



PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

FOURTH SESSION - THIRD MEETING

WEDNESDAY, 5 FEBRUARY 2025



PARLIAMENT OF UGANDA
IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

FOURTH SESSION - 9TH SITTING - THIRD MEETING

Wednesday, 5 February 2025

Parliament met at 2.18 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable colleagues, I welcome you to today's sitting. I have received the sad news of the passing of His Highness Prince Karim Al-Hussaini Aga Khan IV, the 49th hereditary Imam of the Shia Ismail Muslims and founder and chairman of the Aga Khan Development Network.

He visited Uganda several times. Through the Aga Khan Development Network, he invested heavily in the media, that is, the *Daily Monitor*, NTV, KFM and some other outlets through the Nation Media Group; energy, that is, Bujagali Hydro Power Plant; health care, which includes Aga Khan Hospital and clinics; education such as Aga Khan University, secondary and primary schools; banking through Diamond Trust Bank; hospitality like Serena Hotels; insurance such as Jubilee; real estate and tourism, among others.

He employed thousands of Ugandans and contributed tremendously to our taxes and state coffers. He was a huge philanthropist who supported many Ugandans, and his foundation continues to support them.

Recently, I hosted the representative for the East African region and when he sent me a message last night – which I received early in the morning – I felt extremely sad. He was awarded the Most Excellent Order of the Pearl of Africa medal by His Excellency, President Yoweri Kaguta Museveni in appreciation of his socio-economic transformation in Uganda.

On behalf of the Parliament of Uganda and on my own behalf, I would like to express sincere condolences to His Excellency the President of the Republic of Uganda, who was a very close friend to him, the Aga Khan Foundation, the Ismail community in Uganda and fellow citizens. I request that we observe a minute of silence in his honour.

(Members rose and observed a moment of silence.)

THE DEPUTY SPEAKER: Matters of national importance; Dr Didi Bhoka? Point of procedure from Hon. Atkins?

MR KATUSABE: Thank you very much, Mr Speaker. I also join you in empathising and sympathising with the great family of the Aga Khan, the President of the nation and all those who have been supported by the goodwill and generosity of the person upon the loss.

Mr Speaker, thank you for the opportunity; however, I have a burden in my heart. The burden in my heart has everything to do with the Constitution. I am a great believer in the Constitution and constitutionalism, democracy and democratisation, the law and the rule of

law, checks and balances, rights and human rights, life and human life.

It is now about two months where literally, I have not had a second of sleep and this has taken a high toll on my life. The simple reason is because I feel restless as long as Dr Besigye continues to be under illegal incarceration. I am asking myself; what is my place in this House? How do I want to be remembered? Otherwise, history will confront me – “What did you, Atkins, do?”

Mr Speaker, my procedural issue is that the Supreme Court was crystal clear that effective Friday, 31 January 2025, Dr Besigye and those who are incarcerated with him were free citizens. I am in pain. Every time, I get countless calls from my community and all over the country asking what I am doing.

The procedural issue is simple: Are we, as a House, proceeding well when the very Constitution that we swore to protect, preserve, and defend is being abrogated and violated on our watch? If Uganda bans everybody—God forbid — (*Member timed out.*)

THE DEPUTY SPEAKER: Thank you. (*Hon. Macho rose*) But we have a procedural matter. Hon. Atkins, I really feel for you but the problem is; where do we stop, as Parliament? Parliament cannot implement court orders.

When your people ask what you have done, tell them you have spoken —(*Laughter*)— and raised the issues because that is all you can do. I do not think I can close Parliament and say that we should protest. We were not party to this case; we were just interested as Ugandans. We tasked the Attorney-General yesterday to come here and explain. Honourable colleagues, this is where our powers here stop.

I cannot start saying you are in contempt. No. We were not even served because we are not parties. Please let the parties to the case handle this matter.

MS BETTY NAMBOOZE: Thank you, Mr Speaker. My point of procedure is that when

you talk about the helplessness of Parliament, you worry me –

THE DEPUTY SPEAKER: No. Wait a bit, Hon. Nambooze. I did not say Parliament is helpless. What I said is Parliament can only – (*Hon. Betty Nambooze rose*) – Listen. Parliament can only exercise the powers it has and this is a matter where we are not a party. So, what do you want Parliament to do?

MS BETTY NAMBOOZE: Mr Speaker, I refer to Article 79 that talks about the functions of Parliament and the oath we took when joining this august House. We are required, in my own interpretation - for which you can still guide me – to do all within our means to safeguard the Constitution of Uganda and make sure that this country is governed democratically and in accordance with the laws of the country.

Mr Speaker, through the various organs of this Parliament, we can do more than talking. This is the House, first of all, that has a group of people together who have taken an oath to defend the Constitution. Whenever it is under attack, the Parliament of Uganda, in my understanding, is supposed to be at the forefront in safeguarding it and fighting for its implementation in totality.

Therefore, Mr Speaker, when you say that we should go back and tell our people that we have spoken about it and that is all we can do, I would like you to guide me whether there is not any other way Parliament can demonstrate or act. For example, these are institutions whose budget is approved by this House, upon which we are supposed to carry out oversight roles and where we can summon people here. As a way of procedure, I would like you to guide me if it is wrong for me to assume that this House can do much more than talking when somebody is violating the Constitution of this country.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, this case had parties, which are handling their issues. Parliament has not received any formal communication from any of the parties that, “Please, help us; we are stuck.” They have spoken and continue to

speak through their lawyers; they can handle those issues formally.

Number two, if there is any contempt and issues of playing around with the judgment, you go to the same court and it will give you solutions; very simple. The individuals who can be accused of contempt will be held liable, but as of now, apart from the Parliament eating more time and going on record that we spoke, I can tell you that there is nothing we shall do beyond speaking. I am being honest.

In my tribe, we are very honest people. In Parliament, we cannot do anything beyond talking - *(Laughter)* – I want to be honest to you. If you think I will send some of you to go and capture people, I will not. Here, we only talk. You should know that your power is for talking and coming up with resolutions. Hon. Ssemujju?

2.31

MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso): Thank you, Mr Speaker, for clarifying. I share Hon. Namboze's understanding of your communication: It means that Parliament is helpless. That is why I am thanking you for clarifying.

I have been here for a while. There was a time when a colleague was arrested in total violation of the Constitution. The Speaker of Parliament then said, "We will suspend the sitting of Parliament until that Member of Parliament is released." Parliament was suspended, and he was released.

Mr Speaker, I fear when you say that our power stops at talking and also when you limit the judgment of the Supreme Court to the parties. This judgment is for the whole country and for everybody to do, under Article 3 of the Constitution, whatever it takes to defend the Constitution. The trouble is that we may think that this is limited to Dr Besigye, Hajj Obed Lutale and the National Unity Platform (NUP) supporters who are there. There will be a time when they will be coming for you.

I told you that in Luzira where I once was, Hon. Jim Muhwezi had also been there and so had Hon. Gilbert Bukenya. Hon. Kuteesa also nearly came. The other day, I saw when Hon. Akamba was being grabbed like a chicken thief. The reason we must fight these things is that they are not limited to the victims of today. Tomorrow, you will be the victim. Hon. Obua, wait when they are taking you and you will be crying. *(Laughter)*

I visited Dr Chris Baryomunsi at Jinja Road Police Station. They had even denied him slippers, that giant man – *(Laughter)* – Hon. Nabukenya is the one who stood surety for Dr Chris – *(Interruption)*

THE DEPUTY SPEAKER: Point of order.

MR OBUA: Mr Speaker, I have always attempted to live within the laws of the land. Is it in order for my honourable colleague to wish me bad luck in anticipation? *(Laughter)*

THE DEPUTY SPEAKER: I think these are issues we can resolve under the *Mato oput* arrangement – but Hon. Ssemujju, I beg for one thing; make it very easy for me. What do you want us to do, as Parliament, in practical terms?

MR SSEMUJJU: Mr Speaker, I have a motion to suspend the sittings of Parliament – *(Interjections)* - I thought we have discipline. If one Member is speaking, even if you want – here people speak by expressing interest. They do not shout like they are in a market.

THE DEPUTY SPEAKER: Now, on record, I do not know whom we can record that you are quarrelling with – *(Laughter)* - Hon. Ssemujju, continue and please conclude.

MR SSEMUJJU: Mr Speaker, it is very difficult to record people who are shouting like my neighbour from Kabula. I am sorry if the Government Chief Whip took it that way but where you are seated, Dr Besigye used to sit as a Minister of State for Internal Affairs.

He was actually the political commissar of the party where they have accommodated you. He started it by risking his own life. Therefore, when I am inviting you, I am not undermining you. I am only reminding you that one day they may treat you the way they are treating Dr Besigye. That is the point I made.

THE DEPUTY SPEAKER: Wish him well.

MR SSEMUJJU: No, I would like to invite him to join the war to defend the Constitution. I do not have to wish him well. If you defend it, you will not be a victim. However, even if I wished you well – I wished Dr Besigye well every day but I did not know he would be in Luzira. *(Laughter)*

THE DEPUTY SPEAKER: Honourable colleagues, time please.

MR SSEMUJJU: Mr Speaker, my motion is that you suspend the sittings of Parliament until the Government commits itself to full implementation of the judgment of the Supreme Court.

THE DEPUTY SPEAKER: There is a motion on the Floor. The motion does not fall within the ambit of Rule 59(1)(k) of the Rules of Procedure of Parliament. I am sorry about that. Read the rule on motions without notice. Let me allow Hon. Jonathan Odur.

2.37

MR JONATHAN ODUR (UPC, Erute County South, Lira): Thank you, Mr Speaker. In my opinion, when we sit in this House, we expect the Executive to be answerable to the issues that have been raised by Members from both sides. I empathise with you when I see you labouring to explain things that are really not in your hands. We have a competent Bench of Ministers here who are the ones responsible for execution, including holding people on remand and releasing them.

The orders that the Supreme Court made – and I have picked one – in my opinion, are the orders of the Chief Justice, given that he is the one who wrote the lead judgment; the rest of

the Justices agreed with him. One was that the files/cases be transferred.

The lawyers who are here know that once that order is made, we expect the Court Martial registry to write a cover letter with all the files to the chief registrar. If they do not know which particular court to transfer to, we are blessed with the presence of the Attorney-General here and it is now day three of that. We expect the Attorney-General to update us that “So far, we have transferred this number of files or by tomorrow, we will have transferred this number of files,” so that at least we are comforted that there are some steps – because on that particular one – I am not talking about release; I am talking about the transfer which is outside of files and is not in the rims of the two parties.

I expect the Attorney-General to address us on that matter so that we do not go back and forth.

THE DEPUTY SPEAKER: Hon. Jonathan, you have made it very easy. The problem is that an honourable member cannot raise a point of procedure and I go to the minister to answer. The procedure is mine; on how I am running the House.

Therefore, the questions that some honourable colleagues were asking were all on procedure and I think that should have been the question; “Honourable Attorney-General, update us. You updated us yesterday, we understand; but what are the new developments?” Honourable colleagues, I have closed procedure on this matter.

2.40

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Mr Speaker, first, I implore you to tap into your patience abilities and I know you can be patient. I encourage you to bear with the honourable members and exercise a lot more patience, which I credit you for having. Our cardinal roles in this House are four:

- i) Legislation;
- ii) Oversight;

- iii) The budgetary process; and
- iv) Representation.

Mr Speaker, in this House, Members raise anything and everything as long as they are representing, even if it is just one individual. That is why Members keep raising this issue again and again – because there seems to be no end in sight. They are playing their cardinal role of representation.

As one honourable colleague has mentioned, this goes beyond Dr Kiiza Besigye, the NUP political prisoners and others. It is for all of us that the Supreme Court of the land issued a directive and to date, there is ping pong. Mr Speaker, each day that passes by, people are suffering, and yet they should not. That is our concern.

Therefore, the reason people keep raising this matter – and I appreciate honourable colleagues who keep raising this matter – Mr Speaker, you are saying they keep raising it so that they are seen to be speaking. Well, we come here to speak on behalf of the people out there. Like I said, even if it is one person, we should fight for the right of that one individual.

The Government needs to help us because yesterday we were with the Attorney-General and he did not help us. I think he was being quixotic on many things; back and forth saying that and the other and there was no end in sight. I hope that the Deputy Attorney-General, who is here, will help us shape up whether it be some kind of timeline or hope that what the Supreme Court ordered is going to be followed. That is our cry, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. I appreciate you because it is the same with Hon. Odur. If this was put to the Government, I would call upon them to answer. I cannot answer on their behalf. Attorney-General?

2.42

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you, Mr Speaker. I appreciate Hon. Jonathan Odur who was more direct, unlike the others who intended to reopen the debate that we had yesterday. I do

understand the anxiety and the need to know what is going on, following the decision of the Supreme Court.

However, I want you to understand that there are procedures to be followed. As the Attorney-General's Chambers, we would expect that if the Court Martial is to hand over the files – because the Supreme Court says the trials should cease and be transferred. Once they do that, they would copy us in, as the Attorney-General's Chambers, but we have not yet received that copy. I am not going to stand before Parliament and commit that we will table a copy of the transfer list because I do not know how fast it is being worked upon.

However, what I can say, as the Attorney-General's Chambers, is that we will continue to engage the Court Martial and others involved to see to it that this judgment is put in effect. I beg to submit.

THE DEPUTY SPEAKER: Thank you, Attorney-General. (*Hon. Ssemujju rose*) I do not have anyone on the Floor. What the Attorney-General has answered is in relation to yesterday. It seems since yesterday, there are no new updates.

MR NAMBESHE: Thank you, Mr Speaker. With all due respect to the learned Attorney-General, he has just made a huge contradiction with his superior. Yesterday, his superior informed this House that as far as the court ruling and order stands, there is no Court Martial in existence. However, he is informing us that he is still engaging with the Court Martial; so which is which?

THE DEPUTY SPEAKER: I think that is why we need to give them time to go and reconcile among themselves. Maybe the Deputy Attorney-General has not yet been updated on what the Attorney-General had.

MR KAFUUZI: I have said clearly, as far as the enforcement of the Supreme Court order is concerned, the organs that are supposed to enforce it have not copied to us the steps being taken. What the Attorney-General presented yesterday –

THE DEPUTY SPEAKER: Point of order?

LAYING OF PAPERS

MR SSEMUJJU: Mr Speaker, I can now understand why Hon. Kafuuzi left FDC to join NRM. You are the one who went to court; you as the Attorney-General. The court gave you instructions and now you are saying they have not been copied to you.

Where were you? You took a matter to court and the Supreme Court made a ruling. Is Hon. Kafuuzi in order to pretend that he must be activated by people who did not go to court, yet it is the Attorney-General's Chambers that went to court?

THE DEPUTY SPEAKER: I think these are quarrels between the Old Boys (OBs) because you can see how they started; with you saying "I understand why you left us, you went here..." – *(Laughter)* These quarrels are between OBs and they can be solved in court.

However, honourable colleagues, tomorrow, we expect to have the Minister of Justice and Constitutional Affairs here; the one who oversees the law and justice sector. I will require him to give us an update in terms of implementation. Let us handle it that way.

Next item? Matters of national importance are pushed to tomorrow because the time has gone. We shall handle them tomorrow during the Prime Minister's Time.

(I) A PROPOSAL FOR THE GOVERNMENT TO BORROW UP TO USD 100 MILLION FROM THE ARAB BANK FOR ECONOMIC DEVELOPMENT IN AFRICA (BADEA) PRIVATE WINDOW, USD 50 MILLION FROM THE ARAB BANK FOR ECONOMIC DEVELOPMENT IN AFRICA (BADEA) PUBLIC WINDOW, AND USD 25 MILLION FROM THE OPEC FUND FOR INTERNATIONAL DEVELOPMENT (OFID), TO CAPITALISE UGANDA DEVELOPMENT BANK LIMITED (UDB) AND GUARANTEE UGANDA DEVELOPMENT BANK LIMITED TO DIRECTLY BORROW UP TO USD 40 MILLION FROM THE ISLAMIC DEVELOPMENT (IDB), USD 30 MILLION FROM THE ISLAMIC CORPORATION FOR THE DEVELOPMENT OF THE PRIVATE SECTOR (ICD), AND USD 30 MILLION FROM THE INTERNATIONAL ISLAMIC TRADE FINANCE CORPORATION (ITFC)

THE DEPUTY SPEAKER: Honourable minister for finance?

2.49

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

(Mr Henry Musasizi): Mr Speaker, I beg to lay on Table a proposal to borrow up US \$100 million from the Arab Bank for Economic Development in Africa (BADEA) private window, US \$50 million from the Arab Bank for Economic Development in Africa (BADEA) public window and US \$25 million from the OPEC Fund for International Development to capitalise the Uganda Development Bank and also guarantee Uganda Development Bank, (IDB) US \$30 million from the Islamic Corporation for Development of the private sector and US \$30 million from the International Islamic Trade Finance Corporation. I beg to lay.

THE DEPUTY SPEAKER: Thank you, honourable minister. The proposal is referred to the Committee on National Economy to handle in consultation with the relevant sectoral committees. Next item?

**MOTION FOR A RESOLUTION OF
PARLIAMENT TO AUTHORISE
GOVERNMENT TO REALLOCATE
BUDGETS FOR THE FINANCIAL
YEAR 2024/2025 AND REVISE WORK
PLANS FOR INSTITUTIONS AFFECTED
UNDER THE RATIONALISATION OF
GOVERNMENT AGENCIES AND PUBLIC
EXPENDITURES (RAPEX) REFORM**

THE DEPUTY SPEAKER: Honourable minister for finance?

2.51

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Mr Speaker, I beg to move a motion for reallocation of Budget Estimates for the Financial Year 2024/2025 and revised work plans for institutions affected under the Rationalisation of Government Agencies and Public Expenditures reform (RAPEX). I beg to move.

THE DEPUTY SPEAKER: Is the motion seconded? (*Members rose*) It is seconded by the Government Chief Whip, Hon. Omara, Hon. Bahati, Rt Hon. Nakadama, Hon. Martin, Hon. Itungo, Hon. Angura, Hon. Obigah Rose, Hon. Siraji, Hon. Ibrahim Kyoto and many other Members in the House.

Honourable minister, would you like to speak to your motion in brief?

MR MUSASIZI: Mr Speaker, the motion is moved in accordance with Section 19 of the Public Finance Management Act, which states that: *“Parliament may, by resolution, authorise the minister to allocate funds from a Vote to another Vote where the functions of the Vote are transferred to that other Vote.”*

Pursuant to this provision, the Government on 22 February 2021, under Cabinet Minute No. CT43 of 2021, adopted a policy to rationalise government agencies and public expenditures. Subsequently, Parliament, in July, passed various Bills to rationalise agencies under Batch 1. The Bills which were passed are:

- i) The National Records and Archives (Amendment) Act, which transferred this entity to the Ministry of Public Service.
- ii) The Arbitration and Reconciliation Act which abolished the centre of arbitration and this was moved to the Ministry of Justice and Constitutional Affairs.
- iii) Under the Ministry of Internal Affairs, there is a Bill of Non-Governmental Organisations and this was mainstreamed within the ministry.
- iv) There is a Bill on Agricultural Chemicals Control.
- v) The Physical Planning (Amendment) Bill – There are several of them, and these affected agencies. This has resulted into the need to move resources from where they were previously appropriated to the new entities, which will receive them together with the functions they have been performing with the staff and everything that they have been doing.

Mr Speaker, I laid the proposal on 19 December 2024 and we have been involved with the committee. They have done a good job but I seek your indulgence that the committee can be invited to make their report and then debate ensues. Thank you.

THE DEPUTY SPEAKER: Thank you, honourable minister. Procedure, Hon Mudimi?

MR MUDIMI: Mr Speaker, I heard the minister moving the motion under Section 19 of the Public Finance Management Act (PFMA). I would like the minister to clarify because Section 19 talks about different items.

It is actually Section 20 but you moved under Section 19 of PFMA.

THE DEPUTY SPEAKER: Can we have the record clearly showing Section 20?

MR MUSASIZI: Mr Speaker, I have been with Hon. Mudimi in the process of enacting the PFMA and we have also practised it together for a long time. Recently, there was a realignment and Section 20 became Section 19. This is Cap 171 of the PFMA.

THE DEPUTY SPEAKER: So, why did you leave Hon. Mudimi behind and yet you claim to be together all the time? *(Laughter)*

Honourable colleagues, I have been in touch with the leadership of the Committee on Budget and earlier on, I had proposed that all motions be handled together so that we make one report and finish.

However, the committee was not able to finish Part B – that is the second motion – and yet we must supply. We cannot just adopt a motion without supplying. If we do not supply, then again, they will not be able to access the money.

Therefore, I have advised that today we handle Part A which we received. We shall handle the salient issues within the motion and all that. Then, tomorrow, the committee said they would be ready with Part B, together with the minister coming with the motion for supply and the schedule, so that we complete the whole process tomorrow. When we handled this first motion that we received and the salient issues – Shadow Minister of Finance, Planning and Economic Development, I want us to always be in one line. I see you are doubting what I propose. Is that okay? – But he needs food in prison. If we do not supply –

MR IBRAHIM SSEMUJJU: Mr Speaker, I take your words as a ruling –

THE DEPUTY SPEAKER: No, that is my proposal and it is why I called you to see if we could do it better.

MR SSEMUJJU: We have issues for which I have authored a minority report. They relate to your guidance on how we are going about this matter. I do not know, Mr Speaker, whether you want us to discuss them now or when we present the report.

THE DEPUTY SPEAKER: No, I was saying that for now, we receive a report for the first motion. Okay? We debate it. You know they brought two motions. However, I had guided earlier that the two motions can be handled in one report. We make one schedule and one supply so that we do not go to supply each motion differently and then we have different schedules for supply. That is why I was of the view that we put them together but now the committee is late because it has not yet finalised the second motion yet the first motion is ready.

I am saying that we receive the motion for the first batch of RAPEX-affected entities, we debate it and finish. And then tomorrow, they bring the one to do with UNRA, Uganda Road Fund and agriculture which are in the second motion. After, they table the schedule and we do the Motion for Supply.

Therefore, I do not know whether the minority report is on this (Part A). If it is part of the report, then we will allow and discuss it. Thank you. Yes, Hon. Odur?

3.00

MR JONATHAN ODUR (UPC, Erute County South, Lira): Mr Speaker, I am concerned about the procedure that we are likely to indulge in. There are only two circumstances where this House sits to supply; when we are doing the main budget or a supplementary budget.

This particular motion is to authorise the reallocation of the money we had already supplied and the figures are known. Because of the decision we took here, it must move from one Vote to the other. It is just to allow the movement of funds from one Vote to be expended under a different Vote.

When we import the word “supply”, we may be falling into some-for lack of better wording, something that recently happened with the transfer of funds from the Ministry of Finance, Planning and Economic Development to the Bank of Uganda and money went to Japan.

We should not oversupply an item where we have already supplied money. The law allows us to approve that transfer because we are the ones who made the RAPEX Bills. Anything to do with the need for more money, should also come separately as a supplementary, we scrutinise the budget and deal with that. To deal with the two motions together, I feel that we may not proceed well, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Odur, at first that was my assessment and judgement looking at Section 19 of the Public Finance Management Act (PFMA). However, the Minister of Finance, Planning and Economic Development came to me and said that if we just adopted the report without supplying the money, he would not be able to release the money.

This is an issue which we are going to handle tomorrow. We are not handling anything to do with supply today.

Honourable minister, maybe you need to justify and we complete the cycle.

MR MUSASIZI: Thank you, Mr Speaker. The first issue to deal with is to move money from the Vote which we have closed and transferring it to the active Vote. When the money is transferred to an active Vote, it has to be accessed for spending. The receiving Vote will have additional resources for the Vote.

The process of transferring money from one Vote to another in order to make the funds available for spending is through supply. This supply, by implication, is adding. When you are adding, you do what we call supplementary appropriation so that the receiving Vote receives additional money.

Mr Speaker, if you use the accounting language – the double entry principle – you are getting money from somewhere and taking it somewhere in order to be available for spending.

To do that, I would like to invite Hon. Odur to think through it. What do we do in order to make funds available for spending? We supply and we appropriate. And that is exactly what we are doing. Other than that, we will not be able to spend.

THE DEPUTY SPEAKER: Honourable colleagues, I have told you in advance that we are sorting it out tomorrow; so let us sleep over it. Otherwise, even for me, the easier way was to adopt the motion, and the minister – we have done the reallocation as required under Section 19.

However, when he took me through the technicalities and said that he would not be able to spend this money, I must come back here and bring it so that we do not give money on the surface without enabling the minister to release it. Let us handle this tomorrow. Chairperson of the Committee on Budget, please present the report for the first motion.

3.05

MS CATHELINA NDAMIRA (NRM, Woman Representative, Kabale): Thank you, Mr Speaker. Before I present the report, allow me to lay on Table a copy of the report of the Committee on Budget on the reallocation of budget estimates for the financial year –

THE DEPUTY SPEAKER: Procedure?

MR EKANYA: Thank you, Mr Speaker. Our *Hansard* is an official record. The fact that the chairperson of the Committee on Budget is here, it is just proper that he introduces and allows our colleague to present the report. As of now, you have called the committee chairperson and on our *Hansard*, the chairperson is Hon. Isiagi who is present in the House. Therefore, he needs to complete the cycle, and introduce the colleague to present the report on his behalf.

THE DEPUTY SPEAKER: Hon. Isiagi, do the necessary. Do not run away from duty.

3.07

THE CHAIRPERSON, COMMITTEE ON BUDGET (Mr Patrick Opolot-Isiagi): Thank you, Mr Speaker. Colleagues, aware that this motion was delegated to the Committee on Budget to process, I would like to lay the minutes of the meetings. I also lay a copy of the report. Now, in the spirit of building capacity, we have a member of the committee presenting the report to the House.

THE DEPUTY SPEAKER: Can we have her name on the record?

MS NDAMIRA: Thank you very much, Mr Speaker. I am Catheline Ndamira Atwakiire, Woman MP, Kabale District, representing the chairperson of the Committee on Budget. Thank you.

Mr Speaker, the report I am going to present is the Reallocation of Budget Estimates for Financial Year 2024/2025 and Revision of Work Plans for Institutions Affected Under the Rationalisation of Government Agencies and Public Expenditures (RAPEX).

1.0 Introduction

Pursuant to Section 19 of the Public Finance Management Act (PFMA), 2015, the Minister of Finance Planning and Economic Development, moved a motion on 19 December 2024 for a resolution of Parliament to authorise the reallocation of funds and the revision of work plans for institutions affected by the Rationalisation of Government Agencies and Public Expenditures (RAPEX) reform. The Speaker referred the proposed reallocations to the Committee on Budget.

I, therefore, beg to present a report of the Committee on Budget on the reallocation of funds for the Financial Year 2024/2025 and revised work plans for institutions affected by the RAPEX reform.

The report is structured as follows:

- i) Methodology and Legal Framework
- ii) Background to RAPEX
- iii) Committee Observations and Recommendations
- iv) Conclusion

1.1 Methodology

The committee made references to the following documents and held consultations with the following stakeholders:

- i) The Minister of State for Finance, Planning and Economic Development (General Duties);
- ii) Heads of institutions affected by the proposed reallocations.

1.2 Legal Framework

The legal framework that governs the reallocation of funds is provided under Section 19 of the PFMA, 2015 (as amended). Section 19 states that; *“Parliament may, by resolution, authorise the Minister to reallocate funds from a Vote to another Vote where the functions of a Vote are transferred to that other Vote.”*

2.0 Background to RAPEX

On 22 February 2021, Government, under Cabinet Minute No.43 (CT 2021) adopted the policy to rationalise Government agencies and public expenditures with the aim of:

- (a) merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditures, thereby, inter alia, relieving the Government of the financial drain on its resources and the burden of wasteful administration expenditure;
- (b) providing efficient and effective service delivery by clearly delineating the mandates and functions of Government agencies and departments and thereby avoiding duplication of mandates and functions;
- (c) promoting coordinated administrative arrangements, policies and procedures for;

- (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of Government agencies and departments and; (ii) enabling the Government to play its proper role more effectively, and (iii) enforcing accountability; and
- (d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities.

This decision followed the 2018 Report by the Ministry of Public Service that detailed findings and recommendations of the review of government agencies and authorities. The primary goals of rationalisation of Government agencies was to establish their operational relevance, determine their current operational costs, eliminate embedded duplications and overlaps, identify wasteful expenditures and establish resultant short-term and long-term savings which would be optimally utilised for sustainable socio-economic and political development of the country.

Government has, overtime, realised a proliferation of agencies established through Acts of Parliament, Executive Orders, and administrative arrangements. This proliferation of agencies has led to overlaps in mandates and uncertainties regarding jurisdiction. The high administrative costs associated with these agencies have strained the national treasury, compromising effective service delivery and stretching the Government's capacity to sustain them.

Additionally, the generous salary structures within these agencies have created disparities between their employees and those in the traditional civil service, resulting in demotivation among public servants.

The RAPEX Bills were laid before the House, Parliament considered them and made the decision as summarised in Table 1 below:

THE DEPUTY SPEAKER: Honourable member, can you go to page 14 on observations

and recommendations? We shall read through the rest.

MS NDAMIRA: The committee made observations and recommendations as follows:

3.1 Transfer of funds for the Civil Registration Services

The committee observed that in the Financial Year 2024/2025, a total of Shs 1.036 billion of which wage Shs 323 million and non-wage Shs 713 million, was the approved annual budget for the Civil Registration Services Department under Vote 119: Uganda Registration Services Bureau (URSB). The Civil Registration Services Department and its functions were transferred to Vote 137: National Identification Registration Authority (NIRA) as per the Registration of Persons (Amendment) Act, 2024.

However, a total of Shs 1.4 billion, of which Shs 760 million is for wages and Shs 713 million is non-wage, has been proposed to be transferred to NIRA, which is Shs 436 million above the Shs 1.036 billion approved budget. This is due to the higher salary scale of NIRA compared to URSB.

The committee was informed that whereas the available wage transfers to NIRA from URSB amounts to Shs 323.6 million, NIRA requires Shs 760.5 million to cater for all the staff transferred. This has resulted into a shortfall of Shs 436.87 million, due to higher salary scales of NIRA.

The committee was also informed that no budget releases have been made towards the Civil Registration Services Department in the Financial Year 2024/2025.

The committee recommends that Shs 1.036 billion, of which Shs 323 million is wage and Shs 713 million is non-wage, be transferred to Vote 137: National Identification Registration Authority.

3.2 Transfer of the funds for the Uganda National Meteorological Authority

The committee observed that in the Financial Year 2024/2025, a total of Shs 14.6 billion (of which wage is Shs 9.013 billion, non-wage is Shs 3.1 billion, development is Shs 263 million, and gratuity is Shs 2.2 billion) was the approved annual budget for Vote 109: Uganda National Meteorological Authority.

However, the Uganda National Meteorological Authority (UNMA) and its functions were transferred to Vote 019: Ministry of Water and Environment, as per the Uganda National Meteorological Authority (Amendment) Act, 2024.

In addition, Mr Speaker, the committee was informed that arising from the rationalisation of UNMA, the Government has saved Shs 7.4 billion. This would imply that the total proposed net funds to be transferred is Shs 7.1 billion.

The committee was also informed that no budget releases have been made to UNMA in the Financial Year 2024/2025.

The committee recommends that a total of Shs 7.1 billion (of which wage is Shs 5.4, billion, non-wage is Shs 1.6 billion) is transferred to Vote 019: Ministry of Water and Environment.

Transfer of funds for the National Population Council (NPC) and National Physical Planning Board (NPPB)

The committee observed that in the Financial Year 2024/2025, a total of Shs 7.5 billion (of which wage is Shs 3.2 billion, non-wage is Shs 3.5 billion, development is Shs 104 billion, gratuity is Shs 622 million) was the approved annual budget for Vote 149: National Population Council.

However, the National Population Council and its functions were transferred to Vote 108: National Planning Authority, as per the National Population Council (Repeal) Act, 2024.

The committee was informed that arising from the rationalisation of NPC, the Government has saved Shs 2.1 billion of which Shs 807 million is from wage and Shs 1.3 billion from non-wage.

In addition, the committee observed that a total of Shs 900 million was approved by Parliament for the National Physical Planning Board under Vote 012: Ministry of Lands, Housing and Urban Development. However, the NPPB and its functions were transferred to Vote 108: National Planning Authority, as per the Physical Planning (Amendment) Act, 2024.

The committee was also informed that no budget releases have been made to NPC and NPPB in the Financial Year 2024/2025.

In this regard, the committee recommends:

- i) A total of Shs 5.4 billion (of which wage is Shs 2.4 billion, non-wage is Shs 2.2 billion, development is Shs 104 million, gratuity is Shs 622 million) be transferred to Vote 108: National Planning Authority.
- ii) A total of Shs 900 million as non-wage recurrent be transferred to Vote 108: National Planning Authority.

Transfer of funds for the Uganda Wildlife Education Centre (UWEC)

The committee observed that in the Financial Year 2024/25, a total of Shs 14.8 billion (as non-wage recurrent) was approved for the Uganda Wildlife Education Centre under Vote 022: Ministry of Tourism, Wildlife and Antiquities.

However, UWEC and its functions were transferred to the Uganda Wildlife Authority (UWA) under the same Vote 022: Ministry of Tourism, Wildlife and Antiquities, as per the Uganda Wildlife (Amendment) Act 2024.

The committee was informed that arising from the rationalisation of UWEC, the Government has saved Shs 3.1 billion. In addition, the committee was informed that Shs 7.4 billion

has already been released to UWEC during the first half of the Financial Year 2024/2025. This would imply that the proposed net funds to be transferred is Shs 4.2 billion.

The committee recommends that a total of Shs 4.2 billion (as non-wage recurrent), is transferred to the Uganda Wildlife Authority, under Vote 022: Ministry of Tourism, Wildlife and Antiquities.

Transfer of funds for various subventions under the Ministry of Gender, Labour and Social Development

The committee observed that in the Financial Year 2024/2025, there were the approved annual budgets for the following subventions under Vote 018: Ministry of Gender, Labour and Social Development; the National Children Authority (Shs 80 million), the National Youth Council (Shs 800 million), the National Women's Council (Shs 1.1 billion), the National Council for Disability (Shs 250 million) and the National Council for Older Persons (Shs 500 million).

However, the budgets of these subventions and functions were transferred within the same Vote 018: Ministry of Gender, Labour and Social Development, as per the Children (Amendment) Act, 2024; the National Youth Council (Amendment) Act, 2024; the National Women's Council (Amendment) Act, 2024; the Persons with Disabilities (Amendment) Act, 2024 and; the National Council for Older Persons (Amendment) Act, 2024.

The committee was informed that as at the first half of the Financial Year 2024/2025, the following budget releases were already made; the National Children's Authority (Shs 80 million), National Youth Council (Shs 511 million), National Women's Council (Shs 748 million), National Council for Disability (Shs 164 million) and the National Council for Older Persons (Shs 284 million). This would imply that the total proposed net funds to be transferred is Shs 963 million, as no savings were made.

The committee recommends that a total of Shs 963 million as non-wage recurrent is transferred to the National Secretariat for Interest Groups, under Vote 108: Ministry of Gender, Labour and Social Development.

The transfer of funds for the Uganda Warehouse Receipt System Authority (UWRSA).

The committee observed that in the Financial Year 2024/2025, Parliament approved the budget of Shs 3.1 billion for the Uganda Warehouse Receipt System Authority, as non-wage recurrent, under Vote 015: Ministry of Trade, Industry and Cooperatives.

However, UWRSA and its functions were transferred within the same Vote 015: Ministry of Trade, Industry and Cooperatives, as per the Warehouse Receipt System (Amendment) Act, 2024, to the Department of Warehouse and Receipt Management in the ministry.

In addition, the committee was informed that Shs 1.067 billion had already been released during the first half of Financial Year 2024/2025 to UWRSA. This would imply that the net funds proposed to be transferred is Shs 2.075 billion, as no savings were made.

The committee recommends that a total of Shs 2.075 billion, of which wage is Shs 221 million and non-wage is Shs 1.8 billion, is transferred to the Department of Warehouse and Receipt Management, under Vote 015: Ministry of Trade, Industry and Cooperatives.

Transfer of the funds for the Bureau for Non-Government Organisations

The committee observed that in the Financial Year 2024/2025, Parliament approved a budget of Shs 1.9 billion for the National Bureau for Non-Governmental Organisations as non-wage recurrent under Vote 009: Ministry of Internal Affairs. However, the Bureau and its functions were transferred within the same Vote as per the Non-Governmental Organisations (Amendment) Act, 2024 to the Department of Non-Governmental Organisations Management in the ministry.

In addition, the committee was informed that Shs 1.8 billion has already been released during the first half of Financial Year 2024/25. This would imply that the net funds proposed to be transferred is Shs 145 million as no savings were made.

The committee recommends that a total of Shs 145 million, as wage, be transferred to the Department of Non-Governmental Organisations Management under Vote 009: Ministry of Internal Affairs.

The revised work plans, procurement plans, recruitment plans, cash-flow projections and assets' registers

The committee observed that the motion for reallocation of funds was accompanied by revised work plans of the affected agencies.

However, no revised annual procurement plans, revised annual recruitment plans, revised cash-flow projections, and revised assets' register for both the receiving and transferring institutions were presented to Parliament as part of the motion.

Mr Speaker, without this information, effective implementation of the budget for the affected institutions may be constrained since the Secretary to the Treasury and the Accountant-General can only release funds based on the annual cash-flow plan of the Government, which is based on procurement plans, work plans and recruitment plans approved by Parliament as per Section 15 of the Public Finance Management Act, 2025.

The committee recommends that the subsequent reallocation proposals made to Parliament must be accompanied by revised work plans; annual and quarterly, revised annual procurement plans, revised recruitment plans, revised vote cash-flow projections, and the revised assets' register.

In conclusion, Mr Speaker, in accordance with Section 19 of the Public Finance Management Act, 2015, the committee recommends that Parliament authorises the minister to reallocate

funds as indicated in the committee's recommendations and summarised in Annex 1 and Annex 2.

In addition, Mr Speaker, the committee recommends that Parliament approves the revised work plans of the transferred functions as attached. I beg to submit and report. *(Applause)*

THE DEPUTY SPEAKER: Thank you. Well done, Hon. Ndamira. Honourable colleagues, in the Public Gallery this afternoon, we have a delegation of district leaders from Kabango Town Council, Masindi District. They are represented by Hon. Kiiza Kenneth Nyendwoha and Hon. Asimwe Florence Akiiki, our queen dancer. They have come to observe the proceedings of this House. Please, join me once again in welcoming them. *(Applause)*

Thank you. Honourable member, have I gotten something wrong? Unfortunately, under our rules we do not have a provision for you to say anything here. But I must tell your people that you are very good legislators and you always speak here.

Chairperson, there is something you should have done - I understand there is a minority report but since you delegated, but chairperson, please, can you do the necessary? Let us save time. I understand there is a minority report.

3.32

MR PATRICK OPOLOT ISIAGI (NRM, Kachumbala County, Bukedea): Thank you, Mr Speaker. We are all aware of the Rules of Procedure of this House. We are all aware that a minority report forms part of the report. However, up to this point we have not received any notice of a minority report, nor have we received any copy. As such, there is, therefore, no minority report for this.

THE DEPUTY SPEAKER: Thank you. My office and the office of the Clerk to Parliament received a copy of the minority report, so if the notice is still on the way, let me call Hon. Ssemujju to present the minority report because these are issues we should avoid on the Floor.

3.33

MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso): Thank you, Mr Speaker. The report and the notice were given to the vice-chairperson yesterday while chairing meetings. I did not want to go into the internal workings of the committee, but the chairperson was not there when these things were happening. Therefore, his vice, who was chairing the committee, received both the notice and the report. Mr Speaker, this is the report.

Background

The Government has set out to implement the Rationalisation of Agencies and Public Expenditure Policy in the most uncoordinated, disorganised and archaic manner.

Seven months into the 2024/2025 Financial Year, several previously provided services by closed agencies remain unassigned. Some of these agencies used to collect fees; non-tax revenue, for the Government. Closing them is a double loss for the country. Not only are essential services no longer being provided, but the Government is also losing out on crucial revenue.

The agencies were summarily closed before ministries and bodies supposed to take over their functions were ready to do so. In some cases, the Ministry of Public Service, the main sponsor of rationalisation, is yet to approve new staff structures. Some of the staff for the closed agencies stopped receiving salaries in December; their fate remains unknown and many struggle taking their children to school this term.

This human-induced suffering, similar to the Kiteezi Landfill catastrophe of last year, is playing out in many agencies. The budgets that Parliament appropriated for agencies in May 2024 for service delivery, remain unutilised because of the break in service provision occasioned by this unplanned transition.

Everybody knows that the National Resistance Movement (NRM) is allergic to orderly and

peaceful transfer of power. What we did not know is that disorganisation is the way they work! This is because all decisions are made by one man and offloaded onto others for implementation. Sometimes the implementers do not know what he wants and they cannot easily access him for clarification.

This motion by the 40-year-old Hon. Henry Musasizi Ariganyira, born February 25, 1981, about a month into Mr Mseveni's Luweero war, is another evidence of what we are talking about as you will see later. I like it when you cheer as I read; I like it.

Areas of dissent.

1. Non-compliance with the law;
2. Piecemeal implementation;
3. Disorganised transition; and
4. Misinformation/Misleading Parliament.

Non-compliance with the law

The motion by Hon. Musasizi tabled in Parliament on 19 December 2024 is asking you to casually move huge sums of taxpayers' money across entities in total disregard of Article 156 of the Constitution and Public Finance Management Act, 2015.

Section 15 of the Public Finance Management Act states, "*After approval of the annual budget by Parliament, the Secretary to Treasury shall issue the annual cash flow plan of the Government, based on the procurement plans, work plans and recruitment plans approved by Parliament.*" I have underlined the words "approved by Parliament."

Mr Speaker, the motion presented by the finance minister referred only to revised work plans and ignored recruitment and procurement plans but even what was attached to the motion as work plans are just some lousy statements that do not constitute a work plan even to a high school student.

The minister must, as a matter of law, table procurement plans, recruitment plans and credible work plans that are costed. That should

again be sent to our sectoral committees for scrutiny. Scrutinising these plans is a function of sectoral committees and not a standing committee on the budget.

This motion can only stand if it is amended to include the tabling of a supplementary budget that will be sent to the sectoral committees for scrutiny before it is finally processed by the Committee on Budget. This must be done under Section 25 of the Public Finance Management Act on Supplementary Budgets. This is not a mere reallocation under Section 19 of the Public Finance Management Act. The only reallocation in the motion from one existing vote to another vote relates to the Uganda National Registration Services Bureau (URSB), which is ceding registration of marriages to the National Identification Registration Authority (NIRA). Here only one function is moving from one entity to another.

What does the Constitution say?

The Constitution, in Article 156, provides a solution. It allows ministries and agencies that have taken over other functions and they do not have money to perform them to request a supplementary budget. It states, *“If, in respect of any financial year, it is found:*

- (a) *That the amount appropriated for any purpose under the Appropriation Act is insufficient, and mark the word insufficient, or that a need has a reason for expenditure for a purpose for which no amount has been appropriated by that Act, or*
- (b) *That any monies have been expended for any purpose in excess of the amount appropriated for that purpose, or for a purpose for which no amount has been appropriated by that Act, a supplementary estimate showing the sums required or spent shall be laid down before Parliament and in the case of excess expenditure, within four months after the money is spent.”*

The Minister knows the rest of the process you go through that follows a supplementary budget,

including a Supplementary Appropriation Bill that eventually should amend the Appropriation Act.

Our contention is that what the Minister of Finance, Planning and Economic Development wants Parliament to do is a budget revision and not a reallocation. The budget is revised through a supplementary process under Section 25 of the Public Finance Management Act and not through a motion for reallocation under Section 19.

Peaceful implementation

The motion by the Minister requests the transfer of budgets in respect of 13 agencies yet Parliament approved a rationalisation of more than 20 and they all commenced around the same time; in August.

The Committee on Budget processed the request for 13 agencies and a report was duly signed by members. This report the Vice-Chairperson, who I referred to earlier, said was to be presented on Tuesday, 4 February 2025. The following day, the chairperson, without following our rules on meetings, called another meeting to also process UNRA, Road Fund and others. Parliament cannot work that way. If the Executive is disorganised, do not apply to join them.

This is how they even process the annual budget. You remember how addendums were being trafficked into the plenary midway the appropriation. This is what they are doing. This morning as we were finishing signing this, they are bringing another motion that UNRA is here and others.

What does the motion say?

The Uganda Registration Services Bureau - you will excuse me; I may repeat some of the information but it is important. The motion seeks to transfer Shs 1 billion from the Uganda Registration Services Bureau to the National Identification Registration Authority. This is to cater for civil registration such as marriages which are being transferred to NIRA.

This transfer reduces the budget of the Registration Services Bureau from Shs 43.8 billion to Shs 42.8 billion. The Bill to effect this change was assented to on 15 July 2024. It increases the budget of NIRA from Shs 100.3 billion to Shs 101.3 billion.

Please note that the amount proposed for transfer in the original motion is different from what the minister presented as additional information to the Committee on Budget. In the motion, the minister proposed the transfer of Shs 1.7 billion for the services to NIRA, yet some of the money had already been spent, and you need to look at both schedules, the one that came with the motion and the one he brought to the committee.

The National Population Council was abolished and its functions were transferred to the National Planning Authority. The Bill abolishing it, which was repealed, was assented to on 15 July 2024. It had an approved recurrent budget of Shs 6.8 billion but the finance ministry released Shs 2.1 billion to the agency and what remains is Shs 4.6 billion, which this motion seeks to transfer. For development, the Population Council has allocated Shs 104.1 million for the whole year.

With four months remaining, the minister wants all that remains transferred to NPA. The minister requires additional funds to cater for their enhanced salary. Please take note that the former staff of the Population Council have had their salaries enhanced because the entity they have joined pays higher salaries. So, more money here is required though they are only talking about saving.

The National Physical Planning Board was abolished and its functions transferred to the National Planning Authority. The Bill abolishing it was assented to on July 15th. The Shs 900 million meant to run the physical planning board was part of the Shs 111.5 billion ministry for land's budget, which as a result of this transfer reduces to Shs 110.6 billion.

When you transfer the budget of the Population Council and the Physical Planning Board to

NPA, you are increasing the budget of NPA from Shs 62.8 billion to Shs 70.3 billion.

The Uganda National Meteorological Authority was abolished and its functions transferred to the Ministry of Water and Environment. The Bill abolishing it was assented to on 14 June 2024. The total budget for this entity was Shs 14.3 billion for recurrent and Shs 263.3 million for development. Shs 3 billion was released before the eventual closure. The Shs 11.3 billion was not released and it is from that, that the finance ministry now wants to transfer Shs 6.9 to the Ministry of Water and Environment. This will eventually increase the budget of the Ministry of Water and Environment from Shs 25.6 billion to Shs 32.5 billion.

Uganda Wildlife Education Centre was merged with the Uganda Wildlife Authority. The Bill merging them was assented to on July 15th. The total budget for the Wildlife Education Centre was Shs 14.8 billion but Shs 7.43 billion was released before the merger, leaving a balance of Shs 7.43 billion.

The minister wants Shs 4.2 billion transferred, leaving a balance of Shs 3.15 billion. The point for you to note is that not all the budgets are being moved. Some of the money remains in the air. This will increase the budget –

THE DEPUTY SPEAKER: Point of procedure.

DR BARYOMUNSI: Thank you very much, Mr Speaker. I am rising to seek your procedural guidance. Hon. Ssemujju is moving under Rule 205 of our Rules of Procedure on minority reports. Sub Rule (1) states thus: *“A Member or Members dissenting from the opinion of the majority of the committee may state in writing the reasons for his or her or their dissent, and the statements of reasons shall be appended to the report of the committee.”*

My understanding is that what is envisaged is that the Member reads the majority report and disagrees with some of the recommendations being made and then gives you their reasons.

May I seek your guidance on whether minority reports should now be voluminous, meandering all over and criticising the motion by the minister, the way Hon. Ssemujju is doing it?

Therefore, I am requesting you to guide the House, including Hon. Ssemujju, for Members to stick to what the rule requires, not to take us into a fishing expedition of very many things, that are not in the rules.

THE DEPUTY SPEAKER: What I understand, Hon. Baryomunsi, is that you have given a reason for dissent and then too much justification, not so? He is capturing the issues he believes the committee has said are okay but are not or the committee has ignored and he is now bringing them out in another way. You know Hon. Ssemujju's style - and the problem with the reports - let us do it quickly and finish. Hon. Ssemujju, I hope you are also not going to counter Hon. Baryomunsi because I can see how you are looking at him. *(Laughter)*

MR SSEMUJJU: Mr Speaker, I have no intention to do so because he is my friend. When he was arrested, I even visited him. *(Laughter)* I really have no intention.

THE DEPUTY SPEAKER: He claimed to have brought you slippers, Hon. Baryomunsi but that the problem was the size. *(Laughter)*

DR BARYOMUNSI: Point of order! Mr Speaker, is Hon. Ssemujju in order to keep talking of visiting me yet he actually came empty-handed without any food? *(Laughter)*

THE DEPUTY SPEAKER: Honourable colleagues, let us move on. Hon. Baryomunsi, I think his quarrel is that you never reciprocated the visit when he had problems. Next time, settle that and we know you are one on one. Okay? Hon. Ssemujju, please conclude.

MR SSEMUJJU: Mr Speaker, just to comfort my friend, the Hon. Dr Baryomunsi, some of the information I am giving is important for Parliament. The Government said that they are going to save money by rationalisation - I am now reading something about the Uganda

Wildlife Education Centre (UWEC), where as a result of the merger, the salaries of people who are working in (UWEC), 38 of them, have gone up immediately. This is because they have joined an entity that is paying a higher salary.

In fact, in the committee, they are saying there will be a saving of Shs 3 billion. When the ministry and these entities appeared before the committee, they said the only saving was on the board which is Shs 200 million, but they will require more money to enhance salaries. I thought this information is important if you are not just biased about a report because each time I present a report you must stand here to read the rule as if I am being introduced to it for the first time.

Mr Speaker, I was on number five about the Uganda Wildlife Education Centre. I do not have to repeat everything, but the point is that here the reported saving of Shs 3 billion is actually a pure lie because you need more money. That is why you must be very careful with this motion. For some entities, it is adding money but there are also new entities. Mr Speaker, as you said, tomorrow when it comes here - new entities with new Votes. You have merged the Free zones authority with export promotion board to form a new entity and that will require a new Vote. You cannot just move money like that because section 19 relates to existing Votes and moving of functions.

Let me now go to the National Children Authority. I can cover these ones together so that the Minister of Information and National Guidance is not bored:

The National Children Authority:
 Number 7: The National Youth Council;
 Number 8: The National Women's Council;
 Number 9: The National Council for Disability;
 and
 Number 10: The National Council for Older Persons.

I will just make a statement without reading the report. Here, the motion was that they are transferring them to the Ministry of Gender, Labour and Social Development. What instead

has happened is the creation of a joint secretariat that actually requires more money. However, the original budgets for each of these entities has remained. In fact, the Ministry of Gender, Labour and Social Development - when it appeared before the Committee on Budget - had problems that they were being asked to implement something unimplementable.

They told them to streamline all these councils into the ministry, but they said that they could not do so. Therefore, this information is important for Parliament to note; that what we were asked to do is eventually not what has happened.

I will skip number 11 because it relates to the creation of a secretariat for all these councils.

12: Uganda Warehouse Receipt System Authority abolished and the service is transferred to the Ministry of Trade, Industry Cooperatives under the Department of Warehouse and Receipt Management.

The Bill was assented to on 15th July. The approved budget for this entity was Shs 3.1 billion, released so far is Shs 817 million and a balance of Shs 2.3 million remained.

Interestingly, here, the minister says no request to transfer is being made but a saving. The information is confusing. You will need to go back to the two documents presented by the minister.

On this point, finally, the Non-Governmental Organisation (NGO) Bureau was mainstreamed into the Ministry of Internal Affairs under the Department of NGO Management and it was named the Department of Non-Government Organisations Management.

The budget for the NGO Bureau was Shs 1.9 billion; Shs 1.6 billion was released, leaving a balance of Shs 360 million. No money here is being transferred. At least, the attachment the minister brought remained vacant, but he included it.

What is the status of other rationalised agencies? I did this part before Hon. Musasizi trafficked another motion, which is now under consideration. Either way, the point here is that you are being asked to reallocate money for 13 agencies, 12 above. What about the following that were also rationalised? That is the question I was asking before this motion was brought and I have listed them.

Accepting to process the 13 today - you will be asked to process others in a piecemeal manner. This Parliament must set some standards. The Ministry of Finance, Planning and Economic Development cannot turn it into their department. One single supplementary request should be tabled to facilitate this unprecedented budget revision. Please do not allow the minister to make this matter look simple because it is not, and must be careful when you are processing it.

Mr Speaker, I am done with the report. We will be making the same mistake that they are making. The committee cannot capture everything that happens when we are meeting these entities, they are all suffering.

As I said, there are entities that are supposed to be collecting money but cannot do so because they merged them. The Ministry of Public Service is yet to approve the new structure yet it brought a budget here to say it will be financed by money, including Non-Tax Revenue.

So, this chaos by the implementers of rationalisation should not be tolerated by Parliament because they will come here, persuading you that there is a crisis. I would like to thank you, Mr Speaker. That marks the end of my presentation. *(Applause)*

THE DEPUTY SPEAKER: Thank you. Honourable Minister, do you want to make some clarifications before I open the debate?

MR MUSASIZI: Thank you, Mr Speaker. I would like to thank the majority committee for the good report and also thank Hon. Ssemujju for his in-depth analysis of the motion I moved.

For the record, I do this work on behalf of the Ministry of Finance, Planning and Economic Development, where I am currently assigned as a Minister of State for General Duties.

Therefore, I would be very happy if you addressed me by my title, not my name, age, date of birth and other things. *(Laughter)* I feel that is going much into my personal profile. I do not take offence, but I beg my colleague to improve his reporting approach.

Mr Speaker, Hon. Ssemujju agrees with the argument I made earlier that if we are to move this money from where they have been to where we want it to be, we must do supplementary appropriation. There, I agree and that is the requirement of Article 156 of the Constitution and Section 25 of the Public Finance Management Act.

Two, he mentions about the changes in numbers –*(Interruption)*

MR OGUZU LEE: Mr Speaker, a procedural issue was raised here and the minister agreed that what we are doing is not fit for purpose. The motion before us that this House is supposed to consider requires us to reallocate, yet what should have been done was to bring a supplementary budget here and it is processed the way Hon. Ssemujju guided.

We have established, beyond reasonable doubt, that the figures this motion seeks to reallocate vary from what we approved in the Budget. We have established beyond reasonable doubt that the actors in the procurement plan, work plan and recruitment plans are going to be different.

Wouldn't it be procedurally right that after we have identified an illegality, this minister withdraws this motion and re-tables a supplementary budget? Otherwise, if we do not move that way, this Parliament will enjoin in backing up thieves and we will be selling this country. This corruption is – *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Honourable minister, I need clarification. Under

what rule are we moving because the motion is under section 19, yet the supplementary, which you have said is how we should move is under section 25? How do we reconcile the two to ensure we move in the right direction?

MR MUSASIZI: Mr Speaker, we are moving systematically in stages. Stage one is to reallocate the money, under Section 19 of the PFMA. After you have approved the motion, in order for us to access money for spending, we shall have to do supplementary appropriation and this will be moved under Section 25 of the Public Finance Management Act.

MR ODUR: Mr Speaker, two points of law have been raised. The first is that the minister presented two different motions. One motion was officially laid here and you referred it, but he had a second motion, which he did not bring here, but which he supplied to the committee.

THE DEPUTY SPEAKER: No, let me clarify that. On Wednesday, Hon. Amos Lugolobi moved a motion for what he called “the second batch”. I referred it to the committee and told them to consolidate it. I communicated it at the beginning, so there was nothing smuggled to the committee or anywhere. The minister brought it here in broad daylight.

MR ODUR: Thank you, Mr Speaker. That is where my issues now arise from. In fact, under section 19, the minister is entitled to come to Parliament to seek authorisation to transfer money from one vote to the other.

There are two operational words under section 19. “Parliament may, by resolution, authorise the minister to reallocate funds from one vote to another.”

When you interrogate the word “reallocate”, it means there must be something in existence. For you to be relocated from Kampala to Lira, means you have been resident in Kampala. You cannot reallocate a non-existent amount of money. *(Applause)*

So, the minister should be telling us that this amount of money exists under Vote 119, which

is the Uganda Registration Services Bureau and we are moving the same amount of money to Vote 137, which is the National Identification and Registration Authority.

This is not coming out clearly because the people at the Ministry of Finance - if the minister is in charge - have sought to take advantage of this Parliament to do an illegality.

The minister is entitled, at any one point, to come here and request additional money where they have a shortage. Let me demonstrate to you, Mr Speaker.

The minister seeks the amount of money we appropriated in this Parliament under URSB; for the civil registration function, is Shs 326 million. The money we appropriated under the Uganda Registration Services Bureau, under the function of civil registration for wages, is Shs 323.6 million. However, the minister is now telling us that he needs to transfer Shs 760.5 million. Where did he get Shs 436 million?

It means NIRA has realised that there is a shortfall and we had not foreseen it or the money is insufficient, which falls under the realm of a supplementary budget.

So, in dealing with this motion, we should confine ourselves to the transfer of money already voted. If the minister thereafter finds that there is a shortage in the new mandate, the minister can then come here with a supplementary budget - (*Applause*) - and we will be glad to support him in that.

On that basis, Mr Speaker, I seek the indulgence of the Chairperson and members of the Committee on Budget. I feel that it is the committee, which we entrusted with the responsibility - not that Members of Parliament who do not sit on that committee cannot do this work. Committees of Parliament are delegated to do work in trust and it must be done diligently. Therefore, for them to accept to combine, smuggle and try to hoodwink this Parliament; this committee must apologise. This is not the first time the Committee on Budget - (*Interruption*)

MR ISIAGI: Honourable colleagues, let us not mislead ourselves. The report was read here verbatim by Hon. Catherine Ndamira. On page 14 of the report, 3.1 - Transfer of funds for Civil Registration Services Bureau - I would like to repeat: the committee recommends a total of Shs 1,036,858,995 of which the wage is Shs 323.628 million and the non-wage of Shs 713 million.

When you go back to the middle, it says that the committee was informed that whereas available wage transfers to the National Identification and Registration Authority (NIRA) from Uganda Registration Services Bureau (URSB) amounts to Shs 323.6 million, NIRA requires Shs 760 million. This has resulted into a shortfall of Shs 436 million. The committee has not recommended the transfer of any extra money; there is nothing it should apologise for. (*Applause*)

The committee talks about what you are saying. It has clearly said that approve only what was budgeted for. The first paragraph states that "The committee observed that in 2024/2025, a total of Shs 1,036,858,995 was approved by Parliament, of which Shs 323.628 million was wage." That is the amount the committee is recommending for approval.

When you say that the committee is smuggling, which figure - go to the report and cite where it is smuggled. I think Hon. Odur has not understood what the committee has recommended and therefore, he does not desire an apology here.

THE DEPUTY SPEAKER: Committee chairperson, your member is giving you information.

MR ISIAGI: Mr Speaker, I think it is a rush of judgement and bias.

THE DEPUTY SPEAKER: Yes, Hon. Ekanya.

MR EKANYA: Mr Speaker, as we read our rules and laws, we should be mindful of the foundation, which is simple. These rules and

laws are made as a result of the practice of the Commonwealth, the common law.

Under the Rules of Procedure of Parliament, the Speaker is the custodian. As such, if any matter has been referred by the House to the committee and a new matter emerges in the due course, the Speaker has the authority to refer that matter, through his signature, directly to the committee without coming here. That has been the practice. The Speaker has, on some occasions, been considerate to delay referring the matter and request the minister to come here.

Otherwise, if you have a matter of reallocation resulting from RAPEX, and the Ministry of Finance, Planning and Economic Development omitted a component of another institution, the practice has been - read the Hansard - that the Speaker can direct that matter to be handled by that committee.

Therefore, there is no matter that the Committee on Budget, using the office of the Speaker, smuggled in because the practice is that all information coming from agencies is handed to the Office of the Speaker.

Secondly, the process of RAPEX has not start today. When we repealed the Acts, we transferred duties and responsibilities of some of these agencies; read the Acts that we repealed leading to the mergers. What is now left is the transfer of finances and other components.

Finally, I would like to beg the Minister of Finance, Planning and Economic Development to complete the process for the new Votes to bring the names of the accounting officers so that tomorrow when we conclude this matter, we do it completely. When we approve the resource and you have not brought the names of the accounting officers to the Office of the Speaker and be laid here, we shall again have a challenge. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I clarified to Hon. Jonathan Odur, the issue of smuggling and he understood it because the *Hansard* is clear; the minister laid on Table, there was nothing that

was smuggled. He moved the motion and we received it here.

However, I would like to ask Hon. Jonathan Odur to help me. At first, I was also coming from that angle - Section 19 of the PFMA is very clear; "*Parliament may, by resolution, authorise to reallocate funds from a Vote to another where the functions of a Vote are transferred to that other Vote.*"

Through RAPEX, we transferred the functions of the Uganda National Roads Authority (UNRA) to the Ministry of Works and Transport, and Uganda Coffee Development Authority (UCDA) to a Vote in the Ministry of Agriculture, Animal Industry and Fisheries.

I thought this was sufficient, but there came a question - if you are talking about this transfer and the ministry is supposed to warrant this money, the minister can only warrant the money provided for under the Appropriation Act and the Schedules to the Act. This means that this motion is not sufficient to amend the Appropriation Act and the Schedules of the Act. So, the minister must move another motion to amend the Appropriation Act so that he can warrant this money and move it to the entities that are allowed.

I want to first agree with my brother, Hon. Jonathan Odur - do you think that is what should be done so that we have that settled? Should we amend the Appropriation Act and the Schedules through a supplementary budget and the minister is not just given air and orders but actual money?

MR ODUR: Thank you, Mr Speaker. Before I comment, I would like to inform my brother, Hon. Ekanya that the Speaker is not Parliament of Uganda. Where, in the law it is stated that Parliament may do this, the Speaker cannot purport to be Parliament and cannot replace it. I am informing you on that basis.

Now, Section 19 already - (*Interruption*)

DR BARYOMUNSI: Mr Speaker, the Rules allow me to seek clarification because Hon. Ekanya was saying that the Speaker may refer

a matter to a committee even without going through Parliament. Are you saying that the Rules do not provide for that?

MR ODUR: That is exactly what I have said. Where the law says Parliament has to do this, the Speaker cannot sit in their kitchen or elsewhere to do that; it must be Parliament.

THE DEPUTY SPEAKER: What are you debating? (*Laughter*)

MR ODUR: I am just responding to –

THE DEPUTY SPEAKER: You are wasting my time. The matter was referred on the Floor. I never wrote or passed anywhere; it was done here. Why are you alluding as if - the public outside might think some people are defending me because I did it from the background. We did it here in broad daylight.

MR ODUR: Thank you. It is quite clear, Mr Speaker. I was just informing the Hon. Dr Chris Baryomunsi so that he is clear in his mind. My reading of Section 19 of the PFMA is that it gives Parliament and the minister a leeway to amend the Votes. That is why the sections in the Appropriations Act, if you are using this other law, are actually the Votes. Once we authorise here, we have amended those specific votes by varying those figures. There is nothing else to supply because we have already supplied.

However, if you want to follow the argument of the minister - Mr Speaker, when you are doing budget and supplies here, you must show where you are getting money from. Remember, we already supplied this money. Are we doing a resupply? Maybe first bring a motion to *di-ssupply* and then resupply. It does not make sense. That is why you are given - (*Interruption*)

MS AISHA KABANDA: Thank you, honourable colleague, for giving way. Honourable minister, when the entities ceased to be, did the votes that they were holding continue to exist or they collapsed with the entities? If the votes collapsed together with the entities, where did the money go? Shouldn't it

have gone to the Consolidated Fund? These are the things. If it went to the Consolidated Fund, is it a reallocation?

Therefore, the clarification I seek from the honourable minister is: when the entities collapsed, these votes from where you are reallocating money, did they stay standing or collapsed together with the entities? I beg to be clarified.

MR ODUR: I know the minister will answer but my understanding is that some entities continued to exist after the Rationalisation of Government Agencies and Expenditure (RAFEX). The first example is the transfer of the function of the Uganda Registration Service Bureau (URSB). The vote of URSB has remained but there is a component of a function that has been transferred to the National Identification & Registration Authority (NIRA). Therefore, both of them exist.

I also presuppose that within the first two or three months of the financial year, there was an expenditure on the side of the entity; not all the amount of money we appropriated is available for transfer. Mr Speaker, it is the minister to come and tell us that out of the Shs 10 billion we had appropriated under the Civil Registration Bureau, Shs 3 billion has been expended and now we are transferring the balance.

There are also entities that I know have ceased to exist but before they ceased to exist, there were some expenditures that they had incurred. Either way, the minister can clarify better because I do not have the figures.

THE DEPUTY SPEAKER: Honourable colleagues, let us have this settled because the minister is comfortable using it. I interrogated this deeply since yesterday. I tried to contact people here and there; I read through and perused the *Hansard*. I asked myself, can one amend an Act of Parliament by a resolution? That was the major question. Otherwise, this is under Article 156 of the Constitution. I asked, can we amend an Act by a mere resolution? Yes, Hon. Katuntu.

4.20

MR ABDU KATUNTU (Independent, Bugweri County, Bugweri): Thank you very much, Mr Speaker. I have been attentively listening to honourable colleagues submit on this issue. Allocation is under the Public Finance Management Act and appropriation is under the Appropriation Act. You can never amend an Act indirectly. You can only amend it directly.

Therefore, you must first allocate and then appropriate. That is why, section 20, which is now section 19 does not talk about appropriation. It talks about reallocation. After you have done the allocation, you go to appropriation. I do not know where this debate is coming from.

Allocation and reallocation do not mean appropriation. They do not. These are different things in finance and so, in law. What we are doing now - the motion seeks to reallocate. It does not seek to appropriate. There is no way money will move from the Consolidated Fund without appropriation. It is as basic as that. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Hon. Rose Obigah.

4.21

MS ROSE OBIGAH ROSE (NRM, Woman Representative, Terego): Thank you, Mr Speaker. As we hold this particular item, people's children have not gone to school. Since November, staff in the affected entities have not been receiving salaries. It is so terrible. If you go to the National Women's Council, the board that should have seized is busy now operating as the staff is seated behind.

Mr Speaker, as we handle this particular item, let us be aware of the quorum we have. Can we kindly ascertain if we have quorum in this House? Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I do not need to ascertain quorum on the debate. Quorum can be ascertained at a time of decision-making.

During debate, the rules do not require me. The LOP wanted to say something.

4.22

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Mr Speaker, the beauty of the law is that it is generally clear. Section 19, formally section 20 of the Public Finance Management Act is about the reallocation of funds from a vote. Let me read it verbatim. It says, "*Parliament may, by resolution, authorise the minister to reallocate funds from a vote to another vote where functions of a vote are transferred to that other vote*".

Hon. Aisha Kabanda raised a critical question: do these votes still exist? My submission is that they do not because we passed the RAPEX Bills here. When an entity ceases to be and that Bill has been assented to, you cannot say that that entity still is. For that matter, you cannot say that that vote still exists. That money goes back to the Consolidated Fund.

Mr Speaker, an example: when the finance ministry sets a target for the Uganda Revenue Authority (URA) to say this financial year, you are going to collect Shs 30 trillion, it is possible by some kind of miracle that URA could collect Shs 40 trillion and so, there will be excess money. You have got to come back to Parliament and we determine how we make do with that money.

Mr Speaker, Section 25(1) of the Public Finance Management Act says, "*Where in respect of any financial year, it is found that the amount appropriated by an Appropriation Act is insufficient, or that a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Appropriation Act, a supplementary estimate showing the amount required, shall be laid before Parliament*". Let me wait for the Speaker and the finance minister -

THE DEPUTY SPEAKER: LOP, I would like to make a request. Is that okay?

MR SSENYONYI: Yes, but maybe let me finish this statement, Mr Speaker.

THE DEPUTY SPEAKER: Please LOP, I am going to suspend the House for ten minutes and I request the Minister of Finance, Planning and Economic Development, Chairperson of the Committee on Budget, the Shadow Minister of Finance, Planning and Economic Development, the LOP, the Chairperson of the Committee on Rules, Privileges and Discipline, the Attorney-General and the acting shadow Attorney-General to have a very quick meeting so we can reconcile this issue.

The most important question we are trying to reconcile is simple: if the resolution we are going to make on reallocation has no impact and cannot be implemented to allow the minister to get money, why should we have it? That is what we need to agree to so as to know the purpose of the resolution, if we are to adopt it.

We must know if it has any purpose. If we find it has no purpose, we would be wasting time, and so, we would rather wait. But let us agree to that. Otherwise, the minister will guide us. House suspended for 10 minutes. The people I have talked about, let us meet in the Speaker's Lounge.

(The House was suspended at 3.26 p.m.)

(On resumption at 4.54 p.m., the Deputy Speaker presiding_)

THE DEPUTY SPEAKER: Thank you, honourable colleagues. We are setting a precedent. We have never handled such a situation in the House so, I had nowhere to first refer to in terms of the *Hansard* on how it was handled and all that. Therefore, it was very important for us to meet with the leadership on both sides, together with the committee leadership. We have had a fruitful discussion and have a way forward. Let me ask the Chairperson of the Budget Committee to report on what we have agreed.

4.55

THE CHAIRPERSON, COMMITTEE ON BUDGET (Mr Patrick Opolot-Isiagi): Thank you, Mr Speaker. Colleagues, the caucus resolved that – *(Interjections)* - this very one, which was appointed by the Speaker

a few minutes ago. The members are known to all of us.

We propose and pray that we adopt the resolution for the motion proposing to allow the minister to go ahead to do the reallocation. That is what the committee resolved.

THE DEPUTY SPEAKER: Thank you. Colleagues, once that is done, tomorrow the minister will come up with a proposal for concluding the appropriation process. It would then be very clear that the Committee of Supply and the supplementary would be handled. Yes, Hon. Oguzu Lee –

4.57

MR DENIS OGUZU (FDC, Maracha County, Maracha): I think it was wise that you constituted a committee to go and discuss. However, one thing that must be clear is that the committee cannot resolve on our behalf.

THE DEPUTY SPEAKER: No, we have proposed. Please, Hon. Oguzu Lee, first listen. I do not know why people want to blow up a storm in a teacup. I told the committee chairperson to report on the proposal. The resolution is by putting a question and Members voting on it, so I cannot say, we have concluded. If you object or if you want to contribute, contribute honourable Member, but without –

MR OGUZU: I think that allays my fear because I thought the matter is concluded. I am here to disagree with that position. The grounds are that the matters we are dealing with are clearly provided for in the law. If Parliament wants to change how these things must be done, it must first of all amend the law.

The issue of reallocation, which you want us to approve, is provided for and the section was well-cited. It says you can only move money from one Vote to another. We have established that the Vote from which they want to move money does not exist. So, where are you going to move this money from? Are you going to steal it? Is it in the air? Where is it coming from? That is a point which must be clarified.

Secondly –

THE DEPUTY SPEAKER: Colleagues, give your colleague a chance to submit then you can have your time to submit, please. Honourable Member, you are protected.

MR OGUZU: Secondly, Mr Speaker, the Budget we approved, from which resources have been moved, was approved on the basis of procurement plans and work plans, which were presented. I will give an example of the Uganda National Road Authority (UNRA). The UNRA budget had structures within which the budget would be implemented. An example is a procurement manager. The details in the procurement plan -

Now, if you move the money of UNRA to the ministry and yet the ministry has a procurement manager, what is going to happen when you detect differences in payment that result in variation in the figures, which was observed in this report? *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Hon. Onzima.

4.59

MR GODFREY ONZIMA (NRM, Aringa North County, Yumbe): Thank you, Mr Speaker. I stand to support the proposal reported by the committee chairperson. I agree with the fact that whatever resolution we are supposed to approve is to alert Parliament that there is available money, which money is supposed to be moved.

This money cannot be moved through this resolution. It is just like a situation where there is excess money which is got in terms of, say, suppression or maybe what they can call repurposing. This kind of money cannot be reallocated through a resolution like this. The best thing would be to come back with a Bill to appropriate this money.

If we go ahead and approve this proposal, it is merely to alert Parliament or Members that there is available money. For example, the money for the entities which have been rationalised is dormant. If this money is to be moved to the ministries where it is supposed

to go, it cannot be moved through a resolution. This means there is excess money which is being realized. Parliament can only come back through appropriation.

Therefore, I support this position that we approve this resolution. After approving it, the minister can come back with the official appropriation. I agree with you, Mr Speaker.

THE DEPUTY SPEAKER: Hon. Fox Odoi -

5.01

MR FOX ODOI-OYWELowo (NRM, West Budama North East County, Tororo):

Thank you, Mr Speaker. I will address two issues: the first is by way of introduction. I commend you for constituting a small committee to consult over this matter. It adds value to the processes by narrowing the gap, by synchronising the points of disagreement and proposing a way forward.

This is an age-old practice in Commonwealth Parliaments. When you have a disagreement, you talk across the political divide and you make progress. This country is ours and we cannot take fixed positions. The reason we come here is basically to talk to one another and not to talk at one another.

That said, Mr Speaker, I also rise to support the proposal of the subcommittee because it is good in law. The processes we are going through are two-tier. The first tier is the requirement of Section 19 of the Public Finance Management Act; a resolution of Parliament to authorise the minister to reallocate funds.

The second tier is supply. These processes are all good in law and one is not complete without the other. After the first process, which is a resolution - I invite you, honourable colleagues, to vote in favour of this resolution - we then reconvene and supply funds to the ministries proposed by the minister. That is still our mandate and there is nothing we have lost. I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you, honourable colleagues. I put the question

that the motion to authorise the Government to reallocate budgets for the Financial Year 2024/2025 and revise work plans for institutions affected under the Rationalisation of Government Agencies and Public Expenditures (RAPEX) reform be adopted.

(Question put and agreed to.)

Motion adopted.

THE DEPUTY SPEAKER: Next item.
(Member rose) Just a comment -

5.04

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Mr Speaker, just to clarify because there might be – we have passed the motion allowing the Minister of Finance, Planning and Economic Development to reallocate. At Parliament, we are gatekeepers and we are going to wait for him to follow all the tenets of the law. We have not said, go and do whatever it is that you want to do. Reallocation, alright, but within the law as we have prescribed here. I just thought that clarity should come out.

5.05

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Mr Speaker. I would like to give comfort to this House; you have authorised us to go and do reallocation and because of the urgency of the matter, we are going to work throughout the night, line by line. We will analyse Vote by Vote, and tomorrow, we shall come here in the afternoon with our proposals on how and where we would like to move this money. The figures will be very clear for both the House and the public. There is nothing we are going to do in hiding. I want to allay your fears, colleagues. Everything will be done in a transparent manner. I thank you.

THE DEPUTY SPEAKER: Thank you, honourable minister. Next item.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
RULES, PRIVILEGES AND DISCIPLINE
ON THE REVIEW OF THE RULES OF
PROCEDURE OF PARLIAMENT

5.08

THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Abdu Katuntu): Thank you very much, Mr Speaker. I do not know whether the House is in the mood to receive this, but I hope it is.

This is the report of the standing Committee on Rules, Privileges and Discipline on the review of the Rules of Procedure of Parliament.

I beg to lay on the Table the minutes of several meetings held by the committee plus the original report together with the minority report.

The report itself is around 100 pages, but the amendments are also around 23 pages. We are talking about a 123-page report. Whereas the rules provide that we read the report before we go into Committee Stage to handle the proposed amendments one by one, I request - because the report is very big - that I do a summary of the major report and then the debate actually takes place during the Committee Stage because we would be handling particular amendments. This is such that Members do not make a general comment then they repeat the same arguments when we are going for the particular amendments. That is if that is comfortable with the Members. If it is not, then I beg for your patience to read the whole report.

THE DEPUTY SPEAKER: I think that would be the right way. I will give Members a chance when we are handling rule by rule. Members can debate at that stage so that we tackle one rule, finish it and then move to another other than first having general comments, moving around and then we go back to Committee Stage and we repeat ourselves. But we will give it enough time.

MR OGUZU: Mr Speaker, I need your guidance. There are matters which this House

was considering and they were premised on the rules as they are. Some of the proposals being considered in the rules may affect people who moved under those rules. What is going to be the fate of such Members or issues which were raised under the proposals? I want to understand that.

THE DEPUTY SPEAKER: Committee chairperson, did you propose savings?

MR KATUNTU: Our Rules of Procedure are like the law; it takes effect after it has been pronounced. If there was an issue which was before this House, it can only be covered under the rules as they are. Therefore, there can never be any confusion.

THE DEPUTY SPEAKER: Committee chairperson, you would have amended our rules to apply retrospectively.

MR KATUNTU: That can be proposed but we did not propose a retrospective effect of the rules.

THE DEPUTY SPEAKER: No, what I am saying is simple. The honourable has said, a Member moved under rule (a), you have amended that rule (a) and now the rule that applies to the subject matter is, for example, rule (c). What would happen?

I was asking that, did you propose, for example, to say we save the business that had been moved under these other rules? This is a matter of the law. Let me first allow the chairperson of the rules committee to help us.

MR KATUNTU: We did not address ourselves to that but it is not too late. At the end of the amendment, we can have that retrospective resolution.

THE DEPUTY SPEAKER: Thank you. Chairman, let us receive the report.

5.12

MR SILAS AOGON (Independent, Kumi Municipality, Kumi): I happen to have that fear and I am happy that my brother raised his

concern. Specifically, I raised a question here on handling of the National Legal Aid Bill. The rules - under Rule 121, I think. I do not have my book here – say that if a committee fails to deliver a report to the Floor, and the time that was given by the House has elapsed, the House has the right to proceed as though the report has been considered by the committee.

In the event that, that particular clause or rule is affected, what is going to happen? That is the question. We, the Members of Parliament, do not take this lightly because it can wound us. All the efforts that we have put in this can be put down in one evening. That is a serious issue.

We would be happy that we agree that such a clause or provision is saved and that whatever is being affected now, we allow for it to be disposed of and not caught up by these movements. Thank you.

THE DEPUTY SPEAKER: The chairperson really guided very well on that. Let us move. Chairperson, please read the report.

MR KATUNTU: Thank you very much. I really did not want to pre-empt the debate or even the report. Mr Speaker, the background to the current review of the Rules of Procedure.

On 9 January 2024, during a plenary sitting, hon. Joseph Ssewungu, MP Kalungu County West, raised a procedural concern regarding the designation of a member of the ruling party as Chairperson of the Committee on Human Rights. He argued that given its function, the Committee on Human Rights should be classified as an accountability committee, which by tradition, should be chaired by a member of the Opposition. I will go to the conclusion.

Conclusion

In response, the Rt Hon. Speaker directed the Committee on Rules, Privileges and Discipline to conduct a comprehensive review of the Rules of Procedure, excluding Rules 7 and 8, and report back to the House within two months.

Mr Speaker, 1.4 covers the objectives of the review being:

- a) To identify and address gaps noted from the implementation of the Rules of Procedure of Parliament for satisfactory functioning and efficient transaction of business of the House and its committees.
- b) To align certain rules with the Constitution and other applicable laws, taking into account the court decisions that have impacted on the procedure of the House and its committees.
- c) To codify the well-established practices of the House and rulings of the Speaker, where applicable, in line with Rule 8(2) of the Rules of Procedure, and
- d) To introduce new procedures aimed at enhancing the operational efficiency of the House and its committees, drawing from best practices from other Commonwealth countries.

The committee employed a participatory approach inviting a wide range of stakeholders to submit proposals for the amendment of the rules. Mr Speaker, these were the ones who were invited:

- a) The Government Chief Whip
- b) The Chief Opposition Whip
- c) All political party whips
- d) The Dean of Independents
- e) Chairperson of Uganda Women Parliamentary Association (UWOPA)
- f) The Attorney-General
- g) The chairpersons of committees
- h) All representatives of special interest groups; youths, older persons, persons with disabilities and workers, Uganda People's Defence Forces Whip,
- i) All Members of Parliament and the Clerk.

However, the committee received written memorandum from only the following:

- a) The Government Chief Whip,
- b) Former and current chairpersons of

committees: Dr Abed Bwanika, Dr Charles Ayume, Hon. Sarah Kayagi, Hon. Alex Niyosaba.

- c) Members of Parliament who contributed: Dr Michael Lulume Bayigga, Hon. Abdulhu Byakatonda, Hon. Boniface Okot, Hon. Sarah Opendi, Hon. Catherine Akumu Mavinjina,
- d) The Office of the Clerk.

Mr Speaker, we also had a meeting with the stakeholders, who included parliamentary staff, the Principal Officer ICT, and the parliamentary Department of Official Report.

We reviewed a number of laws and there was a study of parliamentary procedure texts and these were the observations and recommendations.

Definition of certain terms used in rules

Mr Speaker, we looked at some of the terms used and revised their definitions.

- i) "Leader of Government Business" for example, which had to be aligned with Article 108(a) of the Constitution.
- ii) "Leader of Opposition" which has to be aligned with Section 1 of the Administration of Parliament Act.
- iii) "Precincts of Parliament" which is to be aligned with Section 1 of the Parliament Powers and Privileges Act.

In addition, certain terms are currently used in the rules but are not defined. For example, "Official Record", "Hansard", "Official Reports", "Privilege", "Dignified" and "Rulings".

It is further proposed that –

- i) The definition of "Cabinet" be deleted since the term is not used anywhere in the rules.
- ii) The definition of "Whip" be broadened to enhance clarity.
- iii) The definition of "subsidiary legislation" which is proposed to be used in the Rules of Procedure be included.

The committee agrees to the proposed amendments which are aimed at enhancing clarity and ensuring consistency in the application of the rules.

Prohibition of campaign for the position of Speaker before nomination

Currently, Rule 5(3) prohibits individuals from publicly campaigning for themselves or their agents, in a manner that breaches the Code of Conduct for Members of Parliament.

The Office of the Clerk proposed an additional provision before Rule 5 to prohibit campaigns for individuals intending to contest for the position of Speaker and Deputy Speaker before their nomination.

Observation

The committee observes that the proposed amendment does not address any particular mischief and would be redundant if adopted. It is already an established electoral practice that campaigns commence only after nomination and any activity conducted before nomination cannot be regarded as campaigns anyway. The committee, therefore, objects to the proposed insertion and considers the current Rule 5 sufficient.

Seating arrangement in the House

We propose that the practice of free sitting should be explicitly provided for in the Rules of Procedure to cater for situations where seating limitations arise.

Colleagues, free seating has not been provided for in our rules. It has always been the discretion of the Chairperson when the situation arises. We propose that it is entrenched within the rules.

The rules should provide that the front rows on the right and left hand side of the Speaker be reserved for the key leaders in the House who shall be specified in the rules. This provision should remain in effect even when free sitting is allowed to maintain order, decorum and

respect for the hierarchy in parliamentary proceedings.

The practice has been that both Front Benches are swarmed by the backbenchers and we thought it is part of our practice to respect the hierarchy of our leadership. We need to leave benches on both sides of the House, not to be affected by free sitting. We are reserving them specifically for those who are entitled to sit on them.

The rules should provide that the Speaker shall ensure that each Member of the House has a comfortable seat, taking into consideration age and physical disability of a Member.

The rules should stipulate that the seats designated for Members representing persons with disabilities and older persons should be always reserved for them even when there is free sitting.

Mr Speaker, we also looked at the Parliamentary Commission. Let us look at the proposals that were made because this is quite crucial.

The committee considered a proposal by hon. Abdulhu Byakatonda to amend Rule 11(1) to include an independent Member of Parliament on the Parliamentary Commission to ensure representation of Independent Members on the Commission. *(Applause)*

The Parliamentary Commission is established under Article 87(a) of the Constitution of Uganda. It is also provided for under Section 2 of the Administration of Parliament Act and Rule 11(1) of the Rules of Procedure.

Section 2 of the Act provides that, *“The Commission shall be composed of the Speaker, the Leader of Government Business or his or her nominee, the Leader of the Opposition or his or her nominee, the Minister responsible for finance and four Members of Parliament, one of whom shall come from the Opposition and none of whom shall be a minister.”*

Section 2(4) of the Act further provides that the nomination of candidates for election to

the Commission of the four Members shall be done by the Government and Opposition sides.

The committee found merit in hon. Byakatonda's proposal considering that both the Government and the Opposition are represented on the Parliamentary Commission while Independent Members, who currently number 74 which is 14.3 per cent, are not.

However, the committee could not adopt the proposal since the composition of the Commission, as outlined in Rule 11(1), is grounded in Section 2 of the Administration of the Parliament Act, and any modification to the rule would require us to first amend the Act.

Proposal to ensure gender parity in the Parliamentary Commission

The committee considered a proposal by hon. Sarah Opendi to amend Rule 11(3). Hon. Sarah Opendi had proposed that two male and two female Members of Parliament shall be elected under sub-rule 1(f).

Currently, Rule 11(3) stipulates that at least one of the four Members of Parliament elected under Rule 1(f) must be a woman. While the committee recognises the importance of gender balance, it notes that the existing Rule 11(3) is also grounded in Section 2(3) of the Administration of the Parliament Act. As such, any modification to this rule would first require an amendment of the Act.

Need to ensure parliamentary procedure for election of the Parliamentary Commission

Section 2(4) of the Administration of Parliament Act provides that nomination of the candidates for election to the Commission of the four Members of Parliament referred to in subsection 2 shall be made by the Government and Opposition sides. The same provision is replicated in Rule 11(4) of the Rules of Procedure.

Furthermore, Section 3 of the Act provides that, "*A member of the Commission shall hold office for the duration of Parliament in which*

he or she is elected - and the word "*elected*" has been put in bold - *but shall not vacate the office until the member is nominated or elected in his or her place, as the case may be, immediately after general election.*"

The committee notes that whereas both the Act and the Rules cited above envisage the election of the backbench commissioners, what is currently being done is designation, where nominees from the parties are presented to the House for approval without election. The ruling party nominates three, while the official Opposition party nominates one, making the required number of four commissioners.

The committee observes that the current practice effectively shifts Parliament's responsibility to elect the four Parliamentary Commissioners to the political parties, undermining the spirit and intent of the law.

Additionally, the current Rules of Procedure lack a clear and detailed procedure for the nomination and election of the backbench commissioners, leading to potential ambiguity in the election, if the election were to be held.

The committee therefore proposes that the procedure for the nomination and election of the four parliamentary commissioners should be incorporated into the Rules, attached as an appendix X.

The committee notes that unlike procedures governing the election of members of the East African Legislative Assembly (EALA) and the Pan-African Parliament, which explicitly require the nomination of candidates to be made by the political parties represented in Parliament, Section 2(4) of the Administration of Parliament Act provides that the nomination of the four parliamentary Commissioners for the election to the Commission shall be made by the Government and Opposition sides.

Based on this provision, the committee proposes that the proposed appendix to the election of the commissioners should clearly stipulate that the nomination of candidates for election to the Commission be made by

Members of Parliament of the ruling and Opposition parties from among their respective members rather than directed by the political parties. This will ensure the direct participation of Members of Parliament in the nomination and subsequent election of their representatives to the Commission.

Additionally, it will prevent instances where political parties select nominees without following a proper, transparent, and democratic process.

The committee further proposes that the nomination of a candidate to the Commission be conducted in a manner that fosters competition and ensures that Members of Parliament have a sufficient number of candidates to choose from.

Accordingly, Members of Parliament from the party in Government should nominate six candidates to compete for the three positions allocated to the Government, while Members of Parliament from the Opposition political parties should nominate three candidates to compete for the one position allocated to the opposition.

The proposal to have six candidates from the Government side and three candidates from the Opposition is to ensure fairness and balance between the two sides by providing more candidates for the Opposition to choose from, considering that ordinarily, the Opposition is made up of multiple political parties, while the Government side consists of a single political party.

Once the nomination process is complete, the Government Chief Whip and Chief Opposition Whip shall present the list of nominees to the House, where all Members of Parliament entitled to vote will participate in the election of their commissioners.

The committee believes that the above procedures will ensure a transparent, competitive and participatory process that reflects the collective will of all Members of Parliament.

Election of Members of the Pan-African Parliament

The Office of the Clerk noted an inconsistency between the existing rules regarding representation in the Pan-African Parliament. While Rule 13 provides for the election of members of PAP, Rule 3 of Appendix D provides for two options: election and designation. The Office of the Clerk proposes that the two Rules be harmonised by deleting the word “*designation*” in Rule 3 of Appendix D to bring the rules in conformity with the protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament.

Article 4 of the Protocol stipulates that Members of the Pan-African Parliament shall comprise five members elected by each party.

Rule 13 currently provides as follows - I do not have to go into that, I will go to what the committee observed.

The committee notes the inconsistency between the two rules and agrees that they should be harmonised by deleting the word “*designation*” in Rule 3 Appendix D.

The committee therefore recommends that going forward, election of members of the Pan-African Parliament should be conducted in accordance with the Rules.

The committee notes further that this is a mandatory requirement which should be entrenched in the rules to guide the elections because it is mandatory since it is provided in the Protocol established in the Pan-African Parliament.

Leader of the Government of Business

The Office of the Clerk to Parliament proposed the introduction of a new Rule 14 to recognise the position and function of the Leader of Government Business in accordance with Article 108 of the Constitution to ensure clarity and for ease of reference.

The committee notes, in its observation, that whereas Rule 4 outlines the roles and functions of the Leader of the Opposition, no such rule exists for the Leader of Government Business, despite the importance of this position in the parliamentary structure and its proceedings.

The committee first of all agrees with the proposal to introduce a new rule that outlines the role and function of the Leader of Government Business like the one which provides for the Leader of the Opposition.

Realignment of the rules on Whips

The committee considered the proposal by the Clerk's office again by realigning Rule 15 and eliminating unnecessary and redundant provisions. The committee reviewed this proposal concurrently with that of the Government Chief Whip who proposed the amendment of the heading of Rule 15 to roles and functions of Whips and the introduction of a new subrule requiring Whips to publish attendance lists of all Members at the end of every quarter. However, no justification was provided for this proposed amendment.

The committee observed that the functions of Whips are currently placed under various subrules. The amendment proposed by the Office of the Clerk seeks to consolidate those functions under a single subrule, thereby enhancing clarity and also ease of reference.

The committee therefore agrees with this amendment and proposes amendment to it.

Suspension of the rules

Mr Speaker, the current position under Rule 16.2 outlines specific rules that cannot be suspended as follows: Rule 5, Rule 6, Rule 11, Rule 12, Rule 13(1), Rule 16 and Rule 98.

The proposal by the Office of the Clerk seeks to expand Rule 16.2 by adding several more rules like:

- i) Rule 10: presence of the President in the House;
- ii) Rule 2: Quorum;
- iii) Rule 88: Order in the House;
- iv) Rule 93: majority decision;
- v) Rule 107 removal of President;
- vi) Rule 108: procedure for removal of Speaker and Deputy Speaker;
- vii) Rule 109: Vote of censure against ministers;
- viii) Rule 110: Removal of a commissioner;
- ix) Rule 111: Removal of a person from office;
- x) Rule 112: Leave of absence;
- xi) Rule 118
- xii) Rule 124 - it goes up to Rule 195.

The committee noted that the purpose of the rule on the suspension of rules is to allow flexibility in the conduct of parliamentary business when stricter adherence to procedures might delay or stifle debate. This provision allows Parliament to temporarily set aside certain rules in exceptional or urgent circumstances. In the *Male H. Mbirizi* case, the Supreme Court upheld Parliament's right to suspend its own rules if a motion to do so is seconded.

However, the committee noted that the safeguard must be built into the rules by preventing potential misuse of this rule. Certain entrenched rules, especially those addressing non-derogable constitutional rights like the right to a fair hearing and the principles of democratic governance should never be suspended. These include rules on the election and removal of persons from office, quorum requirements, and voting procedures.

In the case of hon. Francis Zaake, the court ruled that suspending Rules 24, 110, 111, 175 of the Rules of Procedure during a parliamentary sitting compromised the rules of natural justice, thereby contravening Articles 228, 42, 44, 88, and 94 of the Constitution.

The court observed that while Parliament has power to make its Rules of Procedure under Article 94 of the Constitution and to suspend them under Rule 16 of this procedure,

this power is subject to the provision of the Constitution. The court held that the power to suspend the rules of Parliament is therefore not only limited by Rule 16 which lays down particular rules that must never be suspended, but also by the provisions of the Constitution itself.

The committee, therefore, agrees with the proposal to expand Rule 16(2) to incorporate more rules that cannot be suspended. This amendment will ensure compliance with court decisions and alignment with the Constitution and other applicable laws. *(Applause)*

Order of business

The committee considered the following proposals by the Office of the Clerk to amend Rule 25 –

- a) Proposal to require leave of the House before the Speaker can amend the Order Paper.

The justification provided is to cater for circumstances of an urgent nature that may require the Speaker to amend the Order Paper.

The committee disagrees with this proposal on the basis that Article 94(4) of the Constitution vests the power to determine the order of business in Parliament in the Speaker, and this includes the power to amend the Order Paper. Requiring leave of the House before the Speaker can amend the Order Paper, which responsibility is given by the Constitution, would therefore be in contravention of the Constitution.

- b) Proposal to include matters of urgent public importance on the Order Paper.

Mr Speaker, I will skip this and go straight to the recommendation.

The committee recommends that matters of urgent public importance should not be included on the Order Paper. *(Applause)* Instead, Rule 54 should be amended to provide

parameters for determining what qualifies as a matter of urgent public importance. *(Laughter)*

Rule 54 should specify that a matter must pertain to a genuine emergency that has stimulated public concern or interest, requiring immediate and urgent consideration to warrant taking precedence over other business on the Other Paper. Additionally, no single matter of urgent public importance should take more than five minutes of the House.

The above provision will ensure that only genuinely urgent and publicly significant matters are brought before the House - *(Interjections)* The reason is -

Proposal to impose timelines for placement of reports on the Order Paper

The committee observed that petitions are like any other business before the House and should therefore not be treated differently. The committee is further alive to Article 94(4) of the Constitution and Rule 25, one of the Rules of Procedure that empowers the Speaker to determine the order of business in the House, giving priority to Government business. The proposal by hon. Opendi will limit these powers.

The committee, therefore, objects to the proposed amendment and recommends that the current position in the rules be maintained.

Laying of Papers

The committee has noted instances where Members wish to lay reference or evidential materials that are not classified as papers, but due to the absence of a specific rule, such items cannot be laid.

The committee therefore recommends an amendment to the heading of Part VI to allow for the laying of not only papers but also other items on the Table. To prevent misuse of this rule, the committee further recommends that the laying of papers or items should only be done with the leave of the Speaker.

Laying of reports of the Auditor-General

Mr Speaker, I will go to the recommendation on page 24. The committee considers the above explanation satisfactory and recommends that the rules relating to laying of reports of the Auditor-General be amended to include - The proposal was to include reports to be submitted in the absence of the Speaker to the Clerk or even the Deputy Speaker.

Prime Minister's Question Time

Mr Speaker, we have some proposals on page 28. The time allocated to Rule 41 for responding to a written question during Prime Minister's Question Time should be reduced from 40 minutes to 20 minutes, while the time for responding to oral questions in Rule 41 should be increased from 20 minutes to 40 minutes.

Given that the time frame for written questions is proposed to be reduced, the number of written questions the Clerk is required to forward to the Prime Minister under Rule 41 should also be reduced from 15 to 10.

Rule 41 should be amended to require that all written questions to the Prime Minister be precise, concise and address only one matter of Government policy or the general performance of Government. Similarly, the Prime Minister's response should also be precise and concise.

Additionally, Rule 44 which provides detailed parameters for the admissibility of the questions should be strictly adhered to.

Need to prescribe time limits for the debate

Mr Speaker, the committee proposes amendment of Rule 70 to prescribe time limits for debate. Rule 70(11) currently provides as follows: *"The Speaker may, on the commencement of the proceedings of the day or on any Motion, announce the time limit he or she is to allow each Member contributing to debate and may direct a Member to take his or her seat who has spoken for the period given."*

The committee's proposal is driven by concerns that the existing practice where the Speaker allocates only two to three minutes for individual Members to speak has proven sometimes insufficient for the Members to make a well-researched, substantive contribution. As a result, Members are often cut short before completing their speeches, making the *Hansard* appear very disjointed.

Additionally, this has limited evidence-based debates, as Members lack adequate time to present their arguments, which in turn compromises the quality of debate.

The committee recognises that the current practice is aimed at balancing two competing interests, namely; the limited time available vis-à-vis the equal rights of all Members to contribute to the debate, considering the large size of Parliament, currently comprising of 557 Members. Given this context, managing time equitably across such large numbers of Members presents unique challenges to the Presiding Officer.

The committee considered its proposal concurrently with hon. Lulume Bayiga's proposal to amend Rule 70 since two are related. Hon. Bayiga's proposal was that, *"The Presiding Officer, during any sitting of Parliament, shall ensure that each party represented in Parliament is allocated time to debate on each motion/House business under consideration in Parliament."*

The justification for the proposal is to ensure equitable allocation of time and business space on the Order Paper for private business, strengthen Members' participation in the House proceedings, and strengthen Members' participation in their respective party caucuses on parliamentary business for better quality of debate.

In search of a more effective solution, the committee conducted a comparative analysis of how other Commonwealth Parliaments have managed time allocation while ensuring productive and equitable debate. We looked at what happens in South Africa, Kenya and Zambia.

Recommendations

The committee recommends that the time limits for Members of Parliament to debate be prescribed in the Rules of Procedure of Parliament.

Given the size of Uganda's Parliament and the need to ensure equitable participation, the committee proposes a standard time limit of not more than five minutes per Member. However, the Speaker should retain the discretion to adjust the time, either increasing or reducing it in exceptional circumstances, having regard to the importance of the subject matter or the number of Members wishing to contribute to the debate.

The practice has been the Speaker allocating time, but now we are trying to put it in the rules such that he acts within the rules when he is either increasing or reducing time.

Contents of Speech

There are many recommendations and cases cited. This is what we are recommending:

To preserve the decorum of parliamentary debates and uphold respect for the President as the Fountain of Honour, the rules should stipulate that it is out of order for a Member to impute improper motive to the President or use the President's name to influence debate.
(*Applause*)

The same rule actually provides for the Speaker. There is already provision for the Speaker or even other Members so we are just expanding it.

The sub judice rule

Recommendations

- a) Rule 78 should be redrafted and reorganised to clearly define the circumstances under which a point of order, procedure, privilege or information may be raised in the House. This is to ensure clarity and to ease enforcement.

- b) A new subrule should be introduced stating that it is out of order for any Member to interrupt proceedings on a point of order or procedure, without citing the specific rule being breached.

Mr Speaker, the practice has been for Members to rise on procedure when there is nothing procedural about what they are talking about. Actually, they rise to access the microphone and con the Presiding Officer. It is a point of procedure but there is no procedure being raised. I thought we needed clarity regarding the circumstances under which you rise, and please rise by the proposals we are making.

- c) The Presiding Officers should strictly enforce the requirement that a Member rising on a point of order or procedure should cite the rule being breached to prevent abuse of the rule.

Parliamentary dress code

Hon. Dr Ayume proposed something on the dress code. It is quite long, but this is the sort of thing we came up with.

Rule 82 on dress code for male Members should be amended by including a cravat and flaps as an alternative to a tie. Cravat and flaps - Look at what the Speaker is wearing. That is not a tie.

THE DEPUTY SPEAKER: You people are not looking at me. (*Laughter*) I can see those who are not complying.

MR KATUNTU: A pair of long trousers with a jacket, *kanzu* and a jacket, safari suit and decent traditional wear should be removed from the rules. The only acceptable dress code for Members should be a suit, shirt and tie. This will uphold decorum and ensure consistency and uniformity in the dress code for Members of Parliament - (*Interjections*) Honourable members -

THE DEPUTY SPEAKER: Order, honourable colleagues.

MR KATUNTU: Honourable members, the practice has been that people come with all sorts of curtain materials – (*Laughter*) - and you ask, “Is this a Parliament?” So, we need to realign this, for purposes of the decorum of this House and we are making proposals.

- i) Rule 82(1)(b) should be amended by including the term “decent” in subrule (b)(i), (ii) and (iii). Additionally, the terms “decent” and “dignified”, which are currently used in the rule, should be defined to foster a clear understanding of the standards of decency expected of Members of Parliament; and
- ii) The phrase “decent traditional wear” causes a little bit of a problem. What amounts to decent and traditional wear?

Dress code for UPDF

Rule 82(a)(v) and (b)(vi) permit male and female Members of Parliament representing the UPDF to wear military attire. The committee notes that the official attire for UPDF was gazetted in the Uganda Gazette of Vol. CXII No. 46 of 2019 and this includes the Kaunda suit, ceremonial uniform, battle dress (combat) uniform and MULTICAM combat uniform, among others. The Gazette provides a detailed description of these uniforms and specifies that combat uniforms are intended for UPDF operations.

However, the committee has observed instances where certain Members representing the armed forces have worn combat uniforms while attending parliamentary proceedings. The committee finds this inappropriate, since such attires carry the connotation of a battlefield. (*Applause*)

The committee, therefore, discourages the practice of wearing combat uniform during parliamentary proceedings. (*Applause*) We are, therefore, making proposals for the dress code of Members of the UPDF. Actually, the current proposal we are making is exactly what the honourable members are wearing, but not the other combat - they call it “*madoa doa*”. That one is when they are defending us out there.

Sanctions for breach of the parliamentary dress code

Mr Speaker, the committee recommends that the rules stipulate that a Member attending the House or committee who fails to adhere to the prescribed dress code should be cited for being out of order. The presiding officer should then order the Member to immediately withdraw from the House or committee and return only when dressed in accordance with the rules.

Order in the House

We are making proposals that a new Rule 88A should further be broadened to include publication, disclosure of a committee report, evidence or a document received by a committee before presentation of the committee report to the House.

I think this one is very important. Let me just go through it, because I do not want Members to be caught by the rules.

Rule 2.22 Order in the House

The committee considered a proposal by the Office of the Clerk to insert a new Rule 88A on gross disorderly conduct. The purpose of this amendment is to outline specific circumstances under which a Member’s conduct may be deemed grossly disorderly or referred to in Rule 88(2). The proposed amendment is as follows:

A Member commits an act of gross disorderly conduct if the member –

- i) Defies a ruling or direction of a presiding officer;
- ii) Demonstrates or makes disruptive utterances;
- iii) Declines to retract words ruled unparliamentary by a presiding officer or declines to offer an apology when ordered to do so;
- iv) Attempts to cause or causes disorder of whatever nature;
- v) Uses or attempts to use violence against a Member in the House, committee or

- within the precincts of Parliament;
- vi) Attempts to or disrupts the Speaker's procession;
 - vii) Attempts to or removes the mace from its place; and
 - viii) Deliberately gives false information to the House.

Rule 82(2) currently provides, "*The Speaker or chairperson shall order any Member whose conduct is grossly disorderly to withdraw immediately from the House or Committee for the remainder of that day's sitting, and the Clerk or Sergeant-at-Arms shall act upon such orders, as he or she may receive from the Speaker or chairperson of the committee.*"

Observation

The committee notes that the current rule does not explicitly define what constitutes gross disorderly conduct, leaving this interpretation to the discretion of the Speaker or chairperson. This leaves room for uncertainty and may result in the inconsistent application of the rules.

The committee, therefore, supports the proposed amendment, as it seeks to provide clearer guidance to the presiding officer or chairperson and Members on specific actions that constitute gross disorderly conduct.

The committee, therefore, recommends that the proposed amendment be incorporated in the Rules. The proposed new Rule 88A should further be broadened to include publication or disclosure of a committee report, evidence or a document received by a committee before it is presented in the House.

Procedure for Referral of Defamatory Statements to the Committee on Rules, Privileges and Discipline

The committee considered the proposal by the Office of the Clerk to amend Rule 91 to harmonise it with Rule 175. Rule 91 currently empowers committee chairpersons to directly refer a statement that the chairperson deems *prima facie* defamatory to the Committee on Rules, Privileges and Discipline.

However, this provision conflicts with Rule 175, which mandates the Committee on Rules, Privileges and Discipline to handle disciplinary matters referred to it either by the House or the Speaker.

Additionally, the Office of the Clerk noted that Rule 91 does not specify how defamatory statements made before the Committee on Rules, Privileges and Discipline should be handled. It was proposed that in such cases, the matter should be referred to a select committee to avoid potential conflict of interest, and ensure an independent and impartial investigation.

Recommendations

- a) The committee recommends that the procedure for referring defamatory statements to the Committee on Rules should be streamlined within the rules. Rule 91 should therefore be amended to stipulate that, a chairperson who considers a statement made by a Member against any person to be *prima facie* defamatory, to refer the matter to the Speaker who shall then refer the matter to the Committee on Rules, Privileges and Discipline. In case where a defamatory statement is made before the Committee on Rules, Privileges and Discipline, the Speaker shall refer the matter to a select committee appointed in accordance with Rule 90.

Voting rights of Members virtually present in the House

As you realise, since COVID-19, this has been an innovation and these are our proposals.

Considering that voice voting is the default method of voting in the House, and as such, most decisions are taken through voice votes, the committee recommends that:

- i) Presiding Officers should only invoke Rule 96(3) to enable Members virtually present to vote since they form part of the Quorum of the House.
- ii) The new Parliamentary Chambers currently under construction should be equipped

with appropriate ICT infrastructure to facilitate electronic voting. Additionally, the design should include individual desks and dedicated seats to facilitate both physical and virtual participation of the Members of Parliament in the House.

Censure of Ministers

I will just go to the recommendations.

- i) The rules should make a clear distinction between a petition and a motion. The petition is directed to the President while the motion is the formal procedure within Parliament.
- ii) To harmonise the rules with Article 118 of the Constitution, the rules should clearly state that proceedings of censure of a minister are initiated by a petition to the President through the Speaker, signed by at least one-third of Members of Parliament.

Therefore, the petition should be presented to the President before any motion for censure is moved in the House. After the petition has been presented to the President, the motion for censure can then be moved in Parliament.

Proposal to bar censured ministers from attending Parliament

The committee observed that the proposed amendment if adopted, would effectively amount to a *de facto* removal of a minister, which would contravene Article 118 of the Constitution. For this reason, the committee could not agree to the proposal for the amendment.

Removal of Parliamentary Commissioners – (Interjections)

THE DEPUTY SPEAKER: Honourable colleagues, those come during the debate. Here, he is reading a report. It is not his but a report of the committee. Anything to do with the report should be asked at the end, when we are debating.

MR KATUNTU: If I read the whole report, we shall take the whole day here.

Removal of a Parliamentary Commissioner

The committee recommends that the procedure for the removal of a Parliamentary Commissioner should be streamlined and consolidated under a single rule to ensure clarity, consistency and completeness. As it is now, you can find it in many other parts of the rules so we want to consolidate them.

Urgent Bills

Rule 119(1) stipulates that where upon the recommendation of the appropriate committee of the House appointed for that purpose, the House determines that a particular Bill is of urgent nature, that Bill may be introduced without publication. The Government Chief Whip proposed the deletion of the phrase, “*where upon the recommendation of the appropriate committee of the House appointed for that purpose.*”

The committee observes that the phrase, “*whereupon the recommendation of the appropriate committee of the House appointed for that purpose*” defeats the urgency for the Bill. In particular, no committee has ever been appointed for that purpose, anyway.

The committee, therefore, agrees with the proposed deletion and recommends the determination of the urgency of the Bill should rest solely with the House. It does not have to go through another committee to determine whether it is urgent or not.

Membership of committees

The Rt Hon. Speaker, while directing the committee to review the rules, emphasised the need to specify the number of members constituting a committee. The committee considered this together with the proposal by the Office of the Clerk to reinstate the upper and lower limits on the membership of committees, which were removed during the previous review. The Office of the Clerk

proposed a minimum of 30 and a maximum of 40 members per committee for sectoral and standing committees except for the Business Committee, Budget Committee and Appointments Committee.

We go to the recommendation: Considering that there are 470 Members of Parliament eligible to serve on committees, excluding Speaker, Deputy Speaker, Vice-President, Prime Minister and ministers, the rule should specify the membership of committees except for the Business Committee as follows:

- i) All committees except the Budget Committee should have a minimum of 20 and a maximum of 40.
- ii) For the Budget Committee, no lower limit should be prescribed. However, the upper limit should be adopted at 60, including chairpersons of committees because they are ex-officio members. To add another 30, it becomes an 80-member committee. It does not make sense. I do not know how many there are now.

Voting rights of chairpersons on the Budget Committee

I do not want to go into the history of the Budget Committee and whether chairpersons of committees have been treated as real members of the Budget Committee. Mr Speaker, I am sure all Members of this House know what has been happening.

We now recommend that the rules should expressly provide that chairpersons of committees are full members of the Budget Committee with voting rights to enable them to effectively participate in decision making.

Representation of special interest groups in leadership of committees

There were proposals and these were recommendations. The committee recommends that Rule 157(4) be amended to specify that it is the responsibility of political parties when designating a chairperson to ensure that at least

40 per cent of committee leadership positions are women.

Additionally, the rule should stipulate that political parties should as far as feasible include representation of other special interest groups in the leadership of committees to ensure balanced representation and promote inclusivity.

Leadership of the Committee on Human Rights

We went through a lot, but this is our recommendation. The committee recommends maintaining the current status quo where the Committee on Human Rights is chaired by a member of the ruling party *—(Interjections)—* there are justifications.

Mandate on the Rules of the Committee on Rules, Privileges and Discipline

These are the recommendations:

- i) Rule 175(1) should be amended to empower the Committee on Rules, Privileges and Discipline, to review the Rules of Procedure of Parliament of its own volition, in addition to considering proposed amendments by Members and other committees or the House.
- ii) The mandate of the committee on matters of contempt of Parliament, breach of privilege and discipline should remain as it is in the current rules. Disciplinary proceedings should only be initiated upon a referral by the House to preserve the committee's independence and impartiality in handling such matters.
- iii) The mandate of the committee should be broadened to include proposing amendments to the rules to give effect to the rulings and decisions of the Speaker.

The mandate of the Committee on Science, Technology and Innovation

The committee therefore recommends that rule 186, which currently creates a contradiction

in the rules of assigning the committee on Science, Technology and Innovation (STI) budgetary responsibilities which are meant for the Committee on Presidential Affairs be deleted from the rules. There has been a conflict of roles by both committees.

Designation of parliamentary commissioners to the committees

Recommendations:

To safeguard the objectivity, impartiality and independence of the committees, the committee recommends that the rules should explicitly prohibit the designation of parliamentary commissioners to the Committee on Legal and Parliamentary Affairs.

The reason is that the commissioners appear on that committee, and yet, it has been a practice that the commissioners are members of the Committee on Legal and Parliamentary Affairs. I think we should specifically prohibit that.

The restructuring of the Committee on Physical Infrastructure

The committee recommends the restructuring of the Committee on Physical Infrastructure into separate committees as follows:

- a) Committee on Physical Infrastructure covering works and transport,
- b) Committee on Lands, Housing, and Urban Development covering lands, housing, urban development and physical planning.

It has been an elephant of a committee, and the bigger it is, the more inefficient it becomes.

Quorum of Committees

To enhance clarity and ensure certainty, the committee recommends that the phrase, “unless the House otherwise directs”, be deleted from Rule 197.

Committee reports

The signing of the committee reports.

Honourable colleagues, we have some significant proposals we are making. Mr Speaker, allow me to read this because we are proposing a fundamental change here.

Rule 204 stipulates that a report of a committee shall be signed and initiated by at least one-third of all members of the committee and shall be laid on the Table. This is a mandatory requirement.

However, the committee has noted instances where some members fail to sign either the majority or the minority report, effectively excluding themselves from the decision-making process of the Committee.

This practice has led to undesirable situations where chairpersons are forced to seek signatures from members, creating the false impression that the report is solely the Chairperson’s responsibility, which is not.

The committee underscores that it is the duty of every member to not only attend meetings and engage in discussions but also to participate in the decision-making processes of the committee, which is expressed in a committee report.

While the committee recognises a member’s right to abstain from signing the report for valid reasons such as conflict of interest under Rule 94. It is important that such abstentions are documented.

A member wishing to abstain should make their decision known so that it is recorded in the committee’s minutes and report. This will foster a sense of accountability and reinforce the principle of collective responsibility and decision-making.

Chairpersons of committees are having a problem chasing for member signatures. Mr Speaker, for a committee of 30 members only eight have signed the report. The rest, there is

no minority and majority report. Where have the rest been?

We are proposing this:

- a) The rules should expressly require a committee report to include a list of members who signed both the majority and minority reports, those who abstained and those who neither signed a report nor abstained.
- b) It should be a requirement under the rule that a Member who neither signs a report nor abstains provides a satisfactory explanation in writing to the chairperson of the committee which shall be attached to the committee report. If the chairperson finds that the explanation provided is unsatisfactory, the matter should be referred to the Speaker for appropriate action in accordance with Rule 85A.

Gone should be the days when a Honourable Member does not attend, he cannot be accounted for. This is about accounting for your members.

We are trying to save the chairperson the burden. Sometimes, the committee clerk calls, and chairpersons chase members to come and sign.

Therefore, every member will be accounted for in that report. If you abstain, it will be stated that X abstained. If he is out of station on official duties, it will be noted.

Quorum for committee reports

The committee recommends that the term "committee report" be defined as a rule to mean both a majority and a minority report, as stipulated in rule 205 of the Rules of Procedure.

The committee report had not been defined. We have now defined it as a committee report. Like it has been stated here, there is only one report of the committee. Even the minority report is part of the report. So, we are now defining it in the rules.

Joint committee assignments

Recommendations:

- a) The rules should explicitly provide for the consideration of matters by more than one committee and prescribe other models for handling such assignments.

Mr Speaker, there are instances where matters have been referred to a joint committee but it is not provided for in the rules, so we are now providing for it.

- b) The committee assigned to jointly consider matters should function as a unified body rather than two separate committees.

Accordingly, the Speaker should appoint a Chairperson and a Deputy Chairperson from amongst the chairpersons of the committees involved.

- c) According to rule 197, the quorum of the committee is one-third of the total number of members on the committee. Therefore, quorums should be one-third of the total membership of the committee to ensure balanced representation. One-third should be as far as is practical, consisting of an equal representation from each of the committees involved.

- d) The committee should submit a single report, which should be tabled and presented by their chairperson, except where there is a minority.

Establishment of a committee on subsidiary legislation and post-legislative scrutiny.

Mr Speaker, we have enacted many legislations, and we have tasked the ministers to come up with the statutory instrument, but many of them have not. So, we are putting a committee to follow up;

- a) To track and report on statutory instruments required to be laid before Parliament but which have not been laid,

- b) To scrutinise statutory instruments laid before Parliament and report to the House whether the powers delegated by Parliament are being properly exercised within the scope of such legislation.
- c) To cut out post-legislative scrutiny, including monitoring the implementation of laws passed by Parliament.
- Publication of evidence and committee reports
- a) The committee recommends that the Rule should be restricted to prohibiting the publication of a report and evidence before the report is laid in the House, and a headnote of the Rule should be amended to reflect these two aspects of the rule.

Absence in the committees

- a) The rules should specify that permission for absence from the committee should be sought in writing from the Speaker or the Chairperson, save in exceptional circumstances as the Speaker and Chairperson may otherwise permit.

This amendment will eliminate the current practice where members seek permission verbally and make enforcement difficult.

- b) A new procedure and sanctions should be introduced in the rules.
- i) If a member misses 10 sittings without permission, the Chairperson should refer the matter to the relevant party whip, who will issue a written warning to the member. This will enable party whips to effectively fulfil their obligation of ensuring their member's attendance at Parliamentary business.
- ii) We are trying to help the party whips do their job by the rules. If the member continues to absent himself for an additional five sittings without permission, the chairperson shall report the matter to the Speaker, who should then refer the matter to the Committee on Rules, Privileges and Discipline. This procedure will provide members an opportunity to explain.

Expenses of witnesses before committees

To ensure consistency in the application of this Rule and enhance clarity, the committee recommends that a standard format for the summons based on Section 9(2) of the Act, be included as an appendix.

- b) The consequences for breaching the Rule should be specified in the Rule. A Member who breaches the rule should be referred to the Committee on Rules, Privileges and Discipline for an inquiry in accordance with the Rules, and if found guilty, the Member should be sanctioned.

Mr Speaker, sometimes Members go and discuss the report - Before it comes here, it is out there - Even leaking it - I think this is very unprofessional and unethical.

Time frame for the committees to report

The committee recommends that the term "days" should be defined in the Rules to include "working days" except where there are constitutional or statutory limitations.

Action taken reports

- a) Ministers should be required to submit action-taken reports within two months of receiving parliamentary resolution or recommendations. This is about accountability. For matters requiring long-term action, ministers should provide progressive reports within the same time frame.

We should not work in vain, especially after taking a resolution, and yet the minister is not reporting on action taken on the resolutions of Parliament. We are therefore giving them a timeline to report within two months.

- b) The Rule should also impose an obligation on the Clerk to Parliament to transmit not only the *Hansard* but also the extracted resolution or recommendation to the relevant ministries for action. This will

enable the ministers to cross-refer with the *Hansard* to ensure the proper and accurate implementation of the resolution.

Expunging from the official record

The committee recommends the introduction of a new sub-rule under Rule 229 to specify the procedure for expunging content from the official record. This rule should stipulate that when a remark or statement is expunged, all references or debates related to that expunged remark or statement should be deleted to maintain the chronological flow of the *Hansard*.

If the presiding officer has ordered for expunging, do not refer to it, because you will be referring to it, and yet it is not in the *Hansard*.

The only remaining entry in the record should be the Speaker's order for expunction, and this procedure should apply to both the text and the audio-visual format of the *Hansard*.

Broadcasting

The committee concurs with the proposed amendment which seeks to formalise the existing practice of broadcasting the proceedings of the House and its committees on various digital and social media platforms.

There had been a proposal about what we should avail to the media to publish, and we thought we should maintain it as it is. We do not have to preside over the media by saying, "This is what we discussed and so on," although other jurisdictions do it.

Admission of the press into the House and its committees

For the above reason, the committee – there are quite a number of reasons. The committee objects to the proposed amendment as it undermines the freedom and independence of the media.

The committee, however, proposes the deletion of the phrase, "any other press person" in Rule

233 - I think I would rather read the whole of it, because the press might say we are –

The Office of the Clerk to Parliament proposed an amendment to Rule 233, requiring Parliament to provide a live feed to accredited media outlets wishing to cover or record plenary sittings. The justification for this proposal was to align with Commonwealth practices, to ensure adherence to the rules on electronic coverage of parliamentary proceedings as outlined in Appendix G, maintain consistency in public broadcast content, and uphold the integrity of Parliament.

The Committee interacted with the editor of the *Hansard*, who heads the parliamentary department responsible for recording and broadcasting of parliamentary proceedings. He clarified that under the proposed amendment, the media would maintain full access to parliamentary proceedings, including the ability to broadcast them live.

However, instead of recording proceedings independently, they would rely on a live feed provided by Parliament. Additionally, accredited journalists would still have unrestricted access to the press gallery for the purpose of observing proceedings and taking notes, but would be prohibited from bringing cameras or other recording and broadcasting equipment.

During deliberations, Members expressed different opinions on the proposal. The proponents of the proposal contended that similar practices are followed in many Commonwealth countries, including our neighbours Kenya, Zambia and South Africa, where external media are granted access to the chamber but are not permitted to use their own recording or broadcasting equipment. Instead, the parliamentary broadcasting unit provides the media houses with a standard live feed.

The Members argued that providing a standardised feed ensures accuracy and consistency in broadcasting parliamentary proceedings, reducing risks of distortion, misrepresentation, sensationalisation, and biased recording.

They emphasised the importance of safeguarding the dignity and decorum of Parliament, particularly in an era of rapid technological advancement and artificial intelligence, where the potential for content manipulation is significantly heightened.

The proponents further argued that a standardised live feed promotes inclusivity by guaranteeing equal access to proceedings for smaller or less-resourced media outlets.

Opponents of the proposal however raised concerns that it would do curtail media freedom and the public's right to access to information — which are fundamental human rights enshrined in the Constitution of the Republic of Uganda, specifically Articles 29 and 41. They argued that requiring the media to rely exclusively on the standard live feed for parliamentary proceedings would create an opportunity for content to be edited before dissemination, depriving the public of adequate and unfiltered information.

Additionally, the Members contend that prohibiting journalists from bringing electronic devices into the press gallery would impair their ability to work effectively and could be perceived as a deliberate effort to shield Parliament from scrutiny.

Observations

The committee observed that media freedom is the cornerstone of democratic governance, and Parliament, as the representative body of the people, should be at the forefront of protecting media freedom rather than being seen as gagging it.

Parliament has a duty to create an environment where the media can operate freely and independently, promote transparency, and ensure unimpeded access to information. Any regulation of the media should, therefore, aim to strike a balance between preserving media freedom, maintaining transparency, and upholding the integrity and decorum of Parliament.

The committee knows that currently, Rule 233 allows admission of accredited media to the press gallery with electronic devices for purposes of and coverage. This provision grants the media the freedom to independently record and broadcast Parliamentary proceedings live.

Additionally, Parliament has established a practice of accrediting media houses to ensure professionalism and accountability in the coverage of parliamentary proceedings. The committee believes that if strictly enforced, media accreditation can serve as an adequate safeguard to preserve the accuracy, integrity and decorum of parliamentary proceedings.

Furthermore, the Editor of the *Hansard* informed the committee that Parliament currently lacks the capacity to record all parliamentary committee proceedings and, therefore, cannot provide a live feed for these committee meetings. Therefore, if the proposed amendment were adopted, it would only apply to the proceedings in the House. The committee is of the view that it would be inappropriate to have different media coverage rules for the House and the committees.

For the above reason, the committee rejects the proposal to amend. In our view, it would undermine the freedom and independence of the media.

The committee, however, proposes the deletion of the phrase, “any other press person” in Rule 233 to ensure that only accredited members of the press are allowed in the press gallery - not any other member because you do not have control over any other person who comes and says, “I am a member of the press.” If you are a member of the press, you must go through the accreditation process and that will help to ensure that those who are not professional cannot be admitted.

Additionally, the rules should require the accredited members of the press or media admitted to the press gallery to comply with Appendix G of our rules, which provide detailed rules for electronic coverage of parliamentary proceedings. These measures will ensure

accountable and responsible reporting, while simultaneously safeguarding media freedom.

Assistance to older persons' representatives

The committee agrees with the proposal that older persons face unique challenges due to aging, which may not be classified as disabilities that hinder their effective participation. So, we need to provide a rule to cater for them.

Sanction for the breach of Rules of Procedure

The committee recommends the introduction of the following sanctions in the rules. Formal warning, reprimand, an order to apologise to Parliament or the House or any person in a manner determined by the House, the withholding for a specified period of the person's right to use or enjoy any of the specified facilities provided to Members by Parliament, the removal or suspension for a specified period of the person from any parliamentary position occupied by a Member except where the procedure for such removal is explicitly provided in the rules or any other law; suspend a Member from the service of the House for a period determined by the Speaker of the House.

Additionally, the rules should explicitly state that a Member suspended from the House shall not, during the suspension period, enter the precincts of Parliament or participate in any activity of the House or committee.

Mr Speaker that ends the general report. What we now have are the specific amendments.

THE DEPUTY SPEAKER: Thank you, committee chairperson.

MR KATUNTU: Can I invite my colleague to help me? I am supposed to read both reports, but I am now tired. Can I invite Hon. Aisah Kabanda to help me read the minority report?

THE DEPUTY SPEAKER: Hon. Aisha, please proceed.

6.38

MS AISHA KABANDA (NUP, Woman Representative, Butambala): Thank you, Mr Speaker and my committee chairperson. This will be very brief. First, allow me to commend my committee chairperson for his leadership that helped condense this minority. Initially, it was a voluminous report, but because of his leadership, we kept harmonising and building consensus. I commend him for that.

Secondly, allow me to also make a disclaimer because the minority highlights the areas of dissent. This means I agree with every other thing in the major report. Allow me to make a disclaimer that one item was discussed in my absence, so I lost the locus to disagree. I could not present my view. That is the leadership of the Committee on Human Rights. I present my disclaimer over that.

Having said that, there are six areas of dissent:

1. The proposal to codify free sitting. I do not completely disagree and in the details, I will show how;
2. Timelines for reports and petitions;
3. Prime Minister's Question time;
4. Quorum in respect of Members virtually attending;
5. Dress code; and
6. Censure of ministers.

It is a one-woman's report; therefore, I have the right to summarise it. Mr Speaker, about the proposal to codify free sitting, I submit that the minority deserve protection. The Members of the majority are spread all over. I only pray that two benches be reserved for the minority so that the Front Bench has people to consult behind. I only pray for two benches. That is the only point of departure at that point.

About timelines for reporting on petitions, allow me for that particular one to read, because of its importance. The majority report rejected a proposal by Hon. Sarah Opendi to prescribe timelines for placing reports on petitions on the Order Paper, urging that such a proposal would infringe upon the Speaker's constitutional powers to determine the order of business, giving priority to the Government businesses.

In my view, Hon. Sarah Opendi's proposal does not undermine the Speaker's powers but rather ensures that petitions receive the attention and priority they deserve. It is worth noting that the Rules of Procedure already establish timelines for the consideration of specific businesses. For example, rule 144(1) requires the President to lay the Budget Framework Paper before Parliament by the 31st of December, while rule 145(3) requires the President to consider the Budget Framework Paper by the 1st of February each year.

These provisions do not diminish the Speaker's authority to determine the order of business but rather highlight the importance and urgency of the Budget. In fact, the Speaker always takes these timelines into account when scheduling business on the Order Paper. Additionally, rule 25(2), which governs the order of business in the House, gives prominence to petitions by prioritising them over several other matters.

Without infringing upon the Speaker's powers, therefore, the proposed amendment which seeks to establish appropriate timelines for the consideration and deliberation of petitions, does not tantamount to usurping the constitutional powers of the Speaker.

Furthermore, while rule 30(10) requires the committees to report back to the House on petitions within 45 days, the timeline is often not adhered to. Rule 36 further allows the Speaker to refer a petition on an urgent matter to a specific minister if it is deemed more appropriately handled by that minister. The rule does not specify a timeline within which the minister is to report back to Parliament on the petition. Rule 37 only states that the minister shall report back within the stated time, which is ambiguous.

I observe that petitions often address urgent issues requiring immediate action by Parliament. Delayed action on petitions undermines their effectiveness as a mechanism for triggering prompt parliamentary action and erodes public confidence in the parliamentary processes.

Therefore, establishing specific timelines for ministers to act on petitions and for the placement of reports on petitions on the Order Paper is essential to ensure that petitions are accorded due consideration. I, therefore, will make an appropriate recommendation when we get to the Committee Stage. It should be recalled that petitions are from people who seek immediate attention of this Parliament.

3.3 Quorum in respect to Members virtually attending

The other point of departure is quorum with respect to virtual attendance. Rule 24 provides that quorum of Parliament shall be only one-third of all Members of Parliament entitled to vote and shall only be required at a time when Parliament is voting on any question.

Additionally, Rule 24(6) stipulates that a Member virtually present in the House shall form part of the quorum of the House. The majority report noted that the committee interacted with officers from Parliamentary Department of ICT, which confirmed that voice voting for Members virtually present is not feasible, due to various challenges outlined in the report. Notably, the officers informed the committee that the varying speed in internet by the different service providers causes voices to arrive at different times, meaning that some Members might say "Aye" or "Nay" long after the matter has been concluded.

However, the officers indicated that voting methods such as roll-call and tally, electronic voting and voting by show of hands, which are outlined in Rule 96(2), are feasible for Members present. Voting has a relationship with quorum. What happens is that we sometimes say, yes, we have a quorum, including Members in virtual attendance, but yet the decision is made by saying "Aye" and "Nay". Most times the time, those people are not heard and decisions are made. Therefore, we propose that we exclude Members in virtual attendance from quorum whenever we are voting by "Aye" and "Nay".

3.4 Parliamentary Dress Code

The majority report has proposed to delete traditional wear from our dress code. I defer from them and say, *Kanzu* and jacket should be sustained. I also propose that hijab should be introduced. I have summarised that part because of time.

3.4.2 Dress Code for Representatives of the Armed Forces

The minority report proposes that the military attire for both male and female Members of the armed forces be removed from the rules. Parliament is a forum for free thought and speech yet military uniforms have a psychological effect and hinder the wearer from exercising independent judgement due to the commands and control doctrine associated with the military.

Also, military attire is often perceived as intimidating, as many people associate it with actions carried out by those in uniform. Members of Parliament and citizens that have experienced the wrath of the military, including physical harm, violent death and forced disappearances, perceive the military uniform very negatively. Such attire does not foster a conducive environment in the people's Parliament.

Moreover, representatives of the army in Parliament are equally remunerated as other Members of Parliament. There is no reason why Government should spend more taxpayers' money to buy garments for well-paid officers. This money can be saved to attend to well-deserving, underpaid servicemen. I, therefore, propose that we delete the army attire from the dress code.

3.5 Prime Minister's Question Time

I propose that the Prime Minister's Question Time should be entirely oral and written questions should go to ministers, for people that need very specific, detailed answers. My point of departure is that Prime Minister's Question Time should be oral time.

3.6 Censure of Ministers

I propose that once a minister is censured, he or she shall leave the Front Bench until the President communicates his or her action as required by the Constitution.

The rationale behind this proposal is to strengthen the censure process, reinforce the doctrine of separation of powers, and ensure that the decisions of Parliament are respected.

I observe that it undermines the principles of separation of powers and authority of Parliament for ministers who have been censured to continue appearing before Parliament in their ministerial capacity as though the censure process never took place at all. This not only undermines the authority of Parliament but also erodes public trust in the institution of Parliament.

However, the majority report rejected the proposal, urging that it would contravene Article 118(2) of the Constitution. The said article provides that "*upon a vote of censure being passed against a minister, the President shall, unless the minister resigns his or her office, take appropriate action in the matter.*" By the framing of this article, the Constitution commands the President to take action.

The Constitution, however, is silent on the timeline within which the President shall take appropriate action following the censure of the minister, as well as the consequences of the President's inaction. Parliament cannot assume that the President's silence constitutes action, because many things could lead to the silence, including withholding of information from the President.

This proposal seeks to address the current gap in the law. My understanding is that laws can be enacted to address gaps in the Constitution without violating this provision.

I, therefore, wish to propose that the rules include a suspension from the front bench of a censured minister pending the President's action. The effect of this proposal is that

the minister that is an elected Member of Parliament will assume a back bench pending the President's action, while an ex officio Member of Parliament will be suspended from the House awaiting the President's action.

Rule 89 of the Rules of Procedure provides for the suspension of Members of Parliament. This implies that any Member including ex-officio Members can be suspended. I, therefore, make recommendations that we shall go through when we go to Committee Stage.

Mr Speaker I pray that the minority report be incorporated to substitute the areas of departure in the majority report. I propose.

THE DEPUTY SPEAKER: Thank you very much, Hon. Aisha. Thank you Chairperson, Committee on Rules, Privileges and Discipline.

Honourable colleagues this is a complete overhaul and you have seen a 100-plus page report. These rules are very critical for our performance here and the execution of our duties.

I want to guide that since we have just received the report formally and it is big, take your time and read it. Then next week – we shall be informing you in advance, we will give you time for debate. We shall give it enough time. I want us to own these rules, not Members coming and saying, “You did these things in my absence” and all that. We need time. This is something we cannot rush. *(Applause)*

Yes, Hon. Jonathan?

6.52

MR JONATHAN ODUR (UPC, Erute County South, Lira): Thank you, Mr Speaker. We had a ruling that is on the record of this House that where amendments or reviews are up to a certain extent of existing legislation or rules, it is as good as making a new one. From what we see, there are so many proposals that are touching, I think, more than 50 per cent of the rules. As we retreat, I invite your attention to also consult on that matter, and we will see whether we should review or probably have

completely new rules because that is on the record here as a precedent.

THE DEPUTY SPEAKER: Thank you. I will consult on that.

Hon. Onzima -

6.53

MR GODFREY ONZIMA (NRM, Aringa North County, Yumbe): Mr Speaker, I concur with Hon. Odur. However, when you look at these amendments - we have been complaining that we have moved away from sectoral budgeting to programme-based budgeting. That will, therefore, mean that these amendments should also, particularly in relation to committees, conform to our expectation of programme-based budgeting.

I do not know whether we shall go ahead with this, and at an appropriate time, come back and amend the rules to also conform with the programme-based budgeting, particularly the composition of committees. For example, they have recommended the splitting of the committee on physical infrastructure. Ideally, under programme-based budgeting, we are supposed to have only five committees, instead of splitting more. That is the guidance I was seeking. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you, Hon. Onzima. He was the chairperson of the Committee on Public Service and Local Government.

The committee had to do its work because the rule on anticipation could not allow them to say they were not doing ABCD because they anticipated ABCD to come. Like I guided the other day, if we are to amend the rules to comply with programme-based budgeting, then we should first amend the Section 13 of the Public Finance Management Act, and the other provisions, especially on interpretation.

The Government must move. The issue of re-aligning our committees is in the government's hands, and the Attorney-General promised that he was already on it. I cross-checked with him.

He told me he had already drafted something for the ministry of finance.

I know there was a fear that we might want to open up the Public Finance Management Act so much. However, we said that we have an issue we want to sort out now. I gave a very good example. I met the team from Kampala Capital City Authority (KCCA). Members of one vote came to appear before four committees with skeletal staff. You could see that they were scattered and they said so. They did not know what to do because of how everything was dropped here and there.

Therefore, the issue of amending the Public Finance Management Act to provide for programme-based budgeting so that we align with our committees here, is very critical and we are going to ensure that finance does it.

The House is adjourned to tomorrow at 2.00 p.m.

(The House rose at 6.55 p.m. and adjourned until Thursday, 6 February 2025 at 2.00 p.m.)