



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

SECOND SESSION - THIRD MEETING

THURSDAY, 2 FEBRUARY 2023



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

SECOND SESSION - 10TH SITTING - THIRD MEETING

Thursday, 2 February 2023

Parliament met at 2.16 p.m. in Parliament House, Kampala.

disbursed to eligible beneficiaries that fulfilled specific eligibility criteria in the respective parishes.

PRAYERS

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

In exercise of their mandate, as provided for under Article 90 of the Constitution of the Republic of Uganda, the Members of Parliament shall carry out oversight of all activities undertaken under the PDM in their constituencies all over the country. The exercise shall commence on 3 February 2023 and last for two weeks of recess.

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable colleagues, I welcome you to today's sitting. We have very critical issues on the Order Paper; so, I do not want to provoke you with my communication. I want us to go to the substantive items on the Order Paper and then we shall handle matters of national importance, together with the Prime Minister's Time.

While exercising this oversight assignment, I expect the honourable Members of Parliament to ask to be availed all the documents and correspondences relating to the PDM, evaluate and critically assess the disbursement and acknowledgement schedules of the PDM funds to the various groups in the respective parishes..."

I have a communication from the Rt Hon. Speaker, which she has requested me to read to you. I also request the Clerk to ensure that the letters go to the Members' pigeonholes.

We have already communicated to the Ministry of Finance, Planning and Economic Development to ensure that they avail all this information.

"To all honourable Members of Parliament

Re: Oversight by Members of Parliament over the Parish Development Model, 3 – 17 February 2023

"...I have communicated to the Permanent Secretary/Secretary to the Treasury and Ministry of Finance, Planning and Economic Development to make available all the release and disbursement schedules of funds to the various local governments, which information shall be transmitted to the honourable Members as soon as feasible.

As you will recall, in May 2022, this House appropriated about Shs 1.49 trillion for the Parish Development Model for the 10,594 parishes in the country. The funds were to be

The honourable Members shall form 18 clusters, comprising the 18 sub-regions in the country and ensure that each of the sub-regions prepares and submits a report to the House on completion of the exercise...

It is the same as what we did for the *Emyooga*; that is the same arrangement we want to use.

“...Terms of reference

The terms of reference of the oversight activity shall comprise the following:

- 1) *To determine the exact amount of approved funds that have been disbursed to the various parishes;*
- 2) *To examine the eligibility of the various categories of beneficiaries of the PDM funds;*
- 3) *To assess the effectiveness of utilisation of disbursed funds by the PDM beneficiaries;*
- 4) *To establish the extent of adherence to the PDM guidelines and procedures by the various actors in the implementation of the PDM;*
- 5) *To examine any other matter incidental and make recommendations for corrective action; and*
- 6) *To report to Parliament within two weeks.*

*Anita Annet Among, MP
Speaker of Parliament.”*

Honourable colleagues, the assignment is very clear. It means that after today’s session, I am going to send you on recess for two weeks to carry out this very core function. Thank you.

The Prime Minister communicated to me that she would be delayed a little. Since the items, which we are going for were to do with her - we have a very critical item on the Order Paper; item number six, and schools are reopening next week. This is the only chance we have to handle that item. Therefore, let us start with that item.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON EDUCATION AND SPORTS ON THE MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO ADDRESS THE EXORBITANT TUITION AND NON-TUITION FEES CHARGED BY GOVERNMENT GRANT-AIDED SCHOOLS

THE DEPUTY SPEAKER: Honourable colleagues, the ministers are going to come. I have a Prime Minister here, so, even if a minister is not here, please - Otherwise, we shall bog down ourselves in procedure. Even the shadow minister is around. Chairperson, you have 15 minutes.

2.22

THE VICE-CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr Cuthbert Abigaba): Thank you, Mr Speaker, for the opportunity accorded us to present a report of the Committee on Education and Sports on the motion for a resolution of Parliament urging Government to address the exorbitant tuition and non-tuition fees charged by Government grant-aided schools.

Before I present the report, I want to lay on the Table a copy of the report and the minutes of the various meetings we had as a committee. I beg to lay.

Mr Speaker, on 19 February 2022, Hon. Sarah Achieng Opendi, Member of Parliament for Tororo District, tabled before this august House a motion for a resolution of Parliament urging Government to address the exorbitant tuition and non-tuition fees charged by Government grant-aided schools. The motion carried four prayers:

- (1) That Government intervenes in the fees structure for Government grant-aided schools and streamlines the tuition and non-tuition fees charged by these schools;
- (2) That Government justifies why it continues to give statutory grants to Government grant-aided schools that charge exorbitant tuition and non-tuition fees;

- (3) That Government grant-aided schools should start paying their tuition and non-tuition fees into the Consolidated Fund; and
- (4) That Government posts sufficient teaching and non-teaching staff to Government grant-aided schools and pays their salaries and wages.

Mr Speaker, upon debate on the motion, you tasked the sectoral Committee on Education and Sports to scrutinise the motion and report back to the House.

Relatedly, on Tuesday, 16 August 2022, during the proceedings of the House, Hon. Samuel Opio Acuti, Member of Parliament for Kole North County, raised a matter of national importance on the planned increase of school fees by the National Private Education Institutions Association during the third term of 2022, premised on the rising commodity prices. Subsequently, the Speaker referred the matter to the committee.

Upon scrutiny, the committee observed that the matter that Hon. Opio raised relates to the motion previously referred to the committee and, therefore, resolved to handle the two matters together.

Background to the motion

Mr Speaker, Government grant-aided schools are schools, which are jointly managed by the foundation bodies and the Government. These schools receive statutory grants in the form of aid from Government.

Section 8 of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008 spells out the responsibilities of Government towards Government grant-aided schools, including ensuring that trained teachers are deployed, the payment of salaries and allowances to teachers, paying salaries and wages to all established non-teaching staff, paying statutory grants, providing educational materials and other capital development inputs, among others.

On the other hand –

THE DEPUTY SPEAKER: Chairperson, can I guide you?

MR ABIGABA: Yes.

THE DEPUTY SPEAKER: We are the ones who have been appropriating and we know all these issues. The whole report will be captured on the *Hansard*. Go to the observations and recommendations, because Members of Parliament want to debate and you have a minority report, which is also big.

(The report is hereby appended.)

MR ABIGABA: Thank you so much, Mr Speaker. Therefore, I move to section four on page five.

Findings, observations and recommendations

That the Government intervenes in the fees structure for Government grant-aided schools and streamlines the tuition and non-tuition fees charged by Government grant-aided schools.

The committee visited selected schools and held meetings with the board of governors and the school management. Below, in table one, are the findings regarding the fees structure.

Mr Speaker, I do not know whether I should go through the table, but it is very clear. The first column is the 2021 average for the three terms and the other columns are the respective fees for terms one, two and three of the year 2022 for the six schools, which we selected.

During the interaction of the committee with the school administration, the committee was informed that out of the six selected schools that applied for approval of the school fees increment, only Kibuli Secondary School had obtained the ministry's approval, as required under the law. However, the rest of the schools informed the committee that their budgets, which were based on the increased fees, had been approved by the ministry, but they did not have formal approval of the ministry.

While interacting with the Ministry of Education and Sports on the issue, the committee was informed by the ministry that a number of schools had written seeking approval of the ministry to review their fees. It is only Kibuli Secondary School that was cleared because they had taken over 10 years without revising their school fees. All the other schools had revised their school fees without clearance from the ministry.

Observations and findings

Gayaza High School charged the lowest fees and the fees were only increased in term one to cater for shortfalls that were as a result of COVID-19 effects.

When you look at the school fees structure of Gayaza High School, senior two, senior three, senior four and senior six paid less by Shs1 million for term one, apart from the new classes; that is the senior one and senior five that paid a one-off of Shs 2.25 million and Shs 2.245 million respectively, to cater for sets of uniform, beds and development fund.

Fees charged by St Mary's College Kisubi are the highest without anything uniquely different from other schools. For example, a further 44 per cent increment was noted in the fees for senior six in the year 2022 compared to 2018, and this rise in the fees was mainly driven by a 63 per cent increment in the PTA fees from Shs 809,000 to about Shs 1.327 million. There was also an increment of over 100 per cent in renovation fees from Shs 30,000 to Shs 80,000.

The church fees were raised from Shs 15,500 to Shs 85,500. Introduction of a new item agenda, which is called "Academic guidance", was at Shs 82,000. Development fees of Shs 160,000 are charged on fees each term.

Overall, items that led to increase in fees include PTA Board of Governors' fees, which largely caters for salaries of staff that are not on the Government payroll. Other expenses are because of food, which were also increased due to inflation and development fees that is largely meant to cater for capital development at these schools.

King's College Budo was charging slightly above Shs 2 million and this was attributed largely to capital development that the school had to cater for, like the dormitory that they needed to construct and the perimeter wall.

At Kibuli Secondary School, they have not increased their fees for about eight years and this increment was largely driven by increased costs due to water, sewerage and inflation costs. The issues of increased salaries for science teachers affected schools since this led to an increase in PTA funds, where salaries for teachers who are not on the Government payroll are drawn, and additional top-up to motivate the arts teachers.

At Kawempe Muslim Secondary School, they charged the lowest fees among the six schools that we visited, even after a minimal increment due to inflation costs and costs associated with sewerage.

Term one was 14 weeks instead of the usual 12 weeks and this led to an increase in term one fees to cater for the two extra weeks.

At Nabisunsa Girls' Secondary School, fees increment is usually driven by some costs. For example, in 2019, it was due to the school's connection to the main national sewer line and now, it was due to the high cost of consumables and fuel.

The Ministry of Education and Sports pledged to construct a classroom block at Nabisunsa Girls' Secondary School to reduce congestion in the Financial Year 2020/2021, but this has not been realised.

The approval of the school budgets by the ministry, which approval was based on the proposed school fees increment, implied that the ministry had approved the increment since it was embedded in the budget approved.

The Government has not fully honoured its obligations under section 8 of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008. Since the enactment of the Education Act, the Minister responsible for Education

has not come up with a statutory instrument to regulate school fees in accordance with section 57 (g) of the Act.

Like I have already stated in point seven, due to salary disparities for science and arts teachers, schools opted to top up salaries for their arts teachers as motivation to enhance performance of the students. This also accounted for the increase in the PTA funds.

Committee recommendations

The Government should fully meet its obligations, as per section 8 of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008. Mr Speaker, these are listed. I do not know if I need to read through them, but they are nine obligations –(Interjection)- Hon. Ssewungu says these are key –

THE DEPUTY SPEAKER: Your recommendations are what we shall vote on.

MR ABIGABA: Government should fully meet its obligations, as per section 8 of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008 which include:

- (i) Ensuring that trained teachers are deployed;
- (ii) Payment of salaries and allowances to teachers;
- (iii) Appointing heads for Government and grant-aided educational institutions and deploying such heads to institutions in consultation with foundation bodies;
- (iv) Payment of salaries and wages to all established non-teaching staff;
- (v) Paying statutory grants;
- (vi) Providing educational materials and other capital development inputs;
- (vii) Providing national selection and admission guidelines for all pupils and students to be enrolled;
- (viii) Monitoring behaviour and performance of staff both teaching and non-teaching; and
- (ix) Ensuring the safety and security of children in schools and all education institutions.

B. Recommendation

The Government should, as a matter of urgency, come up with a statutory instrument to regulate the school fees charged by all schools.

The Government hastens the process of increasing salaries for all teachers to avoid glaring salary disparities.

The second prayer is that the Government should justify why it continues to give statutory grants to Government grant-aided schools that charge exorbitant tuition and non-tuition fees.

The committee established that there are constitutional provisions that obligate the State to ensure that all Ugandans enjoy rights and opportunities and access to education, under Objective 14(b) of the National Objectives and Directive Principles of State Policy.

Furthermore, the committee recognises the educational objectives in Objective 18 of the National Objectives and Directive Principles of State Policy, which state as follows:

1. The State shall promote free and compulsory basic education;
2. The State shall take appropriate measures to afford every citizen equal opportunity to attain the highest educational standard possible; and
3. Individuals, religious bodies and other non-governmental organisations are free to found and operate educational institutions if they comply with the general -

THE DEPUTY SPEAKER: Honourable, can you repeat that sentence so that it is captured on the *Hansard*?

MR ABIGABA: Yes, I was saying that individuals, religious bodies and other non-governmental organisations shall be free to found and operate educational institutions if they comply with the general education policy of the country and maintain national standards.

Mr Speaker, section 8 of the Education (Pre-Primary, Primary and Post Primary) Act, 2008 details responsibilities of Government towards Government grant-aided schools. The committee took note of Sustainable Development Goal 4, which aims at ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all, among other obligations.

The committee was cognisant of the fact that Uganda subscribes to SDGs and by implication, the Government is compelled to provide inclusive and equitable quality education for all.

The committee observed that constitutional provisions relating to education; that is the Education (Pre-Primary, Primary, Post Primary) Act, 2008, international statutory instruments, and protocols obligate the Government to provide quality education for all.

Findings

The committee established, from its field visits to the six selected Government grant-aided schools, that Government support was as detailed in the table below.

Table 2 shows Government support offered to Government grant-aided schools that we visited. Column 1 shows the schools while column 2 shows the nature of Government support that these schools receive. If I may just quickly run through the one for Nabisunsa Girls -

THE DEPUTY SPEAKER: No, Mr Chairperson. This report was uploaded. Members should have - by the way, what you are doing here is just putting the record straight. Otherwise, Members should have already read. I do not want this culture of Members reading reports from here when they are being presented on the Floor. Please, go on to the recommendations.

MR ABIGABA: Thank you, Mr Speaker. On that prayer, the committee recommends the following:

1. Government should further operationalise the constitutional provisions and the Education (Pre-Primary, Primary and Post Primary) Act, 2008 that relate to education;
2. Government should allocate adequate funds to finance the wage bills for all Government grant-aided institutions to fully cover the staff allowances and wages for academic and non-academic staff, as well as group employees. This would lessen the burden on the schools' boards of governors of ensuring welfare for staff not on Government payroll, which otherwise tempts boards to raise tuition in a bid to meet and offset the schools' administrative overhead costs;
3. The Government should allocate adequate funds to Government grant-aided educational institutions based on their annual budgets to enable them finance capital development projects. This would discourage them from listing down capital development funds among the school fees structures;
4. That Government grant-aided schools pay tuition and non-tuition fees into the Consolidated Fund. Section 29(2) of the Public Finance Management (Amendment) Act, 2015, states that revenue collected or received by a vote, state enterprise or public cooperation shall be paid into and shall form part of the Consolidated Fund.

The committee noted that this prayer would require Government grant-aided schools to deposit school fees collections into the Consolidated Fund, which would subject schools to rigorous Government procedures at the time of requisitioning funds to implement their activities.

Our observation is that Government grant-aided schools do not fall within the scope of section 29(2) of the Public Finance Management Act, 2015 and are not obligated, by law, to deposit their fees collection into the Consolidated Fund. Therefore, we recommend to this House that this prayer be dropped.

5. That the Government pays the salaries and wages of all teaching and non-teaching staff in Government grant-aided schools.

From the total staffing levels of Government grant-aided schools, the committee established the following as indicated in the table - And just like the Speaker guided, Members, you have this report uploaded. This table shows the schools, enrolment, the number of students they have, total staffing levels - both teaching and non-teaching, how many are on payroll, how many are not and how much money the Government sends as wage bill compared to how much the schools need to pay for the staff. All that is captured in this table.

Observations

1. The overall ratio of students to staffing, both teaching and non-teaching, is about 1:9. The ratio of the students to teaching staff -

THE DEPUTY SPEAKER: Please, if you are not a shadow minister, free some space on the frontbench. *(Laughter)* I see the Leader of the Opposition (LOP) is being squeezed; create some space for the LOP.

Colleagues, in the public gallery this afternoon, we have a delegation of students from various universities under the umbrella of the Madi Students' Union. That is Makerere University, Gulu University, Makerere University Business School, Kyambogo University, Uganda Christian University, Kampala International University, Mulago Paramedical School, Metropolitan International University, Islamic University in Uganda, Victoria University and Sharing Youth Business and Vocational School.

They have come to observe proceedings of this House. Please join me in welcoming them. *(Applause)* You can stand up and wave to Members. Thank you.

Members of Parliament from the Madi Community, here is your group. Thank you. Please proceed, Chairperson.

MR ABIGABA: Mr Speaker, our observations:

That the overall average ratio of students to staff is at 1:9 and the ratio of students to teaching staff is 1:20, which is commendable against the recommended 1:21 student to teacher ratio.

That the teachers on the Government payroll - above 50 per cent - were found in King's College Budo, which is at 61 per cent. Kawempe Muslim Secondary School at 69.1 per cent, Kibuli Secondary School at 69 per cent and Nabisunsa Girls' Secondary School at 57 per cent.

However, St Mary's College Kisubi is 41.2 per cent and Gayaza High School is at 48.7 per cent. Therefore, St Mary's College Kisubi has the least number of teachers on the Government payroll.

That the Government wage bill is minimal compared to that of the schools' board of governors because majority of the non-teaching staff who comprise the majority of staff are largely paid by their respective schools' board of governors.

In most schools visited, the Government wage bill is below 50 per cent; averaging at 20 per cent, save for Kibuli Secondary School and Kawempe Muslim School that is at 50.6 per cent and 55.1 per cent respectively.

That the Government has not fully honoured its obligation of ensuring deployment of trained teachers to Government grant-aided schools as prescribed under Section 8(a) of the Education Act, 2008.

The committee established that a substantial number of academic staff or trained teachers were employed by schools' board of governors as compared to a few who were on Government payroll.

Our recommendation is that Government should recruit and post sufficient numbers of academic staff to various Government grant-aided educational institutions and take charge of their welfare. In so doing, Government

would be honouring its obligation as prescribed under Section 8(a), (b) and (c) of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008.

Mr Speaker, on the matter raised by Hon. Samuel Opio, which was to do with the planned increase of third term secondary school fees by private secondary schools across the country –

During the proceedings of the House held on Tuesday, 16 August 2022, Hon. Samuel Opio, Member of Parliament, Kole North County raised a matter of national importance on the planned increment of third term school fees by the National Private Education Institutions Association.

The prayers raised in the urgent matter were:

- (1) That the Ministry of Education and Sports intervenes to regulate the school fees as mandated by the Education Act.
- (2) That Government comes up with measures to enhance secondary school enrolment in Uganda.

The Committee on Education and Sports held a meeting with Hon. Samuel Opio on Wednesday, 31 August 2022 and observed the following:

That whereas the matter raised by the Member was premised on school fees increment in private secondary schools across the country, examples were related to purely Government grant-aided schools, which included St Mary's College Kisubi and Gayaza High School.

The matter was raised during the second term school holidays and that schools had already issued circulars to parents and guardians, detailing school fees for third term for the Academic Year 2022 and that some of the parents and guardians had already paid fees in preparation for the beginning of third term and therefore, the matter would be best handled in the next Academic Year 2023.

Our recommendation is that the Government reiterates similar recommendations regarding

Government regulating school fees payable to schools.

Conclusion

While considering the motion for a resolution of Parliament urging Government to address the exorbitant tuition and non-tuition fees charged by the Government grant-aided schools, the matter raised by Hon. Samuel Opio, the Committee on Education and Sports concluded that Government owes a responsibility to Government grant-aided schools as prescribed under the constitutional provisions and the Education (Pre-Primary, Primary and Post-Primary) Act, 2008.

However, there is need for Government to fully meet its obligations by funding Government grant-aided schools as envisaged in the aforementioned Act, as this will deter them from unnecessary increment of school fees.

The committee noted, with concern, disparities in remuneration of science teachers as compared to those teaching arts subjects/humanities and that this had constrained schools in trying to motivate arts teachers by topping up their salaries to match the science teachers.

That there was need for Government to come up with a statutory instrument to regulate the school fees charged by schools

Mr Speaker, before I wind up, I want to appreciate my Members who worked tirelessly. They were an extremely good team in this process. I also want to mention that for the very first time, our committee has a minority report. We are not entirely objected to a minority report, but it came at the last minute. I hope you have a copy. Therefore, I want to invite Hon. Nabukenya to come and take us through her minority report. If she thinks we can now move together, it is still okay –(Interjection)– Yes, she has a minority report and it is her right to present it.

Mr Speaker, I beg to report.

THE DEPUTY SPEAKER: Thank you, honourable chairperson. Rule 205(1) states that a minority report is appended onto the main report. So, it is part of the report and that is why the chairperson is calling his colleague to come and present the minority report.

Hon. Nabukenya, go straight to the areas of dissent because the introduction part is what he went through.

2.53

MS BRENDA NABUKENYA (NUP, Woman Representative, Luweero): Thank you, Mr Speaker and I thank the chairperson for the opportunity. I will go straight away to the area of dissent.

My point of dissent with the majority of the committee is on recommendation one, on page 15 of the majority report. The committee reiterates that similar recommendations regarding Government regulating school fees payable to schools - that is in regard to the private schools.

Mr Speaker, the root of school fees regulation in Uganda lies in very weak provisions of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008. The report of the majority has failed to notice two shortcomings with the law.

First, the law does not compel the minister to act on school fees as a periodical obligation. Section 57(g) of the law is just a provision that the minister may, if he or she wishes, by statutory instrument, issue regulations regarding fees. The current minister has used this weakness to side with schools against parents.

Secondly, the penalties provided under section 51(12) are so weak that if a school raised fees to the tune of billions of shillings, the maximum penalty is 50 points - approximately Shs 1 million.

The minority report seeks to call for support from honourable colleagues in this House to support the amendment of the Education Act, 2008 to fix the loopholes.

Mr Speaker, I take this opportunity to put this House on notice that I will seek space on the Order Paper for a motion seeking leave of Parliament to introduce a Private Member's Bill for relevant amendments in the Education Act.

Additionally, we should not shy away from the fact that some of the implementers of the law are actually private school owners who usually relax when it comes to implementation of the same law – like the statutory instruments – because some of them do not require parliamentary approval. Not all statutory instruments come to Parliament for approval. This conflict of interest has continued to affect the regulation of school fees.

Mr Speaker, Section 3(2) of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008 provides for regulation of school fees, but more often, the private school owners claim that this provision does not bind them, but binds the Government-aided schools. Clarity in the law is fundamental.

Mr Speaker, while private schools have the autonomy to generate surplus, there has to be a balance between autonomy of such institutions and the measures taken to prevent commercialisation of education. Equally, the Government should examine the public-private partnership in education, which is inextricably linked to the rapidly expanding privatisation and its implication on the right to education and the principles of social justice and equity.

I recommend that as a long-term approach – that is the Bill I talked about from Parliament; a law to regulate school fees, with clear roles for each and every stakeholder.

In the short term, the Minister of Education and Sports should table a statutory instrument for regulation of school fees with agreeable fees amounts on the Floor of Parliament for approval before the term begins for the new school calendar year, 2023.

Mr Speaker, this is a recommendation that is going to be overtaken by events because

the report was worked on earlier. However, there are still very fundamental issues on the inspectorate of schools.

Education financing

Not only has Government continued to provide meagre capitation grants, miserably failed to deliver on UPE and USE, but it has also participated in making education a business. Today, the education sector has been liberalised like any other player in the business world.

Private school owners dream of fees thresholds and implement the same as and when they wish. Parents and guardians are left at nobody's mercy, let alone their cries falling on deaf ears. Even with the provision of fees payable and Government's contribution in the Education (Primary Schools Fees) Regulations, the Act is not sufficient enough to adequately address the issue of school fees.

Private schools constitute 100 per cent of the early childhood development and are largely located in urban areas. This contributes to the tax base of the country, annual subscription to the NSSF and to national development by employing Ugandans as teachers and non-teaching staff. Despite this contribution, these early childhood development centres are wholesomely privately owned.

The role of the inspectorate of schools department in the education ministry and local governments

The inspectorate function under the Directorate of Education Standards (DES) has a core mandate of ensuring quality education in both public and private primary and secondary schools in Uganda. Under Section 25 (1)(b) of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008, an inspector of schools is mandated to: "Inspect and provide a report to the Permanent Secretary, the District Education Officer and the relevant foundation body, in a format prescribed by the Director of Education Standards with respect to the school or any aspect of it, including any building, workshop, hostel or kitchen used in connection with the education institution."

Inspectors of schools have a key role of quality control in schools as appointed by the Education Service Commission or District Service Commission. Underfunding of this department has crippled its functionality to the detriment of the education sector.

Mr Speaker, when you go to districts and ask the education inspectors if they know how much private schools or even Government-aided schools charge parents, they will never tell you because there is not much funding. I think we need to correct such issues because even if we amend the laws, but do not fund education, we will not be able to change much.

As I conclude, I mentioned capitation grant, but today, for a child in a UPE school, the Government spends a maximum Shs 333 a day. This is because for a year, at a maximum – if it does not fluctuate – the Government sends Shs 20,000. For three terms, if you choose 60 days, that is Shs 6,000 per term.

How can you say you are going to curb fees increment in schools if they are charging other fees on the side? How are we going to have quality education if each child costs Shs 333 at the highest and at times it fluctuates to Shs 200? These are questions we need to ask ourselves as legislators.

Consideration for an effective education policy

1. This Parliament should enact a law for fees regulation as this is very fundamental. It has happened in India and other countries. If the committee took time to compare -

THE DEPUTY SPEAKER: Honourable member, read the report.

MS NABUKENYA: Okay.

2. The Government needs to fully fund pre-primary education, particularly Early Childhood Development. The pre-primary component should be provided a separate budget line and not lumped up with the primary component.

3. Adopt a formula that caps fees for schools by way of framing rules under the schools education legislation.

As I conclude, Mr Speaker, measures such as regular Government supervised audits, generating capacity in local government departments of education, regular inspections and stricter sanctions for fraudulent reporting could be considered.

Additionally, a fees hike should be used for improving the quality of education and not for profiteering. It is also crucial that a regulation strikes a balance between protecting the interests of students and parents and preserving the autonomy of schools.

Mr Speaker, if these proposed considerations are adopted by this august House, our education will be one of those yardsticks in the region. I thank you.

THE DEPUTY SPEAKER: Honourable colleagues, I will pick a few colleagues to debate this report. Since we are going on recess, there are very critical issues that we must handle and sort out and I want us to finish plenary by 6.00 p.m.

In the VIP Gallery this afternoon, we have a delegation of MPs of the Parliamentary Standing Committee on Gender Equality, Social Development and Family Affairs from the National Assembly of Namibia. They are here to benchmark and share experiences with their counterparts and they include:

1. Hon. Emilia Nuyoma-Amupewa – head of delegation
2. Hon. Annakletha Sikerete, MP
3. Hon. Herlinde Tjiveze, MP
4. Ms Maria Mombola, Deputy Director
5. Ms Dorothy Alawi, Chief Parliamentary Clerk.

Please, join me in welcoming them. *(Applause)*
Thank you.

We have Members who raised the issue; so, I will start with Hon. Sarah Opendi and Hon. Acuti. Please use three minutes.

3.06

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Mr Speaker. I am extremely disappointed. First and foremost, I presented this motion last year in February before even schools started. It has taken this committee a whole year.

Secondly, I presented a document by our research department on the school fees issue. The committee visited a few schools within Kampala and ignored the critical issues that I raised in my motion.

One of the issues that I raised is why these grant-aided schools charge higher fees than private schools within Kampala. *(Applause)* If I can pick Seeta High School as an example, the school fees is Shs 1,950,000. This proprietor has to pay fees and feed the children and they feed the children well; I have children there. In addition, they maintain the buildings, pay salaries and all that. Then you have a grant-aided school where Government puts in money and pays 70 per cent of the teachers or even if it is 60 per cent. They have capitation grant, but are charging over Shs 2,350,000.

Mr Speaker, the committee ignored my issue. They are looking at tuition fees, but this is not school fees. They have development fund, church fees, admission fees and application fees. Some schools charge as high as Shs 600,000 after you have applied –*(Applause)* A parent sent me a pay slip of Shs 200,000 for applications then you have to pay Shs 600,000 for admission.

I want to pray that this Parliament rejects the proposal by the committee to increase funding to grant-aided schools. If Government can put in money and they still charge more, what are we doing? How many seed secondary schools are out there struggling?

We have schools like St Andrea Kahwa's College in Hoima, one of the best-performing schools, charging Shs 450,000 and this is a boarding school. How are they taking care of these children in the boarding schools?

Mr Speaker, it is high time this Parliament stood with the people of Uganda and left these schools either to the foundation bodies or we amend the law so that all this money is paid into the Consolidated Fund. Then there will be equity in education in this country. *(Applause)*

What is happening in these parent-teacher meetings - Imagine a child comes from Mitooma to a school like St Mary's College Kisubi. The rich say, "Charge more, we want comfort for our children", but the poor cannot speak in these meetings. *(Applause)* Therefore, schools are taking advantage because majority of the parents are rich and they are using that to increase fees and earn more.

How can you charge church fees of Shs 85,000? They have even introduced insurance in addition to maintenance and development fees.

Mr Speaker, it is *-(Member timed out.)*

THE DEPUTY SPEAKER: Conclude.

MS OPENDI: Thank you, Mr Speaker. It is the responsibility of the state to provide free compulsory and basic education. We cannot leave the provision of education to the private sector to milk Ugandans especially now when there is inequity in the education sector. Education is key to the development of this country.

I want to appeal to colleagues to reject this report by the committee. We shall stand with the minority report and move to amend the Education Act so that we can have equity in the education sector. Thank you. *(Applause)*

THE DEPUTY SPEAKER: Thank you. On top of all that fees, we continue to also pay tithes. *(Laughter)* There is an important point that Hon. Sarah has raised. The foundation bodies and the people running these schools are saying, the moment we reduce fees, the quality of service delivery will go down. They are saying, no, we have parents who are willing to pay this much.

Don't you think, from what she is saying, if we went for a model of Government pulling out of these schools and we leave them to the foundation bodies - We have a university that is successfully run by a foundation body; Uganda Christian University (UCU) in Mukono. It is doing very well without Government interference. I think we shall, in the end, come out with a middle ground on this issue.

3.12

MR SAMUEL OPIO (Independent, Kole North County, Kole): Thank you, Mr Speaker. I want to thank the committee for the report. The greatest natural resource in a country is not the gold mines nor the oil fields, but the people. The biggest investment you can make is in their education.

Mr Speaker, I want to bring to your attention that the UBOS data on secondary school enrolment in Uganda, as of 2020, stood at an average of just 27.3 per cent. In Kampala, it is at 52.3 per cent. When you go to Acholi, it is at 7.2 per cent and Lango at 14 per cent. That means that out of every 100 children between the ages of 13 to 18 years who are supposed to be in secondary school, in my sub-region and constituency, only 14 are in secondary school.

In Kole North, the cheapest secondary school, which is a seed secondary school, charges Shs 1.2 million. However, the average farmer earns only Shs 600,000 per year. Schools have ceased to be learning institutions, but are just a landmark for showing directions to the subcounty.

Mr Speaker, because of this low enrolment, we have one of the lowest human resource productivity in the world. The World Bank report on human capital index shows that - and that is based on health and education - Uganda is at 40 per cent. That means that a child born in Uganda is only 40 per cent productive. A child born in the US and China is 70 per cent productive. A child born in Singapore is 90 per cent.

I want to take you to the report that has been presented and I have three observations. The

first, which is on page five, Annexures I and II, are on the high cost of secondary education. When you look at the range of fees in these secondary schools, it is between Shs 4.5 million to Shs 7.6 million per year.

When you look at Makerere University's fees structure, medicine, pharmacy and engineering courses charge tuition fees, accommodation and functional fees at less than Shs 7.6 million. When you look at the cost for Bachelor of Social Sciences and Bachelor of Commerce, it is less than Shs 4.5 million. University education is cheaper than secondary education. *(Applause)*

In other words, it is cheaper to take your child to study Medicine, Pharmacy and Engineering in Makerere University than it is to take them to a secondary school to study History, Economics and General Paper. *(Laughter)*

Secondly, Mr Speaker, from the report that has been presented, school fees are defined by each school. Kisubi has 29 items defined as school fees. Kibuli has 15 items, Nabisunsa has six items. What is school fees? There is no standardised structure. When you go to the university, school fees are clear; tuition fees, functional fees and accommodation fees. It is sorted and cuts across every institution, whether private or public. We need to standardise the school fees structure in this country. *(Applause)*

The third issue is on itemised costs and I have delved into some of them. When you look at, for example, King's College Budo, it has board of governor fees, which is Shs 298,100 and PTA fees, which is Shs 520,000. When you add all these, it is Shs 4.4 million a year. The report says that all this money goes to paying the teaching and non-teaching staff.

King's College Budo has the highest number of teachers on the Government payroll. If we are to go by those statistics and divide by about 60, it means every teacher and support staff is earning between Shs 6 million to Shs 9 million per month, which is impossible. What are we saying? We need to delve into what we call,

"the board of governor fees." That is actually the foundation body fee that students are paying for and there is need to dig deeper into it.

Lastly, on development fees, why should a school charge Shs 600,000 as development fees when tuition is only Shs 200,000? Why is it that when the development stops, the fee does not go down? It still remains. *(Applause)* Why is it that development never stops? It is a continuous and endless development.

Mr Speaker, as I conclude, I want to say that we need a regulatory framework for school fees in this country. It may not be today, tomorrow or even yesterday, but yesterday, but one. We need to have it here. I beg to submit.

THE DEPUTY SPEAKER: Thank you. Is Hon. Nathan Byanyima here? He was a seconder. Let us do this quickly. Strictly use two minutes each.

3.17

MS ROBINA RWAKOOJO (NRM, Gomba West County, Gomba): Mr Speaker, I would like to thank you for the opportunity. It is a pity that the basic rights to food, clothing, shelter, education and health are actually the most expensive yet we need them to survive. Education and health are the worst; look at the fact that we need educated people but right from nursery school, the fees is more expensive, sometimes more than the university fees. As you go up to primary school level, it gets worse.

When I was in secondary school, we had bursaries and the structure was uniform throughout and we managed to get education. I think we should come up with something standard.

The timing also matters; it is so haphazard. These people are ruthless and callous. It is at the beginning of the term that they come up with these measures to stifle parents and it can turn fatal for somebody - the person may never go to school again. So, let us be more considerate.

My seed school - Kyayi Seed School in Kyayi - is limping because of this sort of thing and so, I speak with passion. Thank you, Mr Speaker.

3.18

MS CHRISTINE APOLOT (NRM, Woman Representative, Kumi): Thank you very much, Mr Speaker. Thank you, committee, for the report presented. There is also an observation that most schools took advantage of the COVID-19 pandemic. Normally, for any small increment in the fees, the parents are supposed to be engaged. However, when you do research across the country, you will notice that most schools increased their fees by over 40 to 50 per cent without the engagement of the parents, which is not right.

Mr Speaker, we have issues in the local governments right now; there is a new policy where schools are supposed to be titled in their own names. I want to report that there is a lot of resistance and especially in Kumi; I want to openly quote the Rt Rev. Joseph Eciru Oliach, the Bishop of Soroti Catholic Diocese. He cautioned us, leaders, when we attended a confirmation programme and said that he was not going to accept any school belonging to a Catholic foundation body, to get a title without the name of the foundation body.

Therefore, as we discuss issues pertaining to education in this country, there is need for us to popularise any policy or new guidelines that we come across within the country. Otherwise, we shall continue contradicting ourselves as we deliver the services.

Finally, on inspection of secondary schools, Mr Speaker, I have seen a tendency of secondary schools failing to abide by or respecting – *(Member timed out.)*

3.21

MS MOURINE OSORU (NRM, Woman Representative, Arua City): Thank you very much, Mr Speaker. I would like to thank the chairperson for his report although I want to disassociate myself with some of the recommendations he proposed before this august House. This is so because some of the

recommendations made are very discriminatory to some families and homes that are financially stressed or weak.

When the committee toured the Government-aided schools, they only concentrated in Kampala yet we also have upcountry schools that increase school fees. We know that our people are living below the poverty line. If you go to West Nile, you will find families that cannot afford food twice a day; they only eat once a day.

We have Government-aided schools where the Government is facilitating or funding up to 60 per cent. Their structures are put up by the Government; their laboratories are funded by the Government. Talk about textbooks and we still go ahead to increase school fees. Are we not undermining the UN 2030 Agenda that states that no one should remain behind? We should include everyone for quality education. I want to reject this report, Mr Speaker.

3.23

MS FLAVIA KABAHEMBA (NRM, Woman Representative, Kyegegwa): Thank you very much, Mr Speaker, for causing this debate. I would like to speak to the Education (Pre-Primary, Primary and Post-Primary) Act, 2008, which specifies that this Government shall provide education for pre-primary, primary and post-primary. The concern is that Government has left early childhood education to the private sector.

If any researched information was to be brought here, you would find that you would rather take the child to a secondary school than take them to a nursery school because nursery schools just extort left, right and centre. They do not even consider the age or the curriculum. They never consider what the parents are earning; they simply ask for money every time.

THE DEPUTY SPEAKER: Honourable colleagues, please, let us listen to one another.

MS KABAHEMBA: They have even started putting money-making ventures like graduations, parents' meetings for nursery

children and exams. They introduce different means of getting money every day.

Mr Speaker, when I was in the Ninth Parliament, actually in 2012, the Early Childhood Development policy was being developed by the Government, only that it caused commotion on whether it should belong to the Ministry of Education and Sports or the Ministry of Gender, Labour and Social Development. Up to now, we have not seen that Early Childhood Development policy. When are we receiving it? Can we be told of the status of the Early Childhood Education Policy and the Early Childhood Development Policy?

3.25

MR ALEX NDEEZI (NRM, PWD Representative): Thank you so much, Mr Speaker. My points are only two: the issues we are talking about today are of a national character, from West Nile to where we are today, from Karamoja to Kisoro.

I beg to draw your attention to the sample our colleagues used for the purpose of the analysis; Kibuli Secondary School, Gayaza High School, King's College Budo, Nabisunsa Girls' Secondary School, St Mary's College Kisubi - Oh my God, all these are from the Greater Kampala. Therefore, this analysis has no national character at all. *(Applause)* There is no way a Parliament with a national character can agree to pronounce itself on this matter.

Lastly, if you have a vehicle and it fails to take you to where you want to go, does it mean it is useless? We have had this law in place; our colleagues say that the law exists and that the law can work, but this law has failed to help us. Our car has failed to take us anywhere. Therefore, I say, let this car be taken to the garage. Let this law be amended in a strong way to ensure that it helps us. Thank you.

3.27

MR GAFFA MBWATEKAMWA (NRM, Igara County West, Bushenyi): Thank you, Mr Speaker. I wish to support the minority report. Thank you, colleagues, who brought the majority report, but I think it lacked some facts.

First and foremost, as my colleague, Hon. Ndeezi has said, you only concentrated here in Kampala because you wanted to save per diem. *(Laughter)* You were well facilitated; the facilitation you were given was good enough to make sure that you reach as far as Bushenyi and Mitooma. What made you stay here in Kampala? *(Interruption)*

THE DEPUTY SPEAKER: We have a point of order. Please, Hon. Mbwatekamwa, take your seat. Colleagues, let us listen to one another.

MR ODOI-OYWELowo: Thank you, Mr Speaker. It is against our rules to cast aspersions on honourable Members of Parliament and colleagues. Is the honourable member in order to suggest, even remotely, and to impute that the members of the Committee on Education and Sports did not go outside Kampala only to save per diem?

THE DEPUTY SPEAKER: Honourable members, we are colleagues in this House. I might do work which does not meet your expectations yet I have given it my best. The decorum of this House requires that we do not impute improper motive on any colleague. It is wrong for a Member to declare that the Members did whatever they did because they wanted to save.

Therefore, Hon. Mbwatekamwa, for purposes of decorum and respect for your colleagues, please come and do something good.

MR MBWATEKAMWA: Thank you, Mr Speaker. I would not like to be the minister who we just censured because she was not remorseful. I withdraw, with pain, the statement. *(Laughter)*

Mr Speaker, I am so hurt because last year when during budgeting, the same committee, together with the Committee on Budget, tried to make some well-to-do schools like Budo and Ntare benefit from the development fund when our schools never benefitted and never got any building.

Mr Speaker, allow me - and I beg for more time so that you see some of the schools that benefitted. They include Kabalega Secondary School, St Edward Bukumi, St Henry's College Kitovu, Lango College, Bukedi College Kachonga, Nabisunsa Girls' Secondary School, Nabumali High School, Mvara Secondary School, Makerere College School, Kigezi High School, Busoga College Mwiri, King's College Budo, Ntare Secondary School - Where are our schools, Mr Speaker? *(Applause)*

They benefitted from the development fund and a lot of money, in billions of shillings, was given to them and yet they are charging more money as development fund. I have a school called Kakanzhu, a Government school, but for more than 30 years, Government has failed to even construct a toilet. Shame! *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, let me first guide you. Honourable minister, you will come at the end.

Committee reports are mere recommendations, which can either be accepted or rejected by this House. If a committee made recommendations of giving development support to these schools and the committee presented it on this Floor and we adopted it as a House, all of us are guilty as charged.

You cannot come and start blaming a committee when it brought a report here and you adopted it. You should have rejected it at that time. Please, let us not go into the politics of committees. What is the procedural matter?

MR NSAMBA: Thank you, Mr Speaker. If you are asked to look for schools that are charging exorbitant school fees in this country, you will be a bad researcher to go to Kassanda.

You will have to concentrate here; in Wakiso and Kampala because that is where the major culprits are. Therefore, when you come here and accuse a committee that was given a task to look for schools charging exorbitant school fees as having sampled, that is not fair. I think the committee was guided by what they were supposed to do.

Mr Speaker, are we proceeding well to accuse a committee that was given a topic of exorbitant school fees, and yet most of the schools are here? Mr Speaker, let us be fair.

THE DEPUTY SPEAKER: Honourable member, you have given a ruling to your procedural question. However, colleagues, a committee has done work and brought it here. You have a right to either accept their recommendations or not. Let us allow debate.

3.34

MR PAUL OMARA (Independent, Otuke County, Otuke): Thank you, Mr Speaker, for allowing this debate. I commend Hon. Dr Opio Acuti for the elaborate submission he has provided. I just want to supplement.

The key issue that this House must answer is; what is it that constitutes school fees? There are others that have six lines, 12 lines or 18 lines. This House must come up with clear recommendations on what really constitutes school fees and that will help us to come to the right conclusion.

Secondly, Mr Speaker, the escalation in school fees rates is not backed by tangible items. We can do statistical inference, especially on the cost of living. We have the Uganda Bureau of Statistics (UBOS) and it can go around the country and come up with the cost of items, which can actually be used to calculate what kind of fees must be paid.

The other item I want us to look at – and which the committee made a recommendation on – is for the Government to harmonise the salary payments between science and arts teachers. Mr Speaker, the recommendation was weak. I want this House to adopt the policy that every teacher who enters a classroom, must be treated the same way and must get the same pay. *(Applause)* This policy has been discriminatory.

I met the head teachers in Otuke District, with the Chief Administrative Officer and the District Education Officer. All of them said they have failed to manage their schools

on account of this unequal payment. So, this recommendation must be adopted so that all our teachers get equal pay.

The last one –(*Member timed out.*)

3.37

MR ELIJAH MUSHEMEZA (Independent, Sheema County South, Sheema): Thank you, Mr Speaker. I thank the committee for amalgamating the two motions and dealing with them.

I will begin with a general observation that borders on the on-going budget process. Unless Government invests in projects that generate income very quickly to the economy, even if we have schools that are 100 per cent funded by the Government, the challenges will remain and the schools will still use those challenges to hike fees. That is a general observation.

Mr Speaker, when you look at what is being charged in both private and Government-aided schools that have been cited, it borders on exploitation. Even if we invoke the principles of demand and supply in a liberalised economy, there is no justification for a school to charge over Shs 2 million. (*Applause*)

I support the recommendation that we need a law that is going to look at school fees. We may not fix it, but we can give a range.

Finally, there is the issue of collecting fees to the Consolidated Fund. We already have problems with local governments – money being generated and not being returned. I remember the honourable member from Wakiso articulated the issue very well. We should reject that – to say that money should be collected from schools to the Consolidated Fund because that will not help us. However, honourable members, we must stand very firm to regulate school fees in this country because it is bordering on exploitation.

3.38

MR NOAH MUTEBI (NRM, Nakasongola County, Nakasongola): Thank you very much, Mr Speaker. I thank the chairperson and the committee for the report.

They recommended the recruitment of teachers and non-teaching staff in secondary schools or Government-aided schools. Recently, the Education Service Commission advertised, teachers applied and they were interviewed. After the interviews, successful candidates were given appointment letters. However, you cannot go to any district without posting instructions. The teachers are out there in the country without posting instructions.

We want the Minister of Education and Sports to tell us why the teachers have appointment letters without posting instructions.

Secondly, the Science teachers who were posted in our rural schools, especially secondary schools, teach for only one day and come back to teach in Kampala schools. If our committee had gone to the villages to sample, they would have had a balanced report, and they would have sampled the town schools and rural schools.

Next time, let them sample the schools in Nakasongola, Kalungu and Kampala so that we have a balanced report. I thank you, Mr Speaker.

3.40

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you very much, Mr Speaker. I associate myself with the recommendations of the minority report and one key item in the majority report.

This brings to our attention the matter of facilitation of local governments. As we talk about all these, we have to consider one key matter for secondary schools and primary schools as well as the nursery schools: the role of inspection by the District Education Officers and the District Inspectors of Schools.

As we talk about who to monitor - I interacted with some District Education Officers a few days back; some of them do not have any facilitation, and schools are opening. We really need to consider this and also ask the Ministry of Finance, Planning and Economic Development to intervene and give local governments a

certain amount of money to do inspections in schools and then, we get feedback.

We should also not forget the privatisation policy the country took on, which is key to seeing that this social service is dying away vis-a-vis what we are supposed to do. Therefore, we should now opt for further regulation as earlier hinted on.

Finally, Mr Speaker, as they sample the schools, we should recall that districts like Wakiso have some schools such as Bussi Island Senior Secondary School and Masulita, which are in the islands and have not been mentioned here. Such schools should also be sampled. Good enough – for these very schools we are talking about, you will find that even the population of Wakiso is around 10 per cent only and 90 per cent of the learners are made up of other students from all over the country. *(Member timed out).*

3.42

MR FRANCIS MWIJUKYE (FDC, Buhweju County, Buhweju): Thank you very much, Mr Speaker. When I went to school a few years ago, it was the capacity of your brain that took you to a good school. Recently, it is the capacity of your pocket that takes you to a good school. Consequently, the children of the poor, who are intelligent, will not find a good school. Even the schools that we have now abandoned to the Universal Primary Education (UPE) and Universal Secondary Education (USE) schools - the other day, the Prime Minister was in my district and I want to thank her for what she contributed to our church.

I have heard the President say that anybody who goes to a UPE school should not pay any shilling. However, how much does the Government contribute? Shs 55,000 in a USE school and Shs 7,000 or Shs 10,000 in a primary school – and you are saying the parents should not pay anything.

The alternatives are these schools we are talking about, which are not affordable. I thank the Prime Minister for encouraging parents not

to pay, but I would also ask her that we increase Government's contribution from Shs 55,000 to a bigger figure such that you can find education when you go to a USE school. That is when we can tell parents not to pay anything.

However, as of now, there is no education taking place in UPE schools because the teachers are not teaching. They opt to sell their land to go to Ntare School, which charges Shs 2 million when – *(Member timed out.)*

3.44

MR JIMMY LWANGA (NUP, Njeru Municipality, Buikwe): Thank you, Mr Speaker. I thank the movers of the minority report.

We should first thank the private sector for helping the Government in areas where the Government has no single school. In Njeru Municipality, which I represent, Wakisi Division does not have a single Government secondary school. All the people that are providing education services there are private practitioners.

Instead of the Government helping these people, they are subjected to outrageous and double taxation by both the Uganda Revenue Authority and the local governments. So, I am calling upon Government to look into the issue of areas with no Government secondary school. Thank you.

3.45

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Thank you, Mr Speaker. I will need protection from the chairperson of the committee, but I would like to assure him that all is well. *(Interruption)*

THE DEPUTY SPEAKER: We have a procedural matter.

MR ZIJJAN: Thank you, Mr Speaker. I rise on two procedural issues. The first has to do with Rule 83(1)(b) read together with Rule 9 of the Rules of Procedure in consonance with Rule 7.

I seek clarification on whether we proceed right with these rules seemingly hung forever. If the rules are not hung; which if they are would be a violation of your powers, then I seek your indulgence that the Government Chief Whip guides his members because even as I speak, Hon. Ojok Oulanyah is lost.

Our members are complaining about having no place to sit while a member of the Government is comfortably occupying the seats that should be *–(Interjections)–* it is the rules.

The second procedural issue, Mr Speaker, in your conducting of business and granting Members equal opportunity to debate in the House, the independents and the Opposition side are ignored; and this has been a continued practice.

Do we proceed right with one side of the House taking the lion's share of the debate, while we are ostracised and deprived of the opportunity to debate? Thank you.

THE DEPUTY SPEAKER: To begin with, Hon. Andrew Ojok is in the right place because we allowed free sitting from the time of COVID-19, and I used my general authority under the rules to allow free sitting.

This has been the practice, but Hon. Zijjan has not been here of late because he just returned. Secondly, colleagues, when presiding over this House, I consider many issues. One of them is numerical strength. You do not see me calling parties, but in my conduct of business, I consider numerical strength. It is unfortunate. I have just picked independent Members following each other and the Dean of Independents is accusing me. *(Laughter)*

Also, if I may guide, when you are a leader in this House and you have such an issue, leaders of your nature are given priority in my office. Visit me in my office and say, "Mr Speaker, I have observed a trend where my team is not being given opportunity to speak." And then, we can go through and I will say, "Oh, okay, I have seen the problem." That is what leadership is all about and that is why we choose leaders.

MR MPUUGA: Probably, to re-anchor your observation from the Member's concern, I had already suggested that we needed to re-wheel our whipping system to enable the whips to do their job. I remember reaching out to my brother, the Government Chief Whip, to find a mechanism where major debates occur to support the speakers so that we can remedy that kind of challenge.

The whips would align debate in terms of depth of issues, interests playing in the House because it is a House of interests. Therefore, I would like to invite you to align the whips to help us in this endeavour; it can help the House to debate better with this delicate balance considered.

THE DEPUTY SPEAKER: Leader of the Opposition, on several occasions, you have come to me and said, "On this issue, I have some of my members whom I would want to contribute." I do not need to announce it on the Floor. I always pick and I give them priority.

The Government Chief Whip has done the same and I always do. The biggest issue would be some Members saying, no, we want to catch the eye of the Speaker, because some of the people do not come every day. You agree with colleagues and they are not here sometimes.

However, whenever a whip or a leader of any group reaches out to me that he has a topical issue - and some Members have approached him that they have a big contribution they want to make, I even give more time to such Members. So, it is up to you, whips and leaders of the various groups in the House.

MR MPUUGA: Thank you, Mr Speaker. I will be very brief on this subject matter. The bipartisan debate has ably represented my thoughts. I must declare interest from the onset. Initially, I am a teacher, but two, I am an investor in education, right from nursery, primary, secondary and tertiary. So, I hear and understand the challenges of the sector. Again, this debate being bipartisan in nature should awaken everyone.

Mr Speaker, Governments collapse differently; (*Laughter*) some collapse suddenly, others in a series. The chairperson of the committee and his team have no crime; they are making a report on the obtaining voids in this sector. The first death of the sector was visited on the planning component. Do you have a planning department in this ministry? Do they plan?

When you have this sector run impulsively, we are debating the consequences of impulsive planning. You wake up and say, “We are increasing pay for science teachers.” This week, I received a petition from head teachers that are science teachers and their deputies.

In the increment, they were not included. So, who is doing the planning? Who occasioned this kind of anarchy in planning? So, Science head teachers are not science teachers? We have a Ministry of Education and Sports and a big planning department; planning chaos in the sector.

Mr Speaker, we have debated UPE and USE; I do not want to really bore the House, but we do not even meet the regional average in subvention education. The regional is at \$15 per year and we are at \$3 in UPE per child per year. We do not even spur with the region’s weakest economies.

Mr Speaker, this report –

THE DEPUTY SPEAKER: Honourable Leader of the Opposition, can we catch up on time.

MR MPUUGA: Sure. I am trying to go through very fast.

THE DEPUTY SPEAKER: We have the minister and we have Prime Minister’s Time coming up at 4.00.

MR MPUUGA: My feel is that the report should be looked at in its problematic nature, as treating the symptoms of the problem because education is various and is expansive. The school fees component speaks to the failure in understanding what education is all about. We

want to cap school fees. Do we have the cost outlay of what schools incur as costs? Have we capped their running costs, where we have a component as stakeholders?

Mr Speaker, we probably desire to speak more about this sector, but I want to imagine that the committee did not consider that this is a problematic area. That is why the minority report had them for dinner –(*Laughter*)– and I want to ask that the House instructs the committee to go back; it is not late.

This country is not going to end with us in the Parliament. They should go back and do a comprehensive report on financing education and even advise on attendance legislation and key reforms in the sector. I beg to submit.

THE DEPUTY SPEAKER: Thank you. Minister, three minutes because at 4.00 exactly, I have the Prime Minister.

3.57

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Mr Speaker, I would like to begin by apologising for coming in late. It was not intentional; I was following up some matters within the sector about Namboole.

Mr Speaker, as far as the subject matter we are discussing is concerned, I have the following suggestions to make: the first is that as the Ministry of Education and Sports, we need to take into consideration all the important views, which honourable members have raised on the Floor.

I begin by thanking Hon. Sarah Opendi for raising these important questions. As a ministry, we have discussed them extensively and sought Cabinet to take a position on most of the fundamental questions that all of us are raising as far as this subject matter is concerned.

I request that after Cabinet has taken the position, we will be able to come to this august House with a statement and also inform the entire country on what we need to do or what we are going to do, as far as the subject matter is concerned.

Secondly, I have heard some of the issues, which have been raised here and I want to specifically make these comments. There is a Member, my colleague from Kumi, who talked about the matter of titling of school land. We handled this matter with the foundation bodies yesterday. The minister and the First Lady met the religious leaders. We have discussed this matter and a committee has been set up. We will also come to this august House to give them the position of Government on what we have agreed on with the foundation bodies as far as issues of land are concerned.

The other issue I want to comment on here is in line with a matter, in which Hon. Wanzala talked about posting teachers. I am aware that as of the beginning of today, most of them are picking their posting letters. I want to inform you that the ministry is working. I apologise for taking long, but most of them have started picking their posting letters.

The other issue that I want to address myself to is about a document – and I thank you very much for clarifying - which was read by Hon. Mbwatekamwa. That document was approved by this august House.

I am aware that there are all those old great schools, which some of us would have loved to study in, but we did not because of our humble backgrounds. Let us be realistic. Some of those schools are very old. The structures there call for Government's intervention to renovate them. A case in point - I visited St Henry's College Kitovu and where I am happy the Leader of the Opposition, if I am not mistaken, is an OB and I am aware it is in his constituency. Am I correct?

THE DEPUTY SPEAKER: Hon. Peter Ogwang, as you very well know, you gave a justification on the Floor as a Minister of Education and we approved money for those schools. So, do not repeat that justification. Please, conclude.

MR OGWANG: I am bringing this up because there is a tendency coming up - it is as if we only favour those good schools yet we actually approved a report here.

Therefore, as far as the subject matter is concerned, I want to humbly beg the august House - we will come here formally – because all the matters that have been raised from both the majority and minority reports are part and parcel of the fundamental questions, which Government is also discussing. We feel we must take a decision on this matter and shall request for the support of Parliament. Thank you, Mr Speaker and honourable members, for giving me information.

THE DEPUTY SPEAKER: Mr Chairperson, you have seen the mood in the House. Also, when you are doing reports of such a nature, they should be national in character. That is the most important aspect.

Honourable colleagues, I am going to use my prerogative to request the committee to go back –(*Applause*)– to study this report again, update it and consider Member's issues instead of me putting a vote. Report back after a month because we have a two weeks' recess. - Point of procedure, Hon. Ssewungu.

MR SSEWUNGU: Thank you, Mr Speaker. With your indulgence – and I agree with your ruling – as a matter of fairness, whenever Members debate a report, the chairperson of the committee has to come out to either agree or dispute some wrong information that is given on the Floor. For example, you are talking about these big schools - the Committee on Education and Sports, let alone the Committee on Budget, has never recommended such.

Secondly, a Member talked about Seeta High School. That is not a Government institution and you could not investigate it. Chairpersons of these committees should always come back - and that is the procedure of Parliament - to dispute any wrong information given against the report because once you shoot down a report signed by Members, sometimes it does not present a good image.

Mr Speaker, I pray that with your indulgence, you allow the chairperson of the committee to correct some wrong comments that have been put on the record of Parliament, with due

respect to the Committee on Education and Sports, where I also belong.

THE DEPUTY SPEAKER: Thank you. Honourable member, what I have done is to give the report a ray of life. You will come back and present it. What you need to do is to ensure the record on the *Hansard* is corrected. I will give you time, whether it is today's *Hansard* or that of two weeks to come, it will be a *Hansard* and a record of Parliament.

Now, I would have chosen another option of subjecting it to a vote, but sometimes, I look at the mood and I do not want to deflate the committee. Members, we are eating into the Prime Minister's time. I want you to just use a minute.

MS CECILIA OGWAL: Thank you, Mr Speaker. It is high time Parliament looked at the substance of the minority report with a bit of seriousness. We have the views of the majority of the committee contained in one document and where they disagreed - but maybe the other group has looked at things differently.

In my view, when we were debating, there appeared to have been consensus on the minority report. Why don't we approve the minority report – because we are taking our food to be recooked by the same cook. Why don't we approve the minority report and prove that the minority people did their research, are nationalistic and balanced? We must begin to seriously look at the minority report.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, we give minority reports very serious consideration. The other day, when debating the National Budget Framework Paper, it was I, the presiding officer, who proposed that we adopt both the minority and majority reports. This is because the minority report had very important salient issues.

The moment you pick out issues in only the minority report, the mover or the publisher of the minority report has issues she agrees with in the majority report. Those issues will be

dead right away, if you lock out the majority report. She only has a few areas of dissent and she has very many areas where she agrees with the committee.

We would have caused confusion by picking out just a few areas where she accepts and then, leave all others captured in the minority report. Then, all the other major areas that she agrees with in the majority report would be gone. That is why I am giving chance to the committee to go back, harmonise and get more information. You never know - because the minority report is clear on record. Then, we shall put a vote that will cover both the minority and majority reports at that time. - Rule 41 is very clear - you cannot seek clarification from the Speaker, honourable colleagues.

PRIME MINISTER'S TIME

4.08

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker and honourable colleagues, Hon. Phiona Nyamuturo, the National Female Youth Member of Parliament raised the following:

In accordance with the revised lower secondary school curriculum, all secondary schools are required to register with the Uganda National Examinations Board (UNEB) to be able to submit continuous assessment scores of their learners.

Her prayers are:

- a) Can you update the House on when the Uganda National Examinations Board will embark on this exercise?
- b) How will schools conduct this exercise?

My response is that:

The Uganda National Examinations Board is embarking on a nationwide exercise of continuous assessment scores with effect from term one of 2023.

The Ministry of Education and Sports, through the National Curriculum Development Centre, rolled out the revised lower secondary school curriculum in the year 2020. One of the major components of the revised curriculum is continuous assessment - a school-based assessment. The first cohort or group of learners of this column is joining senior three in 2023.

Relatedly, secondary schools, which will not have registered for continuous assessment, will not be allowed by UNEB to register their learners for the Uganda Certificate of Education examinations.

UNEB will communicate to the schools on the modalities of submitting the continuous assessment scores to the board. Schools registering for continuous assessment should have registered their learners on the Ministry of Education and Sports Education Information Management System. Accordingly, the ministry has now opened the Education Information Management System portal to enable schools to register their learners.

The second question came from Hon. Aled Akugizibwe, Member of Parliament for Buruli County, Masindi District. He said that in the year 2015, Uganda held its first oil block auction, which included six 2,674 square kilometre-sized exploring regions. Before that, the country distributed blocks based on who arrived there first.

Armour Energy Limited of Australia and Oranto Petroleum of Nigeria took part in the first round. They both later signed production sharing agreements with Government.

In 2019, the second round was announced, attracting Total, DGR Energy Turaco Uganda - SMC Limited, Uganda National Oil Company Limited and a joint venture of PetroAfrik Energy Resources East Africa Limited, Uganda and Niger Delta Petroleum Resources Limited from Nigeria.

However - according to him - only two oil and gas firms submitted bids, namely DGR Energy Turaco Uganda Limited and Uganda National Oil Company Limited. Following the

successful negotiations, the two oil firms were approved.”

His prayer is; when will Government effect the signing of production sharing agreements and the award of exploration licences to the two oil companies that we approved?

My response is:

Cabinet approved the signing of production sharing agreements and grant of exploration licences for an initial two-year period of Uganda National Oil Company and DGR Energy Turaco Uganda - SMC Limited were approved.

UNOC will undertake operations in Kasurubani Exploration Area that stretches over 1,285 square kilometres, stretching between Bullisa and Pakwach Districts. This licence was previously held by Tullow, which made some discoveries.

DGR, which owns another exploration licence in the area of Kanywataba, will be operating from Turaco Block, which is a 637-square-kilometre exploration area, located in the Albertine Graben near the border with Congo, in Ntoroko District.

Heritage Oil, a British company, had done some exploration in the area, but abandoned it in 2004. The block reverted to the Government as per the laws that govern this country.

Mr Speaker, the signing of the Production Sharing Agreement for UNOC is scheduled to take place today - I believe it has already taken place - 2 February 2023, while the one for DGR will be done in two weeks' time.

Mr Speaker, the true exploration areas that were given out are part of the five blocks that the Government auctioned in the second licensing round, launched in 2019. The three, which have not been given out, are Avivi (1,026km²), Omuka (750km²) and Ngaji (1,230km²).

Mr Speaker, question number three came from Hon. Juliet Achayo, Member of Parliament, Ngora County. She said that Uganda

experienced road carnages in January 2023 and did so in December 2022 and many lives had been lost.

According to her, the Uganda Police Force has a Directorate of Traffic and Road Safety but their impact is not significant in safeguarding the lives of Ugandans on the road.

Her prayer is that I inform the House on the measures the directorate is putting in place to curb the road accidents.

Mr Speaker, my response, on behalf of the Government, is that we commiserate with the families that have lost their dear ones in road accidents. The Government has put measures to curb the abuse of traffic laws and regulations.

The Uganda Police Force, through its Directorate of Traffic and Road Safety, has come up with new operations targeting errant motorists. For example;

1. No bus driver is allowed to drive if they do not have a badge, with their details and route charts;
2. The owners of the buses are tasked to submit the particulars of their drivers to the Ministry of Works and Transport so that they get badges after registration; and
3. Every bus driver on the road is expected to display his photo in the bus and move with a copy of the badge that has his photo, name, driving licence number, classes of the permit displayed and the company he or she is working with.

These measures are to ensure that the driver is fit and proper to be entrusted with the lives of passengers because most non-qualified drivers have been the cause of most of the accidents.

The operation also targets drivers of other vehicles and motorcyclists who do not have up-to-date driving permits.

The culprits arrested will be issued with Express Penalty Services tickets that cost Shs

40,000 for motorcycles and Shs 100,000 for other motorists.

I call upon honourable members and the public to observe traffic rules and regulations, as required, to avoid death in road accidents.

Question No.4 was from Hon. Boniface Okot Boniface, Youth Representative, Northern Region.

He said that according to the *New Vision* of Tuesday, 17 January 2023, over 32 private universities were to be closed over failure to acquire a charter from National Council for Higher Education, yet these universities were licensed by the Government. He said the universities employ many Ugandans and have contributed to the development of the critical human resource capital, which contributes to the development of this country.

His prayer is that I update this House on this matter.

Mr Speaker, my response is that the Government values education for both human resource capital and economic development. The Government also appreciates the fact that private universities complement the work of public universities. Section 82E (3) of the Universities and Other Tertiary Institutions Act requires any licensed university to apply for a charter after three years of operation.

A charter, by law, is granted to any university that has demonstrated high quality of staffing, teaching, learning, research output, extension services, infrastructure development and good governance, among others.

Mr Speaker, the other tertiary institutions are accredited after service of inspection and visitations. The applying institution must have adequate physical resources, financial resources, viable programmes, adequate qualified staff and structures of governance to deliver quality education.

The universities identified were given until March this year to apply for registration and

charter. Failure to do so, Mr Speaker, they will not be allowed to operate – these are dictates of the law.

However, the National Council for Higher Education has conducted inspection visits to all the affected universities to ascertain their progress and advice on how to expedite the process of charter acquisition.

Mr Speaker, most of these universities have operated for over 10 years on provisional licences. A few of these universities have submitted their applications and related documents. As a result, some areas of weakness have been identified, which the universities must address before a charter is granted.

Even those operating on provisional licences within the stated three years given by law must submit their roadmap for fulfilling the requirements needed to the council to accompany their application for the charter.

The other tertiary institutions operating on provisional licences should as well apply for accreditation by March this year, to avoid closer.

Mr Speaker, the Member of Parliament for Kiryandongo District, Hon. Helen Kahunde, asked: “What is the status of implementation and enforcement of the law on importation, manufacture, distribution and use of plastic carrier bags to protect the environment and natural resources in Uganda?”

Mr Speaker, my response is that the plastic industry is a very important industry to the Ugandan economy, especially at this critical time of industrialisation, the developing of the oil and gas sector, value addition and striving to integrate into global markets.

Plastics are applied in packaging, construction, automobile, furniture, electronics, and health care systems. To date, over 80 per cent of the goods and products manufacturers in Uganda and the world over use plastic packaging.

However, the way plastics are disposed of after use, especially single-use plastics (plastic bottles, plastic carrier bags, drinking straws, disposable plastic plates and cups); they litter the environment and should be properly managed. The plastic waste can cause economic damage to activities such as tourism, fisheries, soils, and affect human health throughout the food chain.

The Government, through Parliament, enacted the National Environment Act, 2019 with a provision to regulate the production and use of plastics to mitigate the health and environmental problems that arise as a result of the use of plastic products.

The Government, through the Ministry of Water and Environment, has taken the following actions among others to enforce the act:

1. All plastics manufacturing factories were directed by the ministry to establish recycling facilities to deal with plastics waste generated in the factory and externally generated plastic wastes. Over 50 recycling facilities have been established. This reduces importation of virgin plastic raw materials in this country;
2. All plastic packaging products must be clearly labelled with the manufacturer's details and certified by the Uganda National Bureau of Standards for compliance with the 30 per cent micron thickness and other specifications in the national standard for plastic carrier bags products; and
3. The manufacturers were advised to form an association to provide a platform for engagement with stakeholders and information sharing among stakeholders. The Uganda Plastic Carrier Bags Manufacturers and Recyclers Association has been able to mobilise its members to support a public awareness programme on TVs and radio stations on proper plastic waste disposal, collection, sorting, cleaning and delivery to recycling factories.

Mr Speaker, No.6 was a question from Hon. Lillian Aber, the Woman Representative, Kitgum District. Her point was that on Friday, 27 January 2023, the Uganda National Examinations Board (UNEB) released the Primary Leaving Examinations (PLE) results for the academic year 2022.

A total of 117,953 candidates did not get the required grades to join secondary education. Among them were 97,109 candidates who were ungraded and 20,844 candidates had Division X. Both groups were below 4th grade, which is the minimum grade with which one can join secondary education.

Her prayer is that I inform this august House of the Government's plan for the 117,953 candidates.

Mr Speaker, my response is that the Government introduced the free UPE programme so that the children of Uganda can attain basic education and skills. Out of the 832,654 candidates who sat PLE last year, 714,702 candidates qualified to join Senior One. A total of 117,953 did not qualify. The failure to attain the required grades is attributed to the adverse effects of the COVID-19 pandemic that forced schools to be on and off due to the lockdown.

The candidates, who did not attain required grades to join secondary schools, have several options to take. The immediate option is for them to repeat the class and sit for the Primary Leaving Examinations for the Academic Year 2023.

Secondly, the Government encourages the parents of the candidates who failed PLE to enrol them in other training and skilling programmes. The Government has in place the formal and non-formal vocational education systems in which they can enrol.

The non-formal vocational system caters for the ungraded students and those who failed to sit are referred to as "absentees". They enrol in a technical institute for a modular course in a programme of their choice. There are over 500 modular programmes assessed at over 300

assessment centres under the Technical and Vocational Education and Training (TVET) subsector. The programme includes Art and Design, Tailoring, Science related vocational occupations in the field of Agriculture, and technology among others.

Mr Speaker, for example, a child who attains a modular transcript related to agriculture in any of the above vocational programmes qualifies to join an agriculture-related programme at a vocational school for six months, which will be equated to Primary Seven.

The non-formal education assessment of candidates is by the Directorate of Industrial Training (DIT) under the Ministry of Education and Sports. A child is awarded a modular transcript, which is equivalent to a PLE certificate under the Uganda Vocational Qualifications Framework (UVQF) which is provided for under Business, Technology, Vocational Education and Training (BTJET) Act of 2008 hence, a recognised qualification under section 20 of the Act. With such a certificate, a child qualifies to join formal vocational education.

It is, therefore, imperative to note that a child with a PLE certificate or a modular transcript can either join a technical school or a vocational school where they study for three years and get the Uganda Junior Technical Certificate (UJTC) equivalent to UCE. The Uganda Junior Technical Certificate is awarded by the Uganda Business and Technical Examination Board (UBTEB), a body under the Ministry of Education and Sports.

At the same level, a child can obtain a level one certificate under the Uganda Vocational Qualifications Framework (UVQF) awarded by the Directorate of Industrial Training under the Ministry of Education and Sports. The child can progress and get Level 2 and 3 certificates, which come with experience. Hence, the child can either join the world of work or can proceed to a technical institute for further upgrading.

With Level 3, a student can join a technical institute and study for two years, after which

they are awarded a national certificate by the Uganda Business and Technical Examination Board (UBTEB).

This certificate is equivalent to the Uganda Advanced Certificate of Education (UACE) and makes the journey of schooling to obtain practical skills shorter, compared to the generic school system.

Lastly, Government intends to allow vocational students to progress from the lower level up to university level. Soon, Government will introduce a National Technical University that shall see this dream come true so that we can produce human resource capital with skills that address our contemporary challenges in the modern economic setup.

In the same vein, Government offers 2,400 bursaries annually, to the children who join community polytechnic and technical schools. There are 20 polytechnic and technical schools spread across the country. Each of these has 60 slots for students under Government sponsorship.

It is, therefore, imperative to sensitise our communities that failing to pass the formal education examination is never the end of life and so, we need to encourage them to embrace vocational and technical education. I beg to move.

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister, we have our 35 minutes. Colleagues, I want us to see how we can squeeze in because at 5.00 p.m., there are critical issues, which we should have started with that I want us to give more attention to but since 4.00 p.m. to 5.00 p.m. is Prime Minister's Time, let us utilise it.

However, before we get there, allow me to start with colleagues who had registered issues of national importance because I promised to give them first priority. Let us use one minute strictly. I know you can ask a question directly and we have one minute for an answer.

4.37

MR MOSES KABUUSU (FDC, Kyamuswa County, Kalangala): Thank you, Mr Speaker. Mine is a matter of national importance -

THE DEPUTY SPEAKER: We are in Prime Minister's Time; ask your questions straight away.

MR KABUUSU: Mr Speaker, Kyamuswa Health Centre IV is not operational at a level of a health centre IV. It has no medical officer, no operational theatre and the theatre equipment procured by the ministry is still held at the ministry.

The UPDF, in February 2021, rehabilitated and handed over to us the theatre but up to now, it is inhabited by bats. Is there any hope that this health centre IV will ever operate?

MS NABBANJA: Mr Speaker, now that I am armed with colleagues who are here with answers, I request the honourable Minister of Health to answer that question.

4.38

THE MINISTER OF HEALTH (Dr Ruth Aceng): Mr Speaker, allow me to appreciate the honourable member for the question. Operationalising a health centre IV needs a structure, human resource and money, and all this is in progress. I only request that you be a little patient; it will be completed. Thank you.

THE DEPUTY SPEAKER: With your permission, Rt Hon. Prime Minister, and in the interest of time, if the minister is around, can I call such a minister straight to answer on your behalf? Some of these were matters of national importance.

4.39

MS MOLLY ASIIMWE (NRM, Woman Representative, Rwampara): Thank you, Mr Speaker. I rise on a matter of national importance -

THE DEPUTY SPEAKER: Prime Minister's Time - ask your question straight away.

MS MOLLY ASHIMWE: Rwampara has sand deposits and recently, we have been bombarded by Sino trucks that come to ferry this. These SINO trucks are very heavy; they spoil the roads and break the culverts. It is difficult and we do not know under which rule or regulation to stop or regulate them.

How can we get these people involved in rehabilitating the roads they destroy? How can we regulate their mining because they leave the places open and unproductive?

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister -

MS NABBANJA: Mr Speaker, I have taken note of her concern and I am going to request the Minister of Local Government as well as the Minister of Works and Transport to go on the ground and see how to help because that is a resource that is helping us to develop our country.

On the other hand, the corporate social responsibility from these companies that are mining sand can help the local governments get money to work on their roads.

4.41

MR SOLOMON CHELANGAT (NRM, T'oo County, Bukwo): Thank you, Mr Speaker. In 2021/2022, Government, through Uganda Intergovernmental Fiscal Transfers (UgIFT), a project funded by World Bank constructed two health centre IIs constructed an Out Patient Department and a maternity ward.

A contractor was premature towards the end of 2022 and to be exact, it was around May. The works were done by the contractor, but by the end of the financial year; all the monies were swept back to the Treasury.

At the moment, the first quarter is done, the second quarter is done but the works have stopped. I do not know the fate of those two health centres because the works have stopped and it is about to rain; once it rains, those works will not proceed.

THE DEPUTY SPEAKER: Honourable, your question is clear. What is the fate of the health centres? We shoot straight to save time for more Members.

4.42

THE MINISTER OF HEALTH (Dr Ruth Aceng): Mr Speaker, the Ministry of Health does not construct health centre IIs. I need to find out from the honourable member what he is referring to. Thank you.

MS NABBANJA: Mr Speaker, Cabinet came up with a decision that all the monies that were taken by Government as the financial year was ending - Cabinet directed the Ministry of Finance to resend the money to the respective districts and I believe that district will also receive this money back.

THE DEPUTY SPEAKER: Thank you.

4.43

DR NICHOLAS KAMARA (FDC, Kabale Municipality, Kabale): In May 2021, Kabale Municipality entered a contract with Multiplex Company to repair roads under the Uganda Support to Municipal Infrastructure Development (USMID) Project in Kabale Municipality. It was supposed to end in May 2022 but it has been extended to September 2022 and again, to January 2023. I heard they are going to extend it again to March 2023.

After extending it for this long, only 17 per cent of the works have been completed. What does the minister intend to do to help the people of Kabale Municipality and put this contractor to order? Thank you.

MS NABBANJA: Mr Speaker, I find this strange. Therefore, since the state minister is here, I direct him to go to Kabale and find out what is taking place. Also, find out from his ministry - Hon. Obiga Kania is here; so, I believe he has taken the directive. *(Applause)*

THE DEPUTY SPEAKER: Please take note. *(Applause)*

4.45

MR PETER OKOT (DP, Tochi County, Omoro): Rt Hon. Prime Minister, despite our anti-narcotics laws, there is a new wave of a pandemic of drug abuse that is eating up our young people, both in and out of schools, with many of these drug trafficking cartels selling disguised drugs and narcotics.

Rt Hon. Prime Minister, can you give this House the assurance of safety and measures that government is taking to ensure our schools - that start on Monday - our communities and borders are free of illicit drugs.

MS NABBANJA: Mr Speaker, we have a regulating body - the Uganda National Bureau of Standards (UNBS) - that does this work on behalf of Government. I want to also request the schools, parents and all of us, Ugandans, to take this matter seriously because it touches the moral fibre of our children and the country. The UNBS will definitely do the needful but also as parents, we need to help our children to grow up morally upright.

4.47

MS ANNA ADEKE (FDC, Woman Representative, Soroti): Thank you. Rt Hon. Prime Minister, today, the world celebrates World Wetlands Day, this 2nd day of February. As has been the practice with other international days, the minister in charge usually brings a statement to the House, to give the Members a chance to debate and to just hear Government's position regarding the particular issues. This has not been the case for World Wetlands Day. The Minister of Water and Environment has not brought a statement here.

Secondly, the celebrations are underway right now in Soroti District. It is unfortunate that we learnt about it yesterday.

Rt Hon. Prime Minister, is it courteous for Government to celebrate in our constituencies and not inform us, as Members of Parliament, from those constituencies? Additionally, is it proper that an issue as contentious as that one is being celebrated without the Members of Parliament being given chance to hear Government's position on the same?

MS NABBANJA: Mr Speaker, from the briefs I get through the technical staff from the Leader of Government Business, I saw that the minister – Hon. Beatrice Anywar, yesterday gave a statement in this House.

Secondly, let me also inform you that on her way to Soroti, she got an accident but she is out of danger. She was going this morning. She informed me. However, I want to, once again, reiterate the need for us - the honourable ministers - to always inform our colleagues when going to their constituencies. The current presiding Speaker has always directed us to do it.

It costs nothing for you to inform a colleague that you are going to her constituency. I have always done it, whether it is a constituency of an Opposition Member or NRM.

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister, you can repeat that when in Cabinet so that all your ministers get this serious.

4.50

MR WILFRED NIWAGABA (NRM, Ndoorwa County East, Kabale): Mr Speaker, I would like to know whether the Prime Minister is aware that her Minister of State for Lands, Hon. Sam Mayanja - who is actually known for having battles with Buganda Land Board like his former minister, Hon. Alintuma Nsambu - yesterday wrote a letter to all district chairpersons, suspending district land boards yet the Constitution and the Land Act give these district land boards autonomy; not under the control or direction of any person or authority.

In that letter, he has gone ahead to suspend all land transactions countrywide. Of course, it is outright unconstitutional and ultra-vires. I have talked to five district land board chairpersons and told them to ignore this letter with the contempt it deserves.

However, is the Prime Minister aware about this particular letter that usurps not only constitutional provisions, but also the powers of district land boards, which are independent

of each other? If she is aware, can she call her minister to order and apologise to the country by withdrawing this letter that is outrightly unconstitutional, illegal, null and void?

MS NABBANJA: Mr Speaker, the fact is I am not yet aware. I request that you give me time to go and find out under what circumstances the minister acted that way.

Secondly, I also want you to take note that these land boards are approved by the Ministry of Lands, Housing and Urban Development. So, I do not know how we can “balance the boat” but I request that you give me time; I will come back here and report.

4.52

MR JAMES MAMAWI (NRM, Adjumani East County, Adjumani): Thank you, Mr Speaker. We have Amelo Polytechnic Institute, which is in Adjumani East Constituency and its construction started in 2013. As I speak, this is 2023 - 10 years down the road - and the construction is not finished. Amelo is housed in Olia Farm Institute in Adjumani District.

I want an assurance why Government has taken all this long - 10 years down the road - to construct only one institute. Thank you.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, as you come, it seems Members are saying there are many cases of that nature.

4.53

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Thank you, Mr Speaker. First of all, I have got the information like I did get one the other time – Mucwini-Pajong from Kitgum. I visited that institute and want to inform the august House - the MPs here can attest to it - that we are going to post teachers and also complete the construction of that technical institute.

For this, I am picking up the matter here. I want to interest the Member that let me get your details and I follow it up with you at the Ministry of Education and Sports –

THE DEPUTY SPEAKER: Honourable minister, it is cross-cutting. Even Kazo is raising the same.

MR OGWANG: I then want to pass the message to the entire august House. For this side of the House, we have the Government Chief Whip here. For the Opposition, I am happy that both the Leader of the Opposition and the Chief Opposition Whip are close friends. For purposes of serving our people, we could get that information, follow it and bring the answers in line with each of those technical institutes, which have not been completed.

I thank you.

THE DEPUTY SPEAKER: Thank you. Honourable minister, I would guide that once you reach the ministry, you call for a status report on the construction of all these technical schools from your technical people. It will be easier for you that way.

MR OGWANG: Most obliged, Mr Speaker.

4.54

MR RONALD BALIMWEZO (NUP, Nakawa Division East, Kampala): Thank you, Mr Speaker. On the 13th day of November, over 2,000 UPDF soldiers were taken to Somalia for a peacekeeping mission. They returned on 31 December 2022, hoping to receive their allowances. Unfortunately, some of them have died without getting this money. Rt Hon. Prime Minister, when are these people getting their allowances?

4.55

THE MINISTER OF STATE FOR DEFENCE AND VETERAN AFFAIRS (DEFENCE) (Mr Jacob Oboth): Thank you, Mr Speaker. The honourable colleague has raised that issue, now for the second time, in a span of two weeks. I thought I had given him the answer, but let me be on record.

It is true that the soldiers who were in Somalia came back and have not been paid. This is not the first time that this is happening – because the whole Mission is funded by the African

Union (AU). Therefore, the AU has not sent the money. When they send the money, the Government will pay them.

On the issue of death, Mr Speaker, even those who do not go to Somalia still die of natural causes. *(Laughter)*

4.56

MS MOURINE OSORU (NRM, Woman Representative, Arua City): Thank you, Mr Speaker. My concern is about the status of the Uganda National Roads Authority roads in Arua City. Most of the roads have become impassable. It is now about three or four years and some of our roads have not been worked on – for instance, Oluko-Ocodri Road, Manibe-Wandi-Yumbe Road and Adumi Road, via Lia Customs.

Mr Speaker, most of the trucks, these days, fall off as they transport people's goods to the border. I would like to know from the Prime Minister what the fate of those roads is.

Even His Excellency – for about three terms now - has made pledges regarding these UNRA roads, for instance, the Manibe-Wandi-Yumbe Road in Arua City. However, to date, it has not been implemented. Shall we really consider that it will be implemented? Thank you.

MS NABBANJA: Mr Speaker, we shall investigate that matter and come up with a concrete answer. However, I want Members to note that national roads across the country are given priority when it comes to funding. Arua is not exceptional and we shall work on those roads. As long as the NRM Government is still in power, we are accredited to work on roads.

4.58

MR LINOS NGOMPEK (NRM, Kibanda North County, Kiryandongo): Thank you, Mr Speaker. Rt Hon. Prime Minister, on 27 July 2001, we hosted the minister of state for tourism in one of our animal trouble corridors in Karuma Game Reserve, Murchison Falls National Park. He promised that the Government would install an electric fence because we have wildlife-human conflict.

Just last Saturday, a mother of six, Betty Kiden, was killed by a herd of elephants and we buried her. When is the Government fast-tracking the installation of this electric fence?

We also hope that the Government compensates the families of these people who lost their lives and property in those areas in Bunyoro or else we shall eat the animals. Thank you.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, as you come to answer this question, know that we are many – including the Woman MP for Mitooma. Elephants are giving us a headache. When are you intervening?

MS NABBANJA: Mr Speaker, you are aware that this Parliament appropriated money to work on electric fences across the country. I will request the minister for tourism to come here and give us an update.

You are also aware that we are supposed to compensate those people who fall victims. The Attorney-General is here. Please, come and update us on how this woman can be compensated.

5.00

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you very much, Rt Hon. Prime Minister. Hon. Ngompek can help his constituent by filing a formal claim with us. Then, we shall engage the relevant ministry and see how to help.

5.01

MR ALLAN MAYANJA (NUP, Nakaseke Central County, Nakaseke): Thank you, Mr Speaker. Rt Hon. Prime Minister, farmers in the country are suffering with fake agricultural inputs such as fake fertilisers and fake pesticides, which are being sold on the market. The Speaker guided, on 30 November 2022, that the line minister should bring a comprehensive statement on this matter. When is it coming?

MS NABBANJA: Mr Speaker, I request you to give us time so that the minister can come up with that report because it is ready.

THE DEPUTY SPEAKER: When we resume, we shall give it priority.

5.02

MR PATRICK ISINGOMA-MWESIGWA (Independent, Hoima East Division, Hoima City): Thank you very much, Mr Speaker. Rt Hon. Prime Minister, the people of Hoima City are thankful that we now have a fully operational CT scan within Hoima Regional Referral Hospital. However, the drugs that are supposed to operationalise the scan are not there –(Interjection)- there are special drugs that are supposed to be used for the CT scan to be properly operational. My question, therefore, is: when can we have these required drugs/reagents?

Secondly, the CT scan now depends on the services of a radiographer, but I think the right person should have been a radiologist. We cannot recruit the radiologist because there is no wage provision. How do we move forward on that matter, Rt Hon. Prime Minister?

5.03

THE MINISTER OF HEALTH (Dr Ruth Aceng): Thank you, Mr Speaker. The issue of the CT Scans does not only affect Hoima, but cuts across all the 16 regional referral hospitals. I think the biggest issue we should start with is power. You are asking for consumables and human resources, but the power in the hospitals cannot run the CT scans. Mr Speaker, we have been discussing this with the committees; that the issue of power has to be addressed.

The single-phase connections cannot run the CT scan. However, the issue of consumables and human resources has been captured in the coming financial year - it will be addressed.

THE DEPUTY SPEAKER: Thank you. Honourable minister, next time before buying those machines, first ensure that you have the infrastructure. But Rt Hon. Prime Minister, take up this matter so that we do not have white elephants yet people need these services.

5.04

MR CHRISTOPHER KOMAKECH (Independent, Aruu County, Pader): Thank you, Mr Speaker. Rt Hon. Prime Minister, in March last year, your able Minister Hon. Oboth, came to my constituency to address the issue of the UPDF evicting people in Akemokoch. He did so well and stopped the eviction.

On 18 January 2023, the brigade commander evicted the widows of former soldiers of the UPDF. Around seven families have been evicted and given three days to leave Akemokoch land.

It took the indulgence of the area councillor to negotiate with a brigade commander, and he promised to give the widows 10 pieces of iron sheets and 10 bags of cement.

Now, Article 21-

THE DEPUTY SPEAKER: Ask your question

MR KOMAKECH: Says that there should be equality. All we are asking for, Rt Hon. Prime Minister, is: can we compensate the widows so that they leave the land?

Secondly, Mr Speaker, the people of Pader are waiting for the Prime Minister to come and do some fishing in Aruu County. So they are also wondering-

THE DEPUTY SPEAKER: Write an invitation to her. Honourable minister for Defence - Clerk, set one minute for the questions please.

5.06

THE MINISTER OF STATE FOR DEFENCE AND VETERAN AFFAIRS (DEFENCE) (Mr Jacob Oboth): Thank you, Hon. Christopher Komakech, for the kind words about when I came to Pader. It is unfortunate that is happening; we have taken note.

However, I thought I would have a concrete and more direct commitment to you. You know how we do it. You know he is a son of

a late General; so, there is a way we treat you. And believe me, a solution will be found but I cannot make a commitment here on how.

THE DEPUTY SPEAKER: It seems you people have a connection; please go and sort that issue.

5.07

MR JOHN-BAPTIST NAMBESHE (NUP, Manjiya County, Bududa): Rt Hon. Prime Minister, my question is about the cost of maintaining the oil rigs, which are operated in the Albertine Graben by CNOOC in the Kingfisher area.

Two weeks ago or slightly more, they were commissioned with razzmatazz and pomp. However, these are idle oil rigs. They are only set up when oil wells are ready for drilling. On average, they consume about \$500,000 per day.

My question - which requires guidance from the Prime Minister and moreover, more are to be set up in Tilenga - is: could the Prime Minister guide us on the idle costs that the Government is incurring on maintaining this idle oilrig?

MS NABBANJA: Mr Speaker and colleagues, two weeks ago, the able President of this country commissioned one rig - most of them are going to be operational.

I have a lot of confidence that the experience the President has - (*Interjection*) - in oil because it is only this NRM Government that has been able - (*Interjection*) - yes, even if it is 60. It is the one that discovered this oil and we credit it.

THE DEPUTY SPEAKER: Prime Minister, please answer.

MS NABBANJA: I want to assure my brother that these costs will be met - (*Interjection*) - Mr Speaker, please protect me.

THE DEPUTY SPEAKER: Please, Rt Hon. Also, do not open your ears to those who are off record.

MS NABBANJA: Mr Speaker, we have taken note, and we shall handle it accordingly.

5.09

MS SYLVIA NAYEBALE (NRM, Woman Representative, Gomba): Thank you, Mr Speaker. Rt Hon. Prime Minister, the Ministry of Finance has consistently and forcefully now frustrated local governments.

As we speak, the Ministry of Finance has refused to pick the budget activities for the different districts. Subcounties are stuck, we are going to open schools but the grant that we normally give schools - we are going for these two frustrating weeks that the Speaker has given us for the Parish Development Model (PDM), but we are going to find all these pending issues.

Rt Hon. Prime Minister, how are you going to help us since - the Ministry of Finance has frustrated local governments, and we are going to districts that are not functioning at all?

Rt Hon. Prime Minister, could you please help us with the Ministry of Finance to either guide them, or I would not use order-

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister.

MS NABBANJA: Mr Speaker and colleagues-

THE DEPUTY SPEAKER: Colleagues, can I request you to stop coming here and give me time to do my work? (*Laughter*) Rt Hon. Prime Minister -

MS NABBANJA: The Ministry of Finance is already directed by Cabinet to make sure that the PDM funds are channelled through up to the SACCO accounts. I want to report that recently, we got a report that almost all districts have received this money. Now that you are going down there, please go and find out whether the reports we are getting are correct.

THE DEPUTY SPEAKER: Thank you. We do not have clarification under Prime Minister's Time. Rt Hon. Prime Minister, just

to inform you, Mitooma has not received it. Bushenyi, which is Hon. Magyezi's district- I was there on Monday with Hon. Ecweru, they have not received it. But you will receive the reports from the area. On Prime Minister's Time no procedure.

5.12

DR MICHAEL LULUME (DP, Buikwe County South, Buikwe): Thank you, Mr Speaker. Students of Makerere University who were in the 72nd Congregation and even those of the 71st Congregation have never received their university certificates and transcripts. They have been frequenting Makerere University to have their transcripts and university certificates done. Would the Prime Minister tell us what is happening and how this is going to be alleviated? Thank you.

MS NABBANJA: Mr Speaker and colleagues, the Minister of Education is directed - I am directing you to go to Makerere University and make sure that our students receive their transcripts.

5.13

MR NATHAN TWESIGYE (Independent, Kashari South County, Mbarara): Thank you, Mr Speaker. Aware that schools are opening on Monday, the 6th of February 2023, there is a major concern that study materials for students who are joining senior three are not yet delivered in schools. The information from the corridors is such that the suppliers of materials for Senior Two and Senior One were not paid.

Therefore, Rt Hon. Prime Minister, can you explain how this new curriculum is going to be taught when the study materials are not yet in schools? Thank you.

THE DEPUTY SPEAKER: Minister of Education and Sports, the Prime Minister is calling you.

5.14

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Thank you very much, Mr Speaker. First of all, Hon. Itungo is a

member of the Committee on Education and Sports. He knows some of this information. I will bring a report to the House on the subject matter he has raised. I thank you.

THE DEPUTY SPEAKER: No, honourable minister, the Member is saying schools are opening on Monday. We will be reporting back in two weeks' time yet there are no materials.

MR OGWANG: Mr Speaker, I want to confirm that it is true - like all other sectors - we are having challenges of releases from the Ministry of Finance, Planning and Economic Development. So, as far as payment of suppliers is concerned, it is one issue that we are battling with as a sector. How I wish the Prime Minister could direct the Ministry of Finance, Planning and Economic Development to release the money and we pay the suppliers. I thank you very much.

THE DEPUTY SPEAKER: Prime Minister, can you direct? *(Laughter)*

MS NABBANJA: Mr Speaker, I will next week, as a matter of fact, cause a meeting between the Minister of Finance, Planning and Economic Development and the Minister of Education and Sports like we did this morning for the Ministry of Health, as you guided, so we can come up with an amicable solution towards this issue.

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister, it would be good for you to do that tomorrow because schools are opening on Monday, the 6th day of February and that is the tricky bit of it. Otherwise, I know you will handle it.

5.16

MR FREDRICK ANGURA (NRM, Tororo South County, Tororo): Rt Hon. Prime Minister, disaster hit Tororo when we experienced a heavy hailstorm as big as this table, which lasted for more than two weeks; destroying every livestock that was found hanging around and food crops.

I requested that Government supports the people of Tororo with planting materials

and restock, among others. When shall we get cassava cuttings, potato vines, seeds for planting and even livestock?

5.17

THE MINISTER OF STATE, OFFICE OF THE PRIME MINISTER (RELIEF, DISASTER PREPAREDNESS AND REFUGEES)(Ms Esther Anyakun): Thank you, Mr Speaker. I want to thank my able Prime Minister for answering some of these questions.

We are going to discuss this with the Minister of Agriculture, Animal Industry and Fisheries to be able to give some supplements to some of these affected people. But at least, we responded to the immediate response that we needed in Tororo, as guided. Thank you.

5.17

MS NANCY ACORA (Independent, Woman Representative, Lamwo): Thank you, Mr Speaker. Rt Hon. Prime Minister, last year in October, I asked your office to help the people of Lamwo District to elevate Padibe Health Centre IV to a general hospital. I want to thank you because the Ministry of Health sent a team and they did an assessment.

You also promised the people of Lamwo on this Floor of Parliament that you were going to use money from Dr Deep to raise Padibe Health Centre IV to a general hospital. After the assessment was done, my people thought we were going to get that elevation through your Minister of Health, as a Christmas gift. However, up to now, we have not got any feedback. I want to still ask you, since the minister is available, to help the people of Lamwo get that feedback.

MS NABBANJA: Mr Speaker, of course elevation is a process. Now that the technical team came on the ground, you just have to be patient. Dr Deep - maybe the unfortunate thing is phasing out, but I, you and the Minister of Northern Uganda will sit and agree on how to prioritise Lamwo. The Minister of Health is here -

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, I think that is sufficient enough.

5.19

MR JONATHAN ODUR (UPC, Erute County South, Lira): Thank you, Mr Speaker. My question to the Prime Minister is: why is the Government reluctant to enforce the Narcotic Drugs and Psychotropic Substance Control Act in the face of its increasing production, sale and abuse of marijuana known as cannabis?

MS NABBANJA: Mr Speaker, passing a law is a commitment and it is in our NDA Bill that is coming on this Floor of Parliament; we shall handle it.

5.20

MS FLAVIA KABAHEMBA (NRM, Woman Representative, Kyegegwa): Thank you very much, Mr Speaker. A one Ruhuma Ruganda, since 2008, has harassed the communities and the occupants of Kibera Ward, which is in Kakabara Town Council in Kyegegwa District, claiming that he has a land title and he wants to evict five villages with more than 1,000 occupants on the basis of a title of ownership, but he has never shown it to any of us.

I would like to ask the Rt Hon. Prime Minister, whether she wouldn't instruct the Minister of Lands, Housing and Urban Development to come to the locus to understand about this title of 1928, Block 39, Plot 2, Kibera land, which he claims belonged to his grandmother, so that we - *(Member timed out.)*

THE DEPUTY SPEAKER: Question?

MS KABAHEMBA: My question is whether the Prime Minister shouldn't instruct the Minister of Lands, Housing and Urban Development to come to the locus and establish the facts on this matter so that my people are safe and can continue with their development programmes.

MS NABBANJA: Mr Speaker, Kyegegwa District is lucky. The Deputy Attorney-General hails from there - *(Laughter)*- and I believe that he is the custodian of the law. I want to

direct the Deputy Attorney-General to solve this problem quickly. The Minister of Lands, Housing and Urban Development is also directed to go onsite and see how to help our people.

Lastly, Mr Speaker, we have the bonafide law, where nobody in Uganda can be threatened with eviction. The RDCs are always on alert to make sure that our people are not threatened with any evictions – (*Interjections*) – and by the way, because of that alertness, the – has gone down. And I want to request my sister and the Deputy Attorney-General to help our communities there.

If that man is the genuine owner of that title, let it be brought to the ministry for compensation. We can compensate that man so that our people can get titles on their land for ownership.

5.23

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Thank you, Mr Speaker. I will be very brief. The Rt Hon. Prime Minister violated an unwritten cardinal law of courtesy by not supplying her written answers to the Leader of the Opposition. And I hope she takes note of that.

That is no bar to my response, though. She has always done it. I do not know this time around whether she never thought that the courtesy works.

Three issues from the written questions - and to be very brief; the question of private universities that are threatened with closure because of being unchartered: first of all, we have a huge challenge with tertiary education.

As a key stakeholder, the National Council of Higher Education Act needs review; to include among others, the proliferation of private universities, because the regulations are a bit lax. So, you are free to start and they are free to close you tomorrow. But in doing so, you endanger the future of many people that would have enrolled with you.

Relatedly, in amending the law, the role of Government in education needs to be seen

more. The imagination is that because they are private universities, they are offering private education. There is no private education and there are no private citizens.

So, the role of Government needs to be seen more in this sector, like it is everywhere. I think that the Prime Minister did not offer justice to this question. If I were the Prime Minister, I would have offered more plausible and reliable answers because these are not private citizens; they are Ugandans in private universities.

A policy on support - I recollect, over the last 10 years, Government has been consistently supporting, by way of subvention and students, a university - I do not have to mention it - with several students and paying their fees.

So, what happens to the others because it is this tuition on which they thrive, to be able to hire professors because one of the roadblocks to chartering is human resource and infrastructure.

Rt Hon. Prime Minister, you have a huge void in this sector. You need to look at the policy without necessarily blaming and condemning these institutions to closure because the consequences on human resource, employment are huge.

Two, the question raised by Hon. Lillian Aber about Primary Leaving Examinations (PLE) results; I am afraid the Prime Minister handled it casually. First of all, by now, I would have expected a detailed statement from the Ministry of Education and Sports on PLE results. By simply advising parents - giving them so many options; “Go to these, go vocational” - it is not enough.

Teachers have been disoriented; we know, for example, that Government promised schools closer to parents and children but those schools remain a pipe dream. Do we know why there are more failures in Government schools than private schools?

The Prime Minister said that the reason for failure is because of COVID-19. Did COVID-19 single out children in Government schools and left private schools alone? So, it

is not COVID-19. The problem is different; go for it.

Otherwise, the sector still begs answers. Children go hungry at school. The Vice-President issued a statement last week; "Go to school, you have no demand, just take the kids to school." Those blanket statements disorient education; we must go back to the basics.

Without being populist, we need to rethink this sector and help our children. How do we have children go hungry at school? And we encourage parents - not to part with Shs 10,000 for food - but instead part with Shs 30,000 to go and report to the Resident District Commissioner? So, where is the balance? It is a big problem, Prime Minister; please, do not run away from it.

Mr Speaker, we expect, on resumption, the Minister of Education to come to the House and explain the rising failures and dropouts. 1.8 million pupils enrolled in primary one but only 800,000 completed primary seven; where are these children?

Thirdly, the question raised by Hon. Kabusu about the problem of a health centre in Kalangala could have been supplied with a more contingent answer from my sister, the minister.

He needed probably a timeline; we are processing a National Budget Framework Paper and consequently, the budget. Is it one of them? Because it is a facility in a hard-to-reach area. Members need assurance, especially those coming from highly vulnerable communities like Kalangala; assurances in terms of timelines to calm people's nerves.

I know the honourable Minister for Health is a very sensitive person and cares; please, do more on this question. Probably the honourable Member should come to you and get more assurance that in the NBFP and the final documents of the ministry, this facility is included.

The question raised by the learned Attorney-General on my side about the statement issued by the Minister of State for Lands, the Prime Minister believes that since the approval is done by the ministry, so there is no problem. Approval is not control.

Parliament approves the Auditor-General, the Inspector-General of Government but we do not control them. This minister has been seen frolicking all over the place, making uncoordinated statements; the Prime Minister needs to rein in this minister.

He is attacking individuals, institutions, the Kabaka. And when you do not rein him in, we believe it is the position of Government. So, Hon. Sam Mayanja needs to be reined in. Otherwise, he is going to raise unnecessary sentiments amongst people, when he is frolicking out of his appetite and happiness for being a minister, as if he is the first minister. *(Laughter)*

The question of frustrating local governments raised by the honourable Member from Gomba remains pertinent. Sometimes I feel pity on comrades here because they come from suffering local governments. Actually, you are now dealing with the fossils, not local governments – the remains of local governments.

Government has since re-centralised; control is back at the centre. This Parliament has to rethink whether the planning, and budgeting is still localised. Local governments are dead. How do you send Shs 1 million to a district to do roads?

I was in Budiope over the weekend for burial and the leaders there are all from the NRM; they were calling out to me to rescue them. They were desperate. Of course, I promised a rescue in the immediacy. They are saying we are doing nothing. One Subcounty chairperson said, "We received Shs 500,000 to do roads and we were musing as to whether we should sit and share it out and go home and everyone goes on their own." It is terrible.

Prime Minister, there are no local governments; you have fossils. They are remains; you can find them there wherever you go. They do not have resources because you took them back. Return the money to the local governments so that they can function. *(Applause)*

Study material for Senior Three: this matter has been conversed severally here. One of the challenges is that even up to now, the teachers have not been trained. Several of them have never been oriented in this curriculum.

Rt Hon. Prime Minister, you may want to do this House a favour and table the number of teachers who have received training – from both private and public schools. You will be shocked.

Secondly, even the curriculum still has challenges. The review should have been very regular. Remember our advice on sequencing and cascading? We are in a hurry to impress. Education must be delicately handled. There is a problem. Rt Hon. Prime Minister, you need to rise to the occasion.

Lastly, the issue raised by Hon. Jonathan Odur on drug abuse, I think, was not understood by the Prime Minister. His point was that there is almost proliferation of the growing of marijuana. Those growing it claim that they are selling to some people that have licences. May I ask the Prime Minister to table the list of companies that have licences so that we can know the buyers? Probably, a track of the abusers could be easier. There is a cartel of growers that have a licence and it is a preserve of them alone.

Subsequently, communities are suffering because selling to the growers that have licences to sell abroad is on the black market. They are growing and consuming at the same time. You have not supplied an answer to the honourable member, Rt Hon. Prime Minister. We know the Act is available; he talked about implementation. You, probably, will think of a better answer.

Mr Speaker, finally, the law does not stop me from asking a small question to the Prime Minister. The Board of Bank of Uganda expires on 18 February and only two members will be eligible for re-appointment. There is no Governor at Bank of Uganda. Will the Prime Minister tell us whether they are aware of this problem and they are going to fix it or are they beginning and making deals with people?

THE DEPUTY SPEAKER: Thank you. Unfortunately, my brother, the Leader of the Opposition, the law prohibits you. Rule 41(9) is very clear: *“The Leader of the Opposition shall have a right to comment or reply.”* – not to ask questions. So, on that one, Prime Minister, take note. In future, you can answer it.

STATEMENT BY THE PRIME MINISTER
ON:

D) THE CURRENT DRUG STOCK-OUTS IN
PUBLIC HEALTH FACILITIES

5.36

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, in line with your communication regarding drug stock-outs in public health facilities across the country, I convened a meeting — today in my office, as you advised yesterday. The following key stakeholders were in attendance:

1. The Government Chief Whip;
2. The Minister of Finance, Planning and Economic Development, together with the PS/ST;
3. The Minister of Health and her technical people, and;
4. The National Planning Authority.

It was observed that:

- a) There is a general stock-out of medicines and health supplies in public health facilities across the country.

- b) There were some logistical challenges that have been noted and are going to be addressed.
- c) There is need to harmonise operations between the Ministry of Finance, Planning and Economic Development and the National Medical Stores, under the Ministry of Health.

We came up with resolutions:

- a) I have constituted an inter-ministerial committee, chaired by the Government Chief Whip and comprising the Ministry of Finance, Planning and Economic Development, the Ministry of Health, the National Medical Stores and the National Planning Authority to look into these issues in detail – I repeat: in detail – and report back within a week, starting tomorrow.
- b) The distribution of medicines has commenced and must be fast-tracked to ensure that every corner of the country is covered, now that honourable colleagues are going back on recess.
- c) I will provide an update on this matter to Parliament within 14 working days. I know that will be after recess, but I can give an update in the national media so that you can also help in fast-tracking the distribution of these drugs.

I beg to submit. Thank you.

THE DEPUTY SPEAKER: Thank you, Rt Hon. Prime Minister. What is very important is that you have resumed the distribution of the essential medicines. Honourable colleagues, you are going to your constituencies. Please, cross-check. In 14 working days, after we have returned from recess, the Prime Minister will be given space to present a statement and we handle this issue.

STATEMENT BY THE PRIME MINISTER
ON:

II) THE STATE OF HUMAN RIGHTS IN
UGANDA

5.40

**THE PRIME MINISTER AND LEADER
OF GOVERNMENT BUSINESS (Ms
Robinah Nabbanja):** Mr Speaker –

THE DEPUTY SPEAKER: Procedure?

MR MPUUGA: Thank you, Mr Speaker. This is a House of record. We need to harmonise the command of the Order Paper and the title of the statement issued by the Prime Minister. I need your guidance because the Order Paper talks about human rights and the Prime Minister is making a statement on alleged abductions.

Secondly, the statement is coming at the backdrop of your own command that a meeting is held between my team and the Prime Minister's team – verbatim, on the Floor.

“The meeting was a follow up on the meeting we had some time back as promised on Wednesday that we shall have this meeting to discuss the issues and report back to the House. We have had an extensive meeting, where we thought we would be able to report back to the House as I had promised today, but because of the wide range of coverage of the issues – we finished the meeting past one – we said that instead of bringing the report that is not well captured, we gave the drafting side – that is jointly being done – time on Thursday, and it will be one of the first items on the Order Paper.”

Mr Speaker, I want to be on record that, first of all, I received the Prime Minister's statement while here in the House and, secondly, I did not participate in making this statement. So, it is not a joint one.

That does not impeach the right of the Prime Minister to make her statement as desired, but I want the record to be straight that it is not a joint statement.

It is the Prime Minister's statement. Therefore, your own command was vacated. Then, I will put the House on notice that immediately upon resumption of Parliament, I will make my alternative statement.

THE DEPUTY SPEAKER: Thank you. With that in mind, the statement is deferred. Let the reconciliation and harmonisation be done and you report back in two weeks' time. *(Applause)*

Rt Hon Prime Minister, we shall not disturb you with a statement for business of the succeeding week, since we are adjourning sine die because issues might come up.

Honourable colleagues, you usually want to bring in issues under procedure, but we are still moving with the Order Paper. As long as I am still following the Order Paper and I have not deviated from it, please, let us proceed.

MOTION SEEKING LEAVE OF THE HOUSE TO INTRODUCE A PRIVATE MEMBER'S BILL ENTITLED, "THE LAW REVISION (MISCELLANEOUS AMENDMENTS) BILL"

5.44

MR ASUMAN BASALIRWA (Jeema, Bugiri Municipality, Bugiri): Thank you very much, Mr Speaker *-(Interruption)*

MR KAFUZI: Thank you, Mr Speaker. As the Government, we presented a Bill on the Floor of Parliament in respect of law revision. As it turns out, my colleague, Hon. Basalirwa, had a Bill. You directed that we try to harmonise and see how we can accommodate each other.

A meeting was held, but it was not conclusive. That meeting was between the Attorney-General's Chambers, law reform members and Hon. Basalirwa. We are going to have another meeting to continue harmonising, on Tuesday next week, chaired by the Committee on Legal and Parliamentary Affairs, to which Hon. Basalirwa belongs.

It is pre-emptive and premature that Hon. Basalirwa now seeks to come back to

Parliament, even before we have either agreed or disagreed. Are we proceeding well? – *(Interjection)* - yes, he is a private member and we are not denying him his right. Are we proceeding well for us not to have exhausted the avenue of reconciling the two Bills and report back? Thank you.

THE DEPUTY SPEAKER: Leader of the Opposition, I need your attention because this involves your Member. Honourable colleagues, if you remember, Hon. Basalirwa came here with a motion to present the Law Revision Private Member's Bill. I was informed by the Attorney-General that their Bill is almost ready so we should give the Government a chance to present this Bill.

I used my authority and asked Hon. Basalirwa not to present this Bill. I asked him to go and reconcile his proposed Bill, which was even against rule 80 of our Rules of Procedure, by the way, to some extent, because that was anticipation. However, I used the collegiality between us as colleagues and him to go and reconcile his Bill with the Government.

Now, in the meeting you had, Hon. Basalirwa came back and reported that critical aspects of his Bill were outrightly rejected by your side and you said you cannot consider them. Those aspects were very critical because they needed to be part of the long title of the Bill. Therefore, in any reconciliation you make, you can introduce any amendments but if those amendments are supposed to be part of the long title of the Bill, they can only be introduced in the original Bill on the Floor. They cannot be introduced at the committee level. What Hon. Basalirwa was introducing is provided for under rule 116 (2) of our Rules of Procedure. It has to be part of the long title of the Bill.

Now, if I denied him space on the Order Paper, I would be suffocating a Member indirectly because if you had gone at that level and captured his critical issues in your long title of the Bill, we would not be here. *(Applause)*

With that, I am going to allow a private Member to table his motion. It is up to the House to either accept or not. Hon. Basalirwa?

MR BASALIRWA: Much obliged, Mr Speaker. This is a motion seeking leave of the House to introduce a Private Member's Bill entitled, "The Law Revision (Miscellaneous Amendments) Bill" brought under rules 56, 121 and 122 of the Rules of Procedure of Parliament.

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

AND WHEREAS Article 94 (4) paragraph (b) of the Constitution, and rules 121 and 122 of the Rules of Procedure permit a Member of Parliament to move a Private Member's Bill;

AWARE that Article 2 of the Constitution of the Republic of Uganda declares the Constitution the supreme law of Uganda and requires that any other law or custom, which is inconsistent with any of the provisions of the Constitution is void, to the extent of its inconsistency;

FURTHER AWARE that the promulgation of the Constitution of the Republic of Uganda introduced in Uganda's jurisprudence, constitutional standards, against which laws, customs traditions, or anything done, pursuant to an enactment, customs or traditions is examined in determining whether the enactment, customs or inaction infringes upon an individual's or group's constitutionally protected rights;

NOTING that Article 129 creates, as one of the Courts of Judicature, the Court of Appeal, which also serves as a Constitutional Court, and specifically mandates the Court of Appeal, while sitting as a Constitutional Court, to settle matters relating to interpretation of the Constitution;

FURTHER NOTING that Article 137(3) empowers a person to challenge an Act of Parliament or any other law or anything in or done under the authority of any law, or any act, omission by any person or authority, where such enactment, act or mission is inconsistent with or in contravention of a provision of the

Constitution;

RECOGNISING that pursuant to Article 137(3) of the Constitution, the Constitutional Court, while considering petitions filed in the cases of Charles Onyango Obbo & Andrew Mujuni Mwenda v. the Attorney-General, Supreme Court Constitutional Appeal No. 2 of 2002, Andrew Mwenda Mujuni & East African Media Institute Uganda Limited v. the Attorney-General Court of Appeal Constitution No. 12 of 2005, Human Rights Network and four others v. the Attorney-General, Constitutional Petition No. 56 of 2013, Muwanga Kivumbi v. the Attorney-General Constitutional Petition No.9 of 2005 that examined the Penal Code, the Public Order Management Act and the Police Act and declared unconstitutional, sections 40 and 50 of the Penal Code Act, section 8 of the Public Order Management Act, and section 32 of the Police Act, for infringing on the various provisions of the Constitution;

FURTHER RECOGNISING that declaration by the court means that the impugned sections of the Penal Code Act, the Public Order Management Act and the Police Act are null and void and have no legal effect in Uganda;

CONCERNED that in spite of the declaration by the court, the provisions that were found unconstitutional to infringe on the Constitution have not been repealed from the law books and, therefore, remain redundant with no legal effect;

COGNISANT that in order to give full effect to the decisions of the Constitutional Court, there is an urgent need to amend the Penal Code Act, the Public Order Management Act and the Police Act and remove provisions affected by those decisions;

NOW, THEREFORE, be it resolved that Parliament grants me leave to introduce a Private Member's Bill entitled, "The Law Revision (Miscellaneous Amendments) Bill," a draft of which is attached hereto."

I beg to move, Mr Speaker.

THE DEPUTY SPEAKER: Is the motion seconded? It is seconded by Hon. Adeke, Hon. Isingoma, the LOP, Hon. Dr Kamara, Hon. Betty Aol, Hon. Amos Okot, Hon. Opendi and Hon. Kaberuka. Can you now speak to your motion? Hon. Katabazi should be captured too.

MR BASALIRWA: Thank you, Mr Speaker. The courts of law have, in various decisions, pronounced themselves on the constitutionality of cases and provisions under our laws.

The Constitutional Court declared section 8 of the Public Order Management Act unconstitutional. It did declare section 32 of the Police Act unconstitutional. It declares section 50 of the Penal Code Act unconstitutional. However, Mr Speaker, court judgments are not self-executing. This Parliament has to make a pronouncement by way of law revision. Because those provisions still exist in our law books, the police continue to use them to undermine associational freedoms.

The police continue to use them to undermine freedom of expression. Even the DPP is using those provisions to charge people for cases that have been declared unconstitutional.

Mr Speaker, there are also laws that with time no longer serve their purpose. When you look at my Bill, I have enumerated some of those laws. For example, we have the Nakivubo War Memorial Trust Act, which for all intent and purpose, is not serving its purpose. Then we have laws like the Enguli Act and others.

Mr Speaker, it can only be fair, that this honourable House be pleased to grant me leave so that I introduce a Private Member's Bill. I beg to submit.

THE DEPUTY SPEAKER: Thank you. I will just pick Hon. Jonathan. Oh, I have around two or three seconders.

5.57

MR JONATHAN ODUR (UPC, Erute County South Lira): Thank you, Mr Speaker. I will be very brief. This is a self-explaining

request made to this House. It is not coming out of the Member's own volition. We all swear by the Constitution. Therefore, we respect decisions of the court. In this Parliament, we can only exercise our legislative powers through Bills as provided under Article 91.

Therefore, I rise to second the motion, given the fact that some of these decisions were made long time ago. The departments of Government that are responsible for making law reform, including the Uganda Law Reform Commission, which is directly under the Office of the Attorney-General, have been reluctant to give effect to these decisions.

Therefore, this is the best opportunity to ensure that Chapter four of our Constitution related to the freedoms of citizens to associate, is given effect through this Bill. I second the motion and do ask Members to grant leave to the honourable member to proceed.

THE DEPUTY SPEAKER: Thank you.

5.58

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Mr Speaker. I stand to second the motion, and I thank you, for granting the Member opportunity to present this motion to seek leave.

Mr Speaker, the Constitution is our supreme law. So, it is very unfortunate when we have provisions in our own laws that contradict the Constitution. This is the same spirit in which we brought the Marriage Bill, the Alcohol Bill, and Mr Speaker, thank you for not listening to the Attorney-General *—(Laughter)—* because he has been opposing every Bill that we bring here as private Members.

We are here to legislate for our people. So, if the frontbench is not doing its work, we shall always do it, and this is done in good faith.

Mr Speaker, I stand to inform the Government that we are not here as Members opposing Government; we are here to work for the people of Uganda.

It is right, that if the courts have pronounced themselves on a matter, then that should be it. It is up to us to move and ensure that the court rulings, which become by the way, law, are actually - for as long as there is no objection, and the matter has been settled, then we must ensure that in our books, that is removed.

Mr Speaker, I have had young people - just a month ago, a young man travelled from my constituency - I think he was at City Square waiting for transport to go to his next destination, and he was arrested. He called me crying that he had been taken that he was idle and disorderly. The next thing he was in Luzira Prisons using a prisoner's phone trying to reach out to me.

I remember trying to raise this with one of the police officers that I know, wondering why they are arresting members - even when they appeared before the Public Accounts Committee, why the police was still using those provisions, which were long outlawed by the courts.

Therefore, this is real, and I want to appreciate and request the House to support the Member and approve this motion so that we can see to it that the Bill is brought for First Reading. And Attorney-General, it is my humble appeal; please, support us in this process.

THE DEPUTY SPEAKER: Now for the record, I listened to the Attorney-General - because I do not want it to go on record that I did not when I called him on the Floor and he gave his side.

6.01

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Mr Speaker, I am not seconding the motion and I want to borrow the words you just used, "for the record." The discrepancy - because as Government, we have prepared the Law Revision (Miscellaneous) Provisions Bill.

Hon. Asuman's concern is that he feels that a number of issues he has read are not embedded in the Bill. What we are saying is that let us

reconcile. These may not be the only ones. Let us sit with the committee and if they are several others, then we can embed all of them. In any case, when you prepare a law, a later law supersedes an earlier one. If an earlier one was declared unconstitutional, by revision, a Bill is prepared, and you have a new law, that law supersedes the earlier one.

Therefore, we either do not specifically or expressly have to put this in writing, or we have to list it in writing and say, "The Police Act, section this is hereby repealed." That is all we need to do. And that is why I said we need time to sit with Hon. Asuman Basalirwa and see how best to embed this so that we have one Bill as a team. Thank you.

THE DEPUTY SPEAKER: Thank you. Colleagues, let me just guide quickly. Chairperson, Committee on Legal and Parliamentary Affairs, you cannot contribute on such matters because they come to you.

Number one, we already set a precedent. Recently, we had a Private Member's Bill - the Employment (Amendment) Bill - where the committee report was even ready for presentation. But as long as it is not yet presented here on the Floor, it is not yet a report of the House.

So, I used that prerogative and allowed a Bill from the minister, who had been begged overtime; I allowed the Bill from the minister and I sent it back to the committee to harmonise. This is being flexible. If I am to interpret the rules strictly, then business here would be stuck. I did it for the Government. The way I did it for the Government, we can do it for a private Member. *(Applause)*

But most importantly, you can introduce the amendments at committee level, whether through your reconciliation meetings, as long as they do not affect the long title of the Bill.

Now, the amendments proposed by Hon. Basalirwa, from the beginning, were affecting the long title of the Bill. So, even if you reconcile at committee level, without a title

coming from this committee here and those provisions captured, then that reconciliation will not be helpful at all. Because under Rule 116(2) of our Rules of Procedure, we shall be doing work, which is null and void.

Colleagues, I want to put the question that the motion seeking leave of Parliament to introduce a Private Member's Bill entitled, "The Law Revision Miscellaneous (Amendment) Bill" be adopted.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Please, honourable member, expedite the process of your Bill so that it can go to the committee. It can be brought here for first reading. - I cannot stop the committee from proceeding with its work because that is anticipation. But work together on this very critical issue.

Colleagues, with that, House is adjourned sine die.

(The House rose at 6.05 p.m. and adjourned sine die.)