



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

FOURTH SESSION - 23RD SITTING - FIRST MEETING

Wednesday, 2 October 2024

Parliament met at 1.58 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 commend the dedication that you put in work in this Parliament and respective committees. As you are aware, the first meeting of the fourth session is soon coming to an end. And as the electoral roadmap gets busier, we have to improve our efficiency and effectiveness in order to balance between the Parliamentary role and responsibilities and the increasing electoral demands. Time is going to come when almost nobody is here.

Honourable members, in the spirit of deepening, widening and tightening the East African Community, the East African Legislative Assembly holds its sittings in different countries. They alternate, and this time, we shall be hosting them. They will be sitting here from 20th October to 12th November. I urge you, if you have the time, and you are not busy with the committees or with the voters, to come to the gallery and also taste the plenary this time and watch their proceedings. We would like to accord them the best hospitality. I welcome all of you and thank you for coming.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSION, STATUTORY AUTHORITIES, AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL, ON THE FINANCIAL STATEMENTS OF THE UGANDA REVENUE AUTHORITY - CORPORATE SERVICES

MR NIWAGABA: Thank you, Madam Speaker. The point of procedure I am raising is with respect to matters of national importance. Some of us approached your office and recorded our matters and it appears they are not on the Order Paper yet we thought we would be given time and the chance to air them out.

THE SPEAKER: Hon. Wilfred, kindly bear with us, we will give you time tomorrow when the Prime Minister is here. As you look at the Frontbench – we have many reports from accountability committees. Maybe this takes me back to accountability committees, I have received reports and I am giving you a deadline of Thursday next week for all the reports or else, we shall adopt them omnibus and you know what it means. Where is your Chairperson of the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises)? Can I have the Chairperson of COSASE?

2.04

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Madam Speaker, there are some things which need urgent attention, like the one I am going to say.

Yesterday, we saw the Uganda Registration Services Bureau (URSB) directing that - of course, this is an ongoing process and even people might be in church now, suggesting and directing that they are not going to legalise any marriage unless you have a national identification card -

Our beliefs are different, for example, a Catholic like me, I am baptised, and I went for my confirmation -

THE SPEAKER: First of all, you withdraw the word UNBS because it is URSB.

MR SSEWUNGU: URSB, Madam Speaker, I seek your indulgence. As we speak, in our constituencies, people are going through customary marriage and it does not require anything like that. We want the minister to come and tell us what they intend to cure. Most of our national IDs are expired, but they have our National Identification Numbers (NIN) that make them somehow legitimate.

Therefore, when you make such a declaration - the church is complaining, everybody is saying we are waiting. Why do you want Hon. Ssewungu, a Catholic, with my baptism card - I had my confirmation. Muslims also have their belief; to have my national identification card to register my marriage - we need to know what they are trying to cure. It needs urgent attention and marriages are going on. Are they legitimate or null and void?

THE SPEAKER: Government -

2.06

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, I will request the Minister of Gender, Labour and Social Development to inform the House if she has some information concerning this. If not, we will make a statement over that matter by the Minister of Constitutional Affairs who is in charge of the URSB.

THE SPEAKER: Can we have a statement tomorrow, because some people intend to get married? *(Laughter)*

MR BAHATI: The Minister of Justice and Constitutional Affairs will make a statement tomorrow about this particular matter.

THE SPEAKER: Hon. Lee -

2.07

MR DENIS OGUZU (FDC, Maracha County, Maracha): Thank you, Madam Speaker. Various statutes in this country, including the Administration of Parliament Act, provide for annual reports and the law says by 30th of September, Ministries, Departments and Agencies (MDAs) including the Parliamentary Commission, should have brought to this House the annual report of the preceding financial year.

As of now, a number of these entities have not complied with the law. For the Government to function effectively, we should be able to have an enabling regulatory framework and ensure that the regulatory frameworks are put to use.

Madam Speaker, information becomes critical in decision-making and that information can be accessible to Members of Parliament as representatives of the people if they are laid and we scrutinise them and identify gaps to resolve the issues at hand.

Several times, we make requests for information and the laws stipulate what should be done and there is no compliance. An example is when we were processing the budget for this financial year. I made requests for procurement and policy statements of Parliament. I went to the library, but I did not find that information. I came and wrote to the Clerk, but I did not get it.

I eventually wrote to the Speaker under the access to information provision so that I could be facilitated to do my work, but still, I did not get that information. Eventually, I received feedback from the Clerk that this information is now with the Ministry of Finance, Planning and Economic Development.

Rule 227 of the Rules of Procedure of the Parliament of Uganda provides for a record of Parliament. It states that the Clerk shall be the

custodian of all records of Parliament and all documents laid here. If I, as a Member, cannot be able to access these documents to facilitate myself, how about the rest of the Ugandans who are making requests?

Yet the law provides that every Ministry, Department and Agency (MDA) must report to Parliament on how they have complied with access to information.

Therefore, I would like to seek your indulgence at this point that you move or exercise your mandate under rule 232 to direct that the Parliamentary Commission brings the annual report of Parliament here for our inspection and examination. And all MDAs that have not supplied Parliament with the annual reports must bring them here.

Secondly, I request you direct that I should be availed with the record of Parliament that relates to the policy statements of the Parliament of Uganda so that I can make necessary examination and scrutiny. Those powers are provided for under the rules, I pray you permit me to exercise them. Thank you.

THE SPEAKER: Thank you.

2.11

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, most of the reports are submitted to the House during the budgeting process. We get a lot of information regarding policy and certificates, to be able to fulfil the requirements of the law.

However, if what the honourable member is raising has not been complied with, we shall go back, audit ourselves regarding that particular matter and comply with the law.

THE SPEAKER: Yes, and provide the House with the reports. The committee chairperson, PAC-COSASE, you were on the Floor.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS ON COMMISSIONS, STATUTORY AUTHORITIES, AND STATE ENTERPRISES ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE UGANDA REVENUE AUTHORITY (CORPORATE SERVICES) FOR THE FINANCIAL YEAR ENDED 30 JUNE 2023

THE SPEAKER: Yes, procedure?

MR SSEKIKUBO: Thank you, Madam Speaker. I rise on the point of procedure. As you might be aware, I am a lead petitioner of 186 members of this your House, who appended their signatures for the motion. The motion was duly submitted through the Clerk. A notice was issued and according to the rules, at that point, it was self-executing so that within 14 days, that matter could be on the Order Paper and for the debate.

We came to know of certain interventions – (*Hon. Basalirwa rose*) - I rose on procedure, honourable Member.

THE SPEAKER: It is okay, you will respond to what he says; let him continue with a point of procedure.

MR SSEKIKUBO: I did not expect Hon. Basalirwa to jump up when he is well – Madam Speaker, after the mandatory 14 days. We were made to know that certain interventions happened, where some individuals went to court. Indeed, a copy of the ruling was made available.

However, in the correspondences that followed, we requested as petitioners to sever the areas that were considered *res judicata*. On top of that, we expected that the matter would be placed on the Order Paper so that you may rule against us.

We do not say that we must win this but the matter had to be put on the Order Paper and captured by the *Hansard*, then you make a

ruling. Madam Speaker, you can only rule while you are chairing because that is where you derive your mandate over this august House.

The procedural point I am raising is that having gone through all that and a third of your Members, even if they are unreasonable or did not understand much, but there is a point of concern about corruption. They want that matter debated by this House.

They want to have the opportunity to remove the Commissioners on other grounds, let alone the Service Award. Misconduct, misbehaviour incompetence, irregular recruitment and indeed, you have other matters that we took into consideration -

THE SPEAKER: Hon. Ssekikubo, can you finish?

MR SSEKIKUBO: That was involving having fictitious trips made by some of the Members of this House. Are we procedurally right to receive a letter purportedly giving a ruling yet you have never sat in the chair, the matter has never been cause-listed or put on the Order Paper so that you rule on a matter, which is captured by the *Hansard*?

This matter was competently supported by Members of this House. Are we procedurally right for us to receive a correspondence purporting to be a ruling, yet we know that you have never chaired the matter on the Order Paper and captured by the *Hansard*? Even if, at that point, you ruled against the motion, it would be fine. However, this has never been done. Therefore, what ruling was being made and on what? It is the matter I want to raise.

THE SPEAKER: Okay, you have finished - Hon. Fox, Hon. Okiror and Hon. Basalirwa.

2.16

MR FOX ODOI-OYWELowo (NRM, West Budama North East County, Tororo): Thank you, Madam Speaker. Over the last one month, I have attentively listened to my brother, Hon. Ssekikubo, make the same submissions,

day in and day out – (*Laughter*) - I think we owe this country a duty to stick to the rule of law.

Hon. Ssekikubo says the matter he is raising has been a subject of contestation in court. He also says -

THE SPEAKER: He says we should sever.

MR ODOI-OYWELowo: ...that there is a judgment and an order of court. The effect of a matter going to court is that it extinguishes the mandate of this institution to deal with it anymore. The effect of a court order is that every citizen, all and sundry, must respect it. Even when you do not agree with the court order, you have a duty to respect it.

Court orders are issued in *rem jurisdiction* to the world; they are not issued to individuals. The institution of Parliament is under duty to respect a court order, even when you have fundamental disagreements with it.

There is a method of dealing with court orders when you do not agree with them. You apply for revision, review or appeal. When you are not a party, you apply to be joined as one.

So, Hon. Ssekikubo is wasting parliamentary time.

Madam Speaker, I beg that we put this matter to rest. (*Applause*) Thank you.

THE SPEAKER: Thank you. Honourable members, I read the *Hansard*, where the presiding officer handled this issue exhaustively. (*Applause*) The presiding officer made a ruling on this issue yesterday. I was watching and I have also read the *Hansard*. We can still give the *Hansard* to our brother, Sseki. Sseki, I do not know why you should insist on this thing. You can have better ways of handling – and, as I have told you, we are late because of this kind of interruption.

Today, Hon. Ssegona has 10 reports from the Committee on Public Accounts (Commissions, Statutory Authority and State Enterprises). If

we are going to do this, we may not finish work this session.

Hon. Okiror, do you have something to say?

2.20

MR BOSCO OKIROR (NRM, Usuk County, Katakwi): Thank you, Madam Speaker. I agree with the submission of my learned colleague, Hon. Fox. However, very importantly, when we set down the rules of procedure, these are handmaids of justice. They are supposed to guide us on how we conduct business.

I would like to agree that, one; there is a decision that has been made by the presiding officer in this House. However regular or irregular the decision can be, there is a decision that has been taken on that Chair.

What is very important for us to note, Madam Speaker – and I seek your indulgence on this. I would like to help my senior colleague, Hon. Ssekikubo. Fortunately, at the time he was doing law, I happened to be his supervisor. *(Laughter)*

So, Madam Speaker, the combativeness that you see in Hon. Ssekikubo is partly what I taught him, but not to the level that it has now reached. *(Laughter)* I want us to appreciate Rule 87 of the Rules of Procedure. I want to read it verbatim: *“The decision of the Speaker or Chairperson on any point shall not be open to appeal and shall not be reviewed by the House...”* I want us to lay more emphasis on this particular part: *“... except upon a substantive Motion made after notice.”*

So, if a decision has been made by the presiding officer and my senior colleague, Hon. Ssekikubo - my student – I would like to use this platform to guide that: Can we move by the second leave? If they have an issue and they are still aggrieved with the decision of the presiding officer, they can bring a substantive motion. I think that would be in conformity with the rules.

I beg to submit, Madam Speaker.

THE DEPUTY SPEAKER: Thank you. Chairperson of COSASE, can you - *(Hon. Ssekikubo rose_)* - No, I have already ruled on that issue.

MR SSEKIKUBO: You allowed Members to cite my name –

THE SPEAKER: I have ruled on that issue.

MR SSEKIKUBO: On this particular issue -

THE SPEAKER: Hon. Ssekikubo?

MR SSEKIKUBO: Yes, my name has been cited; you allowed Members to cite my name. However, on this particular issue, you have not given a ruling on the –

THE SPEAKER: I gave a ruling that the presiding officer made a ruling on this and we cannot move away from that ruling. Can we now go to the next item?

2.23

THE CHAIRPERSON, COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) (Mr Medard Lubega Sseggon): Thank you, Madam Speaker. *(Mr Ssekikubo rose_)* I did -

THE SPEAKER: Hon. Ssekikubo, the same respect I give you – please! Can we move to the next item? Do not push me into a corner. *(Mr Alioni rose_)* Hon. Alioni, I will give you. First, sit down.

MR LUBEGA SSEGGONA: Thank you, Madam Speaker. Yesterday, I did lay the minutes of our proceedings in respect of this report. As guided earlier, I will proceed to read the observations and recommendations.

Madam Speaker, with respect to the observations and recommendations on financial statements, the committee noted over-expenditure and recommended - *(Interjections)*

THE SPEAKER: Hon. Ssegona, continue.

MR LUBEGA SSEGGONA: Thank you, Madam Speaker. The committee recommends that URA's over-expenditure was irregular and the accounting officer's explanation could not absorb the entity. The Permanent Secretary/Secretary to the Treasury (PS/ST), who would have been the right person to sanction the accounting officer, was found to be a member of the URA board and the committee would not find it appropriate for the PS/ST to prevail over this matter. Therefore -

THE SPEAKER: Could you, first, make a correction, that yesterday's report was signed as a draft? Let it be on record that the report that you are laying is now the real report.

MR LUBEGA SSEGGONA: Thank you, Madam Speaker. Yes, we did comply with the presiding officer's instructions to come and lay the right report, which we did.

So, Madam Speaker, the Minister of Finance, Planning and Economic Development should take up the matter in accordance with Section 78(1) of the Public Finance Management Act.

On the growth of the wage bill, the committee recommends that the authority targets a sustainable wage bill growth to further enhance tax administration efficiently.

The committee further recommends a gradual reduction in expenses, and a cap on any expenditure growth to the rate of growth of revenue and entrenched in the financial policies of the authority.

With regard to liquidity position, we make observations and recommend, Madam Speaker, that;

- (i) Management should identify and address the bottlenecks that impede the timely execution of activities.
- (ii) The accounting officer should ensure the activities are rolled over to the subsequent financial year.

- (iii) The finance ministry updates the Programme and Budgeting System (PBS) to support individual activity costing and uploading detailed output budgets.

Madam Speaker, on delivery of services from implemented activities, the committee makes observations and recommendations to the effect that the query be dropped.

On validation of short-term/temporary staff, we recommend that:

- (i) The accounting officer should make good the funds amounting to Shs 0.007 million paid out to retired staff.
- (ii) Management should periodically update employee lists to reconcile the payroll and liaise with other relevant stakeholders to reconcile the payroll and liaisons with other relevant stakeholders to ensure timely access and deletion of affected employees on and from the payroll.

Validation of URA Taxpayer Register Expansion (TREP) Staff;

The committee recommends that management should engage affected staff and relevant authorities to ensure timely updates of staff information to ensure rectification of any inconsistencies on the payroll.

With regard to the review of the entity staff establishment, we recommend that management should expedite resource mobilisation to fill the positions that will have been determined to be relevant.

On change in accounting treatment for non-current assets, we recommend that going forward, the Authority should commence implementation of the policy and that the Entity should ensure that Government assets are revalued and stated in the financial statements at their correct values, which should be depreciated over their useful life.

On the absence of a cost-benefit analysis for consultancy and audit services for the audit of the telecom sector; we recommend that management should ensure that a cost-benefit analysis is always conducted before carrying out major procurements of such magnitude.

On the multi-year commitment without parliamentary approval; we recommend that management should always seek parliamentary approval for the multi-year commitments in compliance with the Public Finance Management Act, 2015.

On delayed completion of procurements within the financial year under review; the committee recommends that management should ensure that solid strategies are put in place to facilitate timely procurements to avoid unnecessary delays.

On assessment of the implementation of the Public Financial Management Systems in Uganda Revenue Authority; we recommend that the management of Uganda Revenue Authority should prioritise compliance with the requirements of the Public Finance Management Systems to improve its performance.

In conclusion, Madam Speaker, the concerns raised by the Auditor-General on the entity are found to be valid. While the issues of concern raised by the Auditor-General on the entity are many, they could be addressed by concerted efforts and commitment to improvement.

Issues such as extreme variance in the Non-Tax Revenue target estimates, under-utilisation of retentions, poor performance of Government warrants, delayed update of the payroll for the different categories of staff, delayed shift to the new accounting treatment for non-current assets, among others, can be addressed to a logical conclusion.

The committee is cognisant of the contributions of external stakeholders and where they fail, or delayed to fulfil their roles that have a bearing on the performance of the entity.

With that, Madam Speaker, I beg to move that Parliament be pleased to adopt our observations and recommendations with gratitude to you.

THE SPEAKER: Thank you, Chairperson of the Committee on Commissions, Statutory Authorities, and State Enterprises (COSASE). Members, you have heard the report from COSASE. Anybody who has a comment?

2.32

MR DENIS OGUZU (FDC, Maracha County, Maracha): Madam Speaker, I have comment and it relates to how this document was withdrawn from the House.

We know that Rule 215 of the Rules of Procedure provides a procedure on how documents are withdrawn, especially in a committee. This document was already presented here but we feel that it should have been withdrawn through a process but that process is not clear.

Secondly, this document makes references to laws which, arising from the recent reforms, were amended. So, I do not know how the person who is going to read it subsequently will make a reference to it because references are being made to chapters of laws that have changed and the difficult thing about this, which Ugandans are going to suffer from, is that these laws have been sold. For you to access the new laws, you have to pay for them.

It would, therefore, be important that this problem be addressed so that we can have a document, which is current and was withdrawn in accordance with the rules. I just wanted our learned friend to comment on the implication of these two issues I am raising.

THE SPEAKER: Rule 215 refers to the withdrawal of documents before the committee, not before the House. I am reliably informed that the document was withdrawn and this is a fresh document that is being presented in the House.

Therefore, I do not see any problem with the rule in this aspect. However, the only mistake that was there was merely a draft but the contents were the same – substance over form.

MR OGUZU: I think a precedence has been set here and it shall become part of our rules. If a document has been brought before the House and it is withdrawn, do these rules that apply to the committee also apply to the House?

It would be good for you to set a good precedent so that we shall, going forward, address ourselves to it in the absence of a law. That was the spirit in which I brought that but there is the issue of making a reference to laws that have either changed because of the numbering or because the chapters have changed.

That matter should be addressed so that whoever is going to read this report can make reference to the correct laws. My other concern is that the new laws have been sold to Ugandans, and yet they are supposed to be free. That is already denying access to – so, it is good that the matter is being addressed.

THE SPEAKER: First of all, you should handle one issue at the time. One, on the withdrawal of the documents; you should refer yourself to Rule 31 of the Rules of Procedure, on laying of the papers.

Secondly, if the Speaker made a ruling yesterday, you should have challenged it and yet, you accepted.

Yes, honourable?–

MR SSEGONA: I would like to thank you, Madam Speaker, and my young brother for his enthusiasm in reading the law. Luckily, I have taught the law and I intend to continue doing so. The rule that my brother is quoting has nothing to do with the sitting in the plenary – that is number one.

Number two, I also want to help my brother to know that there is a committee, which supervises Uganda Law Reform Commission in Parliament, that is, the Committee on Legal and Parliamentary Affairs - if he intends to inquire into the exorbitant prices for the revised editions of the laws of Uganda.

Now, for my brother who was not here yesterday, but wants me to apologise, I do not know if he has apologised for either not

having attended or not having been attentive. *(Laughter)* I am happy to continue helping.

THE SPEAKER: Actually, we are looking at the Auditor-General's report, we are not looking at the policy issues. Are we debating the report of Hon. Ssegona now?

MR ODUR: Thank you, Madam Speaker. I am seeking your guidance as the Speaker of Parliament. Thank you for your attention, Madam Speaker.

THE SPEAKER: Just before you go on, Hon. Jonathan Odur, as chairpersons of the committees and clerks of committees, I want you to be very vigilant next time on the reports that are brought to the House. It portrays the kind of Parliament that we are and the people who will come after us should be able to get something that is better. Yes –

MR ODUR: Thank you, Madam Speaker. The guidance that I require from you and if it pleases you, you take time and give the guidance by way of a comprehensive ruling.

The powers conferred upon a Speaker of Parliament provided in the Constitution are exercisable by two subsidiary legislations: the general administration of Parliament where you exercise your power is under the Administration of Parliament Act. When you are exercising your powers as the Presiding Officer, it is provided for under the Rules of Procedure of Parliament.

When you look at all the rules provided from one up to the end, you can only exercise the power when you are properly seated in this Parliament. If, for example, I require you, the Speaker, to approve a trip for me to go abroad, you will exercise that power in your Chambers using powers provided in the Administration of Parliament Act.

Therefore, the procedural matter I am raising is for you to guide whether some of the powers provided for in the Rules of Procedure, which mention the word 'Parliament' - when it says 'Parliament' in the interpretation of the rules,

it means Parliament seated in these chambers. Your rulings and guidance can only, therefore, come when we are in this chamber. When you give those rulings, Madam Speaker, they form part and parcel of the Rules of Procedure of this Parliament.

The procedural matter I am raising with you is if you have already decided that the powers provided that you should decide on this House can be exercised in your Chambers, then why do we, Members of Parliament, be invited to come and sit in this Chamber? Because, for example, if you are processing a Bill, whether you, the Speaker, like the Bill or not, must come and make the decision here.

However, if now the powers in the rules can be exercised in the Chambers, then there is no business for MPs to come and sit here. As the Speaker, you can exercise that and say; on issue A, I have replaced Parliament and this is my decision. Therefore, the procedural matter that I want you, Madam Speaker, to reflect on and guide this House so that the Members of Parliament, including myself, can come knowing I am coming to Parliament to represent the people of Erute South and that privilege cannot be impeached; whether the Speaker likes or not.

In relation to that –(*Interjections*)- I will receive information later, Madam Speaker, is that there are so many motions, Private Members' Bills, statements that have not seen the light of this House and yet it should properly first be received and the decision made from this House. There are Bills, statements and so many others provided in the Rules of Procedure.

Wouldn't it be now right for you to guide that either with disregard the set rules and replace them with - I do not know what - personal statements that you will be issuing every day, before the sitting? Saying: "For today's sitting, these are the rules that I have set as the Speaker of Parliament. Wouldn't it be procedurally right to have that?"

THE SPEAKER: Thank you so much for raising a general concern and we will give you

guidance on that at an appropriate time. Yes, Hon. Elijah?

MR OKUPA: Thank you, Madam Speaker. I would like clarification on this matter. Madam Speaker, looking at the definition of the word "Speaker" in our Rules of Procedure, "Speaker" means "The Speaker of Parliament and includes the Deputy Speaker." That is the definition in our Rules of Procedure.

Yesterday, the Deputy Speaker made a ruling on the matter. I do not know whether it requires - the matter which Hon. Ssekikubo and the team had brought, and I guess that is what he is referring to. Therefore, is it procedurally right, with this definition, to demand that it should be repeated here?

THE SPEAKER: Honourable members, do not drag Hon. Jonathan. I do not want anybody to drag Hon. Jonathan anywhere. I now open the debate on the report. Hon. Jesca?

2.44

MS JESCA ABABIKU (NRM, Woman Representative, Adjumani): Thank you, Madam Speaker, for the opportunity. I want to thank the committee for a comprehensive report. However, I need clarity on the issue of the growing wage – (*Hon. Ssekikubo rose*)

THE SPEAKER: Can you allow her to present?

MR SSEKIKUBO: A small matter of procedure -

THE SPEAKER: No, no, no, Please. Hon. Jesca.

MS ABABIKU: Thank you, Madam Speaker. I am seeking for more clarification – (*Hon. Ssekikubo rose*)

THE SPEAKER: Hon. Ssekikubo, I will give you, please. I will give you. Yes, Hon. Jesca?

MS ABABIKU: Thank you, Madam Speaker. I am seeking more clarification from the committee on the concern over the growing

wage bill. We had a very good debate yesterday on the previous reports and the committee guided us on the value of diversifying sources of revenue.

If we conclude that that is the way forward that means that we need to have more areas, which will demand more points and more staffing, so that we can effectively be able to increase our revenue. Therefore, I would like to know why their interest is in limiting the increasing number of staff so that we have a low wage.

THE SPEAKER: Thank you.

MS ABABIKU: Two, Madam Speaker, on over expenditure – (*Hon. Basalirwa rose*)

THE SPEAKER: Sit down.

MS ABABIKU: On the over expenditure emphasised in this report, I was a member of COSASE two years ago and when we had an interaction with URA, they said that they have issues with limited resources, and yet the Government and Ugandans demand a lot from them.

Therefore, I wish that we have broader engagements between URA and the Ministry of Finance, Planning and Economic Development so that we can handle this matter by increasing money for them to deter them from using money at source. Thank you, Madam Speaker.

THE SPEAKER: Thank you. Is the NTR used at the source? Is the money used at the source?

MR LUBEGA SSEGGONA: We did interrogate this, Madam Speaker. URA has permission to spend some money at source. However, the context and the contest were on the amount spent by URA because of overperformance. On what they termed as over performance – because now entities increasingly pay through URA. URA treated this as its NTR and thereby increased what is available for them to use at source.

During the proceedings, they conceded that it is a matter they need to rectify and they

undertook to do that. Those are the two issues that arose.

THE SPEAKER: Yes. Hon. Rose –

2.48

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you, Madam Speaker. Yesterday, there were a lot of discrepancies on the issue of spending money at source. If we are to say that removing these funds and putting them in the Consolidated Fund will cripple these particular entities, then we will have no money, and yet those who are spending money at source, including Uganda Wildlife Authority (UWA), raised a lot of question marks; a lot of money was swindled.

Therefore, it does not augur well when others collect money and send it to the Consolidated Fund and then others are spending at source. I kindly request that instead of bothering ourselves with a forensic audit, we should allow all entities to put money in the Consolidated Fund and then they put the requisitions we are able to send them. Thank you, Madam Speaker.

THE SPEAKER: Of course, institutions differ. You cannot say that all the institutions should have money sent straight. For example, the Uganda Communications Commission (UCC); you will not say - UCC has a percentage of the money with - the medical stores. Most of these institutions differ. Yes, procedure?

MR BASALIRWA: Madam Speaker, it is conventional in this House and the Commonwealth practice is that the frontbench, that side, is a preserve for ministers. Are we proceeding right by having Hon. Ssekikubo and Hon. Alioni occupying that space and keeping Hon. Mbadi and Hon. Ogwang on the other side at the periphery?

THE SPEAKER: Honourable member, we have a free sitting today. (*Laughter*) Yes, Hon. Godfrey?

2.50

MR GODFREY ONZIMA (NRM, Aringa North County, Yumbe): Thank you, Madam Speaker. I would like to make a comment on

the issue of overspending and let me restrict myself to URA.

The idea that some of these institutions are able to spend at source is meant to facilitate their activities. I wonder if we still continue to notice that there is an over expenditure beyond what is required.

I am seeking clarification from the committee chairperson whether there was no limit within which they are supposed to operate. Although they are allowed to spend at source, I believe there should be a limit and there should be a guideline on which items they are supposed to spend. Thank you

THE SPEAKER: Former committee chairperson, Hon. Godfrey, there is always a limit on how much you should spend.

MR ONZIMA That is why I rose. The committee came up with the view that there was an over expenditure, which means they surpassed their limit. So, when they do that, it means there is a problem. We want to get a clear clarification because the committees will have interrogated.

If they had a specific limit within which they are supposed to spend, why did they go beyond? I have not seen any sanction proposed by the committee in relation to that. That is why I stood up, Madam Speaker. What is the remedy? That has not been brought out clearly. Thank you.

THE SPEAKER: What is your recommendation on overspending beyond the limit of what was given?

MR LUBEGA SSEGGONA: Thank you, Madam Speaker. I thank my brother, Hon. Onzima. First of all, to put it in context, there are two figures for NTR because the permission to spend at source relates to what they are able to collect by themselves as NTR. Now, the policy of the Government has shifted that all collections should go through URA.

Their interpretation is that everything they have collected is NTR to them, which is where we disagreed. After interrogating the issue, we did say, "The committee recommends that URA's over expenditure was irregular."

First, as an observation, the accounting officer's explanation could not absorb the entity. The PS/ST who would have sanctioned the accounting officer is a member of the URA board, which treated this money as part of their NTR. So, that is where we said that the finance minister should take up the matter in accordance with Section 78(1) of the Public Finance Management Act. In other words, we passed over the responsibility to the minister. Why? This is because the PS/ST who supervises accounting officers is a member of the board that treated this money as NTR. Thank you.

THE SPEAKER: Don't we need to find out how much money was overspent? That should have been the responsibility - Did the Auditor-General give us the amount that was overspent?

MR LUBEGASSEGGONA: Yes, the amount, Madam Speaker, was mentioned. Where we mentioned over expenditure of:

- a) A total budget approved of Shs 554.510 billion, Shs 649.41 billion was spent over and above the budgeted amount by Shs 94.896 billion, which is 17 per cent and this was irregular and unjustified.

In his response to the committee, the accounting officer provided sources for part of this over-expenditure amounting to Shs 67.06 billion. The schedules revealed that travel and transport (24 per cent), procurement of office equipment, which is 4003 per cent, and office furniture (323 per cent) were financed during a virement worth Shs 26.43 billion, which ideally is part of the approved budget, as per Section 22 of the PFMA.

- b) The exception of land and buildings, which is 370 per cent, that was financed by donation from trademark East Africa was not originally part of the approved budget. This offends section 13(10)(a)(3)

of the PFMA and we attached annexures of those letters c, d, e and f.

Generally, the entities' over expenditure is in violation of Section 25 of the PFMA and Section 18 of the Public Finance Management Regulations, 2015, that require a vote to seek supplementary expenditure.

THE SPEAKER: Thank you. Honourable members, there was a virement caused without seeking permission from the relevant authority. The person who is supposed to approve it is a PS/ST, who is also a member of the board. That would amount to a conflict of interest. Now that we referred it to the minister to take action, we will need action from the ministry. Government, do you want to say something?

2.57

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, the finance ministry will have a response on this matter but in any case, once the report is adopted, we shall be able to come back, through the treasury memorandum, and answer the actions that we have taken.

THE SPEAKER: Under a treasury memorandum?

MR BAHATI: Yes, so we will be able to respond through the treasury memorandum

THE SPEAKER: Honourable members, I put the question that the report of The Public Accounts Committee on Commissions, Statutory Authorities and State Enterprises on the report of the Auditor-General on the financial statement of Uganda Revenue Authority, Corporate Services, for the year ended 30 June 2023 be adopted by this august House.

(Question put and agreed to.)

Report adopted.

THE SPEAKER: Pursuant to Section 53 of the Public Finance Management Act, 2015, the

Clerk should extract and transmit this to the Minister of Finance, Planning and Economic Development for us to be given the treasury memorandum. Next. *(Hon. Alioni rose)*

Hon. Alioni, I told you that I would give you a chance. I will give you. *(Hon. Namugga rose)* I have not given you, Hon. Gorreth. Next.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE EQUAL OPPORTUNITIES COMMISSION FOR THE YEAR ENDED 30 JUNE 2023

2.59

THE CHAIRPERSON, COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) (Mr Medard Lubega Sseggon): Thank you, Madam Speaker. Permit me to present the report.

As earlier guided, the introduction appears on pages 2 to 3. Methodology follows, and we make observations and recommendations from page 4.

With regard to the financial statements, number one, on the non-inclusion of development partner contributions in the UN Women, states the revenues received by the commission.

- (i) We recommend that the Minister of Finance, Planning and Economic Development should guide all public entities to include third-party contributions to be transacted under the IFMIS and to be part of the financial statements to reflect all transactions an entity has undertaken during the accounting period;
- (ii) The EOC should include development partner funds in the financial statements to reflect the transactions undertaken in a given period. With regard to

misstatements of balances, on page 5, we give our observations and recommendations on page 7 to the effect that one, the accounting officer, should charge expenditure on the appropriate –

THE SPEAKER: Committee chairperson, do you mean that what was got as donation was not included in the bank statement?

MR LUBEGA SSEGGONA: Madam Speaker, I answer it in the affirmative and this is what happens. The argument was that when they receive these as donations, there is a separate accounting system. Our emphasis was that all monies that are donated to Uganda, are donated to the Government of Uganda and the accounting system –

THE SPEAKER: Hon. Ssekikubo, Hon. Tinkasiimire is there –

MR LUBEGA SSEGGONA: And that all monies that are received by Government are accounted for in accordance with the Public Finance Management Act. So, that was the issue.

THE SPEAKER: Honourable members, are you getting what honourable is saying? Having two accounting systems, where you are not declaring what is given to you as a donation and you are only accounting for –

MR LUBEGA SSEGGONA: No, Madam Speaker, they do account for this, but not on the IFMIS, in accordance with the Public Finance Management Act.

THE SPEAKER: Okay.

MR LUBEGA SSEGGONA: I think it used to be common with donations, even when we were in PAC (Central Government). We would witness situations where they say, we account separately.

Therefore, our recommendation is that all monies must be accounted for in accordance with the public finance management systems. And that the accounting officer should be cautioned for failure to adhere to the PFMA.

We make observations and recommendations on implementation of the approved budget. That is, utilisation of warrants on page 8, observations on page 9, and we recommend that the Ministry of Finance, Planning and Economic Development should always release the funds in time to enable entities execute their functions.

The recruitment activity by the accounting officer should await the outcome of the rationalisation by this Parliament and that is what we advised them back then and will continue to do so.

With regard to unsupported output budgets, we make observations on page 11 and recommendation that the Ministry of Finance, Planning and Economic Development should upgrade the programme budgeting system to provide for printing of the individual item costed budgets.

On implementation of outputs, we make observations and recommendations on page 12 to the effect that;

- (i) The government should provide adequate funding to the entity to reduce reliance on external financing for critical interventions; and
- (ii) The accounting officer should enforce compliance with the requirements of the PFMA regarding accountability for funds received within the audit time frame.

On excess supplementary funding, on page 13, we make observations and recommend that going forward, the EOC should plan for staff recruitment during the normal budgeting planning process to avoid requests for supplementary funding since staff recruitment does not fall under the conditions for supplementary requests.

With regard to the management of the salary payroll, on page 17, is where we make observations and recommendations that:

- (i) The Ministry of Public Service should build the capacity of the staff in the usage and management of the HCM; and

- (ii) The entity should ensure that assignments of seconded staff are discontinued from sending agencies to prevent double entry and ghost employees and enhance management of the payroll.

On inconsistencies in the employee details, we recommend that the query be dropped having been satisfactorily resolved.

On utilisation of the wage budget, the committee recommends that; (i) Management of the entity should coordinate planning and implementation of activities as envisaged in the budget; and

- (iii) The Ministry of Finance, Planning and Economic Development should release funds for budgeted activities in a timely manner so as to ensure full implementation of the planned activities.

On the findings from other special audit procedures, the committee recommends that the commission should prioritise staff recruitment and ensure that all staff are properly placed on the payroll to avoid ad hoc measures, which cause inconsistencies.

On review of the entity establishment, the committee recommends that:

- (i) The Government should review its recruitment policy to allow agencies to execute their mandate; and
(ii) The Government should provide adequate funding towards staff recruitment for efficiency in executing their mandate.

On outstanding receivables of Shs 247,975,546, the committee made observations on page 22 and recommendations on page 23:

- (i) The accounting officer should recover all uncollected funds to staff as salary advance;
(ii) That pursuant to Article 164(1) sub-articles 1 and 2 of the Constitution of the Republic of Uganda, Mr Nicholas

Sunday Olwor, the former accounting officer under whose superintendence the above sums were advanced, should be held personally liable for the unrecovered salary advances made to staff whose tenure with the commission expired;

- (iii) The police should investigate and possibly prosecute Mr Nicholas Sunday Olwor for negligence in causing financial loss. He should, in addition, be made to refund the unrecovered amount wrongfully advanced, together with the surcharge in accordance with Section 80 of the PFMA, which provides, as I read, *“Where a loss or deficiency in public money advanced to or was under the control of a public officer occurs, and the Minister is satisfied after due inquiry that the negligence or misconduct of the public officer caused or contributed to the loss or deficiency, the amount of loss or deficiency shall be debt due to the Government and may be recovered from the public officer, either administratively or through a court of competent jurisdiction ...”*

- (iv) The police should expedite investigations and return the documents and records obtained from the entity for further management.

- (v) Whereas the switching of contract from supply of transport equipment to provision of repair services to Dax Toyota Garage, which had breached the original contract, was irregular and ill-informed, considering that recovery of the amount with damages has been rendered impossible and overtaken by events, the entity should endeavour to utilise the services in diminution of the outstanding receivables.

With regard to unfulfilled conditions of the Tenants Agreement, Madam Speaker, we observed at page 24 and made recommendations that the accounting officer recovers the equivalent on a quantum merit basis to the value of air conditioning services and Closed-

Circuit Television (CCTV) cameras that were not provided by the landlord.

Institute measures to ensure that the landlord fulfils the conditions of the tenants agreement within three months of the adoption of this report.

Madam Speaker, on the issue of the missing land titles, we made an observation on page 25 and recommended that the accounting officer's efforts – First, we commended the accounting officer's effort in securing the property by lodging caveat and commencing the process of obtaining the title.

Kampala City Council Authority (KCCA) land office should expedite the process of issuing the special certificate of title within one month from the date of adoption of this report and provide a report to that effect to Parliament.

Madam Speaker, on failure to comply with the complaint investigation/hearing timelines, the committee observes on page 26 and makes the recommendation as follows:

- (i) That the commission should liaise with the Ministry of Public Service to ensure the expeditious recruitment of staff and replacement of existing staff, to be conducted within this financial year.
- (ii) Establish a robust complaint management system through expansion of technological tools to ease registration, tracking and management of the complaints on a first-in, first-out basis.

On unsupported performance of complaints handling, Madam Speaker, we made observations and recommended at page 27 that the Ministry of Finance, Planning and Economic Development should allocate sufficient funds over the next two audit years to ensure full renovation and expansion of the commission property in Bugolobi to prevent further expenditure on rent.

In conclusion, it is the humble request of the committee that this Parliament finds

pleasure in adopting our observations and recommendations in this report. Thank you.

THE SPEAKER: Thank you so much, Mr Chairperson, for this report. Hon. Christine?

3.11

MS CHRISTINE KAYA (NUP, Woman Representative, Kiboga): Thank you, Madam Speaker. On the issue of contribution of partners' funds to these institutions, from my background of following-up with funders, it becomes difficult for a funder to submit funds through the known procedures but at the same time, they would also want to get recognition in the right procedure. I do not know how the Ministry of Finance, Planning and Economic Development came out to -

THE SPEAKER: To reconcile the two -

MS KAYA: Yes, to simplify that the contribution by a funder comes out in a manner that is recognised by our public accounting procedures. At the same time, for the institution, because some of the institutions are advised not to publicly show.

However, at the same time, the institutions that give, for example United Nations (UN) Women, also get money from other funders and other governments and they would like to have recognition. Therefore, there is a need to streamline on how this can be done.

There is also another issue of delayed staff recruitment. Our people really feel very bad that recruitment of staff can be delayed amidst the unemployment we are facing in Uganda. Madam Speaker, I do not know how this can be effected, but we need to clear and know the reasons -

THE SPEAKER: Let me first find out from the chairperson; where does the delay come from? Is it because the institution does not have money or because of the reluctance?

MR LUBEGA SSEGGONA: Thank you very much. As earlier mentioned with your guidance when you advised me in subsequent

reports to be prepared by way of executive summaries, one of the general observations that you are going to find, and it cuts across all entities, including entities supervised by the Public Accounts Committee (PAC) Central Government, is that there are cases of planned procurements, early enough.

The Ministry of Finance releases money, including in June, at the tail end of the financial year. Those cases have been highlighted in each and every individual report that we made. When we interacted with the Minister of Finance earlier and the minister said, “I run a cash budget; I give you money as and when I get it.”

Now, the unfortunate bit with the public finance management system is that they give you this money a week or two to the end of the financial year and it is swept back.

The difference with some entities like Uganda Wild Authority (UWA), and I wish to clarify what colleagues may not have appreciated; there are those entities which do not receive money from the Consolidated Fund. At the end of the financial year, they do not have their money swept back to the Consolidated Fund. Therefore, those ones are able to easily and quickly roll over those activities to the subsequent financial year and this is a matter that we need to deal with.

One of the recommendations you are going to find from the Committee on Commissions, Statutory Authorities and State Enterprises (COSASE) in one of the reports is that: “The Ministry of Finance, Planning and Economic Development or Government should present realistic budgets. This is because they come here with figures, we get tempted, they fail to raise that money and yet entities have already planned and budgeted.” That is the explanation I can give on the delays.

However, there are also some entities which delay and hide under procurement systems and we have highlighted them. The third category is where there is a planned recruitment or activity of any nature and then there is intervention of

investigations where there is suspicion and then petitions are made to the relevant authorities.

THE SPEAKER: Thank you. Hon. Christine, kindly finish.

MS KAAYA: Thank you, Madam Speaker, once again. Thank you for the clarification. My last comment is on cautioning the accounting officers. We know that giving accountability of an institution calls for over three people.

However, this business of cautioning the accounting officer alone - Look at the Human Resource (HR) Department and how it has delayed. I just feel that caution should go to the responsible people. It could be three who even sometimes -

THE SPEAKER: There is always a head of an institution when there is a problem, say in the Parliament in terms of administration, the head of this institution administratively is the Clerk. So, it is upon the Clerk now to take responsibility and go backwards and see who did A, B, C, D.

MS KAAYA: I thank you, Madam Speaker.

THE SPEAKER: Yes, Hon. Ethel?

3.17

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you, Madam Speaker. In addition to what the committee chairperson has just told us about some of these failures - since we are also having similar cases - we have the matter of PBS. We have issues where MDAs are being failed. Even the Equal Opportunities Commission indicated that it failed to absorb Shs 1.7 billion.

Much as it indicates that this was due to matters to do with salaries, wages and recruitment - as there was a recruitment ban - that one connects to where issues of the system exist. Many times, the system or the ministry for finance, is unable to indicate that these people have this wage but they have not yet recruited staff. So, the system is continuous.

We also have matters, especially in local governments, which I connect to this, whereby you have the PBS, but there is no internet by those MDAs. Towards the end, the ministry for finance can send money but the users cannot, at any time, use the system. We also pray and request that, at this very time, as we are handling the PAC reports, let it be sorted.

Madam Speaker, continuously, these recommendations are the same – matters to do with the system and recruitment. We have now heard from Public Service, at least, that the ban has been lifted. Let it be sorted out so that we do not get continuous issues and we do not give the same recommendations, indicating that the Government is not acting in one way or the other. I thank you.

3.19

MS JUDITH ACHAN (NRM, Woman Representative, Nwoya): Thank you, Madam Speaker. I thank the committee for the report. From the report, I heard that there is a missing land title.

Madam Speaker, there is mismanagement of Government properties. I sat on the committee for COSASE in the last two years – I just left and went to a different committee. During the investigations, you find that for land where the entities are operating, the titles are nowhere to be traced. Some of the land titles are supposed to be with Uganda Property Holdings Limited and others with Uganda Land Commission. Now, if the committee has brought it today, on the Floor of Parliament, that there is a missing land title, Madam Speaker, how can we guarantee that all the Government property and land across the country is safe?

I would recommend that we put stringent measures on Uganda Land Commission, through the ministry for lands, that all Government property and land must be audited and a report presented on the Floor of Parliament. Thank you.

THE SPEAKER: Hon. Achan, one time the land title for the Parliamentary Commission was also missing. We only got that land title when we came in. It was not an easy thing.

Therefore, when you talk about auditing and making sure that these titles are got, you are very correct. If the title for Parliament can go missing, what about for other institutions? However, as of now, we have the title. Yes, Hon. Milton?

3.22

MR MILTON MUWUMA (NRM, Kigulu County South, Iganga): Thank you. Madam Speaker, whereas the rules bar us from debating and legislating in anticipation, I pray for your indulgence that we review the recommendation regarding staff recruitment. Why? Last week, Bills to do with the rationalisation of Equal Opportunities Commission (EOC) and United Nations High Commissioner for Refugees (UNHCR) were tabled here; they are supposed to be merged. Now, if we ask them to come up with a robust recruitment plan, I think we will be rotating around -

THE SPEAKER: We are debating in anticipation. What if they are not merged, Hon. Milton?

MR MUWUMA: Madam Speaker, I agree with you but I just wanted to -

THE SPEAKER: It is anticipation, please. That makes me remind you that I need all the Rationalisation of Government Agencies and Public Expenditure (RAPEX) Bills in the House next week.

3.23

MR SIRAJI EZAMA (NRM, Aringa County, Yumbe): Thank you very much, Mr Speaker. I thank the committee for the comprehensive report that they have put on the Floor of Parliament.

I would like to comment on the issue of recruitment. On many occasions, in these entities and districts, there are those specific posts that exist but they are not given out because in those areas, they tend to identify some specific people to occupy those positions. You find that a person who is not qualified to occupy a position goes to school and the position is reserved in order for this person to come and occupy -

THE SPEAKER: In some cases, they even waive off some conditions for some people.

MR EZAMA: Yes. In this regard, I appeal to such institutions that if a vacancy exists and the money is there to recruit, the recruitment process should be done as soon as possible because we need the services to be delivered.

THE SPEAKER: Thank you. Hon. Apea? Eh, I have seen Charity – Afande Charity! (*Laughter*) Hon. Apea?

3.25

DR AGNES ATIM (NRM, Woman Representative, Amolatar): Thank you very much, Madam Speaker, for giving me the opportunity. Thank you, committee chairperson, for the very good report.

Madam Speaker, I note, on pages 11 and 12, the implementation of outputs. In most of these reports that we are receiving, there is a very big issue on the implementation of outputs, yet, as an accountability committee, we should be able to note the budget execution in terms of the output, the money they have received, the money released and all that.

When you look at this page, you find that money was provided, but some of the activities were not done while some were done partially. I am a bit baffled by the recommendation that they should comply with the Public Finance Management Act – which they know and they are supposed to be compliant with.

Madam Speaker, I think we need to start having a bit more accountable recommendations. For example, if you have not implemented or you have implemented it partially – and, in most cases they say money is not given. However, even in instances where money is given, the implementation is not done.

Therefore, I would like to request that if the committee or the House finds it fitting, we should be able to be a bit stronger on the issue of holding some of these accounting officers accountable. Thank you.

THE SPEAKER: There was under-absorption.

DR ATIM: Thank you, Madam Speaker. Money was given, but they have not absorbed or implemented, and we are saying they should be compliant. I think it is beyond compliance.

THE SPEAKER: Then, they will still ask for money.

DR ATIM: Thank you, Madam Speaker.

3.27

MR HASSAN KIRUMIRA (NUP, Katikamu County South, Luwero): Thank you, Madam Speaker. I am also persuaded to make mention of how much was being paid by this commission to come to Kingdom Kampala – Shs 2.5 billion, annually, in terms of rentals.

The report was not explicit on the extent or longevity of the lease agreement – how long they have been there or how long they are going to be there. However, if you compute that amount of money for the 2003 square meters, it is a lot of money causing, a cost on our public fund and the Consolidated Fund.

Madam Speaker, I am also in agreement with the committee report; we need to fast-track refurbishing the premises of this Commission and increasing its working space so that we can cut down on this expenditure that could be diverted to benefit other sectors of our country. Thank you.

THE SPEAKER: True. Dr Bwanika?

3.28

DR ABED BWANIKA (NUP, Kimaanya-Kabonera Division, Masaka City): Thank you, Madam Speaker. The report revealed that on the missing title, the agency has found it difficult even to access a special title. Kampala Capital City Authority (KCCA) is a Government entity and the office of the Uganda Land Commission is in KCCA. I am surprised that even with another Government entity, there are constraints in accessing a title.

Madam Speaker, there are cartels all over the country that steal titles of the Government, and it is a serious issue. They steal these titles, and at the end, they fraudulently take away –

THE SPEAKER: Which cartels? Just give us one or two.

DR BWANIKA: I will mention some in my city; Masaka, because I am talking from an informed point of view. In our city, we require - We want help from the Government to investigate because I am not talking out of the blue. In Masaka City, we are missing titles for the city properties. We need a serious investigation into these cartels so that the properties of the Government can be secure.

Titles are missing and at the end of the day, you find that they have grabbed the land and the properties fraudulently. I call upon you, Madam Speaker, that in our resolution, the issue of auditing should come out clearly.

THE SPEAKER: I think that when you are doing your oversight or accountability role, you need to look at the assets register. In that register, you should be able to look at properties in terms of land. How much land does this institution have? Do they have land titles? Are they encumbered? And if they are encumbered, how did - You need to do all that in your institutions, and the issue of land titles getting lost is really a serious one. Yes?

MR OGUZU: Madam Speaker –

THE SPEAKER: I had allowed Hon. Basalirwa.

3.31

MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri): Thank you very much, Madam Speaker – *(Interjection)*

MR OGUZU: Now I am on the Floor, I do not know how you will choose between me and Hon. Basalirwa. *(Laughter)*

THE SPEAKER: Hon. Basalirwa. Members, we still have 10 reports to go and we must finish.

MR BASALIRWA: Madam Speaker, I thank you. In the presentation and later on the clarification by the learned chairperson of the committee, he alluded to the fact that some entities receive money towards the end of the financial year. That money is not utilised and is swept back.

Madam Speaker, this has been a recurrent problem and I know that even other accountability committees will raise a similar issue. When we were presenting the Public Accounts Committee (PAC) reports in the last session, we did advise that Parliament needed to consider serious reforms in the Public Finance Management Act, especially with regard to scenarios where monies come late, are not utilised and are swept back. When these monies are swept back, there is no guarantee that, that entity will receive it again. However, that can only be addressed, through legislative reform.

Madam Speaker, we also have to harmonise between programme budgeting and sector budgeting but that has also to come through legislative reform. I know that the Presiding Officer has asked the Front Bench; the Executive, to bring those reforms. Unfortunately, no deadlines were given and because of that, the Executive is not bothered.

If we are to help entities then, the Public Finance Management Act has to undergo some surgery, especially regarding late releases and recouping monies back to the Consolidated Fund.

THE SPEAKER: Thank you. He has left the Floor. You will speak on the next report. Government?

3.33

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, I would like to thank the chairperson of the committee and members for a very thorough report. The Leader of the Opposition in Parliament, please come. *(Laughter)*

3.34

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): The Leader of the Opposition in Parliament is another big person today. I thank the chairperson, my senior Member here, for a good report.

Madam Speaker, my issue is still on land titles. This Parliament directed, and a number of committees have made directives to the Uganda Land Commission, to provide Government entities with land titles.

I was among Members who fought against the sale of Shimoni Demonstration School land by that time and why we failed to go to court to put an injunction against the sale of that land was because the school did not have its land title. At the end of the day, we lost the battle that way.

Madam Speaker, I think it is better you direct that Uganda Land Commission, under the Ministry of Lands, Housing and Urban Development, comes here and gives us an update on how far they have reached in providing the Government institutions, including schools, with land titles. What happens with the Uganda Land Commission?

THE SPEAKER: Especially the playing grounds.

MR SSEWUNGU: The playing grounds. Now, here we are - You have seen the Uganda Land Commission - the land title was there but it is missing. And those seated there; the accounting officers have kept a low profile by giving explanations up to the report of COSASE.

Therefore, if we could achieve that and get an update – a number of schools in Kampala, Jinja and elsewhere, are going to lose land because the Uganda Land Commission has refused to issue land titles but whenever people come to take up that land, they give letters of no objection. Thank you, Madam Speaker.

THE SPEAKER: Honourable minister, you will give us feedback. You need to put in

consideration the issue of the playing grounds and in this case look at Nakasero.

MR BAHATI: Thank you. I thank the chairperson and members of the committee for a very good report. You have done a good job. I just want to respond to three issues; one is off-budget funding. It is a very big issue and from the information I have, we are doing some work to see how all monies that are off-budget can be captured within the budget so that Members of this House can know which money has come from where and for what reason. Therefore, it is being worked on by the Ministry of Finance, Planning and Economic Development.

Regarding missing land titles, it is unfortunate that I heard from you, Madam Speaker, that even our title here was missing. I hope that at one stage, we shall get informed where you found it. *(Laughter)*

THE SPEAKER: We had to get a special title. The Sergeant-at-Arms had to get a special title for this place.

MR BAHATI: To resolve the issue of missing land titles, the Ministry of Lands, Housing and Urban Development is automating the system to include block-chain technology so that this issue of missing titles can be resolved once and for all.

On the programme versus sector budgeting, we adopted programme budgeting in this House -

THE SPEAKER: Honourable minister, when you talk about automation, it is even getting worse. You will find that where the road is supposed to be, the people in the catastrophe department - I do not know what they call it - push the road in the middle of somebody's land and it has happened.

MR BAHATI: In our Treasury Memorandum that we are going to bring to this House within six months, we will be able to explain the progress the Government is making to ensure that fraud in the issuance of land titles is resolved.

On the programme versus sector budgeting, as you recall, we have been running under the National Development Plan III, where we adopted the programme approach. It is the responsibility of all of us to make sure that we enforce it.

Those are a few issues, but on a lighter note, Madam Speaker, you mentioned that you have seen Hon. Brig. Charity Bainababo. I do not know how the *Hansard* will capture that; whether she has been –

THE SPEAKER: I said I am happy to see her.

MR BAHATI: Thank you.

THE SPEAKER: Honourable members, in the public gallery this afternoon, we have teachers and pupils from Alto Junior School from Lugazi Municipality. They are represented by Hon. Stephen Sserubula and Hon. Diana Mutasingwa. (*Applause*) Thank you so much for coming, you are always welcome.

Honourable members, I now put the question that the report of the Public Accounts Committee on Commissions, Statutory Authorities and State Enterprises) on the Auditor-General's report on the financial statements of the Equal Opportunities Commission for the year ended 30 June 2023 be adopted by this House.

(Question put and agreed to.)

Report adopted.

THE SPEAKER: Pursuant to section 53 of the Public Finance Management Act, we expect a Treasury Memorandum from the Government within six months. When we say “within six months”, we are not saying bring in the last month. You can even bring it tomorrow. Next item? (*Hon. Namugga rose*) Yes, procedure?

MS NAMUGGA: Madam Speaker, thank you for this opportunity. I also thank my colleague, the Chairperson of COSASE, for the good report.

From yesterday's Order Paper, we had a very important item concerning a statement on the shortage of essential medicines and health supplies at health facilities and this has escalated. In today's *Daily Monitor*, it has made headlines. When you look at today's Order Paper, this item was left out.

Madam Speaker, I request, if it pleases you - and I understand it is within your discretion to determine the items that are put on the Order Paper - that we amend the Order Paper to have this statement presented because the minister was here yesterday.

I understand these accountability reports are very important, but health takes precedence. Madam Speaker, if it does please you, I kindly request that we amend the Order Paper to have this item discussed earlier, than waiting for any other day.

THE SPEAKER: Thank you so much. I know it is a very important item and what you are discussing is equally important. However, we only deferred this because of the absence of the minister. We did call the minister to be in the House but she said she will only be in Kampala on Monday.

Therefore, I am wondering whether you wanted the minister of - which minister - [*Hon. Namugga: “In this Government, there are three ministers. We cannot wait for a minister.”*]

Let us get the minister to respond to that, but at the same time, we are also going to call and make sure this issue is handled, and then we discuss it. We will handle it on Wednesday, but after this, I am going to call National Medical Stores.

Who is the chairperson of the Committee on Health?

HONOURABLE MEMBERS: The vice-chairperson is here.

THE SPEAKER: It does not matter. First of all, I want to thank you for the statement you made. You made a very good submission. (*Applause*)

Secondly, after this sitting, I want you to use your office to call NMS and your minister. We want drugs in the hospitals. *(Applause)* That is one of your roles.

Next item. *(Hon. Oguzu rose_)* Hon. Lee?

MR OGUZU: Madam Speaker, arising from the matter raised on health, there was also a concern raised here that the Minister of Health was supposed to respond to.

We have a situation in this country where privileged people like us, MPs and ministers, are the ones who get the opportunity to travel abroad for medical treatment under funding from the Government. There are so many people struggling in the villages. Their health conditions cannot allow them to afford medication.

We said the minister should come here. The Committee on Health was required to examine this matter and report on the procedures that should be taken. Up to now, there is no report to the country.

THE SPEAKER: The Insurance Bill?

MR OGUZU: No, the Insurance Bill may support it but this is already something, which is in operation. We want the country to know what the procedure is. If there are children who need medication abroad, what procedure should their parents take because there is a bloodline?

This information is only available to very privileged people and there are so many people suffering in the countryside. This matter deserves the attention of this Parliament and I invite you to direct the minister and the Committee on Health to work on this and bring a report. Thank you.

THE SPEAKER: Committee, have you heard?

DR OPIO: Yes, Madam Speaker. I recall that there was an update given on the procedure for accessing treatment abroad. There is a Medical

Board, which you have to apply to and they make the evaluation, but anyone is eligible.

THE SPEAKER: Is it for everybody?

DR OPIO: Yes, it is for everyone. That clarification was given on the Floor here.

MR OGUZU: If I could just give a background; when the matter was raised, the minister responded and the explanation she gave was found to be inadequate. That is why the matter was referred to the committee and they were supposed to interact with various people. We have an honourable member here who has been struggling to get treatment but he has not gotten it.

THE SPEAKER: Who is that?

MR OGUZU: He is a Member of the Committee on Education; he comes from Karamoja.

THE SPEAKER: Who is that one?

MR OGUZU: I am not seeing him here but I can bring him here. *(Laughter)*

THE SPEAKER: Honourable members –

MR OGUZU: The second case is a boy in my constituency. The father has been pestering me. They cannot access information on where this Board is. Because of these challenges, the presiding officer then directed the Committee on Health to examine this matter.

THE SPEAKER: Now, as a Member of Parliament who knows where the Board is, you should be able to guide your electorates where it is.

MR OGUZU: I do not know where the Board is.

THE SPEAKER: We are deviating from what we are discussing. Next item? Hon. OPIO, I need a report; I need your minister on those issues of health. Let us not deviate.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
PUBLIC ACCOUNTS (COMMISSIONS,
STATUTORY AUTHORITIES, AND STATE
ENTERPRISES) ON THE REPORT OF THE
AUDITOR-GENERAL ON THE PUBLIC
SERVICE COMMISSION FOR THE YEAR
ENDED 30 JUNE 2023

3.47

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Thank you, Madam Speaker, for your indulgence. We should not keep misleading ourselves here. We have seen what happens with the Medical Board; it is a rigorous exercise to get there.

I want to state that the facts remain constant that if a matter is happening concerning Ssewungu here at Parliament and in Uganda, Parliament takes precedence and manages the care. I have heard that through the Clerk.

The issue we need to take care of is the Committee on Health forcing the ministry to bring the National Health Insurance Bill here. It will solve a lot of the challenges we are facing. They withdrew a Bill and up to date, they have not returned it.

Other countries like Rwanda and Kenya have these Acts. The people are paying their insurance and they end up surviving, other than going through all those procedures because of failure to have the Insurance Bill in place.

What is failing the Ministry of Health to bring the Insurance Bill, process it, pass it and it becomes an Act for us to move on to help our Ugandans, other than kneeling before the board he is talking about and that he does not know where it stays? Thank you.

THE SPEAKER: Thank you.

DR OPIO: Madam Speaker, I would like to give information on the National Health Insurance Bill. The Ministry of Health has already completed its part. It was submitted to the Cabinet and it is on this financial year's legislative agenda.

What is needed is for the Prime Minister to commit to when this National Health Insurance Bill can be brought onto the Floor of Parliament, but the Ministry of Health has several times updated the House that it is done on its part.

THE SPEAKER: Thank you. Government?

3.49

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Thank you, Madam Speaker. I can confirm that the National Health Insurance Bill is now at the level of the Cabinet and as soon as we finish with the Cabinet, it will come to the House.

On the issue of what is happening, the chairperson will be able to connect with the Prime Minister and the Minister of Health. Even before they come to make a statement on the Floor regarding what is happening in hospitals, we should have taken action to reverse some of the things that are happening. Thank you.

THE SPEAKER: Can you follow up on the issue of the Bill?

DR OPIO: Most obliged.

THE SPEAKER: Thank you. Next item?

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
PUBLIC ACCOUNTS (COMMISSIONS,
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ENTERPRISES) ON THE REPORT OF THE
AUDITOR-GENERAL ON THE PUBLIC
SERVICE COMMISSION FOR THE YEAR
ENDED 30 JUNE 2023

THE SPEAKER: Chairperson?

3.50

THE CHAIRPERSON, COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) (Mr Medard Lubega-Sseggona): Thank you, Madam Speaker. Honourable members, the committee

did interact and presents the report as follows:

A number of issues were raised by the Auditor-General and we made observations, beginning at page 4.

One, we observed that there was under-collection which was a result of poor planning on the part of the entity. We recommend that the accounting officer should do proper planning and avoid budget distortion.

Two, we made observations on page 5 that there was a breach of treasury instructions-

THE SPEAKER: Hon. Judith - Honourable members, wait and listen to the reports.

MR LUBEGA-SSEGGONA: That there was a breach of treasury instruction that -

THE SPEAKER: Honourable members, these are very important reports. I have marked you absent, Hon. Judith.

MRLUBEGASSEGGONA: Madam Speaker, there was a breach of treasury instruction that requires that domestic arrears take a first call on the Budget and that the funds for domestic arrears and Information and Communications Technology (ICT) supplies were not warranted. Funds were spent on them hence a mischarge by the accounting officer and that the two items that are different were combined.

The committee recommended that the accounting officer recovers the funds that were mischarged on domestic arrears and ICT supplies.

We made observations on page 6 of the report and recommended that the Public Service Commission should address internal inefficiencies to ensure full staffing, in accordance with the approved structure.

We made observations on page 7 on the failure of the accounting officer to provide the primary source of individual costings of the activities under the budget and recommended that the Ministry of Finance, Planning and

Economic Development should upgrade the Program Budgeting Systems (PBS), to support individual costing of activities under the budget output by the next audit year.

The next observation on page 8 was that the commission failed to adduce evidence of non-implementation of the planned activities as a result of a shortage.

We made recommendations on page 9 that:

- (i) A special audit be undertaken to establish the expenditure for Shs 4.02 billion together with the worth of the partially implemented activities. A report should be availed to the Parliament within three months from the date of adoption of this report.
- (ii) The accounting officer should ensure that guidelines on recruitment and deployment of the People with Disabilities (PWDs) are prepared, staff are trained in competence-based recruitment systems, and formal partnerships are established between the entity and other human resource outsourcing and research institutions by the next audit year.

On approved district and city service commissions, we made observations and recommendations on page 11.

- (i) The accounting officer should ensure that district local governments provide sufficient resources within their budgets to pay retainer fees to members of the District Service Commissions, in addition to other entitlements.
- (ii) The Public Service Commission should fulfil their mandate by fully constituting the District Service Commissions.

On the performance assessment of the District Service Commissions, we made observations and recommendations on page 12 that:

- (i) The Public Service Commission should carry out the induction of all new members of the District Service Commissions and

conduct periodic performance assessments for the same for better planning.

- (ii) The Public Service Commission should always budget for induction and periodic assessment, and the Government should avail the required funds.

On competence profiles for job positions in Ministries, Departments and Agencies (MDAs), Madam Speaker, we made observations and recommendations on page 14 that:

Sufficient funds are available to accounting officers to facilitate the development of competence profiles for the competence-based recruitments and selection systems using workshop methodology.

On the management of the Government salary payrolls and validation of employees on the entity's main payroll, we made observations on page 18 that there are also inconsistencies in employee details.

Madam Speaker, we made observations and recommendations on page 18 that the records of the Commission staff be updated quarterly to prevent such occurrences in the future.

On utilisation of the wage budget, we made observations and recommendations on page 20 that the Ministry of Public Service clears all vacancies in the Public Service Commission to have a fully staffed establishment. Imagine it is the Public Service Commission and it is not fully staffed.

Failure to avail IPPS/HCM payroll information - We made observations on page 21. The committee observes the decline to provide the Auditor-General access to missing interface files from both PSC and the Ministry of Public Services. This signifies irregularity in records keeping.

We combine it with risk management framework policy and recommend on page 23 that funds be availed to the Public Service Commission to facilitate the setup of off-site servers or backups on the manual processes of the commission.

Madam Speaker, we observe on page 24 and recommend that the accounting officer engages the relevant stakeholders to ensure that all system modules are automated within six months from the date of adoption of this report.

With that, Madam Speaker, we invite this Parliament to adopt our recommendations and observations. We so pray and I so move. I thank you.

THE SPEAKER: Thank you so much chairperson, for this elaboration report. Hon. Lee –

3.58

MR DENIS OGUZU (FDC, Maracha County, Maracha): Thank you. You got me to Speak, and the question I want to raise is; we have been doing this ritual of the PAC investigating and bringing a report here, and the Treasury Memorandum is brought. The situation in the country has never changed. People continue to steal money and resources continue to be diverted. Is there something we are not doing right?

This is the question we should be asking ourselves. Do the reports make sense? Does Government act on them? I think we need to do much more and investigate why there is no change. Service delivery is getting affected and I am not sure, relying on this report alone, whether we will be able to address the problems the country is facing.

We need to strongly hear from the minister on whether these reports make sense to the Government. If they do, why is it that we are not adhering to the proposals made and there are changes experienced in the country? This is the explanation I needed.

THE SPEAKER: These reports make a lot of sense. In most cases, we get some changes. For instance, I will start with my own House. I pay my Members of Parliament money to go to the constituency four times a month and - that is corruption. When they did not go four times a month and we complained, now everybody is in the constituency. So, there is a change. Yes, Dr Bhoka and then Hon. Max.

4.00

DR GEORGE BHOKA (NRM, Obongi County, Obongi): Thank you, Madam Speaker. I thank the committee for the report. I have three observations from the committee findings. *(Interruption)* I need your protection, Madam Speaker. Thank you.

THE SPEAKER: Hon. Oguzu is asking me why the fuel is not paid. Over to you. *(Hon. Bahati rose.)* He can ask the question properly.

MR OGUZU: The question is, the Speaker informed us here when we were passing the budget that you were supposed to pay fuel arrears. It is arising from reports like this that you are supposed to comply. The question is, why are you not acting? If these reports –

THE SPEAKER: Honourable members, I did not inform anybody that the fuel was supposed to be paid, but it is a ritual that it has to.

4.02

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, all that the Parliamentary Commission is entitled to, for this quarter, is going to come in the month of October. It is part of the release of October according to the Ministry of Finance, Planning and Economic Development.

However, to mention what you raised, the issue is sounding as if you are a little bit frustrated because of the work that we are doing as Parliament and the actions – When you analyse what has been happening, especially in the Treasury Memoranda that we have been receiving from Government to Parliament, you will actually see that there is a lot of progress that we are making.

When the Public Accounts Committees do their work and send to Government, we have taken action. Therefore, you should not get frustrated and do not get tired of doing what is right.

THE SPEAKER: Can you give us feedback on the release tomorrow? First go back to the microphone. Give us feedback on tomorrow's release of money for fuel arrears.

MR BAHATI: On behalf of the Government, where Ministry of Finance, Planning and Economic Development belongs, we undertake that this issue which has been raised by the honourable colleague; the resources are part and parcel of the second quarter release which is coming out in this month of October.

When? It is a sure deal; do not get worried. *(Laughter)*

THE SPEAKER: Thank you. Dr Bhoka – Honourable members, just to allay your fears, it is going to be within this week.

DR BHOKA: Thank you, Madam Speaker. I have two observations from the report. The first observation is –

THE SPEAKER: The only problem we have is a public holiday, but it is available. Yes, Dr Bhoka –

DR BHOKA: The first observation, Madam Speaker, is on the programme outputs from the Public Service Commission. The mandate of the Public Service Commission is supposed to be to see to it that for positions that have been cleared for recruitment and wage provided, the recruitment process is fast-tracked. It has been noted with concern that in spite of the fact that Parliament approves wage, the process of clearance and recruitment is delayed because of administrative red tape. It is our prayer that we recommend very strongly that the Public Service Commission improves on its efficiency in the recruitment and placement of public officers on the payroll.

Second is support to the district service commissions that play a very key role in the recruitment and placement of staff in the decentralised service delivery systems. Many of the district service commissions are failing to deliver on their mandate because of insufficient support, including tools provided by the Public Service Commission to them.

I would like to recommend, Madam Speaker, that the Public Service Commission is facilitated by this Parliament, to see to it that

our district service commissions do their role of recruitment and placement of staff in the district local governments.

THE SPEAKER: There are two different things; Public Service Commission vis-à-vis the district service commissions.

DR BHOKA: Madam Speaker, I am observing the support by the Public Service Commission to the district service commissions to be able to do their work well, which requires some improvement.

THE SPEAKER: I want clarification on what Hon. Bhoka is asking. How – Do you have the information?

MS NABUKEERA: The information I want to give on the district service commissions is about the local leaders at the districts, say the Chairperson, the Chief Administrative Officer (CAO) and the committee that institutes the District Service Commission. There is always a delay and politics at the district.

The members supposed to be elected at the District Service Commission take a lot of time, and yet we need advice from the Public Service Commission to supervise the people and give a timeline as to when the District Service Commission is supposed to be instituted.

There is a live example in Mukono; we took three years without the district service commission. Therefore, we need the Public Service Commission to intervene about the period we are supposed to be having -

MR LUBEGA SSEGGONA: Madam Speaker, this is a multi-sectoral thing. It involves the Ministry of Finance, Planning and Economic Development, Ministry of Public Service and the Public Service Commission, as well as the districts themselves.

There should not be any time, at any point, when there is no district service commission in place because it is a constitutional requirement. When this one is expiring, the process should have started prior to ensure it is in place.

Now, the troubles are here one, if there are funds that are required to put it in place and they are not in place.

Two, where there is politics, as colleagues said, at the district level in the appointment. Sometimes the chairperson nominates and the council rejects. Remember, it is supposed to approve.

Three, where the chairperson has set certain conditions, but they are not fulfilled.

Four, where there are complaints arising out of the process of appointing and approving the district service commission. The question of performance, dedication, distinction, and corruption are generally operational matters which can only be addressed on a case-by-case basis.

4.10

MR GODFREY ONZIMA (NRM, Aringa North County, Yumbe): Thank you, Madam Speaker. I would like to comment on the issue raised by Hon. Didi Bhoka, particularly relating to help extended by the Public Service Commission to the district service commission.

When I was still the Chairperson of the Committee on Public Service and Local Government, the Public Service Commission used to organise regional induction programmes but the major challenge was funding. They would organise an induction which would only take one and a half days.

We need to also look into the funding to the Public Service Commission to intensify the element of induction and training. That will be one way of helping them because the issues that have to do with the political influence of the district chairpersons are real.

Sometime back, Bushenyi District for five years could not recruit because the district service commission was not constituted. There were around three members but two were rejected because the chairperson said, “No, I cannot work with these.” The same also affected Busia where the council rejected the whole team that was elected.

Therefore, sensitisation and induction are very important but then it also requires funding. When the Public Service Commission presents its budget, we need to support them so that they can be carry out induction. Thank you.

4.12

MS SYLVIA NAYEBALE (NRM, Woman Representative, Gomba): Thank you, Madam Speaker. I would like to thank the chairperson for the well-detailed report. As he was reading his report, I was so worried that the Public Service Commission that is in charge of the other civil servants is understaffed. That is a big challenge and the Government should take it as a serious case. We do not want to see the one in charge of recruitment also understaffed because it will cause problems for the rest of the entities.

The honourable, in his report, also observed that the Public Service Commission is working on an Information Technology (IT) risk management strategy and comprehensive information technology security policy. It is very prudent and important for a country to have a database of all its civil servants in that category.

I am very happy that finally, the Public Service Commission is finding it prudent. I pray that it will not go halfway like sometimes they start developments and end halfway.

In conclusion, my honourable colleague has talked about induction. It is very bad to appoint people and they are not inducted. Just like here at Parliament, much as we believe that we have the brains, you have often given us all the induction and guided us to help us in our work.

Therefore, I agree with the committee on the recommendation that the district service commission should be inducted and equipped regarding the work they are going to do. Thank you.

THE SPEAKER: Remember when they appoint the Judicial Service Commission, they appoint from different communities. It is not specific to a kind of entity. There are those

from the business community, academia, and others from other professions. You need to induct, continuously train on what is required out of them and how they should handle issues when people are sent before them.

4.14

MR ABDULHU BYAKATONDA (Independent, Workers' Representative): Thank you, Madam Speaker. I would like to thank the chairperson for the report. Globally, Uganda is a constituent of the International Labour Organisation (ILO) and it talks of international minimum standards in the world of work. Convention 87 talks about the right to organise, 98 - the right to collective bargaining and 100 - the right to equal employment and equal pay.

Accordingly, in our Constitution, under Article 21, it has been cascaded there. In Article 40, Clause 3, we are talking about collective bargaining and the right to organise.

In 2008, the Government came up with a law called the Public Service Negotiating Machinery, which was enacted by this Parliament. Section 3 says, *"In every Government, ministry, department and local government, there shall be a consultative committee, whose role, among other things, shall look at welfare, recruitment, issues of policy, medical..."*

We have good laws but the challenge is that we are not enforcing them. You will find that under this law, employers and employees have a mechanism to advocate and negotiate.

Please allow me to move a motion without notice under our Rules of Procedure, Rule 59 to the effect that to be compliant, we enforce this mechanism in all entities and ministries then we shall enhance service delivery. Thank you.

4.16

MR IDDI ISABIRYE (NRM, Bunya County South, Mayuge): Thank you, Madam Speaker. I thank the committee and its chairperson for the report.

Madam Speaker, from the report, many issues were raised, but most specifically, there were, one, non-utilisation of funds that were released to the ministries, and, two, inadequate funds. Here, you can see that there is a lot of imbalance between utilisation and inadequacy. What the ministry should do is to harmonise their budgets. In some Votes, you see that there is inadequacy and in others, you see the failure to use the released funds.

My second point is about the digitalisation of recruitment. We have been talking about corruption in the service commissions. Our service commissions can adopt the digitisation of recruitments, where jobs are applied for, interviews conducted and even appointments offered online. This face-to-face practice of people going to see the service commission that “we have come to sit for interviews,” is something that we should stop. This will also help us to solve the problem of corruption that we have in the recruitment process. Thank you.

4.18

MR ISMAIL LOMWAR (NRM, Kotido Municipality, Kotido): Thank you, Madam Speaker. If you read Section 54(2) of the Local Government Act, it gives a provision for the constitution of the service commission, of which out of five members, one is supposed to come from the urban.

We faced a situation in Kotido that took us six months to resolve. It was not until the Attorney-General had to advise. We had the lower urban councils - these are town councils - and the municipality. However, the law says “from the urban”. The municipality recommended a member, as the upper urban council. The town councils, again, recommended one other member. When it came to the council of the district for approval, it became a problem.

The district went on to approve a member of the lower local urban council and left out that of the municipality. I wrote a letter, as a Member of Parliament for the urban Kotido Municipality and the mayor wrote a letter, too. There is a lacuna in the law that needs to be rectified, whereby the autonomy of the urban

should be given to the upper urban councils in terms of boards and commissions. Even today, with the district land board, we had the same problem. The Attorney-General should advise on these lacunas.

Secondly, the Local Government Act also spells out why a member can be removed. However, in Kotido, it was a different situation. One of the members of the commission, who was supposed to serve a second term, after heavy recommendation, was rejected by the council based on political influence.

These are some of the issues that are on the ground. I pray that the law or policy is put in place to regulate the appointment of these members by the local councils. I submit.

4.21

MR TOM EKUDO (FDC, Gweri County, Soroti): Thank you, Madam Speaker. The Parliament of Uganda and any other parliament does a lot of work, like what the committee has just done. They have brought a very good report. However, what happens sometimes is that the entities do not even look into the recommendations of the committee. It would be better for these entities to look into these recommendations and put things right.

The other thing that we face at the districts is that, sometimes, the districts have very good plans, but those plans may not be completed simply because the funds are released late. How do you complete a school, for example, or a road, within one or two months? It is impossible.

Madam Speaker, my appeal to the entities is that they should be looking into the recommendations of the committee. I thank you.

4.22

DR NICHOLAS KAMARA (FDC, Kabale Municipality, Kabale): Thank you, Madam Speaker. I thank the committee chairperson for the good report. However, on page 12 of the report, he states the problems of the district service commissions. As we all know, he has missed the problem of corruption.

The committee chairperson has said we should solve corruption on a case-to-case basis but from my feeling, corruption is cross-cutting in almost all district service commissions. What we know is that the jobs are on sale – *(Interjection)*- yes, in district service commissions. So, much as we are saying it is on a case-to-case basis, when a problem is cross-cutting and generalised, it should be solved as quickly as possible.

The second issue we have are the people who are being employed at districts, on acting basis. They volunteer for a year or two and when time comes, because of corruption, other people are recruited instead of those who have been volunteering.

Therefore, I want the committee chairperson, if he so wishes, to amend this report and add this cross-cutting problem of corruption. Since we have the honour to have the minister here, he should also make a statement about that because there is now a feeling that recruitment at districts should be re-centralised to solve this problem of corruption. I beg to submit.

THE SPEAKER: The report will be adopted, with the amendments.

MR SSEGGONA: Thank you, Madam Speaker. I am only concerned that my brother's temptation is to send the committee and this Parliament into matters, which were not before the committee –

THE SPEAKER: Which were not in the audit report.

MR LUBEGA SSEGGONA: Not only that, Madam Speaker. This is a report in respect of the Public Service Commission, not the district service commissions. I would indulge him, probably, to be patient, until we deal with the local governments' report –

THE SPEAKER: The district service commissions will be by the Committee on Public Accounts (Local Government).

MR LUBEGA SSEGGONA: Otherwise, as a doctor, he will treat people who are not sick. *(Laughter)*

THE SPEAKER: I want us to differentiate between the Committee on Public Accounts (Local Government) and the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises). The issue of the district service commissions will come under public accounts committee (local government).

DR KAMARA: Much obliged.

THE SPEAKER: This one is for Commissions, Statutory Authorities and State Enterprises.

4.25

MS ROBINA RWAKOOJO (NRM, Gomba West County, Gomba): Thank you, Madam Speaker. Mine regards the inconsistencies in the bio-data of the employees of the Public Service Commission. I think it is very unfair and demoralising for staff of the Public Service Commission, who end up interfacing with and interviewing other people, to have their own bio-data not updated. That is something that can be ignored and you find that, on the record, it is not catered for.

They were talking about 10 members or something. I think that, as a matter of urgency, it has to be worked on for their morale and good work. Thank you.

THE SPEAKER: Thank you. Dr Bukenya? *(Members rose)* If you do not speak on this one, you will speak on the next report. They are related.

4.26

DR MICHAEL BUKENYA (NRM, Bukuya County, Kassanda): Thank you, Madam Speaker, for having the sharp eye to see me in this corner. I would like to first thank the chairperson and the team that assisted him, for presenting a very good report.

Madam Speaker, I would like to talk about two issues. One, while starting the discussion,

Hon. Oguzu Lee, said that these reports are not followed up; I disagree. I was the chairperson of the committee in the last five years, and Hon. Bahati was the Minister of State for Finance, Planning and Economic Development -

THE SPEAKER: Hon. Oguzu Lee, he is addressing you.

DR BUKENYA: Whenever we would make 20 recommendations, he would pick at least five in the next financial year without us going to him to ask for such. And he would add them on. I am sure if the ministers that are there are like him, something is being done.

Secondly, the most crucial issue that Hon. Sseggoni raised in the report is about the servers. The issues the Member for Gomba raised - digital transformation - is crucial, and the Service Commission should be facilitated.

On a bigger strategic view, the Ministry of Information, Communications Technology and National Guidance should also be facilitated to implement the Digital Transformation Roadmap because it integrates all the ministries. This will help us solve most of the problems we have in the public service.

It would even help us to tackle the issue of understaffing because some of the positions that are not filled and considered redundant can be covered by the IT system in digital transformation. Thank you, Madam Speaker.

THE SPEAKER: Pro-poor?

4.28

MR BARNABAS TINKASIIMIRE (NRM, Buyaga West County, Kagadi): I remain pro-poor. At one time you were with us; those who speak on behalf of the poor people but you abandoned us but we are still there carrying the banner.

Thank you, Madam Speaker, for this opportunity. I thank my senior learned friend for the good report. I only want to amplify an important point that he made. We may not unpack it and appreciate it. When he said he is imploring the

Government to increase the retainer fees of the District Service Commission members through the Public Service Commission, he is using a legal term, in ordinary language saying that we should increase their pay.

I find this very critical because it was provided that the Chairman of the District Service Commission shall be paid a salary of Shs 1 million and that is what is being carried. I pray that they revise this figure upwards. If we have a chairman who is earning a good retainer fee, he will be forced to work harder and keep a good image, because he is being facilitated well, and will not pick handouts from the applicants.

Also, instead of only providing for the chairperson, the Public Service Commission should consider all members of the District Service Commissions and have each of them given a sizable retainer fee. I would propose that they move from Shs 1 million, for the chairperson, to Shs 6 million, then the members to Shs 3 million, and we carry on like that because it is a very big problem on the ground.

THE SPEAKER: Honourable member, what is happening is that the Government only pays for the Chairperson of the Public Service Commission, then commissioners/members are paid a lower-sitting allowance. I do not want to mention the amount, but it is ugly.

Therefore, as an institution of Parliament, we need to advocate and follow what the report is saying. Let us have a retainer fee that is good enough not to make them go and solicit, be given to the members of the district service commission - you will speak to the next report.

MR OGUZU: Madam Speaker, in addition to all concerns that have been raised here in regard to the Public Service Commission, Health Service Commission, and any other Commission dealing with recruitment and promotions; it has been observed that there are so many Ugandans suffering and not being promoted.

The President's attention has been drawn to some of such cases. In the Health Service

Commission, we have cases where people have served for over 20 years without being promoted. In Foreign Affairs, people have served for 15 years without being promoted. Why should we exploit Ugandans like that yet we have an able minister who seems to be paying attention to the concerns of Ugandans, yet these issues are persisting?

We need to be assured. Is the minister aware of these irregularities, or has he joined those people who are violating the rights of Ugandans? How will the Public Accounts Committee (PAC) handle these issues and hold the minister accountable? I needed this to be reconciled properly so that there is clarity. Already the President has intervened that this is not a matter which should have thrived under the NRM government. It is an indictment on people who are delegated by the President and this House if no action is taken. I thank you.

THE SPEAKER: Minister?

4.34

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Thank you, Madam Speaker -

THE SPEAKER: Leader of the Opposition? Hon. Tusiime, you will speak to the next one.

4.34

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Thank you, Madam Speaker. Senior member, it is a brief one. I thank the chairperson of the committee and members for the report.

However, still on the Public Service Commission, the observation here is that the committee observed 60 out of 146 required, 42 of the District Service Commission, meaning there is no work going on.

Other committees are always going to report staffing gaps in several Government entities, including districts. Once this Commission is not fully constituted, it cannot work. It is the duty of the Ministry of Public Service, under Hon. Muruli Mukasa, a senior member, to carry out supervision of these people.

Madam Speaker, let me tell you one interesting scenario. When you go to our districts, you will find that a teacher who wants to be appointed in a Government school can spend Shs 6 million to get a job, yet this teacher is going to earn Shs 400,000 per month. By the time he gets a job, he will have spent one year ahead of him without any payment.

It is you, public service, through you, Madam Speaker, to bring all these suggestions to your relevant committees. How do you appoint these people and remunerate them? When they talk about poor remuneration, as Hon. Barnabas Tinkasiimire has stated, the weakness is in Public Service. You are sleeping on the job. At the end of the day, it impacts our citizens. This is very simple. If you want to change legislation or improve their remuneration, bring it to Parliament.

Lastly, Madam Speaker, let us not talk about the Shs 1 million that the district chairperson is getting. It depends on the income of the district. A district like Kalungu with low local revenue will not be able to get this money and allowances to pay members to attend. All those should be responded to by the relevant minister, who is not very common here but today he is - (*Interjection*) - yes, he is here, and I thank him.

MR OGWANG: Leader Thank you, Madam Speaker. I would like to thank the Leader of Opposition (LOP) and seek clarification on whether we are discussing the matters of the District Service Commission or the Public Service Commission.

If it is the Public Service Commission, I wanted - with due respect to my brother, the LOP, to address the matter as per what is on the Order Paper. Thank you.

MR SSEWUNGU: Thank you, Madam Speaker. I would like to thank Hon. Ogwang - I know he came in late and indeed, this time we are handling the report of the Committee on Commissions, Statutory Authorities, and State Enterprises (COSASE). But based on the report - I talked about the District Service

Commission and some observations that you have stated - and it is under him.

When it comes to education, we shall meet there and I know how we shall handle that Bill like we always talk. However, let us handle this one. I beg to move.

THE SPEAKER: Thank you. Minister –

MR MURULI MUKASA: Thank you, Madam Speaker. With due respect to my colleague and fellow teacher, Hon. Ssewungu, I would like to say that indeed the Public Service Commission is doing everything possible and what it can, given the various limitations, to supervise and guide the district service commissions.

Issues of induction and so on, have been raised but given the limitations they have of funding, they try and have done it, and from time to time, they have given guidance to the various district service commissions.

The Public Service Commission has also worked very hard to move expeditiously whenever issues arise and ideally, there should be no gap. If there is a problem with a particular district service commission, the law allows that particular district to borrow the services of the neighbouring district so that work continues and is not stifled. This has happened in some instances so that at least recruitment and the employment of staff does not falter or is not halted.

Madam Speaker, at the moment we seized - of all these issues, which have been raised – raising - including corruption, all the job sales and what have you, the Public Service Commission has been directed to carry out a study, find out and come up with relevant, concrete proposals as to how some of these shortcomings can be eliminated. It is doing its job, and very soon, a report is going to be presented.

THE SPEAKER: Honourable minister, I am not sure if you need that report, because it is provided for under the Constitution of the Republic of Uganda under Article 198, which says; *“The district service commission*

shall consist of a chairperson and such other members as the district council shall determine, at least one of whom shall represent urban authorities and all of whom shall be appointed by the district council on the recommendation of the district executive committee with the approval of the Public Service Commission”

Now, on the recommendation of the district committee, he who appoints disappoints. Therefore, this can be handled without getting a paper that you are talking about, because it has to be approved by a Public Service Commission.

MR MURULI MUKASA: Yes, and the Public Service Commission has been doing exactly that. However, while it is trying to do that, issues arise.

MR TINKASIIMIRE: Thank you, Madam Speaker and senior Member. What we are requesting - the LOP raised a very critical issue. He says, “You are sleeping on the job”. I would like to give an example of where you are sleeping on the job.

The law provides that there shall be five members of the district service commission but you will find a district service commission functioning with just three members. Yes, the law provides that the quorum shall be three, but that does not mean that they should only appoint three.

You can only quote that provision of the law when there are five members and the other two are absent. However, they should be there and in a very short distance or even a call away, they can report to the commission. But as long as they are not there it means that the district service commission is not duly constituted. This is where you are sleeping on the job.

My district - Kagadi has just four. There was a reverend who resigned because he could not cope with the corruption scandals that were going on. You are aware that he tendered his resignation yet the commission continues to function under the provision that the quorum is three.

No! The constitutional ruling of Sam Kutesa provided that a body, which is not duly constituted cannot function as a body. How do you vote? Therefore, this is where we are taking you on.

We would like you to provide this House with information that you are not sleeping on the job because almost every district - like Mukono District, which she was talking about, had the same problem. If you go to Kyankwanzi, they have four -

THE SPEAKER: Honourable, that is understood. What we need to do is to have the Public Service Commission follow up with the district service commissions since they are the ones who supervise.

Yes, Hon. Ojara.

MR OJARA: Thank you, Madam Speaker. Two quick clarifications: one is about whether there are instances where district local governments make submissions for names that could have been approved by the council but require the final approval of the service commission. Unfortunately, there are instances where the Public Service Commission takes too long to respond to districts.

We had suggested that the Ministry of Public Service, together with the Public Service Commission, needed to have a clear time frame within which they respond to submissions. Maybe the honourable minister needs to clarify that.

Two, we had also suggested that - for example there are only 25 substantially appointed district engineers across the country. The rest are people who are acting, and most of them have acted for more than five years.

We also suggested that the Ministry of Public Service and the Public Service Commission look at a framework where they can deal with some of the challenges that are preventing the local governments from attracting and recruiting such positions.

Finally, there are also instances where local governments have a lot of issues to be handled. For example, irregularities in the recruitment processes, where complaints come up and the Public Service Commission needs to deal with them. Unfortunately, they take too long yet the law requires that they have to act within a certain period and if they do not, then it renders all the complaints redundant.

The honourable minister needs to clarify some of these - what are they exactly trying to do to address this? Otherwise, it is a big problem at the local government level.

We also need to deal with, the question of chairpersons of the district service commissions getting Shs 1,000,000 while the rest of the members have to be at the mercy of locally generated revenue. The Shs 1,000,000 is from the Consolidated Fund, but the other members get allowances from the local revenue.

We had suggested that we needed to standardise this so that everything could be charged from the Consolidated Fund. Thank you.

THE SPEAKER: Thank you. Yes, honourable minister.

MR MURULI MUKASA: Thank you, Madam Speaker. As I was saying, these issues have cropped up and the Public Service Commission, the Ministry of Public Service and the Ministry of Local Government are aware.

The Cabinet actually directed that the Ministry of Public Service and the Ministry of Local Government plus the Attorney-General should look into these issues and provide concrete recommendations, which will help in a way to remove all these issues and outcries.

Some of the issues include corruption and what have you and some of the delays and the political interferences, especially in the constitution of the district service commissions and their performance.

Therefore, as I was saying, yes, we have gone ahead and we have more or less done our work. We are soon going to present a Cabinet Paper on all these issues with practical recommendations and once it is adopted, then action is going to be taken. It is not a question of sleeping –

THE SPEAKER: How long? When you say soon -

MR MURULI MUKASA: How long -

THE SPEAKER: Yes, because we are going into a budgeting process and we are saying let us get a way of increasing pay. Let us get a way of having a retainer for these people.

MR MURULI MUKASA: That is quite in order - yes – *(Laughter)* - Oh, yes, we have also found it; it is in order. Let these people be paid, not just retainers. In fact, we are proposing not just a retainer, let them be paid a salary. Because the revenues of the districts vary, we are saying let the salary come from the Consolidated Fund. Well, I am just mentioning the recommendations that this study has made, which are going to be presented to the Cabinet.

However, the essence of it is that we are privy to some of these shortcomings and gaps, and we are ready to ensure that they are plugged so that we have a vibrant and quite operational district service commissions.

The issue of digitalisation has started. It is not right up to the level that we want it, but at least suffice it to say that the journey has begun and it will not end until its final destination.

Madam Speaker, with a few of those examples, it shows that we are not sleeping; we are quite awake and we shall actually deliver these service commissions to the level that we want them; that Parliament is dictating. In fact, the public wants them to be. Thank you very much.

THE SPEAKER: Thank you and honourable members. We urge the public service to take these recommendations very seriously and have them implemented. You cannot have somebody who is employing you getting a

sitting allowance of Shs 30,000, yet you are going to get Shs 40 million. What do you expect of such a person? Temptations are there.

I now put the question that the Report of the Public Accounts Committee on Commissions, Statutory Authorities and State Enterprises on the report of the Auditor-General on Financial Statements of the Public Service Commission for the Financial Year ended 30 June 2023, be adopted by this House.

(Question put and agreed to.)

Report adopted.

THE SPEAKER: Thank you. Can we have the Treasury Memorandum as per Section 53 of the Public Finance Management Act (PFMA), 2015? Thank you. Next item?

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
PUBLIC ACCOUNTS (COMMISSIONS
STATUTORY AUTHORITIES AND
STATE ENTERPRISES) ON THE
FINANCIAL STATEMENTS OF UGANDA
INVESTMENT AUTHORITY FOR THE
FINANCIAL YEAR ENDED 30 JUNE 2023

THE SPEAKER: Committee chairperson?

4.51

THE CHAIRPERSON, COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES, AND STATE ENTERPRISES) (Mr Medard Lubega Sseggona): Thank you, Madam Speaker. The committee did come up with a report and as guided earlier, we are still compliant.

We make observations on page 2 and recommendations on page 3 of the report, with respect to the observation that the accounting officer should disclose and transfer the outstanding Shs 0.23 billion to the Consolidated Fund and that the accounting officer should be held responsible for failure to disclose the NTR budgeted figures in the financial statements.

Secondly, with respect to the performance of government warrants, we observe and recommend, on page 5 of the report, that the Ministry of Finance, Planning and Economic Development should ensure that the approved budget is fully honoured and that the unimplemented activities are always rolled over to the subsequent financial year.

On the utilisation of warrants, Madam Speaker, we make an analysis and observe, on page 6 and recommend, that the Authority should improve the planning and execution of planned activities, including but not limited to training and skilling to avoid scenarios of lack of persons with suitable qualifications and skills that may be tailored to the interests, desires, and the unique aspirations of the entity.

We also recommend that the accounting officer should ensure that the funds availed are absorbed fully.

On unsupported budget outputs and unimplemented outputs, we observe and recommend on page 7 as follows:

- i) The accounting officer should prioritise activities and implement them in the order of priority; and
- ii) The accounting officer should ensure that necessary revisions in the budget and work plan are effected and approved as guided by PFMA, 2015.

On the mischarge of expenditure, Madam Speaker, we observe, on page 8 and recommend, that the accounting officer should apply the funds to the activities planned for, and in case of reallocation of funds, seek approval from the relevant minister in accordance with Section 22(1) of the PFMA.

On the delivery of services from implemented activities, Madam Speaker, we make an analysis on pages 8 to 10 and observe on page 10 and recommend that the Ministry of Finance, Planning and Economic Development should ensure that all funds for the approved activities are released in a timely manner to

facilitate the effective and efficient execution of government projects and programmes.

Management of the salary payroll

Validation of the employees on the entity's main payroll

We observe on page 11 and also recommend on page 12 as follows:

- i) Management should periodically update employee lists and reconcile the payroll; and
- ii) The accounting officer should liaise with relevant stakeholders to ensure the timely access and deletion of affected employees on and from the payroll.

On the utilisation of the wage budget, Madam Speaker, we observe on page 12 and the committee recommends that it being minimal and well explained, the query be dropped.

Review of the entity staff establishment

Observation on page 13 and recommendation on the subpage that:

- i) The accounting officer should ensure that all vacant positions are filled by the following accounting period; and
- ii) The Authority should implement measures to improve employee retention through training and skilling to avoid human resource gaps.

On the change of accounting treatment for non-current assets, Madam Speaker, we make observations on page 13, and make recommendations on page 14 as follows:

- (i) The Accountant-General undertakes sufficient training for accounting officers on the new accounting systems and any subsequent changes;
- (ii) Going forward, the authority should commence implementation of the policy; and
- (iii) The entity should ensure that Government assets are revalued and stated in the

financial statements at their correct values, which should be depreciated over their useful life in accordance with the accounting systems.

Madam Speaker, I am happy that the people of Busiro twinned us and I am being assisted by honourable. On receivables of Shs 21.42 billion, we make observations on page 15 and recommend that the accounting officer should ensure that strict measures are instituted to collect all outstanding receivables without any excuses.

On outstanding payables of Shs 1.90 billion, we make observations and recommend, on page 16, that the Ministry of Finance, Planning and Economic Development should ensure that sufficient budget provisions are made for outstanding payables to enable their full settlement.

On delayed revaluation of the authority's land measuring 27,877 acres, we observe on page 17 and recommend that the Ministry of Finance, Planning, and Economic Development should provide the requisite funding to the authority to do land titling and regular the revaluation of its land to ensure accurate financial reporting and maximise the land's potential for increased revenue generation. It is an issue that Parliament has pronounced itself on in a couple of seconds or microseconds ago.

On the development of the infrastructure design and the building of Kampala industrial and business park, Namanve, Madam Speaker, we observed, on page 18, that there are delays in the implementation of the project. Based on the observations, we make the recommendation on page 19 as follows:

- (i) The accounting officer should expedite the completion of the project to avoid unnecessary cost overruns;
- (ii) The authority should improve on project planning, management, and oversight to ensure timely implementation in order to achieve the intended objectives of the programme; and

- (iii) The Government projects should enhance environmental protection and preservation by avoiding wetlands except in the clearest of cases based on absolute necessity.

On cumulative achievement of project activities, the committee makes observations on page 20 and recommendations thereon that the accounting officers should ensure that before starting projects, proper coordination between stakeholders like NEMA, UMEME, NWSC, NITA-U, etc, is undertaken to harmonise the designs and avoid challenges of rejection of some sites that cause delays in project completion and service delivery to the beneficiaries.

On absorption of funds under the KIBP-Namanve Project, we observe on page 21 and recommend as follows:

- (i) That the accounting officer should institute robust monitoring and evaluation of the new interventions meant to ensure that the project activities are completed at the right time with quality and minimal cost to realise its intended project objectives; and
- (ii) The authority should improve its financial planning and management, streamline bureaucratic processes, and ensure timely and effective implementation of the funded projects.

On the delivery of services from implemented activities, we made an analysis from pages 21 to 22 and also observations on page 22 with the attendant recommendation that this being a minimal and well-explained query, it should be dropped.

On the status of Uganda Investment Authority land utilisation, we make an analysis on pages 22, 23-24 and observe on page 24 with recommendations that:

- (i) Uganda Investment Authority should develop and implement inclusive land use plans that consider the needs and

- potential of each region to ensure balanced development and promote sustainable use of available land;
- (ii) The authority should allocate resources, including funding, technical assistance and infrastructure development fairly across the districts to ensure all regions have an opportunity to develop; and
 - (iii) The board and management of the Uganda Investment Authority should explore mechanisms of expeditious land dispute resolution.

I noticed that the board has since expired and we are waiting for the appointment of a new board.

On the status of the implementation of presidential directives on industrial parks, we made an analysis on pages 25, 26 to 27 and made observations with attendant recommendations as follows:

- (i) That the Uganda Investment Authority should seek renewal of the expired directive of the President; and
- (ii) The board and management of the Uganda Investment Authority should complete the establishment of the eight industrial parks as envisaged in their work plan.

Payment of UIA administrative and additional assessment of Shs 460 million

On this, we observe and recommend as follows:

- (i) The accounting officer should ensure adherence to the commitment control system to avoid accumulation of arrears in lieu of statutory deductions; and
- (ii) The accounting officer should ensure that there are budget provisions for the settlement of all domestic arrears.

On unimplemented procurements, we observe and recommend that:

- i) The authorities should ensure effective procurement planning and robust management systems to mitigate the problem of non-implementation; and

- ii) The Authority should have programme timelines and work within those timelines.

On the expiry of appropriations, Madam Speaker, we analyse and observe, on page 30, and recommend that the accounting officer should always comply with the law by seeking relevant authority if there is justification, otherwise, return the funds to the Consolidated Fund.

With that, Madam Speaker, we conclude by stating that the Uganda Investment Authority plays a crucial role in enhancing investment in Uganda, which drives national economic growth and development in partnership with the private sector. It is, therefore, recommended that Parliament be pleased to adopt this report, as I now beg to move. I thank you.

THE SPEAKER: Thank you, Chairperson. Hon. Okia and Hon. Dorcas -

5.05

MS JOANNE ANIKU (NRM, Woman Representative, Madi-Okollo): Thank you, Madam Speaker. Is it time?

THE SPEAKER: Yes, please.

MS ANIKU: I would like to thank the committee for the report. Uganda Investment Authority is an entity that is supposed to help us attract investors into the country. Usually, it does that by the incentives that the Government provides and also some assurances of some infrastructure which will help some of these investors' products to reach the markets.

Now, from the report, we have seen that Shs 86 billion was the approved budget but only Shs 46 billion was released. This caused some of the plans, like roads that were meant to lead to some of these industrial parks, not to be constructed.

Now, if the investors are given assurances that roads and power are going to be there, they come and set up their factories, and produce their goods but they are not able to make profits in the end - Government is acting as an investor

by bringing these investors. For 10 years, they do not pay taxes yet after the 10 years, the Government expects to reap from them.

Yesterday, in the report of the Uganda Revenue Authority (URA), we saw that our tax revenue to GDP is very low in the region. But I see a situation where, after most of these investors have started making profits, Uganda will be one of the countries with a good tax revenue in the region.

However, if the Government does not invest in the facilities that are needed to promote these industrial parks and industries, we are going to have a very big issue.

The second issue is that I would like to agree with the committee on the issue that the Uganda Investment Authority should be facilitated to invest and procure the eight industrial parks of which Madi-Okollo is one. Thank you.

THE SPEAKER: Thank you. We really wanted the Minister of State for Investment in this debate. It is a very important report. Honourable members, we have had a lot of issues on investment. Is it possible for us to have the minister in the House? I do not want a debate on this thing; I want the minister here.

We will stand over this report and go to the next. We want the minister here. *(Applause)* [Hon. Ssewungu rose] Do not waste your energy. There are issues with investments, all of us want industrial parks and that can only be answered by the responsible minister.

5.09

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, it is important to note that we are debating queries by the Auditor-General on the Uganda Investment Authority. The Government will respond to the resolutions adopted by Parliament through a Treasury Memorandum.

This particular one is on queries but it is also important that you direct us, the ministry

responsible for investments, to come and update the House on the other issues of industrial parks, incentives and other matters.

5.10

MR MARTIN OJARA (Independent, Bardege-Layibi Division, Gulu City): Madam Speaker, much as the honourable minister is saying that we would discuss this, we have been reading a lot of things about Uganda Investment Authority.

Even today, social media is flooded with how the board has been fired; it is disturbing because the Uganda Investment Authority plays a very critical role. It would be good for us to have this discussion and also for other issues to be clarified when the honourable minister is here. Therefore, Madam Speaker, your guidance is spot on. Thank you very much.

THE SPEAKER: Honourable members, if the board is fired and the roads to the industrial parks are not being worked on – if all these things that have been mentioned are not being done - can we have an assurance from the minister? This is because it is the minister who is responsible for the board. Hon. Bahati, kindly tell the Minister of Investment to come.

MR BAHATI: Madam Speaker, we will inform the minister responsible for investment to come tomorrow or any time that the report is on the Order Paper to listen –

THE SPEAKER: No, the report is still on the Order Paper. It will be the first item.

MR BAHATI: Okay, she will be in the House tomorrow.

THE SPEAKER: I hope she reads the report because we are not going to repeat it.

5.12

MR JOSEPH SSEWUNGU (NUP, Kalungu South County, Kalungu): In this term, I was once the Vice Chairperson of the Committee on Government Assurances and I can state that a lot of information from this committee about industrial parks poses a lot of questions - we did a lot of work for the industrial parks.

With your indulgence, if at all we could also get that report of the Committee on Government Assurances, because we had a full visit to these industrial parks, so that this report with accountability, plus the implementation as per the promises of Government, would give us a very good debate.

Otherwise, without the minister, we are going to make some amendments and recommendations. We are very okay with the reports we have heard, but I want the honourable minister to know that we are not only reading this report as it came today - we have heard it before and we are well informed.

The Speaker, in her wisdom, has even seen it even before us. Therefore, bear the directives and please leave us so that we can get that man - this accounting officer should not be in office by now; I can assure you.

THE SPEAKER: Thank you. Next item. Gender, do you have something?

5.13

MS FLAVIA KABAHERA (NRM, Woman Representative, Kyegegwa): Thank you, Madam Speaker. I do not want to dispute your ruling but can the minister, as she comes tomorrow, come with the national investment strategy for this country, so that we can know how she has mapped the country and how she will guide us on the appropriate volumes of investments that are needed for every region so that we can contribute and grow this economy?

THE SPEAKER: Those are policies - she is supposed to take that to the Committee on Finance, Planning and Economic Development. We are looking at the accountability of the funds that have been given.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSION, STATUTORY AUTHORITIES, AND STATE ENTERPRISES) ON THE REPORT OF THE AUDITOR-GENERAL, ON THE FINANCIAL STATEMENTS OF THE NATIONAL POPULATION COUNCIL FOR THE YEAR ENDED 30 JUNE 2023

5.15

THE CHAIRPERSON, COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES, AND STATE ENTERPRISES) (Mr Medard Lubega-Sseggona): Thank you, Madam Speaker. With respect to this report, in respect of the National Population Council, for the year ended 30 June 2023. We make observations on Page 2 and recommendations on Page 3 as follows:

- i) MDAs should always ensure proper planning, and identify and address bottlenecks that delay the collection of non-tax revenue;
- ii) That MDAs should diversify their sources of NTR to reduce dependence on the limited number of revenue streams;
- iii) With respect to the performance of Government warrants, we made an analysis on page 3, all through to page 4, and recommended that the Ministry of Finance, Planning, and Economic Development should ensure that a full release of warrants for Ministries, Departments, and Agencies (MDAs) to operate efficiently, meet their obligations and deliver essential services to the public as planned and approved, is made; and
- iv) With respect to the utilisation of warrants, the committee observes and recommends that the Ministry of Finance, Planning, and Economic Development should always ensure adequate releases in accordance with the approved budgets for MDAs.

Madam Speaker, on the implementation

of outputs, we observed on page 5 and recommended that MDAs continuously engage relevant stakeholders to ensure adequate funding to address their needs.

On delivery of services from implemented activities, we analysed and observed, on page 6, and recommended that MDAs should always ensure that unimplemented activities are rolled over to the subsequent period so as to fully attain the intended strategic objectives.

On the management of Government salary payroll, Madam Speaker, we analysed on, pages 6 and 7 – where we talked about the validation of employees on the entity’s main payroll – and recommended that MDAs should periodically update employee lists, reconcile the payroll and liaise with other relevant stakeholders to ensure timely payroll access for new employees and deletion of those that have exited service.

On inconsistencies of the employee details, we observed, on page 8, and recommended that the accounting officer should ensure that employee records are duly updated and brought to the attention of the appropriate authorities within six months from the date of adoption of this report.

Madam Speaker, on review of entity staff establishment, we observed and recommended, on page 8, that the accounting officer should follow up with responsible stakeholders regarding the status of the entity so as to guide the fate of the council’s staffing positions.

On the irregular extension of acting appointments, we analysed, observed and recommended, on page 9, that MDAs should always provide documentation and any other relevant information for evidence to the auditors during audit or exit meetings.

On the payment of salaries off the Integrated Personnel Payroll System (IPPS) and procurement of a separate payroll system, Madam Speaker, we observed, on page 10, and recommended as follows:

- (i) MDAs should adhere to the IPPS to ensure compliance, transparency and efficiency; and
- (ii) MDAs should follow up the setup with the public service ministry to avoid wastage through further payments relating to the separate systems procured by the entity.

On the irregular payment of gratuity, we analysed, observed, and recommended, on page 11, that the accounting officer who was in charge should account for the money irregularly paid out in gratuity and National Social Security Fund (NSSF) to the permanent staff in Government employment and, where it is found that excess money was paid, he should pay back, in accordance with Article 164(2) of the Constitution.

On the irregular continuation of people being in acting capacity beyond 12 months, Madam Speaker, we analysed, observed, and recommended, on page 12, that the accounting officer who is in charge be held personally liable for the violation of the law.

On the establishment of the National Population Data Bank and its failure to fully operationalise the National Population Data Bank, we observed and recommended as follows:

- i) Considering that the National Population Data Bank was currently in place and fully operational, the query should be dropped; and
- ii) The government should expedite the process of popularising the National Population Data Bank so as to avail useful data for planning to the responsible stakeholders.

In conclusion, the National Population Council plays a crucial role in ensuring that Uganda’s population policies contribute to sustainable development to improve the overall well-being of the citizens. We, therefore, recommend and move that Parliament be pleased to adopt the report.

I thank you, Madam Speaker. *(Applause)*

THE SPEAKER: Thank you, committee chairperson.

5.21

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala): Thank you, Madam Speaker. I thank the committee chairman for the wonderful report.

Madam Speaker, on the National Population Data Bank, I think there is laxity in that field because the role of the Population Data Bank is to store all the data of all Ugandans, but across all sectors – and reintegration, distribution, proper analysis after sorting – and giving it to the National Planning Authority to plan for our country.

Now, the National Population Council, I highly doubt, has the raw data – the males living in Butabika are these. To tell me that they have the health data of people without cross-reference digitisation of other sectors – like how many people have land titles; how many people are in, let us say, these settlements; of what age; how many of them are in school; what education background, etc. – to help us to correlate.

Their role is to gather the population statistics, cross-reference the data, mine it well, and help the other Government bodies to use it for better planning.

Madam Speaker -

THE SPEAKER: It is supposed to be integrated with the Independent Electoral Commission, National Identification and Registration Authority (NIRA), and the hospitals.

MR NSEREKO: Thank you, Madam Speaker. It is my humble view that as we move towards elections, the baseline of compilation and coming up with the national register - I know we will be talking about it. However, if you want to get digitised – and, now, we already have one of the sectors that gathers our data, as the cross-reference of the population of Uganda. The entry data at NIRA is still saying that we are not so sure, which national identification

card (IDs) you should use in the transition and we know we have to use some data to compile the voters' register.

Therefore, you can see that if not well supported, as a population council, with personnel and skills, we might not harness a lot. Thank you very much.

THE SPEAKER: Thank you.

5.21

MR RAUBEN ARINAITWE (Independent, Isingiro West County, Isingiro): Thank you, Madam Speaker. I would also like to thank you, honourable committee chairperson, for your report.

I have two issues. One is on people acting in positions for long. The Public Service Standing Orders stipulate that someone should not act for more than six months. However, when I read the report, I saw that people have acted for 18 months or 12 years. If you act for more than six months, you are automatically supposed to qualify and occupy the office in which you are acting.

Secondly, I have seen the same mistake – inconsistency in employees' details. Since yesterday, all the reports have indicated that employees' data has some mistakes – the names, date of birth, and the National Identification Numbers. I hope these employees did not change their names. You know, when we were getting the identity cards, some employees tried to change the National Identity Card, which could not correspond with what was in the first forms that they filled in. I submit.

THE SPEAKER: Yes, Hon. Sarah.

5.25

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you very much, Madam Speaker. I want to thank the committee for their report. And just to state that this is -

THE SPEAKER: But I hope you recall that we merged this? Okay.

MS OPENDI: Madam Speaker, this is why I had previously challenged the decision of the Presiding Officer, the Deputy Speaker then, and you have also mentioned today that we adopt, if the committees are not ready with reports, we adopt the Auditor-General's reports.

You can see that the committee, in observing some of these Auditor-General's reports, and interfacing with the various Accounting Officers, there are certain queries that can actually be dropped. But if we adopt them en masse then it is like you are hanging or crucifying somebody.

THE SPEAKER: You are saying what?

MS OPENDI: Okay, let me not use those words. The issue I am talking about is that you earlier mentioned and it was previously decided and previously we have adopted the Auditor-General's reports here, without scrutiny.

THE SPEAKER: And the motion was brought on this Floor by Hon. Nandala Mafabi, which motion carried the day and that was a precedent that we are following.

MS OPENDI: Madam Speaker, I moved the motion to challenge that decision and this was last year, November 2023, because when Nandala Mafabi brought this motion, it was at the end of the term of the 10th Parliament, not in the middle. So my motion is still with you, Madam Speaker, and if it pleases you, we would have it on the Order Paper and discuss because the reason why we need to scrutinise – and this is constitutional matter, Madam Speaker.

THE SPEAKER: Just a minute Hon. Sarah Opendi, how many months does the Constitution give you to look at the accountability committee's report?

MS OPENDI: Madam Speaker, it says six months, but it goes ahead to state that "Parliament shall scrutinise" and that is a constitutional issue - actually, Article 163(5) of the Constitution.

THE SPEAKER: *"Parliament shall, within six months after the submission of the report referred to in clause (4) of this article, debate, consider the report, and take appropriate action."*

The word is "shall" and these are accountability reports and you know - I know you did some little accounting - you know the accounting cycle. By the time you go into the budgeting process, you should have closed the accounting cycle of this current year.

MS OPENDI: Madam Speaker, it is difficult for me to argue, but how I wish my motion could find its way on the Order Paper, and then I would give more justification. But that aside, I want to thank the committee for their report.

I was just wondering, Madam Speaker, how could an Accounting Officer pay staff who are still serving - pay gratuity to a tune of Shs. 550 million? What is even funny is that the same Accounting Officer goes ahead to pay staff who are permanent Government employees gratuity too. How can this happen? Shs 285 million paid as gratuity to existing staff of the council.

This is really - I do not know what level of negligence this is. I am a permanent staff member, I am still serving, but I am paid gratuity. The committee notes that this was irregular and actually out of - because permanent staff do not receive gratuity when they are still serving. It comes at the end of their term. Therefore, I found this - No, I am reading the report.

THE SPEAKER: Yes?

MR SSEWUNGU: I know you saw this even in the other report. But this one is more interesting.

THE SPEAKER: But Uganda Investment Authority (UIA) refunded. It is the same.

MR SSEWUNGU: Here, you start with inconsistencies in the employee details. They have different National Identification Numbers

(NIN); numbers do not match. Actually, in Uganda, as we talk, whether your national ID is expired, the NIN remains the same. And there is a validation; they carry out validation every year. But here you are with inconsistencies in employees, but the employees who are inconsistent are also getting gratuity and NSSF at the same time. This type of Accounting Officer, I do not know. Honourable minister, you are in trouble.

MS OPENDI: Thank you very much for the information. My issue actually is with the recommendation of the committee, Madam Speaker

The committee, the Accounting Officer was in charge and should account for the money that he irregularly paid out in gratuity and NSSF to the permanent staff in Government employment where it is found that excess money was paid. He should pay it back.

Madam Speaker, without any warning to this Accounting Officer, should we simply say pay back? I am not comfortable with the recommendation of the committee because simply saying that this person should account and pay back is not adequate.

Secondly, Madam Speaker-

THE SPEAKER: What would you suggest to be the most appropriate recommendation?

MS OPENDI: Madam Speaker, I had indicated -

Yes, this Accounting Officer should actually be held accountable for this omission because there is a process before somebody is paid. Papers are checked, there are auditors, people who verify these papers before payment is actually made. Then finally, the payment is made. So how could this really happen? Then we are only saying the Accounting Officer who made the payment should account for the money and pay back. I think that is being too lenient. Yet for other officers, we have written.

Madam Speaker, you will respond as the chairperson. I have been with you as the Chairperson of PAC. And we used to say that these people should be held accountable. So what happened to that sentence? Why are you changing the language now in COSASE?

Secondly, Madam Speaker, on the National Population Data Bank, which is currently in place, I know I had already talked about this, where the committee recommended that this should be dropped. I think the last issue is the challenge of people who are acting in positions for a long time.

When you look at most of the reports, it is actually worse in the district local governments where you find people acting for over two to five years and they are still in acting capacity and yet the law is very clear; the Public Service Standing Orders provide for only one to act for six months but you find somebody acting beyond that.

I am glad the Minister of Public Service is here. We must stop this and being unfair, trying to protect positions for some people to qualify and employ them. Let me take the information from the shadow minister for local government.

MS NALUYIMA: Thank you so much for giving way, colleague. Hon Opendi, I just wanted to inform you about matters of local governments. We have districts; when we went to the western region, they have advertised several times, especially for district engineers, district health officers, they are unable to attract any person to take on those posts. So at times, the local governments have advertised, but no one is interested as far as that money is concerned.

MS OPENDI: I think what we are handling now is the National Population Council, where the committee raised the issue of people acting in one position for a long time. Therefore, your information, while it may be valid, may not be relevant for this particular purpose. Thank you very much.

Madam Speaker, the woman MP, Arua, wanted to give further information and I will stop there. Thank you.

THE SPEAKER: Hon. Onzima?

5.36

MR GODFREY ONZIMA (NRM, Aringa North, Yumbe): Thank you, Madam Speaker. The issue of paying gratuity to people who are still earning a salary is not only in this particular issue being raised. When you also look at the audit queries of local governments, the same issue is also coming up. You find that many people who are still on the salary payroll are paid gratuity. When we leave some of these challenges like this, we may not unearth a number of issues.

Some time back, there was a case of connivance, where monies were transferred into accounts of some districts excess, and these monies were returned, but not into the consolidated account. In this same case of paying a lot of money as a gratuity, for me, I would think that we should subject it to an investigation. Because there could be a case of connivance where you may find that the people who have received these monies might be paying the money back to those who pay them.

Therefore, my recommendation and suggestion are that we should amend-, as a recommendation that apart from holding this accounting officer accountable, he should repay the money; this matter should be subjected to further investigation. That is my recommendation.

THE SPEAKER: Thank you. Hon. Obigah.

5.37

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you, Madam Speaker. We, who come from refugee hosting districts, there is a big discrepancy with the data we have in the population databank. The management has totally failed. They give wrong reports. I think they do not use people who qualify to collect the data.

They just go and assume that in this population, this could be the number. Now we share health centres and schools. The Universal Primary Education (UPE) fund that is given is so little. Even medicine that is supplied to the health centres is so low. A major intervention should be done with the population council. They should take their work seriously.

THE SPEAKER: Thank you. Let us first hear from the minister.

5.38

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker and honourable Colleagues, I once again thank the Chairperson and the members of the Committee for a very good report.

There are two issues I would like to respond to:

To begin with, the National Population Council has been now merged with the National Planning Authority. Therefore, issues of the databank will be handled in the new establishment of the National Planning Authority.

However, I do take-, it ended 30th actually, a few days ago but I also take note of what Hon. Nsereko has raised. I hope that in the new structure, we will be able to take this issue of the databank very seriously.

Pension and gratuity: A distinction should be made that you get a pension when you are on a permanent basis. You get it in Government at the end of your term. However, gratuity is for those who are on contract. Therefore, contract-, you calculate it at the end of the financial year-, at the end of the year, and then you get the gratuity.

Therefore, it is in order that members of the staff of the National Population Council were getting gratuity because they were on contract.

Madam Speaker, to mention that-, I do not know whether this is the right time now that we are talking about the population, if I can

comment on my population that I represent in this House.

I thank Members for sending the messages of sympathy upon the news of hailstorms that happened in my constituency, where one pupil died at Kabirago Primary School. It destroyed plants and people's property in Gwanyina, Butanda and Kamuganguzi.

I would like to assure the people I represent in this House that as the Government, we are doing all it can to reach out to them and support them. I thought that-, now that we are talking about the issues of population, I could mention that. I thank you. (*Laughter*)

THE SPEAKER: Thank you. Yes.

4.41

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division Kampala City): Thank you. Now, we have heard the representative, Hon. Bahati, and we stand with you and your people.

Madam Speaker, you have always spoken about the digital agenda of this country and e-governance. Probably, as leaders, we need to push ourselves in the room, including our friends from the planning authority, to see to it that we do what we call the e-governance plan. In so doing, we would get real-time data.

I saw the Minister of Education and Sports trying to embark on it, that in real time you would know which child has entered class, which child has absconded or which child has dropped out.

From the health sector, which child or person has been admitted, which person has been treated, and which individual has been given a particular prescription of which drugs, which doctor has checked in, which nurse has not checked in, etcetera.

The use of the e-governance system in appraisals by the Ministry of Public Service, so that it can give us a real-time-, you know-, planning and solutions that can help you to plan for our population.

Therefore, I look forward to you as the Government, like you have said, coming up with that plan of integration of all Government services on the e-system of governance, digitisation, so that- (*Interjection*)- I think our friend from-, is an honourable from where? Busiro has just come in, but we will give him the benefit of the doubt. What we are talking about is e-Government-, probably does not understand what I am particularly talking about.

Madam Speaker, with due respect, the minister in charge of planning needs to tell us how far the Government has gone with the integration of the system of e-governance and total digitisation for real-time results and governance. Thank you.

THE SPEAKER: Thank you. Honourable members, I now put the question on the report of the Public Accounts Committee.

MR SSEGGONA: I think it is-, first of all, I thank colleagues for their contributions. And of course, express solidarity with the people of Ndoorwa West, on the hailstorms. I want to trust that his Government is able to respond in real-time. Just respond to only one of the issues raised by the Hon. Opendi-

THE SPEAKER: Honourable minister, our sympathies to your people and we are with them.

MR LUBEGA SSEGGONA: Madam speaker, the issue raised by the Hon. Opendi who asked whether I have become softer since I left Public Accounts Committee Central; no, because we observe-, first of all, the accounting officer is no longer in office. He has since-

Madam Speaker, this particular accounting officer has since left office even before the merger of this entity with another. The worst and harshest penalty the committee could recommend is a refund. In our assessment, a refund of money is harsher than saying, "To be held personally accountable" because it is only a statement, but this one is an action; "Bring back the money."

Why we did not want to go into the realm of recommending a criminal prosecution is if you read the report of the Auditor-General and this particular report, there is what may be seen to be a dichotomy where somebody would hide. The Council has a human resource manual, which makes provision for these payments.

However, our observation was that this Human Resource Manual is inconsistent with the Public Service Standing Orders, which, in our opinion, would take precedence over the Human Resource Manual. That is why we did not go the extra length of recommending criminal prosecution, but recommend a refund of the monies paid. That is it. Thank you.

THE SPEAKER: Why didn't you consider Article 164(2)?

MR LUBEGA-SSEGGONA: To that effect, Madam Speaker, we did. In our recommendation, we said, "Pay it back in accordance with Article 164(2) of the Constitution". Thank you.

THE SPEAKER: Thank you. Honourable members, I now put the question that this House adopts the report of the Public Accounts Committee on Commissions, Statutory Authorities and State Enterprises on the report of the Auditor-General on financial statements of the National Population Council for the year ended 30 June 2023.

(Question put and agreed to.)

Report adopted.

THE SPEAKER: Thank you. Next?

MR LUBEGA SSEGGONA: With your permission, Madam Speaker, may I thank you very much for giving us this kind of time, but also to thank my members and staff for the industrious work that was exhibited. I am grateful. *(Applause)*

THE SPEAKER: Thank you. So, you have one report that will come up tomorrow on the Uganda Investment Authority. Next item?

MR LUBEGA SSEGGONA: I still have more, Madam Speaker.

MS OPENDI: Thank you, Madam Speaker. We have passed the report, but recall that previously, while handling similar reports of the Auditor-General, you guided the committees to stop simply talking about accounting officers.

For example, this accounting officer retired but his name is not mentioned. If you simply say, "The accounting officer who was in charge", who was he? Why don't we put the names there?

So, is it not procedurally right that moving forward, where – *(Interjections)* - I am saying moving forward - is it not procedurally right that moving forward, where the Public Accounts Committees bring reports, they should mention the names of these accounting officers, so that we can be able to differentiate?

THE SPEAKER: Thank you. Next?

BILLS SECOND READING

THE UGANDA NATIONAL KISWAHILI COUNCIL BILL, 2023

THE SPEAKER: Honourable minister, can you move a motion?

5.48

THE MINISTER OF STATE FOR GENDER, LABOUR AND SOCIAL DEVELOPMENT (GENDER AND CULTURE) (Ms Peace Mutuuzo): Madam Speaker, I beg to move a motion that the Bill entitled "The Uganda National Kiswahili Council Bill, 2023 be read for the second time.

THE SPEAKER: Is it seconded? *(Members rose)* It is seconded by Hon. Muwuma, Hon. Ojara, Hon. Silas Aogon, Hon. Ayeko, Hon. Juliet Kakande, Hon. Hanifa Nabukeera and Hon. Abed Bwanika. It is seconded by the whole House, including Hon. Bahati. Would you like to speak to your motion?

Honourable members, from today, chairpersons of committees should always be in the House. Actually, they should be the last people to leave the House. *(Applause)* You want leadership; you people should be exemplary. *(Applause)*

MS MUTUUZO: Madam Speaker, under Article 6(2) of the Constitution of the Republic of Uganda, Kiswahili is the second official language of Uganda to be used in such circumstances as Parliament may, by law, prescribe.

Uganda is a member state of the East African Community and under Article 16 of the East African Treaty, it binds partner states to domesticate the provisions of the Treaty and implement them.

Uganda is a signatory of the Protocol that established the East African Kiswahili Council in 2008. The East African Kiswahili Commission started its work way back in 2008 and was commissioned in 2015. For about 10 years, Uganda has not had membership on the Kiswahili Commission.

Kiswahili is an indigenous language known for being an African indigenous language spoken by over two million people in Africa, specifically East Africa, the Southern African Development Community and some other Arab countries.

It is known to have been born in the East African Community and there is a saying that it was born in Tanzania, raised in Kenya, died in Uganda and resurrected in Congo. Madam Speaker, I want to clean this record on where it died from. *(Laughter)*

The Kiswahili Commission in Uganda will support the unity that none of our indigenous languages has been able to raise for the whole of Uganda. Uganda has diverse cultures and languages, and Kiswahili comes in handy to unite us because of its neutrality.

At the East African Community level, the partner states concluded the Protocol on the Establishment of the Kiswahili Council

and Commission, and the main objective of the Commission is to promote the usage of Kiswahili within the East African Community.

The Commission works through the National Kiswahili Council, like the Uganda National Kiswahili Council, to be established under this Bill.

Therefore, Madam Speaker, the Bill seeks to operationalise Article 2(2) of the Constitution of the Republic of Uganda and the Protocol on the Establishment of the East African Kiswahili Commission. The Bill will establish the National Kiswahili Council as a government agency that will promote the use of Kiswahili in Uganda.

The Council will coordinate and promote the use of Kiswahili in the administrative, judicial and legislative processes as a medium of communication by the local government and the public at all levels of society, and as a medium of instruction in the educational institutions in Uganda. I beg to submit.

THE SPEAKER: Thank you so much. We will now call the chairperson. Hon. Kayemba-Ssolo, are you okay?

5.54

THE CHAIRPERSON, COMMITTEE ON GENDER, LABOUR AND SOCIAL DEVELOPMENT (Ms Agnes Kunihira):

Thank you, Madam Speaker. I am here to present the report of the Committee on Gender, Labour and Social Development on the Uganda National Kiswahili Council Bill, 2023.

I beg to lay on the Table the following documents:

1. The minutes of the committee meeting as we processed the Bill;
2. A copy of the Protocol on the Establishment of the East African Kiswahili Commission;
3. A waiver under Cabinet Minute Extract MIN. 437(CT 2022).

I beg to lay the Treaty of the Establishment of the East African Community and the report of the committee. Thank you, Madam Speaker.

THE SPEAKER: Thank you.

MS KUNIHIRA: The minister has already clarified why they are establishing a council. I will not go into the background and methodology of the Bill, but go directly to the general observations.

5.1 Operationalisation of Article 6(2) of the 1995 Constitution

The committee noted with concern that whereas under the memorandum of the Bill, it is stated that the justification of the Bill is to operationalise Article 6(2) of the Constitution. The Bill is silent and does not make any provisions hinged on Article 6(2) of the Constitution.

The Bill does not mention circumstances where Kiswahili will be used as the second official language in Uganda in any way, in its current state as Parliament is required to do under Article 6(2) and yet this is the basis of the Bill.

The committee accordingly recommends that the objects of the Bill and the long title should be amended to include the operationalisation of Article 6(2) and further that the Bill is amended to provide for the circumstances of the usage of Kiswahili as the second language.

5.2. Policy on Rationalisation of Public Expenditure

The committee observed that the creation of the council is contrary to the rationalisation policy of the Government adopted under Cabinet Minute No.2 02/2022 (RAPEX), which is aimed at streamlining and reducing the number of Government Ministries, Departments and Agencies (MDAs) and has since resulted into ongoing institutional reforms.

In this regard, the committee was informed that the Ministry of Gender, Labour and Social Development was given a waiver under the

Cabinet Memorandum under Extract. MIN 437 (CT 2022) to create the Uganda National Kiswahili Council.

Furthermore, Uganda being a signatory to the protocol on the establishment of the East African Kiswahili Commission (EAC 2008:8), places the commitment and obligation for Uganda as for each of the partner states to establish a National Kiswahili Council as a main channel for participation and promotion of activities of the commission.

The committee notes that the majority of various stakeholders supported the establishment of the Uganda National Kiswahili Council.

The Ministry of Local Government submitted that Kiswahili is a critical factor for integration; it is used by local government associations at their meetings under the umbrella organisation of the East African Local Government Association (EALGA) with its headquarters in Arusha and so the council is an important tool for strengthening the usage of Kiswahili.

The Ministry of East African Affairs similarly supported the establishment of the council on the basis that it is fulfilment of Uganda's obligation under the Protocol as a Partner State of the East African Community.

I am summarising and not going through everything because it is being projected.

5.3 The mandate to promote Kiswahili

It was observed that the Ministry of Education and Sports was not in support of the Bill due to the following; potential conflict between the proposed council and the language boards, the composition of the council and limited stakeholders' consultation by the Ministry of Gender, Labour and Social Development at the initial stage.

Thereafter, the ministry proposed that the Bill be withdrawn for further analysis and engagement of all stakeholders on how best to promote Kiswahili.

The Ministry of Defence and Veterans Affairs proposed that the Uganda National Kiswahili Council would be most suitably hosted under the Ministry of Education and Sports given its role in language education and curriculum.

The committee submits that language is not merely a means of communication, but it is also an integral part of culture and identity, and it is a tool for establishing social and cultural relations.

The Ministry of Gender, Labour and Social Development is mandated to promote and develop language as part and partial of culture.

It is, therefore, the mandate of the Ministry of Gender, Labour and Social Development to promote the Kiswahili language in recognition of its official status to be used in achieving a common identity and culture for all Ugandans.

6.0 Specific observation and recommendations

6.1 Interpretation

Clause 2(1) of the Bill provides for the interpretation, the committee observed that there is no minister referred to as minister responsible for Kiswahili. Kiswahili being a language recognised under domestic and regional laws, the provision should be amended by adding the word “language”.

The committee recommends that clause 2(1) be amended that the minister responsible for Kiswahili be substituted with the minister responsible for Kiswahili language.

6.2 Functions of the council

THE SPEAKER: Who is the Minister of the Kiswahili language? I thought it should be a Minister of Gender, Labour and Social Development; the one hosting the language.

MS KUNIHIRA: Madam Speaker, that is what they had proposed but we are trying to amend. That is why we are adding the word “language”.

THE SPEAKER: Yes -

MS KUNIHIRA: Clause 4 of the Bill seeks to create the functions of the council. The committee observed that paragraphs (b) and (d) of the clause have many ideas covered under one proposal, and paragraph (e) was redundant.

The committee also observes that there are other vital responsibilities to be performed by the council in ensuring compliance with standards for correct Kiswahili language and regulating the Kiswahili associations which had been omitted in the Bill.

The committee recommends that the provisions on clause 4 be amended so that the functions of the council are clearly presented in a systematic manner.

In addition, the functions of the council should be provided for in the Bill.

6.3 Linkage of the council with local government

Clause 5 provides for the linkage of the council with local government, however, the terms “local government” and “district councils” are not defined; the provisions also require the district council to implement the functions of the Kiswahili Council at the district level and this attracts recruitment of more staff and additional funding.

The committee noted that the term local government has to be defined as per the definition of the Local Government Act for clarity. There is also need to amend the clause to ensure that it adequately supports local governments in promoting the usage of Kiswahili.

The committee recommends that clause 5 be amended to provide for the definition of the term “local government” and to ensure that the council adequately supports local government in promoting -

THE SPEAKER: Chairperson, are we now looking at the clauses?

MS KUNIHIRA: We are looking at specific observations, which look at the clauses.

THE SPEAKER: Yes, specific observations that will lead to amendments of specific clauses, not so?

MS KUNIHIRA: Most obliged. We can now go to the amendments if you agree but I would like to conclude.

In conclusion, the importance of Kiswahili cannot be overstated. Kiswahili is important for the East African integration, effective communication in business transaction, employment, films, videos, advertising, entertainment, broadcasting, promoting tourism within East Africa, as a wider communication in the East African community and as a working language of both Southern African Development Community (SADC) and the African Union.

Kiswahili is quickly becoming a language of international relations in Africa. The Uganda National Kiswahili Council Bill, 2023, therefore, seeks to ensure compliance of implementation of the East African Treaty and Protocol.

The promotion of Kiswahili usage can contribute to both national, regional integration and sustainable development. The committee, therefore, recommends that the Bill entitled, Uganda National Kiswahili Council Bill, 2023, be enacted with the proposed amendments. I beg to submit.

THE SPEAKER: Thank you committee chairperson. Counsel Baka - (*Members rose*) You want to debate on the report? Instead of us looking at it clause by clause.

First of all, a report is informative and cannot help you in making those changes— Yes, Hon. Baka?

6.06

MR STEPHEN BAKA (NRM, Bukooli North County, Bugiri): Madam Speaker, incidentally, I came up to raise a few issues

pertaining to the report. I do not know whether you are permitting some limited debate.

THE SPEAKER: It is okay. Go ahead.

MR BAKA: Madam Speaker, I rise up to support the committee report in some aspects, but I have some issues. The first one, is that a language which is homogeneous is extremely necessary for integration. It facilitates development and creates unity.

And that is why our neighbours in Kenya and Tanzania are a bit ahead of us in terms of development because they have a language which is facilitating trade and fostering unity.

Those of you who are familiar with Kenya, imagine if Kenya did not have a homogeneous language, it would be so bad. They have their own issues, but the language keeps them united.

To that extent, I think this Bill should have come yesterday. We need it to harmonise Uganda, to have a language which can be spoken from the east to the west, south to the north; which we can all understand. It is very good.

Lastly, Madam Speaker, the idea that this council is going to be hosted in the Ministry of Gender, Labour and Social Development is what I do not understand.

This Kiswahili language is going to be like English. English is just a language to us. It is not a culture we do not have *Baswahili* in Uganda, we only have a language, Kiswahili. It is more about having people learn Kiswahili. It is going to be taught in institutions of learning.

So, the right home for this one is the Ministry of Education and Sports. Otherwise, it will be redundant in the Ministry of Gender, Labour and Social Development, and we shall not achieve the objective. Thank you.

MR OGUZU: Madam Speaker, thank you. I have asked the office of the Clerk to supply me with this Bill for examination. I have addressed myself to Rule 117, which requires that a Bill after gazetting, must have an explanatory

memorandum signed by the minister or a Member introducing it.

This Bill and the accompanying memorandum is not signed by the minister. That means that we are not complying with rule 117(3). Now, that this illegality has been brought to your attention, I do not know how you are going –

THE SPEAKER: Which illegality?

MR OGUZU: The illegality is that a Bill like this must be accompanied by an explanatory memorandum that must be signed by the minister. The policy objectives are there but they are not signed as provided in the law.

In the absence of a signature by the minister, you need to guide this House on whether we can continue. This House which is supposed to be the custodian of the laws, cannot move in total violation of the Rules of Procedure.

THE SPEAKER: Hon. Oguzu Lee, the memorandum is available. What was scanned did not have the signature but what was supplied- give me my copy – It is resolved. That is a small matter; do not drag us back.

The object of the National Swahili Council Bill, 2023 is; to provide for the establishment of the Uganda National Kiswahili Council, to provide for the function of the council, to provide the linkage between the council and the local governments, to provide for the composition, the tenure, meetings and committees of the council, to provide for the secretariat of the council and funds of the council.

MR OGUZU: Madam Speaker, I agree with what you have read. Indeed, these are the proposed policy objectives but what we do not know is the commitment of the mover, who in this case is Hon. Betty Amongi who is moving on behalf of –

THE SPEAKER: I am Among.

MR OGUZU: Okay, Hon. Amongi Betty- but you are not Betty. You are Rt Hon. Anita Among. The copy I have here is the copy from

Clerk's office. I do not know if there is another clerk somewhere who has a different copy and is acting on behalf of Parliament. These are matters we need to get clarity on. If not, I pray that we stand over this matter-

THE SPEAKER: Hon. Oguzu, you should get comfort that Dr Mutuuzo a minister in the same docket with *Senga*, is the one moving it. Just have that comfort, and she can sign if you want yours signed.

I have mine signed by Hon. Amongi. Actually, let me send you to my office to pick it because I left it there, So, let us go ahead as the other one comes-

6.14

MS PASKA MENYA (Independent, Woman Representative, Pader): *Asante sana Mheshimiwa Speaker-*

THE SPEAKER: You wait - for now, our national language is English. (*Laughter*)

MS MENYA: Thank you, Madam Speaker. I am here to support the motion. Kiswahili is a key language provided we leaders and the Government take an initiative in promoting it. We learnt Kiswahili when I was in senior one, but I do not know how the state is as it is now.

As the Government, if we are to take Kiswahili as a compulsory national language, let us put it under the Ministry of Education and Sports because I believe that everything about education should lie under the ministry for education.

Madam Speaker, because of the East African integration, we appreciate Kiswahili because it will help to promote business, our unity and many other important things that we will need to share with our sister countries.

So, I hereby strongly support that we stand by the motion that we promote Kiswahili to be a national language in Uganda.

THE SPEAKER: *Mukatuliki?*

6.15

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): I thank the minister. The honourable minister of mine, a senior Manchester United (Man U) member – with his Ten Hag – I do not know why they are running away from their responsibility. It is common knowledge that a lot of teachers have been trained in Kiswahili and they have raised a number of petitions to you, Madam Speaker, on the fact that they are not employed.

As we talk now, a country like Burundi has trained in Kiswahili and they are communicating very well. Botswana, for those of you who know how to export labour, is looking for Kiswahili teachers. This is because under the South African Development Community (SADC), they are struggling to see how they can - and South Africa – move business using that coastal language.

I taught in an army school for 10 years. The medium of communication in the barracks – they can bear me witness – was Kiswahili. If a warrant officer or sergeant-at-arms got you talking in your Ateso, Runyankole or Lusoga – other than Kiswahili – you would be arrested because you would be backbiting others in your mother tongue. There is no way the Ministry of Education and Sports can run away from this fact. There is business for Kiswahili.

Madam Speaker, I remember one time I requested that, as the commission, you plan for and give us morning lessons here at 7.00 a.m. so that those who can afford to come and attend, come and learn Kiswahili. At the end of the day, we would be able to communicate. We have been going for the East African Community Games and you find Members coming to Hon. Ssewungu: “What is he saying? What can I ask for?” *(Laughter)*

THE SPEAKER: Honourable members, Kiswahili is an examinable subject; it is in the curriculum. I wish the gender and education ministries could reconcile this at the Cabinet level.

Education minister, what do you have to say?

6.18

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Madam Speaker, first of all, I begin by asking this Parliament to appreciate the level at which Kiswahili was considered to be under the Ministry of Gender, Labour and Social Development. To be honest, this language was considered under the ministry responsible for culture.

I also want to confirm that, as a ministry responsible for education, we, with your support, recruit, train and deploy teachers to teach Kiswahili in schools. *(Applause)* We also examine it. However, for the purposes of the Bill before us, it has come under the Ministry of Gender, Labour and Social Development.

I would like to ask the Minister of State for Gender, who is before us here, to officially justify it. If it is the considered opinion of Parliament, like the Speaker has guided, the Rt Hon. Prime Minister will come in to guide. However, as of now, I still implore you that the matter we are discussing is under the Ministry of Gender, Labour and Social Development.

I thank you.

THE SPEAKER: Honourable members, before we even get a clarification – I have Hon. Charity there; she is going to speak next – when you sponsor a law, it is prudent enough for you to sign on it. I was only being cultured enough to defend you. You need to sign the law and own it.

Hon. Charity?

6.20

BRIG. GEN. CHARITY BAINABABO (UPDF, Representative): Thank you, Madam Speaker. I wish to thank the Members for the –

THE SPEAKER: Hon. Ssewungu, stop admiring my Member. *(Laughter)*

BRIG. GEN. BAINABABO: I thank Members for their submissions. Kiswahili is important to us, as a people, for national cohesion. As we

speak our different languages, we go about business in our little languages, but Kiswahili will help us to achieve national cohesion.

I would also like to submit that we have the school of languages at Makerere University and Kiswahili is one of the languages. So, I think it is not in order to detach Kiswahili from the school of languages and separate it to another ministry. Thank you.

THE SPEAKER: Thank you. It is clear now. I adjourn the House to tomorrow at 2.00 p.m.

(The House rose at 6.21 p.m. and adjourned until Thursday, 3 October 2024 at 2.00 p.m.)