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FOURTH SESSION - SECOND MEETING

TUESDAY, 3 DECEMBER 2024



PARLIAMENT OF UGANDA
IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

FOURTH SESSION - 4TH SITTING - SECOND MEETING

Tuesday, 3 December 2024

Parliament met at 2.00 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, I welcome you to this afternoon's sitting. I received complaints from the Uganda National Bureau of Standards on the issues of audit and issuance of certificates for certifications. You are aware that the Uganda National Bureau of Standards is concerned with making sure that the standards are obliged to and enforceable.

I urge the Uganda National Bureau of Standards to ensure that they do the audit and issue the certificates in time to help out the members as well as the business community to do their work and make sure that they sell their products so that people do not imagine that those are counterfeits.

Honourable members, we have a two-day workshop in the basement, which was organised by the Uganda Parliamentary Commission and the National Planning Authority (NPA) and some of the Members have been attending this workshop. I thank you for your attendance. You should be able to bring out the issues that Members have been raising in the House in regard to the budgeting process.

Honourable members, over the weekend, we got two athletes who excelled in various events; Ms Stella Chesang and Mr Abel Sikowo. These were both the second in the 2024 Valencia and Singapore Marathon, respectively.

We congratulate our patriots and wish them greater success in the subsequent marathons. They were supposed to be here but I think they are still out. The reason we are mentioning them is because they are not the usual names; these are the up-and-coming, the young ones. We really need to congratulate them.

Honourable members, on 19 December, as it has been the culture in this institution, we will be having an end-of-year thanksgiving prayer, first in the morning and then an end-of-year party in the afternoon. *(Applause)* I request you, do not miss it-You will be back by the 19th; please do not miss it. I am going to keep reminding you every day to be there. This is your second home. If you cannot be in your second home, then where will you be?

This is, therefore, to invite you to be there and I request you- there is an invitation and a request. Have blessed deliberations. Yes, Hon. Namanya?

2.05

MR NABOTH NAMANYA (FDC, Rubabo County, Rukungiri): Thank you, Madam Speaker. In your communication on Uganda National Bureau of Standards (UNBS) - we are always battling with funding gaps here in the country. The Uganda National Bureau of

Standards is one entity where if you invest heavily, we should be able to reap much from it. UNBS is heavily facing challenges from human resources and funding and therefore, it has cost many Ugandans who are in the manufacturing and business.

The turnaround time of the Uganda National Bureau of Standards is almost 12 months. From the time you request for certification of a product, it takes you about a year for them to certify it whereas for our counterparts in Kenya, it takes less than a month to certify a product. Now, it has heavily cost many people in business and it is only the Uganda National Bureau of Standards that can give a visa to a product to go beyond the boundaries of Uganda.

I implore and request you, Madam Speaker, to allow the Committee on Trade, Tourism and Industry to go and make an examination; to examine and assess the gymnastics and integrities of the operations of that entity. Otherwise, we shall always keep putting our products, they are not certified in time and hence losing business yet it is getting money. To certify a single product, you need to pay about Shs 800,000. It collects over Shs 80 billion annually and its budget is about Shs 40 billion.

Madam Speaker, I think it is prudent - (*Member timed out.*)

THE SPEAKER: Thank you. Yes?

MS PACUTO: Thank you, Madam Speaker. I thank my colleague for raising a matter about the Uganda National Bureau of Standards. In this country we, from the fishing communities-

THE SPEAKER: It is not your colleague who raised the matter. I raised it.

MS PACUTO: Okay. Following up on your - (*Laughter*) - For us the fishing communities in this country are suffering at the hands of the Uganda National Bureau of Standards.

Why do I say that? There are the so-called illegal fishing gears and yet the Uganda National Bureau of Standards is supposed to be at every one-stop centre of customs in this country to ensure that whatever product is not acceptable on the market of Uganda should not enter the country.

The fishermen are now asking, if these gears are illegal, where are they being produced in Uganda? If they are produced in Uganda, why is the Government of Uganda allowing them on the Ugandan market? If they are being imported, then why is the Government allowing them yet we have this agency called the Uganda National Bureau of Standards?

Madam Speaker, that is why I agree with my colleague that not only traders are suffering in this country at the hands of UNBS but even other communities like the fishing communities.

Therefore, as Parliament, we should pronounce ourselves that these so-called illegal undersized fishing gear should not be on the Ugandan market so that our people do not continue to suffer. Thank you.

THE SPEAKER: There is another point of information there.

MR KATESHUMBWA: Madam Speaker, I think the issue being raised needs to be understood in context. Number one, the Minister of Trade, Industry and Cooperatives who is here needs to tell us why we are still implementing the External Trade Act when we actually entered into the Common Market Protocol.

The ministry has been licensing- those fishing nets you are talking about, it has been the ministry and the minister in charge of trade, Hon. Bahati is here. He needs to tell us.

Strengthening the Uganda National Bureau of Standards is the responsibility of the Ministry of Trade, Industry and Cooperatives.

Therefore, the ministry should tell us where the challenges are. Then, as a committee

responsible, we need to see how we can sufficiently fund the Uganda National Bureau of Standards to undertake their mandate.

We, as Parliament, have a responsibility. However, the larger responsibility lies with the minister in terms of the laws that we are using to license people who bring nets that are undersized. There is also the conflict between the laws that became obsolete because of the Common Market Protocol, which the minister continues to invoke.

THE SPEAKER: Additional information?

MR KANKUNDA: Thank you, Madam Speaker. We have had a discussion as the subcommittee of the Public Company Accounting Oversight Board (PCAOB) in charge of private sector competitiveness, where this matter was exhaustively discussed. UNBS is underperforming because of capacity; they have few people and they cannot perform the task.

Secondly, the nature of their funding is a problem. When people want the approval of standards, they pay through the Uganda Revenue Authority (URA) and the money goes to the Consolidated Fund. However, their budget cannot finance the requirement that is out there. As Parliament, we need to review this so that we can enable them to perform.

THE SPEAKER: Hon. Fred?

2.13

MR FREDRICK ANGURA (NRM, Tororo South County, Tororo): Thank you, Madam Speaker. The matter you have raised is very important. Whereas the Uganda National Bureau of Standards wants to be supported, we must also look at support to those who are consuming their services; importers in this case.

Madam Speaker, pre-shipment inspection is mandatory for any imports coming into the country. Since the Uganda National Bureau of Standards does not have the support that Hon. Kateshumbwa has talked about, we need to support them.

We have importers bringing goods from various countries. However, since we do not have agencies representing the Uganda National Bureau of Standards in those countries, they come with their goods here and are instead penalised because they were not able to have pre-shipment inspection done. Therefore, we need to support them in terms of capacity and resources to allow trade to flow across the board.

THE SPEAKER: Hon. Acuti?

2.15

DR SAMUEL OPIO (Independent, Kole North County, Kole): Thank you, Madam Speaker. The certification is a fundamental issue because not only is it for persons coming with new products, but even existing products. We have seen cases whereby after a product has been certified for one year and has expired, UNBS requires you not to put the product on the shelf until the certification has been renewed, yet they take more than three months to renew the certification. That means you cannot export or produce additional products for almost three months. I am speaking from personal experience.

Secondly, is on the mandate of the Uganda National Bureau of Standards. According to their mandate, they said they regulate any item that is of a rubber material. As a result, gloves and condoms qualify as item of plastic material as well as syringes.

Now, as a result of that, there is dual regulation because the National Drug Authority (NDA) also has the mandate to regulate medicines and supplies and they are doing the regulation. Therefore, what is happening is pre-import verification testing is done for the gloves and the condoms by UNBS. Then, it also comes to the NDA, where tests are done.

There have been cases whereby one entity has passed and another has failed the items. It is very important that the Attorney-General gives guidance and direction on which entity has the mandate to regulate these items. If there is a need to amend the law, then we need to have

this amendment because this is something that the committee on Health has raised as a concern to us by the National Drug Authority.

THE SPEAKER: Hon. Allan?

2.16

MR ALLAN MAYANJA (NUP, Nakaseke Central County, Nakaseke): Thank you, Madam Speaker. In line with UNBS, it is not only traders that are suffering, but even our local farmers. They are being challenged with fake agricultural inputs on the market; fake fertilisers and fake seeds.

Madam Speaker, I remember you guided very well that the minister should bring a statement, specifically on fake agriculture inputs. However, as of today, the minister has never come back to handle that matter. Therefore, both ministers for trade and agriculture should prepare a statement in that line because our farmers are making a lot of losses. Thank you.

THE SPEAKER: It is not only making a lot of losses but when you treat cows with fake medicines and they die, people eat them. The sickness now moves to human beings. So, it has a trickle-down effect. Hon. Macho?

2.17

MR GEOFFREY MACHO (Independent, Busia Municipality, Busia): Madam Speaker, you are spot on the matter of the Uganda National Bureau of Standards. Last year, I brought a matter on the Floor concerning pre-shipment inspection, and you directed the Minister of Trade, Industry, and Cooperatives to bring a report on that matter. Up to now, the report has not been brought at all, and we still hear there are wrangles concerning pre-shipment inspection.

In addition to that, the Uganda National Bureau of Standards needs to be helped a lot because as we talk now, we have very many men who have cases of impotence because of the bad liquor on the market, making a lot of women suffer. Therefore, we should help these people to get enough money as quickly as possible so

that they have enough staff – *(Interjections)* - Madam Speaker, I seek your –

THE SPEAKER: What did you say?

MR MACHO: Madam Speaker, I said we have challenges in this country due to limited staff from the Uganda National Bureau of Standards. We have impotent men who are making women suffer because we do not have enough staff to pre-qualify the liquor on the market. That is why we have alcoholic products with very different names like *Tukutuku*, *batusosola*, and “sharp you”. All those names on these liquors have not been pre-tested by the Uganda National Bureau of Standards.

Therefore, the Ministry of Trade, Industry and Cooperatives should tell us how we can see to it that this bad liquor on the market, which is causing problems of divorce and gender domestic violence, be removed from the shelves – *(A Member rose)*

THE SPEAKER: Point of order to whom? He has concluded. Honourable members, by the time someone says that there are impotent men, maybe, he is one of them. *(Laughter)* Hon. Afidra?

2.18

MR AFIDRA OLEMA (NRM, Lower Madi County, Madi-Okollo): Thank you, Madam Speaker. In your communication regarding the issue of UNBS, I would like to speak as a former board member of UNBS. I was a board member of the Uganda National Bureau of Standards appointed by the President and I served for six years.

I would like to start my submission by thanking Parliament. Two years ago, Parliament appropriated resources for UNBS, where they recruited more than 100 staff.

This was in the Financial Year 2022/2023. If we are talking about lack of staffing or inadequate staff at UNBS, Madam Speaker, my opinion is the utilisation of the few staff to be able to deliver maximally. We know that

the Government stopped recruitment in many institutions, including UNBS.

Nonetheless, that said, what I want to submit more on - and it is very challenging - is pre-shipment inspection.

We received a circular from the Executive Director (ED) of the Uganda National Bureau of Standards, instructing that this service where the condoms are supposed to be inspected before they are shipped - all the vehicles that are supposed to be inspected before they are shipped into this country - that service is now being stopped. Therefore, that service is going to be carried out by the UNBS.

If this service is going to be carried out by UNBS, what is the staffing quality? What is the preparation of UNBS to be able to undertake this service in-country, aware that we have issues of quality and corruption in this country?

Therefore, my take is that UNBS should come out, through the Ministry of Trade, Industry and Cooperatives, and explain to the country that the quality of vehicles and quality of different imports that Ugandans consume will not be jeopardised by the fact that it is now being done in-country rather than from the pre-shipment inspection destinations, be it in Dubai, Japan or China.

That is why I want to implore you, through the minister, to come up with clarity whether this is the situation now or, will the service providers continue to conduct their services of pre-shipment inspection from the different countries? I beg to submit.

THE SPEAKER: Thank you, very much. These are the gallant persons we introduced. They are athletes. Please stand up and wave. Who is Chesang? Okay, we will wait until they come.

Honourable minister, before you respond, I met the Uganda National Cultural Centre this morning - this goes to the Attorney-General. Their complaint is that they have a law which is older than Uganda in independence. It was

formed in 1959 and because of the changing environment, they would like to preserve the heritage of the country. Therefore, they request that you bring an amendment to their law.

Secondly, the Equal Opportunities Commission and Public Service have written to the Clerk that they want a report on how much each Member of Parliament and staff of Parliament earn; I think people are forgetting separation of power.

The Parliamentary Commission is a standalone. We do not belong to Equal Opportunities Commission. We are not civil servants for public service to start asking for the salaries of Members of Parliament. It is a high time, Attorney-General, you told those people that we have our independence and should not be asked-

Honourable minister? Let the Leader of the Opposition first say then-

2.23

MR JOHN BAPTIST NAMBESHE (NUP, Manjiya County, Bududa): Thank you, Madam Speaker. The Uganda National Bureau of Standards (UNBS) has two major mandatory roles, that of inspection and that of market surveillance.

However, even with the recent recruitment that the former board member mentioned, they are still grappling with the challenge of huge staffing gaps and I know that the minister should be aware.

Myself-because I am very common at the border, I was there together with the Hon. Angura during a pre-shipment challenge. We compared and contrasted the staff between the ones of Kenya and Uganda. Uganda has a skeleton staff of below five. The other place is almost three times.

The other one is corruption; in this particular agency, they have perpetrated a culture of impunity. They take bribes in broad daylight and allow such counterfeits like the one the Honourable Member of Pakwach mentioned.

Most of these fake goods on the market, National Bureau of Standards cannot conduct countrywide inspection like they are required by law. That is why all the counterfeits are awash in the country. Thank you.

2.25

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Thank you, Madam Speaker. Thank you, Honourable colleagues, for the issues you have raised about UNBS. UNBS has a mandate to ensure the safety of the lives of Ugandans but also ensure the standards of the products that we produce in the country so that they can meet international standards and access the markets both domestically and internationally.

As a result of the expansion of our industrial sector - as you recall, the industrial sector has grown. We are now contributing 27.4 per cent to our national Gross Domestic Product (GDP) with manufacturing alone contributing 16.5 per cent. It has grown from 85 factories in 1986 to now 9,400 factories.

This requires capacity to monitor all these activities and ensure that the products are inspected and the standards are kept. Therefore, the length of time that we take should be an average of two months.

We shall get the report and circulate it to all Members of Parliament to see how many have applied and how long we have taken to certify them. Some of the reasons they take long is because some companies do not give information in time and yet we must ensure the safety of these products.

Therefore, I am happy that this afternoon there seems to be a consensus coming out of members of Parliament that UNBS needs to be supported and be given enough resources to recruit enough people for enforcement and certification.

On the second point of harmonisation of UNBS laws and the National Drug Authority (NDA), we proposed an amendment to the National

Drug Policy and Authority Act. We are working together with the Ministry of Health. Actually, tomorrow we have a consultative meeting to harmonise and see which products are handled by UNBS, which ones are going to be handled by NDA.

The Attorney-General is providing guidance on this matter; on why we are still applying the External Trade Act vis-a-vis the new Act that was enacted. As far as we understand, the External Trade Act has never been repealed. Therefore, it is still a law that is applied in Uganda. Madam Speaker, we will be ready – *(Interruption)*

MR SSEWUNGU: Thank you, honourable minister, for giving way. Honourable minister, to benefit from this rationalisation bonanza, take UNBS back to the ministry since it is incompetent. You create a desk there, appoint a Uganda People's Defence Forces (UPDF) soldier to manage it and we move on.

THE SPEAKER: We are not saying that it is incompetent but that there are delays because there is no money. It is you who appropriates the money.

MR BAHATI: Madam Speaker –

THE SPEAKER: There is a procedural matter.

MS ABABIKU: Thank you, Madam Speaker, for giving me this opportunity. My procedural matter is in relation to what the minister just said, that the House has built consensus on the financial constraint. As he made emphasis on this, wouldn't it be right for us to get to know the exact shortage in terms of finances that this entity has and their plans so that we get a way of fixing the issue? Are we proceeding rightly without knowing how much?

THE SPEAKER: We are proceeding well because we have a sectoral committee responsible for it, to look at all those issues that are being raised and then report to this House.

Since we are going for a Budget Framework Paper (BFP) the sectoral committee is looking at

it. Honourable members, when you look at—I am still on the salaries of Members of Parliament. When you look at Article 32(3): “*There shall be a commission called Equal Opportunities Commission whose composition and functions shall be determined by an Act of Parliament. The Equal Opportunities Commission shall be established within one year after the coming into force of the Constitution as amended in 1995 - Can I have some attention? Parliament shall make laws for the purpose of giving full effect to this Article.*”

When you look at Article 85; Emoluments of Members of Parliament - that is self-explanatory. Attorney-General, is it correct for the Equal Opportunities Commission to go beyond its powers and come and start investigating what they are not supposed to?

2.32

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Thank you, Madam Speaker. The mandate of the Equal Opportunities Commission is restricted to persons who are marginalised on the basis of gender, age, disability, and other reasons created by history, tradition, or custom.

Now, we are having a challenge because - and when I look at the petition they have sent to you, I will be sure to render advice on the same. I think that would be an extension, because then they are going to start becoming the High Court and the Court of Appeal-

THE SPEAKER: The Supreme Court.

MR KIRYOWA KIWANUKA: I think they need to maintain the level they are supposed to be and we shall advise them - and we have advised them consistently on this. It is a line that needs to be drawn carefully so that you know - because the Equal Opportunities Commission is supposed to help with affirmative action. So, we will render the advice. And on the issue of the - (*Interruption*)

THE SPEAKER: Thank you.

MR SSEMUJJU: Thank you, Madam Speaker and Attorney-General for giving way.

Vulnerabilities sometimes are established by comparison. If you want to know that people are marginalised, look at those that are not.

Therefore, if you stop the Equal Opportunities Commission from comparing other people with the MPs and Parliament, where are you then sending them? - to compare them with Kenya and Rwanda? because within the same environment, comparison is what will show you the vulnerabilities in terms of it. So, the clarification I am seeking is whether you are now stopping them from making that comparison.

MR KIRYOWA KIWANUKA: Thank you, honourable colleagues. In a nutshell, yes, because I am telling them that they can only compare where you say that men shall have 10 per cent and women shall have 5 per cent. That is the marginalisation they deal with -

THE SPEAKER: You first respond to him -

MR KIRYOWA KIWANUKA: So, they are not entitled to compare everything and anything. However, they are supposed to compare marginalisation because of gender, sex, disability and other matters created by history.

For example, when you have the Batwa being marginalised against other people in Uganda. So, if we are not careful, we may now start saying that we need to have equal opportunities because everyone must drive the same car, be the same height, must be - So that is not the equal opportunities that was anticipated here.

It was supposed to ensure that we do not write laws or implement policies which say that one gender shall be given better treatment as opposed to another. So that is what marginalisation was about. So, in a nutshell, I am saying, yes, they cannot just compare anything.

THE SPEAKER: Thank you, Attorney-General. The Equal Opportunity Commission should act within their mandate. They should not go ultra vires. Let them act within what they are supposed to do. Next item -

BILLS
SECOND READING

**THE TECHNICAL AND VOCATIONAL
EDUCATION AND TRAINING BILL, 2024**

MR SSEMUJJU: Thank you, Madam Speaker. Last week, we requested and you directed Government to come here and answer issues of sovereignty. How did they access Kenya to abduct Dr Kiiza Besigye? The reason they did not answer at that time was because you said that the minister responsible was aware and he will be here on Tuesday.

But, also relatedly, Madam Speaker, issues of sovereignty- We would like the Government to allay our fears about reports that an American surveillance aircraft has violated our sovereignty on three occasions.

For us, we can violate the one of Kenya and then complain when America is violating ours. But we need you to allay our fears. Because the background to this is that you heard the Chief of Defence Forces giving the US Ambassador 48 hours to apologise to his father.

Subsequently, you have an American surveillance aircraft violating our airspace. So, can the Government allay our fears that we are not at war? - *(Interjection)* - I do not know what is wrong with the Local Defence Forces (LDUs) This is a very serious matter - *(Laughter)* *(Hon. Asimwe Enos rose)*

THE SPEAKER: He is on point of procedure.

MR ENOS ASIMWE: Thank you, Madam Speaker. He has given way, so I thank him for having listened to me. The matter of Uganda picking up Dr Besigye from Kenya is still under investigation -

THE SPEAKER: Honourable members, I am not going to allow any debate on that matter.

MR ENOS ASIMWE: Thank you, Madam Speaker.

THE SPEAKER: I said the report should come from the Ministries of Internal Affairs and Foreign Affairs and I do not see them here. We are not going to discuss about ministers who are not here.

MR ENOS ASIMWE: That is why I was putting him to order and I was wondering whether he is in order to compare it with American-

MR SSEMUJJU: Madam Speaker. I told you he is my neighbour. When he was an LDU, he used to behave exactly like that.

THE SPEAKER: He is an honourable Member of Parliament.

MR SSEMUJJU: He is an honourable Member of Parliament but he has a history.

THE SPEAKER: As of now, he is a Member of Parliament.

MR SSEMUJJU: I agree, Madam Speaker. If it offends him to speak about his history I am very sorry. I would like to go to the subject matter that you directed the Government to come and explain.

THE SPEAKER: There is a point of order.

MR OGWANG: Madam Speaker, first of all, my colleague and very close friend is imputing that one of us is an LDU. Is he in order to begin imagining that a colleague who is here, who could be given the opportunity to substantiate himself whether he is an LDU or not? Is it in order, Madam Speaker, for him to impute that?

THE SPEAKER: No, he withdrew and apologised.

MR SSEMUJJU: So, Madam Speaker, can I reiterate the serious issues that you asked about foreign and internal affairs?

THE SPEAKER: I have asked them and await a response. As I told you, the ministers were unavailable because they had asked for permission from me to be away and they are

going to be back by Thursday we shall have a report.

MR SSEMUJJU: Thank you very much, Madam Speaker. As I said, can they also allay our fears that we are not at war with America?

THE SPEAKER: We do not know those allegations. Honourable members, the team in the gallery is a national swimming team. Please stand up. They have just won. They were the winners of Africa in the championships in Bujumbura, Burundi.

You are most welcome. They are here. They came along with their trophy, their medals. Where are the trophies? Show us. They came along with their trophy that is going to be led by one of their age mates; one of the youth.

We want to thank you so much and congratulate you. Please have a seat. Join me in thanking them. *(Applause)* We will have a motion recognising you at an ample time. We may not have the motion today. All you are supposed to do is to show us the-

2.42

MR BONIFACE OKOT (NRM, Youth Representative, Northern): Thank you very much, Madam Speaker. I also join you in congratulating this very formidable team. This is a team of national swimmers and they have won the Africa Aquatics Zone 3 Championships in Bujumbura. *(Applause)*

As you have rightfully acknowledged, these are all young people. Certainly, young people who make our country proud ought to be saluted. I thank you, Madam Speaker-

THE SPEAKER: Thank you.

MR BONIFACE OKOT: ...for accepting that a motion at an appropriate time should be brought to this House to celebrate and congratulate our young people. So, before us, this is the main trophy that they won for our country in the Africa Championships.

Madam Speaker, these are all individual trophies that some of them won for our country as well.

THE SPEAKER: Thank you.

MR BONIFACE OKOT: I also want to just acknowledge, Madam Speaker, that a majority of these individual trophy winners are our young girls. So, it means that as opposed to the old notion that perhaps girls cannot do as much as boys. These young girls have made us very proud.

THE SPEAKER: It has never been. Girls are girls. Women are women. Women can do everything.

MR BONIFACE OKOT: There is a song, Madam Speaker that “Who runs the world?”

THE SPEAKER: The women.

MR BONIFACE OKOT: The response is “Girls.”

THE SPEAKER: Yes.

MR BONIFACE OKOT: So, congratulations to Team Uganda. Madam Speaker, you will allocate time and we will do the needful.

THE SPEAKER: Thank you so much. Minister for sports?

2.44

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Well, Madam Speaker first of all, let me begin by congratulating the Uganda Swimming Federation and the entire team before us here for giving us position number one in Zone 3 competition we just concluded in Bujumbura. Let us clap for them honourable colleagues.

Madam Speaker, like I have always said that first of all the support from the Government and from this august House is what is giving our country to begin to outshine our competitors in various sports disciplines. Swimming is a

very expensive sport because as far as we are concerned, the investment part has been done by the private sector.

As far as the Government is concerned, I want to confirm Akii-Bua Stadium will have the semi-Olympic swimming pool, Hoima City Stadium will have the semi-Olympic swimming pool and Namboole National Stadium here, we are working with the International Olympic Committee; will have a standard Olympic swimming pool.

Once we finish up with our programs of coming up with a state-of-the-art indoor arena in Lugogo, we will have a swimming pool. Currently, we are constructing a semi-Olympic swimming pool in Teso College, Aloet.

Therefore, as far as Government investment in swimming is concerned, we are committed to ensuring that this infrastructure is available for our children to compete internationally. I also want to congratulate and thank the team which participated in the International Olympic competition which took place in Paris.

THE SPEAKER: Thank you.

MR OGWANG: Madam Speaker and swimmers here, I congratulate you and welcome back home. Thank you so much.

THE SPEAKER: Thank you, honourable minister. We appreciate the construction of swimming pools wherever.

MR OGWANG: Like I had earlier said, the investment has been partially by the private sector and one of the private sectors before us here is the Speaker. I want to confirm she has constructed a swimming pool in Bukedea; the first of its kind, which we use during the Federation of the East African Secondary Schools competitions here in Uganda.

Madam Speaker, I congratulate you for leading. So, you and others have made it possible. That is why now I am saying as a Government, we are now beginning to invest. Thank you.

THE SPEAKER: Committee on Education and Sports, I want you to interest yourself in the cost of those swimming pools because I know the cost. Shadow minister?

2.47

MR GEOFFREY KAYEMBA-SSOLO (NUP, Bukomansimbi South County, Bukomansimbi): Thank you very much, Madam Speaker. First of all, I want to thank this Parliament, led by you, the Speaker, for giving sports time. When we came here, the sports budget was very low but with your integration, sports have benefited a lot. The Namboole we are jubilating now; if it was not for you, I do not think our team would have qualified. I thank you.

I want to thank the Uganda Swimming Federation, for the work, the good work done for mobilising these children and participating.

We know the Government still has an idea of constructing swimming pools. That is the hard way we have been facing with the facilities of sports in Uganda. I call upon the Government to put more focus on the facilities and more budget in the federations.

Madam Speaker, there is a dance sport which has to go to the Olympics. As we speak, we have no budget and it is the same thing that is facing other federations. So, I call upon the ministries for finance and education to add more money to the sports federation for the good of our people. Thank you very much.

THE SPEAKER: Thank you. Hon. Linos?

2.48

MR LINOS NGOMPEK (NRM, Kibanda North County, Kiryandongo): Thank you, Madam Speaker. I applaud the swimming team because as I speak here, my late father, Mr Pamenga is the sole gentleman who introduced competitive swimming in Uganda.

He introduced nine Olympic sports and the president of the swimming competition, Mr Mwase can testify. So, I would like to thank them for a good job done. As Parliament through the Speaker, I believe we shall always

support you and through the Ministry for Education and Sports as well. Thank you very much.

THE SPEAKER: Thank you. Next item. Honourable members, with the motions, bear with me. I want to start with the Bill, then I come to your motions.

BILLS
SECOND READING

THE TECHNICAL AND VOCATIONAL
EDUCATION AND TRAINING BILL, 2024

2.50

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Chrysostom Muyingo): Thank you very much, Madam Speaker.

Madam Speaker, first of all, I join my colleague, the minister, to congratulate and thank the swimmers for making us proud –

THE SPEAKER: Honourable members, before the minister comes in, you will recall that on 26 November 2024, the Minister of Education and Sports tabled, “The Technical and Vocational Education and Training Bill, 2024.”

The Bill was referred to the Committee on Education and Sports for consideration. We are aware that the report is now ready, and the minister is ready to report. As per Rule 131 of the Rules of Procedure, can the minister move a motion to the effect?

DR MUYINGO: Thank you very much, Madam Speaker, and thank you for that clarification.

Madam Speaker, I beg to move that the Technical and Vocational Education and Training Bill, 2024 be read for the second time.

THE SPEAKER: Is the motion seconded?

It is seconded by Hon. Ogwang, Hon. Kubeketerya, Hon. Iddi, Hon. Edakasi, Hon. Afidra, Hon. Patience, MP from Mitooma, Hon. Okeyoh, and by the whole side, including Hon. Mbwatekamwa, MPs from Aruu, Nakawa, Jinja, Hon. Zijjan, DP, Hon. Acuti, Hon. Kelly, Hon. Apea, Hon. Lamwaka, Hon. Alanyo, Hon. Nekesa, Hon. Josephat, Hon. Aber, Hon. Linos, Hon. Avur - I like that you have refused to sit.

Okay, would you give us the objectives of your Bill?

DR MUYINGO: Thank you very much, Madam Speaker.

Madam Speaker, the Technical and Vocational Education and Training Bill, 2024 was presented, as the Speaker says, in this August House on Tuesday, 26 November 2024, for the First Reading and consideration by Parliament.

This Bill seeks to establish an employer-led Technical and Vocational Education and Training (TVET) system that is functional, effective, efficient, to meet the demands and priorities of the labour market.

The Bill proposes harmonisation, synchronisation, and merger of the functions of various TVET assessment bodies into one homogeneous function, to reduce costs and ease of coordination, in line with the Cabinet’s Directive on Rationalisation of Government Agencies, Commissions, Authorities, and Public Expenditure (RAPEX).

Specifically, it proposes the transition and merger of:

- a. Uganda Business and Technical Examinations Board, (UBTEB) and the Directorate of Industrial Training, into the Uganda Vocational and Technical Assessment Board.
- b. Uganda Allied Health Examinations Board and Ugandan Nurses and Midwives Examinations Board, into the Health Professionals Assessment Board.

I submit, Madam Speaker.

THE SPEAKER: Thank you, honourable minister. Chairperson, can you now present the report?

2.54

THE CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr James Kubeketerya): Thank you very much, Madam Speaker. I would like to present a report of the Committee on Education and Sports, on the Technical and Vocational Education and Training Bill, 2024.

Madam Speaker, these are the minutes of the proceedings, and I lay them on the Table.

Introduction

On Tuesday, 26 November 2024, at the Fourth Session of the First Sitting of the Second Meeting of Parliament, the Technical, and Vocational Education and Training (TVET) Bill was read for the first time by the Minister of State for Education and Sports (Higher Education), Dr Chrysostom Muyingo, and the Certificate of Financial Implication was laid on the Table, as required by Rule 118 of the Rules of Procedure of Parliament, and the Speaker referred the Bill to the Committee on Education and Sports.

The Background of the Bill

The current law which regulates technical and vocational training in Uganda is the Business, Technical, Vocational Education and Training Act, Cap. 244. The Act provides for the promotion and coordination of business, technical, vocational education and training, and it provides for the principles governing BTVET.

It also establishes the institutional framework for the promotion and coordination of BTVET.

It establishes the Uganda Vocational Qualifications Framework and provides for the financing of BTVET.

The Ministry of Education and Sports informed the committee that that law was

never fully operationalised due to a number of challenges, namely; overlapping mandates with other institutions. TVET delivery remains inadequately funded, fragmented and uncoordinated across the various sectors, and the provisions of the BTVET Act, are inadequate.

The committee was informed that the Bill seeks to operationalise the TVET policy of 2019, by providing for the regulation, promotion and establishment of TVET Council, and sector skills expert committees; providing for the establishment and regulation of TVET providers, and management and governance structures of TVET providers; registration and licensing of TVET trainers; development of the TVET qualification framework; development of the TVET curricula; establishment of the TVET assessment boards; and consolidate laws regulating TVET providers, under this Act.

The Bill, thus calls for a repeal of the Business and Technical, Vocational Education and Training Act, Cap. 244, and The Management Training and Advisory Centre Act, Cap. 256; The Hotel and Tourism Training Institute Act, Cap. 219; Uganda Wildlife Research and Training Institute, Cap. 261.

The object of Bill is as follows:

- a. To establish an institutional framework for the promotion, coordination, regulation and delivery of the TVET system;
- b. To provide for the implementation of policies, decisions and directives issued by the minister or any other person authorised by the minister;
- c. To develop the TVET qualifications framework;
- d. To define the scope of TVET course or programme, and the role of the different stakeholders in the process of skills training;
- e. To regulate and quality assure TVET providers;
- f. To regulate TVET trainers;
- g. To provide for the regulation and licensing of craftsmen, technicians and technologists;

- h. To provide for the establishment of a TVET Assessment Board;
- i. To provide for the establishment and management of Skills Development Fund.

Methodology

3.1 We used desk research. The committee reviewed the various legislations, and these included;

- a. The Constitution of the Republic of Uganda, 1995;
- b. The Business Technical, Vocational Education and Training Act. Cap. 244;
- c. The National Curriculum Development Centre Act, Cap. 254;
- d. The Universities and Other Tertiary Institutions Act, Cap 262.

The committee reviewed TVET policy 2019 meetings.

The committee invited eight stakeholders, held meetings and received memoranda from them. They include:

- a) The Minister of Education and Sports;
- b) The Uganda Business and Technical Examinations Board (UBTEB);
- c) The Uganda Manufacturers Association (UMA);
- d) The Uganda Nurses and Midwives Examinations Board (UNMEB);
- e) The Uganda Allied Health Examinations Board (UAHEB);
- f) The Directorate of Industrial Training (DIT);
- g) The Federation of Uganda Employers (FUE); and
- h) The Management Training and Advisory Centre (MTAC).

Findings

In the objectives of the Act, clause 3 of the Bill provides for objectives of the Act as spelt out earlier in this report.

Committee Observation

The committee observed that the aspect of licensing of TVET trainers was not provided for under clause 3(f) of the Bill.

Recommendation

The committee recommends that clause 3(f) should provide for the aspect of licensing of TVET trainers.

4.2 The Technical and Vocational Training TVET Council

Clause 4 of the Bill establishes the Technical and Vocational Education and Training (TVET) Council and a composition of the council is provided for under clause 8.

The Bill proposes that council shall be composed of a chairperson and six members and that 66 per cent of the council membership shall be employers.

The Uganda Manufacturers Association (UMA), in its interaction with the committee, proposed that the Bill should specify that one of the employers proposed in the council membership should be a manufacturer, since they are the biggest consumers of TVET services.

Committee observations

The committee perused paragraph 7.2.1 of the TVET policy and found that one of the policy objectives of the formation of a TVET council as a regulatory body, representing the demand side of the TVET policy, with two-thirds, that is 66 per cent of the council members being employers from the industry.

The policy further states that the institutional mandate for employers, through the TVET Council, will be to regulate TVET through establishment of standards, qualifications, registration, and accreditation systems for institutions/ providers, programs, and trainers.

The committee observed that the use of two-thirds representation is more conventional in legislation, as opposed to the percentage.

The committee, therefore, recommended that:

- (b) One of the six members of the council shall be a manufacturer.
- (c) Instead of the use of a percentage, the membership be specified as two-thirds.

4.3. Development of a TVET qualification framework

The Bill under clause 28 provides for the development of a TVET qualifications framework and clause 28.5 provides that the framework shall be reviewed at least after three years.

The Federation of Uganda Employers made a proposal to the committee to change the number of years for a review of the TVET qualifications framework from three years to five years to minimise costs.

Committee observations

The committee agrees with the Federation of Uganda Employers that the development of a TVET qualifications framework every three years will be a costly venture for the Council.

Recommendation

The committee recommended that the TVET qualification framework be reviewed after five years.

4.4. Delivery of Technical and Vocational Education and Training and categorisation of formal TVET providers

Clauses 29 and 30 of the Bill provide for the delivery of TVET and categorisation of the formal TVET providers respectively.

Clause 29 introduces the aspect that TVET may be delivered “formally” or “informally.” The clause also provides for a punishment for

a person who contravenes this section. Clause 30 of the Bill provides for the different TVET providers who can provide formal training and specifies the field of TVET.

The committee interacted with the MTAC which indicated that the aspect of management is not covered under clause 30 of the Bill.

Committee observations

The committee observed that the use of different terminologies of “informally”, “formally”, “formal delivery” and “formal TVET providers” creates confusion, since these terminologies are not defined in clause 2 of the Bill.

The committee further observes that there is a need to differentiate the punishment in clause 29 for an individual from that of a body corporate.

The committee agreed with MTAC that some of the fields of TVET were left out in the Bill such as management. Therefore, the committee foresees a risk in not allowing the minister to prescribe other fields of TVET, as may be necessary under this clause.

Recommendation

The committee recommended that:

- i) The terminologies of “formal training” or “informal training” should be used in the Bill instead of introducing new terminologies, since they are clearly defined under clause 2 of the Bill.
- ii)
- iii) The punishment of an individual be distinguished from that of a body corporate.
- iv)
- v) Clause 30 be amended to provide for management as one of the fields of the TVET in order to allow the minister to prescribe other fields of TVET as may be necessary.

4.5 Conflicting roles with the National Council for Higher Education

Clause 30(6) of the Bill requires the university, other degree-awarding institution, or tertiary institutions established under the Universities and Other Tertiary Institutions Act to apply to the Council to be accredited to offer a TVET program or course, in accordance with the provisions of this Act.

Clause 31(4) provides that a university, other degree-awarding institutions, or tertiary institutions established under Universities and Other Tertiary Institutions Act shall not offer a TVET programme leading to an award of a national higher diploma, degree or postgraduate.

Clause 32(2) provides that a person shall not establish or operate as a TVET provider at a level of national polytechnic or national technical university, unless it is established as a public TVET provider by the minister.

The Minister of Education and Sports informed the committee that the intention of the Bill is to have a body that addresses all issues related to TVET and this is the practice in other countries.

They further stated that, in order to ensure that the Bill does not conflict with existing laws, it provides, under clause 118, disapplication of certain enactments; that the following laws shall not apply to the TVET provider, unless otherwise expressly provided for under this Act.

Among these Acts of this application include the Universities and Other Tertiary Institutions Act, the National Curriculum Development Centre Act, the Education Pre-Primary, Primary and Post-Primary Act and the Uganda Nurses Examination Board Act.

Therefore, the ministry also indicated to the committee that the university, other degree-awarding institutions or tertiary institution established under the Universities and Other Tertiary Institutions Act are academic oriented and not practical oriented.

So, this is the reason those entities under this law will be authorised to teach trainers at technical college level and below, and award only national technical diploma and below.

On the aspect of clause 32(2), the ministry informed the committee that the national polytechnic and national technical university level are a preserve of the public sector and not the private sector because TVET is a costly enterprise characterised by the acquisition of heavy equipment, among other requirements, which a private person cannot afford.

The Government will establish these institutions gradually in order to meet the needs of higher education for TVET trainees.

Committee observations

The committee observes that clause 30(5) requires the entities covered under the Universities and Other Tertiary Institutions Act to be accredited for TVET programmes under this Act. That this role is carried out by the National Council for Higher Education in the current regime.

The committee notes that the word “may” was used instead of “shall” and yet, from the ministry’s explanation, it is the intention of the Bill to have one body to regulate TVET.

Committee recommendation

The committee recommends that clause 30(5) be amended to make it mandatory for any university, other degree awarding institutions or tertiary institutions established under the Universities and Other Tertiary Institutions Act to be accredited under this law.

4.6. Accreditation of TVET providers

Clause 41 of the Bill provides for grant or refusal of accreditation of TVET providers. The clause provides that the minister shall prescribe the time within which the Council can consider an application and grant or refuse to accredit a TVET provider.

Clause 41(3) provides that where the council rejects or refuses an application for accreditation, the council shall give reasons and notify the applicant. The clause, however, leaves it to the minister to prescribe the time in the regulations.

Committee observations

The committee observes that the time within which the council can consider an application and grant or refuse to accredit a TVET provider or the time within which the council shall notify applicants should be provided for in the parent law.

Recommendation

The committee recommends that clause 41 be amended to provide for six months to consider an application by the Council and notification of an applicant within one month.

4.7 Governing Council of TVET Providers and Board of Governors of TVET Skills Development Centre or Vocational Training Institute

The committee notes that clause 51 of the Bill provides for the Governing Council for TVET providers at the level of a technical college, National Polytechnic or National Technical University.

Clause 58 of the Bill provides for the Board of Governors of a TVET provider of a Skills Development Centre or Vocational Training Institute.

Committee observations

The committee observes that since clause 5(g) of the Bill provides that one of the functions of the TVET Council shall be to register, license, inspect and accredit TVET providers, the tenure of the members of Council should tally with the tenure of the Governing Council or Board of Governors of the different TVET providers.

The committee further observes that clauses 51(4) and 58(4) make it optional for a member of the Governing Council or Board of Governors to be paid allowances. This is not fair for members who spare their time to ensure the smooth running of the TVET institutions.

The committee also notes that there is a problem with the transition of the Governing Council or Board of Governors. Once their time lapses, the law should implore the incumbent bodies to ensure a smooth transition.

The committee also observes that women's representation on the two bodies is tied to only one person and not across the board.

Recommendation

The committee recommends that clauses 51 and 58 of the Bill be amended to:

- a) Provide for tenure of the Governing Council or Board of Governors as four years;
- b) To make it mandatory for members of the Governing Council or Board of Governors of TVET colleges, National Polytechnic or National Technical University to be paid allowances;
- c) Provide for women representation to cut across any on the Council and not only one person, as it was proposed in the Bill; and
- d) Ensure a smooth transition between the incumbent Governing Council and the incoming Governing Council or Board of Governors.

4.8 Registration and Licensing of TVET Trainer

Clause 63 of the Bill provides for the registration of TVET trainers and clause 69 provides for the TVET trainer license. Clause 74 of the Bill, however, exempts certain categories of persons from registration or licensing under the Bill.

Committee observations

The committee observes that the persons exempted from licensing or registration should

be provided for under clauses 63 and 69 before being introduced under clause 74 of the Bill.

The committee further observes that the persons exempted should have their register under clause 116.

Recommendation

The committee recommends that:

- a) Clauses 63 and 69 of the Bill should provide for persons exempted from registration or licensing, as prescribed under section 74; and
- b) Clause 116 be amended to provide for a register for persons exempted from registration or licensing, as prescribed as section 74.

4.9. Composition of Uganda Health Professions Assessment Board

Clause 81(3) of the Bill provides for the composition of the Health Professions Assessment Board. The committee interacted with the UNMEB which proposed that the Board be comprised of two persons representing heads of the TVET providers offering health-related programmes or courses and three other persons (employers), a person representing employers within the public health sector, a person representing employers under the faith-based medical bureaus and a person representing employers from private hospitals.

Committee observations

The committee observes that the specification of the different employers in the health sector is critical as proposed by UNMEP, as this will ensure a fair representation –

THE SPEAKER: Honourable members, we have guests. In the VIP Gallery, we have a delegation from the Parliament of Ghana. We have:

- 1. Mrs Effia Tenge – Director, Public Engagement Division;
- 2. Ms Margaret Donkor - Deputy Director of the Public Engagement Division;

- 3. Dr Lawrence Ashia – Deputy Director, Media Relations Division;
- 4. Mr Kaayora Abdul – Senior Public Affairs Officer;
- 5. Mr Sulemana Sadat - Senior Public Affairs Officer;

Then we have Ms Ruby, Assistant Public Affairs Officer.

You are most welcome. They are here to witness our proceedings. Thank you so much for coming all the way from Ghana and our regards to the people of Ghana.

Yes, continue.

MR KUBEKETERYA: Thank you very much, Madam Speaker. I was on the committee observations. The committee observes that the specification of the different employers in the health sector is critical as proposed by UNMEB, as this will ensure a fair representation of different employers. The Committee also observes that there is a need to ensure that the TVET providers on this board offer health related programs or courses.

Recommendation

The committee recommends that clause 81 be amended to;

- i) Specify that the TVET providers on the board should be those offering health related programs or courses; and
- ii) Specify the different employers within the health sector who shall form the board.

4.10 Tenure of members of the TVET Assessment Board

Clause 83 of the Bill provides for the tenure of office of the members of the TVET Assessment Board as three years.

Committee Observations

The committee observes that since the TVET Board will be working closely with the TVET Council in the execution of its functions, the

tenure should tally with the tenure of the TVET Council.

Recommendation

The committee recommends that clause 83 of the Bill be amended to provide for the tenure of members of the TVET Assessment Board as four years.

4.11 Deputy Executive Secretary of the TVET Assessment Board Clause 92 of the Bill provides for the Deputy Executive Secretary of the TVET Assessment Board and the clause provides for two deputies, one of the TVET assessment and another for TVET development and management of the curricula.

In its interaction with the committee, UNMEB proposed to the committee that the position for two deputies be adjusted to deputy executive secretary responsible for nursing and midwifery and another responsible for allied health professionals.

Committee observations

The committee observes that since the Uganda health professionals board is merging the two bodies; the Uganda Allied Health Examinations Board and the Uganda Nurses and Midwife Examinations Board, specifying the two deputies is necessary.

The committee further observes that the deputy executive secretary of TVET, Development and Management of Curricula, under the Uganda Vocational and Technical Assessment Board, should be added as a role of Finance and Administration to ensure that the function of the Finance and Administration is effectively handled.

Recommendation

Clause 92 of the Bill be amended to specify the two deputy executive secretaries of the Uganda Health Professionals Board and add the role of finance and administration to the deputy executive director in charge of TVET development and management of curricula.

4.12 Transitional provisions in the Bill

Clause 126 of the Bill provides for transition applicable to the TVET Assessment Board. Clause 126(5) of the Bill provides that the staff in employment of Uganda Allied Health Examinations Board and the Uganda Nurses and Midwifery Examinations Board in existence, immediately before the commencement of this Act, other than the Board members shall be merged and continue in the employment of the Health Professionals Assessment Board as the Minister may determine and subject to the availability of vacancies.

Clause 128(2) of the Bill provides that the Uganda Vocational and Technical Assessment Board may on the effective date of its operations, accept into its employment a person who, immediately before the commencement of this Act, was an employee of the Directorate of Industrial Training on permanent and pensionable terms and who was given an option to serve by the board and be opted to serve as an employee of the board subject to the availability of vacancies.

Committee observations

The committee observes that clause 126(5) leaves the transition of the staff of the two bodies to the determination of the minister and subject to availability of positions. This will render some staff unemployed and is thus unfair.

The committee further observes that the provision in clause 128(2) requires the board to give a staff member the option to serve which is also unfair.

Recommendation

The committee recommends that:

- i) Clause 126 be amended to provide that staff in employment of the Uganda Health Examinations Board and the Uganda Nurses and Midwifery Examinations Boards should continue in employment in the Uganda Health Professionals Assessment Board; and

ii) Clause 128 be amended to provide that the employee of the Directorate of Industrial Training is the one to give an option on where he or she wants to serve on the board or not.

4.13 Management Training and Advisory Centre (MTAC)

Clause 121 of the Bill repeals the Management Training and Advisory Centre Act, Cap 253.

The committee interacted with and received written recommendations of memoranda from the Management, Training and Advisory Centre (MTAC), who submitted that the Bill sought to repeal a non-existent law, as the MTAC law was repealed by the Universities and Other Tertiary Institutions Act of 2001. MTAC attached a legal opinion to this written submission, dated 19 September 2014 from the Solicitor-General, that stated that the MTAC law was repealed by the Universities and Other Tertiary Institutions Act 2001. The legal opinion further stated that the Universities and Other Tertiary Institutions Act (Register of Public and Private Tertiary Institutions) Legal Notes No.14 of 2008, lists Management, Training and Advisory Centre as a public tertiary institution under Part B.

The Minister of Education and Sports stated that following the Government policy of rationalisation of Government Agencies, Commissions, Authorities and Public Expenditure and Cabinet Memoranda CT (2018)128, it was decided that MTAC would be merged with Nakawa Vocational Training Institute.

Furthermore, the Minister of Education and Sports stated that prior meetings were held with MTAC on the Bill and were, therefore, informed about the merger with the Nakawa National Training Institute and the repeal of the MTAC law.

In a meeting with a committee, MTAC indicated that the dissolution of MTAC has far-reaching implications as argued below:

(a) That dissolution of MTAC will undermine the execution of the projects that informed the establishment of MTAC.

(b) The dissolution of MTAC will significantly undermine the implementation of the micro, small and medium enterprises policy.

(c) The dissolution of MTAC would erode the relevance of MTAC in the region.

(d) The dissolution of MTAC would suffocate the growth of MTAC business incubators already established in Ntungamo and in Mbale.

(e) A dissolution of MTAC would significantly undermine the implementation of the National Development Plan, the Uganda Vision 2040, and the Africa Agenda 2063.

Committee observations

The committee observes that MTAC law was not repealed by the Universities and Other Tertiary Institutions Act 2001 as is and is still in force.

The committee observes that the matter of rationalisation of MTAC was approved by Cabinet under CT (2018)128.

Recommendation

The provisions of the Bill in regard to the Management and Advisory Centre (MTAC) should be maintained in the Bill.

Conclusion

The committee understands the pertinent need to regularize and promote the TVET sector and the committee's interaction with the various stakeholders depicts their readiness of rationalisation which is necessary to make the TVET sector better. The committee recommends that the Parliament adopts the committee report and passes the Bill, subject to the proposed amendments.

I beg to submit, Madam Speaker. *(Applause)*

THE SPEAKER: Thank you very much, chairperson. Honourable members, you have heard the report from the chairperson. The Floor is open for limited debate.

MR KIBALYA: Thank you, Madam Speaker. This is a Parliament of records. We have a challenge now. Our clerks that process some of these good reports, with the few changes that have come, now have a location somewhere here. They cannot increase the volume of the TV, because the moment it is increased, it brings the echo. They cannot follow properly.

Wouldn't it be procedurally right, through your office, Madam Speaker, that the Commission now plans for them? For a fully-fledged secretariat so that they are placed there, but with equipment that can enable them to follow and capture the records as they have been doing.

THE SPEAKER: Thank you. The records are captured on the *Hansard*. They do not have the *Hansard* with them. What is on this microphone and that one and whichever is what is captured on the *Hansard*.; If it is not captured, we shall still give them the report.

I know you are missing those girls here but –
(*Laughter*)

MR ENOS ASIMWE: Thank you, Madam Speaker. I am seeking clarification from the honourable minister and the Chairperson of the committee.

I understand we are rationalising all these councils, but then we have the National Council of Higher Education. The Teachers' Bill that we are to debate – although we have not debated it is also creating a council. Now we are also creating a council with a board and a committee –

THE SPEAKER: I do not want you to mix these two Bills. Leave the Teachers' Bill alone. That is why we are not handling it. Let us discuss this TVET.

MR ENOS ASIMWE: Thank you, Madam Speaker. Now, my clarification is, can't we have one secretariat to handle the National Council of Higher Education and the TVET council? Instead of having an executive director for this

and then we also have an executive director for the other one that already exists and others that they tend to create. Yet we have been saying that we should rationalise.

When we are rationalising the agencies under the agriculture sector, we said we should have one entity to regulate all of them. But now we are having three entities to deal with one sector. Therefore, I am seeking clarification from the honourable minister and the Chairperson of the committee.

THE SPEAKER: Honourable minister, he needs clarification.

DR MUYINGO: Thank you very much, Madam Speaker. When you look at all these commissions, all these agencies, they have completely different functions and they serve a completely different service. Putting all of them together is going to create more problems. I submit.

THE SPEAKER: Just like when we rationalised the cotton – all those in agriculture, each of them had a directory. That is what the minister is saying.

Yes, Kazo?

MR KIMOSHO: Thank you, Madam Speaker. While I listened and heard from the minister on the issues of performing different roles, in the spirit of rationalisation and centralising power – because this argument came about when we are doing rationalisation- that the institutions should be controlled in one place and have small officers who would be deployed.

Therefore, to avoid the duplication and overlapping roles and ambiguity in command, I think as we make this law and the subsequent laws, it would make sense that such institutions that share – because they all share what they are doing apart from that this is maybe primary, secondary, tertiary, nurses – it would make sense that we have one accounting officer in that perspective and the rest are either principals, but reporting to one accounting officer.

MR KIRYOWA KIWANUKA: Madam Speaker, we may want to get some help in understanding which of these entities you are talking about merging. When we say we want all of them together – if you help us and tell us this council and this council should be merged, it may be easier for us to explain why they are separate. However, when we do not know what we are talking about merging, it is a bit difficult.

MR JOHN TWESIGYE: Thank you, Madam Speaker. I want to give information to my colleague, Hon. Kimosho, through the Speaker. I want to give you information that if you look at the intent of this Bill, it is trying to address the challenges that we have been facing in the world of work, especially with TVET providers and TVET skills development.

Now, the TVET delivery has been fragmented. If you look at the functions of the National Council for Higher Education, they will definitely be very different from the functions that the TVET council is going to play.

Therefore, putting those things together is going to create a very big challenge in management, development and application of the skills that we need to create from the trainees.

MR JACOB KARUBANGA: Thank you, Madam Speaker. This is just to supplement to the colleague. The other aspect of it is that the two should be different just because the National Curriculum Development Centre set up has technocrats who have a different orientation from the artisan skills. The National Curriculum Development Centre is more of academic than these skills that we are trying to bring up from our population down there.

Therefore, because of the difference in the skills, that is why the committee is saying, let this be different since the other one is more academic and then this can be modelled and nurtured in their own way. Thank you.

THE SPEAKER: Thank you. Dr Bhoka?

3.37

DR GEORGE BHOKA (NRM, Obongi County, Obongi): Thank you very much, Madam Speaker. I want to thank the Chairperson and the members of the committee for the report. I rise to support the report but with some observations and areas for clarification.

Area number one is in the TVET qualifications framework vis-a-vis a curriculum. Do the two mean the same or they are different things?

Two is, there is a mention of formal and informal TVET training. There are a number of entities, including civil society organisations that are involved in the training of young people in vocational and technical skills. What would be the eligibility criteria for the informal training institutes?

Last, is in the area of certification. And in the certification within the context of the sub-regional presidential youth skilling centres that have been set up courtesy of the President across the country, where there is no minimum academic requirement for entry. When it comes to certification of the skills, I would like the Minister of Education and Sports to guide the nation on how these are going to be certified to meet the basic standards and minimum requirements that make them eligible to be certified. Thank you.

THE SPEAKER: Thank you. Yes?

3.39

MR ENOS ASHIMWE (NRM, Kabula County, Lyantonde): Thank you, Madam Speaker. I think we still have an issue to deal with, and the Attorney-General has asked which institutions we think can be merged.

Our argument is that there is the National Council of Higher Education, and now we are creating a council for technical institutions. Yes, they have said that we should not discuss teachers but chances are that we are also going to have a council for teachers. Those are three councils under one sector. Yet a few months ago, even a month ago -

THE SPEAKER: Why are you legislating in anticipation?

MR ENOS ASIIMWE: Okay, let me not include teachers. Let me deal with the technical institutions that we are dealing with now and the National Council of Higher Education which is already in existence.

Madam Speaker, these are two councils that already need technical heads. Here, we are creating an executive head, yet we already have an executive head for the National Council of Higher Education, which is all under one sector.

We have just been discussing rationalisation and saying that in any sector if we can have leadership under one umbrella, it does not matter whether they have different capabilities as long as leadership is concentrated under one institution.

THE SPEAKER: Yes.

MR ENOS ASIIMWE: So, my argument still is that we need to first clarify that before we move to the technicalities of the Bill.

MR ATWIJUKIRE: Thank you, Madam Speaker. I am reinforcing his point. In the Ministry of Works and Transport - and I am also referring to the information given to me by my honourable colleague, Hon. Twesigye. He is saying that there are different functions to this effect. In the Ministry of Works and Transport, you have a chief engineer who is reported to by all the engineers in the sector.

THE SPEAKER: He is called the Engineer-in-Chief.

MR KIMOSHO: Engineer-in-Chief. Thank you, Madam Speaker. He is reported to by all manner and sorts of engineers in that sector, from mechanical, electronic and even those that deal with aeroplanes all report to an engineer.

What takes precedence here is that he understands the basics of engineering and he can be able to preside over the overarching issues of the sector.

Having understood the spirit of rationalisation, we are helping the ministers not to come back here for another rationalisation on the same matter that we can prevent now. Thank you.

THE SPEAKER: Thank you. Hon. Ssewungu?

3.42

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Madam Speaker, I was following Hon. Ssemuju's neighbour with their own fun around here sometimes, but you see this Bill, I would pray that we go for the debate of the report and then when you go to the real Bill, you will be looking at those clauses that you want to amend because we are mixing -

The Ministry of Education and Sports already has one accounting officer and that is the Permanent Secretary. Others have Votes but they are still under the Ministry of Education and Sports.

If we go to the real report, clause by clause, we shall look at those particular areas because we are not the ones -

THE SPEAKER: So, you move a motion.

MR SSEWUNGU: Madam Speaker, the motion is moved by my brother, the minister. I would pray that we go for the debate and after the debate, all these things will be looked at within the Bill.

THE SPEAKER: Honourable members - yes, Hon. Max.

3.43

MR MAXIMUS OCHAI (NRM, West Budama County North, Tororo): Madam Speaker, thank you for this opportunity. I listened to the presentation and realised that the presentation focused largely on the Bill and took for granted the Certificate of Financial Implications. Our rules of procedure and as well as the Public Financial Management Act provides -

THE SPEAKER: Why do you say that it took for granted the Certificate of Financial

implications? When he was laying the minutes, he said, "I am laying the minutes together with the Certificate of Financial Implications." Did you look at the certificate? Did you get any defect on the certificate?

MR OCHAI: I expected the report to interrogate the Certificate of Financial Implications because subsection 3 of Rule 118 of our Rules of Procedure requires us mandatorily to find out whether the Bill has a positive or harmful effect on the economy.

While subsection 2 requires that we ensure that the Certificate of Financial Implications provides a medium-term estimate of not only revenue but expenditure as well and in total, it should guide us on whether the Bill in question or under consideration is harmful or beneficial. Unfortunately, I did not hear that.

THE SPEAKER: You know, if it is not reported that there was a defect, then the presumption is that it was sufficient.

MR ONZIMA: Thank you, Madam Speaker. Whereas Hon. Ssewungu had given a view that we go to the Committee Stage - *(Interjection)* - Okay, fine.

In that case, I raise a clarification on the same issue. It seems to be pointing in two directions. The argument is that why don't we have only the National Council of Higher Education?

The question here will be, are all technical schools under the category of higher education; are there no technical schools that maybe provide certificates? *(Applause)*

My understanding is that when we talk about the National Council of Higher Education, it regulates institutions that provide services from diploma level to university.

THE SPEAKER: We even have these skilling centres.

MR ONZIMA: Yes, Madam Speaker.

THE SPEAKER: Where you get somebody who has not even gone up to primary seven and the person is -

MR ONZIMA: Yes, Madam Speaker. So, I think the argument and the push by Members that we should leave the whole thing to the National Council of Higher Education, as an individual, I do not support because not all these technical institutions are categorised under higher education. However, one would argue that for others, maybe where they were saying - the issue to do with the provision of basic issues to do with the national curriculum education areas, one would say, okay, why don't we also second people with technical skills?

Still, that will not help us. I think the best will be for us to separate this and have the Technical, Vocational and Educational Training Council on its own and that one of higher education should also deal with a different one. Thank you, Madam Speaker. *(Applause)*

THE SPEAKER: Thank you. Hon. Lillian?

MS PAPARU: Thank you, Madam Speaker. I am a committee member and I want to give information about the issues which they wanted clarification on.

This Bill merges a number of entities that had different accounting officers. In this Bill, the Uganda Nurses and Midwives Examinations Board, the Directorate of Industrial Training and the assessment body for the allied - that section of the paramedics and all that are being merged here.

All of them will be under this one council. Actually, there are almost four entities that have different accounting officers which will be merged and there will be one executive officer who will be supervised by this council.

Let us not look at it as a stand-alone. We are actually merging many things into one. This council will be the body to oversee it. Thank you. *(Applause)*

THE SPEAKER: Thank you. Hon. Sarah?

3.49

MS SARAH OPENDI (NRM, Woman Representative Tororo): Thank you, Madam Speaker. Whereas it is good to bring these institutions together, my attention has been drawn to the Technical and Vocational Education Training (TVET) delivery, which remains underfunded, and is mentioned so in the Bill. With the high unemployment in this country, the Government should focus on promoting technical vocational training in this country.

However, considering that this vocational training is expensive, I, at some point, placed on your table a motion so that we can discuss and ensure that the Government funds, not just the diploma TVET science courses, but also the certificate courses.

When you look at section 109, it proposes to establish a skills development fund. I would have had no problem with this fund, but considering that we are here rationalising the Uganda Road Fund, and yet all these other things that the Government is planning, even this vocational training –

THE SPEAKER: What is the relationship between the Uganda Road Fund and the skills development fund?

MS OPENDI: Madam Speaker, what I am trying to state is that under this, there is supposed to be an established skills development fund, which will be financed by monies appropriated by Parliament, a levy on the gross annual revenue of the TVET provider and other funds that are listed here.

The point I am trying to make is that we have the Higher Education Students Financing Board, and this has not only been funding students who qualify to go to universities but also – *(Interruption)*

THE SPEAKER: Yes, Chairperson?

MR KUBEKETERYA: Thank you, Hon. Sarah Opendi. I would like to give information

–

MS OPENDI: Can I complete it? I have not allowed you because it is –

THE SPEAKER: No, I have allowed him because you are deviating. How does the financing board come in?

MS OPENDI: Madam Speaker, I am talking about a fund, and if in the Ministry of Education and Sports, we already have the Higher Education Students Financing Board, why don't we put money under this Higher Education Students Financing Board in the ministry, rather than establish another fund? That is my point.

THE SPEAKER: Hon. Sarah, this is going to be housed in the Ministry of Education and Sports. It is not a stand-alone.

MR KUBEKETERYA: Before the motion, Madam Speaker, I would like to give Hon. Sarah Opendi information that the establishment of the skills development fund is by the private practitioners. They are saying that they want to contribute money, but not put it under a Consolidated Fund. They want this money to be used to train the *jua kalis* for better quality and for the demand of what is required to create money.

In a way, it is the private manufacturers who would like to have this fund, and this fund is meant to train their people who are trainers of other trainers. Therefore, it is not similar to the Uganda Road Fund.

THE SPEAKER: Hon. Abigaba?

3.52

MR CUTHBERT ABIGABA (NRM, Kibale County, Kamwenge): Thank you, Madam Speaker, for the opportunity. I thank the committee for processing this Bill, which I regard as a very important Bill because that is my background.

I only want to know from the committee why on the technical side, they do not engage the Uganda Engineers Registration Board and the Uganda Institution of Professional Engineers. Why am I saying so? One of the objectives of this Bill is to regularise and license a group of cadres called craftsmen, technicians, and technologists.

Technologists and technicians at the moment are licensed by the Uganda Engineers Registration Board and the Uganda Institution of Professional Engineers. I am wondering whether this is not going to be a conflict between the two bodies.

That aside, I would like to appreciate the committee once again.

THE SPEAKER: There is a motion.

3.54

MR DAN KIMOSHO (NRM, Kazo County, Kazo): Madam Speaker, I beg to move that we proceed to the committee stage, which will give us an opportunity to interrogate the Bill issue by issue.

THE SPEAKER: Is it seconded? (*Members rose*) It is seconded by Hon. Dorcas, Dr Apea, Hon. Lamwaka, Dr Acuti, Hon. Jane, Hon. Acrobert, Hon. Mbwatekamwa, Hon. Mapenduzi, Hon. Acora, Hon. Nekesa, Hon. Alanyo, Hon. Bakka, Hon. Mbayo and the whole side. I put a question to those who are in secondment of the Bill going to committee stage.

(Question put and agreed to.)

BILLS
COMMITTEE STAGE

THE TECHNICAL AND VOCATIONAL
EDUCATION AND TRAINING BILL, 2024

Clause 1

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

(Question put and agreed to.)

Clause 1, agreed to.

Clause 2

MR KUBEREKETYA: Madam Chairperson, Clause 2 is on application Clause 2 is amended by:

“(a) inserting immediately after the definition of “candidate” the following: -

“Certification” means the formal process of crediting a candidate with a record of his or her achievement.

(b) by inserting in the definition of “employer”, the words “or, an employer of nurses, midwives, or allied health professionals” after the word “technologist”;

(c) by inserting immediately after the definition of informal training, the following - “Medical practitioner” which has the meaning assigned to in the Mental Health Act;

(d) in the definition of “world of work”, by inserting the word “formally” after the word “employed”.

The justification is:

- i) For the definition of the world of work, the amendment is to provide clarity that the world of work is a formal environment.
- ii) To provide for definitions of words that have been used in the Bill to achieve clarity.

Madam Chairperson, I beg to move.

THE CHAIRPERSON: Minister?

DR MUYINGO: Thank you, Madam Chairperson. I object to the proposal to amend the definition of “world of work”. For the rest, I agree with the committee chairperson. I propose that the clause remains as it is in the Bill because the proposal complicates the envisaged reforms by only restricting employment to “formal”.

When you look at the Technical and Vocational Education and Training (TVET), there is the formal part but also the informal part, which would be lost if we do not capture that. I submit.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: Thank you, Madam Chairperson. I tend to agree with the Minister of Education because I know the purpose of this Act was to deal with some people who are not necessarily using formal letters of employment etcetera. I do not know whether the committee has looked at that.

For purposes of this Act, let us not use the conventional definition of “world of work”. Can we also allow those people who are working informally to also be considered in this space?

THE CHAIRPERSON: Thank you.

MR NIWAGABA: Just to add to what the Attorney-General has said, the definition is categorical; “Technologist”, “practice”, “work” or “are employed” so the word “work” itself needs not to be in formal employment. It encompasses everything. Therefore, I support the minister.

MR KUBEKETERYA: Madam Chairperson, I concede.

THE CHAIRPERSON: I put the question that clause 2 be amended as proposed by the minister and supported by the Attorney-General and the Shadow Attorney-General.

(Question put and agreed to.)

Clause 2, as amended, agreed to.

Clause 3

MR KUBEKETERYA: Madam Chairperson, I beg to move that clause 3 on “Objects of the Act” be amended in paragraph “f” by inserting the words “and license” after the word “regulate.” The justification is to provide for the aspect of licensing of TVET trainers, which was inadvertently left out. I beg to move.

THE CHAIRPERSON: Minister.

DR MUYINGO: Thank you very much, Madam Chairperson. I object to inserting the words “and license”. This clause should remain as it is in the Bill because “regulation” as a function is broader, and it includes licensing. It is not necessary to tie licensing to regulation. I submit.

MR ABIGABA: Thank you, Madam Chairperson. I am back on the point, which I raised. This clause provides for licensing of technicians and technologists. Like I said, this is already a role that is being played very well by the Uganda Engineers Registration Board. I do not know whether we are not creating a conflict somewhere.

THE CHAIRPERSON: So, are you in agreement with the minister?

MR ABIGABA: On the point he was raising, I agree with him but on this one, I am very categorical.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: Thank you, Madam Chairperson. The persons envisaged under this Act cannot possibly be regulated under the Engineers’ Registration Board. The persons who are envisaged here even include those who do not have any kind of formal education. The Engineers’ Registration Board Act requires you to have a degree in engineering. So, it cannot.

The idea here is to allow these people to sit in a space amongst peers so that the engineers can also do their part. So, the engineers regulate artisan engineers, not these;

A person who has finished education as an engineer but has not yet registered as an engineer, a learning engineer or an artisan engineer who is under the pupillage of an engineer will fall under the Engineers’ Registration Board but these ones are different. Thank you.

MR NIWAGABA: Thank you, Attorney-General. When you look at clause 2 clearly, there are three categories of persons under this particular Bill. The artisans, the craftsmen, and the technologists are all defined in accordance with this particular Act. Those who are looking at engineers, surveyors, and the like are extending the application of this Bill too far.

MR KIMOSHO: Thank you, Madam Chairperson. We are currently handling the Engineers' Registration (Amendment) Bill. The category provided for here is not taken care of. It is very important that we include them under this Bill. Thank you.

THE CHAIRPERSON: Thank you. I put the question that clause 3 stands as part of the Bill - there is no amendment. We are taking the original Bill - I put the question that clause 3 stands part of the Bill.

(Question put and agreed to.)

Clause 4, agreed to.

Clause 5, agreed to.

Clause 6

MR KUBEKETERYA: Madam Chairperson, I have an amendment for clause 6, the Power of the Minister. Clause 6 is amended in subsection (1) by substituting for the word "may", the word "shall." The justification is to make it mandatory for the minister to give policy guidelines to the Council. I beg to move.

THE CHAIRPERSON: Honourable minister.

DR MUYINGO: I concur, Madam Chairperson.

MR NIWAGABA: I thought the honourable minister had responded quickly. Why should you be tied? What if you find that you do not actually need to give guidelines? If you say, "Shall," you are literally tying yourself because you may reach a stage when you do not even need to give any policy guidelines.

THE CHAIRPERSON: And if the Council is operating very well, you may not need to.

MR KIRYOWA KIWANUKA: Madam Chairperson, when we discussed this, we realised that guidelines will definitely be issued at the very beginning of this Act. Therefore, we will not be in breach of this. So, we shall definitely issue guidelines under this section.

MR SSEWUNGU: I agree with the Attorney-General as well. If you give him discretionary powers, what if he is supposed to give them and refuses to? Putting that clause "shall" mandates him. Where there is nothing, he cannot, but you should. Having discretionary powers to not do what he is supposed to do sometimes causes challenges.

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

(Question put and agreed to.)

Clause 6, as amended, agreed to.

Clause 7, agreed to.

Clause 8

MR KUBEKETERYA: Madam Chairperson, there is an amendment in clause 8 on the composition of the Council.

Clause 8 is amended by:

- a) Substituting for the words, "sixty-six per cent", the word, "two-thirds."
- b) By inserting immediately after sub-clause (2), the following; "One of the employers referred to in subsection (1) shall be a manufacturer" and
- (c) (4) by inserting the words "in the fields referred to" under section 30 after the word "qualifications."

Justification

- i) The substitution of the word "sixty per cent" with the word "two-thirds" is to use an appropriate terminology.

- ii) To specify that one of the employers proposed in the council membership should be a manufacturer since they are bigger consumers of TVET services.
- iii) To provide that the chairperson or member of the council shall have the qualifications in the TVET field specified in clause 30. I beg to move.

THE CHAIRPERSON: Honourable minister –

DR MUYINGO: Madam Chairperson, my chairperson is introducing something new which was not in the original position. He wants to bring in a manufacturer. Today a manufacturer could be the issue and tomorrow something else. So, I would like to propose that the clause should remain as it is.

The purpose of sub-clause 2, is to empower the minister through regulations to provide for the procedure or removal from office but not prescribe additional grounds. However, if Parliament wishes to delegate to the minister power to prescribe additional grounds for removal- then we can introduce another element under any other grounds as the minister may prescribe by regulations. I propose.

THE CHAIRPERSON: Hon. Christine –

MS KAAYA: When the chairperson of the committee introduced the two-thirds, I thought he was going to bring in the issue of gender because I feel like the 66 per cent – (*Interjection*)- he wants to replace the 66 per cent of the members appointed by the minister with two-thirds. I feel that this concerns the number of employees and not the gender. So, the 66 per cent is okay to give the minister powers to at least appoint this percentage.

However, the other issue of the –

THE CHAIRPERSON: Check Clause 8(5)-

MS KAAYA: He wants to delete the 66 per cent - the use of language, so we should go for a fraction.

THE CHAIRPERSON: No, 66 per cent is just causing uniformity because with all the laws that we have passed, we are saying two-thirds, a third, and what he is saying in clause 8(5) is that three out of six shall be women.

MS KAAYA: So we wanted to be smart. My other one was –

THE CHAIRPERSON: No, we are just having uniformity. We are only being smart in drafting.

MS KAAYA: My other one is on the proposal of the manufacturer. Based on the informal sector and the placement of our “*jua kali*” students. I am in tandem with the proposal that a manufacturer be included on this council. Thank you.

MR ATWIJUKIRE: Thank you, Madam Speaker. On the issue of introducing the manufacturer as part of the council, we are all consumers of TVET service providers. From hotels to our homes - what is the peculiarity of this that you need to tie in manufacturers into the law because by their daily life, all council members are consumers of these services? So, why do we need to tie in manufacturers?

THE CHAIRPERSON: Hon. Geoffrey -

MR ONZIMA: Madam Chairperson, I would like to agree with his argument but also add that when we are setting up this council, it is supposed to regulate any institution that is in charge of passing skills. But a manufacturer is producing consumables. So, how are these two related? I would like the chairperson to explain this. I do not agree with the committee’s proposal.

THE CHAIRPERSON: Honourable chairperson -

MR KUBEKETERYA: Madam Chairperson, before the Attorney-General- when we interacted with the stakeholders, a manufacturer came and said that they needed to be vehemently–

THE CHAIRPERSON: Which type of manufacturer; because they can even give an alcohol manufacturer? *(Laughter)*

MR KUBEKETERYA: No, we got Uganda Manufacturers Association, so we did not know whether he was from there -

THE CHAIRPERSON: No. This thing is not at that level of manufacturers.

MR KUBEKETERYA: Madam Chairperson, I would like to concede on that, but the proposal of two-thirds arithmetic is okay.

THE CHAIRPERSON: That is okay.

MR SIMON OPOLOT: I would like to understand what the chairman was trying to propose because he seems to be struggling to bring in a skilled or experienced person in that sector. Perhaps we could create a clause that attracts someone with a given experience in manufacturing to be part of the council.

THE CHAIRPERSON: Hon. Okwalinga, the problem is that when they were reading the report you were not in. So, you missed out on a number of these things. And when Hon. Lillian was making a clarification - Lillian help him with the clarification.

MR SIMON OPOLOT: I understand, thank you, Madam Chairperson *(Laughter)*. If it was already clarified, then it is okay, I concede.

THE CHAIRPERSON: On the same when he has conceded? 8(5)

MR ENOS ASIIMWE: I would like to make a proposal. Madam Chairperson, I am suggesting under 8(5) - they are talking about appointing one person with a disability and three women. I would like to bring a proposal that we have a youth leader on this council because the majority of members that are going to be licensed -

THE CHAIRPERSON: But a woman can be a youth.

MR ENOS ASIIMWE: No, I think we should be specific with national youth leaders.

THE CHAIRPERSON: A person with a disability can be a youth. You see, like here, we are seated with the ministers and we have a youth there who is a woman.

MR ENOS ASIIMWE: Madam Chairperson, when it is in the law, the appointment will be very specific. They will look for a youth leader, and that is what I am proposing. A youth leader because the majority of the people who fall under this category are going to be young people.

MR NIWAGABA: Just look at the sub-clause 4. We have already provided the professional qualifications and experience. So, if you are youth leaders and do not have them, you fall out. *(Laughter)*

MR KIRYOWA KIWANUKA: Thank you, shadow minister. Madam Chairperson, for clarity, we concede to the amendment of clause 2 to include the two-thirds.

I agree with Members that we should drop the proposed insertion, but I just wanted to make an additional clarification to their proposal in clause 5. It says in the fields referred to in section 30, it should be section 30, sub-clause 2 because that is where the qualifications are placed, not the whole of section 30.

It would read, "that a person shall not be appointed chairperson or member of council unless the person has professional qualifications, in a field referred to in section 30 (2) and experience in delivery of TVET services.

THE CHAIRPERSON: That is clause 8(4) not Clause 8(5)

MR KIRYOWA KIWANUKA: Clause 8(4) I beg your pardon, thank you.

THE CHAIRPERSON: I put the question that the clause 8 be amended as proposed and amended by the Attorney-General.

(Question put and agreed to.)

Clause 8, as amended, agreed to.

Clause 9, agreed to.

Clause 10, agreed to.

Clause 11

THE CHAIRPERSON: Chairperson?

MR KUBEKETERYA: Madam Chairperson, I have an amendment to clause 11 on the disqualification of a member.

Clause 11 is amended in paragraph B by inserting the words “as ascertained by medical practitioner” immediately after the word “illness”.

Justification

To incorporate the requirement for ascertainment of infirmity of the body or mind. The medical practitioner before a member is disqualified from office on those grounds. I beg to move, Madam Chairperson.

THE CHAIRPERSON: Minister?

DR MUYINGO: I concur.

THE CHAIRPERSON: Attorney General-

MR KIRYOWA KIWANUKA: I concur.

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

(Question put and agreed to.)

Clause 11, as amended, agreed to.

Clause 12

THE CHAIRPERSON: Chairperson?

MR KUBEKETRYA: Madam Chairperson, clause 12 is about the vacation of the office of the council. Clause 12 is amended by

(a), in paragraph b, by inserting the words “as ascertained by medical practitioner” immediately after the word “mind.” and (b) by substituting for sub-clause (2) the following:

“Where a member ceases to be a member of the council in circumstances which are not prescribed under subsection 1, the minister may, by regulations, prescribe the manner in which a chairperson or a member of the council vacates office under subsection 1.”

Justification

1. To incorporate the requirement for ascertainment of infirmity of body or mind by a medical practitioner before a member is removed from office.
2. For clarity, to indicate that the minister shall provide for other circumstances when a member of the council vacates office. I beg to move, Madam Chairperson.

THE CHAIRPERSON: Yes-

MR ONZIMA: I also wanted to seek clarification on clause 12 subsection 6.

THE CHAIRPERSON: Let us first sort out 2, then you go to 6. Minister.

DR MUYINGO: Madam Chairperson, I am not comfortable with the new development. There is something there he is inserting, which makes me very uncomfortable. “Where a member ceases to be a member of the council-”

THE CHAIRPERSON: He is on procedure?

DR MUYINGO: Under circumstances which are not prescribed under the subsection. If there is something we know that will not- why don't we give it its own clause?

Otherwise, I pray that the clause should remain as it is. Subclause (2) empowers the minister to develop regulations to provide for the procedure for removal from office but not to prescribe additional grounds.

THE CHAIRPERSON: Yes -

DR MUYINGO: However, if Parliament wishes to delegate to the minister power to prescribe additional grounds for removal, then clause 1(b) should be amended to include 7, which says, “Any other grounds as the minister may prescribe by regulation.”

MR NIWAGABA: Madam Chairperson, I think the minister is very clear and I have liked him. The committee is giving the minister powers beyond what Parliament-

THE CHAIRPERSON: Too much power. Yes.

MR NIWAGABA: Do you want the minister really to go and legislate for us? So, I agree with the minister. Let us retain the provision that they are because sub-clause (2) of clause 12 is clear on the manner the procedure in which the office can be vacated but does not extend the powers.

THE CHAIRPERSON: Yes, just hold on, let him concede.

MR KUBEKETRYA: Madam Chairperson, I concede.

THE CHAIRPERSON: Thank you.

MR ONZIMA: What I was trying to raise is number 6 -

THE CHAIRPERSON: Number what?

MR ONZIMA: Roman figure 6 says a member ceases, like under conditions under which one can vacate, a council can vacate an office, and number six says ceases to be an employee or a member of the institution.

THE CHAIRPERSON: Which clause are you on?

MR ONZIMA: It is still clause 12.

THE CHAIRPERSON: Twelve has up to four.

MR ONZIMA: I am sorry. Subsection (b)(VI).

THE CHAIRPERSON: Okay.

MR ONZIMA: Where they say, “Ceases to be an employee or a member of the institution or sector that he or she represents.” It is as if, for one to qualify to be a council member, he must belong to an institution where he is working.

My thinking was that there could be some former employees, even possibly maybe people who have retired, but who have accrued knowledge in terms of issues to do with the technical knowledge. So don't those qualify? Must one only be working from an institution that he qualifies to be appointed to the council? That is the clarification I wanted.

THE CHAIRPERSON: I want you to look at clause 30(2). Those are the categories of people who will be in the areas from which people will be appointed.

MR ONZIMA: Yes, Madam Chairperson, I have understood what you are saying. The categories they have listed here scaling development centres, vocational training institutes, technical colleges, national polytechnic or national technical university-

THE CHAIRPERSON: Clause 30(2)

MR ONZIMA: Yes, I have seen them. Still, Madam Chairperson that was the question I was trying to raise. Looking at it, unless I have not understood it well, because when you look at this. Still, the implication to me is that you must belong to an institution.

Therefore, what I was raising is, since we are dealing with the establishment of council members, say for example, if I worked in a technical institution. I have retired, and I have accrued knowledge, can't I be appointed as a member? That is what I was trying to raise. Maybe it was - (*Interjection*) - okay, please.

MR NIWAGABA: Just read it, it is clear. You either belong to an institution, you are an employee, or you belong to a sector. Can you

ever retire from your sector? 12(1)(b)(vi). So it speaks for itself, honestly.

If you are looking at a sector, you go back to clause 30, subclause 2. It gives you the sectors.

THE CHAIRPERSON: Hon. Geoffrey, if you refer to Doctor there. He is a Doctor even when he is a Member of Parliament - he remains a Doctor. He is still in that in that sector. Yes.

MR KIRYOWA KIWANUKA: You will find many parts in this Act. For example, if you look at specifically clause 8(2) above. It says, "The minister, while appointing the members under subsection 1, appoints two-thirds of members from employers, including the chairperson.

Therefore, what if this person who was appointed a chairperson ceases to be an employer? You have to remove him because he has ceased to represent the category for which he was brought into this council. When that happens, if you say it won't happen, then the provision is not harmful, but it is possible that it could happen.

THE CHAIRPERSON: Yes-

MS AISHA KABANDA: Thank you, Madam Chairperson. The question the honourable colleague is raising is very important. Are we saying that once people clock age of retirement, will not qualify to be members of this council? Because, first of all, clause 8(4) only requires a person to have professional qualifications-

THE CHAIRPERSON: *Hajjatiage* is not an aspect of this.

MS AISHA KABANDA: It is a given because he is saying you should be employed in an institution so age is a given-

THE CHAIRPERSON: Or belong to a sector. Belong to the fraternity of medics or lawyers. Do you get it? Even when you are not practising. Yes, Hon. Okwalinga, then Hon. Jacob.

MR SIMON OPOLOT: Thank you, Madam Chairperson. I wanted a clarification from the Attorney-General, on 1(a), which just talks about the signs.

There is a tendency of some people, when for example they know that they have committed an offense, to resign. Shouldn't we include here that, "until accepted by the minister." When you resign, the minister should accept your resignation, because we may want you there yet you are trying to run away.

THE CHAIRPERSON: Look at 12(1) on resignation. There is 1, 2, 3 and 4. It shows misbehaviour or misconduct, and inability to perform your functions. It is already catered for.

MR SIMON OPOLOT: What I am trying to address is when somebody has committed an offense, but the institution is not yet aware. This person goes ahead to resign. This is because when you resign, you may be qualified to get some of the benefits. However, if you resign and you are subjected to be accepted, your resignation should be accepted first before you vacate office.

THE CHAIRPERSON: Check six.

MR KIRYOWA KIWANUKA: Madam Chairperson, resignation is both factual and legal. When you have a contract with someone, which gives you the terms under which you are working, you cannot just leave them by simply saying you decided to resign. Even so, you are supposed to give them notice of resignation and all that. While you are still in that period of notice, you are still an employee and you can be dealt with.

In any event, if you leave and they still find you culpable, you will still be held culpable. This one is sufficient. It is okay to say when a person resigns - but also if a person has committed a wrong and they decide to resign, haven't they saved you the bother of having to fire them? Thank you.

THE SPEAKER: Thank you. I put the question that clause 12 stands part of the Bill.

(Question put and agreed to.)

Clause 12, agreed to.

Clause 13, agreed to.

Clause 14, agreed to.

Clause 15, agreed to.

Clause 16, agreed to.

Clause 17, agreed to.

Clause 18, agreed to.

Clause 19, agreed to.

Clause 20, agreed to.

Clause 21, agreed to.

Clause 22, agreed to.

Clause 23, agreed to.

Clause 24, agreed to.

Clause 25, agreed to.

Clause 26, agreed to.

Clause 27, agreed to.

Clause 28

MR KUBEKETERYA: Madam Chairperson, I have an amendment on clause 28, development of TVET Qualification Framework.

Clause 28 is amended in sub-clause (40), by substituting for the word “three” the word “five”

Justification

The substitution of the number of years for review of the TVET Qualification Framework,

of three years with five years, is to minimise costs. I beg to move, Madam Chairperson.

THE CHAIRPERSON: Minister?

DR MUYINGO: I concur, Madam Chairperson.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: The minister has concurred, I concur. It is too technical for me. *(Laughter)*

THE CHAIRPERSON: I put the question that clause 28 be amended as proposed.

(Question put and agreed to.)

Clause 28, as amended, agreed to.

Clause 29

MR KUBEKETERYA: Madam Chairperson, clause 29 is amended:

- a. in sub-clause (1), by substituting for the words “formally or informally,” the words, “through informal training and formal training”; and
- b. in sub-clause (2), by substituting for the words “informal delivery” the words “informal training”; and
- c. in sub-clause (4), by substituting for the words “informal delivery” the words “informal training”; and
- d. in sub-clause (5), by substituting the words “two hundred and fifty,” the words “one hundred and fifty”; and
- e. by inserting immediately after sub-clause (2), the following: “Where a body corporate commits an offense under this section, the body corporate is liable, on conviction, to a fine not exceeding two hundred and fifty currency points.”

Justification

- a) To use the terminology defined under clause 2 of the Bill instead of introducing new terminology.

b) To introduce the penalty for a body corporate.

I beg to move, Madam Chairperson.

THE CHAIRPERSON: Honourable minister.

DR MUYINGO: Thank you very much, Madam Chairperson. I am a little bit uncomfortable in the sub-clause (1) –

THE CHAIRPERSON: First of all, chairperson, you are introducing informal and formal to only training, which looks limited. Then when you look at sub-clause (4), on delivery, you want to turn delivery into training. Minister?

DR MUYINGO: Madam Chairperson that is exactly where my problem is. Sub-clause 1(b), sub-clause (2) and sub-clause (4), I pray that they remain as they are in the Bill. This is because the delivery, as you said, has two aspects of education and training.

If training alone is adopted, the knowledge acquired through education will definitely be lost. Madam Chairperson, I submit.

THE CHAIRPERSON: Shadow Attorney-General-

MR NIWAGABA: Madam Chairperson, in addition to that, even the proposed amendment by way of inserting a new clause to fine a body corporate, two fifty, when he has amended for another person, one fifty, is discriminatory. The person in the law includes both natural and artificial, so the entire proposed amendments should be abandoned, and the clause be maintained as is in the Bill.

THE CHAIRPERSON: When you look at the formal kind of what happens on social media, there is something they call do-it-yourself (DIY). I put the question that clause 29 stands part of the Bill -

MR KUBEKETERYA: Madam Chairperson, I have conceded.

THE CHAIRPERSON: Okay.

MR SIMON OPOLOT: First of all, this section introduces the issue of informal education. You are saying somebody who has been trained informally cannot be given employment in any world of work.

THE CHAIRPERSON: Who said? Unless they have been assessed and certified by the TVET Assessment Board in accordance with the provision of this Act.

MR SIMON OPOLOT: Some of these people who are trained informally are not fully literate to undergo an assessment, but they have the skill to do the work.

THE CHAIRPERSON: This is practical.

MS AISHA KABANDA: Madam Chairperson -

MR SIMON OPOLOT: I concede.

THE CHAIRPERSON: I put the question that clause 29 stands part of the Bill.

(Question put and agreed to.)

Clause 29, agreed to.

Clause 30

THE CHAIRPERSON: Committee chairperson?

MR KUBEKETERYA: Madam Chairperson, we have an amendment in clause 30: categorisation of formal TVET providers. Clause 30 of the Bill is amended by:

“(a) In sub-clause (1), in paragraph (c), by inserting the words “including colleges of health sciences.”

(b) In sub-clause (2) in paragraph (b), by inserting after the word, “business”, the words “and management”, and

(2) by inserting immediately after paragraph (f) the following; “Any other as prescribed by the minister.”

(c) In sub-clause (5) by substituting for the word “may”, the word “shall”.

The justifications are:

1. To include the aspect of management under the fields of TVET.
2. To give room for the minister to establish other fields of TVET.
3. To make it mandatory for any university, other degree-awarding institution or tertiary institution established under the Universities under Tertiary Institutions Act to be accredited under this law.

I beg to move, Madam Chairperson.

THE CHAIRPERSON: Where are you, including colleges of health sciences? This is because the colleges of health sciences provide the degrees.

MS ATIM: Thank you, Madam Chairperson. I would like the committee chairperson to clarify the issue of skills development centres and vocational training institutes. The categorisation leaves out a lot of other institutions that fall under this category because if you have a vocational school, it is actually different from an institute. I am told that the institute is meant to train people from senior four and above. Then, there is a school which is meant to train these other ones who have not reached senior four or those informal.

The development centre is usually for the civil society organisations that use that. Therefore, the word “institute” leaves out so many other vocational schools in our communities.

THE CHAIRPERSON: When you look at two, where you say “business education and training and management”, how does management come in? Then, you also said, “any other as prescribed by the minister.”

DR MUYINGO: Madam Chairperson, that is where I had problems with my committee chairperson. I am saying that the clause should remain as it is in the Bill. When you talk about management, it is an application of

skills, knowledge, and competencies one has acquired.

Secondly, this is an international nomenclature. This is how these things are when it comes to TVET. The clause should also remain as it is. This is because the list of broad fields in TVET is exhausted as per the international norms. I submit, Madam Chairperson.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: Madam Chairperson, the honourable member raised something, which I pray that, Members, we, are on the side of caution, so that tomorrow I am not called here to say we closed out a certain category of person. That category you are talking about was what we had placed under the skills development centre, but you seem to hold the view that they are different.

In order to play safe, can I propose, honourable colleagues, that we include an (f) and say “Any other category as prescribed by the minister in consultation with the council”? If we find that any category that has been carrying out this activity has not been well taken care of, we can then go and have it prescribed under (f).

Therefore, I am proposing that we put (f) in the category that former TVET providers shall be categorised as “A, B, C, D, E, F”, and any other as may be prescribed by the minister in consultation with the council. Just in case we have fallen short of a category, we have a space.

THE CHAIRPERSON: Thank you.

MR KIRYOWA KIWANUKA: Secondly, Madam Chairperson, on the definition, as the minister said, again (g), I may want to agree with the committee; we are moving in a very firstly changing world that we do not want to come back here and say the broad categories have now increased and we need to amend the law.

Therefore, the proposal of (g) as may be prescribed by the minister from time to time allows this law to grow. In case other changes

happen, the minister can as well categorise the new broad areas of study.

In sub-clause (5), I would like to propose that we leave it at “may” because if you read it to say, “subject to clause 31, notwithstanding subsection (1), “a university, other awarding institution or tertiary institution established under the University and other Tertiary Institutions Act shall apply...”, you have made it mandatory for every university in Uganda to carry out TVET whether they want it or not.

This “may” allows them to decide if they would like to run TVET activities, they would apply for accreditation. If they do not want to, then they leave it at that. Thank you.

MR SSEWUNGU: Madam Chairperson, I thank the Attorney-General because you have catered for our clause and the minister will be safe, like you have said.

However, the reason we are putting in “may” is that you know many universities are coming up, and they are definitely going to compete. Someone might not be interested in having TVET. If you make it mandatory in any university, what if he does not have the facilities to run TVET? You might find the universities in maybe Kalungu and Karamoja - but because of a competing business to build in - the moment they see that they are not getting business - the other fields of education, he rushes.

Therefore, if you make it mandatory, then when they are licensing them, they will be required to have all those necessities, which will be difficult for them.

THE CHAIRPERSON: You are repeating the position of the Bill. That is what the Bill says, “may”. It is not “shall”.

MR SSEWUNGU: Actually, the Attorney-General had put the word “shall” and I was convincing him -

THE CHAIRPERSON: No, it was the committee.

MR KIRYOWA KIWANUKA: The committee had proposed “shall” and I was making the case in agreement with you that we should keep it at “may.”

MR SSEWUNGU: You were very attentive. Thank you.

MR KUBEKETERYA: Madam Chairperson, I do concede on this.

MR KIMOSHO: Madam Chairperson, on this specific issue, where the Attorney-General proposes “may”, what if we say, “subject to clause 31(4) and notwithstanding subsection (1), a university, other degree awarding institution or tertiary institution established under the University and Other Tertiary Institutions Act that is interested in offering TVET services “shall”...

THE CHAIRPERSON: The drafting – (*Laughter*)- honourable members, I put the question that clause 30 be amended, as proposed by the Attorney-General.

(Question put and agreed to.)

Clause 30, as amended, agreed to.

MS AISHA KABANDA: The amendment the Attorney-General just made has an impact on –

THE CHAIRPERSON: We have passed it.

MS AISHA KABANDA: No, I am not talking about that. The amendment he made has an impact on clause 31(2). That is where we are. It limits the definition of vocational education and training to only the first two that have been mentioned.

But we have been mindful of other vocational levels that can be brought in. So, it has an impact and needs to be revised. I beg that he helps-

MR KIRYOWA KIWANUKA: These are different levels. So, if you are going to issue a national craftsperson certificate, you can only issue it under that category. It does not stop the

others. So, the accreditation given to the others may be prescribed because with technical education training-you can see the different categories.

Not every TVET institution can issue a national craftsperson certificate.

MS AISHA KABANDA: Attorney-General, clause 31(2) categorises the above-mentioned categories in clause 30(2) into two categories of awards. So, they are classifying (a) and (b) into a lower category, then (c), (d), (e) and (f) into other categories.

However, now we have put there another subsection (h) that gives the minister the opportunity to think of others. If we limit it and do not give him the opportunity to classify the others either in a lower or upper class, we shall have excluded them in their words.

MR SSEWUNGU: Read what you are saying in clause 31(2) carefully. “The vocational education and training shall be offered through a skills development centre or a vocational training institution accredited by the Council to offer a TVET programme leading to an award of a national craftsperson’s certificate and below.” So, it must have that element. Attorney-General, look at that.

THE CHAIRPERSON: Hon. Aisha Kabanda, the proposal that the Attorney-General brought should be in compliance with clause 31(2).

MR NIWAGABA: Hon. Aisha Kabanda, if you look at clause 31 (4), it sorts you out because the reference to a university or degree awarding institution “... shall not offer a TVET programme leading to an award of a national higher degree, diploma or postgraduate diploma.” So, the awards are clear and which institutions to give them.

MS AGNES ATIM: Madam Chairperson, when you read (2) and (4) that the Honourable Member is raising, the award here is talking about craftsperson certificates. But there are categories like those who are training at the Presidential Skilling Centres. Where are the

certificates? Is it still crafts? It is not here and yet crafts is when you have reached Senior Four and above.

THE CHAIRPERSON: Those are different. If they want, they have to go through these projects. My clarification on this is; where are we leaving the rest of the category? What certificates are they going to receive?

MR KIRYOWA KIWANUKA: Let me try and draft it.

MR OGUZU: Attorney-General, you could just take this and redraft at once.

THE CHAIRPERSON: When you look at sub-clause 1(a) and (b), lower TVET, known as vocational education and training and upper TVET, known as technical education and training.

MS AISHA KABANDA: Madam Chairperson - (*Interjection*) - if you can help me, Honourable colleague, clause 31(1) only envisages lower TVET as only being only being at skills development centres and vocational training centres.

However, we are also aware that there are children who have been going through some vocational training after primary seven, which graduates them into joining technical schools. That kind of award is not looked at here.

THE CHAIRPERSON: That is (a).

MR OGUZU: I think the matter she raises is very important. Before, there were cases where people would go through the Directorate of Industrial Training and they would do their skilling in whichever trade and be able to get a Certificate of DIT.

Arising from the current proposal, it seems like that which used to happen and has been very helpful in the society will be omitted.

The clarification I want to receive, which would also address the concerns of the other colleagues, is; does the National Craftsperson

Certificate offer and cater for those trades which the DIT has been certifying? If it does, that is okay. If it does not, then we have a problem.

THE CHAIRPERSON: Just a minute, Attorney-General. You used to be Director DIT.

MR JOHN TWESIGYE: Madam Chairperson, let me allay the fears of colleagues. The concern is that there are those people training at the Presidential Skills Hubs. There are those who have never been to school and others. If you go to clause 28, we have the development of the TVET Qualification Framework and clause 28(3)(d), says, “The TVET Qualification Framework developed under subsection (1) shall provide for level of qualification or competences attained at every level”

Now, the Vocational Qualification Framework will define the different levels that someone has attained, whether in informal or formal training, and those people will be catered for here.

MROGUZU: I do not think you have answered. Madam Chairperson, this is an important matter which affects many Ugandans.

MR KIRYOWA KIWANUKA: Let me redraft.

MR OGUZU: Before you redraft, he has contradicted it further.

MR KIRYOWA KIWANUKA: No, he has not.

MR OGUZU: He has.

THE CHAIRPERSON: No, he has not.

MR KIRYOWA KIWANUKA: I have understood what the Honourable Member was raising. If I understood Hon. Aisha properly, the issue is that in case tomorrow you accredit another institution which is not a skills development centre or a vocational training institute, what will happen?

So, I am proposing to redraft as follows:

“The vocational education and training shall be offered through a TVET provider accredited by the Council to offer TVET programmes, leading to an award of National Craftsperson, etcetera.”

In clause 30 (1), we added that “the minister may, from time to time”. If we have left out any category, put it there. I think that is what their concern was. So, if you say, “...by a TVET provider accredited by Council”, for whatever category, all they have to do is to get accredited, and then they can issue the licence.

THE CHAIRPERSON: Thank you. I put the question that clause 31 be amended as proposed by the Attorney-General.

(Question put and agreed to.)

Clause 31, as amended, agreed to.

Clause 32

MR KUBEKETERYA: Clause 32, Madam Chairperson, I have an amendment. Establishment of public TVET provider. Clause 32 is amended by substituting for the word “May” with the word “Shall”.

Justification

To make it mandatory for the minister to establish public TVET providers. I beg to move.

MR KIRYOWA KIWANUKA: Madam Chairperson, I want to object. The moment it is advice, the person who is receiving the advice must be left with the option of accepting the advice or rejecting the advice. Therefore, the person who has rejected it may have the option of appealing, but we cannot say that once I give you advice, you must follow it. I think we should leave it at “may” on the advice of the council, and if they are not aggrieved by that, we have made provisions for the necessary appeals. Thank you.

THE CHAIRPERSON: I put the question that clause 32 stands part of the Bill.

(Question put and agreed to.)

Clause 33, agreed to.

Clause 34, agreed to.

Clause 35, agreed to.

Clause 36, agreed to.

Clause 37, agreed to.

Clause 38, agreed to.

Clause 39, agreed to.

Clause 40, agreed to.

Clause 41

MR KUBEKETERA: Madam Chairperson, I have an amendment to clause 41. Grant or refusal of accreditation. Clause 41 of the Bill is amended;

- (a) In sub-clause (1) by substituting for the words “the time prescribed by regulations”, by the words “six months”.
- (b) In sub-clause (3), by substituting for the words, “the time prescribed by regulations, made by the minister, to the words, “one month”.

Justification

1. To prescribe the time within which the council can grant or refuse to accredit a TVET provider in the parent law and not in the regulations.
2. To prescribe the timeline within which the council can consider an application of accreditation of a TVET provider in the parent law and not in regulations. I beg you to move.

DR MUYINGO: Madam Chairperson, I agree with my chairperson.

MR KIRYOWA KIWANUKA: Madam Chairperson and honourable colleagues, I am not very hard on this issue, and as you can see, the minister has conceded, however, I must caution that these timelines that we are put in that the council shall within six months after receipt of an application- there are different categories of TVET in this law, from easy to difficult. You have said that even when the thing is so easy to deal with, the minister must deal with it in six months- Yes, within six months, but there are some which I think, in my view, should have been within a month - *(Interjection)* - Listen-

What I am saying is that it is always good to give a duty, if, for example, you are requiring these regulations to be laid before Parliament in a certain time, and it would be good. However, this one-size-fits-all in this kind of area is not advantageous.

What I was proposing, colleagues, this is an area which is growing in this country. Three years ago where we had TVET and where we have it today as a high priority area has changed. We are going to have to constantly keep reengineering ourselves in this space and therefore, our continuous management of regulation in this area is going to be extremely important.

I am imploring you, Members, to allow for regulations to be made for the different categories of TVET institutions that are going to be governed by this law. There are some that are fully established by now; there are others which are growing, and there are some which are so informal they need to be brought into the formal spacing. I am proposing colleagues that the provision be left as it is, so that, we can go and be able to make different regulations for the different circumstances that obtain. I beg to submit.

DR MUYINGO: Madam Chairperson that was our mind as a ministry at first. However, in the spirit of win-win- it was very difficult to come up with this document, in the spirit of win-win, that is why we agreed on something that was binding both sides.

MR KUBEKETERYA: Madam Chairperson, given the explanation of the Attorney-General, I concede.

THE CHAIRPERSON: Let us look at the regulations that shall be made by the minister because of the changing kind of-

I put the question that clause 41 stands part of the Bill.

(Question put and agreed to.)

Clause 42, agreed to.

Clause 43, agreed to.

Clause 44, agreed to.

Clause 45, agreed to.

Clause 46, agreed to.

Clause 47

THE CHAIRPERSON: They should bring for you people water so that I can hear your voices.

I put the question that clause 47 stands part of the Bill.

(Question put and agreed to.)

Clause 48, agreed to.

Clause 49, agreed to.

Clause 50

THE CHAIRPERSON: I put the question that clause 50-

MS OPENDI: Thank you very much, Madam Chairperson. When you look at the principal, the deputy principal, and the registrar, they are all appointed by the Public Service Commission. However, when it comes to trainers and other staff, under section 50, it states that, "they shall be appointed by the governing council". I have a problem there because why should the

principal, the deputy and others be appointed by the Public Service? I am trying to compare this with what goes on in other institutions of Government. When you come to the teachers, it is the Education Service Commission.

Why are we now asking the governing council to be the appointing authority for the trainers in these TVET institutions? Why don't we leave it to the public service?

THE CHAIRPERSON: Just a minute. Please read the whole paragraph. The trainers and other staff of TVET providers shall be appointed by the governing council in accordance with the human resource management standards for the recruitment section and appointment of TVET trainers and staff of TVET providers developed by the council.

Now, you are talking about public service as if you are dealing with universities and those kinds of things.

MS OPENDI: Madam Chairperson, I want to find out from the minister, because we equally have had issues and problems when we try to separate the appointing authorities in institutions. Why don't we leave this to either the education service or the Public Service Commission? If the registrars, the principals and deputies are appointed by public service, I want to find out from the minister, why can't the trainers, also be appointed by the same Public Service Commission? I just want to find out.

THE CHAIRPERSON: Not all these providers are public. Some of them are private.

MS OPENDI: Okay, I am talking about those in public institutions. Why don't we leave it to the Public Service Commission?

THE CHAIRPERSON: You can't state it here. You will bring it in the regulations.

MS OPENDI: I want the minister to explain.

MR OGUZU: I have an additional question for the minister. Minister, you will respond

to this together. I have seen you provide for polytechnics, the national polytechnic, and the technical college. However, earlier in 32, we also defined the skills development centres and vocational institutes. Are we avoiding providing what kind of people must head those institutions at this point?

MR KIRYOWA KIWANUKA: We were still at 50, then you went to 51, but if you look at the management of TVET institutions, if you look at part eight, it deals with the management of TVET Technical College, National Polytechnic and Technical University. So, they are different. They are just giving you the structure of all of them. It is one structure. They are uniform.

On the issue raised by Hon. Sarah Opendi, this is akin to what you have in the university and other tertiary institutions. These institutions are not very – they are technical institutions but they are not necessarily similar in all forms. You could have a science university, and you could have an arts university, a humanities university.

Now, even here, you can have a technical institute for welding or plumbing, and the governing council that has been put there is technical in that space. Because of that kind of structure, it is a better place to find the technical people to train in that space.

THE CHAIRPERSON: Honourable members, this clause is talking about a standard. Standardisation of recruitment must be followed, whether you are in private or you are in public.

I put the question that clause 50 stands part of the Bill

(Question put and agreed to.)

Clause 51

MR KUBEKETERYA: Madam Chair, Clause 51 is amended in:

- a. sub-clause 3 by substituting for the word “three” the word “four”

THE CHAIRPERSON: The problem is – honourable members, if you have just come in, refer to the previous clauses.

MR KUBEKETERYA: (b) in sub-clause (4) by substituting the word “may” with the word “shall”

(c) by inserting immediately after sub-clause 2 the following, “at least one-third of the members of the council shall be women”. That is for Hon. Christine, I think.

(d) by inserting immediately after sub-clause 3 the following, “Following the end of the tenure of a member of the governing council, the member of the governing council shall ensure a smooth transition for the new governing council”.

Justification

1. The tenure of the governing council has been amended to four years to tally with the tenure of the TVET Council.
2. The substitution of the word “may” with the word “shall” is to make it mandatory for members of the Governing Council of TVET Colleges, National Polytechnic or National Technical University, to be paid allowances.
3. To provide for women representation to cut across any position on the council and not only one position as it was proposed in the Bill.
4. To ensure a smooth transition between the incumbent governing council and the incoming council. I beg to move.

THE CHAIRPERSON: Minister?

DR MUYINGO: Madam Chairperson, there is where I agree with my chairperson, especially about moving from three to four, but I am not happy with him under (b), with that word may. Of course, my prayer is that the clause remains as it is. This is because payment of allowances is subject to the availability of resources. Members of the council should not be paid a mandatory allowance, Madam Chairperson. Of course, some may or may not have the money to do that.

The other point I am objecting is inserting immediately after Clause 3 the following – what he mentioned there. I am suggesting here that this clause remains as it is. This is because the provision is not implementable ladies and gentlemen. It is not necessary. This is an administrative measure and not legislative in nature. I submit, Madam Chairperson.

THE CHAIRPERSON: Shadow?

MR NIWAGABA: In addition to that, Madam Chairperson, this particular clause applies both to private and public bodies. How do you start increasing numbers on the private body who would be entitled to allowances and the like when most of them tend to be struggling?

I would invite the chairperson to reconsider his position. We maintain the numbers as in the Bill.

THE CHAIRPERSON: Three, not four. Let us hear from Hon. David first.

MR BAHATI: Mine was on the insertion of the new clause that says, “Following the end of the tenure, the member of the governing council should ensure a smooth transition of the new governing council.” I do not think that this is necessary.

THE CHAIRPERSON: I think that is implied.

MR BAHATI: It is implied. It is a given that when the tenure of the council ends, then you should do this. You cannot say ensure.

MR SSEWUNGU: It has no harm at all. We have had challenges on transitions and you know that, Mr Attorney-General.

THE CHAIRPERSON: It is like saying that once we change Hon. Ssewungu from COSASE or Shadow, we should make sure that he should do A, B, C. No, it is implied. You have to do a handover.

MS AISHA KABANDA: Chair, my comment, particularly on that one, is that I agree with the minister that it is not enforceable. First, you

cannot tell the exiting members to ensure a smooth transition. Suppose they do not want to? Therefore, it is a redundant insertion. It has no effect.

MR KIBALYA: Madam Chairperson, let the Chairperson of the committee inform us what informed that clause.

THE CHAIRPERSON: No, we are making a law. You also - *(Laughter)*

MR KUBEKETERYA: Madam Chairperson, I concede on “b” -

THE CHAIRPERSON: On all.

MR KUBEKETERYA: The minister agrees with the one for years, from three -

THE CHAIRPERSON: No, he is not an agreement.

MR KUBEKETERYA: On the first year, about years?

THE CHAIRPERSON: The Attorney-General has guided.

MR KIRYOWA KIWANUKA: I think what Hon. Niwagaba raised here is very important. You have to consider that some of these universities are private institutions. So, the longer you make these councils exist - If you tell them the Council must be for four years, what if the business collapses in year two? What happens?

On the other one of, “at least one-third shall be women” - that is perfectly fine. On the one of “may”, we have agreed that it should return back to “may” because some people are doing it for free in their private-in councils.

THE CHAIRPERSON: So, there is no amendment at all.

MR KIRYOWA KIWANUKA: No.

THE CHAIRPERSON: I put the question that clause 51 stands part of the Bill.

(Question put and agreed to.)

Clause 51, agreed to.

Clause 52, agreed to.

Clause 53, agreed to.

Clause 54, agreed to.

Clause 55, agreed to.

Clause 56, agreed to.

Clause 57, agreed to.

Clause 58

THE CHAIRPERSON: Committee chairperson?

MR KUBEKETERYA: Madam Chairperson, clause 58 is about boards of governance. Clause 58 is amended:

- a. In sub-clause (2)(d), by deleting the words “at least two shall be women”;
- b. by inserting immediately after sub-clause (2), the following: “At least one-third of the members of the Board of Governors shall be women”;
- c. in sub-clause (3), by substituting for the word “three”, the word “four”; and
- d. in sub-clause (4), by substituting for the word “may” the word “shall”.

Justification

To provide for women representation to cut across any position on the Board of Governance and not only one position as it was in the proposed Bill.

The tenure of Board of Governors of a Skills Development Centre or Vocational Training Institute has been amended to four years to tally with the tenure of the TVET Council.

The substitution of the word “may” with the word “shall” is to make it mandatory for members of the Board of Governors of Skills

Development Centre or Vocational Training Institute to be paid allowances. I beg to move.

MR KIRYOWA KIWANUKA: Madam Chairperson, I implore Members to allow that this provision remains as it is. We have just discussed this issue. Similarly, the issues that have been raised on the earlier provision are the same.

This Bill deals with both public and private sector. So, the amount of regulation you can do in the private sector is not the same as you can do in the public sector but we know that in the public sector, the rules on affirmative action are clear. I pray that the provision remains as it is in the Bill.

THE CHAIRPERSON: Actually, (3) is consequential of the 51 - the three years.

MR OGUZU: Madam Chairperson, when you say lower local government, is it at the district? Is it the smallest at sub-county? Clause 58(2) (b)-

THE CHAIRPERSON: The Local Government Act, 1997 defines - *(Laughter)*

MS NALUYIMA: Madam Chairperson, for his information, wherever he finds “lower local government”, it refers to a division of a municipality, a town council or sub-county.

THE CHAIRPERSON: It is lower than the district as defined by the local - *(Laughter)* So, do you want it to remain as it is?

DR MUYINGO: I am totally in agreement with the Attorney-General.

THE CHAIRPERSON: I put the question that clause 58 stands part of the Bill.

(Question put and agreed to.)

Clause 58, agreed to.

Clause 59, agreed to.

Clause 60, agreed to.

Clause 61, agreed to.

Clause 62, agreed to.

Clause 63

THE CHAIRPERSON: Committee chairperson?

MR KUBEKETERYA: Madam Chairperson, clause 63 is amended by inserting, immediately after sub-clause 6, the following:

“Notwithstanding sub-section (1), a person may be exempted from the requirements of registration in accordance with section 74.”

Justification

To provide for persons exempted from registration as prescribed under section 74. I beg to move.

THE CHAIRPERSON: Minister?

DR MUYINGO: Madam Chairperson, I have no objection.

MR KIRYOWA KIWANUKA: I have no objection to that insertion.

THE CHAIRPERSON: I put the question that clause 63 be amended as proposed.

(Question put and agreed to.)

Clause 63, as amended, agreed to.

Clause 64

THE CHAIRPERSON: Committee chairperson -

MR KUBEKETERYA: Madam Chairperson, the amendment on clause 64; Issuance of certificate of registration.

Clause 64 is amended in sub-clause (1) by substituting for the word “may”, the word “shall”.

Justification

To make it mandatory that when the Council is satisfied that an applicant is eligible to be registered or to register, the Council shall enter the person’s name in the register. I beg to move.

THE CHAIRPERSON: Minister.

DR MUYINGO: Madam Chairperson, I agree.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: I agree, Madam Chairperson.

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

(Question put and agreed to.)

Clause 64, as amended, agreed to.

Clause 65

MS AISHA KABANDA: Thank you, Madam Chairperson. The problem I see with clause 65 - the heading is talking about suspension and cancellation of a Certificate of Registration - *(Interjection)* - Sorry? Cancellation - thank you.

(1) talks of suspension and (2) talks of conditions for cancellation. In 65, they do not talk about conditions of suspension but they talk about conditions of cancellation and yet in the following one, they determine a suspended certificate as a cancelled certificate. I find that a problem.

For the benefit of colleagues, cause 65(1) - “The Council may suspend a certificate of registration for such period as may be determined by the Council or until the TVET trainer complies with the conditions determined by the Council”.

In clause 65(2), they only speak about conditions for cancellation. They do not talk about the conditions for suspension. When you go down to clause 66, suspension is equivalent to cancellation. Can I be helped?

THE CHAIRPERSON: No, suspension is not equivalent to cancellation. Suspension is when an investigation is still ongoing, when there is a presumption that maybe it is a breach. Cancellation is when you have a *prima facie* case and say this one went wrong and we must cancel it.

MSAISHAKABANDA: Madam Chairperson, you are indeed right. Clause 66 reads: “*A registered TVET trainer whose certificate of registration is suspended or cancelled, shall, for the purpose of this Act, not to be taken to be registered from the date of suspension or cancellation of the certificate of registration*”

That means a suspended person is treated the same way the cancelled person is treated.

THE CHAIRPERSON: Pending investigations.

MR KIRYOWA KIWANUKA: Yes. Suspension is for a definite period. You can suspend and say you are suspended for so long. Cancellation is a right that has been taken away. However, I think what you are dealing with here is that the council may suspend a certificate for such a period as may be determined by a council or until the TVET trainer complies with the condition. That is interim but cancellation is more definite.

MR SSEWUNGU: In the real sense, what we are saying, Madam Chairperson, is that this ministry does not want you to lose your business and job. When they are suspending, they are giving you room to correct your errors. There is no defect in this.

MSAISHAKABANDA: Madam Chairperson, I rose on a point of clarification. I would like to understand the conditions for cancellation because in clause 65(1), they talk about suspension for a definite period. That is clear.

In clause 65(2), they are talking about conditions for cancellation. Therefore, they are not giving any conditions for suspension.

MR NIWAGABA: A suspension is a minor punishment and cancellation –

THE CHAIRPERSON: Which may lead to a cancellation.

MR NIWAGABA: Cancellation is more serious and that is why a suspension under 65(1) - we are not providing for the terms and conditions for suspension. We are leaving it to the council because it is for a definite period and it gives you reasons why you have been suspended, giving you time to correct them and start operation.

However, for a cancellation, the grounds must be clear so I think the Bill is clear in clause 65(2). Cancellation is under clause 65(2) and suspension is under clause 65(1).

MS AISHA KABANDA: I concede, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 65 stands as part of the Bill.

(Question put and agreed to.)

Clause 65, agreed to.

Clause 66

MS NALUYIMA: Clause 66 is where we need to separate the punishment for suspension and that of cancellation. We need to define that this is at least not at the same level.

MR KIRYOWA KIWANUKA: What this clause is simply telling us is that for the period of suspension, you cannot perform the functions under this TVET Act and for the period of cancellation you cannot - so for the period of suspension, you cannot do TVET activities but if your certificate is cancelled, you cannot do the activities. They are telling you while this one is periodic, the other one is permanent.

THE CHAIRPERSON: I put the question that clause 66 stands as part of the Bill.

(Question put and agreed to.)

Clause 66, agreed to.

Clause 67, agreed to.

Clause 68, agreed to.

Clause 69

MR KUBEKETERYA: Clause 69: TVET Training License. Clause 69 is amended in sub-clause (3) by inserting the words, “except as provided for under section 74” after the word “Uganda”.

The justification is to provide for persons exempted from licensing as prescribed under section 74. I beg to move, Madam Chairperson.

THE CHAIRPERSON: Minister?

DR MUYINGO: Madam Chairperson, I have no objection.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: No objection.

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

(Question put and agreed to.)

Clause 69, as amended, agreed to.

Clause 70, agreed to.

Clause 71, agreed to.

Clause 72, agreed to.

Clause 73, agreed to.

Clause 74, agreed to.

Clause 75

MS AISHA KABANDA: Madam Chairperson, I seek to understand where clause 75 (1) (a) leaves our normal craftsmen who are train-

ing our people. When we generalise and say, “a person who, not being registered as a TVET trainer or otherwise authorise under this Act, holds himself or herself out of the TVET trainer whether openly or covertly”, where does it leave these other people where we take our people to train, like the garages?

THE CHAIRPERSON: Do they have a license?

MR KIRYOWA KIWANUKA: If you take them to a garage that does not have a licence to train and that person does not say that he is a TVET trainer, he has not committed an offence. However, if he holds out to be running a school and an institution - and this is a reality right now because we have people who attend institutions and at the end of the day, they cannot get certification - then it becomes a problem.

For instance, they say, these people told me they are a school, I was supposed to get my certificate and I could not. That is the offense. What we need to do is if we find those people who have skills, we need to encourage them to get this certification so that they can issue these.

THE CHAIRPERSON: Honourable members, I thought that is why we are making the law. I put the question that clause 75 stands part of the Bill.

(Question put and agreed to.)

Clause 75, agreed to.

Clause 76, agreed to.

Clause 77

THE CHAIRPERSON: Committee chairperson?

MR KUBEKETERYA: Madam Chairperson, clause 77 of the Bill is amended by inserting the word, “Uganda” before the words, “Health Professions Assessment Board”, wherever it appears in the Bill.

The justification is to specify that the Health Professions Board is for Uganda as it was specified for the Uganda Vocational Technical Assessment board.

THE CHAIRPERSON: Minister?

DR MUYINGO: Madam Chairperson, I have no objection.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

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

(Question put and agreed to.)

Clause 77, as amended, agreed to.

Clause 78, agreed to.

Clause 79, agreed to.

Clause 80, agreed to.

Clause 81

THE CHAIRPERSON: Committee Chairperson?

MR KUBEKETERYA: Clause 81: Composition of TVET Assessment Board is amended by:

- a) Substituting the sub-clause (3)(c) with the following: "Two persons representing heads of the TVET providers offering health related programmes or courses.
- b) By substituting for sub-clause (3)(d), the following: "Three other persons as follows:
 - i) A person representing employers within the public health sector,
 - ii) A person representing employers under the faith-based medical bureaus, and
 - iii) A person representing employers from private hospitals."

The justification

- a) To specify that the TVET providers on the Health Professionals Board should be those offering health-related programmes or courses,
- b) To specify the different employers within the health sector who shall form the Health Professionals Board.

I beg to move.

DR MUYINGO: Thank you, Madam Chairperson. I am not happy with these faith-based organisations. This clause should remain as it is in the Bill because faith-based medical bureaus are not statutory bodies and they are multiple. They are Catholics, Muslims and therefore, they may impose enforcement and administrative challenges.

Secondly, this introduces constituencies and elections which is not also necessary. The proposed insertion is introducing representatives of private hospitals, faith-based medical bureaus and public health sector that limit the powers of the minister to identify and appoint suitable persons to serve on the Board. I submit.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: Madam Chairperson, this is an assessment Board and you need to let the Minister of Education and Sports manage it. If you start creating constituencies, as we have seen certain constituencies created and they start creating issues within that area, there are very many interested parties in this sector.

What we had is a chairperson, a representative of the ministry, a person representing heads of TVET providers and then four other persons representing employers within the sector.

That means you have opened up to all these people and we do not have enough space on this board to accommodate each and every single participant in this area. If you say today faith-based, then you say private sector, then

you say this, they are going to run out of space and then we create a problem. Therefore, let us allow it to -

MR OGUZU: I would like to know why a representative of the ministry responsible for finance is provided a seat on that TVET Assessment Board. Is there a role we expect it to play? I would imagine this is a specialised function and the people who come to that board must play a role, which will contribute to the proper functioning.

MR KIRYOWA KIWANUKA: We think that this area of TVET is going to be a very heavy financial area and managing it is quite expensive. Remember, we have started talking about a fund to manage it and this assessment board is part of the institutions that are running this place. That is why we thought that having someone from the Ministry of Finance, Planning and Economic Development would be helpful.

THE CHAIRPERSON: And we have a clause on the fund.

MR SSEWUNGU: Some clarification from the minister and the Attorney-General - we have these faith-based health centres and education institutions. The biggest challenge we have is that they are not attached anywhere to the ministry apart from legislation.

However, if you include them within the Bill, they will be part of us. That was the spirit in which we brought that. Honourable minister, there is no attachment -

THE CHAIRPERSON: Hon. Ssewungu, on assessment, you cannot have those faith-based constituencies as it brings a lot of problems.

MR SSEWUNGU: Let me accept but -

THE CHAIRPERSON: Even traditional leaders will come in.

MR SSEWUNGU: At an opportune time - but I do not know why he has feared it yet he is also a Catholic. I do not know why he is running

away from it. He knows what is happening with the Catholic hospitals.

THE CHAIRPERSON: It is not about Catholics. It is about the law, not religion.

MR ONZIMA: Madam Chairperson, what we are discussing here is an equivalent of the Uganda National Examinations Board (UNEB) -

THE CHAIRPERSON: Exactly.

MR ONZIMA: In this case, what we are coming up with is a representation of the board. If there are, maybe, institutions that fall under these faith-based - founded by Christians or Muslims, I do not think they need to be represented here because we are talking about technical people who will manage the board. Therefore, I do not support the insertion.

MR KUBEKETERYA: Madam Chairperson, given the wise counsel, I concede on that.

THE CHAIRPERSON: On which one?

MR KUBEKETERYA: Not everything but about the board being represented by different faith-based organisations.

THE CHAIRPERSON: Finance remains.

MR KUBEKETERYA: Yes.

THE CHAIRPERSON: Okay, redraft.

MR KIRYOWA KIWANUKA: Madam Chairperson, we keep clause 81 as it is in the Bill.

THE CHAIRPERSON: I put the question that clause 81 stands part of the Bill.

(Question put and agreed to.)

Clause 82

MR AMOS OKOT: Thank you, Madam Chairperson. On clause 82(c), maybe I need some clarification here. They are saying

that qualification for appointment to TVET Assessment Board. Then (c) component says, he or she is an owner of TVET provider or a member of the foundation body of a TVET provider. When you see where we have already passed –

THE CHAIRPERSON: Conflict of interest.

MR AMOS OKOT: For example, the minister appoints those on the TVET Assessment Board. Let us equate it to a secondary school. The minister owns a school and is the one who appoints those members. He is an owner in that equation. So, how can we now balance these two?

Number two, a member of the foundation body, for example, if it is a Catholic Church and many –

THE CHAIRPERSON: We are not legislating for Hon. Muyingo because he is not going to be a minister forever. Even if he remains a minister, we are making a law for TVET, not for secondary schools.

MR AMOS OKOT: I understand but I am trying to bring a close example so that we can see this part of the –

THE CHAIRPERSON: Honourable members, I put the question that clause 82 stands as part of the Bill.

(Question put and agreed to.)

Clause 83

MR KUBEKETERYA: Madam Chairperson, clause 83: Tenure of members of TVET Assessment Board.

Clause 83 is amended by substituting the word, “three” with the word “four.”

The justification is that the tenure of the TVET Assessment Board has been amended to four years to tally with the tenure of the TVET Council. I beg to move.

DR MUYINGO: Madam Chairperson, I have no objection.

THE CHAIRPERSON: No, it is consequential. It was “three.” Put it back to three.

DR MUYINGO: Madam Chairperson, we put it back to three.

MR KUBEKETERYA: For purposes of consistency, I concede.

THE CHAIRPERSON: I put the question that clause 83 stands part of the Bill.

(Question put and agreed to.)

Clause 84, agreed to.

Clause 85

THE CHAIRPERSON: Honourable, chairperson?

MR KUBEKETERYA: Clause 85, removal from office. It is amended in sub-clause 1(e) by substituting for the words, “medical officer” with the words, “medical practitioner”

Justification

The substitution of the words, “medical officer” with “medical practitioner” is to align with the definition in the Mental Health Act, Cap 308, which has been adopted in the law. I beg to move.

THE CHAIRPERSON: Honourable minister?

DR MUYINGO: Madam Chairperson, I agree with them.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: I agree.

THE CHAIRPERSON: I put the question that clause 85 be amended as proposed.

(Question put and agreed to.)

Clause 85, as amended, agreed to.

Clause 86, agreed to.

Clause 87, agreed to.

Clause 88, agreed to.

Clause 89, agreed to.

Clause 90

MR KUBEKETERYA: Madam Chairperson, clause 90 is amended in sub-clause (c) by substituting for the word, “medical officer” with the word, “medical practitioner”.

Justification

The substitution of the word “medical officer” with the word “medical practitioner” is to align with the definition in the Mental Health Act, Cap 308, which has been adopted in this law. I beg to move.

THE CHAIRPERSON: Minister –

DR MUYINGO: I have no objection.

THE CHAIRPERSON: Attorney-General –

MR KIRYOWA KIWANUKA: No objection.

THE CHAIRPERSON: I put the question that clause 90 be amended as proposed.

(Question out and agreed to.)

Clause 90, as amended, agreed to.

Clause 91, agreed to.

Clause 92

THE CHAIRPERSON: Honourable chairperson –

MR KUBEKETERYA: Clause 92, amendment for Deputy Executive Secretary. Clause 92 is substituted for the following:

“Deputy Executive Secretary.

The Uganda Vocation and Technical Assessment (TVET) Board shall have two deputies to the Executive Secretary, one responsible for TVET assessment and another responsible for TVET development and management of curricula, the finance and administration.”

Madam Chairperson, I am crossing here with reservations - *(Laughter)* - I was saying that the Uganda Health Professionals Assessment Board shall have two deputies to the Executive Secretary, one responsible for nursing and midwifery and another responsible for allied health professionals.

Justification is to specify the two deputies to the Executive Secretary under the TVET Assessment Board. I beg to move.

DR MUYINGO: Madam Chairperson, I do not agree with my chairperson and I am praying that clause 92 should remain as it is in the Bill since it captures the technical functions as stated in the draft Bill.

This is based on the following points. The first one is that the proposals being brought are based on existing arrangements which are not consistent with the reform logic.

Secondly, clause 91 of the Bill provides for the office of the Executive Secretary –

THE CHAIRPERSON: Actually, what is being put here is copied from Universities and Tertiary Institutions Act for Deputy Vice Chancellors.

DR MUYINGO: That is why I am saying it is not in agreement with the spirit of the reform in the Bill.

THE CHAIRPERSON: So, do you want to maintain it as it was? Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, I am sorry I could not cross because I feared to do something unconstitutional by crossing the line. *(Laughter)* I agree, entirely, with the honourable minister and I pray that

as we set out this new structure, we keep it consistent so that we can have easy supervision and management. I pray that it remains as it is in the Bill.

THE CHAIRPERSON: Thank you. I put the question that clause 92 stands part of the Bill.

(Question put and agreed to.)

Clause 93, agreed to.

Clause 94, agreed to.

Clause 95

MR OGUZU: I am looking at clause 95 and examining the functions these people will play and I think one of them will be curriculum development and they are responsible for assessment as well.

Those look to be serious functions and can be heavy on them. I do not know - In terms of how the board is constituted, do we think it can perform this function adequately? That is the question I wanted to raise with the minister and the chairperson of the committee.

THE CHAIRPERSON: Clause 95, development of TVET Curriculum. “The TVET Assessment Board established under section 77 of this Act shall develop and manage TVET curricula in consultation with the Sector Skills Experts Committee, TVET providers and with the approval of TVET Council.”

Now this is broken down in two. When you look at two, “The TVET Assessment Board shall, in developing the TVET curricula, perform the following functions –”

DR APEA: Thank you, Madam Chairperson. I would like the minister to clarify on how we are going to have the same board do curriculum development while the same board is assessing.

Looking at Uganda National Examinations Board (UNEB) which does this for secondary schools and then we also have a different curriculum development centre for the same

institutions, I find these roles conflicting in the way that you are developing your own curriculum and also assessing them at the same time. Could the minister give us more clarification on that? Thank you.

MR KIRYOWA KIWANUKA: Even for formal education, UNEB sets the exam and then marks it. It is the same thing here. When they are setting up the curriculum -

THE CHAIRPERSON: They even grade.

MR KIRYOWA KIWANUKA: UNEB actually works with the National Council for Curriculum Development. So, they assess it based on that. They work together. That is what they do.

THE CHAIRPERSON: *(Dr Apea rose)* Hon. Apea, UNEB sets exams, it examines, assesses, marks and grades. What differs is who is doing what and at what time. Let me first get it from the local government. Hon. Onzima -

MR ONZIMA: Thank you, Madam Chairperson. I seem to agree with the issues raised by Hon. Lee and Hon. Apea on the basis that when you look at the development of the curriculum and also the board, my feeling is also that these two should have been separated. However, because if you look at this -

THE CHAIRPERSON: Hon. Onzima, before you go to however, you first read the whole 95(1). In consultation with the sector skills experts committees, TVET providers and with approval of a TVET council - meaning it is not one person doing one thing. It is in consultation.

MR ONZIMA: I was just trying to finish my statement. What I was trying to bring here is that, that is why I was saying, however. The “however” part was going to address the fact that some of these activities which appear to be heavy on the two can be managed by bringing in structures below the two deputies. These structures will be put in a way that those manage separate activities. That is what I was trying to bring. Thank you, Madam Chairperson.

MR KIBALYA: Madam Chairperson, we do not even need to bother ourselves. The reason as to why we are establishing this board is to perform these functions. So, there is no way these functions can be heavier and more than what they are supposed to do. Otherwise, we will not have the board established.

MR OGUZU: Madam Chairperson, if you could just allow me one more term - I mean one more time.

THE CHAIRPERSON: One term?

MR OGUZU: Of course, I am not a one-term MP, as you all know. My point of contention; curriculum development is critical. The reason our education has not been serving us better is-

THE CHAIRPERSON: Which curriculum development? I want you to be very specific. This is for TVET.

MR OGUZU: First of all, I am speaking broadly about curriculum because it is going to -

THE CHAIRPERSON: No, let us speak about this one. Let us finish this law. Let it not be generic.

MR OGUZU: Okay, let me focus on this particular one.

THE CHAIRPERSON: You get the law.

MR OGUZU: I have it; I have been studying it here. My thinking is, we have a body responsible for curriculum development in the country and we would charge them with the responsibility for developing curriculum. *(Interjection)* Listen, let me make my case.

Responsible for developing the curriculum for these various traits. However, as we all know, curriculum development is done in consultation with the various stakeholders and that would help us deal with issues of maybe conflict of interest. You are an examiner; you are also developing the curriculum. So there will be -

THE CHAIRPERSON: In consultation.

MR OGUZU: Yes, consultation is part of the involvement of various stakeholders so that they input.

THE CHAIRPERSON: Honourable members, I put the question that clause 95 stands part of the Bill.

(Question put and agreed to.)

Clause 96

THE CHAIRPERSON: I put the question that clause 96 stands part of the Bill.

MS KAAYA: Madam Chairperson, on 96, this type of education welcomes a lot of in-kind contributions. I do not know how they can be captured under this 96.

THE CHAIRPERSON: Check (d).

MS KAAYA: Any other money?

THE CHAIRPERSON: Any?

MS KAAYA: No, in kind? Not money still.

THE CHAIRPERSON: It is included.

MS KAAYA: Okay.

THE CHAIRPERSON: I put the question that clause 96 stands part of the Bill

(Question put and agreed to.)

Clause 97

THE CHAIRPERSON: I put the question that clause 97 stands part of the -

MR ENOS ASIIMWE: Clause 97(2) contradicts the Public Finance Management Act. I suggest that we stop at practical. "The Executive Secretary shall have all monies received by and on behalf of the TVET Assessment Board and banked as soon as practical..." and we stop there. If we add bank

accounts of TVET, it will be against the Public Finance Management Act. All monies are supposed to be banked on the Consolidated Account.

MR KIRYOWA KIWANUKA: Advice. Under the Public Finance Management Act, the Accountant-General can actually set up an account where money can be placed and in compliance with the - So, we can get the Accountant-General to designate this account.

THE CHAIRPERSON: I put the question that clause 97 stands part of the Bill.

(Question put and agreed to.)

Clause 98, agreed to.

Clause 99, agreed to.

Clause 100, agreed to.

Clause 101, agreed to.

Clause 102

THE CHAIRPERSON: Chairperson.

MR KUBEKETRYA: Madam Chairperson, clause 102 is an assessment malpractice. It is amended by substituting for the word "two", the word "five."

Justification is to provide for a more deterrent punishment. I beg to move, Madam Chairperson.

THE CHAIRPERSON: Have you marched for the duration of time? The currency points? Points.

MR KIRYOWA KIWANUKA: Madam Chairperson, we do not have any law in this country which prescribes or in any way fetters the ability of this Parliament to set any penalty. There is no - This law reform was equating the laws before they came into force of the law revision.

After that, the power, under Article 79, is still

vested and if any law was written, that would be contrary to Article 79 of the Constitution. So, it is perfectly fine for a penalty that is to be set by this House, any penalty. It can even say one year with three hundred thousand currency points. Parliament can do that.

THE CHAIRPERSON: I put the question that clause 102 be amended as proposed.

(Question put and agreed to.)

Clause 102, as amended, agreed to.

Clause 103, agreed to.

Clause 104, agreed to.

Clause 105, agreed to.

Clause 106, agreed to.

Clause 107, agreed to.

Clause 108, agreed to.

Clause 109, agreed to.

Clause 110, agreed to.

Clause 111, agreed to.

Clause 112, agreed to.

Clause 113, agreed to.

Clause 114, agreed to.

Clause 115, agreed to.

Clause 116

MR KUBEKETRYA: Madam Chairperson, clause 116 is amended by inserting immediately after paragraph (c) the following: "Persons exempted from registration as prescribed under section 74."

Justification

To provide for persons exempted from

registration as prescribed under section 74. I beg to move.

THE CHAIRPERSON: Minister?

DR MUYINGO: Madam Chairperson, I have no objection.

THE CHAIRPERSON: It is a consequential one. Attorney-General?

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

MR OGUZU: Madam Chairperson, I have an amendment that the clause should read, “the Council shall maintain a searchable register.” The idea is that the public should be able to access this register so that they know if these entities are indeed licensed providers and things like that. Otherwise, if this information is withheld from the public –

THE CHAIRPERSON: Hon. Oguzu Lee, the Access to Information Act is very clear on that. Therefore, you do not need to emphasise on this one. I put the question that clause 116 be amended, as proposed.

(Question put and agreed to.)

Clause 116, as amended, agreed to.

New Clause

THE CHAIRPERSON: Chairperson?

MR KUBEKETERYA: Madam Chairperson, the insertion of a new clause after clause 116.

The Bill is amended by inserting immediately after clause 116, the following:

“Removal of a TVET trainer from register

1. Where the certificate of registration of a TVET trainer is cancelled, the Council shall remove the name of the TVET trainer from the register of TVET trainers.
2. A TVET trainer whose certificate is revoked or cancelled may, with justifiable

reasons, apply to the Council to restore his or her name on the register.”

Justification

To provide for the removal and restoration of a TVET trainer or of TVET trainers on the register. I beg to move, Madam Chairperson.

THE CHAIRPERSON: Minister?

DR MUYINGO: No objection, Madam Chairperson.

THE CHAIRPERSON: Isn't that administrative?

MR NIWAGABA: We have already passed clauses 65 and 66. Clause 65 sub-clause (5) clearly provides for the minister to make regulations in respect of suspension and the consolation. Won't this new clause be redundant?

MR SSEWUNGU: Madam Chairperson, it is just for emphasis. It has no effect on the Bill. The Attorney-General can guide us on that. Why do you fear our new clause?

MR KUBEKETERYA: Madam Chairperson, I concede on that matter.

THE CHAIRPERSON: That there is no new clause.

Clause 117

MR BYAKATONDA: Madam Chairperson, on clause 117, I do not see the competencies of allowing local governments to assess such an important TVET programme. In economies like Finland, Singapore, Germany, they are centralised under the ministry for education and with very strict instructions.

Therefore, Madam Chairperson, that should be deleted because it will actually cause a lot of duplication and substandard things. I beg you to move.

MR KIRUMIRA: Just in addition to that, accreditation of these TVET colleges should be done centrally to stop the lack of proper desktop evaluation by local councils, because competency is very critical when accrediting these TVET colleges.

Allowing local councils to participate in accrediting TVET colleges might open a gap of allowing bogus institutions that may hamper this whole process. Thank you, Madam Chairperson.

MR KIRYOWA KIWANUKA: Madam Chairperson, many of the TVET institutions that we are dealing with do not even know where they are right now, and there are institutions which go to the grassroots. You may find that the ministry for education, at a particular point, does not have the necessary reach to get to supervise a specific area. That is why they are saying here, “may, by statutory instrument, the functions and powers of council,” and the statutory instrument will tell you what powers you can use. It is not necessarily the accreditation. Accreditation may be easy. It is a one-off but when you finish accrediting, you need to go and check that these people are actually maintaining that standard.

This authority you give to the minister is to allow them to reach certain areas where we, even today, may not have the capacity to reach.

MR KIRUMIRA: The clause talks about regulation and licensing.

MSAISHAKABANDA: Madam Chairperson, I submit, in support of the Attorney-General. We are advocating for vocational skills everywhere; you cannot make life extremely difficult for people to licence these institutions. For the small ones that we talked about earlier, it is good to make life simple for them.

Therefore, local governments should be capable of vetting them and see the suitability of them, and eventually licence. It is okay for the minister to devolve those powers down to local government, to be able to oversee that. This clause is suitable. It is good for it to remain in the law.

THE CHAIRPERSON: Honourable members, I put the question that clause 117 stands part of the Bill.

(Question put and agreed to.)

Clause 117, agreed to.

Clause 118

MR KIRYOWA KIWANUKA: Madam Chairperson, with sincere apologies, I request that in clause 118(d), you insert Uganda National Examinations Board. We missed the word “national”. It is a typographical error.

In (d), we called it “Uganda Examinations Board Act”. It should have been “Uganda National Examinations Board Act.”

THE CHAIRPERSON: That will be corrected when drafting - when cleaning.

MR KIRYOWA KIWANUKA: Madam Chairperson, I beg that it goes on the record because this is what we gazetted. I am looking for it to be done as an amendment. We gazetted the Uganda Examination Board so I am seeking to amend clause 118 (b).

THE CHAIRPERSON: I put the question that clause 118 be amended as proposed by the Attorney-General.

(Question put and agreed to.)

Clause 118, as amended, agreed to.

Clause 119, agreed to.

Clause 120, agreed to.

Clause 121

MR NIWAGABA: Madam Chairperson, I have looked at the committee report on clause 121 but I have a different opinion. When you look at the Universities and other Tertiary Institutions Act, particularly section 130, it did, by implication, repeal all Acts in respect of institutions offering tertiary education.

Under that Act, the Statutory Instrument No.14 of 2008 was made and it lists the Management Training and Advisory Centre as one of the public tertiary institutions governed under the Universities and Other Tertiary Institutions Act. We have passed clause 118 to state that institution is under that Act and not applicable under this particular Bill.

Therefore, I implore the committee to concede and we have clause 121 entirely deleted from this particular Bill because that institution is now governed under the Universities and other Tertiary Institutions Act. I pray.

MR KIRYOWA KIWANUKA: Thank you, honourable shadow Attorney-General. This problem of MTAC was - what can I say - lack of follow through. Section 130 of the University and other Tertiary Institutions Act did actually say that all those institutions became governed under the University and other Tertiary Institutions Act, but it did not close them. They kept them. What they should have done, ideally, is to move their legal regime to this Act, but that was not done.

The problem with amendment by implication of repeal is dangerous because you have actually removed the whole Act by implication. Honourable colleague, our reading on it, is that you can amend by implication certain parts, but you cannot repeal by implication. This is because repeal means you take away everything that Parliament had passed.

Therefore, this provision here cannot offend what we are dealing with because the law actually exists. If we say that indeed it was repealed by implication, which may be a difficult thing to run with, this will then just simply be superfluous. However, if you remove it and tomorrow another school of thought comes up with a view that you cannot repeal by implication then MTAC remains; it will cause that confusion.

MR NIWAGABA: Now, what about if we just repeal and leave out the entire sub-clauses (2) and (3), since it is now governed under the Universities and Other Institutions Act, in order to avoid the confusion?

MR KIRYOWA KIWANUKA: I actually thought about that, but I said if we repeal the other one by implication - if we went and did this amendment directly and there is doubt as to whether it happened under UTIA - this will take precedence because it is clear and definite; the intention of Parliament is clear.

Therefore, if we find that indeed that argument would stand, then it will only be good for us. I am praying that you allow for this - if in any event we find that it was an extra use of words, we will not be hurt, as opposed to the other way around.

However, this clause also has another fundamental aspect of transfer of MTAC activities in the two-year period to Nakawa Vocational Training College because those two are being merged. So, to leave it unattended, will leave MTAC in the open - (*Interjection*) - no, this one was repealed.

However, take a look at sub-clause (2) which reads: "*Notwithstanding the programs and courses undertaken under the repealed Act, immediately before the commencement of this Act, shall continue in force and be transferred to Nakawa vocational training.*"

We have also moved their assets there. As a matter of fact, MTAC remained even after UTIAS, the University and other Tertiary Institutions Act, came into force.

MR NIWAGABA: Attorney-General, if you talk of a merger - if you look, for example, at clause 77(3), it clearly speaks of a merger. This particular one talks of a transfer, and yet you have already recognised its application and applicability under the Universities and other Tertiary Institutions Act.

Therefore, in my view, if I were you, I would concede that Section 121 just becomes a repeal of Cap. 53 and there may be savings - then you make a reference to the Universities and other Tertiary Institutions Act and leave the rest.

MR KIRYOWA KIWANUKA: I have seen what you said. What we are doing here is cleaning up a challenge that was created by

having passed an Act to repeal MTAC, but MTAC, as a matter of fact, continued existing kind of illegally, so to say. It is there now and it has assets, students and things which we cannot just repeal and leave nowhere.

Therefore, these provisions help us to be able to move these students from this institution into Nakawa. If we leave it out, it will create more confusion for the institution than putting it there.

MR AOGON: Actually, more to that, if we leave it the way you have proposed, we will have the time if we need to clean up the law, go back and make the right thing. For now, the best would be to sustain the committee position, we go back and revisit the books. If we need to amend the other law, then we can do that. It gives us the opportunity. Therefore, I propose that we take the Attorney-General's side for now.

MR KIBALYA: Chairperson of the committee, was this not foreseen during the committee meetings?

MR KIRYOWA KIWANUKA: Thank you, Madam Chairperson. Like we have conferred, let us maintain it. The honourable member pointed out a few things that we need to do backwards to clean this up all the way from the amendment that was done with the University and Other Tertiary Institutions Act and also going forward. This will allow us to move the TVET programme and courses to Nakawa.

On the remaining part of MTAC, the Ministry of Trade and Cooperatives will work on how to sort that out. Thank you.

THE CHAIRPERSON: I put the question that clause 121 stands as part of the Bill.

(Question put and agreed to.)

Clause 121, agreed to.

Clause 122, agreed to.

Clause 123, agreed to.

Clause 124, agreed to.

Clause 125, agreed to.

Clause 126

THE CHAIRPERSON: Committee chairperson?

MR OGUZU: Madam Chairperson, I need clarification from the Attorney-General-

MR KUBEKETERYA: Madam Chairperson, clause 126 is an amendment and is amended in sub-clause (5):

- (a) By deleting the words “as the minister may determine”; and
- (b) By deleting the words “subject to the availability of vacancies”.

The justification is to make it mandatory for the staff in employment of the Uganda Allied Health Examinations Board and the Uganda Nurses and Midwives Examinations Board to continue employment in the Uganda Health Professionals Assessment Board. I beg to move.

THE CHAIRPERSON: Attorney-General-

MR KIRYOWA KIWANUKA: Madam Chairperson, rationalisation has the unfortunate reality that some people may lose their jobs. So, this clause is saying that everyone in these institutions must be taken over.

What if each of these three institutions had a procurement officer? Must we employ all three procurement officers in the new area? That loses the meaning of rationalisation. [*Hon. Oguzu rose*] I propose that we maintain the provision as it is.

MR OGUZU: I want you to help me appreciate this. If there are any disputes that should have been arbitrated under those laws we have repealed or during this transition, how are we going to manage them?

THE CHAIRPERSON: First wait and I put my question. I put the question that clause 126 stands as part of the Bill.

(Question put and agreed to.)

Clause 126, agreed to.

Clause 127, agreed to.

Clause 128

THE CHAIRPERSON: Committee chairperson -

MR OGUZU: *(Text expunged.)*

MR KUBEKETERYA: Madam Chairperson -

THE CHAIRPERSON: Hon. David Kabanda has something to say.

MR DAVID KABANDA: Madam Chairperson, there are some people who come to visit the *Hansard* to see what is happening. *(Text expunged.)* I request that you use your powers to ask him, first of all, to apologise but also expunge that from the record.

THE CHAIRPERSON: That is not Hon. Oguzu Lee. Did you say, ... *(Text expunged.)*

MR OGUZU: Madam Chairperson, thank you for being such a wise chairperson who allows any accused person the opportunity to respond. *(Laughter)*

I would pray, through your medical office, that Hon. Kabanda should be accorded medical help, so that he can hear properly what a Member says. What I said was, when we shout "aye" without a question being put, as you have always guided, ... *(Text expunged.)*

Therefore -

THE CHAIRPERSON: *(Text expunged.)*

MR OGUZU: You have referred to people who talk - *(Interjections)*- you have often

referred to -

THE CHAIRPERSON: Honourable Member, ... *(Text expunged.)* Please, out of courtesy and being a good colleague, if you mentioned it, it does not cost you much.

MR OGUZU: Madam Chairperson, the record is very clear. *(Text expunged.)*

THE CHAIRPERSON: No, you referred to all Members.

MR OGUZU: I said that when people shout without the question being put. *(Text expunged.)*

MR JACOB KARUBANGA: Thank you, Madam Chairperson. If I heard Hon. Oguzu Lee properly, his comment came after you had posed the question and most of us said "aye".

Then he was like querying your - *(Interjections)*- yes, my interpretation is that you seem to have turned this ... *(Text expunged)* ... which is very wrong.

THE CHAIRPERSON: *(Text expunged.)*

MR OGUZU: The Member was keen. After you put the question and people said "aye", Hon. Kabanda was shouting "aye, aye, aye" continuously without you putting the question. *(Laughter)* I then said, "We cannot shout without the question being put".

THE CHAIRPERSON: Hon. Oguzu Lee, just withdraw that statement. For the sake of your colleagues, it does not cost you much. No, can you kindly - *(text expunged)* -

MR OGUZU: Madam Chairperson, if we go back to the *Hansard*, I have not said that so and so or ... *(text expunged)*.

THE CHAIRPERSON: *(Text expunged.)*

MR OGUZU: Okay, this is - I have considered withdrawing that statement if it offended anybody. Thank you.

THE CHAIRPERSON: *Hansard*, I want that expunged from the record. *(Text expunged.)* Clause 128, there was a proposal by the committee - Hon. Silas -

MR KUBEKETERYA: Madam Chairperson, Clause 128 was for former employers of the Directorate of Industrial Training on permanent and pensionable terms. It is amended in sub-clause (2) by deleting the words, “was given the option to serve by the Board and...”

Justification

To ensure that the employee is the one to give an option on whether he or she wants to serve on the board or not. I beg to move.

THE CHAIRPERSON: Thank you. Minister -

DR MUYINGO: Madam Chairperson, I have no objection.

CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

CHAIRPERSON: I put the question that clause 128 be amended as proposed.

(Question put and agreed to.)

Clause 128, as amended, agreed to.

Schedule 1, agreed to.

Schedule 2, agreed to.

Schedule 3, agreed to.

THE CHAIRPERSON: Do you have another amendment?

MR KUBEKETERYA: Madam Chairperson, I do not have any other amendment.

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

(Question put and agreed to.)

The Fourth Schedule, agreed to.

The Title, agreed to.

MOTION FOR RESUMPTION OF THE HOUSE

6.44

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Muyingo): Madam Chairperson, I beg to move that the House resumes and the Committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House resumes and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

6.45

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Chrysostom Muyingo): Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled, “The Technical and Vocational Education and Training Bill, 2024” and have passed it with amendments.

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

6.46

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

THE SPEAKER: I put the question that the report of the Committee of the whole House be adopted by this House.

(Question put and agreed to.)

Report adopted.

BILLS
THIRD READING

THE TECHNICAL AND VOCATIONAL
EDUCATION AND TRAINING BILL, 2024

6.47

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION) (Dr John Chrysostom Muyingo): Madam Speaker, I beg to move that the Bill entitled, “The Technical and Vocational Education and Training Bill, 2024”, be read for the third time and do pass.

THE SPEAKER: I put the question that the Technical and Vocational Education and Training Bill, 2024 be read the third time and do pass.

(Question put and agreed to.)

A BILL FOR AN ACT ENTITLED, “THE
TECHNICAL AND VOCATIONAL
EDUCATION AND TRAINING ACT, 2024”

THE SPEAKER: The title is settled and the Bill is passed. *(Applause)*

Honourable members, in the public gallery - Students and our visitors, you will forgive us. When it is a Bill, it is not good to always bring something in between.

In the public gallery this afternoon, we have students and teachers from Bulopa Secondary in Bugabula County, that is in Kamuli. They are represented by the Right Honourable Alitwala Kadaga Rebecca and Hon. Kibalya Maurice. They have come to observe the proceedings. You are most welcome. Maurice, come and greet your people. He is a very good person.

Teachers, you should tell them to bring him back.

6.47

MR HENRY-MAURICE KIBALYA (NRM, Bugabula County South, Kamuli): Madam Speaker, on behalf of the students and teachers of Bulopa Secondary School and Gabula South in particular, but above all, the Busoga Kingdom, where the Kyabazinga is citizen number one, who extended appreciation for the great role you did when we were getting the *Inhebantu*, the most beautiful princess and queen on planet earth.

Madam Speaker, we are grateful that you have given space for these students to be here and watch. These students have benefited more than any other school that has visited because most of these schools that visit, visit when we are in the normal session, they are here for a few minutes, they do not see what these ones have observed. These ones have a story to tell. We are very grateful. Those are the new Speakers in the next 20 years, they are the presidents in the next 20 years, and they are the Members of Parliament in the next 20 years.

THE SPEAKER: They are the ones who are going to benefit from this law.

MR KIBALYA: Yes. Madam Speaker, we are very grateful. Students of Bulopa, this is your Parliament. The Speaker has done everything to make sure this Parliament is moved to the lowest person and that is why you are here. Some students who are there are from senior one. Thank you very much. *(Applause)*

THE SPEAKER: Honourable members, in the VIP gallery this afternoon, we have a delegation from the Parliament of Kenya. *Karibuni sana.* They include Mr Ocholla, Sylvester Ouma, the Head of Sports and Wellness Unit, and Mr Albert Walusuna, the wellness therapist. You are most welcome and thank you so much. I know you are here because of sports but Team Uganda is very ready to beat Kenya. *(Laughter)* We are brothers and sisters. My minister of sports wants to welcome you.

6.48

**THE MINISTER OF STATE FOR
EDUCATION AND SPORTS (SPORTS)**

(Mr Peter Ogwang): Madam Speaker and colleagues, first of all, for the spirit of the *Pamoja* bid, for the purposes of AFCON 2027 and for purposes of CHAN 2025, let me begin by congratulating our sister Parliament of the Republic of Kenya for supporting this initiative led by you, Madam Speaker here for Uganda, your colleague in Kenya and Tanzania.

For the record, Coach Ocholla is one of the longest serving parliamentary coaches in the East African Parliamentary Games, because I joined this Parliament in the 9th Parliament when Uganda hosted the games here in Kampala. If I may recall, and he knows it, in Namboole, it was Uganda 7, Kenya 0 and I am happy that we will be meeting in Mombasa soon.

Madam Speaker, I have been reliably informed that the opening game is the defending champions who are ourselves as Parliament of Uganda Football Club and the Parliament of Kenya who are the hosts. Coach Ocholla, we meet in Mombasa, but we are ready to remain the champions of East Africa. Welcome to Uganda. Congratulations. Thank you so much. *Karibu sana.*

THE SPEAKER: Thank you so much, honourable members. Honourable members, I just want to re-echo, in the spirit of collegiality and spirit of keeping decorum in the House, let us learn to have respect for each other because today we are here, tomorrow we shall meet in the streets of Kampala when some people do not come back and others come back. I will still remember how you called me a hooligan, how you called me whichever. Let us live together in harmony.

As I said before, this is your second home. If you cannot have peace in your second home then where will you ever get peace? If you have frustration from somewhere, when you enter here, first keep off your frustration and then put a smile on your face for the sake of legislation.

I urge all of you that we are all brothers and sisters. We are all equal in this House, nobody is bigger than the other. We should learn to love ourselves. Let it be today when Hon. Ethel is not in the House, everybody is missing Ethel but let it not be like if Ethel is not there it is good riddance, whether she comes or not. Like I always miss Hon. Aisha, whenever she is not there. That kind of – all of you, if you are not in the House, I miss all my Members of Parliament. We should live together and love each other.

I would like to thank you for the Bill. As you go to your constituencies, create awareness about the Bill. Let our children out there not remain doing nothing when we have the Bill in place. We have the money to fund the Bill. Let these children go and do skilling and all they can do to avoid redundancy.

Lastly, we have been having amendments to the Rules of Procedure. We will make the Rules of Procedure stringent so that people will learn that when people are watching us out there, they should know that they are watching honourable Members of Parliament not horrible members. Thank you. Yes, honourable minister?

6.47

**THE MINISTER OF STATE FOR
EDUCATION AND SPORTS (HIGHER
EDUCATION) (Dr John Chrysostom**

Muyingo): Thank you very much, Madam Speaker. On behalf of the Ministry of Education and Sports, I would like to thank you and my dear colleagues for a job well done. Thank you for the sacrifice and the guidance. God bless you.

6.47

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Thank you, Madam Speaker. I would like to thank the minister and the whole team of members of the committee. Sincerely, we have moved very well.

As we have always said, when you process a Bill in the committee, whether you like it or not, it will be subject to some issues here in the House. I was asking my learned friend here –

we wanted to save these people; the nurses and others, those who have been serving – and we said rationalising, people would lose jobs – it is not an absurdity because it must be sustained.

Madam Speaker, you remember I was here saying that two days are not enough. You took us somewhere, we sat and processed the Bill and we are here.

THE SPEAKER: By the way, I want the forensic Bill. Defence and internal affairs, there is no more saying that two days are not enough. I am very happy with your team.

MR SSEWUNGU: Allow me to thank the Attorney-General because I have been in this House but this is the first time – I can bear witness – that whenever we want the Attorney-General in our committees, he is there to respond to our issues.

THE SPEAKER: But you know that we have the best Attorney-General. (*Applause*)

MR SSEWUNGU: I want to thank you very much, Mr Kiryowa for listening to us.

THE SPEAKER: *Mukatuliki*, you know we have the best Attorney-General in the country. That cannot be doubted. Yes, Chairperson?

6.47

THE CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr James Kubeketerya): Madam Speaker, I would like to first of all thank the committee members of education and sports. I would also like to thank you very much for the resilience and the stance you took with us. You said three days and when Hon. Ssewungu came here to plead, you insisted on three days. I also became tougher on my friends. I would like to appreciate their resilience that enabled this Bill to be passed. We are very grateful.

THE SPEAKER: Honourable members, thank you for the afternoon. I now adjourn the House *sine die*.

(The House rose at 6.49 p.m. and adjourned sine die.)