46(b) by inserting the words "or manufacturers" immediately after the word "imports"; and
- (c) by substituting for the word "ten".

*Clause 47, agreed to.**Clause 48, agreed to.**Clause 49, agreed to.*

The justifications are to broaden the ambit of the Act and the regulation, and two, to widen the scope of the provision by including manufacturers.

Clause 50

MR KIRYOWA KIWANUKA: The problem with that, Madam Chairperson, is that if the manufacturer is outside the country, because this clause is dealing with illegal importation of goods. So, that means we are already alive to the fact that the person who is manufacturing the product is outside our jurisdiction because we are importing this product.

MR NIWAGABA: Madam Chairperson, we are proposing an amendment on Clause 50(1) by substituting the words "The Minister may, in collaboration with the Ministry responsible for education..." with the words "The Ministry responsible for Education may, in collaboration with the Minister".

The justification is that the mandate of integrating energy efficiency and conservation concerns into the National Education Curriculum is with the Ministry responsible for Education, which can only do so in consultation with the minister under this Act.

So, if you add "manufacturer", then you put an onerous burden on the Government to try and prosecute a person who is outside the jurisdiction – I propose that Clause 46 do stand as part of the Bill.

MR KIRYOWA KIWANUKA: I agree, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 50 be amended as proposed by the Shadow Attorney-General.

MR NIWAGABA: I agree with the Attorney-General because this particular clause is about importation of energy consuming products, not manufacturing. Maybe I can only concede to the Chairperson's proposal to increase the fines from ten thousand currency points since it has been the trend.

*(Question put and agreed to.)**Clause 50, as amended, agreed to.*

MR KIRYOWA KIWANUKA: I concede to that amendment, to increase the penalty.

Clause 51

MR OKAASAI: I concur with what the Attorney-General has put on the Table.

MR NIWAGABA: Madam Chairperson, we propose to amend Clause 51(5) by substituting the words "The minister shall, in consultation with the minister responsible for finance" with the words "The minister responsible for finance shall, in consultation with the minister".

THE CHAIRPERSON: I put the question that Clause 46 on penalties be amended as proposed.

The justification is that the mandate of making regulations on inclusion of energy efficiency in sustainable public procurement for products related to the consumption of energy should be

with the Minister for Finance since he is the only one who can do so in consultation with the minister under this particular Bill.

MR KIRYOWA KIWANUKA: That is correct, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 51 be amended as proposed.

(Question put and agreed to.)

Clause 51, as amended, agreed to.

Clause 52, agreed to.

Clause 53, agreed to.

Clause 54

MR ARIKO: Madam Chairperson, Clause 54 is part of the harmonised position with the learned Attorney-General.

MR NIWAGABA: Madam Chairperson, we are proposing to amend Clause 54(1) by inserting after the word “instrument” the words “and with the approval of Cabinet”.

The justification is, this particular area is going to affect every Ugandan and we would want the cabinet to approve the statutory instruments issued by the minister so that the interests of all Ugandans are taken care of.

MR KIRYOWA KIWANUKA: We agreed on this position, Madam Chairperson. The committee and the members did explain to us the extent of the reach of this kind of Bill and did not want to leave it in one particular sector. They wanted the whole of the Government approach and we agreed to it.

THE CHAIRPERSON: I put the question that Clause 54 be amended as proposed.

(Question put and agreed to.)

Clause 54, as amended, agreed to.

Clause 55, agreed to.

Clause 56

MR NIWAGABA: Madam Chairperson, in Clause 56, we are proposing to substitute the words, “notwithstanding any provision of this Act”, with the words “subject to section 1”.

Why have we done that? This is because all the amendments we have proposed in clause 1, we want to ensure that one year starts running after the commencement of each provision. Therefore, depending on when the commencement date starts, it should be effective a year after.

MR KIRYOWA KIWANUKA: That is the harmonised position, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 56 be amended as proposed.

(Question put and agreed to.)

Clause 56, as amended, agreed to.

The First Schedule

THE CHAIRPERSON: I put the question that the First Schedule stands part of the Bill.

(Question put and agreed to.)

The First Schedule, agreed to.

The Title

THE CHAIRPERSON: I put the question that the Title stands part of the Bill.

(Question put and agreed to.)

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

8.40

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (ENERGY)

(Mr Sidronius Okaasai): Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House resumes and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

8.40

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (ENERGY) (Mr Sidronius Okaasai): Madam Speaker, I beg to report that the Committee of the whole House has considered a Bill entitled “The Energy Efficiency and Conservation Bill, 2024” and passed it with amendments.

MOTION FOR THE ADOPTION OF THE
REPORT OF THE COMMITTEE OF THE
WHOLE HOUSE

8.41

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (ENERGY) (Mr Sidronius Okaasai): Madam Speaker, I beg to move that the Report from the Committee of the whole House be adopted.

THE SPEAKER: I put the question that the Report from the Committee of the whole House be adopted by this august House.

(Question put and agreed to.)

Report adopted.

BILLS
THIRD READING

THE ENERGY EFFICIENCY AND
CONSERVATION BILL, 2024

8.42

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (ENERGY) (Mr Sidronius Okaasai): Madam Speaker, I beg to move that the Bill entitled, “The Energy Efficiency and Conservation Bill, 2024” be read the third time and do pass.

THE SPEAKER: I put the question that “The Energy Efficiency and Conservation Bill, 2024” be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED,
“THE ENERGY EFFICIENCY AND
CONSERVATION ACT, 2026”

THE SPEAKER: Title settled and the Bill passed. Congratulations, Committee chairperson.

MR ARIKO: Madam Speaker, I would like, on behalf of the committee, to extend our sincerest thanks to you, the learned Attorney-General, the Honourable Minister, the learned Shadow Attorney-General, and all of you colleagues and Members of my committee for a very good job done; we appreciate.

During this process, I have learned that even when you hit turbulence, when you persist, you definitely reach ashore. Most importantly, I have learned from the minister that even when you have been able to have a common position, in politics, the position can shift immediately the circumstances are different. *(Laughter)* Once again, I appreciate and thank you all, honourable members.

THE SPEAKER: Thank you. The honourable minister wants to say something.

MR OKAASAI: Madam Speaker, I wish to appreciate you and more so the Attorney-General and the Shadow Attorney-General, the committee, then my technical staff who actually persisted that we had to deliver this, and most importantly, you, the House, for actually persevering, sitting in here up to this time. Thank you very much.

THE SPEAKER: Thank you. Special thanks go to the Shadow Attorney-General, and the real Attorney-General, and the committee.

Honourable members, next item.

BILLS
SECOND READING

THE MAGISTRATES COURTS
(AMENDMENT) BILL, 2026

THE SPEAKER: Do you still have the stamina? Honourable members, the Magistrates Courts (Amendment) Bill, 2026, was read for the first time on Thursday, 12 March 2026, and referred to the Sectoral Committee on Legal and Parliamentary Affairs.

The Committee has considered the Bill, and it is ready to report. Pursuant to Rule 136(1) of the Rules of Procedure, I will invite the Minister of Justice and Constitutional Affairs to move the motion for the second reading of the Bill.

8.46

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Thank you very much, Madam Speaker.

Madam Speaker, in accordance with Rule 136 of the Rules of Procedure of Parliament -

THE SPEAKER: He says you are an aspiring Speaker.

MR KIRYOWA KIWANUKA: I beg to move that the Bill entitled, “The Magistrates Courts (Amendment) Bill, 2026” be read a second time. I do submit.

THE SPEAKER: Is it seconded? Okay, it is seconded by Hon. Oboth, Hon. Musasizi, Hon. Rita Atukwasa, Hon. John Teira, Hon. Acen, Hon. Juliet Achayo, - I am now mentioning the lawyers – Hon. Asuman Basalirwa, and the whole House.

Justify your motion.

MR KIRYOWA KIWANUKA: Madam Speaker, this is a Bill to increase the pecuniary jurisdiction of magistrates courts in order to extend and reduce backlog, but also to extend the services further to the people.

Madam Speaker, we now have a chief magistrate in every district, and we are working on getting a magistrate grade one in every constituency. The purpose of the Bill is to also abolish the position of magistrate grade two, which is no longer applicable in our jurisdiction, and to provide for a transitional provision. I beg to submit.

THE SPEAKER: Thank you so much, honourable minister. I am aware that the report from the committee is available and the chairperson of the committee would love to lay it on the Table. Both chairperson and vice chairperson are Basoga.

8.47

THE CHAIRPERSON, COMMITTEE ON LEGAL AND PARLIAMENTARY AFFAIRS (Mr Stephen Baka): Madam Speaker, the committee report is ready. It is here duly signed by the requisite number of signatures, and a copy of the minutes is hereby attached. I beg to lay on the Table. Can I proceed to present the report?

THE SPEAKER: There is a motion.

MR BAKA: What is the motion about?

THE SPEAKER: The report has already been justified - there is a motion.

MR EKANYA: Madam Speaker, as the custodian of the Rules - we agreed and have set a very good precedent this afternoon - since most of these reports have been discussed at the committee level, they have been uploaded and Members have read them, I beg to move a motion that the Bill be read for the second time, so that we can go to the Committee Stage, and any other matter that is serious, will be resolved when we are handling it clause by clause.

THE SPEAKER: Seconded? Okay, it is seconded by the Shadow Attorney-General, the Minister of Local Government, Hon. John Teira, Prof. Mushemeza and Hon. Noah; Hon. Florence, Hon. Jacob Oboth, Hon. Musasizi and Hon. Noah Musa. Hon. Nyongore, Hon. Isaac,

Hon. Annet and Hon. Wilson; Dr Ruyonga, Hon. Moses, and Hon. Jennifer. Thank you.

Chief Justice on matters of the administration of justice. I beg to move.

Please capture the report on the *Hansard*. I put the question that the Magistrates Courts (Amendment) Bill, 2026, be read for the second time.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: I have no objection to the proposal.

(Question put and agreed to.)

THE CHAIRPERSON: Shadow minister -

(The report is attached hereto.)

MR NIWAGABA: No objection.

THE CHAIRPERSON: I put the question that clause 2 be amended as proposed.

**BILLS
COMMITTEE STAGE**

(Question put and agreed to.)

**THE MAGISTRATES COURTS
(AMENDMENT) BILL, 2026**

Clause 2, as amended, agreed to.

THE CHAIRPERSON: Please have a seat.

Clause 3, agreed to.

Clause 1

Clause 4

THE CHAIRPERSON: I put the question that Clause 1 stands part of the Bill.

MR BAKA: Madam Chairperson, the committee proposes to amend clause 4, which is a substitution of Section 4 of the principal Act in the following terms: For clause 4, there is substituted the following -
“4. Appointment of magistrates

(Question put and agreed to.)

Clause 1, agreed to.

(1) There shall be appointed such a number of magistrates of such rank as the Chief Justice shall, in consultation with the Judiciary Council and in accordance with the approved structure of the judiciary, determine;

Clause 2

8.49

THE CHAIRPERSON, COMMITTEE ON LEGAL AND PARLIAMENTARY AFFAIRS (MR STEPHEN BAKA): Madam Chairperson, the committee proposes to amend clause 2, which is the amendment of Section 2 of the principal Act in the following terms-

(2) Magistrates shall be of the following ranks;
(a) Chief Magistrate, and
(b) Magistrate.

Clause 2 of the Bill is amended in the proposed Section 2 by inserting, immediately before the words “by statutory instrument,” the words “acting on the advice of the Judiciary Council.”

(3) The power and jurisdiction of a Chief Magistrate or a magistrate shall be the powers and jurisdiction vested in a Chief Magistrate or Magistrate under this Act and any written law.”

The justification is that this is to require the Chief Justice to be advised by the Judiciary Council in designating magisterial areas and magistrates courts in compliance with Section 5(d) of the Administration of the Judiciary Act. The Judiciary Council is mandated to advise the

Justification

i) To remove unnecessary administrative details from the law, such as the reference

to the Judicial Service approved structure and establishment.

- ii) To create checks and balances in the designation of magisterial areas and determining the number of magistrates by the Chief Justice, by requiring the Chief Justice to be advised by the Judiciary Council in determining the number of magistrates. The Judiciary Council is mandated to advise the Chief Justice on matters of administration of justice as provided in Section 5 of the Administration of the Judiciary Act; and
- iii) To clarify on the exercise of jurisdiction and powers of magistrates in light of the abolition of magisterial classification. I beg to move.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, we have no objection to the redraft.

THE CHAIRPERSON: Shadow minister -

MR NIWAGABA: We concur.

THE CHAIRPERSON: I put the question that clause 4 be amended as proposed.

(Question put and agreed to.)

Clause 4, as amended, agreed to.

Clause 5, agreed to.

Clause 6, agreed to.

Clause 7, agreed to.

Clause 8

MR BAKA: Madam Chairperson, the committee proposes to amend clause 8, which is an amendment of Section 173 of the principal Act, in the following terms: For clause 8, there is substituted the following -

“8. Repeal of Section 173 of the principal Act-
Section 173 of the Principal Act is repealed.”

The justification is that Section 173 of the principal Act requires sentences of two years and above passed by Grade I magistrates to be confirmed by the High Court. The Bill proposes to increase the sentences from two to six years.

The committee proposes to delete Section 173 entirely instead of amending it as proposed in the Bill, since the provision is redundant, owing to the existence of other remedies available to a convicted person in form of appeal or the inherent power of the High Court to revise sentences, which can be used to remedy any issues arising from the sentences imposed by Grade I magistrates.

The provision also contributes to the case backlog in the High Court, as it saddles it with additional unnecessary work and erodes the judicial independence of magistrates Grade I by subjecting the decisions of the magistrates courts to confirmation by the High Court.

The section is a colonial position, which was proposed to review decisions of magistrates because at that time magistrates courts were presided over by lay members of society with little or no legal training. I beg to move.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: Madam Chairperson, we welcome this. We agree that it will reduce unnecessary work. If a person is not happy with the sentence, they may as well appeal. Why go through the process of confirmation and then go to the appeal, or ask for revision or review? We agree with the committee’s recommendation.

THE CHAIRPERSON: Thank you. Shadow minister?

MR NIWAGABA: Madam Chairperson, this has been one of the redundant provisions in the law. There is no evidence that it has ever even been applied by the High Court.

THE CHAIRPERSON: Thank you. I put the question that clause 8 be amended as proposed.

(Question put and agreed to.)

Clause 8, as amended, agreed to.

Clause 9

MR BAKA: Madam Chairperson, clause 9 is an amendment of Section 203 of the principal Act, and the committee proposes as follows:

For clause 9, there is substituted the following-

“9. Amendment of Section 203 of the principal Act

Section 203 of the principal Act is amended as follows:

- (a) In subsection (1), by repealing paragraph (b);
- (b) In subsection (4), by repealing paragraph (b);
- (c) By repealing subsection (5); and
- (d) By repealing subsection (6).”

The justification is that this is a consequential amendment arising from the abolition of magistrate Grade II courts. I beg to move.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, we have no objection. It is a consequential amendment to the abolition of Grade II Magistrates Courts.

THE CHAIRPERSON: Shadow minister -

MR NIWAGABA: Once a Grade II, always a Grade II. We are lucky, they have been abolished.

THE CHAIRPERSON: I put the question that clause 9 be amended as proposed.

(Question put and agreed to.)

Clause 9, as amended, agreed to.

Clause 10

MR BAKA: Madam Chairperson, clause 10 is an amendment of Section 206 of the principal Act, and the committee proposes that clause 10 is amended as follows:

- a) In paragraph (a), by substituting for the words “five thousand”, the words “ten thousand”;
- b) In paragraph (b), by substituting the words “two thousand five hundred”, the words “five thousand”;
- c) By inserting, immediately after paragraph (c), the following -
- d) By inserting, immediately after (1), the following:

“(1a) The minister may, acting on the advice of the Chief Justice and with the approval of Parliament by statutory instrument, alter the civil jurisdiction of magistrates prescribed under subsection 1(a) and (b).”

The justification is to increase the civil jurisdiction of magistrates courts to bring services closer to the people, enhance access to justice, and reduce case backlog in the High Court by revising the pecuniary jurisdiction from Shs 100 million or Shs 50 million, as proposed in the Bill, to Shs 200 million for chief magistrates and Shs 100 million for other magistrates. The amounts proposed in the Bill are too low to result in any significant reduction in the case backlog at the High Court.

The other justification is to empower the minister to increase the jurisdiction of magistrates courts with the approval of Parliament to respond quickly to changes in matters that affect the pecuniary jurisdiction of courts. I beg to move.

MR KIRYOWA KIWANUKA: Madam Chairperson, we have consulted with the Chief Justice on this matter, and the Chief Justice actually agrees that the pecuniary jurisdiction be increased to that level. We welcome that, and we have no objection to that amendment.

Secondly, we welcome the amendment that allows the minister to do the amendment through a shorter process than an ordinary amendment to an Act of Parliament. Therefore, we have no objection to the proposed amendments to clause 10.

MR NIWAGABA: Madam Chairperson, these are progressive provisions, and I support them wholeheartedly.

THE CHAIRPERSON: Hon. Wilson, do you have something to say?

MR KAJWENGYE: Thank you, Madam Chairperson. I have listened to the learned Attorney-General justifying the principal intent of this law; to amend the pecuniary jurisdiction of magistrates. The law is progressive but Shs 200 million for a chief magistrate is still awfully too low, considering that we are growing our economy tenfold.

THE CHAIRPERSON: Progressive -

MR KAJWENGYE: Progressive - so, why don't we cap it at Shs 300 million for a chief magistrate? For one to be a chief magistrate, they must be very well learned and schooled. Really, that is not asking for too much. I think Shs 100 million or Shs 200 million is awfully too low considering the rate at which our economy is growing. You might not cure the backlog as you had actually intended. I propose that we put it at Shs 300 million.

MR KIRYOWA KIWANUKA: Madam Chairperson, the decision to concede to this position is based on empirical data received from the Judiciary but we are happy to increase it if we have the data to support it.

However, the committee has proposed a very good solution. If tomorrow we found that it needed to increase to Shs 300 million, as the Member proposed, then the minister can come back with a statutory instrument to Parliament. We do not have to go through the entire process. Otherwise, we need to back these decisions with empirical data to be able to arrive at the

correct answer. I propose that the committee's proposal on this amendment be adopted by the House.

THE CHAIRPERSON: Thank you. I put the question that clause 10 be amended as proposed.

(Question put and agreed to.)

Clause 10, as amended, agreed to.

Clause 11

MR BAKA: Madam Chairperson, clause 11 is an insertion of Section 217(a) in the principal Act. Clause 11 is amended in the proposed 217(a) in the following terms:

- a) In the proposed (1), by inserting the words "for just cause" immediately after the word "motion";
- b) In the proposed paragraph (b)(i), by inserting immediately after the word "magistrate" appearing in the last line, the words, "in the same court or magisterial area"; and
- c) By substituting for the proposed paragraph (iii) the following: "(iii) Transfer it to another magistrate in the same court or magisterial area for trial or disposal."

Justification

To harmonise the provision with the supervisory powers of the chief magistrate by limiting the powers of the chief magistrates to transfer or withdraw matters in the same court or magisterial areas.

The second justification is that in subparagraph(iii), to remove the option of returning a matter withdrawn from a magistrate from being returned to the same magistrate for trial since it would defeat the intention of withdrawing the matters in the first place, especially if the withdrawal is on application of a party to the matter. I beg to move.

MR KIRYOWA KIWANUKA: Madam Chairperson, we do welcome the proposed amendments by the committee save for the issue of withdrawal. In this process when we start cleaning up the courts and moving matters from one magisterial area to another, a file falling outside that pecuniary jurisdiction could be moved and if it cannot be taken back, it will remain in purgatory.

The purpose of this provision is that should there be an administrative error in determining a jurisdiction, for instance, if you move a file from, say, the High Court and place it in the magistrates court because for one reason or another someone thinks the pecuniary jurisdiction is actually Shs 200 million, but when you get before the magistrates court, you find that the pecuniary jurisdiction is actually Shs 500 million - if that file cannot be withdrawn and taken to the correct jurisdiction, we have no administrative provision here.

Therefore, that will burden the litigant to go and have to make long and unnecessary applications. This administrative remedy should be left to the court to withdraw and return in case they find that error happening. For the rest of the provisions, we have no problem with the proposed amendments.

MR NIWAGABA: Madam Chairperson, I do not think the Attorney-General has appreciated the committee's proposed amendment. The committee supports the power of withdrawal by the chief magistrate. The only area that could have been of concern is if a chief magistrate withdraws a file from a magistrate and transfers it to himself or to another magistrate; what the committee is proposing is that the chief magistrate should not again call for that file from that other magistrate to the one from whom it was withdrawn.

We would want, if a chief magistrate has withdrawn a file from a particular magistrate within his magisterial area, that he should either try it or give it to another magistrate in the same magisterial area. However, if it is a matter to do with jurisdiction or territorial jurisdiction, this particular provision is okay. It allows him those wide powers.

MR KIRYOWA KIWANUKA: Madam Chairperson, and Hon. Shadow Attorney-General, I do appreciate what you are saying, and exactly, there are some magisterial areas, which have only a Chief Magistrate and a Grade One Magistrate. Where would they take it? They have nowhere to take it. He does not have the jurisdiction because it is probably below his pecuniary jurisdiction.

The issue here is the administrative power of the Chief Magistrate - if there is any problem with the action of the Chief Magistrate, they have a supervisor who is a High Court judge to deal with that.

However, to remove the power of the Chief Magistrate, to withdraw and return would create a bigger problem than we are trying to solve. We do appreciate the concern about why you are withdrawing, but it will happen, especially in this transitional period where - remember, we have just re-demarcated even the geographical jurisdiction of magisterial areas.

We have now changed the pecuniary jurisdiction. This kind of activity is something that you will need to be able to administratively address these issues. I pray colleagues that you do leave that power with the magistrate. What we can do is to ensure that we inform the Judiciary to ensure that it is not abused. But it would be an important administrative function. I beg to submit.

MR BAKA: If the Attorney-General agrees to the first league of transfer within the magisterial area, that is okay. This is one of returning to the same -

THE CHAIRPERSON: Is that okay with him?

MR BAKA: Yeah. The other one of returning to the same magistrate, we just did it because it would defeat the purpose. In case he is insisting that it can be returned to the same magistrate, then, we can -

THE CHAIRPERSON: The other one becomes administrative.

MR BAKA: Yeah.

Clause 16, agreed to.

THE CHAIRPERSON: Okay. I put the question that clause 11 be amended as proposed by the committee and further amended by the Attorney- General.

(Question put and agreed to.)

Clause 11, as amended, agreed to.

Clause 12, agreed to.

Clause 13

MR BAKA: Clause 13, Madam Chairperson, is an amendment of section 219 of the principal Act. For clause 13, the following is substituted –

“Amendment of section 219 of the Principal Act.

Section 219 of the Principal Act is amended-

(a) In subsection (1), by repealing paragraph (b).

(b) By repealing subsection 2.

Justification

The repeal of paragraph (b) of subsection (1) renders subsection (2) relating to powers exercisable by the magistrates grade two redundant and therefore must be consequently amended, hence the repeal of subsection (2).

I beg to move.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: It is a consequential (amendment). We have no objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that Clause 13 be amended as proposed.

(Question put and agreed to.)

Clause 13, as amended, agreed to.

Clause 14, agreed to.

Clause 15, agreed to.

Clause 17

MR BAKA: Madam Chairperson, clause 17 is on transitional provisions. Clause 17 is amended by inserting immediately after the proposed subsection (2), the following:

“(a)The Chief Justice shall issue practice directions on the transfer of causes referred to in subsections (1) and (2).”

The justification is to empower the Chief Justice to guide the court in the transfer of civil matters.

I beg to move.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: The Chief Justice already had the powers, but there is no problem emphasising it here. We have no objection to that.

THE CHAIRPERSON: I put the question that clause 17 be amended as proposed.

(Question put and agreed to.)

Clause 17, as amended, agreed to.

The Title

THE CHAIRPERSON: I put the question that the Title stands part of the Bill.

(Question put and agreed to.)

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

THE CHAIRPERSON: Honourable minister?

9.13

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House resumes and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

THE SPEAKER: Honourable minister?

9.13

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, the Committee of the whole House has considered the Bill entitled, “The Magistrates Courts (Amendment) Bill, 2026” and passed it with amendments.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE OF THE
WHOLE HOUSE

THE SPEAKER: Honourable minister -

9.14

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, I move that the report of the Whole House be adopted.

THE SPEAKER: I put the question that the report of the Committee of the Whole House be adopted by this House.

(Question put and agreed to.)

BILLS
THIRD READING

THE MAGISTRATES COURTS
(AMENDMENT) BILL, 2026

THE SPEAKER: Honourable Minister -

9.14

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, I move that the Bill entitled, “The Magistrates

Court (Amendment) Bill, 2026” be read the third time and do pass.

THE SPEAKER: Thank you. I put the question that “The Magistrates Court (Amendment) Bill, 2026” be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT TITLED “THE
MAGISTRATES COURTS (AMENDMENT)
ACT 2026”

THE SPEAKER: The Title is settled, and the Bill has been passed. *(Applause)* Thank you so much, honourable members, and congratulations. Thank you for the work today.

It was rather on a sad note that the father of the late Rt Hon. Jacob Olanya passed on. He passed on Eid Day, and we will lay him to rest on the 31st. May we stand up and observe a moment of silence.

(The House rose and observed a moment of silence.)

THE SPEAKER: Honourable members, I request you to create some time and join the family on the 31st, for the send-off of our old man; that is our father. A father to one of us is a father to all of us. I request you to contribute either financially, morally, or spiritually. Please, join the family in Omoro for the burial.

I now adjourn the House to 1 April 2026, when we will be receiving the Tax Bills and the budget estimates. Have a blessed evening.

(The House rose at 9.16 p.m. and adjourned until Wednesday, 1 April 2026, at 2.00 p.m.)

