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**Wednesday, 3 February 2021**

*Parliament met at 2.41 p.m. in Parliament House, Kampala.*

PRAYERS

*(The Speaker, Ms Rebecca Kadaga, in the Chair.)*

The House was called to order.

COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable members, I welcome you to this afternoon’s sitting. I have a few issues to communicate. Over the last few months, I have received complaints from 20 construction companies in Uganda that they were contracted by an institution called Agape Sanctuaries Ministries International to construct schools and churches. However, they have not been paid.

A number of them, for example, Century Frontiers Limited, Jose Ban Builders and Contractors, BAMA Construction, YONA Construction, among others, have had their sureties liquidated for failure to redeem the loans.

I would like to ask the Minister of Justice and Constitutional Affairs to update the House and the country; firstly, about the legal status of Agape Sanctuary Ministries International in this country; its local office if it has any; its directors and other officials, so that the plight of these Ugandans is addressed.

The second issue concerns a petition from the SACCOs in the country, which are complaining about multiple regulations under the Cooperative Societies (Amendment) Act, 2019. They are also subjected to the Tier Four Microfinance Institutions Act and Money Lenders Act, 2016 and also the Uganda Microfinance Regulatory Authority. They are appealing for action from the Minister of Trade, Industry and Cooperatives, and Minister of Finance, Planning and Economic Development to harmonise these overlapping jurisdictions.

I ask the Minister of Finance, Planning and Economic Development to act quickly and report back to this House and the country so that the SACCOs can have a proper channel of communication and regulation.

Honourable members, 6th of February is the day for “Zero Tolerance against Female Genital Mutilation”. I hope that the Minister of Gender, Labour and Social Development will be able to address the country on the steps he is taking to end this practice.

Yesterday, we indicated that tomorrow morning, we shall have a special sitting to pay tribute to the late hon. Paul Etyang and hon. Kisamba Mugerwa. I ask Members to be here early enough so that we can conclude that business before the afternoon sitting. Thank you very much.

The Department of Corporate Planning and Strategy is spearheading production of a legacy report of the 10th Parliament, highlighting Parliament’s performance and facilitate continuity of parliamentary business. I appeal to the chairpersons of the committees and Members of the House to participate in this exercise when you are approached.

MINISTERIAL STATEMENT ON VIOLATION OF HUMAN RIGHTS DURING ELECTIONS AND KIDNAP OF A ONE, SHARIF KATO, THAT OCCURRED ON SUNDAY 24 JANUARY 2021 FROM KIREKA CENTRAL MARKET

2.47

**THE MINISTER OF INTERNAL AFFAIRS (Gen. (Rtd) Jeje Odongo):** Madam Speaker, before I make the statement, let me first of all take this opportunity to congratulate all of you for successfully concluding the exercise that you have done this past month.

I also take this opportunity to say that because of the short period in which I got notification to make this statement, I am not ready to say what I want to say today but I will be ready to do so fully tomorrow at 2 o’clock, to make a full statement on the matter that was brought to my attention. I beg for your indulgence, Madam Speaker.

**THE SPEAKER:** Okay. Since you have committed yourself to present tomorrow afternoon, it is now Government assurance. The matter will come back again to the Order Paper tomorrow.

MINISTERIAL STATEMENT ON THE CONTINUED PROHIBITION OF UGANDAN DAIRY PRODUCTS TO ACCESS THE KENYAN MARKET

**THE SPEAKER:** The Minister for East African Community is not here.

MINISTERIAL STATEMENT ON THE ELECTRICITY CONNECTIONS POLICY

2.49

**THE MINISTER OF ENERGY AND MINERAL DEVELOPMENT (Ms Mary Goretti Kitutu):** Madam Speaker, I wish also to take this opportunity to congratulate you and all the other colleagues who made it during the last election. For those who did not should take heart; the sky is the limit.

At the Fifth Sitting of the Second Meeting of the Fifth Session of the 10th Parliament of Uganda, held on Thursday, 28 January 2021, hon. Maurice Kibalya, Member of Parliament for Bugabula South raised a concern over the customer-funded electricity programme that had been suspended on 9 December 2020 by Cabinet, yet customers had already incurred high costs in making the necessary installations and requested for Government intervention.

The Electricity Connection Policy (ECP) was approved by Cabinet on 29 January 2018 under Minute CT2018/11. And its implementation commenced on 1 November 2018 for a period of 10 years that was from 2018 ending in 2027.

The goal of the ECP is to achieve 60 per cent level of access to grid electricity in Uganda by 2027. The main objective is to increase the number of connections made annually from the average of 70,000 before the policy was made to 300,000 connections. This is in line with the National Development Plan III (NDP III) and Vision 2040 goal of increasing electricity access in the country in order to improve the quality of life of Ugandans through sustainable industrialisation for inclusive growth, employment and sustainable wealth creation.

Connections Cost and Implications on the ESI

After the divestiture of the distribution concession from Uganda Electricity Board (UEB) to Umeme, the Electricity Supply Industry (ESI) inherited the connection charges framework from UEB whereby 30 per cent (Shs 98,000 for single phase no-pole and Shs 328,000 for single phase one-pole service) was being contributed by the consumer and 70 per cent paid by Government.

The framework for the Government to provide a 70 per cent contribution to the new connection cost could not be sustained. Hence, the 70 per cent Government contribution was inherited by Umeme as part of their annual investment plan that attracts 20 per cent return on completion of new connections on an annual basis. On the other hand, other distribution companies such as West Nile Rural Electrification Company (WENRECO) were charging full costs for a new connection.

Over time, Umeme Investments new connections grew to a level, which could not be sustained in the tariff. To mitigate the escalating tariffs, in 2018 the Electricity Regulatory Authority (ERA) conducted a cost of service study to determine, among others, the competitive cost recovery cost of new connections. The above study’s results informed the cost of new connections as summarised below:

1. Shs 610,918 for no-pole single phase connection.
2. Shs 2,323,041 for one-pole single phase connection.

The above costs are all net of any applicable tax.

It is against the above background that the Government of Uganda introduced the Electricity Connections Policy (ECP) to address the new connection affordability challenges and its impact on accelerating access to electricity amidst the increase in power generation capacity as well as the expanded transmission and distribution network. The obligation of Government under the ECP is to meet the costs of the no-pole and one-pole connections while consumers pay inspection fees of Shs 20,000 to service providers to facilitate inspection of housing wiring, to ensure that it is well done and safe to receive power.

Why Implementation of the ECP was Opened Up

The high number of applications for new connections required a correspondingly high budget provision from Government, which became a challenge especially under the COVID-19 pandemic conditions, with many competing demands. This caused significant delays in making new connections by the service providers. The backlog of electricity connections due to funds constraints by the end of July 2020 stood at about 200,000 completed applications.

The above delays created public unrest towards the electricity supply industry from frustrated applicants who wanted their premises to be connected to power supply, with some threatening to sue the electricity supply industry for failure to connect them to the power supply in a timely manner. At the same time, there was no Government pronouncement to allow those who can afford to meet the reflective cost for their connection to pay and get connected in a timely manner.

Besides the backlog of 200,000 electricity connections as at 10 July 2020, Government was in arrears for connections made by service providers amounting to Shs 103.409 billion.

As an interim measure, Government opened up the implementation of the Electricity Connections Policy with effect from 07 December 2020 to allow consumers who were willing to pay for their connections and had funds to do so and be connected in a timely manner. Those who had no funds were advised to wait for Government to mobilise the necessary funds.

Prior to the introduction of the ECP, the cost for new connections was highly subsidised and paid for by other consumers through the tariff. The cost became unbearable as Government efforts were now geared towards reduction of end-user tariffs, especially for the large and extra-large manufacturers.

When the cost of the 300,000 new connections is financed and recovered through the end-user tariff, about Shs 250 billion per year will be required. This additional cost would increase the end user tariffs by six per cent per annum. The impact on the annual tariff increase would negatively affect Government’s efforts to lower the tariffs for manufacturers to make their products more competitive and incentivise them to increase production and grow demand.

Going Forward

Government has imported connection materials worth 87,000 no-pole connections, financed by the African Development Bank, to resume the no-pole connections. The materials are arriving in the country this February 2021. This will enable the electricity supply industry to commence free no-pole connections starting on 1 March 2021.

Government has also released Shs 42 billion for the Financial Year 2020/2021 towards implementation of the Electricity Connections Policy. Out of this, Shs 27.8 billion has been allocated to partly pay for the already made connections by Umeme. The balance (Shs 14.2 billion) has been allocated to Uganda Electricity Distribution Company Limited (UEDCL) and small service providers to partly pay for the already made connections and commence new connections in March 2021.

Government is also procuring additional materials with financing from the African Development Bank and Exim Bank of China, under TBEA, that will arrive in the country starting from the month of August 2021, to sustain the ECP. The additional materials are worth over Shs 230,000 no-pole connections.

Furthermore, Government is in advanced stages to secure a $400 million loan from the World Bank to support the Electricity Connections Policy. World Bank funds are expected to be available beginning from the Financial Year 2022/2023 for a period of five years.

Madam Speaker and honourable members, the above interventions, with your support, should enable our people to access clean energy within the foreseeable future and contribute to the social economic transformation of our country. I beg to report.

**THE SPEAKER:** Thank you, honourable minister.

3.00

**MR JOHNSON MUYANJA (NRM, Mukono County South, Mukono):** Thank you, Madam Speaker. I would like to thank the minister for the report and the concern. However, there is one problem. As they started the free electricity connections policy, many people thought they would access power very fast. However, when they changed, even those who were able to pay, still have a problem because meters are not available at Umeme headquarters and yet, some paid money a year and a half ago. I do not know the problem because even those who paid are unable to get connected.

I demand that the minister comes out clearly with a policy for Umeme branches at the district so that people stop demanding. When this policy came, all Members embraced it but now, they are the ones carrying the blame.

This message of them starting on 1 March 2021 may remain here in Parliament and the users will not be aware. That is my humble request, Madam Speaker. This is in order to relieve the burden from the members of Parliament who embraced the policy. Thank you.

3.02

**MR BENARD ATIKU (Independent, Ayivu County, Arua):** Thank you, Madam Speaker and honourable minister, for responding to this question that was raised by hon. Kibalya. As somebody coming from West Nile, it is odd because we are the only region that is still waiting to be connected to the national grid or to a sustainable source of power.

I have two issues that I would like to raise in relation to this project. One is that yes, this project was supposed to cover the whole country but for us in West Nile, we saw only a bit of it. The issue that I would like to raise to the minister is to pick interest in the role of West Nile Rural Electrification Company Limited (WENRECO) in rolling out this project.

In some areas, this project was not presented to the public as a service that was being bankrolled by Government. For that matter, some people were forced to pay. Therefore, there is need for the ministry to pick interest and audit WENRECO to ensure that whatever money Government put in went to the right people, especially the tax payers.

Secondly, yes, we witnessed the signing of the contract of the national grid connection of West Nile. However, since that event, we committed ourselves, as leaders from the region, to follow up with the contractor and the ministry on the progress that was being made because this project is long overdue.

The contractual period being 18 months, we were told that by 2020, this project should be up and running and ready for commissioning. However, there is no sign of any activity in the West Nile region apart from the President coming to do the ground breaking of which the sub-station is in my constituency. It would be good for the minister to come clear on the progress so far made by the contractor and the Ministry of Energy on how far this project has gone. Thank you.

3.05

**MR ABDULATIF SEBAGGALA (Independent, Kawempe Division North, Kampala):** Thank you, Madam Speaker and the minister for the statement. Last week when this issue was raised, I also raised the issueof the status of Umeme and I would like the minister to clarify and inform the country.

We read in the newspapers and from rumours that there was still some confusion on whether Umeme should continue with the contract or whether the ministry terminated it.

Secondly, we have injected a lot of money in that sector. Right now, we are about to receive US$ 400 million to ensure that there is power in all parts of this country. I do not know whether the minister would like to inform us about how much we have borrowed in that sector and to what extent that money has been put to good use so that we know that the US$ 400 million, which is about to be borrowed, is also going to be put to good use.

Finally, when we talk about rural electrification, is the minister aware that there is also need for urban electrification? We have so many urban centres, including here in Kampala, without power. Even those who have power in urban centres at times fail to pay because of the high tariffs.

I request the minister that as we try to extend power to various parts of this country, let us also look at affordability so that we reduce on the use of charcoal and other means that are going to damage our climate. Thank you, Madam Speaker.

3.07

**MR JACK WAMANGA-WAMAI (FDC, Mbale Municipality, Mbale):** Thank you, Madam Speaker. I would like to thank the minister for her statement. Madam Minister, electricity is one of the most expensive commodities in this country.

God gave us water; Uganda is full of water, for example, we have the River Nile. Before the British left Uganda, they built the Owen Falls Dam and the machinery was given freely. Ugandans expected electricity to be one of the cheapest things. However, what surprises Ugandans is that the power that goes to some of the neighbouring countries is much cheaper in those countries than in Uganda, which is a great shock.

Madam Speaker, I have been appealing to people to plant trees but they keep cutting them down because they need firewood and energy. You know what has happened to Bugisu region. In Bududa, people cut down trees because they wanted energy to cook food. Why hasn’t Government cut down the cost because we have free machinery that was left by the British and we have kept on building electricity dams that could help our people?

Bugisu has suffered a lot because people were stealing power as they could not afford it and it killed so many people. Now when Government said that they were going to help the people and asked them to wire their houses, and that if the houses were wired, they were going to be helped to connect power but this has been stopped.

Even if one is a rich person, connection is Shs 720,000 per pole. This is a high cost. Ugandans are suffering in their own country and yet electricity in Tanzania, Kenya and Rwanda is cheaper yet it comes from here making Ugandans wonder.

Therefore, I would like you to consider the ordinary person in the countryside. Using candles or kerosene is dangerous.

Cutting down trees is affecting the environment and our people are dying because they go up to the mountain to cut down trees. If electricity was subsidised, our people would live a good life.

Madam Minister, I would like you to go back to Cabinet and speed up this loan so that you connect the people and Ugandans do not pay the 720,000 to have them connected to power. Thank you.

3.11

**MS AGNES AMEEDE (NRM, Woman Representative, Butebo):** Thank you, Madam Speaker. I congratulate you on winning your seat and all colleagues who made it back. I congratulate you all.

I would like to draw the minister’s attention to the line of getting a World Bank loan to enhance the electricity policy. I am requesting that the minister pays critical attention and re-examines what the technocrats give her. What is this electricity policy intended to achieve vis-à-vis inclusive development?

From my childhood, there has always been electricity in my village but it is just last year that it occurred to me to wonder why nobody else is connected to that electricity in Kawanga Teacher’s Training College.

Electricity can move through when some people cannot afford it. What is this policy vis-à-vis enhancing the solar energy that maybe more affordable to other people?

Taking you back to the REA programme of rural electrification, there have been gaps. Electricity has reached rich people’s homes and bypassed health centres and schools. Can this policy be inclusive in a manner that all institutions that cut across are able to benefit? Electricity will pass through a place and the local government cannot afford to pay the bills.

What is this policy vis-à-vis the use of gas? Many people cannot afford to use electricity for cooking and in the villages, the environment has been degraded. What is your ministry doing about the gas policy to enable people afford gas for cooking?

I implore you to look at those issues critically to promote inclusive development. If people in Bukedi can – *(Member timed out.)*

3.15

**MS CAROLINE KAMUSIIME (NRM, Woman Representative, Rukiga):** Thank you, Madam Speaker, for the opportunity. Allow me to thank the minister for the statement. The honourable minister talked about the delays. Thank God you know. You gave an excuse of COVID-19 but I would like to inform you, Madam Minister, that even before COVID-19, we had such challenges.

The one thing we lack in our ministry is to dig down, go to our districts and find out why such delays are being caused. I can tell you, for example, in my district, I have a sub-county where we have been having poles lying for the last three years. This was before COVID-19. These were placed immediately after I got into Parliament and up to now, poles are still lying there.

In addition, they cut people’s trees and their banana plantations when they are expecting services and we do not get anything out of it.

There is another sub-county in Kasambya. We have had wires there for the last two years, yet, there is no power there. Madam Minister, I am requesting you to pick interest in Rukiga and find out – yesterday, the honourable minister talked about the untouchables. I picked interest and tried to call the contractor. I asked him why he lay everything down and moved to another district, he responded that he was order to.

Up to now, poles are lying there, wires pass through people’s property and there is no electricity. Please go to Rukiga and find out why such things are happening. Thank you.

3.17

**DR KEEFA KIWANUKA (NRM, Kiboga East, Kiboga):** Thank you, Madam Speaker. I am sorry to mention but the minister has not been entirely honest with this august House. The impression being given by the presentation is that it is just a problem of money. This is not entirely a problem of money. I am sure the minister knows this. Very unfortunately, there are very serious governance issues at REA. It is because of these governance problems that we are where we are now.

Parliament appropriated the money, the Shs 42 billion, which they should have spent in the second quarter. It was released in October and these payments should have been made then. The only reason why they could not make them is because they could not enter into implementation agreements with the providers. Now the minister is telling us that they are proceeding to make payments as was highlighted.

When they came to us in the committee during the National Budget Framework Paper process, we noted serious concerns around the governance instrument that should be in place, the statutory instrument that should be setting up REA.

I think the minister is under obligation to brief Parliament on what is happening. She had come up with a new statutory instrument revoking an earlier statutory instrument, which was set up in 2001 but that was squashed by court –

**THE SPEAKER:** Honourable member, she came to respond to a question raised by hon. Kibalya about the dramatic end to the free connections policy. I think the issue of governance should be addressed separately. She came to answer something different.

**DR KIWANUKA:** Okay, let me just put it this way then. Other than the question of money, there are serious governance issues, which are seriously impacting on the implementation and performance of the programmes in REA.

This money, which she said is going to be spent cannot be spent at the moment because there are no implementation agreements. Thank you, Madam Speaker.

**MS KITUTU:** Thank you very much. I will try to answer some of the questions.

There was an issue of accessing power, Umeme not having the metres. I have already communicated to Umeme Ltd to expedite the process so that people who paid as far as October are connected. They are working around the clock to see that connections continue without disruptions.

There was also another concern about Umeme Ltd, especially the lower offices in the districts not ensuring the smooth flow of information to the communities about what has been decided on in terms of policy. I would like to say that I have also received these concerns and have communicated to Umeme to go on radio to explain clearly what we have directed them to do. We shall be able to follow this up and ensure that those who have paid are connected.

It is true West Nile does not access the national grid. We signed a contract and I have been reliably informed that the contractor is now carrying out geotechnical surveys before they begin the construction of the line. I have been assured that the line will be delivered on schedule. For now, we send our apologies to the people of West Nile.

You also asked about the Umeme contract. Allow me say that negotiations are going on at the highest level with His Excellency the President of Uganda. You will be informed once we have struck a deal.

About informing the House, I took trouble to find out from my predecessor - When Umeme Ltd came in, we were told that the economy of the country was not so attractive like it is now. We were further informed that while the Minister of Finance, Planning and Economic Development attempted to secure a loan and get financing from some of the banks here, all efforts were turned down because the sector then was referred to as “not bankable”; nobody could invest in the energy sector. That is why they had to go for international bidding, from which Umeme Ltd was contracted, having emerged the lowest bidder then.

As it is now, however, the conditions that prevailed when Umeme Ltd came in are now different. We believe we now have options. We can be able to negotiate for a better deal or even take over the activities of Umeme Ltd ourselves.

One Member raised issues about urban electricity. I want to say that every Ugandan has a right to access electricity because that is one of the United Nations’ principles; access to energy is a human right but sometimes it has been limited by affordability. We cannot access everybody at a go; therefore, we believe that we shall only cover everybody gradually.

Let me also inform you that in Cabinet meetings, electricity is one of the priorities now. We are prioritising transmission and distribution. Therefore, I need your support as Parliament so that this sector can be prioritized, to enable Ugandans access electricity.

I have tried to find out from experts about the high cost of power. They say that is because of low access on the grid. This means that once we have a low demand, the tariff will always be higher but once we increase the demand, for example by having these industrial parks, which are about 28, we should be able to lower the cost of power. Otherwise, as Government, we are concerned because this affects manufacturing industries and we are trying to work around the clock to see that power is affordable to everybody.

There was talk about the World Bank loan, that we need to look at – Actually, solar energy is not one of the cheapest. I think hydro power is one of the cheapest because the power generated from Nalubaale is the cheapest, at two cents. So, we normally look at those mixes, but we cannot rule out the rest and say that we should only go hydro. We have had cases where the dams have failed. Therefore, you need to have an alternative for the security of power supply.

The gas policy - I was formerly the Minister of State for Environment and I have to inform the House that we are working on this very steadily. We are working as a ministry to promote the use of gas, especially for cooking, in order to save on tree cutting. I will also need your support when this policy comes to Parliament. Otherwise, we are working through the Uganda National Oil Company (UNOC) to be able make and sell gas cheaply for Ugandans to use.

There was a concern about some of the poles lying around in some districts. I have also raised this concern to the management of Rural Electrification Agency. This normally occurs at the time of elections. There is a tendency of people using those poles to better their campaigns but sometimes they forget them there. I just had a meeting this morning with the management of Rural Electrification Agency; we are going to make sure we improve on this.

As for the governance problems at REA, I want to inform the House that REA is moving on. We have an accounting officer. I just met top management this morning to take charge, so that the institution can serve the nation. As for the fears being raised, I am not aware of them because no contractor has complained. Cabinet is handling those issues and once it decides, I will be able to implement its decision.

The Rural Electrification Agency was created by the minister to oversee the fund; where we have issues to adjust, the Executive has a right to make those adjustments, and we shall be able to make the institution move on. My chairman needs to be supportive of what we are doing. Thank you.

**MR JOHNSON MUYANJA:** Madam Speaker, I was a member of the Committee on National Economy and I know that we borrowed money. The minister talked about another loan here, but we got a loan to supply power to 32 subcounties and we have no update. I remember one time we came here and demanded for the same, even before the minister was part of that ministry, but it has now been three years. Plans came out, we had meetings with the engineers but some have since been transferred.

Ugandans now do not know what is going on. Coming up with a proposal for a new loan when the implementation of the one we got three years ago has not been clearly explained - the minister should clarify. Thank you.

**MR WAMANGA-WAMAI:** Thank you very much, Madam Speaker. The minister said that electricity is expensive because the demand is low. I would like to disagree with her. If the demand is low, why is Government putting in money to build more dams to produce more electricity?

People cannot afford electricity and that is why they are not going for it. If the Government had lowered the cost of electricity, then everybody would have been connected. This should have been the case because I mentioned earlier that we have got the provisions of producing electricity.

You have rightly put it that hydroelectricity is cheaper and we have got water, as I said earlier. Therefore, electricity should have been the cheapest. If it was cheap, then many of our people would have been connected; they would not be living in darkness and going in for trees. Since power is very expensive, our people cannot afford to get electricity. This is why many of our people die because of stealing power for illegal connections. It is all about the cost being very high.

The Uganda Electricity Board (UEB) belonged to Uganda but Umeme does not belong to Uganda. They just came to make money. Definitely, the interest of any company that comes to invest in this country is to make money and retrieve the money made and it is taken out of this country; it does not benefit Ugandans. Thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, if you could get us the comparative figures of the cost of power in Kenya and Rwanda and the cost of power here, maybe we can have a more focused discussion so that we can make a decision. Thank you.

**DR KIWANUKA:** Madam Speaker, I recall that we presented a report here in November, regarding the project that hon. Muyanja talked about. You had guided that the minister would come to make a response to that report. However, up to now, we have not heard that response. Unfortunately, we recently noted that the delay has increased by one year, which is again a serious issue of concern.

I would like to also clarify that all my comments - the minister seemed to have suggested that I am not supporting the sector? Madam Speaker, all my comments are geared towards making the sector more effective. This is what I am struggling with. Thank you very much.

**THE SPEAKER:** We shall put the issue of the minister’s reply on the Order Paper and she will come and respond to that particular area.

Honourable members, I have information about the death of one of our former colleagues, hon. Chaiga Andrew Borodi. He was a member of the National Resistance Council and a Constituent Assembly (CA) delegate between June 1989 and May 1996.

The date for his burial will be announced. I do not remember the constituency but he was from Moyo. *[Honourable Member: Obongi]* Okay, he was fromObongi. Can I ask Members to stand up for a minute of silence?

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

LAYING OF PAPERS

**THE SPEAKER:** Can I ask Commissioner Bahati to help us lay the papers?

3.35

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING) (Mr David Bahati):** Madam Speaker, I beg to lay on the Table the following reports in accordance with rule 31 of the Rules of Procedure. The reports of the Auditor-General on the financial statements for the year ended 30 June 2014 of:

1. Lobalangit Sub-county, Kaabong District;
2. Kigorobya Sub-county, Hoima District;
3. Aliba Sub-county, Moyo District;
4. Bumasikye Sub-county, Mbale District;
5. Bahanika Sub-county, Hoima District;
6. Kaabong East Sub-county, Kaabong District;
7. Abim Sub-county, Abim District;
8. Tubur Sub-county, Soroti District;
9. Karambi Sub-county, Kabarole District;
10. Kamuda Sub-county, Soroti District;
11. Abok Sub-county, Oyam District;
12. Buwalasi Sub-county, Sironko District;
13. Zesui Sub-county, Sironko District;
14. Moyo Sub-county, Moyo District;
15. Busoro Sub-County, Kabarole District;
16. Buheesi Sub-county, Kabarole District;
17. Rwimi Sub-county, Kabarole District;
18. Drajini Sub-county, Yumbe District;
19. Omiya Pacwa Sub-county, Agago District;
20. Pallisa Sub-county, Pallisa District;
21. Aduku Sub-county, Apac District;
22. Chelekura Sub-county, Pallisa District;
23. Kasodo Sub-County, Pallisa District;
24. Lopeei Sub-county, Napak District;
25. Unyama Sub-county; Gulu District;
26. Loro Sub-county, Oyam District;
27. Buhimba Sub-county, Hoima District;
28. Matany Sub-county, Napak District and
29. Kitoba Sub-county, Hoima District.

I beg to lay.

**THE SPEAKER:** Honourable members, all those items are sent to the Public Accounts Committee (Local Government) for perusal and report back. Next item. *(Mr Aza rose)-* Are you rising on the sub counties?

**MR AZA:** Thank you very much, Madam Speaker. Honourable minister, Aliba Sub County is now in Obongi District not Moyo District. Thank you.

**MR BAHATI:** The Clerk will check that.

**THE SPEAKER:** Thank you for the information. Too many changes have taken place and so, the Clerk should keep abreast of what is happening.

3.38

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING) (Mr David Bahati):** Madam Speaker, I beg to lay on the Table a request by the Government to borrow up to Units of Account $23 million, equivalent to $64 million, from the African Development Bank to finance the revenue shortfalls of the Budget.

**THE SPEAKER:** Honourable members, it is sent to the Committee on National Economy for perusal and report back.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON LANDLORDS, BIBANJA OWNERS, ARTISANAL MINERS, GOLD TRADERS AND OTHER SERVICE PROVIDERS IN THE MINING CAMPS OF MUBENDE DISTRICT OVER UNLAWFUL EVICTIONS

**THE SPEAKER:** Honourable members, you may recall that we had two reports on similar issues; the report from Buhweju from the same committee and the report from Mubende on similar issues. We have debated them both.

I put the question; first, that this House do adopt the report of the Committee on Environment and Natural Resources on the issues of Buhweju.

*(Question put and agreed to.)*

*Report adopted.*

**THE SPEAKER:** I now put the question that this House do adopt the report of the Committee on Environment and Natural Resources on the issues of Mubende District.

*(Question put and agreed to.)*

*Report adopted.*

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON THE FLOODING OF NAKAPIRIPIRIT AND BUKEDEA DISTRICTS, RESULTING FROM UPMINING OF LIMESTONE

**THE SPEAKER:** I am happy that the Minister of Internal Affairs is here. We await a report from you on the issues of flooding. In October, you undertook to go and look at the areas that had flooded and give us a report. I hope you will bring it sometime soon. Honourable minister –

3.40

**THE MINISTER OF INTERNAL AFFAIRS (Gen. (Rtd) Jeje Odongo):** Madam Speaker, I did not hear the question clearly.

**THE SPEAKER:** Honourable minister, in October, members raised the issue of flooding from the areas of Ntoroko; along the Albert Nile up to Pakwach and you undertook on the Floor of this House that you were proceeding there to examine the situation; and thereafter bring the report to this House.

**GEN. (RTD) ODONGO:** Thank you very much, Madam Speaker. I will need to check and pick on that. I do recollect that I did make that undertaking. I will be able to report. Right now, I do not have the report with me.

**THE SPEAKER:** Okay. This is because yesterday, new issues were raised and we thought we should hear the old ones first.

**GEN. (RTD) JEJE ODONGO:** I will do that, Madam Speaker.

**MR BIYIKA:** Thank you, Madam Speaker. I am getting surprised that the issue of floods is going to be reported on by the Minister for Internal Affairs. The most closely related to that would be the Minister – Office of the President (Relief, Disaster Preparedness and Refugees) or the Ministry of Water and Environment. Thank you.

**THE SPEAKER:** We are not just instructing him. He came here and undertook to go and establish what is happening. It is on the *Hansard*. Item 06 -

**DR KIWANUKA:** Madam Speaker, I actually thought that we already adopted the report. Thank you very much for that.

**THE SPEAKER:** On Bukedea?

**DR KIWANUKA:** I rise on a point of procedure. I thought the Minister of Internal Affairs was also here to make clarification on the matter of Minerals Police Protection Unit. I thought it was to be done before we adopt the report but he is here now.

**THE SPEAKER:** I do not know whether he has been updated about what we discussed yesterday. I think the Clerk should remind the Minister of Internal Affairs of the issues that are outstanding, including that of the Minerals Police Protection Unit. Honourable minister, we need an answer from you about what it is. The Clerk will write to you so that you provide an answer.

Hon. Kiwanuka, did we finish with Nakapiripirit and Bukedea, on the mining of limestone?

**DR KIWANUKA:** That report is ready, Madam Speaker but I request that we present it tomorrow.

**THE SPEAKER:** Okay. Item 07 –

BILLS

SECOND READING

THE CONSTITUTION (AMENDMENT) BILL, 2019

3.44

**MR WILFRED NIWAGABA (Independent, Ndorwa County East, Kabale):** Thank you, Madam Speaker. This Bill was read for the second time but since then, this will be the fourth time it is coming up on the Order Paper. The chairperson of the committee has not appeared to read the report. Therefore, I beg your indulgence that you allow any other available member of the committee to read the report so that the members can start debating the same.

**THE SPEAKER:** Do we have the Vice Chairperson of the Committee on Legal and Parliamentary Affairs here? Is he here? Is there a member of the committee here? Can the Clerk undertake to look for the chairperson or the vice chairperson of the committee so that tomorrow, they come and present the report? The matter will be reflected again on tomorrow’s Order Paper. Clerk, please, find the chairperson or the vice chairperson of the Committee on Legal and Parliamentary Affairs. Let us go to Item 8.

BILLS

SECOND READING

THE ACCREDITATION FOR CONFORMITY ASSESSMENT BILL, 2018

3.45

**THE MINISTER OF TRADE, INDUSTRY AND COOPERATIVES (Ms Amelia Kyambadde):** Thank you very much, Madam Speaker. The first reading of the Accreditation for Conformity Assessment Bill, 2018 was on 22 August 2019. Accordingly, it was referred to the Committee on Tourism, Trade and Industry for review.

I take this opportunity to re-introduce the Bill to the House for the second and third reading, and thereafter, its enactment into law. Madam Speaker, I beg to proceed.

I will begin with the definition of some of the terms briefly. For example, “accreditation” is the process of providing recognition to a conformity assessment body, for its competence in performing a specific conformity assessment service.

“Conformity assessment” refers to a process and procedures that are used to demonstrate that a product or service meets specified requirements. It aims to demonstrate compliance with specified requirements for competence, independence and impartiality of conformity assessment bodies. The conformity assessment services are offered by key institutions in the national quality infrastructure.

Standards and conformity assessment requirements stipulate what can or cannot be exchanged, and define the procedures that must be followed. The potential of standards and conformity assessment procedures to distort trade is mostly related to duplicate other unnecessary trade costs –

**THE SPEAKER:** Honourable minister, you are supposed to justify why you are bringing a law to govern that area. Then the report will be given and then we shall discuss that. Why are you bringing this law?

**MS KYAMBADDE:** Thank you. Let me go right to justification.

The reason I am bringing this law is to highlight the benefits of accreditation services for our economy. Internationally, there is only standard for establishment and operation of accreditation services. So, what this is going to do, once we have this law:

1. It will simplify international trade through harmonisation of procedures.
2. It will enhance quality to safety, and effective service delivery.
3. It will increase confidence in public service system.
4. It will demonstrate due diligence in an event of legal action.
5. These services will reduce the cost of doing business through elimination of re-testing and re-inspection.
6. The services will minimise risk of consumption.
7. They will protect health and safety.
8. It will also reduce on the cost that we currently encounter by hiring services from Kenya and South Africa.

I would like to state that at the moment, Uganda is undertaking a lot of investment in infrastructure - in the areas of roads, energy and ICT. Most of the service providers are from foreign countries, which will require this regulatory framework to support their investments. It is important to note that no country has achieved a middle income status without robust national quality infrastructure and accreditation.

Madam Speaker, that is why I beg that we consider this Bill. It will build confidence in our economy, strengthen trade and reduce the cost of doing business in the private sector. It will also increase private sector participation in provision of quality conformity services, which are currently offered by Government of Uganda. I, therefore, appeal to my colleagues to support the Bill and allow me to lay on the Table the Accreditation for Conformity Assessment Bill for the second and third reading.

I beg to move that the Bill entitled, “The Accreditation for Conformity Assessment Bill, 2018” be read for the second time.

**THE SPEAKER:** Are the chairperson or vice-chairperson of the Committee on Trade, Industry and Cooperatives here? They are not here. Can the Clerk again undertake to locate the chairperson and the vice-chairperson of the Committee on Trade, Industry and Cooperatives so that tomorrow we are able to handle the second reading?

BILLS

SECOND READING

THE NATIONAL CURRICULUM DEVELOPMENT CENTRE (AMENDMENT) BILL, 2020

3.53

**THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr Chrysostom Muyingo):** Thank you, Madam Speaker. I last interacted with you last year and so I would like to be allowed to use this opportunity to first of all congratulate you for having survived 2020 and to wish you the best of 2021. May I also grab this opportunity, Madam Speaker, to congratulate you and my dear colleagues who have made it to the Eleventh Parliament. Congratulations. You know what happened in Bamunanika.

I beg to move that the Bill entitled, “The National Curriculum Development Centre (Amendment) Bill, 2020” be read for the second time. I beg to move.

**THE SPEAKER:** Is the motion seconded?

*(Motion seconded)*

**THE SPEAKER:** Okay. It has been seconded.

**DR MUYINGO:** Thank you very much, Madam Speaker. This Bill has the following objectives:

1. Amendment of the National Curriculum Development Centre Act in relation to the establishment, constitution and functions of the National Curriculum Development Centre.

2. Broadening the representation of the education sector in curriculum development by including new stakeholders to the governing council of the centre.

3. Removing from the membership of the governing council the institutions and titles that are no longer in existence.

4. Removing of limitations on eligibility for appointment of the chairperson of the council; and

5. Harmonising the financial year of the centre with the financial year of Government.

Madam Speaker, I beg to move.

3.56

**THE CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr Jacob Opolot):** Thank you, Madam Speaker. You called when I was still sorting out a few things.

The National Curriculum Development Centre (Amendment) Bill, 2020 was tabled for First Reading on 24 June 2020 by the Minister of State in charge of Higher Education, hon. Muyingo. It was then referred to the Committee on Education and Sports in accordance with Rule 128 of the Rules of Procedure of Parliament.

Before I proceed any further, allow me to lay on Table the minutes, correspondences and all the documentation to do with the process of handling this Bill. I beg to lay.

I would like to believe that this document is uploaded on the intranet and we can refer to it. The object of the Bill is five-fold. It is –

(a) To amend the National Curriculum Development Centre Act in relation to establishment, constitution and functions of the National Curriculum Development Centre.

(b) To broaden representation of the education sector in curriculum development by including new stakeholders to the governing council of the centre.

(c) To remove from the membership of the governing council the institutions and titles that are no longer in existence.

(d) To remove limitations on eligibility for appointment of the chairperson of the council; and

(e) To harmonise the financial year of the centre with the financial year of Government.

Methodology

Briefly, we held meetings and received memoranda from the stakeholders listed therein. We also called for submissions of memoranda on the National Curriculum Development Centre (Amendment) Bill, 2020 through a public notice that was placed in the *New Vision* and the *Daily Monitor* newspapers of Monday, 24 August 2020.

We scrutinised the written memorandum from the Institute of Certified Public Accountants of Uganda who responded to the public notice.

Madam Speaker, 4.0 is on stakeholders and their views as far as the amendment of the National Curriculum Development Centre (NCDC) Act is concerned. If you can allow, I would leave that to the members to look through and permit me to proceed.

Maybe, let me just run through. We had presentations from:

1. the Ministry of Education and Sports,
2. The NCDC itself,
3. Uganda National Examinations Board,
4. Federation of Uganda Employers,
5. Uganda Business and Technical Examinations Board (UBTEB),
6. National Council for Higher Education (NCHE),
7. Vice Chancellors’ Forum,
8. Association of Uganda Secondary School Headteachers,
9. Institute of Certified Public Accountants of Uganda.

Those are the stakeholders. Of course, there are those from outside that circle, who made proposals as well. We also had Education Accelerators Limited. This is a group of people providing international education.

I would like to get to the observations and recommendations in 5.0.

The committee observed that:

1. The proposed new function under Clause 2(b), j(b) suggests originality, expertise and indisputable process flows in curricular design with NCDC involvement only limited to vetting and approval. Yet, such curricular requires further scrutiny to ascertain their relevance in education skills development and values required for an effective and efficient human resource in Uganda.
2. Whereas NCDC may not have the mandate to assess alternative curricular to ascertain whether or not they match national education system requirement, it could still as a Government Agency provide guidance on how to regulate operations of international schools. The committee believes that NCDC has powers to influence the Ministry of Education and Sports to vet and approve implementation of international curricular before the ministry can license such operations in the country.

The committee recommends that NCDC should vet all alternative curricular and issue certificates of approval before the Ministry of Education and Sports can license such schools that use alternative curricular.

1. Another observation is that NCDC has not been at the helm and epitome of executing its responsibilities as enshrined in section III of the NCDC Act, especially, in relation to alternative curricular and curricular developed by post-secondary education institutions without due diligence and consultations made with NCDC.

The committee was informed by NCDC that universities were considered to have the highest concentration of knowledge and skills required to develop and teach their own curricular.

The committee notes that NCDC has relegated part of its responsibilities to education institutions to develop curricular that suits their own needs.

The committee therefore recommends that all other education institutions offering diploma and certificate courses, except universities, should develop their curricular in consultation with and approval by National Curriculum Development Centre.

However, all curricular for diploma and certificate courses should be developed in consultation and approval with NCDC.

1. Whereas Government liberalised the education sector, the Bill under Clause (3) presents limitations on representation on the NCDC Council in a sense that it does not make express provision for private sector involvement as a key stakeholder in the delivery of quality education services in the country.

The committee recommends that:

1. - The governing council of the centre should be mindful of the different key stakeholders in curriculum development.
2. the committee further recommends that interests of non-state education actors should be represented on the centres’ governing council

The committee also observed that there is existence of role conflicts between NCDC and National Council for Higher Education in as far as curricular development for certificate and diploma courses is concerned.

The committee further observes that section 5(1) of the Universities and other Tertiary Institutions Act, 2001, mandates NCHE to ensure minimum standards for courses of study and equating of degrees, diplomas and certificates awarded by the different public and private institutions of higher education; while sections 3(1) of the NCDC Act Cap. 135, mandates NCDC to investigate and evaluate the need for syllabus revision and curriculum reform at primary, secondary and tertiary levels of education.

Recommendations:

1. The committee recommends that NCDC should be the lead Government Agency in curriculum development and review all activities related to curriculum development and this should be done in consultation with NCDC.
2. The committee further recommends that the Minister of Education and Sports should table a Bill seeking to amend the Universities and other Tertiary Institutions Act with the primary object of prescribing that universities should only develop curricular for under-graduate and post-graduate courses of study. This would resolve the current impasse between NCDC and NCHE in curriculum development for certificates and diploma courses and would also strengthen NCDC’s mandate to develop curricular for tertiary levels of education.

In conclusion, the committee proposes that the National Curriculum Development Centre (Amendment) Bill, 2020 be passed into law, subject to the proposed amendments. I beg to report.

**The Speaker:** Thank you, chairperson and the members of the Committee on Education and Sports for your work.

Honourable members, the report has been signed by the necessary minimum numbers. You are free to make comments on the Bill.

4.08

**Mr silas aogon (Independent, Kumi Municipality, Kumi):** Thank you, Madam Speaker. Allow me to first applaud the committee and the chairperson for the good work done.

To me, this amendment is small. We do not need to take a lot of time on it. It is nearly so clear. What we have here is necessary and I agree with the committee recommendations.

The NCDC in this case stands as a regulator. It will be weird for us to have a sector in Government without a parent. Therefore, it is only proper that they act as the lead agency in the business of creating curricular.

It is also proper that the institutions consult with them so I would like to agree with the committee.

It is also important to bring a Bill to amend the Universities and other Institutions Act so that we align the business with the demands of the day. I agree with the committee; I do not think that there is a lot to say but rather to proceed to the next stage. I beg to move.

4.10

**MR BENARD ATIKU** **(Independent, Ayivu County, Arua):** Thank you, Madam Speaker. I thank the committee chairperson and the minister for bringing this amendment.

My point of view is hinged on the object of the Bill: (a) to amend the National Curriculum Development Centre Act in relation to the establishment, constitution and functions of the National Curriculum Development Centre (NCDC).

If we look at our current education system and the output, you will be sure that all the challenges that we are facing in as far as the rampant unemployment is concerned is because of this particular object for which we must render all the support, and not stop only at the amendment but also go into the full implementation once it is made a law.

Sometime back, in this august House, I raised a question in regard to whether we have a manpower plan, as a country, that informs the subjects that are taught right from primary up to university and other tertiary institutions.

However, that question has never been answered and when I saw this report, I saw that answer here because the NCDC should be able to give the education institutions in this country a picture of where we need correction.

We have many products of the various universities, both Government and private, who are unemployable. Yes, they have acquired degrees, diplomas and certificates but they cannot be employed anywhere, neither can they create jobs of their own.

Therefore, it is important that once this Bill is passed, we come out clearly with a manpower plan for this country so that the public out there does not spend money on courses that do not have market or courses that will not make graduates job creators. That will inform the kind of investment the Government will have to make. We should not be investing in universities but in vocation institutions that produce people – *(Member timed out.)*

**THE SPEAKER:** One minute to conclude.

**MR ATIKU:** Thank you. We should be able to invest in courses that will create job creators who will in turn be able to foster production that can enhance the economy of this country. Therefore, I support this Bill and I would like to congratulate the committee for fast tracking this amendment. I appeal to the minister that once this Bill is passed, let us go further in enhancing it to come up with a manpower plan that will guide this country in as far as making our education system productive. Thank you.

4.14

**MR DAVID ABALA (NRM, Ngora County, Ngora):** Madam Speaker, I would like to thank the ministry for bringing this Bill. If they had not, we would have remained in the dark. I compare this Bill to a torch when you are living in a dark environment. The amendment is showing us the direction we should take as a country.

I would like to thank the committee for the job well done because they have been very specific, summarised and organised in a manner that it is difficult to question what has been presented.

However, I have two comments. First, curriculum development is central in the provision of quality education in any given environment or country. By the mere fact that there have been problems on the board, this law is going to cure that problem.

Secondly, in this Bill they are saying that there has been a contradiction between the role of National Council for Higher Education and that of NCDC. This Bill will help us sort out that disagreement.

I appeal to the minister to think about bringing the amendment that has been stated here so that we do not have conflicts when people are doing jobs that they have been assigned to do. Otherwise, I would like thank the committee and pray that we do not waste time but go to the next stage.

**THE SPEAKER:** Any other comments?

4.16

**MS AGNES AMEEDE (NRM, Woman Representative, Butebo):** Thank you, Madam Speaker. I would like to thank the minister and the committee for the Bill. I would like to draw the attention of the minister to the committee’s recommendation that the NCDC has not been at the helm of executing its mandate, which is critical. It has not been at the helm both at the formation of the curriculum and at the implementation. It has not lived up to that.

The curriculum seems to be more driven by development partner dictates but not national interests. For example, the manpower requirements of the nation, availability of resources, the pace at which the curriculum is channelled out vis-à-vis empowering the people who are supposed to implement the curriculum.

I refer to the debate we had last year or before that. Parliament raised pertinent issues when this new teaching mode was being rolled out. To what extent did you take these concerns seriously?

There have been non-government organisations doing research into our education quality and addressing very pertinent issues. To what extent has the NCDC bothered to address those issues? They are very critical.

There are children who have finished senior four but cannot read or write vernacular. On the issue of quality control, where are the NCDC manpower experts when textbooks are being churned out with mistakes? I will give you a remote example where books - I think this could be Bulamogi but instead they were given to the people of Butebo and maybe Pallisa as well as Lugwere. That is not right. Teachers do not understand the curriculum. You have taken several years to develop this curriculum but you set aside only three days to take the people who are going to implement it through it. I beg that you put more interest in addressing those nitty-gritty issues to better the standards of education. Thank you.

4.20

**MR TOM ALERO (NRM, West Moyo County, Moyo):** Thank you very much, Madam Speaker. Thank you, minister, for this initiative. Chair, thank you for the information you have just given us.

Technological advancements are making the world a global village. The use of computers and the internet is making the world a global village. I wish that the NCDC would come out with affirmative action and have deliberate distribution of computers even to rural schools.

These days, I hear people talking about the use of computers and ICTs for studies. How can the people in the rural areas, say in Moyo, Karamoja or Kisoro, have access to this information from the universities when they do not have computers? Let us have deliberate affirmative action to distribute computers to all the rural schools, both primary and secondary schools, so that our children can have access to quality education.

I am happy with this report. Let us go ahead and approve this initiative without wasting time. Thank you very much.

**THE SPEAKER:** Thank you. Honourable minister, I just have two questions. Do you still have vernacular teachers in this country? Are you still training them?

Secondly, what hon. Atiku said is very important; what are the manpower development plans of this country? We have one pathologist, for example; if he died today, I think there would be no post-mortem examinations in this country. How are we planning for the different services of this country? I do not know who can answer that.

**DR MUYINGO:** Thank you very much, Madam Speaker. I would like to thank the colleagues who have spoken in support of this amendment. I would like to agree with them over quite a number of challenges they have raised. That is exactly what this amendment is coming to provide a cure for.

Many people go through our education system and at the end of the day, they cannot fit into the employment world. Those are some of the issues you have raised. As the committee report says, we will be having a review of what is taught to our children every now and then.

A number of stakeholders, especially the employers who were not part of the curriculum development body, now have a say in influencing and deciding what is being taught to our children - the type of skills that the job market needs. These are issues that will now be considered before a new curriculum is rolled out. I want to thank the Members for adding to the list of challenges we have been having. This amendment is going to address them.

We need to seriously consider manpower planning. We can handle that another day. My colleague talked about having computers in all schools. We have started on a programme that is going to see to it that all our schools have got access to the internet and the skills needed to make all our learners computer literate, because today we cannot do without computers.

Madam Speaker, you talked about vernacular teachers. Do you remember during the colonial days when we used to have teachers who were specifically trained to teach the local languages? We used to call them vernacular teachers. They were not professional teachers but they were prepared to teach the local languages. They were not even certificate holders. As we progressed and developed, we ruled that out. Now, in teacher training institutions, we insist that teachers are equipped with skills to prepare Ugandans learn in their local languages. What we have now is more advanced; they are not studying to only be vernacular teachers but they can do other things too.

On the issue of having one pathologist, as I said this amendment is going to cure that because we are now going to be in touch with the market. Since we have just one pathologist, that means that there is a demand for more and the ministry is going to put a lot of emphasis on areas like that. Once we get to know that there is a need that is not satisfied and the market is there, we will encourage our learners and institutions to invest there. I rest my case, Madam Speaker.

**THE SPEAKER:** Honourable members, I put the question that the Bill be read for the second time.

*(Question put and agreed to.)*

BILLS

COMMITTEE STAGE

THE NATIONAL CURRICULUM DEVELOPMENT CENTRE (AMENDMENT) BILL, 2020

Clause 1

**THE CHAIRPERSON:** I put the question that clause 1 do stand part of the Bill.

*(Question put and agreed to.)*

*Clause 1, agreed to.*

*Clause 2, agreed to.*

Clause 3

**MR JACOB OPOLOT:** Madam Chair, the committee proposes to replace clause 3 with the following:

“Replacement of section 7 of the principal Act.

Section 7 of the principal Act is substituted with the following:

‘7. Membership of the council

(1) The governing body of the centre shall be the council consisting of the following members –

1. The permanent secretary of the ministry responsible for education or his or her representative at the rank of principal officer or above;
2. The permanent secretary of the ministry responsible for finance or his or her representative at the rank of principal officer or above;
3. The permanent secretary of the ministry responsible for labour or his or her representative at the rank of principal officer of above;
4. One representative of the national examination bodies appointed by the minister;
5. The Executive Director of the National Council for Higher Education or his or her representative;
6. The director of basic and secondary education or his or her representative at the rank of principal officer or above;
7. The director of education standards or his or her representative at the rank of principal officer or above;
8. A representative of the Private Sector Foundation;
9. The Director of the Federation of Uganda Employers or his or her representative;
10. The Director of the National Union of Disabled Persons of Uganda or his or her representative;
11. The Chairperson of the Vice Chancellors’ Forum or his or her representative;
12. A representative of private schools and private education institutions who shall be recommended, subject to approval of the minister; and
13. Not more than three other members appointed by the minister, who shall be persons qualified as having experience in the practice and administration of education.

(2) At least a third of the members appointed by the minister shall be women.

The justification is to provide for membership of the council, which is relevant to the mandate of the National Curriculum Development Centre and to provide for gender balance.

**MR AOGON:** Madam Chairperson, we are talking about issues of curriculum and so, we need experts on that council. There seems to be a big number of representatives who may not necessarily bring the expertise that we need. So, I do not know whether the committee has something to say about that.

Don’t we have people who are well qualified in terms of expertise, to be on that council to bring on board what we really want?

**MR JACOB OPOLOT:** I thank my colleague, hon. Aogon, for what he has raised. However, Madam Chairperson, if you read the list you will find that the positions are clearly specified. So, we put in representatives only to cater for situations where the substantive position holders may be occupied with other things.

I am sure we are aware of the workings of Government; these offices are represented by competent and qualifying persons. The first provision is the substantive office holder but in the event that that person cannot deliver or is not available, then the representative can take over. Thank you.

**THE CHAIRPERSON:** What does the minister say about the proposals? You did not want anybody from the universities, honourable chairman?

**MR JACOB OPOLOT:** Madam Chairperson, we have the chairperson of the Vice Chancellors’ Forum already catered for here.

**DR MUYINGO:** Thank you very much, Madam Chairperson. I am in agreement with the committee because these officers are competent. They were tested before they got promoted to the rank of principal. So, I have no doubt that they have the competence that is needed to perform those duties.

**THE CHAIRPERSON:** Honourable members, I put the question that clause 3 be amended as proposed.

*(Question put and agreed to.)*

*Clause 3, as amended, agreed to.*

Clause 4

**THE CHAIRPERSON**: I put the question that clause 4 – yes, chairperson, do you have something?

**MR JACOB OPOLOT:** Madam Chairperson, the committee proposed an amendment to replace clause 4 with the following: “(i) amendment of section 10 of the principal Act. Section 10 of the principal Act is amended in subsection (i) by deleting the word “ex-officios.” The justification is to enable the minister appoint, as chairperson, any member of the council.

**THE CHAIRPERSON:** Honourable members, is there objection?

**MR AOGON:** My opinion is that we let that council appoint the chairperson from amongst its members. I do not know what the minister thinks. Otherwise, it would be good that they get somebody from amongst themselves to chair that council because what would happen in the event that the person gets a problem? Do we have to wait and look for the minister? Thank you.

**MR JACOB OPOLOT:** Before hon. Ssebunya says anything, let me remind the House that this is is a standing committee and not an ad hoc committee. Therefore, a chairperson is appointed for along period and from among the members already identified to constitute the council.

**MR KASULE:** Thank you, Madam Chairperson. I will go with the committee’s proposal that the chairperson should be appointed by the minister given that it is a fulltime commission and we do not want politics within the committee to emerge as a result of elections being held to choose the chairperson of this council.

I propose that the chairperson remains so and all members are not ex-officios but full-time members of the curriculum council. Thank you.

**THE CHAIRPERSON:** Honourable members, I put the question that the clause be amended as proposed.

*(Question put and agreed to.)*

*Clause 4, as amended, agreed to.*

*Clause 5, agreed to.*

Clause 6

**MR JACOB OPOLOT:** Madam Chairperson, the committee proposes to amend clause 6 by substituting the words, “12 members” with the words, “two thirds of all members of the council.” The justification is to provide for a forum that is reasonable for decision making.

**THE CHAIRPERSON**: Does the minister have any objection to that?

**DR MUYINGO:** Madam Chairperson, I consent.

**THE CHAIRPERSON:** Honourable members, I put the question that clause 6 be amended as proposed.

*(Question put and agreed to.)*

*Clause 6, as amended, agreed to.*

Clause 7

**MR JACOB OPOLOT:** Madam Chairperson, the committee proposes that clause 7 is amended by deleting paragraph (c) and by inserting two new paragraphs, immediately after paragraph (b), as follows:

“(c) Skills needs anticipation committee.

(d) Accreditation and certification committee.”

The justification is that the provision in paragraph (c) is redundant, since the Public Finance Management Act, 2015 provides for audit committees under Section 49.

Secondly, the insertion of paragraph (c) and (d) is to provide for the skills needs anticipation committee, with the view of combating skills mismatch in the labour market and a committee for accreditation and certification, respectively.

**THE CHAIRPERSON:** Honourable chairperson, are you saying that the managers of this NCDC will look to the Public Finance Management Act for the audit and risk committee?

**MR JACOB OPOLOT:** Yes, Madam Chairperson. The law already provides for it and so, you cannot have an independent audit and risk committee.

**MR AOGON:** I would like to find out from my chairperson whether it is cross-referenced to the law we are referring to, so that we refer it to the Public Finance Management Act. Is there a provision or it is not necessary? I thought it would be good to be clear that in matters pertaining this, one can refer to the existing law. Thank you.

**MR JACOB OPOLOT:** Madam Chairperson, hon. Aogon is asking whether we have captured that cross reference, in terms of the text of the amendment. I must say that we have not. We have only highlighted that there is no need for that committee because the Public Finance Management Act, under Section 49, already provides for it and these public institutions know it. It is already in practice.

**MR KASULE:** Madam Chairperson, all Ministries, Departments and Agencies assume that the law on Public Finance Management Act works in all of them. They must have departments of accounts, audited accounts and therefore, there is no need to have an independent clause in the said Bill. The other one works across board.

**THE CHAIRPERSON:** Pardon.

**MR KASULE:** I have said that all Ministries, Departments and Agencies of Government work under the Public Finance Management Act, that we passed here in Parliament. Therefore, there is no need for an independent clause; maybe for emphasis to cross reference that in this matter, the Public Finance Management Act shall prevail. Otherwise, it is assumed that all MDAs work under Public Finance Management Act, including private institutions which are related to the Government.

**THE CHAIRPERSON:** Can you read Section 49 of the Act, so that we get the input?

**MR WAMAKUYU:** Madam Chairperson, these are committees. I have seen committee on finance, general purpose, appointments and the committee of audit and risk assurance. It is different from what they are referring to in Section 49. I propose that it remains.

**THE CHAIRPERSON:** What is the text? I also do not understand why you want to remove it and say there is another law somewhere. Where has he gone?

**MR AOGON:** Madam Chairperson, it does no harm for us to maintain the existing law for clarity. That is why I was even trying to say that we cross reference, if we are confident about what we are talking about, for purposes of traceability of the law.

The person who is trying to find the law should find it easily. However, in this case, even when you go to Section 49 and read it in detail, you might find that we need to reserve what we already have in the existing law. What damage will be created, if we decide to retain it?

**MR JACOB OPOLOT:** Thank you, Madam Chairperson. I would like to thank colleagues. Honestly, there is no harm this would cause. So, we can maintain it, on top of the other committees that have been proposed. Thank you.

**THE CHAIRPERSON:** Honourable members, I put the question that clause 7 be amended by adding sub-clause (c) and (d), as proposed. The provision will be sub-sequentially numbered. I now put the question that clause 7, as amended, do stand part of the Bill.

*(Question put and agreed to.)*

*Clause 7, as amended, agreed to.*

Clause 8

**MR JACOB OPOLOT:** The committee proposes an amendment on clause 8:

1. By replacing paragraph (d) with the following:

“(d) A Dean of Faculty of Education of a university appointed by the minister.”

1. Also, by substituting paragraph (e) with the following:

“The heads of the academic departments of the centre.”

1. Amend paragraph (f), by replacing the entire paragraph with the following:

“

1. One representative of each of the national examination bodies.”

The justification is two-fold:

1. Amendment in paragraph (d) is to provide for the appointing authority, of a representative of the Dean of the Faculty of Education of any university, whether private or public.
2. The amendment in paragraph (e) is to provide for a representative of each of the national examination bodies.

**THE CHAIRPERSON:** HonourableMinister, you have no problem? Honourable members, the question is that clause 8 be amended, as proposed. I now put the question that clause 8, as amended, do stand part of the Bill.

*(Question put and agreed to.)*

*Clause 8, as amended, agreed to.*

Clause 9

**MR JACOB OPOLOT:** Clause 9; amendment of Section 8 of the principal Act. Clause 9 is amended:

1. In paragraph (a) by replacing sub-section (4) (c) of the principal Act with the following:

“i. Education practitioners at the pre-primary, primary, secondary, tertiary and higher levels of education” and also by deleting sub-section (4) (d) of the principal Act.

1. In paragraph (b) by substituting the word “three” with the word “five”.

The justification is –

1. To elaborate the various levels of education in Uganda, so as to avoid misinterpretation of the law.
2. It is a consequential amendment, arising from amendment of Sub-section (4)(c) of the principal Act, and
3. The amendment in paragraph (b) is to increase the period of service of a subject panel from “three” to “five” years.

**THE CHAIRPERSON:** Honourable members, I put the question that clause 9 be amended as proposed.

(*Question put and agreed to.*)

*Clause 9, as amended, agreed to.*

Clause 10

**MR JACOB OPOLOT:** Madam Chairperson, the committee proposes that the entire provision be replaced with the following:

“10. Amendment of section 20 of the principal Act.

Section 20 of the principal Act is amended by substituting for subsection (5) the following:

‘(5) At all meetings of the board, a two-thirds majority of all members shall constitute quorum.’”

The justification is just for consistency.

**THE CHAIRPERSON:** Honourable members, we already had a provision to that effect, so it is in many ways consequential. I put the question that clause 10 be amended as proposed.

(*Question put and agreed to.*)

*Clause 10, as amended, agreed to.*

Clause 11

**MR JACOB OPOLOT:** Madam Chairperson, the committee proposes that clause 11 is deleted.

The justification is that the provision is redundant since the council has the powers to appoint such officers as it considers necessary for the efficient discharge of the functions of the centre.

**THE CHAIRPERSON:** Honourable members, I put the question that clause 11 be amended as proposed.

*(Question put and agreed to.*)

*Clause 11, as amended, agreed to.*

Clause 12

**MR JACOB OPOLOT:** Madam Chairperson, the committee proposes that the entire clause 12 be replaced with the following:

“12. Amendment of section 31 of the principal Act.

Section 31 of the principal Act is substituted with the following:

‘31. Report of the Centre’s activities.

(1) The council shall, not later than three months following the end of each financial year, submit a report to the minister on the activities of the centre.

(2) The council shall submit such other reports within such time as the minister may require.’”

Justification: To require reporting by the council it’s activities.

**THE CHAIRPERSON:** Honourable members, the proposal is that the entire clause 31 be replaced as proposed by the chairperson.

**MR AOGON:** Madam Chairperson, I consider the three months too short. At least we should raise it to four months so that they report three times in a year. It will also give those people time to prepare. I propose four months. Thank you.

**THE CHAIRPERSON:** Isn’t three months more like the quarters? Are you going to do separate accounting periods for different institutions?

**MR AOGON:** Maybe if we are doing it in alignment with other reporting requirements - I had thought that the three months would be a short period. I was even thinking of putting it at six months.

**THE CHAIRPERSON:** What does the mover say?

**MR ABALA:** Madam Chairperson**,** we are in global village. We are talking about information technology. We do not need to even go beyond a quarter. A quarter is adequate enough to prepare every report that is required so that those who are supposed to take decisions can do so early enough, rather than prolonging issues that will cause a delay in the implementation of some of the activities.

I would like to propose that the three months are okay. We do not need to go beyond that. We have information technology; as a result, a report should be ready within a month. We are being cautious because we are not yet there. So, let us go by a quarter.

**DR MUYINGO:** Madam Chairperson, three months is okay. The most important thing is to be able to report to the minister at least three months before the year comes to an end; although I do not see a big difference between three and four months. What is important to me is that the reports are presented at least three months before a financial comes to an end.

**THE CHAIRPERSON:** Honourable members, that is now a slight amendment. Why don’t we go with what the committee has proposed?

**DR MUYINGO:** Madam Chair, what I am actually saying is that I am very happy with the three months the committee has proposed.

**THE CHAIRPERSON:** Honourable members, the question is that clause 12 be amended as proposed.

(*Question put and agreed to.*)

*Clause 12, as amended, agreed to.*

*The title, agreed to.*

MOTION FOR THE HOUSE TO RESUME

4.56

**THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr Chrysostom Muyingo):** Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House report thereto.

**THE CHAIRPERSON:** Honourable members, the question is that the House do resume and the Committee of the whole House report thereto.

(*Question put and agreed to.*)

*House resumed, the Speaker presiding\_*

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

4.57

**THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr Chrysostom Muyingo):** Thank you very much, Madam Speaker. I beg to report that the Committee of the whole House has considered the Bill entitled “The National Curriculum Development Centre (Amendment) Bill, 2020” with amendments to clauses 3, 4, 6, 7, 8, 9, 10, 11 and 12.

MOTION FOR ADOPTION OF THE REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

4.57

**THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr Chrysostom Muyingo):** Madam Speaker and colleagues, I beg to move that the report from the Committee of the whole House be adopted.

**THE SPEAKER:** Honourable members, the question is that the report from the committee of the whole House be adopted.

*(Question put and agreed to.)*

BILLS

THIRD READING

THE NATIONAL CURRICULUM DEVELOPMENT CENTRE (AMENDMENT) BILL, 2020

4.58

**THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr Chrysostom Muyingo):** Thank you very much. I beg to move that the Bill entitled, “The National Curriculum Development Centre (Amendment) Bill, 2020” be read for a third time and do pass.

**THE SPEAKER:** Honourable members, the question is that the Bill entitled, “The National Curriculum Development Centre (Amendment) Bill, 2020” be read for a third time and do pass.

(*Question put and agreed to.*)

A BILL FOR AN ACT ENTITLED, “THE NATIONAL CURRICULUM DEVELOPMENT CENTRE (AMENDMENT) ACT, 2021.”

**THE SPEAKER:** Title is settled and Bill passes. (*Applause*) Thank you very much, honourable minister and Members, for accomplishing that responsibility.

Chairperson of the Committee on Trade, Industry and Cooperatives, you are here. Are you able to do the other item?

**MR JACOB OPOLOT:** Madam Speaker, I would like to thank you and honourable colleagues for the support and even for that last minute amendment. Thank you very much.

**THE SPEAKER:** Thank you very much, chairperson and the members of the Committee on Education and Sports.

**MR KASULE:** Madam Speaker, I would propose that I can read the report today and then the debate ensues tomorrow and maybe pass the Bill the next day. Just to read the report.

**THE SPEAKER:** Is hon. Opolot ready for the second Bill regarding examinations? How big is it? Are you ready for the second reading?

**MR KASULE:** Yes, we are ready for the second reading on the report of the Committee on Tourism, Trade and Industry on the Accreditation for Conformity Assessment Bill.

**THE SPEAKER:** We are asking the minister whether he is ready for his other small Bill.

**DR MUYINGO:** Madam Speaker, your minister is here to work. If my chairman has no objection, for me, I am ever ready.

**THE SPEAKER:** Okay, let us go for the second reading of the Uganda National Examinations Board Bill.

BILLS

SECOND READING

THE UGANDA NATIONAL EXAMINATIONS BOARD BILL, 2020

5.00

**THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr Chrysostom Muyingo):** Madam Speaker, I beg to move that the Bill entitled “The Uganda National Examinations Board Bill, 2020” be read for the second time.

**THE SPEAKER:** Is it seconded?

*(Motion seconded)*

**DR MUYINGO:** Madam Speaker, the objectives of the Uganda National Examinations Board Bill, 2020 are the following:

1. To provide for Uganda National Examinations Board to regulate and oversee the national examinations.
2. To harmonise the Uganda National Examinations Board Act with other existing government policies and laws.
3. To define powers and functions of the Uganda National Examinations Board with regard to preparation, organisation and administration of national examinations.
4. Improve the standards and quality of national examinations conducted by the examination board.
5. Address new and emerging challenges affecting the administration and management of national examinations.
6. Repeal and replace the Uganda National Examinations Board Act Cap 137 which was enacted in 1983.

Madam Speaker, I beg to move.

**THE SPEAKER:** Thank you, honourable minister. Is our report ready, honourable chairman?

5.03

**THE CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr Jacob Opolot):** Madam Speaker, the report is ready and I would like to thank you and applaud the House for giving us the opportunity to present the Uganda National Examinations Board Bill, 2020 and have it read.

This Bill was read for the first time on 14 July 2020 by the Minister of State for Education and Sports in charge of Primary Education, hon. Rosemary Seninde Nansubuga and it was referred to the Committee on Education and Sports in accordance with Rule 128 of the Rules of Procedure of Parliament.

Madam Speaker, before I proceed any further, allow me to lay on Table the minutes of the committee proceedings, other correspondences and documentations to do with the process of scrutinising the Bill. I beg to lay.

The honourable minister has already stated the object of the Bill. I will quickly run through the document in the interest of time and for the methodology which is bullet 3.0, while considering the Bill, we held meetings and received memoranda from very many stakeholders listed below and we can refer to them in our iPads.

We also called for submissions on the Uganda National Examinations Board Bill, 2020 through public notice that was placed in the *New Vision* and *Daily Monitor* on Monday, 24 August 2020. And we also scrutinised the submissions by the different stakeholders who responded and these are:

1. Institute of Certified Public Accountants of Uganda.
2. The Initiative of Social and Economic Rights and;
3. Mr Jonathan Kivumbi.

Madam Speaker, the views of the stakeholders are as listed as you will see:

1. The Ministry of Education and Sports;
2. The Uganda National Examinations Board;
3. The National Council For Higher Education;
4. The National Curriculum Development Centre;
5. The Uganda Allied Examinations Board;
6. The Uganda Business and Technical Examination Board;
7. Education Accelerators Limited;
8. Uganda Police Force;
9. The Universities’ Vice Chancellors’ Forum;
10. The Institute of Certified Public Accountants of Uganda;
11. The Initiative for Social and Economic Rights and;
12. Mr Jonathan Kivumbi.

Therefore, I implore Members to read their views on your own, in the interest of time.

Madam Speaker, I would like to give the general observations. I do not know if it will be okay to skip that.

**THE SPEAKER:** Our recommendations? May be it is important to point out 5(1) and 5(2); public rights and SDGs are important.

**MR JACOB OPOLOT:** Madam Speaker, thank you for the guidance. So 5.0; general observations and 5.1 is compliance of the Uganda National Examinations Board Bill, 2020 with the Constitution of the Republic of Uganda, 1995.

The Bill seeks to promote rights of education as provided for under Article 30 of Constitution of the Republic of Uganda, 1995 and in observance of the fact that Government is responsible for education policy. (See Article 189 and schedule 6 of the Constitution of the Republic of Uganda.)

The Bill is generally intended to ensure proper management of national examinations at primary and secondary school levels and to ensure credibility of academic awards by the Uganda National Examinations Board to successful candidates.

5.2: Compliance of the Uganda National Examinations Board Bill, 2020 with the United Nations 2030 Agenda on Sustainable Development Goals. SDG No.4 ensures inclusive and equitable quality education and promotes lifelong learning opportunities for all.

The Uganda National Examinations Board Bill, 2020, for attaining an education system that will produce a human resource with relevant and competitive skills essential for national development through formal certification of learners’ academic achievement that contributes significantly for students to gain employment.

The committee envisages that by 2030, Uganda would have in place, education systems that would ensure that all girls and boys complete free, equitable and quality primary and secondary education, leading to relevant and SDG No.4 effective learning outcomes.

Strategic Development Goal 10, which aims at reducing inequality within and among countries, will be realised once the human resource is well equipped with the requisite skills necessary for employment. Subsequently, this would reduce the poverty levels thereby reducing inequalities within and among countries.

Principles of the Uganda National Examinations Board Bill, 2020

The Bill seeks to competitively position Ugandan students for global opportunities that can be attained through a well-established, co-ordinated and functional national examinations Board with an efficient examinations system that produces formal certifications that are recognised and respected worldwide.

Compliance with the principles of gender and equity

The committee observes that the Bill is in consonance with Article 33 of the Constitution of Uganda of 1995 that provides for the rights of women.

The committee further observed that Clause 6(4) of the Bill, requires the minister to ensure that a third of the members of the Board are women.

Specific observations and recommendations:

The committee observes that there are emerging interests from some state and non-state actors seeking representation on the Board of Directors, (See Clause [6]), of the examinations Board on account of their key roles and contributions to the education sector in Uganda.

The committee received proposals from the following stakeholders to amend Clause (6) to provide for their representation on the Board of Directors of the examinations Board:

1. The Uganda Police Force, on account of its outstanding role in not only securing the entire examinations period and related aspects, but also conducts investigation in cases of malpractices as well.

The committee further observed that in the current UNEB Act Cap. 137, the Uganda Police Force is not represented on the Board of Directors.

The committee was informed that the Minister of Education and Sports invoked Section 6(1)(f) of UNEB Act Cap. 137 to appoint three other members from the public; one of whom was drawn from Uganda Police Force to constitute part of the Board of Directors of the examinations Board.

Recommendations

The committee recommends that:

1. Given the key responsibilities Uganda Police Force has executed over the years in securing the entire examination cycle, they should be represented on the Board of Directors of the examinations Board.
2. Other examination assessment bodies like Uganda Business and Technical Examinations Board (UBTEB), Uganda Allied Health Examinations Board (UAHEB) and Uganda Nurses and Midwives Examinations Board (UNMEB) were noted to determine the fate of the interest of students who may wish to join Technical, Vocational, Education and Training (TVET) after completing their Primary Leaving Examinations, Uganda Certificate of Education and Uganda Advanced Certificate of Education.

The committee recommends that other examinations assessment bodies should be represented on the Board of Directors with a view of promoting institutional linkages and learning.

1. The Education Accelerators Limited, an association of schools that use international curricular in observance and recognition of Objective XVIII(iii) of the National Objectives and Directive Principles of State Policy enshrined in the Constitution and as a result of Government’s policy on liberalisation, international schools have established operations in Uganda and attracted interest from a cross sections of parents and guardians opting to enrol their children in such schools.

The committee recommends that:

1. Whereas Government policy on liberalisation of the education sector allowed for operation of private education institutions in the country, adherence to legal and institutional regulatory frameworks would be necessary as opposed to representation on the Board of Directors of the examinations Board.
2. Whereas Clause 4(1e) of the Bill tasks UNEB to upon request by any person, determine equivalence of qualifications awarded by another examining body with corresponding qualifications awarded by the examinations Board, it does not take into account technical limitations UNEB has in equating qualifications awarded by other examinations bodies.
3. The committee received concerns from Uganda Business and Technical Examinations Board (UBTEB), Uganda Allied Health Examinations Board (UAHEB) and Uganda Nurses and Midwives Examinations Board (UNMEB) that the Clause 4(1e) of the Bill undermines their efforts yet they have the required technical skills and capacities to execute this task.

The committee recommends that UNEB should determine the equivalence of such qualifications only in consultation with the relevant awarding institution or body.

1. The committee observes that the Bill under Clause 4(1e) presumes that UNEB was privy to curricular design processes undertaken by other examination bodies including foundation bodies of international schools prior to using the same during teaching and administering of examinations, as well as technical capability to synchronise, streamline and corroborate such awards with those issued under the national education system, which may not be the case.

The committee received a proposal from Education Accelerators Limited to have awards issued to learners who attended training in international schools, to be scrutinised by UNEB in accordance with Clause 4(1e) as a precursor and/or pre-condition for admittance to next levels of education in the national education system.

The committee recommends that UNEB, in consultation with the relevant examination assessment bodies for international schools, should conduct joint assessments of awards issued to learners that attended such schools to determine their illegibility for admission to next levels of education in the national education system.

4. Whereas the Bill, under Clause 37 compels any person or body to furnish information to the examinations body and penalties for some offenses, it does not make any specific reciprocal provision compelling UNEB to furnish information requested for by any person or body to help in the discharge of their duties.

 The committee therefore recommends that information, so requested, should be that of which UNEB has legal mandate.

5. The title of the Bill envisages and suggests a national character in the preparation, conduct and supervision of examinations at primary and secondary level, which is the same as other examination bodies like UBTEB, UAHEB and UNMEB that also take a national character when preparing, conducting and supervising examinations but are not expressly mentioned.

The committee received proposals from other examination bodies to review the title of the Bill, to reflect the preparation, conduct and supervision of examinations at only primary and secondary levels.

The committee recommends that the title of the Bill should be retained given that UNEB conducts examinations only within its mandate.

6. The Bill under Clause (6), provides for dual appointing authorities for Board of Directors of the examination Board where the President on one hand under sub-clause (2)(a) appoints the Board Chairperson, and the minister on the other under sub-clause (3) appoints other members of the Board of Directors.

The committee further observes that the Bill maintained the original position in the UNEB Act on appointment of the chairperson by His Excellency the President. (See section 6(1)(a) of the UNEB Act, Cap 237.

The committee further observes that the current provision in the Bill is bound to create accountability and policy formulation challenges since the board chairperson and members are answerable to different appointing authorities.

The committee recommends that in order to avoid cases of role ambiguities and accountability challenges, the appointment of board members, including the board chairperson, should be by the minister responsible for education.

There was a general lack of consistency in the penalties prescribed for various offences. The committee was informed by the Vice Chancellor's Forum that the penalties so prescribed may be too severe to shoulder, especially where the offender is a minor and under criminal law may not be held accountable to suffer such penalties.

The committee recommends that given the need to ensure credibility and sanctity of exams conducted and certificates awarded by the examinations board, the penalties so prescribed in the Bill should be maintained.

Clause 43 of the Bill considers oaths of secrecy an optional matter that could be disregarded by the examinations board but which could ultimately lead to abuse of the entire exercise if not made mandatory.

The committee recommends that UNEB should make it mandatory for all persons involved in the management of examinations to take and subscribe to the oath of secrecy.

Madam Speaker, the committee therefore recommends that subject to the proposed amendments, the Bill be passed into law. I beg to report.

**THE SPEAKER:** Thank you, honourable chairperson and members of the Committee on Education and Sports, for that hard work that produced this elaborate report. Honourable members, the report has been signed by the necessary minimum numbers. You are free to make your comments.

5.21

**MS ROSE MUTONYI (NRM, Bubulo County West, Manafwa):** Thank you, Madam Speaker. Before I make any comment, allow me to congratulate you on having successfully gone through the elections as well as my other colleagues who went through.

I wish to thank the minister and the committee for the report. I just have one comment. I support the recommendation on the appointment of the board members and the board chairperson by the minister like it is done in other ministries.

This has been a unique situation where the President appoints the chairperson of the board and the minister appoints the members. I think there would be a delay in decision-making. In other agencies and authorities, the minister appoints the chairperson and the board members. I thought it was unique for the Examinations Board. Thank you, Madam Speaker.

5.23

**MS CONNIE NAKAYENZE (NRM, Woman Representative, Mbale):** Thank you, Madam Speaker. I would like to add my voice to congratulate you upon your successful election as well as all the other colleagues.

**THE SPEAKER:** Thank you.

**MS NAKAYENZE:** Madam Speaker, I would like to thank the chairperson for the good report. I support the recommendations.

I support the idea of the police being members of the board because many times, they have come in at a later stage after things have gone wrong. If they are part of the organisation and whatever is being discussed, they will be alerting the masses and all the other stakeholders rather than being brought on board when things have gone wrong.

Furthermore, for the nurses and midwives, there was a scenario where some institutions went ahead to admit students who did not qualify for particular subjects. If some of these stakeholders have sensitized them and they are part of the group, nobody will be held responsible as it would be a collective effort; they would all be accountable. Therefore, I recommend that all these people be brought on board so that at the end of it all, if there are any questions, everybody is responsible.

I also support equating. If every international school has its own standard, it makes the ministry redundant. If it is done jointly and anything happens, everybody will be accountable. I would like to thank the committee for the good recommendations and I support them. Thank you.

5.26

**MR KENNETH ESIANGU (Independent, Soroti County, Soroti):** Thank you, Madam Speaker. I would like to add my voice to that of my colleagues in congratulating you for successfully making it back.

I would like to thank the committee particularly on the issue of examination cheating. This is one of the key areas that UNEB has been grappling with for a long time. The recommendation given by the chairperson fits into this narrative.

I would like to say that other than taking the oath of secrecy, maybe we need to ring fence this and put in some stringent measures. Other than the police being incorporated on the board, maybe UNEB has to take a keen interest in involving the police from the onset. Public awareness must be created and the police could mandate this so that a lot of energy is put in preventing examination leakage.

When we look at international schools, so many of them have sprung up and the high cost of education is one of the reasons why education is expensive. However, at the end of the day, when you assess the products that come out of these international schools, there is a problem. I have been taking keen interest in trying to find out what happens to them after completing. If they are at primary level, for example, after that they do not fit into our secondary system and then there is a gap created there.

I concur with the chairperson that this position be harmonised so that it cuts across all the international schools that are operating within our school system, so that the grading system is put together and harmonised for the betterment of our education system. Thank you

5.29

**MR ROBERT KASULE (NRM, Nansana Municipality, Wakiso):** Thank you, Madam Speaker.I think it is a day for congratulations, now that we come in turns. I congratulate the Speaker for having sailed through and all other Members who did.

I find it inconsistent when we start putting the police on the boards; it is a bit funny. I know of a board where we put the police - the Financial Intelligence Authority - but that was to do with investigation into illicit money and money laundering. I do not know why we find it necessary here. Otherwise we should not enjoin the police with other institutions.

Take for instance, the Electoral Commission; in fact, most of the problems we got in the elections were to do with the police distancing itself from the Electoral Commission. We need them together but being on the board will also bring some conflict of interest. What will happen if the police personnel or somebody influential in the police has problems with UNEB or his certificates?

I had a policeman in Nansana who was terrorising everybody. Later, we found that the man is not qualified. He was not educated. What if such a man who holds a gun is not educated and then he wants his certificate verified or certified? I find a problem with the police being embedded in all these institutions.

We need to interrogate it more and also find out, in the police, who exactly shall be seated there. Is it the CID, the big man himself, his deputy, who? Whereas we need the police in the process on the examination day, where else do we need them?

**MR ALERO:** Thank you very much, Madam Speaker. Thank you, committee chairperson, for the report. Madam Speaker, I have been the head teacher of Nile High School in Arua and I am the proprietor of that school. I have always picked the examination materials from the police station. They are the ones that keep these examination materials so that they are secure and so that no cheating takes place.

I, for one, will say that the police should also be represented on the board because they are already part of the system. The materials are kept by them and they normally follow up and ensure that no cheating takes place. Thank you very much. That is the information I wanted to give.

**MR KASULE:** I did not just negate the problem but we need to interrogate it more. The chairperson needs to tell us where they got the idea from. Is it because examination day becomes imbedded with the police everywhere securing the exams?

My question was, apart from the examination day, where else is the input of the police required? If those answers are given and they have interrogated the matter beyond that, then we shall agree but we must be careful with what we are doing. Thank you.

5.33

**MS AGNES AMEEDE (NRM, Woman Representative, Butebo):** Thank you, Madam Speaker. I would like to draw the House to the issue of examination fees. Once it comes to examination time, parents and the students are under tension and a lot of stress. Even we, members of Parliament, are stressed.

The charge of examination fees is varied. Many times, each school has their own charges. The charge of fees does not promote the spirit of universal education. It does not promote the SDG IV that stands for inclusive education and education as a right. Many students miss out on examinations because of the examination fees. Consequently, their hard labour is laid to waste.

Examination fees is impacting on the education of the girl child. For many of them, if there is a boy child and a girl child, the parent will opt to pay for the son and leave out the girl. It is equally impacting on those from poor families. There are regions that are performing poorly year in, year out because of poverty. These regions have compounding issues and one is that parents are not able to feed their children.

I request the ministry to scrap these fees to promote education. This money can be made within Government. It is a question of management re-engineering to locate this money within the Ministry of Education and Sports.

Scrapping these fees will solve other problems in the ministry of education; for example, it can help you harmonise centres. You may opt for centres only in government institutions as opposed to those in private locations. It will curb cheating. I am here to beg this House to let the minister scrap examination fees to promote education in the country. Thank you.

5.37

**MR SILAS AOGON (Independent, Kumi Municipality, Kumi):** Madam Speaker, please allow me to thank all those who have worked tirelessly to bring the Bill to the House. I would like to start from where the colleague has left off – the issue of scrapping examination fees. I do not agree with that because of the current economic situation of our country.

Look at a situation where we fail to raise money to conduct exams. We fail to raise money to distribute examination papers across the country. Instead of delivering examinations at 8.00 a.m., the papers arrive at 5.00 p.m. like we have witnessed sometimes in the election process of this country, where certain polling stations get polling materials towards the time of counting the ballots.

I will not agree to that but rather, think about the institutions that insist on people paying up 100 per cent before students sit exams. That is where we have had problems. I am a living testimony to that because while in my high school, I missed out one of the papers for nearly 30 minutes because I had to clear all the fees.

I had to run to my mother’s garden in Kumi to harvest some sweet potatoes, take them to the market, sell and come back to pay the fee to be allowed to do the exam. I can never forget it. Therefore, I do not know whether within this Bill, we have a provision that is tight enough to deal with institutions that insist that unless a student has paid up 100 per cent fees, they cannot sit exams.

I have not had the opportunity to go through the entire Act to be sure about that but it is very painful. The good thing is I am in the right House at the right time to demand that we create such a provision to penalise those institutions that insist on denying students exams on the account of *-(Interruption)*

**MS AOL:** Thank you, Madam Speaker. I would like to inform the honourable member holding the Floor that some of us never paid examination fees. Therefore, I would like to encourage him to know that it is possible if properly planned. The kind of challenge you faced by having your parents to first go and sell potatoes and the kind of challenge that many of our - but even examination fees is a big challenge to very many parents.

Some of us studied and never paid examination fees. If it was possible then, it can still be possible now, if proper planning is done. Thank you.

**MR AOGON:** Madam Chairperson, that is still a subject to debate. You know very well how many times our minister has come to the House asking for loans to be approved. I do not know whether you will be getting loans this time for purposes of exams. *(Laughter)*

Anyhow, let me get to my second point. It is about involving the police in the board, to do what? To provide security during board meetings? What exactly do we want to achieve? And are there any precedents or examples to look at?

Why do we want to overburden the police when they already have a lot of work of ensuring law and order? They are going to transport the materials and keep them in their custody. Will you not be exposing the material to more people? Don’t you think that is dangerous in its own?

In my opinion, it is not proper because we shall be laying a very bad precedent for this country, which will not help us. Therefore, I reject that proposal because everybody will now ask to be included in the board *- (Interruption)*

**MR JACOB OPOLOT:** Thank you very much, hon. Aogon. Madam Chairperson, I would like to inform hon. Aogon that the police are already on the board under the prerogative of the minister. They are working and have not failed. Putting it in the law is making it clear and established. I have also heard members wondering why we deploy the police to manage just a one-day event. I would like to inform them that the examination process is not a one-day event but a continuous process.

It is good to have these people so that they understand what is going on and you do not have to brief them. It is in good faith, honourable colleagues.

**MR AOGON:** Madam Speaker, I totally reject that proposal because it is not in order and not in good faith. I still insist that it is not proper. We are over burdening people already burdened with a lot of duties for this country.

The people who are applauding this are some of the practitioners who know how they have delt with the people we are talking about.

Madam Speaker, there are more issues here to talk about. For example, professional bodies - is the Institute of Certified Public Accountants of Uganda directly involved in the board in this matter because they also conduct exams, moreover twice in a year?

By doing this, you will be opening a pandora’s box where everybody will demand to belong to that board. Why don’t we maintain what we have been having for goodness sake for us to move properly? If the police have been involved before, why then did you bring it in this amendment?

Madam Speaker, those are the key issues I had to air out but I insist that a provision deterrent to denying people who have not paid 100 per cent fees the opportunity to sit exams, knowing the pain that I went through, be created. Thank you.

5.45

**MR DAVID ABALA (NRM, Ngora County, Ngora):** Madam Speaker, I would like to thank the committee for the report. The police are very good people and their job is to keep law and order. I wonder what order will be kept in a board. I do not know and I need to be helped.

It has been said that they requested to be included on the board. Does it mean everyone who requests should be included? It also means we are going to burden the Cabinet and everyone, including the police.

We are talking about different bodies being represented on the board. However, I am not hearing of the employees being represented. You have only picked a few like nurses, doctors and so on. I do to know whether they are the ones representing the other workers.

My objection in regard to the police being on the board is based on what their specific job will be. In the event of things going bad, what will happen? They will have been part and parcel of that problem. That is why I have a different opinion that since there are many other comittees, let us identify some police officers to serve on those.

Finally, recently, there was jam at the Uganda National Examinations Board offices, when people intending to vie for political positions went there to have their academic papers verified and the fees charged were different from the normal fees.

That is why it is a bit challenging. I do not know under which arrangement this was. It is good that the minister is present; I would like to request him to help me understand why we charge high fees for some people and low fees for others. Why bring up the issue of discrimination in charging fees?

Finally, I want to say that this amendment is good. Therefore, I support that we pass this into law so that UNEB begins to operate properly. Thank you very much.

5.49

**MR TOM AZA (NRM, West Moyo County, Moyo):** Thank you very much, Madam Speaker, for giving me this opportunity. I would like to also thank the minister and our chairperson.

As I said before, I am a proprietor of a private school and I was the headmaster of that same school before coming to Parliament. Experience has shown that each time it is an examination period, by 6.00 a.m. the police station is open. We then go and collect the examination materials from the police station, where they are safely kept so that there is no opportunity to cheat.

Secondly, usually, when there is malpractice, the police are involved. Thirdly, when a student is stopped from sitting for an examination, the parents rush to the police station to accuse the headmaster. They tell the police, “My child is being denied a chance to sit the examination.” So, the police is usually involved in all the examination engagements and assignments. I would, therefore, recommend that the police should be included on the board so that they form part of the system.

This does not happen only during O-level, A-level or primary leaving examinations but it goes up to even the university level. Therefore, my recommendation is that the police should be included on the board, so that we have sanity and no cheating in examinations. Thank you very much.

**THE SPEAKER:** Let the minister respond to the comments.

**DR MUYINGO:** Thank you very much, Madam Speaker. Honourable colleagues, I want to thank you, first of all, for supporting this amendment. Many of the issues you have raised are part of the challenges this amendment is going to address.

Members talked about examination fees. First of all, this amendment has very little to do with examination fees. However, I wanted to remind you that the Government pays examination fees for our children who are in our Universal Primary Education (UPE) and Universal Secondary Education (USE) schools. That money is agreed upon here. Every year, we come here with the number of children who will sit and how much each one will be contributing towards examination fees. During that time, when Parliament is appropriating the resources, it is up to you to say that this time we shall pay 100 per cent for everybody.

However, Madam Speaker, I feel this is not for this amendment. Examination fees is money collected to facilitate the examination programme. Government is paying quite a lot of money and the decisions are taken here. Therefore, for those who have been saying that some are charged less and others are charged high, I would like to state that the examination fees are standard as set by the examinations board for all, whether you are rich or poor. There is no high or low fee.

Once the examinations board says that it is going to cost them a certain amount, we accommodate it in our budget. The only people who are affected in this case are those children who are in private schools and non-UPE/USE schools. However, when we are discussing the budget, we can still address it.

Madam Speaker, the fees charged is a standard figure. Of course, there are people who have, in the past, abused the freedom they have to collect this money. Some institutions have been charging more than what UNEB calls for. This is criminal –*(Interruption)*

**MS BETTY AOL:** Thank you, Madam Speaker. The information I am giving is on the fees being charged differently. This is about people going for verification of their certificates, especially politicians. During the time, when we were doing our nominations, people were charged differently by UNEB for verifying certificates. You wonder why there should be exorbitant fees charged for verification of certificates.

That is something else. Examination fees is another matter that is very substantial and should be discussed and debated here properly, if we want to help our people. Do not confuse the two. One is verification and another is examination fees paid in schools. Thank you.

**THE SPEAKER:** Honourable members, the issue of the fees should come here separately. Let us deal with the provisions of the law.

**MS AMEEDE:** Madam Speaker, can I just give clarification on this issue?

**THE SPEAKER:** Honourable members, you are mixing them up. Bring a separate motion to discuss the fees.

**MS AMEEDE:** That is what I wanted to explore. I wanted to advise the minister that instead of dismissing my issue, he should rather go and investigate it and come to Parliament so that we can extensively exhaust it.

Madam Speaker, I do not take this issue lightly. You must have seen in the print media and on television - I was live at a rally in Pallisa, when the President came to campaign. The President blatantly blamed Parliament for poor service delivery. He even blamed Parliament for wrong budgetary allocations and I was hurt and humiliated. It is, therefore, my wish that we take these nitty-gritty issues that affect service delivery very strongly.

I would like to, therefore, implore the minister to come here with a proper statement on how we can help improve examination management and dissemination. Thank you.

**DR MUYINGO:** Thank you very much, Madam Speaker. I have taken note.

The other issue is about the police - why the police? My chairperson has ably explained this. One thing people do not know about the examinations board is that their work is done daily; it is done throughout the year. Their work begins at the beginning of the year and they work almost 24 hours a day and seven days a week throughout the year. At every stage, the police is key.

As he said, the minister used that clause in the law that allows him to appoint some people from the public. When things were very bad, we involved the police in the management of examinations. Since that time, things became better. This is the experience we have had; whenever the board is doing their work, the police representative has very useful information and ideas to give because of the professionalism they carry to that board. This time round, we are saying that instead of bringing them on board as any other member from the public, can we now say – These people have demonstrated that they have the capability and professionalism to add special value to the management of the examination body. Can we put it in black and white?

This has been tested. You remember the days when exams were almost all over the place even before the date. Many loopholes have been sealed because of the presence of this body. That is why we are saying that we need to improve the law by specifically mentioning the word, “police”. Thank you, Chairperson.

**THE SPEAKER:** Okay. Chairperson, you have some clarifications to make.

**MR JACOB OPOLOT:** Thank you very much, Madam Speaker. I would like to commend colleagues for the contributions they have made in discussing this report. I also would like to thank the honourable minister for the defence he has given about the police and the issue of fees.

However, I would like to put the record straight and clear that this is a new Bill and not an amendment. It is a Bill repealing the existing UNEB Act. So, let us not refer to it as an amendment.

The other bit is that I had hoped he would take up the issue of discussing examination fees. However, he has already said that the Government pays (Universal Secondary Education (USE), Universal Primary Education (UPE) and UPULET, and it is only those students who are in the private schools whose parents pay. So, I think more engagement will be done on that.

However, I also would like to clarify that the slot under which the Uganda Police Force was introduced into the board is no longer there. It was removed as per the existing Bill. So, there will be no room for them, because the Bill is explicit on who should be there and who should not be there.

Also for your information, we invited the Uganda Police Force as the last stakeholder, after every stakeholder who came questioned why the police was not incorporated. It was not the police that requested. It is out of interaction with other stakeholders that we realised that there was a need to listen to the police. Then we invited the Uganda National Examinations Board (UNEB) which conceded and said it was an oversight since they already had the police being represented.

Finally, the Bill also provides for proprietors of schools who overcharge. Just like the honourable minister said, the Bill does not mention the fees paid but it provides for payment of fees. It also provides for offences and penalties for those people who have been overcharging examination fees for particular levels and standards. However, the proprietors take that as an advantage to enrich themselves.

I would also like to inform you that during the consultation on the Bill, we had protracted arguments with representatives of those proprietors. Unfortunately, even some members of the committee fell in that category. However, at the end of the day, objectivity prevailed and we said that those who hide other fees in the UNEB fees should be categorised as offenders and the Bill, as we shall see, will deal with that. Thank you very much, Madam Speaker.

**MR AOGON:** Madam Speaker, I had talked about the issue of school fees, let alone the examination fees. We have been told that the old law has been repealed and this is a totally new Bill. I am asking because I have had this nasty experience; I had not fully paid fees and was not allowed to access the examination room. Therefore, do we have a provision in this new Bill that helps us to deter institutions from barring students who have not paid fees up to 100 per cent from sitting for exams? It is because that is not their exams; the exams are for UNEB. So, do we have a provision that deals with that?

**THE SPEAKER:** Honourable minister, can you respond?

**DR MUYINGO:** HonourableChairperson,this Bill does not have the clause that my brother, hon. Aogon, is talking about. It talks about payment of examination fees because it is a service that has got to be paid for. If you do not pay, the service will not be delivered *–(Interjections)–* Even school fees – but school fees is not in this Bill. That one I think the chairperson –

**THE SPEAKER:** No. Honourable members, I think if you want a specific amendment made in our policy, bring a motion here so that we debate it and take a decision. You cannot smuggle it here.

Honourable members, I put the question that the Uganda National Examination Board Bill, 2020 be read for a second time.

*(Question put and agreed to.)*

**THE SPEAKER:** How many clauses does the Bill have? Honourable members, I think we have done quite a bit of work. Go and run through the amendments. Tomorrow, we shall proceed with committee stage.

Thank you very much for your attendance. Tomorrow morning, we will have the special sitting and then we shall have the ordinary sitting in the afternoon. If you could come in time, we will then finish the special sitting by midday so that we can start again at 2.00 p.m. House is adjourned to 10 O’clock in the morning.

*(The House rose at 6.05 p.m. and adjourned until Thursday, 4 February 2021, at 10.00 a.m.*)