



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

THIRD SESSION - FIRST MEETING

THURSDAY, 6 JULY 2023



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 9TH SITTING - FIRST MEETING

Thursday, 6 July 2023

Parliament met at 2.23 p.m. in Parliament House, Kampala.

earlier, but there were printing omissions of four Members. I beg to re-designate:

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Thank you. Honourable members, I welcome you to today's sitting. I want to go straight to the business. Because we have a lot of business on the Order Paper, I will handle matters of national importance during the Prime Minister's time.

Also, I will allow two short items on the Order Paper, one from the Opposition Chief Whip where he needs to do re-designation and the other is from the Minister of Finance; it is an information paper - because we have World Population Day next week, he needs to inform us. I will not allow debate on those papers because I want us to go straight - if there are any issues that you have, let them fit in the debate on the State-of-the-Nation Address. Thank you.

DESIGNATION OF MEMBERS TO COMMITTEES

2.26

MR JOHN BAPTIST NAMBESHE (NUP, Manjiya County, Bududa): Thank you, Mr Speaker. This re-designation was done much

1. Hon. Sebamala Richard, Bukoto County Central, Masaka to the Committee on Finance Planning and Economic Development;

2. Hon. Kayondo Fred, Mukono County South, Mukono to the Committee on Fiscal Infrastructure;

3. Hon. Mwijukye Francis, Buhweju County, Buhweju to the Committee of Trade and Tourism; and

4. Hon. Cecilia Ogwal, Woman Representative, Dokolo to the Committee of Trade and Tourism.

I beg to re-designate, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I put a question that the Members be re-designated to the said committees as proposed by the Opposition Chief Whip.

(Question put and agreed to.)

STATEMENT ON THE WORLD POPULATION DAY

2.28

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Mr Speaker. This statement is a brief to Parliament on the

2023 World Population Day and Uganda's population dynamics and their significance to the country.

Mr Speaker, World Population Day is commemorated on 11 July each year by all UN member states in observance of the significance of Population Development Concerns. The day has been commemorated since 1987 when the population of the world reached the five (5) billion mark. This year's World Population Day comes after the population of the world is projected to have reached eight (8) billion on November 15, 2022.

Uganda has been observing this day since 1989 and has been using this occasion to raise awareness on population and development issues.

Mr Speaker, this statement is to inform Parliament that:

- i. Uganda will join the rest of the world to commemorate World Population Day on Tuesday, July 11, 2023;
- ii. H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda will be the Guest of Honour; and
- iii. This year's World Population Day commemorations will be hosted by Alebtong District at Alebtong Boma Grounds under the theme, "Prioritise Free Education: Prevent School Dropouts and Improve Household Incomes".
(*Interruption*)

THE DEPUTY SPEAKER: Point of procedure. I wanted him to complete his sentence.

MS OPENDI: Thank you, Mr Speaker. Just yesterday we were here talking about intern doctors and the lack of resources to fund the internship programme for our doctors. These commemorations come with resources so, is it not time - I know they may not stop the function on Tuesday because preparations have been made, but there are many more other commemorations that are coming.

Would it not be procedurally right for the government to prioritise and put money where it matters most? Other than commemorating these days - you will find Shs 1 billion spent on these commemorations. So, can't we have a statement by the President and people listen to the statement and call it a day? Mr Speaker, are we proceeding well in these constrained times?

THE DEPUTY SPEAKER: Honourable colleagues, we all carry the blame for this. The government presented the Budget and we approved all these activities in the Budget. I do not think the minister is seeking for a supplementary to commemorate this day. It is from the Budget we approved. Since we approved the budget that did not have money for interns but had the money for such days, let us all take the blame. Therefore, we are proceeding very well.

In fact, you can come up with a motion that we stop all this but since we appropriated this money, let us allow the government to use it.

MR MUSASIZI: Mr Speaker, what is the problem? The problem is that many children drop out of school before completing their primary education, with only about 40 per cent of the pupils who enrol for primary one completing primary seven. Additionally, only one in four children who start primary school make it to secondary school.

Fourty per cent of the girls are married off before their 18th birthday and the teenage pregnancy rate is still very high at 25 per cent. As we all know, child marriage and teenage pregnancy lead to negative health consequences and many of these girls drop out of school, which affects their future socio-economic prospects.

Mr Speaker, the high cost of education is also a challenge. A comprehensive evaluation of UPE in 2018 found that spending on education by the poorest 20 per cent of households grew by 11 per cent. Some of the cost drivers include meals, uniforms and educational materials.

In addition, child labour is still a challenge in Uganda. According to the National Labour

Force Survey of 2021 by UBOS, 40 per cent of children aged 5-17 years were in child labour, excluding household chores, with more males than females.

On average, children spent 43 hours per week on work (girls, 47 hours; boys, 38 hours). Engagement in child labour leaves children with limited time and energy for schooling.

Policy measures in response to the prevailing population dynamics in the context of the theme

Mr Speaker, the Government has implemented policies and programmes to improve access to education and enhance the quality of our education.

In 1997, the Government introduced the Universal Primary Education (UPE) programme to make basic education accessible to every child, and in 2007, the Government introduced Universal Secondary Education (USE) to increase access to secondary education for economically vulnerable children.

The UPE programme has significantly improved school enrolment from 2.5 million learners, in 1996, to 10.8 million, in 2020. Due to the introduction of USE at the secondary level, enrolment increased to two million learners in 2019 from 1.2 million in 2010.

Mr Speaker, in 2014, the Government introduced a student's loan scheme for higher education to ensure equal access to university education opportunities. Eighteen public and private universities are eligible for the loan scheme. The student's loan scheme is in addition to the government bursaries for highly qualifying students at higher education institution.

In addition –

THE DEPUTY SPEAKER: Honourable minister, just a minute. Honourable colleagues, let us listen to the statement. Point of order?

MR NSAMBA OSHABE: Mr Speaker, the minister is giving information, yet yesterday

the higher education students' loan scheme informed the people of Uganda that there is no money and Ugandans should not think about applying for it.

Mr Speaker, Hon. Musasizi is a minister of this Government. People will listen to whatever he is saying and get hope, yet he is giving them false hope. Is he in order?

THE DEPUTY SPEAKER: Now, number one, Hon. Musasizi is presenting a statement of the Government – and that is their position. However, I told you, honourable colleagues, that this statement is related to issues, which we will be debating in the motion for the State-of-the-Nation Address, which we have. So, when we go to debate that motion, you pick out where you believe he has given wrong information, put it out to the public and argue it out.

Now, you are referring to something, which I do not know whether indeed - public information? Where was it? I did not read the newspapers; it might have been in the newspapers. If it were tabled on the Floor, I would be knowing that, yes, they released this statement. However, for statements, which are made elsewhere, sometimes I see, but sometimes I do not see them.

So, honourable colleagues, let us allow the minister to give his statement. When we go to debate, wherever you believe he has misled or given information that is not accurate, you will be able to bring out such information. I will give you a chance. So, just let him finish reading his statement.

MR MUSASIZI: Thank you, Mr Speaker. In addition, the Government is still implementing the 1991 Gender-Based Affirmative Action Policy to enable more girls to access university education.

In 2020, the Ministry of Education and Sports introduced a new competence-based lower secondary school curriculum. The new curriculum aims at enhancing student's education achievement levels and literacy, numeracy and life skills.

Mr Speaker, over time, we have increased the education budget as a percentage of total funding from 1.37 percent in Financial Year 2017/2018 to 11.08 percent in Financial Year 2018/2019, 10.4 percent in Financial Year 2019/20 and 11.49 percent in Financial Year 2020/2021.

This investment has led to a significant increase, particularly in the physical infrastructure and access. For example, 92 percent of all parishes have a public primary school and 72 percent of all sub counties have a government secondary school.

In addition, each region now has a government university, while the majority – approximately 60 percent of the districts – have technical institutions to enable more Ugandans have access to education at different levels.

Mr Speaker, Uganda's literacy rate has increased from 70.2 percent, in 2012, to 79 percent, in 2021 due to the above interventions.

Interventions to improve education outcomes and school retention

In response to the challenges earlier mentioned, we plan to:

1. Further strengthen the education systems to improve the quality and equity of measurable learning outcomes right from lower primal level. In 2018, the Ministry of Education and Sports launched the Strengthening Education Systems for Improved Learning (SESIL) programme to improve the quality and equity of sustainable learning outcomes at lower primary level. This intervention seeks to strengthen routine data collection around five drivers of improved running, which include; increased time spent by teachers in schools, improved pupil attendance, increased time spent by pupils in learning, improved safety of children around schools and improved leadership of schools as places of learning. This should be strengthened;

2. Emphasise compulsory education through the Parish Development Model, as per the presidential directive. This will promote pupil and student retention and leverage on the implementation of the Parish Development Model that aims at improving household incomes. This will empower parents to fulfil their children's basic needs and address the economic reasons for marrying off young girls;
3. Fast-track the formulation of the school fees regulation policy to set minimum and maximum fees limits and requirements;
4. Fast-track the implementation of the guidelines for reintegrating teenage mothers into school and providing non-formal learning opportunities to those who drop out of school; and
5. Integrate information and communication technologies and innovation in the teaching-learning environment which will not only improve on instruction, but also enhance the learners' curiosity and enthusiasm to learn and discover new ideas and information and build a strong knowledge base.

The results of the previous commemorations and lessons learned

Mr Speaker, the commemoration of World Population Day has successfully changed the population and development narrative from the viewing of our nation's young population as a burden on socio-economic development, to viewing it as an opportunity to be harnessed in order to reap from the demographic dividend that this population presents.

As earlier mentioned, since the previous commemoration, there has been a campaign for ending child marriage and teenage pregnancy as per the 2022 World Population Day theme. The National Population Council has spearheaded the creation of teenage pregnancy prevention committees at the parish level, which are being rolled out to all districts.

What are the activities for the 2023 World Population Day event?

Mr Speaker, the key strategic activities for this year's commemoration include: the presidential address to the nation; the tabling of a Cabinet information paper on the commemoration of the World Population Day 2023; this statement on the Floor of Parliament; the revised inter-ministerial dialogue; and an intergenerational policy dialogue.

Other activities will be an inter-regional forum for district leaders, the national campaign against child marriages, teenage pregnancies, and school dropouts, community outreach services with Members of Parliament in the Lango Sub-region, youth dialogue, and there may be a tour of Alebtong District.

The expected outcomes or results from the commemoration of the 2023 World Population Day are:

1. Engagement with the top leadership of the country on population and environments in order to elevate the profile of population issues on the agenda of policymakers at all levels to influence policy and program actions;
2. The provision of a platform for sharing population experiences by different local governments and an opportunity to articulate their population and development concerns; and
3. Sharing of prevailing population trends and patterns in the country with other stakeholders.

In conclusion, Mr Speaker and honourable colleagues, I would like to state as follows:

1. Uganda will join the rest of the world to commemorate World Population Day on Tuesday, 11 July, 2023;
2. His Excellency, Yoweri Kaguta Museveni, the President of the Republic of Uganda will be the guest of honour; and

3. This year's World Population Day commemorations will be hosted by Alebtong District at Alebtong Boma Grounds under the theme, "*Prioritise free education, prevent school dropouts and improve household incomes.*"

I would like to invite you, honourable colleagues, to join us on 11th July at this event. Mr Speaker, I beg to move.

THE DEPUTY SPEAKER: Thank you, honourable minister. Honourable colleagues, as I guided, this statement, under our rules, may be debated.

We have a general debate on the Address on the State of the Nation and this feeds in very well. So, I will request that we debate it under that. And I hope honourable minister you took concern of the honourable colleague.

Next time, maybe when such statements come they should come with a budget so that we know how much we are going to spend on it.

But, also the responsible committees should see if this is necessary when we are handling budgets. The moment we appropriate it in the committees and on the Floor, and then we shall deal with it.

Honourable colleagues, in the public gallery this afternoon, we have students and teachers from St. Jonah High School Namugongo. They are represented by Hon. Ssemujju Ibrahim Nganda and Hon. Naluyima Betty. They have come to observe the proceedings of this House. Please join me in welcoming them. *(Applause)*

Also, in the public gallery this afternoon, we have a delegation of leaders from the Makerere University Guild. They have come to observe the proceedings of the House. Please join me in welcoming them. *(Applause)*

I hear Hon. Kayemba-Ssolo used to teach there *(Laughter)*. We do not know what he was teaching but according to Hon. Sarah Opendi, he was teaching population growth.

Honourable colleagues, again in the public gallery this afternoon, we have a delegation from the Association of Uganda Emptiers Limited, Kampala District. They are represented by Hon. Malende Shamim and Hon. Kawalya Abubaker. They have come to observe proceedings of this House and we shall be handling their petition next. So, please join me in welcoming them. *(Applause)* Let us go to the next item.

MR NANDALA-MAFABI: Thank you, Mr Speaker. I have a procedural issue and I will seek your indulgence to refer to yourself, Mr Speaker.

I recently heard you, if I am not mistaken, telling the President that you want to come up with a plan on how university students will be funded because the University Loan Scheme is only being accessed by children of the rich and not of the poor. And I am sure you were serious about it because you knew that education is a key to development in this country.

However, I want to seek your indulgence. If education is the key factor to the development of a country - people can die in hospitals and you produce more, but if you kill the education sector, you will have killed the nation.

Mr Speaker, the Minister of Finance has raised a fundamental issue, as far as education is concerned, and we do not want to lose that point, especially on funding private students from poor families who cannot afford university fees.

Mr Speaker, wouldn't it be procedurally right that you give about 10 to 15 minutes, we deal with that because every day children come and say, "We applied but we do not have money..." Who got and who never got? We want to know who is supposed to get and who is not supposed to get. This will help this country. I want to seek your indulgence, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleagues, what I will do when we open the debate on the State-of-the-Nation Address will be to dedicate the first 20 minutes to the

education sector because it fits in; it is all about the state of the country we are in. Yes, procedure.

MR NSAMBA OSHABE: Mr Speaker, a while ago, I informed this House about the matter of the Higher Education Students' Financing Board in a press release of 6th July.

Mr Speaker, allow me to lay on the Table this press release because you indicated that probably you were not aware and probably many were not. Allow me to lay on the Table this press release for the Parliament to take note of. Thank you.

THE DEPUTY SPEAKER: Thank you. Kindly lay and Clerk upload it for Members to access so that by the time we are debating, it is already uploaded; it is a good document for information purposes.

2.50

MR PATRICK NSAMBA OSHABE (NUP, Kassanda County North, Kassanda): Thank you, Mr Speaker. This press release was issued on 6th July. It has a highlight for "*immediate release: communication on students' loans for the year 2023/2024...*"

Allow me to just read the first statement before I lay and it reads: "*The Higher Education Students Financing Board informs the public that due to budgetary shortfalls, the Board will not receive APPLICATIONS FOR STUDENT LOANS TO THE ACADEMIC YEAR 2023/2024.*" I beg to lay this press release. Thank you.

THE DEPUTY SPEAKER: Honourable minister, did you release such a statement? Confirm.

2.52

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Thank you, Mr Speaker. I want to own the statement that the honourable colleague has read before Parliament. I am happy my brother from the Finance Ministry is here. I want to report that we have a lot

of arrears, which we owe various tertiary institutions of higher learning.

THE DEPUTY SPEAKER: Now, honourable minister, just allow me - I wanted you only to confirm, then when we do our 20-minutes debate, you will - because I do not want us to be diverted. Since you have confirmed the authenticity of the document, it is okay. Let us to go to the next item.

MS NALUYIMA: Thank you, Mr Speaker. The docket where I serve (Local Government) has issues, especially with the local councils. Yesterday, you ruled that my colleague, the honourable minister, will be here to give us a response on the matter as to why we are not having local councils one and two together with the women councils.

Mr Speaker, before we entirely finish responding to your communication, with your indulgence, wouldn't it be right that we also get a response over these key areas in our country, as far as elections are concerned?

THE DEPUTY SPEAKER: These matters were raised under matters of national importance, and I said that we shall handle them during the Prime Minister's time. So, I will give the minister a chance to respond. Procedure?

MR SSEMUJJU: Mr Speaker, the statement by the junior finance minister has now been established to be inaccurate. That is what the press release that Hon. Nsamba has tabled means.

Then, another junior minister from the Ministry of Education and Sports who said that he represents the First Lady here on Thursday - [*Hon. Ogwang: "Order"*]

THE DEPUTY SPEAKER: Hon. Ogwang Peter, you are not supposed to access the microphone without my permission - (*Laughter*) - kindly, switch it off.

MR SSEMUJJU: Mr Speaker -

THE DEPUTY SPEAKER: Hold on a bit. You see, when you are wrong, you first sit, and when you come up, you do not remain standing because it might be an indirect coup on me.

MR SSEMUJJU: Mr Speaker, another junior minister has confirmed the statement that Hon. Nsamba - (*Interruption*)

MR ENOSI ASIIMWE: Thank you, Mr Speaker. You already made a ruling related to debating issues that came out of the statements, when you said that you will give us time when we are debating. Now, is my colleague in order to - (*Interjections*) - wait, Members. Are you the Speaker, now?

THE DEPUTY SPEAKER: The problem is that you are listening to other colleagues.

MR ENOSI ASIIMWE: My apologies. (*Laughter*) Is our honourable colleague in order to bring back a matter that you have already made a ruling on?

THE DEPUTY SPEAKER: Now, the problem is that he has not yet concluded his matter for me to know the clear point he is raising. So, it becomes difficult for me to rule. However, I am seeing that the biggest problem is you, honourable colleagues, laughing when they say that someone is a junior minister. A junior minister is unacceptable language, only that the intention behind someone saying - (*Laughter*) - when he is happy, he calls him a minister, and when he is not happy, he reminds him that he is a junior minister or something. Hon. Peter Ogwang, did you want to say something?

MR OGWANG: Mr Speaker, with due respect to my colleague, Hon. Ssemujju Nganda, when I am here, in the absence of the Honourable Minister Janet Kataha Museveni, I am holding the portfolio as a Minister of Education and Sports. So, is Hon. Ssemujju Nganda in order to begin insinuating that I am a junior minister when I am holding the portfolio? (*Laughter*)

THE DEPUTY SPEAKER: Order, honourable colleagues! We are always praying hard to be promoted. Now, the day you receive

a promotion - whether temporary or permanent - our honourable colleague is an acting full minister here today, but for ease of reference, let us use the standard language. Ministers are approved by Parliament and we also approve ministers of state. So, let us have a language that is a standard for all of us. When we are approving ministers, we never approve junior or senior ministers; we approve ministers of state. Therefore, that language would be more acceptable.

Nonetheless, you need to congratulate Hon. Peter on the temporary promotion.

MR SSEMUJJU: Thank you, Mr Speaker –

MR NANDALA-MAFABI: Mr Speaker, you have ruled and it has been captured on our *Hansard*; Hon. Ogwang claims that he is here as a minister in charge of education. People who masquerade are very dangerous. We need the evidence to be tabled; to show that he is here in the capacity of the Minister of Education and Sports. Otherwise, we are going to have the *Hansard* people coming here to claim – that is very easy.

THE DEPUTY SPEAKER: Hon. Peter is holding forte for the Minister of Education and Sports. We agreed here in the House that the Leader of Government Business should submit a rota for the ministers to attend the House. On Thursdays, the education sector is designated for Hon. Peter Ogwang. Therefore, on this Thursday, Hon. Peter Ogwang is holding forte as the Minister of Education and Sports. He has not masqueraded in any way because it was tabled on the Floor, and we have it on record. *(Laughter)*

We have Hon. Ssemujju on a point of procedure. Please, honourable colleagues, take your seats.

MR SSEMUJJU: Mr Speaker, Hon. Peter Ogwang - and you can bring the *Hansard* - told Parliament that he would be the one representing his senior minister; that is what he says every Thursday. That statement actually confirms that he is not the senior minister, but is a junior minister.

However, in my opinion, that was not the matter. Matters of authenticity about this statement by Hon. Musasizi have been raised; that he actually brought an inaccurate statement here. In the past, we have debated and thrown out statements that are wanting.

Therefore, the procedural matter I am raising is whether we should devote 20 minutes to debating a statement, whose authenticity has already been doubted. The press release has been laid on Table and the new senior Minister of Education and Sports has confirmed that there is no money, like Hon. Musasizi told this Parliament.

THE DEPUTY SPEAKER: Thank you. First of all, I cannot judge whether a statement is authentic or not. According to me, authenticity is based on who has signed it. The contents of the statement can be debatable.

Secondly, I did not say that we are going to discuss the statement; I said we are going to discuss the sector. I was very clear with my words because the State-of-the-Nation has several sectors. So, I said since the statement feeds within the State-of-the-Nation-Address, we can dedicate 20 minutes to the sector, because we had many issues brought within the sector. I think we are okay.

However, at that time, indeed, the minister will have to give a response to the issues of authenticity of some of the statements he has made. Let us move to the next item.

PRESENTATION OF A PETITION OF THE ASSOCIATION OF UGANDA EMPTIERS LIMITED COMPRISING 40 COMPANIES AND OVER 480 INDIVIDUAL MEMBERS ABOUT THE MULTIPLE CHARGES BY DIFFERENT GOVERNMENT AGENCIES

THE DEPUTY SPEAKER: Hon. Christine Kaaya, use 10 minutes.

3.02

MS CHRISTINE KAYA (NUP, Woman Representative, Kiboga): Thank you, Mr Speaker. I stand to present this petition

following Rule 30 of the Rules of Procedure Parliament.

Dear Parliament of Uganda, the humble petition of the Association of Uganda Emptiers Limited, comprising 40 companies and over 480 individual members, presented on their behalf by myself and them in the gallery states as follows:

- “1. *The petitioners are private operators who provide sanitation services, specialising in faecal sludge collection, transportation and its safe disposal and management, as well as toilet building and emptying and unblocking of sewers and septic tanks;*
2. *The petitioners are aggrieved by the sector operational charges, including multiple charges by different Government agencies, poor waste disposal and limited sewage treatment plants;*
3. *In Uganda, the rapid population growth in the urban areas has greatly outpaced the ability of the urban authorities to provide adequate management of waste, especially faecal sludge;*
4. *About 90 per cent of the population in the metropolitan area relies on on-site sanitation facilities, that is, pit latrines and septic tanks, whereas 50 per cent of households share one sanitation facility and faecal sludge constitutes over 96 per cent of human waste in the metropolitan area yet the National Water and Sewerage Corporation only covers a few sections of the country;*
5. *More than 50 per cent of pit latrines are unlined and filled with solid waste and only 20 to 25 per cent of the toilets have ever been emptied by a service provider. The rest have either been abandoned or been emptied directly into the environment, posing health and environmental risks for the city and its people;*
6. *The petitioners continue to supplement Government efforts in the delivery of*

quality services in the sanitation sub-sector by ensuring sustainable management of sanitation for all, in line with the United Nations Sustainable Development Goal six;

7. *However, petitioners are hampered by multiple reporting to various Government regulatory agencies and the requirement to pay multiple charges which are charged at every stage of their operations, for example, Disposal Fee paid to National Water and Sewerage Corporation, Operational Licence Fee paid to National Environment Management Authority, Environmental and Sanitation Service Fee paid to Kampala Capital City Authority, Trading Licence and Income Tax which are levied on commercial goods vehicles;*
8. *The levying of multiple charges by different agencies complicates the reporting procedures by private companies engaged in faecal sludge handling and also makes the cost of doing business very expensive; and*
9. *Currently, there are only two sewerage treatment plants for faecal sludge disposal, which are managed by National Water and Sewerage Corporation, and only operate during working hours, and this affects service delivery, given the volume of faecal sludge.*

NOW THEREFORE, your humble petitioners pray that Parliament urges Government:

- (a) *To consolidate the licences and charges paid by private companies dealing in faecal sludge collection, transportation and disposal under one agency to ease their operations;*
- (b) *To remove disposal fees charged by sewerage treatment plants for faecal sludge since the sewerage treatment plants recycle the faecal sludge into manure for sale;*

- (c) *To engage private parties through public-private partnership for the effective management of faecal sludge treatment plants to improve service delivery; and*
- (d) *To remove tax which is levied on faecal sludge and cesspool vehicles since they facilitate service delivery aimed at ensuring a clean environment.*

AND your humble petitioners as in duty-bound will ever pray and hereto your humble petitioners have appended their signatures.”

The signatures are also part of the petition; I beg to submit.

THE DEPUTY SPEAKER: Thank you, honourable colleague. I have assessed the petition and found out that it falls under three committees but since the most important issue is about the consolidation of licences and licensing, I hereby refer it to the Committee on Trade, Tourism and Industry in line with Rule 30(5) of our Rules of Procedure. Let them process and report back in 45 days. Next item?

CONTINUATION OF THE DEBATE ON
THE MOTION FOR A RESOLUTION OF
PARLIAMENT TO APPRECIATE HIS
EXCELLENCY, THE PRESIDENT OF
THE REPUBLIC OF UGANDA FOR THE
CLEAR AND PRECISE EXPOSITION OF
GOVERNMENT POLICY CONTAINED
IN THE STATE-OF-THE-NATION
ADDRESS TO THE PARLIAMENT
OF THE REPUBLIC OF UGANDA ON
WEDNESDAY, 7 JUNE 2023

THE DEPUTY SPEAKER: Thank you. I will start with Hon. Aisa Agaba, followed by Hon. Martin Muzaale. Colleagues, let us use three minutes each.

3.09

MS AISA AGABA (NRM, Bugangaizi East County, Kakumiro): Thank you, Mr Speaker. I am here to stand with my fellow colleagues to appreciate the address the President delivered to us on 7 June 2023. I want to commend him very much as a hard-working, non-sleeping President who is standing firm with Ugandans.

We love him so much for steering our economy. We all know that as Ugandans, we have passed through a lot in the past three years because of COVID-19 but our dear President has been able to steer the Ugandan economy and we have had sustainability and growth since then.

He has enabled the improvement in investments and has allowed investors to come to our country to facilitate economic growth. We have people coming from Europe, USA and the Middle East to improve our markets. Since we are now looking at the Parish Development Model (PDM), which is focused on the local person, he has tried to improve the market in Uganda so that people find market for their goods. This will enable Ugandans to benefit more.

I want to appreciate our dear President, for improving and increasing industries in our country. We all know that we have been exporting raw materials but this time, our President is calling for value addition to our products. He also promoting more industries in our local governments, which is helping our people to get jobs and is aiding wealth creation at the lower level. I really appreciate him.

In my constituency of Bugangaizi East, people have benefited through the Emyooga Fund SACCO and the PDM projects. Our town councils have started getting PDM money; we have Shs 109 million per parish, Shs 100 million in Kisiita Town Council, Shs 109.7 million in Nkooko Town Council and in many others, thus showing that our President is firm and looking forward to the growth of our country.

I really appreciate him! Long live our dear President Yoweri Kaguta Museveni. We love you and we are here to stand firm with you so that we –(Member timed out.)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I had forgotten. Earlier on I said that the first 20 minutes would be for the education sector. Therefore, I kindly request that we stick to education and related matters to do with the statement from Hon. Musasizi.

Before that, Hon. Musasizi, do you have any clarification you want to make on the statement on the Higher Education Loan Financing Scheme?

3.13

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

(Mr Henry Musasizi): Thank you, Mr Speaker. I stated that the Government introduced the students' loan scheme for higher education to facilitate equal access to university education opportunities. Eighteen public universities and private universities are eligible for the loan scheme.

The students' loan scheme is in addition to the government bursaries for highly qualifying students in higher education institutions.

In addition, Government is still implementing the 1991 Gender-Based Affirmative Action Policy to enable more girls to acquire university education.

Mr Speaker, we are communicating but the policy on the students' loan scheme has not been withdrawn; it is still there. If there are budget challenges, they can be looked into, but not necessarily saying that what I presented here was not correct. I am firm on what I presented.

Hon. Ssemujju - and we know each other very well - he knows that I cannot present inaccurate things in the House. *(Applause)*

THE DEPUTY SPEAKER: Thank you. The minister says that what he presented is anchored on the policy. Now, funding might not yet be realised or appropriate, but the intention still stands. So, we cannot hold him to be presenting something wrong when he has stated a Government policy. Indeed, the policy has not yet changed.

However, that should not divert us; we can also look into the insufficient funding of the scheme.

3.15

MR NATHAN NANDALA-MAFABI (FDC, Budadiri County West, Sironko): Thank you very much, Mr Speaker. I have been asking: on average, how many children can come from a parish to the university? I do not want to look at Kampala or towns. On average, you cannot get more than five children coming from a parish to a university – and that is the maximum.

We are talking about the Parish Development Model (PDM) and education is one of the main development items, which builds a nation. However, if we cannot budget for the education of children going to institutions of higher learning and we are budgeting for the villagers to grow beans, maize, coffee and whatever – then, we are in danger.

The reason I am raising this is based on the fact that the criteria for choosing children who benefit from this loan scheme is a nightmare. Many of them apply and here they say “you have not qualified”, yet they are all Ugandans. Some of them are from disadvantaged families and some are even disabled or have no parents. Some of those who qualify have parents and are doing well while those from poor families are the ones who never succeed.

That is why we are saying that if the criteria is selective, it becomes quite dangerous. As Parliament, we should say that anybody who is going to university should be able to access a loan to study. Since they will access a loan, which they will have to pay, it is incumbent upon Government to create jobs so that these boys and girls, after finishing, can be in position to pay the loans.

However, if we continue with this selective method, very few children are going to study. In fact, there should be no criteria for choosing people – that this one qualifies and this one does not qualify. The qualification should basically be that your parents cannot afford it.

Finally –

THE DEPUTY SPEAKER: Honourable colleagues, I do not have that much time and that is where you are ending.

MRAMOS OKOT: Thank you very much, Mr Speaker. The information I would like to give to the Member is that Government is doing a lot in terms of scholarship or sponsoring children in universities. However, there is what we call district quota system. The district quota system, so far, has been said to be fairly good. If the loan scheme policy is not benefiting people uniformly, why don't we implement it the way the district quota system works such that we know it is a loan, but every district has their quota. This would help us to stop this menace where people are being taken on selectively, which is not right. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, Hon. Nandala-Mafabi, in raising that issue, referred to the statement, which I made before the President when we were celebrating 100 years of Makerere University.

I followed it up and the President said that, indeed, he had heard. My argument was like that of Hon. Amos Okot: why don't you do district quota? This business of finding one district with many students and another with few students – maybe you would also promote local schools. (*Applause*) Now, everyone who has a child somehow has to bring them either to Kampala, Wakiso or Mukono to be able to qualify.

At that time, the President said that he had appointed a taskforce, chaired by Hon. Amanywa Mushega, to carry out all these reviews. Maybe the Minister of Education and Sports can give us an update on where that taskforce has reached so that we get these details and see what solution the Government is proposing.

3.20

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Thank you very much, Mr Speaker. I thank Members, for the concerns they are raising as far as the affairs of the education sector are concerned.

It is true there is a taskforce, which is still doing its work of undertaking major reviews on our education system. I request that you give us time. Once that taskforce completes its work, we will be able to present some of their findings to this august House.

On the question of the timing – the first assignment, according to the information I have, was meant to end this December because the work is quite a lot. Let us be cognisant of that fact.

It is true, we have received many petitions as a sector, specifically in reference to what Hon. Nandala-Mafabi said, on the selection criteria or how students benefit from the students' loan scheme.

We have handled some of those petitions, but it is also true that we are also faced with a challenge of how to appreciate those who perform well. There are those children who do extremely well – they excel – and the Government is obliged to support them. That is why, in our wisdom, we have given that taskforce the mandate to carry out a thorough analysis of what we need to do as a country in reforming our education system. I thank you very much, Mr Speaker.

Procedure?

MR SSENKYONYI: Thank you, Mr Speaker. Nelson Mandela once said that education is the most powerful weapon you can use to change the world. It is little wonder that this debate arouses such concerns.

The COSASE committee, which I chair, inquired into this entity – the Higher Education Students' Financing Board – and we have a report that is ready, which, among others, tackles the regional imbalance in the way this scheme is handled. It is extremely problematic. All those issues are detailed in our report and we shall table all the evidence, including how they allocated the loans. Members will be baffled when they see how these allocations were made.

It is one of the reports that is on the Order Paper. Perhaps, you could guide on how we can deal with this. That is my procedural issue.

THE DEPUTY SPEAKER: Honourable colleagues, the rules stop us from anticipation, especially when we have already assigned one of our own committees and the report is ready. Anything to do with the students' Loan Financing Scheme- let me give you assurance - on Tuesday, we shall put it on the Order Paper. Let us hold our fire since the chairperson of the committee that investigated the matter has requested. Let us conclude the education issue.

1.24

MS MARGRET RWABUSHAIJA (Independent, Workers Representative): Thank you, Mr Speaker –

THE DEPUTY SPEAKER: Honourable colleagues, I will not run the House on procedure. In one sitting if I have around 50 procedures - this has become a way for people to submit.

MS RWABUSHAIJA: Thank you, Mr Speaker for giving me the opportunity. I want to thank Government, for the efforts that they have been making to ensure that every other child in this country goes to school. That is under universal primary education, it has gone to secondary and tertiary.

However, we also have a big challenge that there is a very high dropout rate. If for the last 10 years, 1.3 million have been enrolled in primary one but only a third sit the Primary Leaving Examinations, then we have a problem. We have to find out where it comes from and what remedy we can put in place to make sure these children are not wasted along the way or become pregnant. We do not know whether others do not come across the border or the refugee camps to become our students. Finally, they go back.

With that challenge, we have the issue of divide and rule. Chapter Four of our Constitution talks about equity. However, we have a social divide where some teachers are more important

than others. On the other hand, we know that there are children - not everybody will go for sciences - most of us here are Arts teachers or humanities. We know that we are here because we went to school and succeeded.

What will become of those people whose children are doing Arts subjects or humanities? Teachers are at school but do not mind what happens because we have already divided the people. Chapter 4 of the Constitution talks about equal work for equal pay, which is not happening right now.

Mr Speaker, we were told that –(*Member timed out.*)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, with the guidance that we got, I am going to reopen the debate generally on the State-of-the-Nation Address. We can continue with issues of education on Tuesday.

I have some whips who have also booked space but I will first pick Hon. Martin Muzaale. Hon. Ssemujju booked space as the FDC Whip. Whips have a special privilege. They represent their parties – I am going to give you a chance, colleagues. We have opened up. Let us move three minutes each.

3.27

MR MARTIN MUZAALÉ (NRM, Buzaaya County, Kamuli): Thank you, Mr Speaker. I stand to support the motion about the President's speech. The President talked about socio-economic transformation in this country; that was the key word in his speech. As we talk, there are programmes that are on-going to improve the socio-economic status of our people. One of them is the Parish Development Model.

The President has fulfilled his mandate as pledged in the budget of Shs 100 million per parish in the Financial Year 2022/2023. The money is with the SACCOs. I am talking with evidence because my district has given me information that the Shs 100 million is there - if you do not have information, it is

better to contact your district - I am talking because I represent the people of Buzaaya in Kamuli District –(Interjections)- Mr Speaker, I beg for your protection. My colleagues from the Opposition side seem not to have this information -

THE DEPUTY SPEAKER: Honourable colleagues, what you are doing is bullying a colleague when he is on the microphone. The day you will be bullied is when you will know it is bad.

Secondly, I also guided you to stop exchanging with people who are not on record. Anyone who will be reading your submission will ask himself, “Whom was he responding to? What was wrong?” You are on record and they are not. Therefore, continue. Where you feel you are being harassed, stop and ask for protection.

MR MUZAALÉ: Mr Speaker, we received the money. The challenge that we have, as leaders, is to make sure this money reaches the intended beneficiaries. We have challenges in our districts. Our people are complaining very much about our parish chiefs and CDOs who are supposed to facilitate paperwork for these people to receive this money.

I just want to give information to my colleagues that it is important that we go down and make sure this money reaches the intended beneficiaries.

The President gave a narrative of how developed countries have reached where they are today. The narrative was that these countries have developed as a result of the service industry. Honourable colleagues, you know that as a country, we are entirely dependent on Agriculture as a main source of spark of development in our economy. The President is changing the narrative. In doing so, he is promoting technology in this country - science and innovation.

We have seen many innovations coming up. One of them is Kiira Motors and many others. We have to support the President on this –(Interjections)- Mr Speaker, I beg for protection.

THE DEPUTY SPEAKER: Honourable colleague, you are protected – Clerk, I hope you set three minutes.

MR MUZAALÉ: Mr Speaker, we passed money on 17 November 2022 to the entity called NITA-U. This money was to digitalise. The intended beneficiaries are supposed to be our schools. They are supposed to get laptops or computers. However, to date, we have not received service from this money that we passed here. It was \$140 million, which about Shs 530 billion –(Member timed out.)

3.33

MR BRANDON KINTU (NRM, Kagoma North County, Jinja): Thank you, Mr Speaker, I would like to join my colleagues to appreciate such a wonderful and moving State-of-the-Nation Address. The President addressed the agricultural status of this country and also looked at our economic level.

Uganda, as a country, appreciates that we are at high massive levels of consumption. I would like to appreciate the concerns of the President that the infrastructure in this country has been reaching out.

I know Members from very far constituencies can bear witness that we actually have good roads that our farmers and those that we anticipate in the agricultural products can reach the market and Members from different constituencies like Hon. Saazi can reach Kampala and legislate. So, the infrastructure has been a very issue.

When you look at the technology, Uganda is running very fast in technological advances. If we are trying to digitalise - it is very surprising that most Members when articulating issues refer to other countries in terms of technology.

If we appreciate as a country and the President’s focus on technology, I know we shall be Legislating far better so that people in faraway areas such as Buikwe can still join the rest of the country.

We appreciate that patriotic speech and call upon Members to support it as a Parliament; we do appropriations that will support the Presidential address. Thank you.

3.35

MS CATHERINE MAVENJINA (Older Persons Representative, Northern): Thank you, Mr Speaker, for this opportunity. I would like to sincerely thank H.E. the President of Uganda for the precise State-of-the-Nation Address delivered on 7 June 2023.

I would like to talk about a few of the areas, which were covered by H.E. the President. I would like to talk about *Emyooga* and Parish Development Model. These were enterprises that were founded by the President and the Government of Uganda to get rid of poverty among our people, especially our electorate.

It is our collective responsibility as leaders to ensure that we support these programs, and supervise them so that they can benefit our people adequately.

Mr Speaker and colleagues allow me to talk briefly about corruption. I would like to say that, each and every one of us has a policeman within him or herself. What I mean is that each of us has a live conscience so that whatever they want to do or whatever they are about to do, if they feel that they are not doing the right thing, with the guidance of the policeman within them, they can easily tell that what you are about to do is going to lead you to corruption. Therefore, we must all listen carefully to the conscience and policemen within us.

I would like to congratulate H.E, the President who is the Commander-in-Chief of the armed forces. I would like to congratulate our gallant soldiers, police forces, prisons and all the security agencies for keeping peace and security among our people.

Peace and security begin with each and every one of us. We must all be collectively responsible for peace and security. Mr Speaker, there are some people who have always asked me; do we eat peace and security? Without

peace and security, you cannot get what to eat. Peace and security are a priority –(*Member timed out.*)

THE DEPUTY SPEAKER: Honourable colleagues, I see the time is – I do not know – let us take our sits - but there is a habit I have seen cropping up. We are in the House – I have noticed – some honourable members decide to hold their meetings inside the House. Some of you walk, cross over, stand and start talking to someone and you - high-five each other. This is the Parliament, that is why we give you the lobbies. If you want to talk to your colleague, make a sign to your colleague and walk to the lobby and do what you are doing then here we listen to every Member submitting in silence.

I request you, honourable colleagues - we do not need to be enforcing. You want me to be mentioning so and so, it does not look good on you and the House in general. Let us ensure we have silence and listen to a colleague.

Colleagues, I am on a debate, there are issues now - there are points, which are going to make it extremely difficult. Allow me to conclude the debate here. Not every matter of procedure is allowed, it is on the Speaker. I just want you to know that.

3.40

MS ANNET KATUSHIME (NRM, Woman Representative, Bushenyi): Thank you, Mr Speaker, for giving me the opportunity. Permit me to salute H.E, Yoweri Kaguta Museveni. for having comprehensively covered many things in his State-of-the-Nation Address.

H.E. President passionately talked about agriculture and the provision of quality agricultural inputs as the backbone of Uganda.

Mr Speaker, I come from a constituency where many people engage in perennial cash crops which include: tea, coffee, bananas and others.

However, we have a big challenge, and that is the issue of fake and expensive fertilisers. Very many farmers are registering losses and they have opted to start uprooting the tea plantation because of those losses.

Mr Speaker, I sit here and ask myself: where is UNBS in this? Because they are mandated to manage the standards of goods and services in this country.

In my constituency and across the country, the tea, and coffee plantations are employing the locals who get daily income. UNBS is frustrating the people; where can we run to? I want to pray and ask the almighty God that the Government of Uganda prioritises subsidising the prices of fertilisers.

Secondly, let us engage the technical people to evaluate the quality of fertilisers in this country. Lastly, Members of Parliament –(Member timed out.)

3.42

MR SSEMUJJU IBRAHIM (FDC, Kira Municipality, Wakiso): Mr Speaker, thank you very much. Yesterday, I presented a motion and I lost. Since I am a democrat, I want to join colleagues in thanking the President.

Mr Speaker, the President had said that at 75 years, you are really tired but since at 78 years he is still able to deliver the State-of-the-Nation Address, we need to thank him.

My colleague, the Hon. Aisa Agaba, thanked him for not sleeping and for the hard work but she forgot that the President has sacrificed his entire family. The wife is a Minister for Education, the son is a senior presidential advisor, the son-in-law, Mr Odrek Rwabogo, is a senior presidential advisor on export, his brother, General Salim Saleh is a senior presidential advisor, and some children are directors. Really, we cannot thank this family enough. (Laughter)

This kind of sacrifice, Mr Speaker - our President is the only one who is doing this on the continent; where you appoint your wife a minister, your brother, a presidential advisor, your son a presidential advisor, your son – (Interruption)

MR RUTAHIGWA: Thank you, Mr Speaker. I have been in this Parliament for two years

and I have followed Hon. Ssemujju's debate. I have followed him when he brings a point of order or procedure and I have been listening carefully.

My observation is that whenever he comes up to speak, when you look around, you will find some of our colleagues who are - because you know, we take our lunch and then come here and some of us are maybe sleeping and that is the time when he stands up speak.

Mr Speaker, my observation is that everyone is alert. Is Hon. Ssemujju in order to bring his energizer at a time when everyone is alert? I thank you.

THE DEPUTY SPEAKER: Kindly proceed and conclude but the clarification I want to make is that I chair this House and I never see Members of Parliament sleeping while in this House. Therefore, I do not want it to remain on record that Members go to eat and come to sleep in Parliament. No, that is a very wrong - please, honourable -

MR RUTAHIGWA: I agree with you, Mr Speaker, but it was just a simple medical observation. I thank you.

THE DEPUTY SPEAKER: Honourable colleagues, I just want to inform you that anything that can put the image of this House into disrepute will not be tolerated here. It is totally wrong to say that Members go to eat and come to sleep in the House. Please, honourable colleague, withdraw that statement.

MR RUTAHIGWA: Thank you, Mr Speaker. I withdraw the statement. Thank you.

THE DEPUTY SPEAKER: Thank you.

MR SSEMUJJU: Mr Speaker, I beg that since I am a Whip and I am being interrupted by an MP who said he wants to sleep -(Laughter)

Mr Speaker, I need to be helped as to understand whether nepotism has changed meaning; that you can have the entire family so special that presidential advisors are picked from there,

ministers of education who cannot attend Parliament and can only send their juniors to attend every now and then, are picked from that family - Mr Speaker –

THE DEPUTY SPEAKER: Hon. Ssemujju, there is a language we agreed to use here. Hon. Peter, kindly take your seat. Rt Hon. Prime Minister, we have been handling this issue before and that is why I am asking Hon. Peter to sit. We said here that the ministers we approve are ministers of state and Cabinet ministers so, let us use language that is standard to avoid reactions.

MR SSEMUJJU: Mr Speaker, I am sorry. The Minister of State -

THE DEPUTY SPEAKER: Please, you people, excuse me. Everyone in this House, whether you are a Prime Minister, you are under the authority of the Speaker. I do not want to be disturbed when I am in my seat here. Rt Hon. Prime Minister, I need peace. Your Members are the ones interrupting a Member and what you forget is simple; when you interrupt a Member and he switches on again, he gets fresh time.

As the presiding officer, I go with the microphone getting automatically switched off. I do not have a timer here; the timer is automatic. So, when you interrupt a Member and he resumes, he gets free time. Tell your Members not to interrupt a Member so that he finishes because I am not giving him any more time. It is your Members. I do not want to hear statements like, “You people want to bring down our government.” No, please. I want peace. If anyone here is not satisfied, please.

MR SSEMUJJU: Mr Speaker, I need to be helped to understand whether nepotism has changed definition; that you can staff your government with the family members and then you walk to Parliament of Uganda representing all constituencies and you still want to speak as a Head of State. What is it that is so special about this family that everybody in the family is either a presidential advisor, a minister, a commander in the military –(Interruption)

MR OGWANG: Mr Speaker, with due respect to Hon. Ssemujju Nganda, he is 12 years in Parliament and I am 12 years in Parliament. I would like to ask and seek clarification, as I raise a point of order, whether there is any provision in the laws of Uganda that bar His Excellency, the President from appointing anybody to work in his Government.

Two, he is talking about the family. When H.E, the President and General Salim Saleh picked up guns to fight for the liberation of this country –(Interjections)- Mr Speaker, I am raising a point of order. When General Yoweri Kaguta Museveni and the Senior Presidential Advisor on Defence picked up guns to go and fight to liberate this country, where was the question of nepotism at that specific time? General Kainerugaba, whom Hon. Ssemujju is talking about is a serving soldier who joined the forces willingly. Is Hon. Ssemujju in order to continue insinuating and demeaning the personality of Yoweri Kaguta Museveni in this Parliament? Is he in order, Mr Speaker?

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I guided you when we were starting the debate - honourable colleagues, can we listen to one another? Can we have order? I guided when we were starting debate and said the debate is about the content in the speech of the President. I do not want to be a teacher when I am presiding because we are all understanding people. So, let us debate the content of the speech. I am moving to Hon. Susan Amero - because I see that it is going to be an exchange between some people. Let us move on.

3.53

MS SUSAN AMERO (Independent, Woman Representative, Amuria): Thank you, Mr Speaker –

THE DEPUTY SPEAKER: Hon. Ssemujju, I had an issue because you kept repeating the same – and it is outside the content of the State-of-the-Nation Address. Hon. Amero, please take to the Floor.

MS AMERO: Thank you, Mr Speaker. I join the rest of the Members in thanking the President, for the precise exposition of the State-of-the-Nation Address.

I most sincerely thank the President for noting that he is working with people who are not doing the right things and who are giving him wrong figures and wrong advice.

I thank him very much although even after noting that, we have not seen him take steps to discipline these human beings who have been giving wrong figures to him – because he came up with very good figures that show that our country is going ahead, yet the technocrats who are occupying some offices under his leadership, are giving him wrong figures and nothing has been done by the leadership.

Mr Speaker, I also thank the President, above all, for that tarmac that we have seen on the road from Soroti to Karamoja - I am proud because it passes through my place. It has helped us. We have been hearing about the Government, but we had never seen a tarmac road. We would see it after getting out of those areas of Amuria and Karamoja.

While the issue of education is a good point that the President noted, I was disappointed to hear that the students' loan scheme was scrapped, yet we took a lot of time in this House to work on the law. We spent a lot of money doing benchmarking and we were assured that due diligence was done on this project. We thought it was going to help our poor children because they do not *-(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Let us have Hon. Maximus Ochai and Hon. Enos Asimwe. Only one whip came to book space, but I am going to pick you, honourable colleague. You know, we shall run this debate for another five to 10 days because we want each one of you to tell us something about the State-of-the-Nation in their area.

3.56

MR MAXIMUS OCHAI (NRM, West Budama County North, Tororo): Thank you, Mr Speaker, for the opportunity. In the east-

most district of Uganda, that is, Tororo, where I come from and specifically West Budama North Constituency, which I represent in this Parliament, it is said that if you want to find your way, you must know where you are going. On that note, Mr Speaker, I rise to support the motion.

In my presentation, I will focus mainly on the necessary conditions that His Excellency, the President identified in his address to ensure that we realise rapid economic growth and socio-economic transformation.

Mr Speaker, when you refer to section one of the speech, you will note that His Excellency, the President clearly and precisely stated the macroeconomic objective of his Government.

To restate it, he said that over the medium-term period, he intends to ensure that the Government of Uganda promotes economic growth that would be estimated at about 5.5 per cent per annum this financial year and over the medium-term, ranging between 6.5 per cent per annum and 7.7 per cent per annum.

Mr Speaker, that is a clear indication of a brilliant person who knows what a policy objective is. I thank him for that.

Mr Speaker, in outlining *-(Member timed out.)*

THE DEPUTY SPEAKER: Just conclude, Hon. Ochai. Switch on and conclude.

MR OCHAI: Thank you, Mr Speaker. In promoting that growth, he identified a number of sources of that growth. The first was macroeconomic stability. We all know that macroeconomic stability is the *sine qua non* for growth because, with low levels of inflation, an economy is able not only to ensure that activities are undertaken in such a way that growth can be realised, but also that the aggregate demand, through consumption, can also be enhanced. Therefore, I thank him for identifying that prerequisite.

When you refer to section 15 -

THE DEPUTY SPEAKER: Oh, I told you to conclude and I hope you have.

3.58

MR ENOS ASIIMWE (NRM, Kabula County, Lyantonde): Thank you, Mr Speaker, for the opportunity. I support the motion on two grounds.

One, I thank the President, for the achievements made in the coffee sector – in the interest of time, I want to limit myself to the coffee and education sectors.

For the coffee sector, as of 1989, we had 2.3 million bags in terms of production. As of 2021, we moved to 8.4 million bags. In terms of the value of exports, we moved from \$260 million to \$862 million. In terms of percentages, that is 367 per cent and 326 per cent respectively. I thank the Government of Uganda for that.

However, I want to inform the Prime Minister that for us not to lose these achievements, we should review the policy on supplying seedlings to farmers. As of the last budget, we never provided seedlings to farmers. We cannot sustain these achievements unless we provide for the seedlings. I pray that in the coming budget, we take note and see where we can get money for it.

Secondly, I want to thank the Government for the achievement we have made in the education sector. Luckily, the Minister of Education and Sports is here. When they mention the achievements we have made, specifically having a primary school in every parish and a secondary school in every sub county, there are two policy defects. When they were drafting these policies, they failed to look at the population distribution -*(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Debate is suspended. Prime Minister's Time is the next item.

The rules require us to go for the Prime Minister's Time at 4.00 p.m.

PRIME MINISTER'S TIME

THE DEPUTY SPEAKER: Clerk, we can start with item number five. After that she will continue with matters related to Prime Minister's Time.

STATEMENT BY THE RT HON. PRIME MINISTER ON GOVERNMENT BUSINESS FOR THE SUCCEEDING WEEK, 11 TO 13 JULY 2023, PURSUANT TO RULE 28 OF THE RULES OF PROCEDURE

4.01

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, allow me to submit the following businesses for the week of 11 to 13 July 2023. I am doing this under Rule 28 of the Rules of Procedure.

Mr Speaker, we shall present:

- (i) The Explosives Bill, 2023;
- (ii) A list of international conventions, treaties and protocols that Uganda is party to and has not ratified as required by Rule 40 of our Rules of Procedure; and
- (iii) The Biofuels Regulation, 2022. I beg to submit.

THE DEPUTY SPEAKER: Thank you, Rt Hon. Prime Minister. Next item.

PRIME MINISTER'S TIME

4.03

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker and honourable colleagues, Hon. Aisa Agaba, Member of Parliament of Bugangaizi said that we have 18 Industrial hubs in this country and that the President recently commissioned one hub; the industrial scaling centre in Masaka, which made the hubs 19 in total. Her prayer that the Rt Hon. Prime Minister updates this

House on the Greater Masaka Industrial Skilling Centre.

The Greater Masaka Industrial Skilling Centre is part of the 19 zonal industrial hubs countrywide. This Industrial Skilling Centre was launched by the President on 24 May, 2023. I participated fully in this launch because I was present.

The hub offers free hands-on training to the youths aged between 18 to 35 years drawn from the nine districts that make up the Greater Masaka Subregion and the Masaka City. These include; Rakai, Lyantonde, Kyotera, Masaka, Masaka City, Lwengo, Bukomansimbi, Kalangala, Kalungu and Ssembabule.

The industrial hub is a presidential initiative by His Excellency, Yoweri Kaguta Museveni. The objective of the hub is to, among others, eliminate unemployment among the youth and change the economic status of the people who never had the chance to attain formal education.

The hub offers services such as:

- (i) Hands on training to the youths (skilling);
- (ii) Value addition; that is coffee and maize hullers have been delivered to add value to coffee and maize respectively;
- (iii) The common user facilities are also there. State of the art machines in welding and carpentry. Trades have been installed for common use by both graduate trainees and the community. This will enhance their income through increased production; and
- (iv) There is a Four-Acre Demonstration Farm to train farmers in the respective regions. This is across the country. This will contribute to the transformation of Uganda into a middle-income economy through imparting skills.

The courses offered, among others, include tailoring, hairdressing, building and construction, carpentry and joinery, metal fabrication, food processing and bakery.

Currently, the hub has a total of 221 trainees who are undertaking this training at Masaka Zonal Industrial Hub.

Upon completion of the six months' hands-on training, the trainees will obtain a minimum level one certificate of Uganda Vocational Qualifications under the Directorate of Industrial Training and the Ministry of Education and Sports and are ready to be self-employed. The Youth Skilling Hub was launched at Kiyimbwe Village in Bugabira Parish in Masaka.

Mr Speaker, this is a great opportunity and I urge the youth to take advantage of this presidential initiative that will improve their livelihood.

The second question came from Hon. Oguzu Lee Dennis, a Member of Parliament, Maracha County. The Uganda Intergovernmental Fiscal Transfers Program-

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, I am sorry for the interruption. Honourable colleagues, under rule 41, the Prime Minister does not give a response on any matter as long as it is under this rule. It is only the Leader of Opposition who has a right of reply or comment. So, please read the rules properly and leave her to present her statement.

MS NABBANJA: Thank you, Mr Speaker. Hon. Oguzu Lee Denis, Member of Parliament, Maracha County, said the Uganda Intergovernmental Fiscal Transfers Program project has stalled. His prayer was that the Rt Hon. Prime Minister updates the House on this project.

My response is that it is true that UgIFT has experienced delayed completion of works in the course of executing this project.

To remedy this challenge, the Ministry of Education and Sports advised the districts with delays to evaluate the remaining works and retender the civil works. The construction is, therefore, ongoing and progressing well in those districts that were advised. The only

exception is where local governments have led to revoke the funds and hence delaying the tendering process.

We have also noted that there has been a lot of looting; one company is given many construction sites. We are discussing this matter and we are about to decide to stop this looting business.

Hon. Dr Otiam Otaala Emmanuel, Member of Parliament, West Budama South, Tororo District said the process of implementing our flagship program, the Parish Development Model, is being done through an electronic system, whereby money is sent directly from the Ministry of Finance, Planning and Economic Development through the parish SACCO.

The approval of beneficiaries is also being done electronically using computers. The beneficiaries who are living below the poverty line must also have a mobile phone or telephone lines registered in their names to achieve this money.

Unfortunately, according to him, most of the parishes in rural areas are missing out on PDM because they lack computers to be used in the approval process and the beneficiaries too do not have mobile phones to receive the money. Such rural parishes without computers are now experiencing a situation where money is lying idle in their Parish SACCO Accounts without being accessed by the supposed beneficiaries.

His prayer is that Government urgently addresses the lack of computers as a major hindrance to the success of the Parish Development Model (PDM) currently in rural subcounties and parishes across the country.

He is also bringing another prayer that the Government looks into workable mechanisms of buying cheap phones for the beneficiaries of the PDM such as deducting Shs 50,000 from the Shs 1 million that would be due to each beneficiary, or indeed any other workable mechanism that will lead to the poor peasants acquiring phones for purposes of ensuring that

PDM succeeds among the 39 per cent of the people outside the money economy.

Mr Speaker, my response is that the Ministry of Finance, Planning and Economic Development signed a Memorandum of Understanding with commercial banks supporting the PDM arrangement to provide a computer to each SACCO, carry out financial literacy, open PDM SACCO accounts and charge a small interest on SACCO accounts. That means the commercial banks will provide PDM SACCOs with a computer.

On phones, Mr Speaker and colleagues, all PDM beneficiaries are required to have bank accounts, mobile money accounts or use agency banking where a person is given a token from the SACCO and pays through a banking agent. Therefore, there is no arrangement of providing PDM beneficiaries with phones from the Government.

Mr Speaker, I beg to submit.

THE DEPUTY SPEAKER: Thank you, Rt Hon. Prime Minister. Honourable colleagues, I do not know whether Hon. Otaala is here. Yes, you can see what I was telling you; it would be difficult for a Prime Minister to give you such an answer because she would also need to consult; she is human; she does not carry the whole Government library in her bag.

So, I encourage you, honourable colleagues, that questions which require structured answers should be asked during the Prime Minister's Time, because you are interested in an answer, and not in just a speech. Then for oral questions, we shall be coming to the Prime Minister.

Rt Hon. Prime Minister, yesterday Government was asked about a few issues which we referred to today for clarification and your ministers were informed. I want you to allow me, during your time, to call on the Minister of Trade, Industry and Cooperatives and the Minister for Local Government, to update us and respond to Members orally. These are not statements.

Honourable Minister for Trade, I am starting with you. Procedure?

MR SSEMUJJU: Mr Speaker, Rule 41(2) (a) under which the Prime Minister answers questions says that the Prime Minister may make a statement.

The procedural issue I am raising is that the President wrote to the Prime Minister and copied to all of us on matters relating to the theft of iron sheets for Karamoja. Can the Prime Minister, with your guidance, give a statement on the progress made on that particular letter because we are entitled to information since the letter was copied to us?

THE DEPUTY SPEAKER: Thank you. I ruled yesterday on that matter, that it is a matter of sub judice. Even in responding to a letter, the Prime Minister might choose not to copy to us. She can respond to the one who wrote to her. If it had been addressed to us, we would demand but the letter was not addressed to us.

Since this is a sub judice matter, colleagues, let us go on with other matters. We debated it here and we closed the debate. If we had not debated it, maybe, but we closed. So, Hon. Ssemujju, we cannot go back to that.

4.17

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE) (Ms Harriet Ntabazi): Thank you very much, Mr Speaker. Yesterday, a matter of national importance was raised by one of the Members, Hon. Allan Mayanja, about the trucks that are stuck at the border in South Sudan.

I want to apologise that I did not know that that matter was coming up. So, I am sorry for not being available yesterday. But I was ordered to bring a report today under the Prime Minister's Time.

I want to state that in June - a month back - a team of private sector members came to my office with a petition indicating that their cargo had been intercepted at the border in Eregu,

proceeding to Juba, in the Republic of South Sudan and our ministry did not rest.

Immediately we sent a team of technical staff including from the Uganda National Bureau of Standards, and the Ministry of Trade, Industry and Cooperatives staff, to go to the border and pick samples of those goods that allegedly had aflatoxins because that was the allegation by the Republic of South Sudan.

Unfortunately, when they reached the border, they found that the trucks were already seven kilometres inside the Republic of South Sudan, and our team was not allowed to enter because the matter was already being handled by their country. They also said that they could not allow it because their security had picked interest in that matter. So, the team came back and reported.

I led another team, which was going to interact with the Minister of Trade and Commerce of the Republic of South Sudan, after writing to them, whom we interacted with and we found out that there were issues – the trucks themselves were 450, other trucks had gone – already allowed. Only 45 trucks had been intercepted at that time but later on, the trucks increased to 63, and are 65, as we speak.

Steps taken

We tried our level best to wait for South Sudan to take a step and use their testing equipment to disapprove that the Ugandan National Bureau of Standards had given them fake goods, but that has not come out.

The report that they brought - that they had tested - we asked for a copy of that report but up to now, the Republic of South Sudan has not given us that report or any copy of the testing that they have done.

Mr Speaker, I want to state that because of the ping-pong that was played at the border and the several meetings we have held with no response, we had to engage the Head of State. Our Head of State has been engaged and he has taken a step; communicated to the President of

South Sudan and they have agreed that all the trucks that are deep in their country be brought to the no-man's land, and two teams be set: one from South Sudan and another one from Uganda to go and witness a verified committee for the East African Community, which is going to carry out verification in that area. The exercise is going to begin tomorrow. I would like to inform you that I will come back and give you a report after a thorough investigation has been done. Thank you.

THE DEPUTY SPEAKER: Honourable minister, you had taken us far. I wish you had started from where you ended; we would have finished long time ago. We just needed an update on that matter; let them update us next week when they finish. Minister of Local Government?

4.22

THE MINISTER FOR LOCAL GOVERNMENT (Mr Raphael Magyezi): Thank you very much, Mr Speaker. Honourable colleagues, there were three questions raised under matters of national importance on local government. One was on the expiry of the term of office of the LC I, LC II and women councils. The second one was on the failure to pay ex gratia for the local councils and councillors, especially those from the new administrative units. The third one was on the return of funds to the Treasury by the local government.

On the expiry of term of office of the local councils, the current office bearers under LC I and LC II are in office and their term of office expires on 10 July this year. We are looking at the challenge of their elections after that. I am in touch with the Electoral Commission and Finance together with the Attorney-General. The challenge is finances, but we will provide the necessary guidance and ensure that the local chairpersons remain working with the necessary guidance. We will provide that early next week.

Secondly, on the failure to pay ex gratia and allowances of our local councillors, it is true that since 2021, we have had a big increase

in the number of councillors mainly because of the administrative units which had been created but not operationalised and the formula for the election of councillors in the Local Government Act, which is based on the population figures of the local governments. For example, in Wakiso District, I think in the last term, we had around 60 councillors but we now have 107 councillors.

Unfortunately, this increase has not been matched with an increase in the budget to pay the councillors allowances, especially those from the new administrative units that have not been paid since they assumed office in May 2021. We have carried out some inquiries and we are compiling the information so that we are able to state clearly, for each district, how much we owe the councillors in terms of arrears. Payment of councillors' and chairpersons' ex gratia allowances is a statutory obligation on Government and we must do it.

Therefore, we shall provide the necessary budget and support so that the Ministry of Finance, Planning and Economic Development originates a supplementary budget to make sure that this obligation is met.

The third one was on the return of funds to the Treasury. Under the Public Finance Management Act, Section 26, "Any balance of funds withdrawn from the Consolidated Fund and not utilised by any Local Government at the end of the financial year, must be returned to Treasury." It is known that if the money has been committed and that information has been given to the Treasury by the accounting officer, that money should be re-voted to the Local Government.

There are two scenarios this financial year or what happened at the end of June. One was late release of funds to the local governments. Some money was released in mid-June and it was virtually impossible for the districts to carry out procurement. It was also difficult to do recruitment. So, this money had to be returned to the Treasury.

Also, there was the issue of failure or delay to clear the request for recruitment by the Ministry of Public Service to the District Service Commission. Therefore, do not be surprised if you see a lot of money under the Wage Bill returned to the Treasury from your districts. The proposed way forward for this is one, we agreed with the Ministry of Finance, Planning and Economic Development that any release of funds to the local government should be done at the beginning of the quarter, not at the end. We need to follow this up so that we do not make life hard for the local governments. You release money in mid-June and you expect, in two weeks, for the district to have advertised and got a tender. It does not work.

The second one was the issue of re-voting funds to the local governments. The Cabinet position on the guidance of the President is that by August, the money, which is committed for service delivery, in order not to deny services to the people, must be re-voted to these local governments. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. That is very clear. Supplementary questions are not provided for under this time. Honourable colleagues, we are in Prime Minister's time. Rt Hon. Prime Minister, you wanted to –

4.29

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, I want to remind my sister that last year, the same question was raised in this House. The Minister of Gender, Labour and Social Development together with the Electoral Commission had planned these elections last year. This same House had allocated very little money for this exercise. This year, in the many meetings I have had with the President –(Laughter)- The money to conduct elections for LC 1 and LC II elections is not in the budget – (Interruption)

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, there is a point of order, you can guess from whom. (Laughter) Hon. Ssemujju, you are the one on the Floor. Do not mind, the Prime Minister is not on record.

MR SSEMUJJU: Even if she was on record, my judgement is known. However, the point of order I am raising, Mr Speaker, is that Parliament does not allocate money. There is nowhere in the Constitution or in the Public Finance Management Act that - Parliament only approves. We have often been accused of not giving out this money.

Is the Prime Minister in order, even if she is just two years in that office, not to know that Parliament simply approves and she accuses Parliament of not allocating money, a function that is done by Government, even if she did not attend orientation?

THE DEPUTY SPEAKER: Honourable, you had questions and turned them into a quarrel. Honourable colleagues, it is a shared responsibility for all of us. If money is not in the budget and we want a ministry to go and implement - Did we ask the harder questions when we were doing appropriation? Did we insist that it must be in? It is a shared responsibility and government works together.

Parliament is not different from government; we are all Arms of one body; so, let us work together and stop accusing each other, especially on such matters of appropriation. Therefore, the Prime Minister should not accuse Parliament and Hon. Ssemujju should not accuse the Government.

MS NABBANJA: Mr Speaker, it is known that for my brother, whenever he talks about the Prime Minister, he feels very good. (Laughter) I enjoy -

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, continue and conclude.

MS NABBANJA: Mr Speaker, we require Shs 59 billion to conduct LC and women council elections, which money we do not have in the budget. We had a high-level political meeting where the President requested that team, where I am, to come up with guidelines on how to help operationalise those in office - we extend their term of office. We have no alternative.

THE DEPUTY SPEAKER: Thank you. They will end up coming here. Let us wait patiently and see – honourable members, it is a minute each on this oral answer because I want to pick many of you.

4.33

MR HENRY NKWASIIBWE (NRM, Ruhaama County, Ntungamo): Thank you, Mr Speaker. I rise on a matter of national importance –

THE DEPUTY SPEAKER: No. Ask a question to the Prime Minister straight away.

MR NKWASIIBWE: Rt Hon. Prime Minister, in my constituency, there is a place called Kijojo through which Ntungamo-Mirama Hills Road passes. Whenever it rains, water flows directly from the hills and cuts off the road. Currently, there are piles of soil in the middle of the road due to blockage of the culverts. This is leading to accidents.

In fact, one of the victims of such accidents is Stephen Kamugisha, who is currently admitted at Mulago National Referral Hospital.

While in attendance of the roads committee meeting in Ntungamo District Headquarters, I reported the matter to UNRA Kabale regional office, but nothing has been done. I also notified you, Mr Speaker, about the same – *(Member timed out)*

THE DEPUTY SPEAKER: Honourable member, do you see the problem? You have made the story longer. The question should be: Rt Hon. Prime Minister, when are you addressing this issue? Can you ask the question?

MR NKWASIIBWE: My prayer is that the Government intervenes and clears the road such that accidents do not occur again.

MS NABBANJA: Mr Speaker, the issue he is raising is pertinent. It is also happening on major roads across the country. We had a meeting this morning with Hon. Katumba Wamala and the stakeholders – the UNRA Executive Director and the Ministry of Finance, Planning and

Economic Development.

We have agreed that UNRA should make sure that all the roads that are in the state which he has mentioned – it is not only Mirama Hills Road, but almost across the country. We have agreed that these roads be maintained. It is a directive from the President and we are going to implement it, starting with Mirama Hills Road.

THE DEPUTY SPEAKER: Thank you. Honourable members, I am starting with Members who registered matters of national importance. I promised them.

4.36

MR DAVID ISABIRYE (FDC, Jinja North Division, Jinja City): Thank you, Mr Speaker. I would like to bring to your attention that hardly a day goes by without a major insecurity incident in my constituency. They are killing people in the areas of Bugembe, Budhumbuli, Wanyange, Buwekula and Mafubira, among others.

Panga-wielding gangs have been attacking residents since last September, killing and injuring many. Notable among them were: Chief Rogers Wangabo, a journalist and son to the Information Minister of *Obwa Kyabazinga Bwa Busoga*, who was killed on the 19th of June; Prossy Nyanga, a weightlifter, who was killed on the 5th of January; Nathan Ntare and Nathan Bogere – *(Member timed out.)*

THE DEPUTY SPEAKER: I told you to ask a question, but you went into a story.

MS NABBANJA: The question is clear. You made your point and you have an able Prime Minister in front of you. *(Laughter)*

Mr Speaker, now that I can see the general here, let him come and answer on my behalf.

THE DEPUTY SPEAKER: A Prime Minister who is able can even summon or delegate a General. *(Laughter)*

4.38

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Mr Speaker, through the Leader of Government Business, I would like to report that, indeed, what he is saying is true. We have already picked it in our intel and appropriate action will be taken. We shall report back on the action taken.

THE DEPUTY SPEAKER: Honourable minister, it is very important to work closely with the leaders because they face many questions. You need to involve Hon. Aga and leaders from Jinja in community mobilisation, not investigations only.

GEN. MUHOOZI: Thank you, Mr Speaker.

4.38

MR CHRISTOPHER KOMAKECH (Independent, Aruu County, Pader): Thank you, Mr Speaker. Rt Hon. Prime Minister, Pader District was born in 2001 and put on the Uganda Land Information System. In 2016, the district mysteriously disappeared from the system. Right now, infrastructure cannot be erected because the owners that want to develop them cannot access land titles.

However, it is very disturbing that in 2016, Aswa Ranch was given to particular individuals, with land certificates. Right now, should Komakech, Ajok or Okot want to develop land, including where the district seats, we do not have land titles. Can we get back onto the system?

MS NABBANJA: Mr Speaker, the Member has come up with a very good question. I request that you allow me to come here after thorough research and give him an accurate answer.

4.40

MR HERBERT ARIKO (NRM, Soroti East Division, Soroti City): Thank you, Mr Speaker. I would like to know if the Rt Hon. Prime Minister is aware that Bukedea, Kumi, Soroti City, Soroti District and all the areas around receive power supply, basically, for three days a week – that is, Tuesday, Wednesday and

Thursday. The other days, there is no power. This affects productivity as well as businesses of the local people.

Is there anything the Rt Hon. Prime Minister is going to do in order to address the problem of perennial lack of power supply in our region? I thank you.

MS NABBANJA: Mr Speaker, I will get in touch with the Member and find out which company was hired by the Government to supply those areas. If it is Umeme, UEDCL or any other, we will sit in a meeting. I request that he attends this meeting so that we have this problem solved once and for all.

4.41

MR ELISA RUTAHIGWA (NRM, Rukungiri Municipality, Rukungiri): Thank you, Mr Speaker. Rt Hon. Prime Minister, my issue is on the regularisation of employment documents. As of now, many government employees have to travel from districts to the line ministries' permanent secretaries to ask for regularisation.

When you reach the ministry, for example the Ministry of Education, they will ask you for a record of payment. You go to the Accountant-General and you cannot get anything because, before 1994, they had not computerised. So, there is no such information.

My question is; why can't this regularisation be done at the district level because the staff or the government employees travel from the district – *(Member timed out.)*

MS NABBANJA: Honourable colleagues, I want you to remember that last year, this House sanctioned an audit on payrolls. The Office of the Auditor-General has been going around the country to regularise, and remove these ghost workers they have been talking about from our payrolls. That requires people to be present personally.

If there are other issues that have come because of that action, I request those members to report to the districts or to their CAOs because

we have had regular meetings with the Chief Administrative Officers (CAO), the Ministry of Trade, the Ministry of Local Government, and many other ministries.

I request the Member to put it in writing so that next week, I come here with an authentic answer. *(Interruption)*

MR SEKABIRA: Thank you, Mr Speaker. In your communication on Tuesday, you guided that the Prime Minister will give guidelines to the country on the issue of DNA tests. Wouldn't it be procedurally right for the Prime Minister to do the same? Thank you.

THE DEPUTY SPEAKER: It can be done but not under the Prime Minister's Time.

4.44

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you, Mr Speaker. Yesterday, I drove on the northern bypass - right now it is under construction, and we have a contractor in place. Of late, it is becoming insecure and there are several accidents. Could we please know when the contractor is going to urgently put safety triangular lights and reflectors so that the on-going accidents can be reduced?

Secondly, can we get to know when we shall have the general road inspection reports that are supposed to be got annually for the safety of Ugandans? I thank you.

MS NABANJJA: Mr Speaker, we handled that matter today in the other meeting I told you about. The procurement process is complete. The contractor has been given the work and he is currently mobilising. The lighting is part of the contract.

THE DEPUTY SPEAKER: I think Hon. Naluyima they have given you beyond what you asked for – *(Laughter)*

4.45

MR TOM ALERO (NRM, West Moyo County, Moyo): Thank you very much, Mr Speaker. Rt Hon. Prime Minister, on 26 June

2023, a bus travelling from Moyo to Kampala rammed into seven elephants thereby injuring a number of people. In a similar vein, an accident happened last year where 10 people died because of the issue related to elephants.

As I speak, elephants are terrorising the people of Dufile Sub-county in Moyo District where they are destroying houses and crops and displacing the people. May I know from you, Hon. Prime Minister, when electric fencing will commence? Thank you.

MS NABANJJA: Mr Speaker and colleagues, I want to condole with the families and also request the Minister of Tourism, Wild-life and Antiquities – this man here – to see what to do with your elephants.

4.46

THE MINISTER OF STATE FOR TOURISM, WILDLIFE AND ANTIQUITIES (Mr Martin Mugarra): Thank you, Mr Speaker. Indeed, I agree, it was unfortunate, but the bus rammed into one elephant, not seven – otherwise, that would be – but currently, we are procuring materials for electric fencing. We will cover 100 kilometres in that area. The electrical materials (poles) have already been secured for Murchison Falls and are currently at the airport.

Secondly, a week ago, His Excellency passed out rangers, we trained an additional 855. We will be deploying 110 in those areas to help to mitigate these challenges.

4.47

MR PETER OKEYOH (NRM, Bukooli Island County, Namayingo): Thank you, Mr Speaker. Rt Hon. Prime Minister, the Opposition in Kenya has called for a demonstration beginning tomorrow, the popular *saba-saba*. Well aware that Kenya is our gateway to the coast, how prepared are we as a country in terms of fuel reserves and our businessmen who still have their goods in transit?

MS NABANJJA: Mr Speaker and colleagues, bearing in mind the diplomatic relations we have with our sister country, I want to allay

the fears of our brother that this country has leadership and we are in charge of this government. Be assured that we have fuel in the reserves and that it will continue to come even through Tanzania. We are very safe.

4.49

DR ABED BWANIKA (NUP, Kimaanya-Kabonera Division, Masaka): Thank you, Mr Speaker. Two months ago, we requested the Office of the Prime Minister for support for Kiziba Ward in Masaka City including *mabaati* (Iron sheets). We want to know, Mr Speaker, when are we receiving support after the disaster because we sent in our letter two months ago?

MS NABANJJA: Mr Speaker and colleagues, you are aware that during these two months, the Office of the Prime Minister and the stores were going through investigations. Those investigations were concluded recently and now we are ready to give *mabaati* through the Ministry of Relief, Disaster Preparedness and Refugees. The minister is here and she can attest to that; we are going to give you *Mabaati*. [Hon. Ssasaga rose]

THE DEPUTY SPEAKER: Hon. Ssasaga, under Prime Minister's Time, procedure is clearly defined under rule 41 and I do not see anything wrong with that.

4.50

MR ISAIAS SSASAGA (FDC, Budadiri County East, Sironko): Rt Hon. Prime Minister, Budadiri East has 18 sub counties and four town councils. All of them are on the steep slopes of Mount Elgon. During the last rainy season, the road network was destroyed. The rains have begun, and the Shs 1 billion allocated to Sironko District is a drop in the sea.

What special plans does Government have to fix the infrastructure network including the tourism ladders in Budadiri East to the slope of Mount Elgon?

MS NABBANJA: Mr Speaker and colleagues, Sironko is one of those districts that the Office

of the Prime Minister has earmarked to help the citizens – let me give him – he knows that that programme is on-going. We started with Bududa to relocate especially those people who are in dangerous enclaves.

The Government of Uganda provided Shs 57 billion and our partner, the NGO called GiveDirectly also gave us Shs 7 million. We are also going to relocate some of those people who are in dangerous enclaves to Bunamutye, the government land and provide them with some land together with that money for them to construct the structures. GiveDirectly has started paying. We also start payment next week.

In terms of roads and other infrastructure, we are aware that some of the roads are trunk roads - those that are under the responsibility of the Ministry of Works and Transport and UNRA. We also have those that are under the responsibility of the districts, called feeder roads. Those under the districts - if you find you cannot manage, we have a window through the Ministry of Works and Transport, where you can apply and we give you some emergency funding to work on those roads under the Contingency Fund. Thank you.

4.52

MS FLORENCE KABUGHO (FDC, Woman Representative, Kasese): Thank you, Mr Speaker. Madam Prime Minister, the people of Kasenyi fishing village, like in Katwe Subcounty, Kasese District have been displaced by the increased volume in Lake George. The area is located in Queen Elizabeth National Park, about 26 kilometres away from the other community. They do not have any support like food and other non-food items. Rt Hon. Prime Minister, when are you coming to support these people with these items? Thank you.

MS NABBANJA: Mr Speaker and colleagues, we have come up with guidelines on how to handle relief items, including non-food items and food. Can I request the Member to liaise with the District Disaster Committee through the CAO and write a report? We shall handle, Members, and we have been handling them.

On relocating the people, the Office of the Prime Minister, in Financial Year 2021/2022, bought land in Kasese. That land was disputed and they petitioned the IGG's Office. The IGG has cleared and we can now get some of those people who are distressed to that piece of land.

4.54

MS FLAVIA NABAGABE (NUP, Woman Representative, Kassanda): Thank you, Mr Speaker. Rt Hon. Prime Minister, Kassanda Health Centre IV is sicker than the patients there. We do not have an ambulance and have a general ward that suffocates both men, women and children, with very tiny cubicles. We do not have enough blood and we have low staffing levels. My question is, can the Prime Minister provide:

- (i) An ambulance for Kassanda Health Centre;
- (ii) A bigger solar system for the health centre because currently, midwives are using torches for delivering babies;
- (iii) Funds to build a general ward that separates men from women and children; and
- (iv) Can more blood be added because more women in Kassanda die while giving birth because they do not have blood?

Thank you very much.

MS NABBANJA: Mr Speaker and colleagues, I have been to Kassanda Health Centre. The hospital is not sick and it cannot be sick. I will send the Ministry of Health officials to assess the situation and come up with workable solutions to those issues she has **come up with**. **Thank you**

THE DEPUTY SPEAKER: Honourable colleagues, I found very many pending issues at the Office of the Speaker, which had been submitted and some that you brought. So, all those issues that were captured as matters of national importance and had not been given a chance are the ones I am clearing. That is why I am following this list.

4.56

MS JOAN ALOBO (FDC, Woman Representative, Soroti City): Thank you, Mr Speaker. Ten months ago, I raised the issue of the Soroti General Referral Hospital Maternity Ward, where there were no delivery beds and the beds that are there are in a dire state, and in the operating theatre, there are no extra lights that are used during operation. Doctors are actually using torches to supplement the lighting there. Even the beds, out of four members that can be operated at the same time, we can only operate two. There are even no curtains to divide the rooms for the two patients. Can I hear from the Rt Hon Prime Minister again, today, about what move you will give to us? Patients are delivering on the floor because of a lack of delivery beds. Thank you.

MS NABBANJA: Mr Speaker and colleagues, before becoming Prime Minister, I was a minister of health in charge of general duties and I went to that hospital four times. So, I know what is in Soroti. I know that the structures need to be revamped. In fact, we want to give you affirmative action for that hospital.

However, I was in the theatre; Soroti Hospital can operate four mothers at the same time. The theatre is big enough to do that work. However, if the rate of delivery in Soroti has gone up, we can look for a way of adding more.

4.58

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Mr Speaker. Rt Hon. Prime Minister, Malaba is the gateway to Uganda. When you go to Malaba today, you have literally nowhere to pass if you are driving a car. This is a two-lane road that you find one lane occupied by vehicles heading towards Kenya and because of the border, they have to go through a process before they cross, people have literally nowhere to pass because you are left with one lane. I was there physically and had a problem going from Malaba to Tororo.

I remember the President directed that the Ministry of Works and Transport, since there are no funds to construct four lanes for now, at least temporarily creates a separate marram

lane for these trucks so that they can park there. So, Rt Hon. Prime Minister - what is Government doing to resolve this challenge?

MS NABBANJA: Mr Speaker and colleagues, you will recall that sometime back, Hon. Angura came here and said that he wanted us to stop the vehicles going to Kenya that were being diverted through Lwakhakha. So, we went by his advice and now you see the effect? Yes, that is the effect-

THE DEPUTY SPEAKER: Under Rule 41, we do not have that -

MS NABBANJA: Honourable members, sometimes we bring suggestions that come with negative effects. I request that you give me time because such questions require us to come here with comprehensive answers, which are well thought out. So, I will request the Minister of Works to come here with a comprehensive answer to that. Thank you.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, we can capture it in your answers next week on Thursday.

5.00

MS CECILIA OGWAL (FDC, Woman Representative, Dokolo): Thank you, Mr Speaker. I would like to know from my dear sister, the Prime Minister, whether she is aware that the Uganda National Examinations Board, the agency that normally registers our students for exams, is currently charging exorbitant fees for late registration.

I would like to know from the Prime Minister whether she is aware of the exorbitant amount being charged to students, particularly from our area and you know, our area is still bracketed as the region that is below poverty levels. So, how do you allow those children to be assessed in the same way as children from other regions and be able to benefit from the examination, which is due shortly?

THE DEPUTY SPEAKER: Rt Hon. Prime Minister?

MS NABBANJA: Mr Speaker, there is something I forgot to tell my sister. Before I answer, I have a lot of respect for my senior colleague.

My dear sister, you know that Government has started working on the SGR and that will help us to reduce on the traffic because most of the cargo will come by railway. When we complete the SGR, that problem will be no more.

Hon. Cecilia Ogwal, I am not aware. Now that I have the Minister of Education, allow him to give a concrete answer.

THE DEPUTY SPEAKER: Honourable Minister?

5.02

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Thank you, Mr Speaker. Hon. Ogwal, the Executive Secretary of UNEB is from our area and when I talk about our area, I mean Lango.

Two, the question of the rates is one I want to be specific on. Allow me to bring a statement here to confirm how much is charged but I think the fee is the same across the country.

THE DEPUTY SPEAKER: On Tuesday, honourable minister.

5.03

MS VERONICA NANYONDO (NUP, Woman Representative, Bukomansimbi): Thank you, Mr Speaker. Rt Hon. Prime Minister, we thank government for the free education. However, I want to bring it to your attention that most Government primary schools are in a sorry state. For example, Kisojo Primary School in Butayunja, Buwenda is without a toilet and the children are studying under trees.

Mr Speaker, people think that education is free because that is what Government says. I would like you to clarify on what parents are supposed to do. They are not buying books,

paying for lunch or paying school fees because Government says education is free.

Secondly, I would like the Government to increase the money that they send to Government primary schools because the money is very little. Head teachers cannot afford lunch. For example, we were in Busia at a primary school and the teacher - (*Member timed out.*)

THE DEPUTY SPEAKER: Rt Hon. Prime Minister.

MS NABBANJA: Mr Speaker, Cabinet came up with a solution to help our children from poor backgrounds. You will realise that the school dropout rate in this country is so high and this is caused by the charges in schools. We came up with a solution and this solution requires me to come here with a comprehensive answer so that Members can also support because it requires money.

My sister, regarding the latrines that are getting filled up, government has been sending money to districts under SFG. So really, out of the money that we send, a district - I will also come with a record of all this money here and give you an accurate answer.

The districts are supposed to use this money to work on things like if a latrine has filled up or desks have been destroyed, and many other things. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Leader of the Opposition?

5.06

MR JOHN BAPTIST NAMBESHE (NUP, Manjiya County, Bududa): Thank you, Mr Speaker. I am only going to make comments on about four or five questions.

Madam Prime Minister, the Masaka Industrial Skilling Centre has serious issues. As we talk, popular community participation is lacking in every aspect. Government has avoided the participation of stakeholders; the leadership. The selection of participants is skewed in favour of NRM cadres and it is done directly

by the RDCs. I am just being a whistleblower. Madam Prime Minister, you better intervene because RDCs are the ones recruiting participants literally.

The second one was raised by Hon. Oguzu Lee on the Uganda Inter-Governmental Fiscal Transfers. This is a very important programme but the challenge that we have - Even your response is shy of expounding on what is causing or rather what we could attribute the delays of works to.

I suppose you are paying attention to the response. This programme is supposed to improve fiscal management of resources by local Governments, not only in the education sector but also in the health sector. Your response is only making mention of the education sector, not knowing that the challenges that are caused by delays of works have resulted in serious contingency liabilities, even loss of lives and the serious service delivery concerns.

I think I should combine this response with what Hon. Magyezi responded to. You dispensed justice to your questions but the one-million-dollar question about these unspent balances, which are even generated by Uganda Inter-Governmental Fiscal Transfers is, even when they are returned to the Consolidated Fund as per the law, why is it that they are never ever reflected anywhere in our books of accounts?

When will the re-voting ever occur in time? There are commitments that are made but the re-voting is never done in good time - (*Interjection*)- Yes, there is a concern, for instance, in Maracha where works have stalled. A number of these contractors have been fully paid but they have mysteriously disappeared. Those that are there are very thin on the ground. So, your investigative machinery must be deployed.

Lastly, Mr Speaker, there is this standoff between Uganda and Sudan. I read a newspaper article this morning online, The East African, and it said that 120 tonnes of Uganda's harmful maize was blocked. Look it up. You know the disastrous effects of such a statement.

They claim that this maize has aflatoxins and this is not the first time we have had the alleged quality concerns over our maize. We have had these quality concerns in Kenya, Tanzania – and I suppose even in Rwanda. One of the multiple reasons for closing the Rwandan border could have been because of that. Someone who is patriotic, like I am, is not only dismayed, but allowed the latitude to think aloud: is Uganda a victim of a conspiracy?

If Kenya, after signing all the protocols to allow free movement of goods and even when the Uganda Bureau of Standards at that time, facilitated by the Ministry of Trade, Industry and Cooperatives, conducted a confirmatory laboratory test on our maize and found it fit for human consumption - Now, over 120 tonnes have been impounded in South Sudan over similar claims. What could be happening to Uganda? Are they conspiring against Uganda because of the NRM overstaying in power? *(Laughter)* One would be asking such questions.

As I conclude, Mr Speaker, allow me some fertility in my imagination. Madam Prime Minister, the relocation and eventual resettlement of our people who are in these disaster-prone districts is good. The motive is laudable, but the implementation strategy has serious issues of concern.

If we talk about GiveDirectly - this is my last comment. GiveDirectly is a charity organisation and has virtually no business with the Office of the Prime Minister, even if you are the one who lobbied for it. I have directly interacted with them, other leaders and Members of Parliament from these regions – both Sebei and Bugisu. The Shs 7 million money that they are giving has no conditionalities. It is free money to them because these are the poorest of the poor. They are at liberty to use that money to address their household needs, including *–(Interjection)–* yes, of course and even others, but I do not want to go there.

The ministry should come out and spell out what you are giving in substitution to what

these people are leaving behind for massive planting of trees. Short of that, I see lots of sharp disagreements with the people that you have identified for relocation. Thank you very much, Mr Speaker.

THE DEPUTY SPEAKER: Now, let me do the unusual because, you see, the rules say that the Leader of the Opposition may comment or reply - it denies the Prime Minister a chance to reply. That is why the rules allow the Prime Minister to make a statement. So, in the next session, the Prime Minister would ordinarily start with clarification over what happened, probably, the other time.

Also, the Leader of the Opposition is also not allowed to ask questions when he is making this reply under Rule 41 of our Rules of Procedure.

Nonetheless, honourable colleagues, you have seen - and I am really impressed - how you can use one minute to ask a question and get an answer. Now, that helps us to pick more of you. However, if one Member wants to use three minutes to ask a question, then, that means we are going to pick just a few people. So, we shall try to use very little time for you to ask very sharp questions so that you get very sharp answers.

Rt Hon. Prime Minister, I have seen that you were very concerned. It seems there is clarification you wanted to make. Please, make it and then we go to the next item.

MS NABBANJA: Thank you, Mr Speaker. This is a rare chance. The Leader of the Opposition said that we are not involving leaders in the selection of our children who are going to be skilled. When we were in Masaka with the President, I saw many leaders from the Opposition, including Hon. Kagabo. He was even very happy. *(Laughter)*

The other day, I saw my brother, Hon. Gilbert Olanya, very happy. In fact, he was just chest-thumping that this time round, the Government had come up with a very good solution for this country.

The Member needs to know what the Government has done. Whether you are a Member of the Opposition or the NRM, you need to go to the skilling centre because it is for all of us, Ugandans. It will enable you to appreciate it. The members of the communities, who are at that skilling centre, are from all walks of life – and the country is appreciative.

Then, he also talked about the issue of GiveDirectly. We have a memorandum of understanding and we came up with guidelines and the Member is aware of that. The members of the community are going to follow those guidelines. One of the guidelines is clear: you get Shs 7 million and prepare yourself, the Government gives you Shs 10 million, after two or three months, and you are relocated to another area where you will put up a habitable house, other than looking at you dying because of landslides. I am happy that he appreciated that.

The members of the community in Teso subregion, where we are going to give you support - this is just support. GiveDirectly is an NGO that was brought by the Government. He is aware of that because we were together at a function. So, the minister - he has gone out. I request that I come here to give a statement on the same at an appropriate time.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, I propose that since this is an issue that affects a certain region or subregion, you could meet the leaders of that area.

MS NABBANJA: We have met. I have met them I do not know how many times -

THE DEPUTY SPEAKER: I do not know what the statement is going to clarify beyond what you can exchange in a meeting. However, you are allowed, any time, Rt Hon. Prime Minister. As long as you have government business, by law, we give it priority. Thank you.

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

THE DEPUTY SPEAKER: Thank you. Committee chairperson, like we have been doing, the report takes 15 minutes so that we have around 30 minutes of debate and we handle the other report as well. The *Hansard* should capture the full report because the committee chairperson will just read a summary.

(The report is hereby attached.)

5.20

THE CHAIRPERSON, COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) (Mr Joel Ssenyonyi): Thank you, Mr Speaker. I beg to lay on Table the report of the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises (COSASE)) on the report of the Auditor-General on the financial statements of National Water and Sewerage Corporation for the Financial Year ended 30 June 2022 – and other matters.

I beg to lay the report and the attendant minutes thereof.

Like we did yesterday, for want of time, I will skip the introduction, background, methodology and right away go to the findings, observations and recommendations.

1. Implementation of IFRS 9, Financial Instruments (Financial Asset Receivable)

The financial statements under Note 28 of the financial statements include a Financial Asset in the form of Trade Receivables. Management estimated the fair value of the net financial asset receivable to be Shs 159.87 billion as at

30 June 2022. However, the Auditor-General was not provided with a periodic assessment and documentation of the risk and parameters leading to the expected trade loss of Shs 8.47 billion as required under IFRS 9.

Observation

The committee observed that while the National Water and Sewerage Corporation (NWSC) had prepared the relevant documentation, there was no formal document that had been approved by the management structures of the corporation.

The committee recommends that the Accounting Officer should ensure that the FS 9 accounting standard is incorporated in the finance manual and be approved by the board within six months from the date of adoption of this report, and be regularly updated.

2. Implementation of New IFRS 16 Leasing and Subsequent Amendment on Rent Concessions (2022)

It was noted that NWSC leased vehicles, offices and land under operating lease contracts whose terms were more than 12 months. In the above regard, under note 26 of financial statements, NWSC recognised an Operating Lease, Right to Use Non-Current Asset of Shs 5.7 billion and Operating Lease Liabilities of Shs 4.09 billion.

I want to run to the observations, Mr Speaker.

The accounting standard was introduced in 2019, and there is a need for training of the staff to appreciate it.

As a committee, we recommend that:

- (i) The Accounting Officer undertakes training of staff as regards the new accounting standards;
- (ii) Have the standard approved by the board and incorporated into the finance manual;
- (iii) Conduct annually comprehensive and authorised IFRS 16 models to enable determination of specific amounts for

recognition in the financial statements and disclosure thereto.

3. Land Matters

Included in the financial statements are Shs 180.4 billion (Freehold land) and Shs 4 billion (Leasehold land) respectively.

The following matters were noted with regard to land:

- i) Land with expired leases;
- ii) Some land titles were yet to be transferred into the name of NWSC;
- iii) Some land hosting NWSC infrastructure is still owned by other Government sister agencies without vesting Memorandums of Understanding (MOU);
- iv) Land and water infrastructure transferred to NWSC with ownership contestations and some encroached upon.

Observations

The Committee observes that:

- (i) The Accounting Officer should expedite the process of securing the interests of the corporation relating to its land;
- (ii) The absence of a Land Management Committee increases risks and instances of insider dealing.

We recommend that:

- (i) The Accounting Officer expedites the efforts to title all NWSC land;
- (ii) The Accounting Officer should establish a land management Committee composed of senior management within three months from the date of adoption of this report.

4. Financial Data Incident

During the year under audit on 18 August 2022, the company became aware of an incident affecting the ICT servers used to maintain

financial records and other critical systems. The incident resulted in loss of all financial data to the date of the incident. There was no up-to-date backup system.

The internal investigation report to establish the cause of the incident has not yet been issued. Management contracted an accounting systems consultant to work with the organisation's IT team to reconstruct the data based on available information before the data loss and back-up up to 30 April 2022.

The Accounting Officer told the committee that on the 19th of August, there was a ransomware attack on the servers of NWSC, which encrypted nearly all the systems, preventing them from working. He said the data had been backed up, but this did not include the last two months of the financial year.

The data was reconstructed because the systems were internally created, but what was recovered was not exactly what was there before, and there was need for reconciliation. Some IT systems were completely destroyed and the automatic relay system of billing was temporarily removed.

The Accounting Officer told the committee that the system was eventually restored, and a forensic report was being worked on. There was high suspicion that the matter internally generated and appropriate human resource action was undertaken according to the Accounting Officer. The flaws in the ICT systems were also corrected. He said that the forensic report on the matter was strictly confidential.

Seventeen servers in total were targeted, and two staff of NWSC indicated that they would decrypt the servers at a fee of \$17,000 per server, making the total \$289,000, that is slightly over Shs 1 billion. At this point the rest of the data was backed up on the cloud.

The contracts of two staff members - these two who said they could decrypt the system because they were eventually suspected of having been the ones to cause this – their contracts were

terminated. One other staff member that was meant to provide security to the system was reprimanded for negligence, and transferred to another department.

Observations

The committee observes that:

- (i) The Information Technology Equipment for NWSC was hacked into leading to the interruption of the corporation's work, and loss of data, which was needed at the time of the audit;
- (ii) There was no evidence that the termination of the staff thought to have been culpable followed due process, which may expose the corporation to lawsuits and potentially lead to loss of revenue.

The committee recommends that:

- i. The Accounting Officer should provide the recovered data to the Auditor-General for audit in the next audit year. Because this data was not availed to the Auditor-General, why? Because it had disappeared and so, we said it ought to be availed to the Auditor-General now that they said they recovered it, so that we are sure nothing is being hidden;
- ii. The Accounting Officer should put in place measures to deter the reoccurrence of similar acts in future, including online real-time off site backups;
- iii. The Accounting Officer should put in place measures to ensure due process for all staff before their services are terminated to avoid legal liability.

5. Other Matters

5.1 Trade and other Receivables to the tune of Shs 212 billion.

The Committee noted that the trade and other receivables in the financial statements stood at Shs 212 billion as at 30 June 2022.

The Accounting Officer submitted that these had increased generally and noted that there were various categories of debtors. Water for commercial purposes had an outstanding amount of Shs 29 billion; domestic purposes was Shs 63 billion; embassies Shs 219 million; industrial purposes Shs 1.6 billion and Ministries, Departments and Agencies (MDAs) Shs 70.6 billion. He submitted that the bills for MDAs were particularly worrying because, while for other debtors, the money owed was for an average of three months, the average time for MDAs was 13.5 months; that is over a year.

We provide a table there showing how much each of these different entities owes National Water and Sewerage Corporation. I will just highlight some of the outstanding ones. Other hospitals, aside from Mulago National Referral Hospital, that is Shs 6.9 billion which they owe in water bills; Ministry of Defence – Shs 27.4 billion; Mulago National Referral Hospital – Shs 1.96 billion; Uganda Prisons – Shs 11.8 billion; Uganda Police Service which is second to Ministry of Defence – Shs 23.3 billion.

The Accounting Officer submitted that the average billing was about Shs 5 billion per month for MDAs.

Mr Speaker, allow me to skip this and go to the observations.

The committee observes that the failure by MDAs to pay their water bills affects the corporation's operations, and makes it difficult for the corporation to clear its obligations.

Additionally, paying VAT on accrual basis severely affects the cash flow of the corporation, especially where MDAs with huge bills do not pay on time.

The committee recommends that:

- (i) The Accounting Officers for all the MDAs with arrears in conjunction with the Ministry of Finance, Planning and Economic Development should settle all outstanding arrears within six months from the date of the adoption of this report.

- (ii) The Ministry of Finance, Planning and Economic Development should ring-fence funds to pay the utilities of all MDAs, to avoid the accumulation of arrears.

Creditors

The committee noted that National Water and Sewerage Corporation owes its creditors Shs 184 billion. The accounting officer submitted that Shs 18 billion (10 per cent) of the debts were within a credit period of 60 days, while those amounting to Shs 166 billion were over 60 days. The credit period of NWSC is 60 days. The committee was further informed that debts amounting to Shs 63 billion relate to the SCAP 100 project (which aims to extend water to the entire country). The costs of the project are shared between NWSC (60 per cent) and Government of Uganda (40 per cent). Whereas the Government of Uganda budget on the project in Financial Year 2022/2023 Shs 55 billion, as of December 2022, only Shs 10 billion had been released, leaving a deficit of Shs 45 billion.

He also explained that the aftermath of COVID-19 where water was not being paid for by some sections of the population was a challenge, and that as a result, some consumers were not paying as well as they should.

The committee observes that the failure of Government to honour its co-funding obligations impairs the ability of the corporation to settle its obligations as well as cater for its operations.

We recommend that the Ministry of Finance, Planning and Economic Development allocates the balance of unreleased funds for all co-funded projects to the corporation to enable it clear its obligations.

Complaints of inflated water bills

The committee got complaints from members of the general public about inflated costs. The complaints were that NWSC estimates their bills and charges exorbitantly without proper justification, saying that in some months, the water bills are extremely high yet there has

been no charge in the amounts of water they consume.

The accounting officer informed the committee that they too have got similar complaints from the public over time, but said they had not detected any wrongdoing on their part, and that some of the high bills could be as a result of pipe leakages. He however, indicated that the corporation was embarking on internal investigations to be sure there are no mistakes or wrongdoing by their staff in this respect.

We observe that complaints of inflated water bills affect the willingness of the public to pay and they also taint the image of the corporation.

The committee recommends that NWSC expedites the process of investigating the public complaints and sorts them out with immediacy and provide a report on the same to Parliament within six months from the adoption of this report.

Staff welfare

The committee received complaints from staff of NWSC who were disgruntled about their pay. They say the pay they get is not commensurate to the work they do. The accounting officer informed the committee that the corporation had received similar complaints from their staff, and that management was in the process of revising the salary scale of all their staff members in consultation with the board.

The committee observes that:

- (i) The improvement of staff welfare is important for the output of the corporation;
- (ii) There is an ongoing process according to the accounting officer by management to address these concerns.

The committee recommends that management expedites the process of revising the salary scale and submit a report to Parliament on the same within six months after the adoption of this report.

Conclusion

NWSC plays a vital role in the provision of water and sewerage services to Ugandans. The services offered should be satisfactory to Ugandans and at a fair price. The committee is, however, concerned about the extremely high amounts of money owed to the corporation by MDAs. If this trend continues, the work of the corporation will be severely hampered. Mr Speaker, I beg to move.

THE DEPUTY SPEAKER: Thank you, committee chairperson. This is a very clear and direct report. It is very concise. We have a very big report on KCCA, which I want us also to handle today. Let us have a short debate on this and we conclude it.

5.36

MS FAITH NAKUT (NRM, Woman Representative, Napak): Thank you, Mr Speaker. I thank the committee for a great job. I only have two issues, now that I have two minutes. Let me rush through them.

One, the committee observed that there were changes in the international financial reporting standards and the committee has pushed the burden of training on NWSC. I disagree with that because the duty of acquainting yourself with new standards is not on NWSC or the institute; it is on the Institute of Certified Public Accountants of Uganda and the individual accountants.

Now, what I get from that point seems to be that NWSC does not have a qualified accountant. If they do, then the Institute of Certified Public Accountants of Uganda should make sure that that accountant updates himself through continuous professional development, which we go through as accountants in the country. So, that burden on NWSC should be lifted.

Secondly, regarding the question of ministries and agencies owing money to NWSC, there was a time when NWSC cut off the water supply to Kiruddu Hospital. My proposal is that for services like health care and security, this Parliament should make a decision on

providing water so that the services are not interrupted because a bill has not been paid.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, we appropriate that money but because these service institutions know that they are very sensitive, they do not prioritise them when money is released. They know that if they cut off the service, say to a hospital, it is going to be war and Parliament will come in and say, “Connect them immediately”.

However, if they were making it a priority – the recommendation I have seen is that we ring-fence that money. Maybe, the ministry starts paying from the source directly to NWSC so that it can be used for development purposes. They misuse it well knowing we shall come in and intervene. That has to stop.

5.38

MS CHRISTINE APOLOT (NRM, Woman Representative, Kumi): Thank you very much, Mr Speaker. On page six, on the arrears, you will realise that it is the Ministry of Finance, Planning and Economic Development that has less to clear - Shs 0.5 million. However, the rest have very huge amounts of money, and that is the reason I support what you have said.

The President, on many occasions, has made statements indicating that water should be easily accessible. In my district of Kumi, we were given a project for Phase I and Phase II was supposed to be undertaken. As I speak, many people have closed their taps; they are no longer using the water because they complain of the high charges. Even though the report cites leakages and the rest, we need to do a lot to sensitise our people and give them more information about why that is happening. The challenges should be addressed to encourage people to pay so that they consume the water.

About the absence of the land management committee, I support that all this land should be titled because you are aware of what is happening in the country, where people are grabbing Government land. What could have been the cause, Mr Chairperson? For the board to be in place, there is a specific period of

time when it is about to expire; a new one is supposed to be put in place. What happened to NWSC that this gap continued? Possibly, it could be the reason these arrears remained in big numbers. Let us address this; water is very critical and we should encourage Ugandans to consume it. Thank you.

5.40

MS HANIFA NABUKEERA (NRM, Woman Representative, Mukono): Thank you, Mr Speaker. I thank the committee for the tremendous work they have done. My concern is about the staff that were sent away from their jobs. I want to talk about the contracts and I do not know whether the committee interested themselves in looking at the appointment letters and employment contracts between staff and National Water and Sewerage Corporation because that leads to lawsuits and costs that would be incurred by the corporation.

Secondly, before the land management committee is put in place, there has to be a legal department. When the leases expire, the legal department is mandated to renew them.

Also, about the land owned by the sister companies, did the committee interest itself in understanding whether there is a memorandum between National Water and Sewerage Corporation and the sister companies? It is very risky if we do not know the status.

Therefore, we urge National Water and Sewerage Corporation to use its legal department before the land management committee to manage the situation. Thank you.

5.42

MR MICHAEL TIMUZIGU (NRM, Kajara County, Ntungamo): Thank you, Mr Speaker. I also join colleagues to thank the committee for this report concerning issues in National Water and Sewerage Corporation.

The issue of having bills, which cannot be trusted by customers was the same problem with Umeme until they introduced the *yaka* system, which is digital. Since this corporation is not competing with any other, we might not encourage them to be proactive.

Therefore, I propose that the minister in charge should look at bringing a digital component of billing in the same organisation. Let it be that if your bill is no more, there is no water so that you can pay. That will solve the problem and we shall stop mistrusting the corporation. Thank you.

5.43

MR PETER OKOT (DP, Tochi County, Omoro): Thank you, Mr Speaker and the committee. I think this report should put our sectoral committees on notice that when MDAs and ministries present ministerial policy statements where they report the half-year financial statement, we will have to scrutinise and put them to task. That way, we will know if they are not paying as a result of money not being released to them or if it is released and they put it to different use.

Secondly, National Water and Sewerage Corporation have two ways of billing. One, if you are not careful, they can connect you but not charge you for residential use. Many people at construction time are charged under industrial use. Even when you complete, they maintain that. If you are not careful, they continue charging you and that is when you find that the bill keeps on going higher. Thank you.

THE DEPUTY SPEAKER: Honourable members, it is you to be vigilant. At construction, indeed the requirement is that you are charged commercially. When you finish construction, it is you to go to National Water and Sewerage Corporation and say, "I finished." However, if you finish and just sleep in your house, they can think you are continuing with construction so they maintain a higher charge, which is in their favour.

5.45

MR MILTON MUWUMA (NRM, Kigulu County South, Iganga): Thank you, Mr Speaker. I have to thank the committee for the report but also say that National Water and Sewerage Corporation is one of the successful corporations so far that we still pride in as a country. We need to thank them.

That said, underpayment of junior staff is true and could be the leading cause of sabotage, malice and inflation or over costing other consumers. When these staff do not get paid, they at times end up shifting the burden to the consumers.

Mr Speaker, at one time in Mukono, I saw a junior staff asking for a bribe for someone to get connected. They were saying, "After all, we are not paid. It is only our office people who are well paid. We end on these petty payments we pick from you people." They were shifting the burden to the consumers.

Therefore, I want to agree with the findings of the report that we need to urge and appeal the management of the National Water and Sewerage Corporation to look at the payments across the board, instead of underpaying the junior staff. Thank you.

5.47

MR NAOME KIBAAJU (NRM, Sheema County North, Sheema): Thank you, Mr Speaker. I thank the committee for a good report, which they have presented this evening.

I take this opportunity to mention that there is a lot of wastage out there. Recently, I went to my home and found a pipe of water running freely. I called National Water and Sewerage Corporation but they took long to respond. I did not mind because it was watering my gardens freely. I want to also appeal to them to do a better job in the future.

I also want to thank the National Water and Sewerage Corporation management because most areas are now accessing safe drinking water. They have a company, which they subcontracted and it has done a very good job in the villages. They are reaching many areas.

Therefore, as we point out the shortcomings in National Water and Sewerage Corporation, we also want to thank them very much, especially the management, for a job well done. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, allow me give you information. In 2017 when we were processing the Budget, National Water and Sewerage Corporation made a proposal in a programme called SCAP to connect 25,000 small villages because national water had been an organisation, which was being appreciated for profit making. My question was, people do not have water and you are declaring profit?

The moment you declare a profit, money goes to the Consolidated Fund and you know the principle; the moment it goes there, it loses colour. It can no longer go for water or anything else. National Water and Sewerage Corporation made a proposal that, “We need Shs 30 billion. From the money we declare as profit from our own operations, we will collect Shs 55 billion to go and connect small villages.”

That was the time we also said, “Well, you can hike the rate for town consumers to subsidise the rate for villages.” We went into serious debate but Government provided zero money after approving it. When it reached Parliament, I remember we made a decision and it came from the Committee on Natural Resources, supported by the Committee on Budget and later on by the House, that we cut money from money provided for thermal generators in Tororo to provide money to National Water and Sewerage Corporation. The programme started.

Why I brought you that information is that sometimes we are accused that Parliament tampers with the Budget. However, money for dimmed energy, which we cut, managed to kick-start a programme that has connected many villages. As Parliament, we can behave in a way that is responsible to the citizens and save them. Unfortunately, this financial year, it skipped our eye that money was removed, meaning that we are not going to continue with this SCAP programme. That is the programme where you could find National Water even deep in the villages. I hope we shall monitor it very well and see how best we can rescue that programme.

Honourable colleagues, we have another big report, which we are going to handle.

I put the question that the report of the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) (PAC – COSASE) on the report of Auditor-General on the Financial Statements of National Water and Sewerage Corporation for the financial year ended 30 June 2022 and other matters be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: The amendments were never moved to be captured. This is an issue, which the sectoral committee should be able to handle, after interacting with the Government. Honourable minister, you are required to provide a treasury memorandum within six months as provided for under the PFMA.

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

5.52

THE CHAIRPERSON, COMMITTEE ON COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES) (Mr Joel Ssenyonyi): Mr Speaker, I beg to lay on Table and present the report of the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises (PAC – COSASE) on the report of the Auditor-General on the Financial Statements of Kampala Capital City Authority for financial year ended 30 June 2022 and other matters. I beg to lay the report and attendant minutes thereof.

Mr Speaker, again, I will skip a couple of things, but I will read a bit of methodology for emphasis.

Methodology

In the consideration of the report, the committee

a) Held meetings with:

- (i) The management and staff of Kampala Capital City Authority;
- (ii) The minister of state for Kampala;
- (iii) The Lord Mayor and councillors of Kampala;
- (iv) The Ag. Secretary, Uganda Land Commission;
- (v) Ruth Kijjambu, the former Ag. Town Clerk, Kampala City Council.

Let me now move to findings, observations and recommendations

Revenue performance

Under-utilisation of warrants

Out of the total warrants of Shs 313.67 billion received during the financial year, Shs 303.11 billion was spent by the entity, resulting in an unspent balance of Shs 13.56 billion, representing an absorption level of 95.7 per cent. The unspent funds were swept back to the Consolidated Fund as required by the PFMA.

Some of the funds that were not absorbed were meant for the following activities, which were subsequently partially or not implemented at all. We have a table. Shs 1.7 billion was meant for payment of general staff salaries for health workers. Shs 3.1 billion was for the payment of salaries for secondary school teachers.

Observations

The committee observes that:

The failure to absorb funds deprives beneficiaries of the intended services;

There was no documentation to support the submission by the accounting officer that

a request for the said staff was made to the relevant authorities at the time of this audit;

There was reluctance on the part of the management of KCCA to address this matter. While the recruitment of the relevant workers ought to have taken place before June 2022, the correspondences seeking a supplementary wage provision was authored much later, in November, 2022, several months after the end of the financial year.

Recommendations

The committee recommends that:

- (i) The Accounting Officer should always make timely follow-ups on matters to ensure proper utilisation of funds budgeted for;
- (ii) KCCA management should liaise with the Ministry of Education and Sports and the Ministry of Health to expedite the recruitment of teachers and health workers in order to enhance the much-needed services in the aforementioned areas.

Implementation of outputs and activities

The Auditor-General could not assess the implementation of all the 46 outputs worth Shs 316 billion with 137 activities since they were not fully quantified. The Auditor-General was further not provided with the individual directorates' work plans to confirm the quantification of outputs.

Observations

The committee observes that failure to quantify outputs and activities implies management's weaknesses in quantifying performance, hence affecting service delivery by the entity.

Recommendation

The committee recommends that the accounting officer should ensure that detailed work plans for all directorates are in place at the start of every financial year to enable the

quantification and measurement of all outputs and to enable performance measurements.

Delivery of services from implemented activities

There is a table, Mr Speaker, that shows a couple of projects that were incomplete. Some were classroom blocks, hospitals and so on. I will not run through the table, but it shows a detailed breakdown.

General observation

The committee observes that the failure to complete the various projects satisfactorily meant that the facilities could not be utilised, but also led to the loss of time and money.

Recommendation

The committee recommends that the accounting officer should ensure the timely and satisfactory completion of all the projects within a period of three months after the adoption of this report.

The other issue is about the procurement of 39 office chairs, 14 tables and five desks and procurement of seven ambulances and five motorcycles for provision of emergency medical services contract that was awarded.

The accounting officer informed the committee that the total expenditure on furniture in the Financial Year 2021/2022 was Shs 135 million, not Shs 2.14 billion as reported and that 50, as opposed to 39 chairs, were purchased at a cost of Shs 32.5 million. These were delivered on 19 August 2022.

Regarding ambulances and motorcycles, the accounting officer submitted that the ambulances cost Shs 1.61 billion and the motorcycles cost Shs 52.5 million, bringing the total cost to Shs 1.663 billion, not Shs 3.7 billion. She further submitted that both items were part of the COVID-19 responses. The ambulances were delivered.

The Auditor-General informed the committee, through a letter, that his office asked KCCA to provide a breakdown of the figures spent on these items, but the information was not provided. The Auditor-General, therefore, captured the block figures.

The committee observes that there was a discrepancy between the figures of the Auditor-General and KCCA.

The committee recommends that the Auditor-General should revisit this matter in the subsequent audit.

Management of public land

Encumbrance on public land

It was noted that out of the 242 pieces of land measuring approximately 184.8 hectares held, 24 pieces measuring approximately 36.79 hectares (19.6 per cent) valued at Shs 34.66 billion had been encroached upon by the local population.

The accounting officer submitted that the most encroached upon land was in Nakalama, Kasenge, which was purchased for the construction of a landfill in 1997, but where KCCA did not take immediate possession and the 64.4 acres (approximately 26 hectares) was inhabited by squatters. KCCA filed a case against squatters (Kampala Capital City Authority v. Yosia Masengere & Others Civil Suit No. 0457 of 2015.)

Observations

The committee observes that:

- (i) Management of KCCA has, over the years, neglected to safeguard and take possession of some of its land, which has resulted in squatters that have lived on the land for many years;
- (ii) No evidence has been submitted to indicate the efforts undertaken by management to stop encroachers on KCCA land in various places;

(iii) Encroachment hinders management's ability to utilise the land and poses a risk of loss of land.

Recommendations

The committee recommends that KCCA management should secure possession of its land and keep track of the court proceedings to resolve all forms of third party claims in order to ensure uninterrupted utilisation of land for service delivery.

Titling and transfer

It was noted that out of 184 pieces of land measuring 184.8 hectares, 48 pieces of the land, which is 37.7 hectares, did not have land titles.

The committee observes that:

- (i) Management did not submit evidence of engagement with the stakeholders in the matter, that is, Buganda Land Board and Uganda Land Commission, which casts doubt on their commitment to obtain the various certificates of title;
- (ii) Lack of certificates of title exposes Kampala Capital City Authority land to encroachment disputes and may result in the loss of land.

The committee recommends:

- (i) The accounting officer should actively engage the relevant stakeholders to obtain certificates of title for all untitled land and update Parliament on the progress of the same, six months from the date of adoption of this report;
- (ii) The Auditor-General should audit all of KCCA land in the next subsequent audit.

Management of domestic arrears

Outstanding long-term payables of Shs 42.5 billion

It was noted that the authority had a long-term liability of Shs 42.5 billion on its balance sheet that arose from a development credit agreement entered into on 12 August 1991 between IDA and KCC on behalf of the Government for the improvement of waste management in the city, production of up-to-date Kampala maps and strengthening of the financial and personnel management systems and services.

The loans have never been serviced and the outstanding balance of Shs 42.5 billion has remained on the KCCA books as an obligation pending clearance even though the authority does not have the capacity to settle this obligation and the chance of repaying this liability is remote.

The accounting officer stated that the Accountant-General had been engaged for the last five years with no conclusive response.

The committee observes:

- (i) Several letters have been written by the Executive Director of KCCA to the Ministry of Finance since 2013 about the matter;
- (ii) On 30 January 2023, the Minister of Finance, Planning and Economic Development wrote to the Attorney-General seeking guidance regarding writing off a number of loans that were unrecoverable, including that of KCCA that were kept on its books of accounts and queried several times by the Auditor-General.

The committee recommends that the Attorney-General should provide guidance on this loan and how it should be dealt with within three months from the date of adoption of this report.

Outstanding domestic arrears of Shs 24.9 billion

Section 21(2) of the Public Finance Management (Amendment) Act, 2015 states, *“A vote shall not take any credit from any local company or body, unless it has no unpaid domestic arrears from debts in the previous financial year and it has the capacity to pay the expenditure from the approved estimates as appropriated by Parliament for the financial year”*.

Further, Paragraph 10.9.17 of the Treasury Instructions 2017 states, *“An Accounting Officer will ensure that no payments due in any financial year remain unpaid at the end of that year”*. Contrary to these legal provisions, it was noted the authority had outstanding commitments to the tune of Shs 24.9 billion at the year end.

The accounting officer explained that management was committed to adherence and the control system. However, most of the large payments are for road construction projects, which are multi-year in nature and the payment timelines are hard to predetermine. In addition, the outputs of the subsequent year budgets were taken care of in the multi-year planning. However, the risk of litigation continues to loom over the authority.

The committee observes that accrued domestic arrears adversely affect budget performance in the subsequent year as outputs anticipated in the appropriated budget may not be attained due to the settlement of arrears. This may also result in litigation for non-payment of services already consumed.

The committee recommends that management should ensure that all major works, especially multi-year projects are allocating sufficient funds to avoid arrears which attract interest on delayed payments.

Non-remittance of statutory deductions

It was noted that by the end of the financial year, KCCA made statutory deductions amounting to Shs 4.1 billion, which had not been remitted

to the respective institutions as shown in the table below contrary to paragraph 10.23.1 of the Treasury Instructions 2017.

There is a table that shows –

1. PAYE - Shs 2.5 billion to URA;
2. Withholding tax - Shs 17.2 million to URA;
3. NSSF contributions - Shs 1.49 billion;
4. Total - Shs 4.1 billion.

The accounting officer explained that management was constrained with a budget to process these outstanding statutory payments but it was engaging the Government to allocate additional funding. She said the bulk of the outstanding PAYE and NSSF were related to the remittances of June 2022, which had since been made according to her. She further explained that the delays to remit NSSF contributions for casual workers were caused by delayed registration and that the remittances of all those that had successfully registered were made while registration was continuing on remittances were continuously made.

The committee observes:

- (i) Failure by KCCA to remit statutory deductions in time was a breach of the law and an infringement on the rights of workers and affects the overall Government budget and exposes the authority to fines and penalties;
- (ii) The failure to remit NSSF contributions leads to financial loss to employees, given that they cannot earn interest on unlimited contributions;
- (iii) The shortage in funding as an explanation for the delay to remit the statutory deductions was not tenable because they are paid on salaries.

The committee recommends that the accounting officer should:

- (i) Immediately pay all outstanding NSSF contributions plus accrued interest to the employees;

- (ii) Always prioritise the payment of statutory deductions and remittances to avoid penalties and jeopardising the livelihood of employees.

Delayed commencement of the Kampala rehabilitation project According to the project appraisal report of 2019, the project implementation period was to start in June 2020 and completed over a five-year period, including one year of the defects notification period. The Executive Director of KCCA was responsible for nominating a project coordinator, acceptable to the bank for the day-to-day management of the project and constituting a project implementation team consisting of a civil engineer, procurement expert, an accountant, environmentalist and a social economist.

It was noted that the project had delays in commencement due to some factors such as delay in obtaining necessary project approvals and lengthy procurement processes that involved obtaining the bank no objection and contracts committee approval before advertisement was done.

Observations

The committee observes that delays in commencing projects leads to low absorption of funds and non-implementation of planned activities which affect the project's overall performance.

The committee recommends that:

- (i) The accounting officer should fast-track all key project activities to avoid further delays in project implementation;
- (ii) Ensure that the necessary loan documentation is submitted to the loan appraisal unit in time to the finance ministry and subsequently to the respective approval authorities to avoid delays.

Nugatory expenditure interest on delayed payments amounting to Shs 94.8 million
It was noted that the authority delayed settling

the interim payments certificate No.20 for works executed by M/s. Energoprojekt on the reconstruction and/or upgrading of various roads in Kampala contrary to the Public Procurement and Disposal of Public Assets, (PPDA) Regulations.

We observe that nugatory expenditure denies the authority the resources to implement its other plant activities.

The committee, therefore, recommends that KCCA and its accounting officer should ensure the expeditious review of payment claims and settlement of approved certificates and invoices in time to avoid nugatory expenditure.

Implementation of Youth Livelihood Programme (YLP)

It was noted that since the programme's inception, Shs 4.6 billion was disbursed to various youth groups in the five divisions of Kampala. However, only Shs 1 billion has been recovered, representing a recovery rate of 22 per cent. It was further noted that some groups have never made any repayments to the tune of Shs 1.2 billion.

The committee observes that:

- (i) Failure to recover funds from the beneficiary groups may lead to the non-achievement of the intended objectives of the revolving fund;
- (ii) The fact that some groups had not made any payment was an indication of not doing due diligence on the groups before the loans were disbursed.

The committee recommends that:

- (i) The accounting officer should devise more effective mechanisms of recovering funds from the youth groups;
- (ii) The Ministry of Gender, Labour and Social Development should re-examine the implementation of the Youth Livelihood Programme with a view to improving its

performance in order for the programme to benefit the target groups.

Delay to operationalise the 2019 outdoor advertising ordinance

It was noted that on 23 April 2020, the court ruled that the authority was irregularly collecting fees from outdoor advertising. In the ruling, the authority was barred from budgeting and collecting any outdoor fees until proper regulations on outdoor advertising rates had been put in place.

It was noted that the authority had not yet developed regulations on outdoor advertising rates. Therefore, no collections were made during the year. However, the authority in the Financial Year 2019/2020 collected Shs 3.5 billion, before the court ruling that halted the collecting of these fees.

The accounting officer explained that the draft outdoor advertising ordinance was prepared with the input of the relevant KCCA technical staff and presented to KCCA Executive Committee which made their input after which the draft ordinance was submitted to the authority council.

Observations

The National Outdoor Advertising Contractors' Association Limited brought an action against KCCA seeking an order certiorari quashing the decision of KCCA approving the outdoor advertising rates, contending that the rates were illegal, irrational, and unlawful. The declaration was that the Shs 13.7 billion, which were rates and fees and other charges unlawfully levied, charged, collected, and received as outdoor advertising rates by the respondent from the applicant's member since 2011 was illegal and unlawful. The applicant sought the same amount as damages.

On 23 April 2020, the High Court held that the applicant was entitled to a refund of all the money and other charges unlawfully levied and received as outdoor advertising rates by the respondent from the applicant's members

since 2011.

On 2 December 2020, in Misc. Case No. 407 of 2019, an amount of Shs 8.2 billion was formally proved in court as the acquittal sum and Shs 2.6 billion as tax costs and interest, making a total of Shs 10.8 billion.

Despite the fact that KCCA is not collecting any advertising fees, several billboards continue to be erected in the city unabated. As a result of the absence of an enabling law that allows for the levying and collection of advertising fees, KCCA has lost and continues to lose income.

The committee recommends that:

- (i) The KCCA Council should fast-track the approval process of the draft advertising ordinance to enable the authority to collect revenue from outdoor advertising; and
- (ii) The accounting officer should report to Parliament on the same within three months from the date of adoption of this report.

Human Resource Management

Vacant positions in the authority

A review of the authority's organizational structure indicates that out of the approved 1,454 posts, only 825 were filled.

Committee observations

- (i) The committee observed that staffing levels of 56.7 per cent are low, and this makes it difficult for the entity to properly execute its mandate;
- (ii) The staffing gaps are key positions that negatively affect the level of public service delivery;
- (iii) Whereas many of the higher positions have been filled, several staffing gaps for lower positions remain, notably in the areas of health and education.

The committee recommends that:

- (i) The finance ministry should provide funds for the recruitment of all the requisite staff for KCCA;
- (ii) The accounting officer should ensure that all appointed officers assume duty as soon as possible.

Management of schools, operation of unlicensed and unregistered schools

A review of the status of licensing and registration of schools in Kampala indicated that only 865 out of 1,927 schools were registered with KCCA, representing 45 per cent while 928 schools were not registered and licensed, representing 48 per cent. The balances of 134 schools were provisionally licensed. Provisional licenses for 102 out of 134 schools had expired, exceeding the two years in operation and had not been renewed, implying that the schools were operating illegally.

It was noted that except for schools which were issued closure notices as far back as 2018, but are still operating, other schools had never been issued closure notices by KCCA.

The committee observes that:

- (i) Out of 1,978 schools in the city, only 79 are operated by KCCA, an indication of the inadequacy of the authority to provide education services. The numerous private primary schools indicate an attempt to fill a void in the education sector in the city;
- (ii) The number of unlicensed schools indicates inadequate supervisory capacity on the side of KCCA and the Ministry of Education and Sports;
- (iii) Understaffing and an inadequate budget for KCCA make it difficult for the authority to effectively supervise schools.

The committee recommends that:

- (i) The accounting officer should review the operations of the education directorate to further improve its capacity to manage licensing of schools adequately and achieve its intended goals and objectives;
- (ii) The Ministry of Education and Sports should put in place measures to improve licensing of all schools and collaborate with the management of KCCA regarding supervision.

Review of the KCCA mandate

Absence of a City Public Accounts Committee

Committee observations

The committee observes that the absence of the City Public Accounts Committee means that the recommendations of the internal audit department, the reports of the Auditor-General and other investigating agencies may not be really viewed and implemented. Further, it becomes difficult to confirm whether the city's corporate governance structures are adequate.

The committee recommends that KCCA should always ensure that the accountability committees are in place to attend to reports of the internal audit and the Auditor-General

Failure to prepare implementation report for Kampala Physical Development Plan

Committee observations

The committee observes that in the absence of the implementation report, it becomes difficult to confirm the extent of implementation of the planned activities and the achievement of the intended goals and objectives;

The committee recommends that the accounting officer should expedite the process of preparing a report on the implementation of KPDP to enable the evaluation of performance

and inform the next strategic direction in the area. This should be done within six months from the date of adoption of this report.

Management of information technology investments in Government Manual preparation of financial statements

The entity does not use an automated system to prepare financial statements, which would improve accountability and reporting.

Committee observation

The committee observes that the entity was preparing financial statements manually using MS Excel, which is prone to errors due to human intervention and manipulation.

The committee recommends that management should acquire an automated accounting system for the preparation of financial statements within a period of six months from the date of adoption of this report.

Management of public land

Utilisation of land for service delivery

It was noted that out of the 242 pieces of land measuring 180 4.8 hectares held three pieces, that is, 1.7 hectares, valued at 9 Shs billion were not utilised by the entity at the time of the audit.

Committee observation

The committee observes that unutilised land is susceptible to encroachment and grabbing.

The committee recommends that KCCA expedites the process of leasing out all its vacant land to raise revenue.

Irregularities in the management of leased lands

Regulation No.6 of the Land Regulations, 2004, requires a lease offer made by a board

or the commission to communicate the offer stating the terms and conditions of the offer conditioned upon payment of fees and other charges in full or by instalments.

A review of the lease file and Memorandum of Understanding held by the authority revealed the following:

- (i) Two leases of land measuring 0.6 hectares had expired at the time of carrying out this audit;
- (ii) One piece of land measuring 0.45 hectares leased out had not been developed as per the conditions of the lease agreement;
- (iii) Out of the lease rentals of Shs 1.5 billion expected in the period under review, the entity only received Shs 620 million which is 41 per cent hence an under-collection; and
- (iv) No leases of land were renewed without payment of ground rent areas or development of land as per the lease agreement.

The accounting officer explained that all leased properties are subjected to compliance through physical planning and no extension is approved without a compliance report. One of the lessees had complained of encroachment which was being addressed. The authority was also taking measures to increase collection from lease rentals.

We observed that irregularities in lease management processes of land wholly controlled and owned by KCCA negatively impact revenue collection.

The committee recommends that the accounting officer should strengthen internal controls surrounding lease management and ensure that proper lease agreements with clear terms are signed with prospective leases.

Parrish Development Model

Failure to transfer funds to PDM SACCOs

Budget performance

That one is self-explanatory. The committee observes that the SACCOs were not in place because there were no guidelines regarding how they would be formed and therefore, funds could not be released to non-existing entities.

Mr Speaker, there is a table showing challenges.

Committee observations

The committee noted that in the absence of a detailed work plan, it becomes difficult to confirm whether the detailed activities were properly costed and spent for the intended purposes.

The committee recommends that the accounting officers should ensure that all SACCO roles are formed according to the guidelines to enable them to receive funds in subsequent financial years.

Committee recommendations

Contradictory implementation of guidance and directives from different departments

The committee recommends that the accounting officers should ensure that detailed work plans are prepared within one month to guide the implementation of activities under the Parish Development Model.

The committee observes that contradictory guidance to implementers of the PDM causes disharmony and impairs coordination in the implementation of PDM activities.

Absorption of Parish Development Model Funds

The committee recommends that the management should liaise with the PDM secretariat and review the various guidelines issued and harmonise guidance given to the implementers of PDM activities.

It was noted that out of the total receipts of Shs 1.5 billion, Shs 373 million was spent, representing an absorption level of 24.3 per cent, leaving Shs 1.16 billion unspent by the year end. There is a table detailing all that.

Court awards and compensation

The committee observes that:

In 2016, Government decentralised the payment and retirement of court awards from the Ministry of Justice and Constitutional Affairs to the relevant ministries, departments and agencies.

- i. Failure to absorb the funds was caused by the absence of guidelines for the formation of SACCOs;
- ii. Under absorption of funds results in delayed or non-implementation of budgeted activities and delayed achievement of the program goal of financial inclusion.

Lack of adequate budget for liabilities from court awards and compensations

It was observed that KCCA budgeted for Shs 6.8 billion for the settlement of these liabilities relating to court awards and compensations. Although the court awards and compensation is payable by 30 June 2021, they were totalling to Shs 23 billion.

The committee recommends that the Ministry of Local Government should ensure that all guidelines necessary for preliminary activities, such as the formation of SACCOs, are provided before the disbursement of funds.

The committee noted that failure to provide resources for the settlement of liabilities results in delayed settlement and further accumulation of interest on the outstanding debt.

The committee recommends that the accounting officer should continuously engage the Ministry of Finance, Planning and Economic Development to request for additional funding to settle these litigation liabilities.

Lack of criteria for management of court awards

The committee recommends that management expedites the process of developing formal guidelines to streamline court awards, compensation management and settlement within three months from the date of adoption of this report.

The management of pension and gratuity

Budgeting of pension liability to the tune of Shs 1.9 billion There is a table we show there and I will not run through that.

The committee recommends that KCCA should always make provision for sufficient budgets for pension and gratuity.

Under absorption of pension and gratuity - Shs 343 million

There is also a table there which I will not run through.

The committee recommends that the accounting officers should expedite the process of pension verification and setting up beneficiaries on IFMIS to ensure that all pensioners are paid on time because that is part of the challenge.

Timely access to pension payrolls

The committee recommends that management should always start the process of data capture with the Ministry of Public Service earlier and provide clear and early guidance to pensioners, especially those from tertiary and secondary institutions.

Payment of pensioners without life certificates

That is another challenge. We recommend that management should expedite the follow

up of all unverified pensioners and circulate reminders to enable them file the updated certificates with the Authority as soon as possible.

Other matters

This is the last section, which will take about five minutes, I suppose.

Plot 71 – Nkrumah Road

The committee took interest in the matter relating to Plot 71 on Nkrumah Road. The land is comprised in Freehold Register Volume 208 Folio 24 - I will leave those details.

KCCA operated a clinic on the said property until the land was leased to Ms Securex Amenities Uganda Limited on 21 February 2012. The events leading to the relinquishment of the land were as follows:

On 8 April 2010, the then Mayor of Kampala City Council, Al Hajji Ntege Nasser Ssebagala, in a letter, wrote to acting Town Clerk of KCCA, indicating that Ms Securex Amenities had submitted a proposal to redevelop Plot 71 Nkrumah Road into a modern parking facility with the private health centre and other commercial services.

According to the application of Ms Securex Amenities, dated 6 April 2010, the company was offering to create a facility that has more parking spaces in addition to other commercial services and a health facility run by KCC, in line with the council's interest of providing health services to the people. There is an annexure to the letter attached.

According to the mayor, the project was commendable and would generate more revenue to the city council. He noted that Uganda Land Commission was in the process of granting a lease to the company. He also stated that he was of the view that since it was a viable project, the acting town clerk should proceed to formalise the recommendation as long as the new redevelopment project was in line with the current planning standards.

On 12 April 2010 vide the letter, the then Secretary of the Uganda Land Commission, Mr Mubaala, wrote to the town clerk informing him that the commission was in receipt of an application for that property from Ms Securex Amenities, which would be a beneficiary. There is an annexure to that effect.

Observations

The details therein have the annexure as well. The committee observes as follows:

Securex Amenities Limited v. Securex Amenities Uganda Limited

The letter from the Secretary of the Uganda Land Commission dated 12 April 2010 wherein reference to the application for a lease was made, referred to Securex Amenities Limited as the applicant. However, the communication to the acting town clerk by the personal assistant of the mayor dated 12 May refers to Securex Amenities Uganda Limited, which is a different company.

The response to the letter of the Secretary, Uganda Land Commission also by the acting town clerk, referred to Securex Amenities Uganda Limited. There is no record of the existence of Securex Amenities Limited at the Uganda Registration Services Bureau. What was provided to the committee when a request was made were documents relating to Securex Amenities Uganda Limited.

Even then, Securex Amenities Uganda Limited was incorporated on 27 May 2010, which was after the grant of the lease, meaning this lease was granted to a non-existent entity. The shareholders were Ntaganda Ephraim (80 shares), Mutabaraku Innocent (10 shares) and Kanaabi Bob (10 shares).

In a letter to the Commissioner, Surveys and Mapping by the then Secretary of the Uganda Land Commission dated 18 June 2010, the request for deeds was made with reference to Securex Amenities Limited and not Securex Amenities Uganda Limited. There is an annexure attached to the report.

On 24 April 2012, Securex Amenities Limited, which was non-existent, created a sublease of 45 years to Securex Amenities Uganda Limited. There is an annexure attached.

On 21 February 2012, Ntaganda Ephraim transferred all his shares as follows; 60 to Wakyemba Constance etc. On the same date, these people also transferred their shares. There is an annexure.

On 15 March 2012, Wakyembe Constance and Wamono Shem transferred their shares to Mahmud Bahrwani and Ms Shaida Bahrwani who also became directors. The resolutions to that effect dated 22 March, were also registered and attached.

The fact that the transactions and exchange of property was based on mere nominal fees for shares of the company and the speed at which all this was done is suspect. The property was subsequently purportedly mortgaged.

The committee recommends that the certificate of title be cancelled and the register be rectified to reinstate Uganda Land Commission as the registered proprietor;

KCCA should initiate processes of ensuring that after the cancellation of the title, KCCA is registered as the user entity;

All the officers involved in this fraudulent transaction should be investigated and prosecuted by the Inspectorate of Government.

Cost of city roads in Kampala

The committee's attention was drawn to the high cost of road constructions in Kampala at an average of Shs 10 billion per kilometre, and we have an attachment.

The committee made a comparison study. A study by the Ministry of Works and Transport Consultancy Services indicates that as at 2020, the for unit cost study of road construction and maintenance in Uganda - a kilometre costs about 650 million that is, about Shs 2.4 billion, for roads under 70 kilometres and

Shs 2.1 billion for roads over 70 kilometres. We are juxtaposing that against the unit cost of Kampala roads. There is the one of Shs 10 billion, one of Shs 15 billion and another of Shs 24 billion per kilometre, not the entire road.

KCCA management submitted that the cost was much higher due to additional elements like pedestrian walkways and traffic lights on some of the roads.

The committee observes that not all roads had pedestrian walkways or even traffic lights and, therefore, the high cost per kilometre is not justifiable.

The committee recommends that the Auditor-General conducts a special audit into the cost of roads in Kampala within six months from the date of adoption of this report.

Dire condition of city roads

The committee noted the dire state of most of the roads in the city, with many of them having huge potholes which not only cause traffic jam but also damage motor vehicles or motorists. Many of the roads had not been repaired for a long time and there was a public outcry about the same.

The accounting officer submitted that they, too, are concerned about the poor state of roads in the city and had received numerous complaints about the same, however, they have limited funding for road repair. She further said that some Shs 6 billion had been recently extended to the entity to fix the potholes, but that this was a drop in the ocean. She said the entity requires about Shs 100 billion per year to be able to comfortably take care of the roads in the city.

The committee observes that the poor state of the roads is not only bothersome to the city dwellers, but also projects a bad image for the capital city of the country.

We recommend that the Government should provide adequate funds to KCCA to regularly repair roads and construct new ones.

Consent judgments

The committee noted a matter where some people, who had been hired by the Public Service Commission to work at KCCA, were not taken on by the entity. These disgruntled people went to court – and there is a cited case – and KCCA entered into a consent judgement with them for payment of Shs 3.7 billion, which was the total amount they would have earned had they worked at KCCA for a period of five years.

KCCA management explained that the consent judgement was neither approved by the legal team nor the then accounting officer. The matter was handled by Mr Charles Ouma, the former Deputy Director in Charge of Litigation and Mr Richard Lule, the former Director for Human Resource. These have since gone and that is why we are saying “former”.

The committee interacted with the two individuals, who are now former staff of KCCA. Mr Charles Ouma submitted that this was done in the interest of the entity and to save the entity a huge loss that it would incur in costs had the matter proceeded on trial.

Observations

- (i) Management of KCCA filed a case before court, challenging the consent and we have indicated the details there. KCCA argued that the consent was entered into without the approval of the Central Executive Committee. The court held, among others, that the internal workings of the applicant, that is, KCCA, is their business and any person dealing with the institution could not ascertain whether the applicant's directors did not have any authority to sign on behalf of the institution.
- (ii) The decision taken by Mr Charles Ouma, together with Mr Richard Lule, whom court says was part of the negotiation for a consent judgement, was improper, especially because it did not get the approval of the leadership of the entity.

The committee recommends that the Inspectorate of Government investigates the two individuals for their unilateral role in this matter.

Plans to acquire land for vendors

The committee learnt that KCCA was in the process of acquiring 10 acres of land in Kisenyi at a high price of \$100 million, that is, Shs 370 billion – meaning Shs 37 billion per acre – from a one Bosco Muwonge, to resettle vendors who usually operate on the streets of Kampala.

The committee visited the location and found that KCCA had already settled many traders on the said land. The committee also learnt that there was a family claiming to be the rightful owners of the land and not Bosco Muwonge. The family took this matter to court and it is yet to be disposed of.

The accounting officer submitted that whereas KCCA was interested in the land, it was still conducting consultations about the issue with the Ministry of Finance, Planning and Economic Development. She further submitted that KCCA had in the meantime entered into an understanding with the said Bosco Muwonge to settle the vendors on the land as discussions and consultations about purchase ensue.

Observations

The committee observes that:

- (i) \$100 million, which is Shs 370 billion, for 10 acres would mean that each acre would cost \$10 million which is about Shs 37 billion, which is an exorbitant amount.
- (ii) While KCCA is engaging the Ministry of Finance, Planning and Economic Development regarding the intended purchase, there was no evidence on record to show that the Chief Government Valuer was involved in valuing this land or that procurement regulations were adhered to.
- (iii) While acquiring land for vendors is a good idea, procurement regulations must

be followed by KCCA and the cost should be fair and justifiable.

- (iv) Given that there is an existing claim on the land by the people, other than the said Bosco Muwonge, it would be risky for KCCA to proceed with such a transaction before the rightful legal owner of the land is ascertained by court.

Recommendations

The committee recommends that KCCA should immediately halt any process embarked on to acquire this land. Further, the entity should follow the requisite procurement laws to acquire land for vendors within the city.

Conclusion

The proper functioning of KCCA is critical to the wellbeing of Ugandans not just in the capital city, but Uganda at large, given its population and the concentration of all key governance and political institutions in Kampala.

In order for KCCA to properly function, it is important that the requisite resources required for the implementation of various activities, both financial and human, are provided. The need to fill the human resource gaps cannot be overemphasised as is the need to ensure that all aspects of the authority are well taken care of and protected – that is, facilities and assets - and that all policies are in accordance with the law.

Mr Speaker, I beg to move. *(Applause)*

THE DEPUTY SPEAKER: Thank you, Mr Chairman. I have two quick things to ask you before I open the debate.

One, does KCCA have the money for the acquisition of this land? I wonder where one would get this money without going through Parliament. It is a huge amount. Even if it was locally generated, under non-tax revenue, where are they getting it from and how are they proceeding when Parliament has not appropriated that money?

The second is on the cost of roads. You talked of “per kilometre”, but there is also what we call “per kilometre lane”, because it might be one kilometre with four lanes, one kilometre with two lanes or one kilometre with six lanes. For clarification purposes, what is the cost per kilometre of lane on average, in KCCA? I think the middle lanes would be cheaper because they do not have the edges; it is a continuation.

Finally, on the cost for roads, there is something, honourable colleagues, which happens. Someone goes and gets a contract - in fact, the Government issues a contract well knowing that, for example, the land where the project is going to be is not yet acquired. Now, the contractor starts charging damages or costs. You find that for a road which was awarded at Shs 100 billion, the cost alone can go to over Shs 85 billion.

I want you to interest yourself in the Northern Bypass – the initial contract v. the final amount. Just out of failure to acquire one acre around Kalerwe – it took around two years. Someone says: “My equipment is parked for two years, my experts are parked for two years, they are committed, so, you have to pay me.” Of course, it is provided for under the contract.

Then ask yourself: why do you sign a contract and hand over 20 per cent of the site when you know you have not yet acquired 80 per cent? Yet the contractor is going to work and when they reach this point - you even acquired sites in gaps; one kilometre is acquired and another kilometre not acquired. Now, the contractor cannot jump this area and go into the other one.

I want to know whether you were interested in that before I can open up the debate.

MR SSENYONYI: Thank you, Mr Speaker. On the question whether or not they have the money, our biggest challenge as the committee, was that once they get into this transaction and they even sign the agreement promising to pay, the person who has sold to them land will tomorrow use that and pursue this money.

In fact, they were operating the other way around; sign this agreement and perhaps, come

to Parliament and say, “You see, we have already bought land, now give us the money.” That is our major concern.

THE DEPUTY SPEAKER: That is illegal. Otherwise, you cannot commit Government. The Public Finance Management Act is very clear; you cannot commit Government without funds.

MR SSENYONYI: We doubted that and that is why our recommendation is that they halt the entire process because they are clearly on the move. They have already settled and the vendor is there because they are fast tracking the process of the transaction.

Regarding the cost per kilometre, the excuse by KCCA was that this cost is high; Shs 10 billion per kilometre, Shs 15 billion per kilometre and so on because of traffic lights and pedestrian walkways. That is the only reason they gave for what is causing the high cost of the roads.

We visited these roads and some of them are even in our areas. For example, one of those roads is in my area; Kulambiro-Kyanja-Ring road. That road cost over Shs 9 billion per kilometre; not the entire road yet it has no traffic lights. The pedestrian walkway is a small one and does not cover the entire road.

We told them that excuse does not apply because they said traffic lights and pedestrian walkways - Even the others we visited, that excuse did not apply. So, it was not about the layers and so on. That is why we insist this cost per kilometre is too high.

THE DEPUTY SPEAKER: Thank you. Mr Chairperson, why I asked this is because I wanted the report to be neater. Now, Kulambiro-Ring Road is one lane. Bukoto-Kira Road Police Headquarters has two lanes. So, the cost cannot be the same. Next time, you need to insist on per kilometre lane. Shs 9 billion per kilometre for that Kulambiro-Ring Road, my goodness!

Honourable colleagues, I open up debate. I am going to pick all of you who will stand up on this. Two minutes each.

6.43

MR SILAS AOGON (Independent, Kumi Municipality, Kumi): Thank you very much, Mr Speaker. First, I appreciate you for the perseverance; for being here without getting tired. Whereas I am available to help you, it is impossible for me to sit on your seat and substitute for you when you are tired.

THE DEPUTY SPEAKER: So, never compete with me for this seat.

MR AOGON: I cannot and you have to be there. I applaud you.

The second issue is to thank my colleague, the committee chairperson together with his members; they have done a great job. *(Applause)* Hon. Ssenyonyi, you have spoken with a lot of eloquence and clarity. I now understand you are a famous performer. You are doing a good job for this House.

I am perturbed that someone can ask for Shs 37 billion for an acre of land in Kampala. Mr Speaker, I think some Ugandans have decided to “eat” Ugandan money within “metallic teeth” and without any shame. They have reached that level. I can assure you, if you gave me Shs 37 billion for Kumi Municipality, you would find a city there within six months. Everything would be working very well.

The poverty that would have been mopped out by this money which we are spending in KCCA alone - maybe the whole country would be okay now. It is very amazing that people can do this, yet this is the place where we have the highest concentration of churches; every corner you pass, there is a lot of religious worship. People are bowing before the Lord but I asked myself, whom are they praising? This is terrible.

Mr Speaker, sometimes I ask why we do not get foreign engineers to come and cost us some of the roads because cost is where the problem is. How can –*(Member timed out.)*

THE DEPUTY SPEAKER: Conclude, Hon. Aogon.

MR AOGON: How can we pay a lot of money for just one kilometre road? When you ask why, someone will tell you it is because of the lights. So, how much do the lights cost? Just turning red and green becomes so costly. Mr Speaker, this is very terrible.

Finally, the consent judgement is an issue. I think our courts of law are also becoming a problem. Our people in Uganda here use the court as a way of consenting to this “metallic eating” of Ugandan money without shame. Thank you.

6.45

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you very much, Mr Speaker. As I sit here, I cannot stop bleeding. It is an insult to our Government. Not only those who have been named should be the only ones culpable, but there must be arrests and people must be made to pay through their veins. This is too much.

For my colleague to say KCCA is not collecting money because of the billboards - there is a lot of corruption. I remember my neighbour putting some things on the billboards and he really paid.

Much as the law is not in existence, I would like to say that a lot is going on in KCCA; there is a lot of theft, connivance and grabbing of people’s land. Unless we turn KCCA upside down and show them that this country has upright thinking people in the 11th Parliament, they are bound to kill this country. These are people who have lost integrity and are not worthy of holding any office.

Let us start from the top to the lowest office in KCCA and sweep it clean. Filthy flows when it rains like a river and they are not embarrassed. All the construction works are fake; We are bleeding for this country.

In fact, this country started with KCCA but they have killed it. They do not deserve to sit there anymore. Let us clean up. I know your leadership has been the best on earth and we

shall clean KCCA with you. We promise you our back and you will ride on it. We are here for you. Thank you very much for this opportunity.

THE DEPUTY SPEAKER: Thank you. I hope now that we have given them money, maybe we will make very good progress. Otherwise, it has been a very big problem.

On the issue of the billboards, which you have talked about, why isn't the council approving the ordinance? We have a former Speaker of KCCA; let me first give him a chance. Hon. Abubaker, during your time, didn't you approve the ordinance?

6.48

MR ABUBAKER KAWALYA (NUP, Rubaga Division North, Kampala): Thank you, Mr Speaker. You have raised a pertinent issue; the issue of billboards in the city.

When I was part of that council, we had started on the process of approving ordinance. But the current council has done a lot to fight the approval of the ordinance. The information I have is that a month ago, there was an attempt to ensure that ordinance is in place.

When you look at the court ruling, where KCCA lost to Norwaka Company, the owners of the billboards in the city and court ruled that KCCA should come up with an ordinance. We kept encouraging the KCCA Council but up to now – Actually, as Members of Parliament from Kampala, we have a different view.

I kindly call upon my honourable colleagues here that if need be, we should take up this matter because it is serious. These companies are collecting a lot of money on behalf of Ugandans and they are not paying any tax.

As the shadow minister of Kampala, through your Office, Mr Speaker, we need to take up this matter seriously such that KCCA Council learns a lesson because they have failed to perform their duties.

Mr Speaker, there is a matter of consent judgement. There is a person we keep on forgetting yet she was the executive director

at that time. The former legal personnel was working under –(Member timed out.)

THE DEPUTY SPEAKER: I am giving you special consideration but only two minutes.

MR KAWALYA: Thank you, Mr Speaker. The former Executive Director, Ms Jennifer Musisi was in charge of the institution. That time, I was working with KCCA. She was guided very well not to allow that case to proceed but she did not give an ear to whoever was advising.

The COSASE report is only mentioning two people; the former director of HR and the legal personnel. The main person is not mentioned. Therefore, I move a motion that if IGG is going to handle these individuals, let us also include the former Executive Director of Kampala.

Another matter we need to consider is that KCCA has lost many court cases. It has a legal directorate where lawyers are being paid big sums of money, but we keep on wondering. Many of these cases are being settled out of court. Many consent judgments have been signed on behalf of the institution and we are being pushed to pay lots of money. Actually, when you look at the budget for Kampala, every financial year, there is more than Shs 13 to Shs 15 billion allocated to settle cases that were lost.

Mr Speaker, on a serious note, we need a forensic audit on so many issues, especially on outdoor advertising because we lost a case. There are other lawyers who took KCCA to court; KCCA lawyers never did their work. Since they are being paid big sums of money, we expect them to perform better. Thank you.

THE DEPUTY SPEAKER: Honourable members, I want to guide you that a bad case is bad, whether the law is good or not. What we need is a comprehensive review on what causes these cases. You might find the cases are arising due to poor decision-making so we need to go deeper into such issues.

On insisting that we add the executive director, here, we are recommending to the IGG to investigate the matter afresh and see whether

there was criminal intention. In the process, the IGG will widen the scope even if we do not recommend so and so. Whoever the IGG finds culpable will be handled.

On issues of forensic audit, I guided yesterday that we have to be cautious because they are extremely costly. For example, the forensic audit we ordered for Bujagali, which must happen, the Auditor-General needs, I think, Shs 1.6 billion to do it. It has not taken place because up to now they have not yet committed on who will pay the money. Is it the entity; Minister of Energy or Mineral Development or Electricity Regulatory Authority (ERA)? Will it be put on the tariff? What if you put Shs 1.6 billion on the tariff, then in the end, you have not found anything and you have punished the citizens, then what happens?

Therefore, we need to think very cautiously. In future, we ensure we provide enough money for forensic audits. For example, we can project that as Parliament, we might order 10 forensic audits, each costing about Shs 1 billion. We provide for it so that there is no excuse. Otherwise, right now, when you order, they will say, KCCA should pay the money for the audit. KCCA will say, "I don't have the money to make me get investigated." It is a tricky situation that we must look into.

The committee and the Auditor-General are doing a good job. It is a matter of the sectoral committee looking at this and following up seriously as well as the Treasury Memoranda.

6.54

MR MICHAEL TIMUZIGU (NRM, Kajjara County, Ntungamo): Thank you, Mr Speaker. I would like to also thank the chairperson and the entire committee for the report.

The committee observed that there was manual accounting in KCCA and recommended that within only six months, KCCA should have changed to e-accounting. I think that time is too short. Although these people have been using manual accounting maybe, to steal Government money - money must be invested and people trained. Of course, there are some

people who are going to resist change. The leadership of KCCA should be given time to also handle those people.

On the issue of KCCA having very few schools to manage, the committee recommends that the accounting officer supervises those schools effectively. Again, they are still very few and some of the land belonging to such schools is still being given away. On that recommendation, I propose we add that giving out land that belongs to schools should be stopped.

We should not continue giving away land that belongs to schools because education is very important in the city. We have city dwellers who are from villages because they do not have land. They are here but poor. They cannot manage expensive schools. At the end, if they do not go to schools, they will be the ones who will accept being used as terrorists and this city will be *-(Member timed out.)*

6.56

MR PETER OKOT (DP, Tochi County, Omoro): Thank you, Mr Speaker. I sit on the Committee on Presidential Affairs. When we met KCCA during the time we were receiving its ministerial policy statement in 2022, the issue of this outdoor advertising came up; the process they had presented before COSASE and where they had reached then, were the very processes. If up to now, they have not moved an inch, then this is a clear indication that someone somewhere is protecting his/her sources of revenue to him or herself.

The committee came up with a figure; before the court ruling, KCCA was getting Shs 3.5 billion, as tax revenue from outdoor advertising. From that time, for three financial years, that means KCCA has lost, if that was the uniform tax they were going by, more than Shs 10 billion. This is a clear indication that there is a racket where people are protecting their sources of income.

Therefore, I strongly agree with the committee that a fresh investigation be done so these people are dealt with and those loopholes are closed. Thank you very much.

THE DEPUTY SPEAKER: On the issue of outdoor advertising, I want to direct. I rarely use the language of directing until it comes to loss of revenue. What do these advertising companies enjoy from their billboards which are supposed to advertise products and all that, being in potholes and gullies? I thought they would want to advertise in a beautiful place; in a smart city.

Therefore, I direct the Minister for KCCA to meet with the Lord Mayor, the Executive Director and responsible people. On Wednesday, she should come to the Floor and explain why they have failed to pass the ordinances that would help the Government generate revenue when we managed to cut money from other sectors to give to KCCA to go and beautify it.

If they cannot find a way, we shall ask the Attorney-General to give us a way. If Parliament can make that law that can – Because Parliament supervises the whole country. We must ensure that by the end of July, that ordinance is in place. If it is not, we will find a way, as Parliament, so that – Hon. Nsibambi, do you want to guide us on that?

MR NSIBAMBI: Thank you, Mr Speaker. I am a member of the committee so I want to debate about –

THE DEPUTY SPEAKER: I sought your guidance.

MR NSIBAMBI: Yes. Mr Speaker, this matter is quite serious. The consortium which sued is also questionable but that notwithstanding, I think we can come up with a national law to guide the entire country on matters to do with the – Because it is a big problem all over; even in other districts apart from Kampala.

THE DEPUTY SPEAKER: Thank you. Let us continue. I picked Hon. Zijjan and Hon. Adeke.

7.01

MR DAVID ZIJJAN (Independent, Butembe County, Jinja): Thank you, Mr Speaker. This country needs soul surgery; we

need to soul search because this country is bleeding. The jugular of this country is cut and the way this country is bleeding, if we do not stop this economic bleeding, we will not have a nation to bequeath our children.

In almost all entities that appear before these committees, there is corruption with reckless abandon. We have made corruption so tasty that there is no sufficient punitive action where corruption is unearthed. As long as people can be corrupt and do acts that would warrant prosecution and punitive action and then get away with it, we will not stop this bleeding.

As long as people can divert and misappropriate Government resources, public funds, *mabaati* and still occupy offices without sufficient penalty, we are not going anywhere. Look at the universities where lecturers are given money to go for further training in order to have the qualifications necessary to hold the positions that they hold. People take over a decade to pursue a Master's degree and do not complete it. Some even retire.

First and foremost, the essence of this further training would be that they have the requisite qualifications but they have continued to execute their duties without the qualifications and there is no punitive action at the expense of taxpayers' money.

Every entity that has come: National Medical Stores, KCCA, universities, and public institutions - I think there needs to be a will. John Maxwell says everything rises and falls on leadership.

Mr Speaker, there needs to be a demonstration of the will to stop corruption from the head; from the Executive because we are seeing people who have committed corrupt actions are walking freely on the streets and enjoying the vehicles they enjoyed before stealing *mabaati*. There is a need for soul surgery, if this country is to survive for generations.

7.04

MS ANNA ADEKE (FDC, Woman Representative, Soroti): Thank you, Mr Speaker. I support your suggestion about the ordinance

and whether we can have that power. There was an issue with markets all over the country. When the Markets Act was passed, it harmonised all those issues.

The issue of advertising and how much revenue is being lost by our units of administration, whether they are cities or local governments, is not only faced by KCCA. For us to strongly consider making legislation to govern, support and help these units of administration is something I support.

Borrowing from what the Markets Act is going to do to harmonise issues regarding markets all over the country would serve as a very good example.

Secondly, it is not in doubt that KCCA is simply a hub of corruption. I listened to the report and the issues regarding titling land, and consent judgements entered into, all speaks to deep seated corruption in the system.

Mr Speaker, KCCA has a land management unit; a head, lawyers and an executive Director. Why would KCCA continue to have untitled land? It is because some people are profiting from the fact that the land is not titled; they are making money. There are so many deals being done on those pieces of land. There is a land board in place fully constituted. I want to hear – Unfortunately, the minister is not here. Can we ask him why an executive authority like KCCA should continue to have untitled land for all these years? One hundred eighty four (184) pieces are so many pieces of land and so much revenue is being lost.

Finally, Mr Speaker, you gave a communication on the pothole exhibition that was making rounds on social media. This is very embarrassing for our city. When someone is looking for Kampala City on the internet, they are going to search Kampala City and the first hashtag is, pothole exhibition. It is very bad and it speaks to negligence on our part.

Mr Speaker, you must allocate time or a particular date for the minister to come here. I beseech you to do that using your powers so

that he comes and explains to us why the land has not been titled for all this time and why all the loopholes we clearly – *(Member timed out.)*

THE DEPUTY SPEAKER: The problem is that with such reports, my powers are limited. The PFMA is very clear that the treasury memoranda will be brought after six months which is action taken. However, it is important for the sectoral committee to follow up these salient issues. That is what we shall focus on.

Honourable members, in this last budget, we have done our part. If you look at the money we allocated to KCCA for roads – I remember a leader who was accused and he asked, “You were the head of the mechanised unit. Why didn’t you finish Kony?” He said, “I was head of the mechanised unit without mechanised weapons. It became difficult for me; how do I fight?”

When the leadership of KCCA told us the money they were earning, we were all surprised. Yesterday, I was at a high-level dialogue on child protection, but honourable colleagues, do you know how much money was provided to the Ministry of Gender, Labour and Social Development to deal with street children? It is Shs 20 million per year. The minister will be getting Shs 5 million per quarter to handle street children on the Kampala streets. Is that for buying biscuits for the children, playing and telling them to behave well?

Sometimes we need to go much deeper. We provided support - there is a big loan coming up from the Committee on National Economy is – We want to give them tools but before we indict, we are now going to give them tools. I am waiting to see the report for this financial year. After giving over Shs 2 trillion to Kampala, I am waiting to see the face of Kampala. We have to ensure the money is well utilised.

7.09

DR TIMOTHY BATUWA (FDC, Jinja South Division West, Jinja City): Thank you, Mr Speaker. An observation I made as the report was being read to us, is that KCCA looks more of a dining room; the activity there being

feasting. They seem to have made their own rules. To them, the information management system for their accounts is not put on a computer because a computer can easily be audited. They have, further, decided not to have a public accounts committee to audit whatever they are doing.

Mr Speaker, when I heard the excuse KCCA gave on the unit cost of constructing our roads – whereas the Ministry of Works and Transport has indicated Shs 2.1 billion for a road above 70 kilometres and 2.4 billion for a road below 70 kilometres, shamelessly, KCCA is constructing those kinds of roads at a cost of 14 billion and there is one where they indicated Shs 24 billion. The reason they gave to justify the high cost is the walkways. Even if you desire Ugandans to have a walkway that is similar to the road you are constructing, it would still be cheaper; it would still cost about Shs 6 billion.

Mr Speaker, if there is any decision we can take today, let us urge the institutions of Government to come up with a unit cost that will guide the kind of budget allocations we do to infrastructure development because that is where our biggest budget is – *(Member timed out.)*

THE DEPUTY SPEAKER: Conclude, Dr Batuwa.

DR BATUWA: Thank you. We should have a unit cost for road construction to guide the entire country and Parliament – and it should be standard.

We should have a unit cost for buildings. If you decide to build a school or a hospital, we should know the unit cost per square foot or cubic foot. The entire cost should be narrowed down such that when we do these constructions and come to the site to visit, we have a certain impression of what to see. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleagues, we have a programme under the Ministry of Lands, Housing and Urban Development called Uganda Support to

Municipal Infrastructure Development (USMID). Under USMID, they have constructed roads, which also have street lights and walkways, in Masaka, Mbarara and other areas. So, committee chairman, you will clarify whether you tried to compare with those. They say we cannot compare with UNRA, which is on highways, but we can compare with roads in Masaka, Jinja or Soroti because the roads are the same; same design and by the same Government.

The trick is simple – and I know some of you know. On roads, all these contractors you see around have brokers. So, when the entity is developing bill of quantities (BoQs), it makes the BoQs very high and then leaks the estimated cost to the companies. Now, companies start costing, based on the BoQs. So, when they advertise, you find that the companies, which have participated, are costing very highly. It is because they know the BoQs within the entity.

Why would a road in KCCA, with the same design, same lights and the same walkways cost three or four times more than a road in Masaka, Soroti or Mbarara? There is a very big problem somewhere and we have to tackle it head-on, whether it means first holding on to some loans or urging the minister to go and even talk to these donors. By the way, they are not donors, but lenders; they like to be called funders, but they give us loans. We have to look into it deeply. I am telling you, it is a shame. There is no way you will defend this before people.

7.14

MR NOAH MUTEBI (NRM, Nakasongola County, Nakasongola): Thank you, Mr Speaker. A lot has been discussed by colleagues but, of course, the land in question is under the mandate of the Uganda Land Commission in my understanding. That means that if there is a transaction, KCCA and Uganda Land Commission have to come on the same table. If we want to reach where the problem is coming from, we need to investigate KCCA and Uganda Land commission.

Mr Speaker, when you see how the leadership is being changed in Uganda Land Commission

– today, you have the chairperson of the Uganda Land Commission, by name of so and the next day, you have another one. On another day, you hear the secretary was sacked; and the next day, there is a new secretary. There is also a problem in the Uganda Land Commission and this House has to look into it.

Mr Speaker, I would like to comment on the issue of the Youth Livelihood Programme (YLP). I sit on the Committee on Public Accounts (Local Government). YLP funds are not disbursed to KCCA only, but also to other local governments. We have traversed the entire country but what we find there is that there is no education being given to these groups.

When the youth wake up and form a group, they go either to the district, municipality or city and say: “We want the money.” What happens is that even in those entities – those people who are dispersing the money – also want a percentage.

Let me share this with you. There are youths who came as whistleblowers when we were in Arua and Gulu. They told us that when they go there, if they are giving you Shs 12 million, they tell you to sign for Shs 12 million, but Shs 3 million has to remain.

Imagine I sign for Shs 12 million, but you have given me Shs 9 million, yet I have to pay back Shs 12 million. What will happen? What they do is to run away to their relatives in Congo or go to the border of Rwanda. Others disappear. So, for this money, the Government should come up with a mechanism on how it can be disbursed and the recovery plan. I submit.

7.17

MS SANON BWIIRE (NRM, Bulamogi County, Kaliro): Thank you, Mr Speaker. I also thank the committee and associate with all the recommendations and observations.

I would like to comment on point eight which is on page 17, pertaining to the shortage of human resources that is 56 per cent. I think we should be very serious. We want services from the city, but human resource is at 56 per cent.

Worst of all, they have recruited and deployed the top management only. People who are supposed to do the real work are not there.

Mr Speaker, we should keenly interest ourselves in this issue. The shortages are moreover in areas of health and education. I see this as a very big problem and the authority should be supported.

Mr Speaker, I sit on the Committee on Public Accounts (Local Government). This is a general problem in all local governments and it has retarded service delivery in all the districts.

There is also the issue of pension and gratuity, where people are not accessing pension. There are very many delays. As I said, I sit on the committee for local government and my former chairperson is here. The problem is not only in KCCA; it is in all local governments. The issue is that the Government is overstretched and this is because of the system we are implementing, which is a direct benefit system.

Recently, we visited Kenya and Tanzania; the report will be laid here. Mr Speaker, I want to assure you that these people are now very far because they changed their system. Therefore, I request that the Bill that was withdrawn should be reintroduced such that we handle the issue of pension and gratuity because there is a solution for this across the board.

Otherwise, Mr Speaker, the appetite for people “chewing” money is really very high. I do not know what we are going to do. Even with the money that we have allocated to KCCA to fix the roads - I do not know whether this problem will be sorted out. If the cost of a kilometre is at Shs 10 billion, then nothing is going to happen.

Therefore, before the implementation, let us interest ourselves in this matter such that fraudulent plans of how to get this money in the city is made, we have an alternative solution which is final. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister, this is a matter you should interest yourself seriously. By the way,

there is nothing special with these roads in the city. They are not that complicated. You can use our National Enterprise Corporation to do these roads; this company is constructing big projects and it has all the equipment. If people are conniving everywhere, then we can use them.

7.21

MR JAMES MAMAWI (NRM, Adjumani East County, Adjumani): Thank you, Mr Speaker. I also thank the committee for the precise report and colleagues who have contributed to this issue report.

In our culture, when you give a woman meat to cook, you do not go up to the kitchen to distribute it. But, what is happening in the country now is quite different. As Parliament, we appropriate and approve funds to local governments, including the cities but what is happening with our institutions is something very different.

We need quantification of the amount we gave to the local governments in terms of road works. KCCA is getting Shs 500 billion, but how many kilometres is this money going to do and this must be quantified? This can only be done if we task the Ministry of Works and Transport to give us the details.

Mr Speaker, as we ask for the quantification, let us consider the nature of soil in the different regions of the country. For example, if we are working in the eastern region, what is the nature of that soil? If it is a murram road, how much is needed? If we are tarmacking two kilometres in Kampala - they can easily quantify this.

Mr Speaker, we are grappling with the issue of appropriation. The health sector needs money but we do not have enough to satisfy what they want. We give money to KCCA but it is misappropriated, yet again, they come back here and ask for more. The ministers openly say "If you want us to do this, give us money-*(Member timed out.)*

THE DEPUTY SPEAKER: Honourable colleagues, can we ask the Government Valuer

to value the cost of a road so we have a standard cost such that any entity that goes above that standard cost, first seeks approval and show cause to that effect? The Executive should be doing that and they do not need our resolution. I believe it can be a way out to resolve this.

7.23

MR SOLOMON ALINGA (NRM, Too County, Bukwo): Thank you, Mr Speaker. I want to thank the committee for a wonderful report. The report has given us an overview of how KCCA operates. It has shown that there is a lot of connivance in KCCA. In this era, to imagine KCCA is still using a manual method of accountability shows that some people are benefiting from that system.

It is not only KCCA where there is a lot of convenience. Imagine when making roads, a contractor makes his/her BoQs after being guided by the technical people. Those BoQs are made in the interest of the technical people. In fact, the technocrat takes more than even the profit of the contractor. The result is the contractor making poor roads thus the substandard work we see in our country.

I concur with colleagues that we should have a unit cost for roads. Actually, we should have a range - definitely, the unit costs for a road in Kampala may not be the unit cost for a road in Bukwo and this could be because of some factors such as the materials used. Therefore, we should have -*(Member timed out.)*

THE DEPUTY SPEAKER: Conclude, honourable member.

MR ALINGA: Thank you, Mr Speaker. I would like to conclude by saying that the Government should give us a range where a contractor should not pass or come below. Thank you, Mr Speaker.

7.26

MR RAUBEN ARINAITWE (Independent, Isingiro West County, Isingiro): Thank you, Mr Speaker. I would also like to thank the chairperson and the committee for the good report. Mine is on the management of schools.

These schools are operating without licenses and registration. This is very dangerous to our young people.

Mr Speaker, KCCA arrests hawkers on the streets but there are school structures that are neither licensed nor registered. I think someone is busy picking money from them because those are things that are visible.

There is an issue to do with Plot 71, Nkrumah Road. The name, “Ntaganda” has been appearing in grabbing public land. At one time, it appeared in Lubigi, when they were compensating the Entebbe Expressway. He acquired titles there and he was paid. In a forest reserve in Kajjansi, that same name appeared.

As Parliament, we should ensure those names are investigated because it has become a habit. It is a business; it means he connives with people in the Uganda Land Commission and KCCA and so, I propose that that name should be investigated.

On the issue of KCCA lacking a public accounts committee, it is intentional. It is like having a bicycle without brakes. They do not want someone to say this is wrong- (*Member timed out.*)

THE DEPUTY SPEAKER: Switch on and conclude honourable member.

MR RAUBEN ARINAITWE: As Parliament, I urge that we put them in order and investigate why KCCA does not have a public accounts committee.

THE DEPUTY SPEAKER: Honourable colleagues, I want to tell you something: if any of you needs a video of your submission, kindly reach out to the *Hansard* Department. The department has these videos and they can be clipped out for you for easy sharing with your constituency and it is good for you.

7.28

MR GODFREY ONZIMA (NRM, Aringa North County, Yumbe): Thank you, Mr Speaker. My colleagues have submitted on

a number of issues, but I want to pick on the issue of pension, particularly the verification of retirees and return of pension funds.

The committees on public service and local government have been reporting on the return of pension funds for quite a while. The Ministry of Public Service, right now, is implementing that into the Integrated Personnel and Payroll Information Management System. We have, time and again been advocating for the automatic transfer of people’s names from the salary payroll to the pension payroll, without challenges. These employees have been employed by the Ministry of Public Service and have their documents with the ministry. I wonder why these people should get off the payroll yet the struggle to access the pension payroll starts afresh.

In areas where there has been insecurity, you find that people’s documents have gotten lost. Public service asks employees for their appointment letters and posting instructions yet these documents got lost. So, this issue of returning pension funds and gratuity is a result of delayed verification. The money is given with an assumption that these beneficiaries are there, but the process of verification is a challenge and a conduit for corruption.

When we went out to interface with the retirees, some were testifying with tears; their files are processed at the district – (*Member timed out.*)

THE DEPUTY SPEAKER: Conclude your point.

MR ONZIMA: Thank you. The file is verified and submitted to the principal human resource officer but they expect one to give them money. When you do not give them money, your file will never appear

We would like to appeal to the Ministry of Public Service to avoid this. We should automatically move from the salary payroll to the pension payroll since we already have the Integrated Personnel and Payroll Financial Management System.

THE DEPUTY SPEAKER: Thank you. The Minister of Public Service is here. Would you like to comment on this? In relation to what Hon. Sanon Bwiire said, you withdrew the Bill and said you were coming back quickly. Where is our Bill so we sort out the pension issues?

7.32

THE MINISTER OF STATE FOR PUBLIC SERVICE (Ms Grace Mugasa): Thank you, Mr Speaker. We withdrew the Bill because we noted that 60 per cent of it was being challenged by our own committee. So, we have gone back to the drawing board. We have done the benchmarking and we shall come up with a very robust Bill and re-table it.

THE DEPUTY SPEAKER: When will that be, honourable minister? You already have a certificate and already approved the principles. In fact, I am the one who requested you to do that because when the committee changes more than 50 per cent of the Bill, then it is totally different from what the Government presented. Please expedite it because we need it.

MS MUGASA: Thank you, Mr Speaker, for the guidance. I cannot commit myself to the timeframe but next week, on Tuesday, I will give you the timeframe.

On the automatic migration from the active payroll to the pension, it is already being implemented because of the system that is being rolled out. So far, it is rolled out to 60 entities and I know with extra finances, we will be rolling out even more. I want to assure you that it is a done deal. Thank you.

7.34

MS CHRISTINE APOLOT (NRM, Woman Representative, Kumi): Thank you, Mr Speaker. I want to submit on the issue of the non-quantification of outputs. Together with the observations of the Committee on Public Accounts (Local Government), all entities the Auditor-General has made a similar observation, we have discovered that it is a crosscutting problem. I see the need to have the district planners have their capacities built in this area because it is making us lose a lot and a

number of activities are left out during the time of implementation.

We still have districts in the country without appointed district planners; we still have districts with acting district planners and these people lack a lot. How I pray that the Ministry of Public Service prioritises this so we have all districts with appointed district planners and their capacity built.

Mr Speaker, one time you talked about the retooling challenges. We now see KCCA buying 39 chairs, 14 tables, and five desks and every time, they keep buying the same things. I think it is also very prudent that we ask KCCA to provide us with evidence of actual disposal of the previous things they bought. This is because this makes us meet the same budgets every other year yet we need money for other services.

I want to relate to the issue of roads. I agree with the issue of a unit cost for districts and cities. I agree with a national law now that we have cities spread across the country. Honourable members, let me share with you the issue of the low-cost ceiling projects across the country. You find a unit per kilometre in my district Kumi is different –*(Member timed out.)*

THE DEPUTY SPEAKER: Conclude honourable member.

MS APOLOT: Thank you. You find a unit per kilometre in my district Kumi is different from the price in another district. This gives leeway to the district engineers and those responsible to vary the rate so that they save certain money for themselves.

Mr Speaker, the choice of the contractors in my district - a kilometre of a low-cost ceiling project takes about Shs 350 million in my district, Shs 400 million in another district and Shs 435 million in another. However, when you look at the quality of work done, you find the road is spoilt before the financial year ends. Therefore, how do we ensure value for money for these projects? We need the engineers of

this country to guide us very well so that we do not appropriate money that does not give us positive results. I submit.

7.37

MS AGNES AMEEDE (Independent, Woman Representative, Butebo): Thank you, Mr Speaker, for the opportunity. I would like to reinforce the issue of investigating KCCA in regard to the quality of people doing the routine maintenance of the roads. The junction between Mukwano–Kibuli–Kabalagala was cut from June last year, but to date, no work has been done.

On Sunday, I drove to town around Greenhill and I saw a truck offloading murrum. What exactly is happening? This is the centre of town, but the road is very terrible. The issue of settling people in Kisenyi would be uncalled for. What kind of city do we envisage, as Ugandans? Are these sustainable cities that the world is looking at? Cities are highly regulated and they have standards. What standard are we setting for our city? This is the question.

Mr Speaker, can the minister also explain when they are implementing the master plan for Kampala? In exploring other development alternatives, what would the linkage between the Parish Development Model and decongesting the city be? The settlement of these people would perhaps be placed in far places. I beg to submit.

7.39

MR DENES SEKABIRA (NUP, Katikamu County North, Luwero): Thank you very much, Mr Speaker. I want to draw your attention to page 11, that is, on non-remittance of statutory deductions. From the report, Shs 4.1 billion was deducted but not remitted to, for example, Uganda Revenue Authority (URA) as Pay As You Earn (PAYE) and National Social Security Fund (NSSF) contribution, Shs 1.49 billion.

Mr Speaker, the explanation the accounting officer gave does not satisfy my understanding. Regarding this money that is supposed to go to URA, the accounting officer said the members

were not registered with the entity to remit this money. I suspect there must be something behind this because Shs 4 billion is a lot of money.

Secondly, Mr Speaker, if you are in the private sector, you must have tasted the wrath of NSSF in terms of collecting this money. They run for us, they even get court – I do not know what they process but they can even block your accounts; you cannot access your account because you have not –

THE DEPUTY SPEAKER: We call it garnisheeing. They get Garnishee Orders.

MR SEKABIRA: Exactly. They block the account; you cannot access the account until you pay this money. We go through a lot and I do not think KCCA is sleeping on duty via this issue.

Most of the time when you move around the city, you find that where there is a pothole, KCCA comes and cuts out a piece of the remaining tarmac and leaves it open. It becomes more dangerous as opposed to the pothole before cutting –*(Member timed out.)*

THE DEPUTY SPEAKER: Conclude that point.

MR SEKABIRA: Thank you very much, Mr Speaker. I do not want to misuse the opportunity.

THE DEPUTY SPEAKER: Thank you. Hon. Hanifa and Hon. Christine.

7.41

MS HANIFA NABUKEERA (NUP, Woman Representative, Mukono): Thank you, Mr Speaker. I want to appreciate the chairperson and members of COSASE.

Mine is about 243 hectares, some of which has been encroached by intruders. Does KCCA have surveyors? Doesn't KCCA have boundaries to know that this is where KCCA land ends? By the time they encroach on your land, you are totally adamant and not responsible. KCCA

has the capacity to fence off their land because I see in Naguru; the flats that were demolished, they fenced off with iron sheets. Where does it come from that there are encroachers? I totally do not agree; there is something wrong with that.

I also want to associate with my friends about the over 37 hectares that has no land title. That is totally impossible. It still goes back to surveyors and KCCA has a legal department.

On the two leases that expired and up to date have never been renewed – Mr Speaker, KCCA needs to be seriously investigated by the Inspector General of Government while not leaving out its surveyors because I did not hear them being mentioned anywhere. I believe KCCA has a legal department and there are lawyers - all these transactions are managed by lawyers so also the legal department – *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Hon. Christine? Colleagues, let us be quick and conclude.

7.43

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Thank you, Mr Speaker. I also thank the chairperson and the committee. We have always cried for an enabling environment but I see in KCCA, there are a lot of practices that are availing an enabling environment for corruption.

Mr Speaker, we have not understood the wage bill for KCCA. I thought I would get this from the historicals. What happened to the staffing? Is it that they have no money to enrol new staff?

I am also interested in the purchases of land. Under KCCA, we are battling with wetland demarcation. Has KCCA identified this land that is already valued at Shs 37 billion per acre? Where is it? Isn't it a wetland because after purchase, I see us again suffering with the National Environment Management Authority (NEMA)?

Mr Speaker, I wonder that at this rate, KCCA

is still using excel sheets for its accounting. This is a shame. This is another enabling environment for corruption because they can easily play around with the figures.

What is worrying is that 48 per cent of the schools are not licensed by KCCA. When they conduct monitoring in schools to ascertain their performance, the performance is too poor. If 48 per cent is outside their mandate, why are we paying salaries for the present staff because schools in Kampala are some of the items that take serious precedence.

My last contribution – *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I now put the question that the report of COSASE on the Report of Auditor-General on the Financial Statements of National Water and Sewerage Corporation for the Financial Year ended 30 June 2022 and other matters be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: The House is adjourned to Tuesday at 2.00 p.m.

(The House rose at 7.45 p.m. and adjourned until Tuesday, 11 July 2023 at 2.00 p.m.)

1. INTRODUCTION

In accordance with Article 163(5) of the Constitution of the Republic of Uganda, 1995, Rule 181(2) of the Rules of Procedure of Parliament, this is the Report of the Committee on Public Accounts (Commissions, Statutory Authorities & State Enterprises) -PAC (COSASE) on the Report of Auditor General on the Financial Statements of National Medical Stores for Financial Year ended 30th June, 2022 and other matters.

2. BACKGROUND

The Report of the Auditor General was laid before Parliament on 18th January, 2023, and referred to the Committee in accordance with Rule 181(4) & (5).

The Uganda National Medical Stores was established by the National Medical Stores Act, Cap. 207. It is mandated to procure, store, and distribute essential medicines and medical supplies to all public Health Facilities in Uganda in accordance with the National Drug Policy

3. METHODOLOGY

In the consideration of the Report, the Committee:

- a) Held meetings with the Management of National Medical Stores
- b) Reviewed various documents including:
 - i. The Report of the Auditor General for the Financial Year ended 30th June, 2022
 - ii. Responses to the queries from the management of National Medical Stores (NMS).

4. FINDINGS, OBSERVATIONS, AND RECOMMENDATIONS

1. Revenue Performance

1.1 Performance of Non-Tax Revenue (NTR)

It was noted that although the entity budgeted to collect NTR of UGX 56.34bn during the year under review, only UGX.45.086bn was realised, representing a performance of 80% of the target. As a result, a number of planned activities were not implemented.

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The Accounting Officer explained that the NTR is obtained from development partners and that sometimes this was not easy to determine. Rather, NMS makes budget estimates based on estimates made by development partners which they make to government and that these are informed by bilateral agreements. He also submitted that after Covid, many supply chains were disrupted and development partners could not provide all they had promised, which shows why there was a drop.

Observations

The Committee observes that:

- i. The over-reliance on development partners is a cause for concern given that the operations of NMS can be severely impaired if the development partners pull out;
- ii. Covid-19 negatively impacted the ability of development partners to provide the Non-Tax Revenue as planned in the year under review and this impacted on the implementation of planned activities.

Recommendation

The Committee recommends that the Accounting Officer should engage the Ministry of Finance, Planning & Economic Development at the time of budgeting to develop realistic NTR estimates.

1.2 Performance of GoU receipts

According to the approved budget, the entity was supposed to receive UGX.600.314Bn out of which UGX.589.056Bn was warranted resulting in a shortfall of UGX.11.258Bn. The shortfall represents 1.87% of the approved budget. The funds that were not warranted were meant to facilitate the implementation of the following activities:

Table 2: Activities affected by budget cuts

No	Output	Activity	Budget Amount (UGX)
1	085977-Purchase of specialized Machinery and Equipment	Procurement of medicines' storage pallets at the health facilities	11,257,555,489
2	085922- Corporate Services	Insurance of the Kajjansi warehouse - contingent on completion and handover	
3	085922- Corporate Services	Repair and maintenance of trucks and stores equipment - some of these	

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		works/service had to be deferred to the next FY.	
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The Accounting Officer submitted that the GoU Contribution was UGX 543bn for procurement and distribution of drugs and the rest was from development partners. When the release from Government was made, the appropriation in aid was added to make the total UGX 589bn. Therefore, the total of UGX 589.056bn was a combination of GoU contribution and Non Tax Revenue internally generated by NMS.

Observation

The Committee observes that the inability by NMS to receive all the funds budgeted for affected the operations of the entity.

Recommendation

The committee recommends that the Accounting Officer engages the Ministry of Finance, Planning and Economic Development to ensure the entity receives all the funding required to execute its mandate.

3. Non-viable stocks

Management reported UGX 13,418,720,000 as non-viable stock for the year in the statement of financial performance. This represents an increment of UGX 8,257,291,000 (160%) during the year. The increment relates mostly to third party stock in form of donations from development partners.

It was also noted that included in the non-viable stock are donated gloves worth UGX 1,077,782,770 that failed the NDA tests but were allowed into NMS stores.

Percentage increment of non-viable stock

Details	FY2021/22	FY2020/21	%Increment
Third party	10,846,124,000	3,067,515,000	297
NMS	2,572,596,000	2,093,914,000	37
Total	13,418,720,000	5,161,429,000	160

Signature

Signature

Implication

The increase in non-viable stock not only increases the costs involved in the destruction of these expired medicines and medical supplies but also indicates a denied service to the citizens.

Signature

The Accounting Officer submitted that there was a procedure to be followed both in the release by National Drug Authority (NDA) for all medical supplies from the port of entry and receipt of the same by National Medical Stores.

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He explained that NDA gives a full out release after approval accompanied by a conditional certificate of release for certain items such as gloves. These items are taken into the warehouses of NMS but cannot be used until subsequent laboratory checks are carried out by NDA and approval given. These items are stored and given conditional certificates of release to avoid demurrage and destruction costs. When the gloves failed the NDA analytical tests, they were destroyed upon communication from NDA. The gloves were a donation from Global Fund to fight HIV/AIDS, Tuberculosis, and Malaria.

The Committee was further informed that NMS agreed with Global Fund that the money that had to be used for distribution of the items would go into their incineration. The increase in the amount of non-viable stock was due to the changes in the treatment Guidelines of HIV/AIDS in 2020 by the World Health Organisation (WHO) which was developing the 90:90:90 approach to combat HIV/AIDS. The objective of the new approach was to have a new regime of Anti-Retroviral Drugs (ARVs) able to suppress the virus to non-detectable levels and therefore help reduce incidences of transmission during unprotected sex and between mothers and babies.

The bulk of the drugs (89%) consisted of ARVs. The rest were phased out medicines and test kits for TB and Hepatitis B testing kits and a small percentage of other drugs whose demand had drastically reduced due to Covid-19 which had resulted into limited movement of people, leading to reduced demand.

Observation

Non-viable stock denies members of the general public the much needed service they would have attained if the stock had been fit for use.

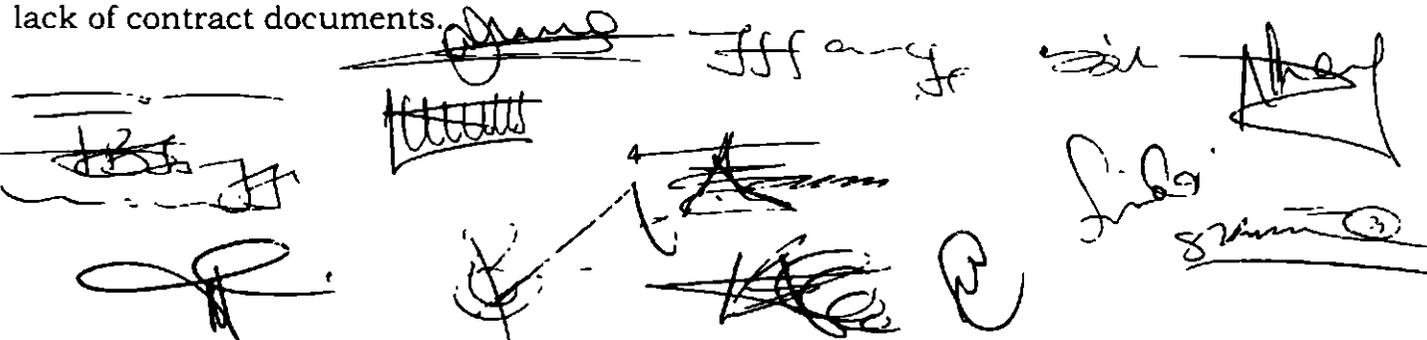
Recommendation

The Committee recommends that the Accounting Officer should always liaise with development partners to ensure that the stock of drugs supplied meets the national and international standards to avoid wastage.

3. Debtors

It was noted that the Ministry of Health is the biggest debtor to NMS at UGX.31,412,512,826 (MOH, IDI, LLINs, World bank and Global fund), followed by CDC project at UGX.8,974,824,530. According to NMS, efforts to have these funds recovered have been futile.

In addition, management reported a provision for doubtful debts to the tune of UGX.25,891,381,000 as detailed in the financial statements. Included in this amount is UGX.66,666,000 in respect of a Uganda Aids Commission debt for handling fees which, according to management had become irrecoverable due to lack of contract documents.

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The Accounting Officer submitted that the monies related to work done by NMS on behalf of the Ministry of Health, and that some related to relief items for Covid-19 and Ebola. Despite various reminders from NMS, the payments had not been made. The debts relating to the Uganda AIDS Commission were incurred back in 2006 and there was no documentation to support their claim

The representative of the Permanent Secretary of the Ministry of Health told the committee that the Ministry had constituted a team of senior officers from the Ministry to undertake a thorough examination of the figures and have them included in the statement of financial position to the Ministry of Finance. He informed the Committee that whereas the Ministry always submitted a budget for domestic arrears, the allocations were inadequate.

Observations

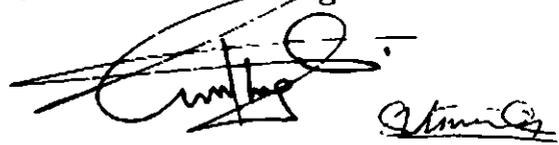
The Committee observes that:

- a) The Ministry of Health owes money to National Medical Stores, and this affects the ability of NMS to execute its mandate;
- b) Whereas the Ministry of Health informed the Committee that there was ongoing reconciliation to verify the amount indicated by the Auditor General, there was no evidence submitted to indicate that this was actually happening

Recommendations

The Committee recommends that:

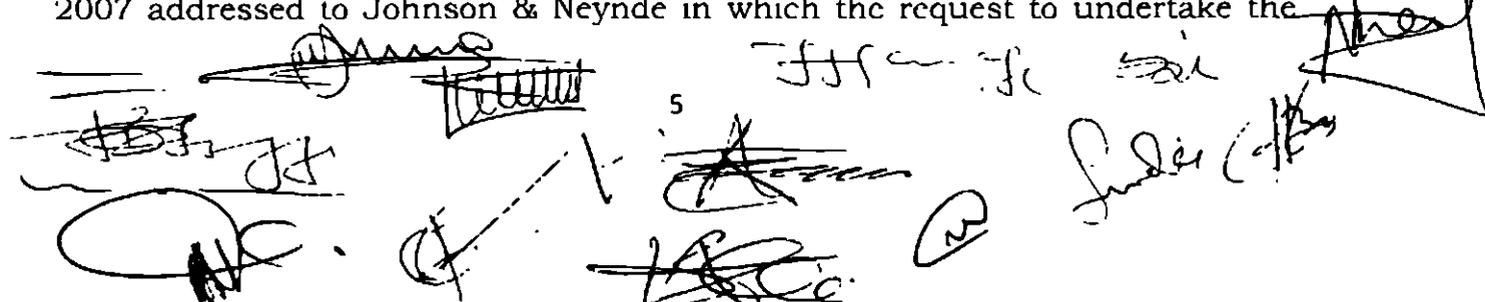
- i. The Accounting Officer of the Ministry of Health in conjunction with the Ministry of Finance, Planning & Economic Development should settle all outstanding arrears to NMS within six (6) months from the date of adoption of this Report;
- ii. The Accounting Officer should ensure that all transactions of National Medical Stores are backed by proper documentation to avoid challenges while making claims for payment.



4. Contingent Liabilities

Management presented the status of twelve (12) court cases for and against NMS as part of the contingent liabilities. However, three (3) of the court cases stretch to over 10 years (from 2008) without any ruling by the Courts of Law.

The Accounting Officer submitted that there was a special forensic audit on NMS over alleged multiple delivery of drugs by officials of NMS undertaken by Johnson & Nyende on behalf of the Auditor General pursuant to a letter from the Assistant Inspector General of Police. A letter from the Auditor General dated 2nd April, 2007 addressed to Johnson & Neynde in which the request to undertake the



audit was submitted. According to the letter, the Auditor General made reference to a letter Ref CID/C40/207/FRAUD dated 21st March, 2007 from the DIGP.

The audit was undertaken and found that there was reason to believe that there was fraud by some officers in the delivery of medicines. The report recommended, among other things, disciplinary measures including dismissal of some officers at NMS.

The board, basing on the recommendations in the audit, dismissed some employees. 5 of the cases that were referred to by the Auditor General in the report covering the period under review, related to cases emanating from the actions undertaken pursuant to the forensic report.

The other cases related to claims for insurance *NMS v UAP Old Mutual Insurance Uganda Civil Suit No. 127 of 2018* in which judgment was being awaited and *Godfrey Kayitare v National Medical Stores Civil Suit No 41 of 2016* which was yet to be fixed for hearing; copyright and compensation brought against NMS in *Wambi Brian v National Medical Stores, Civil Suit No. 215 of 2019* which was dismissed with costs on 10th January, 2023 for non-appearance by the Plaintiff.

Observations

The Committee observes that:

- i. The bulk of the longstanding cases emanate from the dismissal of former employees upon a special forensic audit report conducted on behalf of the Auditor General by Johnson & Nyende Certified Public Accounts in 2007;
- ii. In *National Medical Stores v Jonah Kyeyune & Others Civil Suit No. 75 of 2010* in which NMS sued the defendants on grounds that it lost money when the defendants forged orders for delivery of drugs to various medical facilities whose judgment was delivered on 18th April, 2023, court found that there was no evidence to show that NMS had suffered the loss, and dismissed the suit with costs;
- iii. In *Stephen Wasira & Helen Bitature v National Medical Stores Civil Suit No. 175 of 2009* where the Plaintiffs sued NMS for unlawful dismissal delivered on 19th December, 2022 the court found, among others, that the forensic audit report made by Johnson & Nyende was inaccurate, insufficient, and should not have been relied upon by the Defendant's board of directors to dismiss the Plaintiffs without further investigation, and ordered the Defendant to pay general and special damages.

Recommendations

The Committee recommends that:

- i. NMS should hire the services of an external competent legal firm to provide legal services;

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- ii. The board of directors should always ensure due diligence in its decisions to avoid legal liability

5. Management of IT Systems in Government

For the current year 2021/22, the entity budgeted for UGX. 5,385,852,133 for acquisition and implementation of IT systems and equipment and received UGX 4,099,405,629.

5.1 Procurement/Development and Use of Software/Licenses (IT Systems) and Equipment

It was noted that the ERP system (NMS+) which is used to undertake the roles of warehousing, finance, procurement, audit and fleet management was not integrated with other government systems such as IFMS, Human Capital Management, and e-Government procurement, making it difficult to track.

The Accounting Officer submitted that the integration was ongoing, and it was a requirement that NMS+ should be integrated for access to IFMIS. There were now more partners interested in how NMS distributes its medicines. NMS was working with NITA-U over UgHub where all government entities can have a central system to make information available to all users.

Recommendation

The Committee recommends that the Accounting Officer should ensure that NMS+ is integrated with all other government IT systems within three (3) months after the adoption of this Report.

5.2 Disposal and Decommissioning of ICT Assets

It was noted that three IT systems i.e. MACS, SAGE and NAVISION were not being used at the time of audit but were yet to be decommissioned, in contravention of Paragraph 15.11.1 of the TIs, 2017, PPDA Act, 2003 (as amended) and PPDA Regulations, 2014 together with the PFMA, 2015 which require MDAs and LGs to efficiently and transparently dispose assets as recommended. In the circumstances, data resident on or extracted from the decommissioned systems and equipment is prone to misuse and loss.

The Accounting Officer submitted that the 3 ICT systems contained information that needed to be kept, and that the systems were instead integrated with NMS+.

Recommendation

The Committee recommends that the Accounting Officer should put in place appropriate policies, strategies and procedures to ensure data availability and integrity preservation during decommissioning of IT systems.

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5. OTHER MATTERS

5.1 Complaints over Delayed Delivery of Drugs and Other Medical Supplies

In addition to media reports, the committee raised a concern of delayed delivery of drugs and other medical supplies by NMS to Government health facilities which causes a shortage of much-needed drugs in health facilities

The Accounting Officer explained that they too have seen the complaints in the media, but said they could be arising from the delayed requisition of drugs and other medical supplies by the affected health facilities. He submitted that when NMS gets the requisitions late, inevitably the delivery will be late. He added that lately NMS sends messages to Members of Parliament whenever deliveries of medicines are made to the health facilities.

Observation

The committee observes that shortage of drugs in health facilities on account of whatever reason affects the general public which is meant to benefit from them.

Recommendations

The committee recommends that:

1. NMS should streamline the cycle of procurement, dispatch and delivery of medicines and other supplies to health facilities with strict timelines;
- ii. NMS continuously sensitizes Government health facilities about the process of requisition and delivery of medicines so that the shortage of drugs on account of late requisition is addressed.

6. CONCLUSION

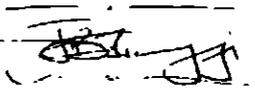
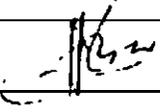
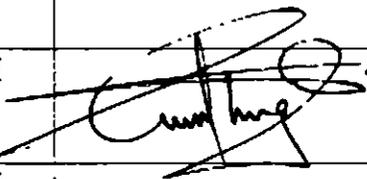
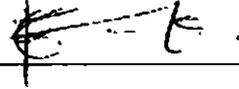
National Medical Stores plays a critical role in the distribution of medicines and medical supplies throughout the country. However, the Committee is concerned that the Ministry of Health owes NMS money that has not been paid for a number of years. If this trend continues, there is a risk that the operations of NMS will be severely affected.

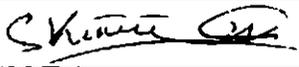
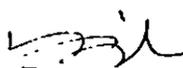
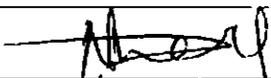
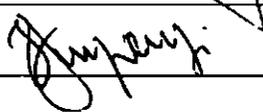
Additionally, it is imperative that delivery of drugs to health facilities is done in time

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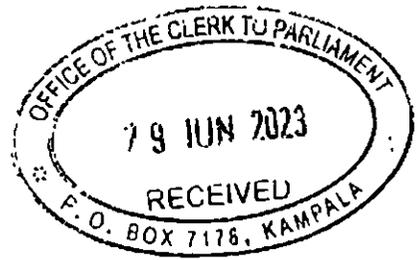
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REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES & STATE ENTERPRISES) ON THE REPORT OF AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF NATIONAL MEDICAL STORES FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022

S/N	NAME	CONSTITUENCY	PARTY	SIGNATURE
1	Hon. Ssenyonyi Joel – C/Person	Nakawa West	NUP	
2	Hon. Akello Lucy – D/CP	DWR Amuru	FDC	
3	Hon. Lagen David	Agago County	NRM	
4	Hon, Mbwaterkamwa Gaffa	Igara West County	NRM	
5	Hon. Afoyochan Esther	DWR Zombo	NRM	
6	Hon. Anywar Ricky Richard	Agago West County	NRM	
7	Hon. Acan Joyce Okeny	PWD National	NRM	
8	Hon. Achan Judith Peace	DWR Nwoya	NRM	
9	Hon. Akampulira Prossy Mbabazi	DWR Rubanda	NRM	
10	Hon. Atwijukire Dan Kimosho	Kazoo County	NRM	
11	Hon. Bakkabulindi Charles	Workers Rep	NRM	
12	Hon. Gafabusa Richard Muhumuza	Bwamba County	NRM	
13	Hon. Mugabi Muzaale Martin	Buzaaya County	NRM	
14	Hon Ssekikuubo Theodore	Lwemyaga County	NRM	
15	Hon Abigaba Cuthbert Mirembe	Kibale County	NRM	
16	Hon, Okumu Gabriel	Okoro County	NRM	
17	Hon Kambale Ferigo (New)	Kasese Municipality	NRM	

18	Hon. Ruhunda Alex	Fort Portal Central	NRM	
19	Hon. Sekyanzi Benard Kirya	Budyobo County	NRM	
20	Hon. Wandwasi Robert	Bungokho South County	NRM	
21	Hon. Hashim Sulaiman	Neebi Municipality	NRM	
22	Hon. Maneno Zumura	DWR Obongi	NRM	
23	Hon. Nangoli Gerald	Elgon North County	NRM	
24	Hon. Ababiku Jessica	DWR Adjuman	NRM	
25	Hon. Wakabi Pius	Bugahya County	NRM	
26	Hon. Linda Irene	DWR Fort Portal	NRM	
27	Hon. Kamukama Davis	Bunyangabu County	NRM	
28	Hon. Twalla Fadil	Tingey County	NRM	
29	Hon. Nsibambi Yusuf	Mawokota South County	FDC	
30	Hon. Ekanya Geoffrey	Tororo County	FDC	
31	Hon. Okot Santa	DWR Aruu North	PPP	
32	Hon. Auma Kenny	Kwania North	UPC	
33	Hon. Sebamala Richard	Bukoto Central	DP	
34	Hon. Okupa Elijah	Kasilo County	IND	
35	Hon. Mpindi Bumali	PwDs Rep	IND	
36	Hon. Nsanja Patrick	Ntenjeru County South	IND	
37	Hon. Acora Nancy	DWR Lamwo	IND	
38	Hon. Mugema Peter	Iganga Municipality	IND	
39	Hon. Roland Ndyomugenyi	Rukiga County	IND	

40	Hon. Nkunyingi Muwada	Kyadondo East	NUP	
41	Hon. Kazibwe Bashir Mbazira	Kawempe South	NUP	
42	Hon. Kiwanuka Abdallah	Mukono South Nison	NUP	
43	Hon. Bagala Joyce Ntwatwa	Mityana District	NUP	
44.	Hon Dr Nekesa Victor	UPDF Rep.		
45.	Hon Itungo Nathan	Kashari South	IND	J. N. N.



PARLIAMENT OF THE REPUBLIC OF UGANDA

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES & STATE ENTERPRISES) -PAC (COSASE) ON THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF KAMPALA CITY COUNCIL AUTHORITY FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022, AND OTHER MATTERS.

Office of the Clerk to Parliament
Parliamentary Building, Kampala

June, 2023

1 Revenue Performance

1.1 Under-utilisation of warrants

Out of the total warrants of UGX.313.67Bn received during the financial year, UGX 303 11Bn was spent by the entity resulting in an unspent balance of UGX.13.56Bn representing an absorption level of 95 7%. The unspent funds were swept back to the consolidated fund as required by the PFMA.

Some of the funds that were not absorbed were meant for the following activities, which were subsequently partially or not implemented at all.

No	Out-put	Activity	Amount (U GX)	Reason
1	80703-080703 Primary Health Care Services (Wages)	Payment of general staff salaries for health workers	1,734,049,446	Delayed recruitment of health workers by the Health Service Commission
2	70808-Secondary Education Services (Wage)	Payment of general staff salaries for secondary teachers	3,164,311,478	Delayed recruitment of teachers by the Education Service Commission

The Accounting Officer submitted that there was a delay to recruit teachers and health workers by the Ministry of Education & Sports, and the Ministry of Health. She stated that a submission was made to the Ministry of Public Service for the recruitment of teachers and health workers, but the recruitment could not go on following the enhancement of pay for science teachers and health workers, and the enhancement had not been planned for in advance. In addition, the structure of KCCA required more staff to fill the various health facilities and a request was submitted to the Ministry of Public Service and that of Health

Observations

The Committee observes that:

i. **The failure to absorb funds deprives beneficiaries of the intended services;**

ii. **There was no documentation to support the submission by the Accounting Officer that a request for the said staff was made to the relevant authorities at the time of the audit;**

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iii. **There was reluctance on the part of the management of KCCA to address the matter. While the recruitment of the relevant workers ought to have taken place before June, 2022, the correspondences seeking for a supplementary wage provision was authored much later, in November, 2022, several months after the end of the financial year.**

Recommendations

The Committee recommends that:

- i. The Accounting Officer should always make timely follow-ups on matters to ensure proper utilisation of funds budgeted for;**
- ii. KCCA management should liaise with the Ministries of Education and Sports, and Health to expedite the recruitment of teachers, and health workers in order to enhance the much-needed services in the aforementioned areas.**

1.2 Implementation of outputs and activities

The Auditor General could not assess the implementation of all the forty-six (46) outputs worth **UGX.316,676,584,628** with 137 activities since they were not fully quantified. The Auditor General was further not provided with the individual Directorates' work plans to confirm the quantification of outputs.

The Accounting Officer submitted that KCCA had work plans outlining all the outputs to be achieved in each of the budget items.

She stated that Covid-19 had affected some of the work of the institution, given that operations were at only 10% and as such some of the activities were not fully quantified. She submitted that previously the work plans were in place but were not fully quantified. However, the programme based budgeting system which had been introduced had helped to put in place a result oriented budget. She further submitted that she wrote to the National Planning Authority requesting for assistance regarding planning as a result of which some officers were sent to KCCA and the situation was improving

Observation

The Committee observes that failure to quantify outputs and activities implies management weakness in quantifying performance, and hence affects service delivery by the entity.

Recommendation

The Committee recommends that the Accounting Officer should ensure detailed work plans for all directorates are in place at the start of every financial year to enable the quantification and measurement of all outputs and to enable performance measurement.

1.3 Delivery of services from implemented activities

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The Auditor General undertook procedures to establish whether activities were undertaken in a timely manner, were of expected quality and quantity, and if citizens were getting the expected services. In addition, it was assessed if the works/services were delivered at reasonable costs. Below is a summary of the observations of the Auditor General

No	Activity details	Total expenditure (UGX) "000"	Summary of findings	Conclusion regarding service delivery
1	Completed Phase-I renovation of a classroom block at Munyonyo	500,000	<ul style="list-style-type: none"> At the time of inspection, the renovated area had already developed cracks at the wall and floor 	<ul style="list-style-type: none"> The anticipated services from the Admin block will not be achieved due to increasing cracks that could lead to the collapse of the building.
2	Removed asbestos sheets and renovated 24 classrooms at Kololo SS (Phase 2)	541,566	<ul style="list-style-type: none"> At the time of inspection, the construction of the 24-classroom block was incomplete, and the classes were not in use The other operational classes were not replaced with iron sheets, asbestos was still in existence 	<ul style="list-style-type: none"> The anticipated benefit of replacing all classes with iron sheets that prevent the students from danger caused by asbestos may not be achieved
3	Renovated a classroom block at Uganda School for the Deaf-Ntinda under the auspices of PIFUD (100% complete)	6,000	<ul style="list-style-type: none"> Although management had painted the classes, the roofs of the classes were leaking and therefore subjecting the paint to damage 	<ul style="list-style-type: none"> The anticipated benefit of providing better ambience to the classes may be short-lived since most of the classes painted were leaking and damaging the work already done
4	Completed renovation works at Luzira C/U Primary School with a donation by the schools' friends in Netherlands	68,987	<ul style="list-style-type: none"> At the time of inspection on 7th November 2022, all painted areas had faded because of 	<ul style="list-style-type: none"> The objective of providing face lift to the classes may not have been fully met.

			applying only one coating.	
5	Construction of Kiswa Health centre Phase I works	1,565,397	<ul style="list-style-type: none"> At the time of inspection phase I- works of casting the floor, poles, double shafts and block work purported to have been completed were not yet complete 	<ul style="list-style-type: none"> The anticipated benefit of utilising the facility after the nine months contract provided in the agreement for provision of maternity may not be achieved
6	Mapped and Issued House Numbers	120,000	<ul style="list-style-type: none"> At the time of audit, the mapping of all houses had not been completed 	<ul style="list-style-type: none"> The anticipated benefit of easy identification of houses for billing for property rates and ground rent which generate revenue for the authority, may not be achieved soon
7	93 newly appointed staff with minutes from PSC issued appointment letters	436,456	<ul style="list-style-type: none"> Recruitment of new staff had not been completed 	<ul style="list-style-type: none"> The anticipated benefit of providing teaching services may not be achieved soon
8	Completed Phase 1 construction of MTN Phillip Omondi stadium.	4,100,000	<ul style="list-style-type: none"> At the time of inspection, the phase-1 purported to be complete had not been completed, activities such as the structural works, columns, slab, stairs and foundation were not complete. 	<ul style="list-style-type: none"> The completion of the stadium for use to support the club may not be achieved soon due to delayed contract revisions and slow works
9	Procured 39 office chairs, 14 tables and 5 desks	2,140,000	<ul style="list-style-type: none"> At the time audit the chairs had not been delivered 	<ul style="list-style-type: none"> The anticipated benefit of utilizing the chairs and tables may not be achieved soon
10	Procurement of Road Maintenance equipment	547,789	<ul style="list-style-type: none"> At the time of inspection, the 5 garbage collectors had not been distributed to the divisions. The procurement for the 5 tractor 	<ul style="list-style-type: none"> The anticipated benefit of utilising the garbage collectors for transportation of garbage may not be realised soon The anticipated benefit of utilizing the 5 tractor trailers and 20 skip containers for



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			trailers and 20 skip containers had not been completed	cleaning the city will not be achieved soon
11	Procurement of 7 ambulances and 5 motorcycles for provision emergency medical services contract awarded.	3,706,210	• At the time of inspection, the ambulances had not yet been distributed to the respective divisions of the city	• Delayed distribution of the ambulances results in a delay in the utilisation of the vehicles by patients
12	The procurement and Signalization of 30 Junctions and the construction of the Traffic Control centre under JICA Finalized	3,798,000	• At the time of inspection, the procurement of the 30 Junctions and construction of Traffic Control centre under JICA had not been finalized	• Delayed installation of the traffic control centres is likely to delay the improvement of traffic management in the City.

General Observation

The Committee observes that the failure to complete the various projects satisfactorily meant that the facilities could not be utilised, but also led to loss of time and money.

General Recommendation

The Committee recommends that the Accounting Officer should ensure timely and satisfactory completion of all the projects within a period of three (3) months after the adoption of this Report.

1.4.9 Procured 39 office chairs, 14 tables and 5 desks and Procurement of 7 ambulances and 5 motorcycles for provision emergency medical services contract awarded

The Accounting Officer informed the Committee that the total expenditure on furniture in the F/Y 21/22 was UGX 135,213,008 and not UGX 2.14bn as reported, and that 50 as opposed to 39 chairs were purchased at a cost of UGX 32.5m. These were delivered on 19th August 2022.

Regarding ambulances and motorcycles, the Accounting Officer submitted that the ambulances cost 1.61bn and the motorcycles cost UGX 52.5m, bringing the total cost to UGX 1.663bn and not UGX 3.7bn She further submitted that both items were part of the Covid-19 responses; the ambulances were delivered

The Auditor General informed the Committee through a letter that his office asked KCCA to provide a breakdown of the figures spent on these items but

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the information was not provided. The Auditor General therefore captured the block figures.

Observation

The Committee observes that there were disparities between the figures of the Auditor General and KCCA.

Recommendation

The Committee recommends that the Auditor General should revisit this matter in the subsequent audit.

2. Management of Public land

2.1 Encumbrance on Public Land

It was noted that out of the two hundred forty-two (242) pieces of land measuring approximately 184.818 hectares held, 24 pieces measuring approximately 36.79 hectares (19.6%) valued at UGX.34,664,788,600 had been encroached upon by the local population.

The Accounting Officer submitted that most encroached upon land was in Nakalama, Kasenge, which was purchased for constructing a landfill in 1997 but where KCCA did not take immediate possession and the 64 4 acres (approximately 26 hectares) was inhabited by squatters. KCCA filed a case against squatters (*Kampala Capital City Authority v Yosia Masengere & Others Civil Suit No 0457 of 2015*).

She further submitted that KCCA also owns land in Kyanja where there is a demonstration farm and there are squatters on the land making bricks, but KCCA was engaging them through the Ministry of Gender, Labour & Social Development which manages the land



The land in Lusaze which hosts a filled up cemetery was also encroached upon and management was in the process of renewing the expired lease. She further submitted that the entity was making efforts to fence off all its land.

Observations

The Committee observes that:

- i. Management of KCCA has, over the years, neglected to safeguard and take possession of some of its land which has resulted into squatters that have lived on the land for many years;**

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- ii. **No evidence was submitted to indicate the efforts undertaken by management to stop encroachers on KCCA land in the various places;**
- iii. **Encroachment hinders management's ability to utilize the land and pose a risk of loss of land.**

Recommendations

The Committee recommends that KCCA management should secure possession of its land, and keep track of the court proceedings to resolve all forms of third party claims in order to ensure uninterrupted utilization of land for service delivery.

2.2 Titling and Transfer

The Auditor General noted that out of the 184 pieces of land measuring approximately 184.818 hectares the entity held, forty-eight (48) pieces of land measuring approximately 37 755 hectares (20%) did not have land titles.

The Accounting Officer submitted that the majority of the 48 titles arise from road infrastructure projects where various pieces of land have to be subdivided 6 land titles had been obtained, and processes to have the rest of the land titled were initiated and were with cartographers and surveyors as part of the process. The rest relate to pieces of land belonging to Buganda Land Board that houses schools operated by KCCA. The rest was owned by Uganda Land Commission. Management said they were engaging the relevant institutions in order to obtain the certificates of title.

Observations

The Committee observes that:

- i. **Management did not submit evidence of engagement with the stakeholders in the matter ie Buganda Land Board and Uganda Land Commission, which casts doubt on their commitment to obtain the various certificates of title;**
- ii. **Lack of certificates of title exposes KCCA land to encroachment, disputes, and may result in the loss of land.**

11 **On 30th January, 2023, the Minister of Finance, Planning & Economic Development, wrote to the Attorney General seeking for guidance regarding writing off a number of loans that were unrecoverable, including that of KCCA that were kept on its books of accounts and queried several times by the Auditor General.**

Recommendation

The Committee recommends that the Attorney General should provide guidance on this loan and how it should be dealt with, within three (3) months from the date of adoption of this report.

3.2 Outstanding domestic arrears: UGX.24,986,987,210

Section 21(2) of the PFMA states that a vote shall not take any credit from any local company or body unless it has no unpaid domestic arrears from debts in the previous financial year, and it has the capacity to pay the expenditure from the approved estimates as appropriated by parliament for that financial year Further, paragraph 10.9.17 of the Treasury Instructions, 2017 states that an Accounting Officer will ensure that no payments due in any financial year remain unpaid at the end of that year.

Contrary to these legal provisions, it was noted that the Authority had outstanding commitments to the tune of **UGX.24,986,987,210** at the year-end.

The Accounting Officer explained that management was committed to adherence to the commitment control system. However, most of the large payments are for road construction projects which are multi-year in nature, and the payment timelines are hard to predetermine. In addition, the outputs of the subsequent year budgets were taken care of in the multiyear planning. However, the risk of litigation continues to loom over the Authority.

Observation

The Committee observes that accrued domestic arrears adversely affect budget performance in the subsequent year as outputs

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anticipated in the appropriated budget may not be attained due to the settlement of arrears. This may also result in litigation for non-payment of services already consumed.

Recommendation

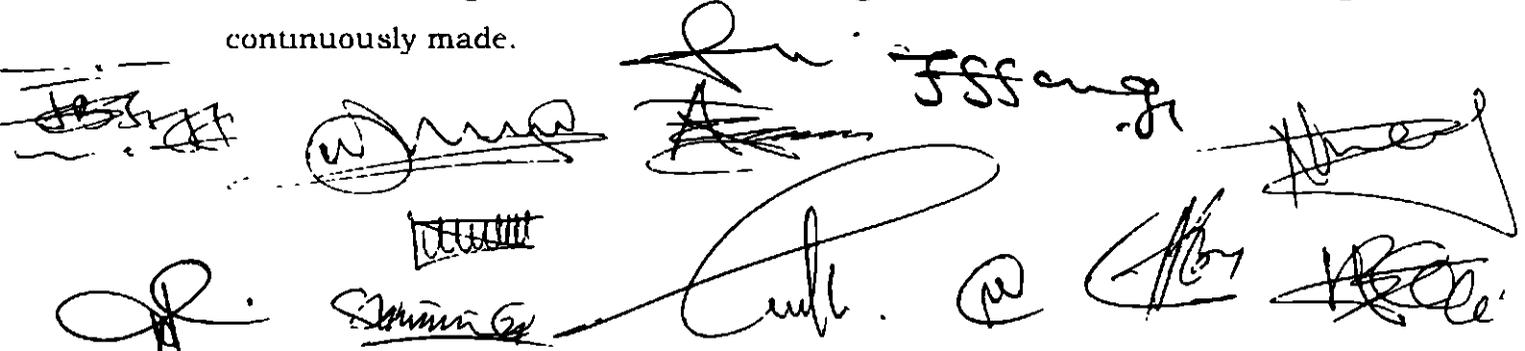
The Committee recommends that management should ensure that all major works, especially multi-year projects, are allocated sufficient funds to avoid arrears which attract interest on delayed/late payments.

3.3 Non- remittance of statutory deductions

It was noted that by the end of the financial year, KCCA made statutory deductions amounting to **UGX.4,107,020,986**, which had not been remitted to the respective institutions, as shown in the table below, contrary to Paragraph 10.23.1 of the Treasury Instructions, 2017.

No	Details	Amount UGX	Beneficiary Institution
1	PAYE	2,597,162,249	URA
2	WHT	17,211,198	URA
3	NSSF contributions	1,492,647,539	NSSF
	Total	4,107,020,986	

The Accounting Officer explained that management was constrained with the budget to process these outstanding statutory payments but was engaging government to allocate additional funding. She said the bulk of the outstanding PAYE and NSSF was related to the remittances of June 2022, which had since been made. She further explained that the delays to remit NSSF contributions for casual workers was caused by delayed registration, and that the remittances of all those that had successfully registered were made while registration was continuing and remittances were being continuously made.

Observations

The Committee observes that:

- i. The failure by KCCA to remit statutory deductions in time was a breach of the law, an infringement on the rights of workers, and affects the overall government budget and exposes the Authority to fines and penalties;**
- ii. The failure to remit NSSF contributions leads to financial loss to employees given that they cannot earn interest on unremitted contributions;**
- iii. The shortage in funding as an explanation for the delay to remit the statutory deductions was not tenable because statutory deductions are paid on salaries.**

Recommendations

The Committee recommends that:

The Accounting officer should:

- i. KCCA should immediately pay all outstanding NSSF contributions plus accrued interest;**
- ii. Always prioritise the payment of statutory deductions and remittances to void penalties and jeopardizing the livelihood of employees.**

4. Delayed commencement of the Kampala Rehabilitation Project

According to the Project Appraisal Report (PAR) 2019, the project implementation period was expected to start in June 2020 and be completed over a 5-year period, including one year of the defect's notification period. The Executive Director KCCA was responsible for nominating a Project Coordinator acceptable to the Bank for the day-to-day management of the project and constituting a Project Implementation Team (PIT) comprising a Civil Engineer, a Procurement expert, an Accountant, an Environmentalist, and a socio-Economist.

It was noted that the project had delays in commencement due to some factors, such as delays in obtaining necessary project approvals and lengthy procurement processes that involved obtaining the Bank no objection and

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contracts committee approval before advertisement was done. As a result, the project was declared effective upon signing a loan agreement on 11th May 2021, eleven (11) months after the intended effectiveness date.

The Accounting Officer submitted that the project approval process involved other stakeholders, including the Ministry of Finance and the office of the Attorney General, which are beyond KCCA's control. To mitigate the delays after signing the Financing Agreement, KCCA secured no objection from the Bank through the Ministry of Finance, Planning & Economic Development to conduct an advance procurement for both the supervising consultancy and actual works. In addition, the delay in the procurement was also caused by the impact of the Covid 19 at the beginning of the project implementation period

Observation

The Committee observes that delays in commencing projects leads to low absorption of funds and non-implementation of planned activities, which affect the project's overall performance.

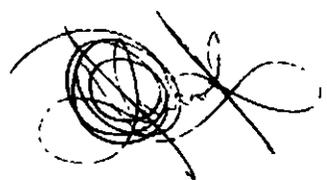
Recommendations

The Committee recommends that the Accounting Officer should:

- i. Fast-track all key project activities to avoid further delays in project implementation;***
- ii. Ensure that the necessary loan documentation is submitted to the loan appraisal unit in time to MoFPED and subsequently to the respective approval authorities to avoid delays.***

**5. Nugatory expenditure -Interest on delayed payments:
UGX.94,811,339**

It was noted that the Authority delayed settling the Interim Payment Certificate (IPC) number 20 for works executed by M/s EnergoProjekt on the reconstruction and/or upgrading of various roads in Kampala, contrary to



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Paragraph 49 (3) of the Public Procurement and Disposal of Public Assets (PPDA) (contracts) regulations 2014. As a result, on 25th August 2021, the Authority paid UGX.94,811,339 as accrued interest on delayed payment, which expenditure was avoidable with good planning and coordination with the relevant stakeholders.

The Accounting Officer explained that these payment claims required going through a review process before payment. However, the staffing numbers were too small to handle the volumes of work and efforts to fill the structure through recruitment by PSC were slow. As such, KCCA had to make the payments resulting from the delay as provided for in the contracts.

Observation

The Committee observes that nugatory expenditure denies the Authority the resources to implement its other planned activities.

Recommendation

The Committee recommends that the Accounting officer should ensure the expeditious review of payment claims and settlement of approved certificates and invoices in time to avoid nugatory expenditure.

6. Implementation of the Youth livelihood Programme (YLP)

It was noted that since the programme's inception, **UGX.4,628,647,280** was disbursed to various youth groups in the five divisions of Kampala. However, only **UGX.1,046,738,620** has been recovered, representing a recovery rate of 22%. It was further noted that some groups have never made any repayment to the tune of **UGX.1,291,719,451**.

Chapter 6 of the programme document states that youth groups should repay the loan within one year from receipt of the funds, and thereafter, all un-refunded amounts attract a service fee of 5% to cater for inflation. Otherwise, the loan should not exceed three years.

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The Accounting Officer explained that KCCA was committed to follow-up on repayments through regular monitoring, issuing demand notices and ensuring recovery of funds. However, most groups were affected by COVID-19, but KCCA was working with the leadership of the groups to reschedule the repayments. In addition, low recovery had also been majorly due to mismanagement of funds by the beneficiaries

Observations

The Committee observes that:

- i. **Failure to recover funds from the beneficiary groups may lead to the non-achievement of the intended objectives of the revolving fund;**
- ii. **The fact that some groups had not made any repayment was an indication of not doing due diligence on the groups before the loans were disbursed.**

Recommendations

The Committee recommends that:

- i. **The Accounting Officer should devise more effective mechanisms of recovering funds from the youth groups;**
- ii. **The Ministry of Gender, Labour, and Social Development should re-examine the implementation of the Youth Livelihood Programme with a view to improving its performance in order for the programme to benefit the target groups.**

7. Delay to operationalise the 2019 outdoor advertising ordinance

It was noted that on 23rd April 2020 court ruled that the Authority was irregularly collecting fees from outdoor advertising. In the ruling, the Authority was barred from budgeting and collecting any outdoor fees until proper regulations on outdoor advertising rates had been put in place. However, it was noted that the Authority had not yet developed regulations on outdoor advertising rates. Therefore, no collections were made during the

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year, although the Authority, in the FYR 2019/2020, collected UGX.3,502,864,732 before the court ruling that halted collecting these fees.

The Accounting Officer explained that a draft Outdoor Advertising Ordinance was prepared with the input of the relevant KCCA technical staff and was presented to the City Executive Committee (CEC), which made their input after which the draft Ordinance was submitted to the Authority Council. Council referred the draft to a select committee of Councilors for their detailed review, after which it would be tabled again to the Council for its consideration

Observations

The Committee observes that:

- i. **The National Outdoor Advertising Contractors Association Ltd brought an action against KCCA (The National Outdoor Advertising Contractors Association Ltd v KCCA Misc. Cause No 407 of 2019) seeking for an order of certiorari quashing the decision of KCCA approving the outdoor advertising rates contending that the rates were illegal, irrational, and unlawful; and a declaration that the UGX 13.726bn which were rates and fees and other charges unlawfully levied, charged, collected and received as outdoor advertisement rates by the respondent from the applicant's members since 2011 was illegal and unlawful. The applicant sought for the same amount as damages;**
- ii. **On 23rd April, 2020, the High Court held the Applicant was entitled to a refund of all the money and other charges unlawfully levied and received as outdoor advertisement rates by the Respondent from the Applicant's members since 2011, upon proof;**
- iii. **On 02nd December, 2020, in Misc. Cause No. 407 of 2019, an amount of UGX 8,228,774,384 was formally proved in court as**

decretal sum, and 2,653,779,738 as taxed costs and interest, making a total loss of UGX 10,882,554,122;

- iv. Despite the fact KCCA is not collecting advertising fees, several billboards continue to be erected in the city unabated;*
- v. As a result of the absence of an enabling law (Ordinance) that allows for the levying and collection of advertising fees, KCCA has lost and continues to lose income.*

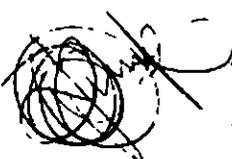
Recommendation

The Committee recommends that Council should fast-track the approval process of the draft Advertising Ordinance to enable the Authority collect revenue from outdoor advertising, and the Accounting Officer should report to Parliament on the same within three (3) months from the date of adoption of this Report.

8.0 Human Resource Management

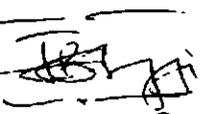
8.1 Vacant positions in the Authority

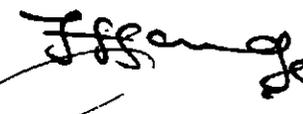
A review of the Authority's organizational structure indicates that out of the approved 1,454 posts, only 825 (56.7%) are filled, leaving 629 posts vacant, representing a staffing gap of 43.3%. The unfilled positions included key personnel in the Authority, such as Manager Fleet and Transport logistics, Manager Human Resource operations, Manager Education Services and Director Engineering and Technical Services, among others



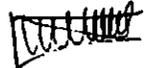
The Accounting Officer explained that the process of staff recruitment by the Commissions had taken considerable time, and several stakeholders are involved. However, a progress has been made with several staff appointed by the President and the various commissions.

She submitted that operating at a staffing of 56% was affecting KCCA's performance and stated that if the staffing was raised to about 75% the situation would improve. She further submitted that the Ministry of Public Service and KCCA were conducting a functional analysis of the unfilled positions, and the process would be concluded by the end of May, 2023.

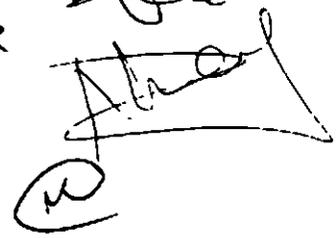










Observations

The Committee observes that:

- i. The staffing levels of 56.7% are low and this makes it difficult for the entity to properly execute its mandate;**
- ii. The staffing gaps are key positions, which negatively affects the level of public service delivery;**
- iii. Whereas many of the higher positions have been filled, several staffing gaps for lower positions remain, notably in the areas of health and education.**

Recommendations

The Committee recommends that:

- i. The Ministry of Finance, Planning & Economic Development should provide funds for the recruitment of all the requisite staff for KCCA;**
- ii. The Accounting Officer should ensure that all appointed officers assume duty as soon as possible.**

9.0 Management of Schools

9.1 Operation of unlicensed and unregistered schools

A review of the status of licensing and registration of schools in Kampala indicated the following

Only 865 out of 1,927 schools were registered with KCCA representing 45%, while 928 schools were not registered and licensed, representing 48%. The balances of 134 schools were provisionally licensed. The provisional licenses for 102 out of the 134 schools had expired (exceeded the two years in operation) and had not been renewed, implying that the schools were operating illegally. It was noted that except for the schools which were issued closure notices as far back as 2018 but are still operating, other schools had never been issued closure notices by KCCA.

The Accounting Officer explained that the challenges are; schools begin operating before they apply to be licensed and the activity of surveying communities to identify unlicensed schools is intensive, and the rate at which schools are mushrooming beats institutional capacity in terms of available resources.

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In addition, schools are licensed provisionally for two years and are licensed if they meet 100% of the basic requirements and minimum standards after two years or are put on an improvement plan. The Authority communicated to all unlicensed schools not to open come 2023, and the responsible Directorate was procuring two dedicated vehicles to improve management capacity.

Observations

The Committee observes that:

- i. Out of the 1978 schools in the city, only 79 are operated by KCCA, an indication of the inadequacy of the authority to provide education services. The numerous primary schools indicate an attempt to fill a void in the education sector in the city;**
- ii. The number of unlicensed schools indicates inadequate supervisory capacity on the side of KCCA and the Ministry of Education and Sports;**
- iii. Understaffing and an inadequate budget for KCCA make it difficult for the authority to effectively supervise schools.**

Recommendations

The Committee recommends that:

- i. The Accounting Officer should review the operations of the Education Directorate to further improve its capacity to manage licensing of schools adequately and achieve its intended goals and objectives;**
- ii. The Ministry of Education and Sports should put in place measures to improve licencing of all schools and collaborate with the management of KCCA regarding supervision.**

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10.0 Review of KCCA Mandate

10.1 Absence of the City Public Accounts Committee

It was noted that the Capital City Public Accounts Committee (PAC) was not established and the Auditor General was not provided with evidence of its existence and functionality. This was attributed to the failure of management to comply with the provisions of the KCCA Act.

The Accounting Officer explained that the matter was before council, and names for the PAC membership were proposed and recommended by the City Executive committee to Council and was resultantly adopted.

Observation

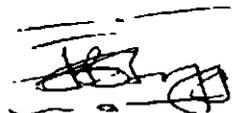
The Committee observes that the absence of the City Public Accounts Committee means that the recommendations of the Internal Audit department, the reports of the Auditor General and other investigation agencies may not be reviewed and implemented. Further, it becomes difficult to confirm whether the City's corporate governance structures are adequate.

Recommendation

The Committee recommends that KCCA should always ensure that the accountability committees are in place to attend to reports of the internal audit and the Auditor General.

10.2 Failure to prepare implementation report for Kampala Physical Development Plan (KPDP)

In 2013 KCCA started implementing the 10-year Kampala physical development plan recommendations from the consultancy report. The report indicated activity timeliness for short-term (10 years) accomplishments scheduled to end in 2022, as well as long-term accomplishments per development plan III and vision 2040. The short-term activities included, establishing a strong Transport Unit (TU), relocating the main taxi stages (Old and new taxi park) away from the City Centre and protecting and preserving



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Kampala's non-degraded wetlands beyond currently urbanized built areas in their natural state, among others.

It was noted that it was the final year (expiry of the ten years) of implementing the Consultancy recommendations on KPDP. However, management has not prepared an implementation and evaluation report to evaluate performance.

The Accounting Officer indicated that the report to this effect would be in place by the end of FYR 2022/23.

Observation

The Committee observes that in the absence of the implementation report, it becomes difficult to confirm the extent of implementation of the planned activities and the achievement of the intended goals and objectives.

Recommendation

The Committee recommends that the Accounting Officer should expedite the process of preparing a report on the implementation of KPDP to enable the evaluation of performance and inform the next strategic direction in the area. This should be done within six (6) months from the date of adoption of this report.

11.0 Management of Information Technology (IT) Investments in Government

The Government of Uganda (GoU) is making large investments in Information Technology (IT) systems because of the tremendous benefits IT can bring to its operations and services. One of the key programmes of NDPIII 2020/21-2024/25 is Digital Transformation, in which Government of Uganda, aims to increase Information, Communication Technology (ICT) penetration and use of digital services for enhancing social and economic development

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For 2021/2022, the entity budgeted for **UGX.2,600,000,000** to acquire and implement IT systems and equipment and received **UGX.2,200,000,000**. A review of ICT activities implemented by the Authority revealed the following

11.1 Manual Preparation of Financial Statements

The entity does not use an automated system to prepare financial statements which would improve accountability and reporting.

Observation

The Committee observes that the entity was preparing financial statements manually using MS Excel which is prone to errors due to human intervention and manipulation.

Recommendation

The Committee recommends that management should acquire an automated accounting system for the preparation of financial statements within a period of six (6) months from the date of adoption of this Report.

12.0 Management of Public Land

12.1 Utilisation Land for Service Delivery

Instruction 16 13.12 of the Treasury Instruction, 2017 requires that to control an asset, a government entity usually be the predominant user of the asset

It was noted that out of the 242 pieces of land measuring approximately 184.818 hectares held, 3 pieces of land measuring approximately 1.71 hectares (1%) valued at UGX.9,073,395,190 were not utilized by the entity at the time of audit

The Accounting Officer explained that management was committed to utilising vacant land and the process for leasing these properties was ongoing. However, proper due diligence had to be conducted before leasing out the property, which explains why there were delays.

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Observation

The Committee observes that un-utilised land is susceptible to encroachment and grabbing.

Recommendation

The Committee recommends that KCCA should expedite the process of leasing out all its vacant land to raise revenue.

12.2 Irregularities in Management of Leased Land

Regulation 6 of the Land Regulations, 2004 requires a lease offer made by a Board or the Commission to communicate the offer stating the terms and conditions of the offer conditioned upon payment of fees and other charges, in full or by installment. A review of the lease file and MOUs held by the Authority revealed the following:

- Two leases for land measuring 0.602 hectares had expired at the time of carrying out this Audit;
- One piece of land measuring 0.455 hectares leased out had not been developed as per the conditions of the lease agreement.
- Out of the lease rentals of UGX.1.5bn expected in the period under review, the entity only received UGX 620m (41%) hence an under collection of UGX.880m
- No leases for land were renewed without payment of ground rent arrears or development of land as per the lease agreement.

The Accounting Officer explained that all leased properties are subjected to compliance through physical planning, and no extension is approved without a compliance report. One of the lessees had complained of encroachment which was being addressed. The Authority was also taking measures to increase collection from lease rentals.

Observation

The Committee observes that irregularities in lease management processes of land wholly controlled and owned by KCCA negatively impact on revenue collection.

Recommendation

The Committee recommends that the Accounting Officer should strengthen internal controls surrounding lease management and ensure that proper lease agreements with clear terms are signed with prospective lessees.

13.0 Parish Development Model (PDM)

13.1 Budget performance

A review of the approved PDM budget allocation for the FYR 2021/2022 indicated that KCCA had an approved budget of **UGX.1,556,280,000**; out of this, the Authority received UGX.1,537,621,295 (98%) as shown in the table below;

Sn	Purpose	Budgeted amount (UGX)	Released amount (UGX)	Variance (UGX)
1	Revolving fund	0	0	0
2	Administrative costs	19,800,000	19,800,000	0
3	Gadgets and tools	990,000,000	971,341,295	18,658,705
4	Staff costs	546,480,000	546,480,000	0
	Total	1,556,280,000	1,537,621,295	18,658,705

It was further noted that these funds were received before a detailed budget and work plan were prepared, and therefore, no details were provided on how the funds were supposed to be spent.

The Accounting Officer pledged to engage with MoFPED and PDM Secretariat to provide the guidelines

Observation

The Committee noted that in the absence of a detailed work plan, it becomes difficult to confirm whether the detailed activities were properly costed and spent for the intended purposes.

Recommendation

The Committee recommends that the Accounting Officer should ensure that detailed work plans are prepared within one (1) month to guide the implementation of activities under the Parish Development Model.

13.2 Absorption of PDM funds

It was noted that out of the total receipts of UGX.1,537,621,295, UGX 373,611,052 was spent, representing an absorption level of 24.3%, leaving UGX.1,164,010,243 unspent by the year-end.

Category	Approved Estimate (A) (UGX billions)	Release (B) (UGX billions)	Expenditure (C) (UGX billions)	Unspent (B-C) (UGX billions)	% Absorption
Revolving fund	0	0	0	0	0
Administrative costs	19,800,000	19,800,000	19,800,000	0	100

Gadgets and tools	990,000,000	971,341,295	353,811,052	617,530,243	36
Staff costs	546,480,000	546,480,000	0	546,480,000	0
Total	1,556,280,000	1,537,621,295	373,611,052	1,164,010,243	

The Accounting Officer explained that the beneficiary SACCOs had not been formed at the end of FY2021/22 because the PDM Secretariat had not yet provided guidelines.

Observations

The Committee observes that:

- i. The failure to absorb the funds was caused by the absence of guidelines for the formation of SACCOs;**
- ii. Under absorption of funds results in delayed or non-implementation of the budgeted activities and delayed achievement of the programme goal of financial inclusion.**

Recommendation

The Committee recommends that the Ministry of Local Government should ensure that all guidelines necessary for preliminary activities such as the formation of SACCOs are provided before the disbursement of funds.

13.3 Failure to transfer funds to the PDM SACCOs

Guideline 3.6.1(c) of the step-by-step guide for rolling out the PDM at the community level issued in May 2022 by the PDM secretariat requires that the funds should be channeled directly to beneficiary PDM SACCO's accounts.

MoFPED did not release funds to the Authority for the beneficiary PDM SACCO accounts

The Accounting Officer explained that the SACCOs were not in place due to the absence of guidelines regarding their formation, so funds could not be transferred.

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Observation

The Committee observes that the SAACOS were not in place because there were no guidelines regarding how they should be formed, and therefore funds could not be released to non-existing entities.

Recommendation

The Committee recommends that the Accounting Officer should ensure that all the SACCOs are formed according to the guidelines to enable them to receive funds in subsequent financial years.

13.4 Contradictory implementation guidance/directives

From the review of the implementation of PDM activities, it was noted that entities faced the challenge of numerous guidances from different stakeholders, which at times were contradictory. Some of these conflicting guidances include

Subject/Area	Areas of Contradiction
Transfer of funds to PDM SACCO	PDM Guidelines by Secretariat - Funds should go direct to PDM SACCO accounts in commercial banks Guidance by PSST - Funds to be sent to entity General Fund Accounts
Recruitment of Parish Model Chiefs	KCCA recruited Assistant Ward Administrators for Parish Model on three months contract, which expired on 30 th September 2022, contrary to the recommended three-year contract.

Observation

The Committee observes that contradictory guidances to implementers of the PDM causes disharmony and impairs coordination in the implementation of PDM activities.

Recommendation

The Committee recommends that management should liaise with the PDM secretariat and review the various guidelines issued and harmonize guidance given to the implementers of PDM activities.

14.0 Court Awards and Compensations

In 2016, government decentralized the payment/retirement of court awards from the Ministry of Justice and Constitutional Affairs (MOLG) to the

Ministries, Departments, Agencies, Local governments and State Enterprises (MDALS) responsible for causing the obligations. The decentralization of court awards and compensation was adopted to curb the accumulation of arrears arising from court awards and compensation, starting with obligations for the financial year 2016/2017. However, preliminary findings indicate that some MDA's still accumulate arrears from court awards even after decentralizing the payment/retirement of court awards.

14.1 Lack of adequate budget for liabilities from Court awards and compensations

Section 13(10) (a) (iv) of the Public Finance Management Act, 2015 defines an annual budget as the financing estimates for the financial year to which the budget relates, including a plan for the government debt and any other financial liabilities for the financial year to which the annual budget relates.

It was observed that KCCA budgeted **UGX.6,802,994,920** for the settlement of liabilities relating to court awards and compensations, although the court awards and compensations payable by 30th June 2021 were totaling **UGX.23,019,117,74**, hence under budgeting by **UGX.16,216,122,825**. Management explained that the under-budgeting resulted from budget ceilings for domestic arrears set by the MoFPED during the planning and budgeting cycle.

The Accounting Officer pledged to liaise with the various stakeholders to ensure adequate resources are allocated for the settlement of outstanding liabilities

Observation

The Committee noted that failure to provide resources for the settlement of liabilities results in delayed settlement and further accumulation of interest on the outstanding debt.



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Recommendation

The Committee recommends that the Accounting Officer should continuously engage Ministry of Finance, Planning and Economic Development to request for additional funding to settle these litigation liabilities.

14.2 Lack of criteria for management of Court awards and compensations

A policy guideline for compensation is an essential tool for a more rational prioritisation and promotion of equal treatment and helps to explain decisions on cases that have been prioritised

It was observed that Kampala Capital City Authority does not have formal criteria or guidelines to guide the settlement of court awards and compensations. Such guidelines would indicate priority aspects followed to guide the decision to settle an award, such as settlement criteria, payment/settlement plans, negotiations, first-in-first-out (FIFO), mandamus orders (certificate of orders), Human rights violation cases, public interest cases, and high-interest rate cases, among others

It was further noted that the Authority paid cases without following documented criteria. Therefore, it was hard for the Committee to confirm what criteria was being used to guide the settlement of court awards and compensations

The Accounting Officer explained that the guidelines were to be developed and approved by management by the beginning of financial year, 2023/2024.

Observation

The Committee observes that without documented criteria followed to guide the settlement of court awards and compensations; the process is susceptible to abuse.

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Recommendation

The Committee recommends that management expedites the process of developing formal guidelines to streamline court awards, compensation management and settlement within three (3) months from the date of adoption of this Report.

15.0 Management of Pension and Gratuity

The government of Uganda (GoU) has implemented several reforms and guidelines to streamline the management of pension and gratuity within the civil service over the years. Despite these reforms, government still faces a number of challenges in the management of pension and gratuity such as; shortfalls in pension payments due to lack of sufficient budgets, delayed processing of pension benefits, non/delayed payment of retired officers even when their pension files had been approved and payment files uploaded on the IPPS/IFMS interface, and use of wage balances to pay off residual pension arrears without obtaining clearance from Permanent Secretary and Secretary to the Treasury (PSST) among others.

15.1 Under budgeting for Pension liability: UGX.1,907,163,540

It was noted that during the year, KCCA budgeted **UGX.12,303,859,965** for payment of pension and gratuity for the financial year 2021/2022; however, a review of the closing balance of the pension and gratuity arrears revealed that the entity had an unpaid pension and gratuity arrears of **UGX.14,211,023,505**.

This implies that there was an under budgeting to a tune of **UGX.1,907,163,540** as shown in the table below:

Table: Showing over/under budgeting for Pension expenditure

Details	Total Budget (UGX)	Balance FY-2021 (UGX)	Variance (UGX)
Pension/Gratuity arrears	0	0	0
Pension for the year	7,394,692,355	10,090,095,023	2,695,402,668

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Gratuity for the year	4,909,167,610	4,120,928,482	(788.239,128)
Total	12,303,859,965	14,211,023,505	

The Accounting Officer explained that the planning for pensioners has often been done. However, in the period under review, there were more early retirements and death cases than anticipated, which resulted in increased pension payments, affecting the budget. Management also requested for a supplementary budget to cover the short-fall in pension budget. With the result that the budget for pension and gratuity for Financial Year 2022/2023, was enhanced to **UGX 15,838,495,222** and engagements with MOFPED were ongoing to provide the desired allocation to KCCA.

Observations

The Committee observes that:

- i. Failure to budget for pension and gratuity exposes the entity to litigation risks and encourages mischarging of funds appropriated by Parliament, which negatively affects the delivery of services and negates the purpose of budgeting;*
- ii. Non-payment of pension and gratuity affects the livelihood of retired civil servants.*

Recommendation

The Committee recommends that KCCA should always make provision for sufficient budgets for pension and gratuity.

15.2. Under absorption of Pension and Gratuity funds:UGX.343,901,299

It was noted that out of the total receipts for the financial year of **UGX.14,211,023,505**, **UGX.13,867,121,983** was spent by the entity on payment and settlement of pension and gratuity-related expenses resulting in an unspent balance of **UGX.343,901,299** representing an absorption level of

97%

The unspent balance at the end of the financial year was subsequently swept back to the consolidated fund account:

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Table showing absorption of Pension and gratuity funds

Approved estimate (A) (UGX billions)	Release/Warrant (B) (UGX billions)	Expenditure (C) (UGX billions)	Unspent (B-C) (UGX billions)	% Absorption
Pension/Gratuity arrears	0	0	0	0
Pension for the year	10,090,095,023	9,746,193,724	343,901,299	97%
Gratuity for the year	4,120,928,482	4,120,928,259	0	0
Total	14,211,023,505	13,867,121,983	343,901,299	97%

The Accounting Officer explained that processing pensions requires verification and authentication from various external stakeholders, such as the Administrator General for deaths, and the National Information Registration Authority (NIRA) for birth certificates which consumes time. In addition, there were cases of delays in the process of setting beneficiaries on the IFMS system.

Observation

The Committee observes that under absorption of released funds results in non-payment of pensioners, which affects the well-being of the affected pensioners and defeats the purpose for which pension is meant

Recommendation

The Committee recommends that the Accounting Officer should expedite the process of pension verification and setting up beneficiaries on IFMS to ensure that all pensioners are paid and on time.

15.3 Timely access to the pension payrolls

It was noted that thirty-two (32) pensioners were delayed access to the pension payroll. The average delay was 119 days; some pensioners sometimes delayed for more than 300 days

The Accounting Officer explained that several challenges affected the timelines for processing pensions, such as delay in submission of the estate details by the pension beneficiaries in case of death, inconsistent data

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requiring verification from the Ministry of Public Service, delays in the IFMS set-up and long approval processes.

In addition, many pensioners, especially those from tertiary and Secondary institutions, provide incomplete documentation, resulting in delays.

Observation

The Committee observes that delayed access to the pension payroll denies retirees their pension and may result in unspent pension funds and accumulation of pension arrears.

Recommendation

The Committee recommends that management should always start the process of data capture with the Ministry of Public service earlier and provide clear and early guidance to pensioners, especially those from tertiary and secondary institutions, to avoid delays.

15.3. Payment of Pensioners without life certificates

A review of the Authority's pensioners' personal files indicated that twenty-five (25) pensioners above the age of 75 had no updated life certificates on their files to confirm their existence and justification for pension payment.

The Accounting Officer explained that the Authority always undertakes verification of pensioners every year to ensure that life certificates are obtained, until 2020, when COVID-19 made it impossible to undertake verification of pensioners. However, in May 2022, KCCA started the process, and over 95% of the pensioners were verified and obtained life certificates. The remaining few that had challenges of movements and those not reached were being followed up.

Observation

The Committee observes that payments of pensioners without life certificates is contrary to Paragraph 6.8 of Establishment notice no 3 of 2020 issued by the Ministry of Public Service which requires responsible officers to ensure that all pensioners on the payroll annually fill out life certificates before effecting payment and makes it

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difficult to verify and confirm whether the Authority is paying bona fide pensioners.

Recommendation

The Committee recommends that management should expedite the follow-up of all unverified pensioners and send/circulate reminders to enable them to file their updated life certificates with the Authority as soon as possible.

6. OTHER MATTERS

6.1 Plot 71 Nkrumah Road

The Committee took interest in the matter relating to Plot 71, Nkrumah Road. The land is comprised in Freehold Register Volume 208 Folio 24, Plot 10-12 Kampala Road, Plot 1 on Pilkington Road, and Plot 71 Salisbury Road in Kampala, referred to as Plot 71 Nkrumah Road. The land was registered in the names of Uganda Land Commission in line with Article 239 of the Constitution.

KCCA operated a clinic on the said property until the land was leased to Ms Securex Amenities Uganda Limited on 21st February, 2012. The events leading to the relinquishment of the land were as follows:

On 08th April, 2010, the then Mayor of Kampala City Council, Al Haji Nasser Ntege Ssebagala, in a letter vide Ref: MAY/214/2 wrote to the Ag. Town Clerk of Kampala City Council indicating that M/S Securex Amenities Ltd had submitted a proposal to redevelop Plot 71 Nkrumah Road into a modern parking facility with a private health centre and other commercial services and that according to the application of M/S Securex Amenities Ltd dated 06th April, 2010, the company was offering to create a facility that has more parking spaces in addition to other commercial services and a health facility run by KCC in line with the council's interest of providing health services to the people. **(See Annexure A)**

According to the Mayor, the project was commendable and would generate more revenue to the city council. He noted that Uganda Land Commission was in the process of granting a lease to the company. He stated that he was of the view that since it was a viable project, the Ag. Town Clerk should proceed to formalise the recommendation as long as the new re-development project was in line with the current planning standards in the city.

On 12th April, 2010, vide a letter Ref: ULC/122, the then Secretary of the Uganda Land Commission, K. S. B. Mubbala, wrote to the Town Clerk, informing him that the Commission was in receipt of an application for Plot 71 Nkrumah Road, Kampala from M/s Securex Amenities Limited which

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Kampala City Council was a beneficiary of and requested for the input of the city council in order to process the application. **(See Annexure B)**

The Ag. Town Clerk at the time, Ruth Kijambu, wrote to the Mayor on 15th April, 2010 vide Ref CR/1200, informing him of the letter from the Uganda Land Commission and advising that the matter be discussed in the Executive Committee **(See Annexure C)**

On 12th May, 2010, Fred Baguma, Personal Assistant to the Mayor, wrote to the Ag. Town Clerk informing her of the proceedings of the Executive Committee meeting of 21st April, 2010 and noting that it had been resolved under MIN EC 6/25/2110 PLOT 71, NKRUMAH ROAD that:

- a) The Town Clerk advises the Uganda Land Commission to grant a lease for redevelopment on Plot 71, Nkrumah Road,
- b) The new development should be within the current planning standards of KCC. **(See Annexure D)**

On 14th May, 2010, the Ag. Town Clerk wrote to the Secretary, Uganda Land Commission vide a letter Ref CR/1200/2 responding to the letter of 12th April, 2010 informing him that the Executive Committee had met and raised no objection to the grant of the lease to the applicant and that, therefore, the lease could be processed. **(Annexure E)**

On 18th June, 2010 vide Ref: ULC/151/4227, the Secretary, Uganda Land Commission, wrote to the Commissioner, Surveys & Mapping, requesting that three certified copies of deed plans in respect of Plot 71, Nkrumah Road, Kampala, be prepared pursuant to the allocation of the land to M/s Securex Amenities Limited by the Commission under Min. 13/2010(a)(225) of 17th June, 2010 **(Annexure F)**

Observations

In light of the foregoing, the Committee observes as follows:

i. Securex Amenities Limited v Securex Amenities (U) Limited

The letter from the Secretary of the Uganda Land Commission dated 12th April, 2010 wherein reference to the application for a lease was made referred to Securex Amenities Limited, as the applicant. However, the communication to the Ag. Town Clerk by the Personal Assistant to the Mayor dated 12th May, 2010 refers to Securex Amenities (U) Limited. The response to the letter of the Secretary, Uganda Land Commission also by the Ag. Town Clerk dated 14th May, 2010 referred to Securex Amenities (U) Limited.

There is no record of the existence of Securex Amenities Limited at the Uganda Registration Services Bureau. What was provided to the Committee when a request was made, were documents relating to Securex Amenities (U) Limited. Even then, Securex Amenities (U) Limited was incorporated on 27th May, 2010 which was after the grant of the lease, meaning that the lease was granted to

a non-existent entity. The shareholders were: Ntaganda Ephraim (80) shares; Mutabaruka Innocent (10 shares); and Kanaabi Bob (10 shares). In a letter to the Commissioner, Surveys and Mapping, by the then Secretary of the Uganda Land Commission dated 18th June, 2010, the request for deed plans was made with reference to Securex Amenities Limited, and not Securex Amenities (U) Limited. **(See Annexure G)**

On 24th April, 2012, Securex Amenities Ltd, which was non-existent, created a sublease of 45 years to Securex Amenities (U) Ltd **(See Annexure H)**

On 21st Feb, 2012, Ntaganda Ephraim transferred all his shares as follows 60 to Wakyamba Constance, and 20 to Wamono Shem. On the same date Uwantenge Monica transferred 20 shares to Wamono Shem. These were shares in Securex Amenities (U) Limited. On the same date, Wamono Shem and Wakyamba Constance were appointed directors, replacing Ntaganda and Uwantenga. A Resolution was filed to that effect. **(See Annexure I)**

On 15th March, 2012, Wakyamba Constance and Wamono Shem transferred their shares to Mahmud Bahrwani and Mrs. Shaida Bahrwani who also became directors. Resolutions to that effect dated 22nd March, 2012 were registered on 22nd March, 2012. **(See Annexure J)**

The fact that the transactions and exchange of the property was based on mere nominal fees for shares of the company, and the speed at which all this was done is suspect

The property was subsequently purportedly mortgaged.

Recommendations

The Committee recommends that:

- i. The certificate of title be cancelled and the register be rectified to reinstate Uganda Land Commission as the registered proprietor;**
- ii. KCCA should initiate processes of ensuring that after the cancellation of the title, KCCA is registered as the user entity;**
- iii. All the officers involved in this fraudulent transaction should be investigated and prosecuted by the Inspectorate of Government.**

6.1 Cost of Roads in Kampala

The committee's attention was drawn to the high cost of road construction in Kampala. A study by the Ministry of Works and Transport indicates that as at 2020, the a kilometre cost USD 650 (UGX 2.405bn) for roads under 70 kilometres, and USD 580 (UGX 2 146bn) for roads over 70 kilometres¹

¹ Ministry Of Works and Transport Consultancy Services for a Unit Cost Study of Road Construction and Maintenance in Uganda

KCCA management submitted that the cost was much higher due to additional elements like pedestrian walkways and traffic lights on some of the roads.

Observation

The committee observed that not all roads had pedestrian walkways or even traffic lights, and therefore the high cost per kilometer is not justifiable.

Recommendation

The committee recommends that the Auditor General conducts a special audit into the cost of roads in Kampala within six (6) months from the date of adoption of this report.

6.2 Dire Condition of city roads

The committee noted the dire state of most of the roads in the city, with many of them having huge potholes which not only cause traffic jam but also damage motor-vehicles of motorists. Many of the roads had not been repaired for a long time, and there was a public outcry about the same.

The Accounting Officer submitted that they too are concerned about the poor state of roads in the city and have received numerous complaints about the same, however they have limited funding for road repair. She further said some 6bn had recently been extended to the entity to fix the potholes, but that this was a drop in the ocean. She said the entity requires about 100bn per year to be able to comfortably take care of the roads in the city.

Observation

The committee observes that the poor state of roads is not only bothersome to the city dwellers, but also projects a bad image for the Capital City of the country.

Recommendation

The committee recommends that Government should provide adequate funds to KCCA to regularly repair roads and construct new ones.

6.3 Consent judgments

The committee noted a matter where some people who had been hired by Public Service commission to work at KCCA were not taken on by the entity. These disgruntled people went to court (*Bakashaba Mugarura Julius v KCCA Misc Cause No. 254 of 2017*) and KCCA entered into a consent judgment with them for payment of UGX 3 7bn, which was the total amount they would have earned had they worked at KCCA for a period of 5 years.

KCCA management explained that the consent judgment was neither approved by the legal team, nor the then Accounting Officer. The matter was handled by Mr. Charles Ouma the former Deputy Director in charge of Litigation and Mr Richard Lule, the former Director for Human Resource.

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The committee interacted with the two individuals who are now former staff of KCCA Mr Charles Ouma submitted that this was done in the interest of the entity, and to save the entity a huge loss it would incur in costs had the matter proceeded on trial.

Observations

The Committee observes that:

- i. **Management of KCCA filed a case before court challenging the consent (Kampala Capital City Authority v Nabimara Charles & Others Misc. Applications No.321,322,323,324,325,326,327,328, 329,331 & 332 Of 2019 (Arising from Misc. Cause No. 203, 245,246,253,254, 292,297, 416 Of 2017, 118,119,120 of 2018). KCCA argued that the consent was entered into without the approval of the Central Executive Committee. The court held, among others, that the internal workings of the applicant are is business and any person dealing with the Institution could not ascertain whether the applicant's directors did not have any authority to sign on behalf of the institution;**
- ii. **The decision taken by Mr. Charles Ouma, together with Mr. Richard Lule whom court says was part of the negotiation for a consent judgment was improper especially because it did not approval of the leadership of the entity.**

Recommendation

The committee recommends that the Inspectorate of Government investigates the two individuals for their unilateral role in this matter.

6.4 Plans to acquire Land for Vendors

The committee learnt that KCCA was in the process of acquiring 10 acres of land in Kisenyi at a high price of \$100m (370bn) from a one Bosco Muwonge, to resettle vendors who usually operate on the streets of Kampala. The committee visited the location and found that KCCA had already settled many traders on the said land.

The Committee also learnt that there was a family claiming to be the rightful owners of the land and not Bosco Muwonge The family took this matter to court and it is yet to be disposed of.

The Accounting Officer submitted that whereas KCCA was interested in the land, it was still conducting consultations about the issue with the Ministry of Finance. She further submitted that KCCA had in the meantime entered into an understanding with the said Bosco Muwonge to settle the vendors on the land as discussions and consultations about purchase ensue

The bottom of the page contains several handwritten signatures and initials. On the left, there is a signature that appears to be 'R. Skinner'. In the center, there is a large, stylized signature that looks like 'J. J. J. J.' or similar. To the right, there are several other signatures, including one that looks like 'R. N. J.' and another that looks like 'A. J. J.'. There are also some initials and scribbles scattered around these signatures.

Observations

The Committee observes that:

- i. \$100m (370bn) for 10 acres would mean that each acre would cost \$10m (37bn), which is an exorbitant amount.**
- ii. While KCCA is engaging the Ministry of Finance regarding the intended purchase, there was no evidence on record to show that the Chief Government Valuer was involved in valuing this land or that procurement laws were adhered to;**
- iii. While acquiring land for vendors is a good idea, procurement regulations must be followed by KCCA, and the cost should be fair and justifiable.**
- iv. Given that there is an existing claim on the land by people other than the said Bosco Muwonge, it would be risky for KCCA to proceed with such a transaction before the rightful legal owner of the land is ascertained by court.**

Recommendations

The Committee recommends that KCCA should immediately halt any process embarked on to acquire this land. Further, the entity should follow the requisite procurement laws to acquire land for vendors within the city;

7. CONCLUSION

The proper functioning of Kampala Capital City Authority is critical to the wellbeing of Ugandans, not just in the capital city, but Uganda at large, given its population, and the concentration of all key governance and political institutions in Kampala.

In order for KCCA to properly function, it is important that the requisite resources required for the implementation of various activities, both financial and human, are provided. The need to fill the human resource gaps cannot be overemphasized, as is the need to ensure that all the assets of the authority are well taken care of and protected, and that all policies are in accordance with the law.

Rt. Hon Speaker and colleagues, I beg to move.

Jesse

[Handwritten signatures and scribbles]

[Signature] *[Signature]* *[Signature]* *[Signature]* *[Signature]*

[Signature] *[Signature]* *[Signature]* *[Signature]* *[Signature]*

[Signature] *[Signature]* *[Signature]* *[Signature]* *[Signature]*



AG TOWN CLERK

AG TOWN CLERK
Kampala City Council

YOUR Ref:
Our Ref: MAY/214/9

DATE: 8th APRIL 2010

The A G Town Clerk
Kampala City Council
P.O BOX 7010

Dear M/S

RE: RECOMMENDATION TO RE-DEVELOP PLOT 71 NKUMAH ROAD

M/S Securex Amenities limited of P O BOX 9011 submitted a proposal to re-develop plot 71 Nkrumah Road into a modern parking facility with a private healthy centre and other commercial services.

As you are aware Kampala City Council has been running a dispensary on these premises at its own cost

According to their application dated 06th april 2010 they offer to create a facility that has more parking spaces in addition to other commercial services and a private health facility which is in line with council's interest of providing facilities to the people

This is a commendable project given that the re-development will generate more revenue to Kampala City Council.

I have also been informed that the land in question belongs to Uganda Land Commission who are in the process of granting the above company a lease to enable the above development take off

Am of the view that since it's a viable project, proceed and formalize the recommendation as long as the new re-development project is in line with the current planning standards in the city

AL HAJJI NASSER NTEGE SSEBAGALA
MAYOR, KAMPALA CITY COUNCIL

C.C the Deputy Mayor, Kampala City Council
C.C Chief Town Planner, Kampala City Council
C.C Director of Health

CHAIRMAN- 235884
SECRETARY- 235875
GENERAL - 235885



UGANDA LAND COMMISSION
P.O. BOX 36408
Kampala - Uganda

THE REPUBLIC OF UGANDA

Our Ref ULC/122

12th April 2010

The Town Clerk,
Kampala City Council,
P O Box 7010,
KAMPALA.

RE PLOT 71 NKURUMAH ROAD, KAMPALA

We are in receipt of an application for the above plot from M/s Securex Amenities Limited which we have carefully studied and observed that the land in question has a healthy facility on which Kampala City Council is the beneficiary

The applicant (Ms. Securex Amenities Limited) proposes to put up adequate parking area, office space and a private modern health facility

As part of the considerations we would request for your input in the above development to enable us process the application

A handwritten signature in black ink, appearing to read 'F.S.B. Mubhala', written over a horizontal line.

F.S.B Mubhala

SECRETARY UGANDA LAND COMMISSION



CITY OF KAMPALA

11 B. BIRINDA

OFFICE OF THE TOWN CLERK
P.O. Box 7010
KAMPALA
UGANDA

TELEPHONE 234446
email: town.clerk@kcc.go.ug

Your Ref

Our Ref: CR/1200

April 15, 2010

To His Worship the Mayor
Kampala City

RE DEVELOPMENT OF PLOT 71 NKURUMAH ROAD

I am in receipt of your letter dated April 8th, 2010 recommending the re-development of plot 71 Nkurumah road and the Secretary Uganda Land Commission's letter dated 12th April 2010 requesting for my input in relation to the above subject matter

It is to advise that the matter be discussed in the Executive Committee

Ruth Kijambu

Ruth Kijambu (Mrs)
A.G. TOWN CLERK

May 12, 2010

The Ag. Town Clerk
Kampala Cit. Council

**EXTRACT OF MINUTE FOR THE EXECUTIVE COMMITTEE
MEETING HELD ON 21ST APRIL, 2010 IN TOWN CLERK'S BOARD
ROOM**

MIN: EC 6/25/2010: PLOT 71 NKURUMAH ROAD

The Executive received a submission from the Town Clerk regarding a proposal from Ms Securex Amenities Ltd of P O Box 9011 Kampala to redevelop Plot 71 Nkrumah Road

While considering the matter it was noted that the land in question according to the Title (Volume 208, Folio 24) does not belong to Kampala City Council but belongs to Uganda Land Commission and therefore Council had no mandate over this land

It was also noted that in his letter ref ULC. 122 of 12th April 2010, addressed to the Town Clerk, the Secretary Uganda Land Commission indicated that M/s Securex Amenities (U) Ltd had already applied for the Land from ULC

It was members' considered view that since the development concept contains service provision such as parking and modern Health services, Uganda Land Commission be given a go ahead in their process of granting a lease to the applicant

It was

RESOLVED

- THAT** the Town Clerk advises Uganda Land Commission to grant a lease for redevelopment on Plot 71 Nkrumah Road
- THAT** the new development should be within the current planning standards of NCC



OFFICE OF THE TOWN CLERK

OFFICE OF THE TOWN CLERK
P.O. Box 2000
KAMPALA
UGANDA

TELEPHONE 233 41
FAX 233 42

Date

Ref No. CR/L200/2

14th May 2010

The Secretary
Uganda Land Commission

LEASE PLOT 71, NKRUMAH ROAD TO M/S SECUREX
AMENITIES (U) LIMITED

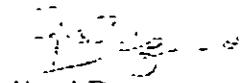
I am in receipt of your communication dated 12th April 2010 in which your office wanted Kampala City Council's view on the processing of Uganda Land Commission granting a lease to M/s Securex Amenities (U) Limited with respect to plot 71 Nkrumah Road

The executive Committee meeting held on the 21st April 2010 under *Mir. EC6/25/2010* raised no objection to the grant of lease to the applicant by Uganda Land Commission for re-development as long as the new development conforms to the current planning standards in the City

Uganda Land Commission may therefore proceed with the processing of the lease application.

(Signature)
Futh Kijumba (M/s)
AG. TOWN CLERK

11/21/71 NARUMATI ROAD



Fred Baguma

PERSONAL ASSISTANT TO MAYOR (ADM)

CHAIRMAN- 235504
SECRETARY- 235873
GENERAL - 235885
Fax No. 0414251683



UGANDA LAND COMMISSION
P.O. BOX 36488
Kampala - Uganda

THE REPUBLIC OF UGANDA

Our Ref. ULC/151/4227

18th June 2010

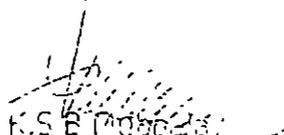
The Commissioner,
Surveys and Mapping,
P.O. Box 1,
ENTEBBE.

REQUEST FOR DEED PLANS

Plot No. 71 Nkrumah Road, Kampala

Under ULC Min 13/2010(a)(225) of 1/6/2010 Uganda Land Commission allocated the above property to M/s Securex Amenities Limited.

Please prepare and forward (3) three certified copies of deed plans in respect of the above plot.


K.S.E. Mubeeza,
SECRETARY UGANDA LAND COMMISSION



A. 10000/1950

REGISTRATION ACT, 1908

NOTIFICATION

FREEHOLD REGISTER Volume 308 Folio 24

DESCRIPTION OF LAND

ALL THAT piece of land delineated and edged red on the plan hereto annexed containing the following area or thereabouts and situate as follows:-

Area	Courts	District

and known as PLOT 10 - 12 KANDALA ROAD, KANDALA
 PLOT 11 - PLOT 13 OF ROAD, KANDALA
 PLOT 14 SALISBURY ROAD, KANDALA

CONVEYANCE

WHEREAS LANDS BELONGING TO GOVERNMENT OF MADRAS
 BY THE OFFICERS OF P.O. No. 369, KANDALA

Signature of Registrar

Date and time of registration

is and now the proprietors of an estate in fee simple in the land above described subject to the conditions and encumbrances hereinafter set out

Dated this 1st day of May 1950

1951/1/13/20

1951/1/13/20
1951/1/13/20
1951/1/13/20

[Handwritten signature]

[Handwritten signature]

REC'D 14.7.2010 LIANG F.P. PLOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, KAMPALA TOWN

AT 10.00 AM

PROPERTY DEVELOPMENT LIMITED c/o P.O. Box 2011, KAMPALA
TOWN URBAN DISTRICT 1ST JULY 2010 (1951/1/13/20)

1951/1/13/20

100

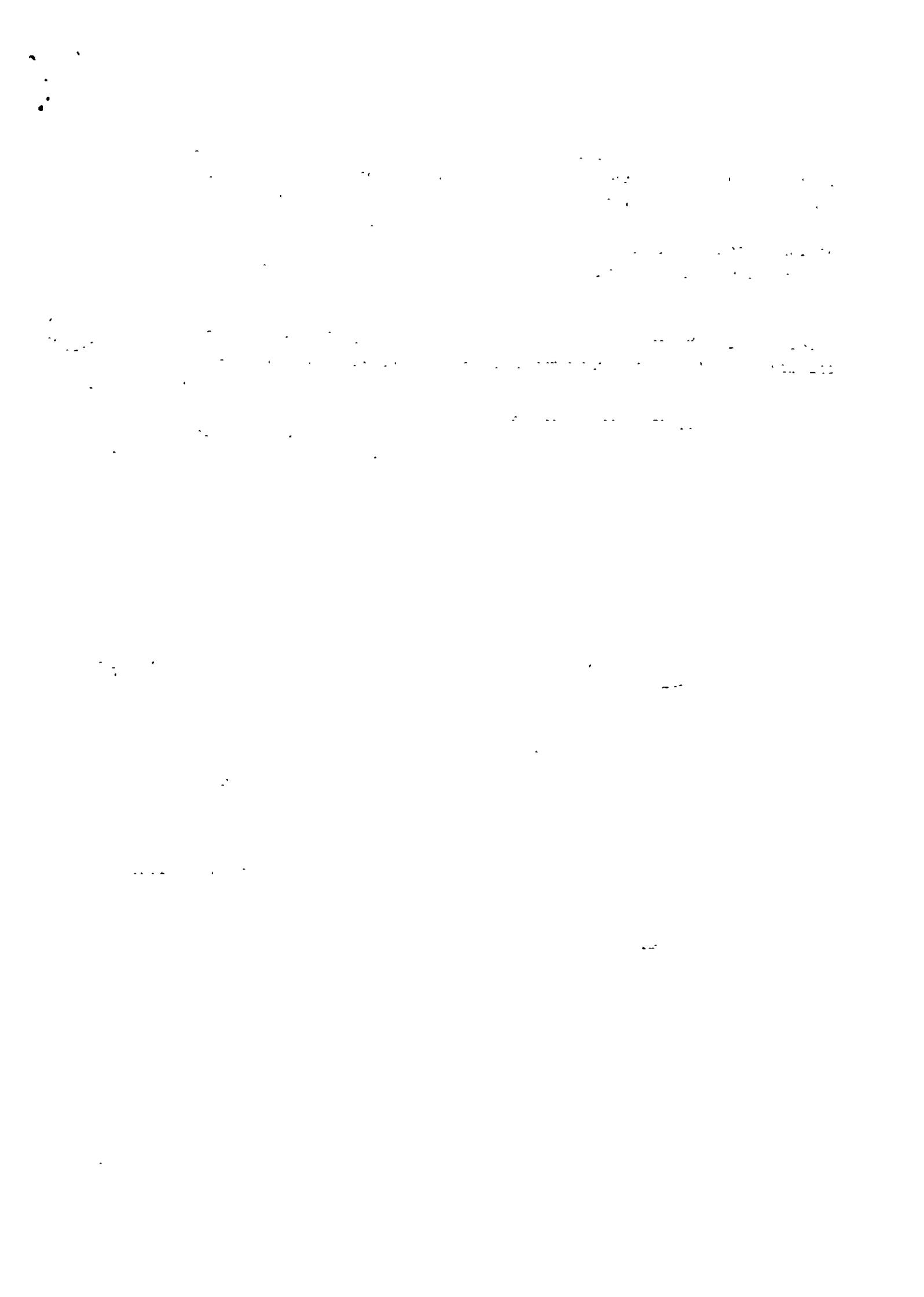
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Main body of handwritten text, consisting of several paragraphs of cursive script.

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ANNEXURE I

TRANSFER OF SHARE STOCK.

Stock forwarded to the Company's Office by
Coupon for £

SEE NOTE

NTAGANDA EPHRAM

in consideration of the sum of SHS 12,000,000 (TWELVE MILLION)
paid by WAKYEMBA CONSTANCE
hereinafter called the said Transferee

THE STAMPS ACT
SECTION 35 (1) (b)

I hereby certify that the full duty with
which the within written document is
chargeable has been determined by me
and that such duty has been paid

Do hereby bargain, sell, assign, and transfer to the said Transferee

Already paid shs.
Now Paid shs.
Total.....

60 ORDINARY SHARES
SECUREX AMMENITIES (U) LIMITED

of and in the stead of the

To hold unto the said Transferee,
several conditions on which
the said Transferee, do hereby agree to accept and to take the said 60 ORDINARY SHARES
subject to the conditions aforesaid:
Executors, Administrators, and Assigns, subject to the
held the same immediately before the execution hereof and

AS WITNESS our hands and Seals this 16TH

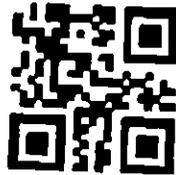
REVENUE AUTHORITY
NANUMU J. FRANCIS
day of January
SEAL

Signed, sealed, and delivered, by the above-named NTAGANDA EPHRAM

* Witness's
Signature [Signature] in the Presence of
Address [Address]
Occupation [Occupation]
OBED LIWEBESA
Advocate and
Commissioner for Oaths
P. O. Box 6714, Kampala

Signed, sealed, and delivered, by the above-named WAKYEMBA CONSTANCE

* Witness's
Signature [Signature] in the Presence of
Address [Address]
Occupation [Occupation]
OBED LIWEBESA
Advocate and
Commissioner for Oaths
P. O. Box 6714, Kampala



NOTE - The Consideration money set forth in a Transfer may differ from that which the first seller will receive, owing to Sub-sales by the original Buyer the Stamp Act requires that in such case the consideration money paid by the Sub-purchaser shall be the one inserted the deed ad valorem Duty, the following is the clause in question -

"Where a person having contracted for the purchase of any property, but not having obtained a conveyance thereof, contract to sell the same to any other person and the Property is in consequence, conveyed immediately to the sub-purchaser, the conveyance is to be charged ad valorem Duty in respect of the Consideration moving from the Sub-purchaser" - (54 & 55 Vict Cap 39 (1891), Section 56, Sub-section 4)

+When a transfer is executed out of Great Britain it is recommended that the signatures be attested by H M Consul or vice-consul, a clergyman, Magistrate, Notary Public, or by some person holding a Public position, as most companies refuse to recognize Signatures not so attested

When a witness is a Female she must state whether she is spinster, Wife or Widow, and if a wife she must give her Husband's Name, Address and Quality; Profession or Occupation. The Date must be inserted in words and not in figures.

* A WIFE SHOULD NOT WITNESS HER HUSBAND'S SIGNATURE NOR SHOULD HE WITNESS HERS

ANNEXURE I

TRANSFER OF SHARE STOCK
CERTIFIED TRUE COPY

SEE NOTE

J NTAKANDA EPHRAIM

In consideration of the sum of UGX, 4,000,000 = (Four Million) paid by NAMONO STEPHEN hereinafter called the said Transferee

UGANDA THE STAMP ACT SECTION 35 (1) (b)

I hereby certify that the full duty with which the within written document is chargeable has been determined by me and that such duty has been paid

Do hereby bargain, sell, assign, and transfer to the said Transferee

Already paid shs.
Now Paid shs.
Total.....

REVENUE AUTHORITY of and in the undertaking called the

20 ORDINARY SHARES

SECUREX AMMENITIES (U) LIMITED

To hold unto the said Transferee, several conditions on which the said Transferee, do hereby agree to accept and to take the said subject to the conditions aforesaid

Executors, Administrators, and Assigns, subjects to the held the same immediately before the execution thereof and

20 ORDINARY SHARES

AS WITNESS our hands and Seals this 16th

in the year of our Lord Two Thousand and TWELVE

Signed, sealed, and delivered, by the above-named NTAKANDA EPHRAIM

NAMONUM JANE FRANCIS

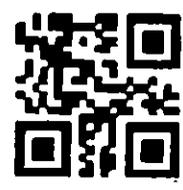


* Witness's { Signature: [Signature] in the Presence of
Address: P.O. Box 9041
Occupation: B. I. Mwan...
OBED F. WEBESA... Advocate and... Commissioner for Oaths
P. O. Box 5714, Kampala



Signed, sealed, and delivered, by the above-named NAMONO STEPHEN

* Witness's { Signature: [Signature] in the Presence of
Address: P.O. Box 9041
Occupation: B. I. Mwan...
OBED F. WEBESA... Advocate and... Commissioner for Oaths
P. O. Box 5714, Kampala



NOTE - The Consideration money set forth in a Transfer may differ from that which the first seller will receive, owing to Sub-sales by the original Buyer. the Stamp Act requires that in such case the consideration money paid by the Sub-purchaser shall be the one inserted the deed ad valorem Duty, the following is the clause in question:-

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* A WIFE SHOULD NOT WITNESS HER HUSBAND'S SIGNATURE NOR SHOULD HE WITNESS HERS

25

Stock forwarded to the Company's Office by

Coupon for £

ANNEXTURE

FILED THIS DAY 19th Jan 2011

FEES PAID RECEIPT No. 0701110086981

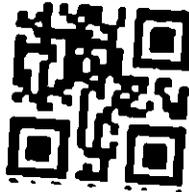

 JULIET KATWA LUGGWA
 THE REPUBLIC OF UGANDA
 7 12/1/2011
 THE COMPANY'S ACT CAP 110
 REGISTRAR OF COMPANIES
 KAMPALA

IN THE MATTER OF SECUREX AMMENITIES (U) LIMITED
BOARD RESOLUTION

At the meeting of Board of members of Securex Ammenities (U) Limited held on January 14, 2011, it was resolved

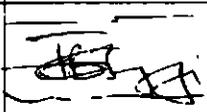
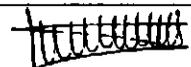
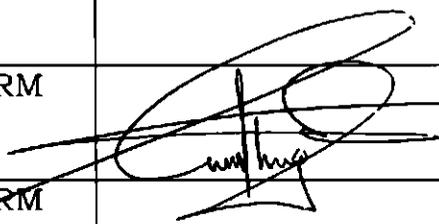
1. that Mr. Mahmud Bharwani and Mrs. Shaida Bharwani be appointed as the new Directors.
2. Mr. Baiju Laxmikant Joshi as the new secretary
3. that the registrar of companies be accordingly notified.

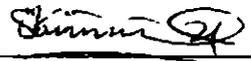
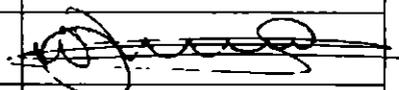
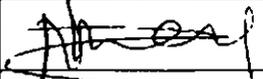
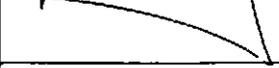
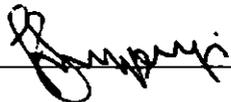

 Mahmud Bharwani
 Member




 Shaida Bharwani
 Member

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (COMMISSIONS, STATUTORY AUTHORITIES & STATE ENTERPRISES) ON THE REPORT OF AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF KAMPALA CAPITAL CITY AUTHORITY FOR FINANCIAL YEAR ENDED 30TH JUNE, 2022

S/N	NAME	CONSTITUENCY	PARTY	SIGNATURE
1	Hon. Ssenyonyi Joel – C/Person	Nakawa West	NUP	
2	Hon. Akello Lucy – D/CP	DWR Amuru	FDC	
3	Hon. Lagen David	Agago County	NRM	
4	Hon, Mbwatekamwa Gaffa	Igara West County	NRM	
5	Hon. Afoyochan Esther	DWR Zombo	NRM	
6	Hon. Anywar Ricky Richard	Agago West County	NRM	
7	Hon. Acan Joyce Okeny	PWD National	NRM	
8	Hon Achan Judith Peace	DWR Nwoya	NRM	
9	Hon. Akampulira Prossy Mbabazi	DWR Rubanda	NRM	
10	Hon. Atwijukire Dan Kimosho	Kazoo County	NRM	
11	Hon. Bakkabulindi Charles	Workers Rep	NRM	
12	Hon. Gafabusa Richard Muhumuza	Bwamba County	NRM	
13	Hon. Mugabi Muzaale Martin	Buzaaya County	NRM	
14	Hon. Ssekikuubo Theodore	Lwemiyaga County	NRM	
15	Hon. Abigaba Cuthbert Mirembe	Kibale County	NRM	
16	Hon, Okumu Gabriel	Okoro County	NRM	
17	Hon. Kambale Ferigo (New)	Kasese Municipality	NRM	

18	Hon. Ruhunda Alex	Fort Portal Central	NRM	
19	Hon. Sekyanzi Benard Kirya	Budyobo County	NRM	
20	Hon. Wandwasi Robert	Bungokho South County	NRM	
21	Hon. Hashim Sulaiman	Neebi Municipality	NRM	
22	Hon. Maneno Zumura	DWR Obongi	NRM	
23	Hon. Nangoli Gerald	Elgon North County	NRM	
24	Hon. Ababiku Jessica	DWR Adjuman	NRM	
25	Hon. Wakabi Pius	Bugahya County	NRM	
26	Hon. Linda Irene	DWR Fort Portal	NRM	
27	Hon. Kamukama Davis	Bunyangabu County	NRM	
28	Hon. Twalla Fadil	Tingey County	NRM	
29	Hon. Nsibambi Yusuf	Mawokota South County	FDC	
30	Hon. Ekanya Geofrey	Tororo County	FDC	
31	Hon. Okot Santa	DWR Aruu North	PPP	
32	Hon. Auma Kenny	Kwania North	UPC	
33	Hon. Sebamala Richard	Bukoto Central	DP	
34	Hon. Okupa Elijah	Kasilo County	IND	
35	Hon. Mpindi Bumali	PwDs Rep	IND	
36	Hon. Nsanja Patrick	Ntenjeru County South	IND	
37	Hon. Acora Nancy	DWR Lamwo	IND	
38	Hon. Mugema Peter	Iganga Municipality	IND	
39	Hon. Roland Ndyomugenyi	Rukiga County	IND	

40	Hon. Nkuningi Muwada	Kyadondo East	NUP	
41	Hon. Kazibwe Bashir Mbazira	Kawempe South	NUP	
42	Hon. Kiwanuka Abdallah	Mukono South North	NUP	
43	Hon. Bagala Joyce Ntwatwa	Mityana District	NUP	
44.	Hon. Dr. Nekesa Victor	UPDF Rep.		
45.	Hon Itungo Nathan	Kashari South	IND	