**Tuesday, 6 August 2013**

*Parliament met at 2.46 p.m. in Parliament House, Kampala.*
PRAYERS

*(The Deputy Speaker, Mr Jacob Oulanyah, in the Chair.)*
*The House was called to order.*
COMMUNICATION FROM THE CHAIR

**THE DEPUTY SPEAKER:** Honourable members, I welcome you to this sitting. The Muslim community throughout the world is observing Ramadan. I wish to congratulate all Muslims in Uganda for observing this holy activity and to wish them well as they draw to the Idd celebrations.

My office, which is the Office of the Speaker, working together with the Muslim Caucus in Parliament would like to extend an invitation to all Muslim members and staff of Parliament to an Iftar dinner today, this evening Tuesday 6th August this year at the CHOGM Gardens at 5.30 p.m. This is the first time Parliament is hosting this event and I wish to declare that henceforth, it will be an annual event. Please honor this event with your presence.

Honourable members, let the records record the displeasure of the Speaker on the events that happened last Thursday and that record should be clear that what happened on Thursday exceeded, and for lack of words that can define it properly, anything reasonable in any circumstance. These rules are made before the game. That means that by the time we go to play this game, we know the rules and we must play by them. When we feign those rules, we will feign even the dignity of the House and the spirit of the people assembled in this House to conduct that simple business. We hurt the people who sent us here to represent their will; we hurt the nation. If we fail in that duty, we fail everybody.

Rules are made to be observed. Procedures are made to be observed. There is nowhere in the rules of this House where there is a gap as to what happens when certain things happen. The rules are comprehensive and holistic enough to cater for any situation. Therefore, the events of last Thursday were unjustifiable, unreasonable and let the records record my displeasure for what happened last Thursday.

Today, I intend to spell out the details of my suspension of the Members who I suspended and that is the honourable member for Lwemiyaga, the honourable Member for Aruu County and hon. Ssemujju Nganda. They are suspended from all activities of Parliament. They cannot access the precincts of Parliament; they should not even enter any gate or parliamentary buildings in this place and that includes parliamentary buildings itself and Bauman House. They should not engage in any committee activity; anything that is by the authority of this House, they should not and I repeat, they should not and the days start counting today, tomorrow and Thursday.

And if or any other day we are not able to sit on Thursday, and when that sitting is done, the honourable members on return will have to render an apology to the House. And that means they will access the House through the front door and the bars will be drawn under the rules because for the period of their suspension, they are not Members of the House. The bars will be drawn after rendering the apology from the bar as the rules dictate. The bar will be withdrawn to allow them access to the House. Those are the terms of my suspension and I truly mean business on this occasion.

PETITION BY RESIDENTS OF NAMULANDA AGAINST ROSEBUD FARM ON ENVORNMENTAL DEGRADATION

2.52

**MR JOSEPH BALIKUDDEMBE (DP, Busiro County South, Wakiso):** Thank you, Mr Speaker. This is a petition born out of Rule 29 of our Rules of Procedure of the Parliament of Uganda to the Parliament of Uganda.

The humble petitioners, the residents of Namulanda including the LCV Chairperson, Mr Matia Lwanga Bwanika, represented by I, Balikuddembe Joseph, Member of Parliament Busiro South, which is in Wakiso District state and show that:

1. The subject matter of this petition is to bring to the attention of this august House the environmental degradation of the Lutembe Ramsey wetland which serves to protect the fragile eco-system of Lake Victoria –

**THE DEPUTY SPEAKER:** Honourable member, please read the prayers of the petition to the House.

**MR BALIKUDDEMBE:** This petition born out of Rule 29 of our Rules of Procedure seeks, through the petitioners, the humble indulgence of this august House that:

“ *1. Parliament designates a committee to investigate this matter;*

*2. Parliament urges NEMA to cancel the certificate of approval awarded to M/S Rosebud Flower Farm pending fulfilment of the conditions of the certificate;*

*3. Parliament urges Government to ensure the protection of the water in Lake Victoria and all its aquatic life. And your petitioners are duty bound, will ever pray so.”*

**THE DEPUTY SPEAKER:** Thank you, that petition stands referred to the appropriate Committee on Natural Resources for expeditious handling and reporting to the House within the time frame provided by the rules. Please lay a copy on the Table.

**MR BALIKUDDEMBE:** Mr Speaker, I lay on Table a petition for residents of Namulanda petitioning Parliament as expressly brought out in the prayers. I beg to lay.

**THE DEPUTY SPEAKER:** Let the records capture that.

LAYING OF PAPERS

I) REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE AMNESTY COMMISSION FOR THE YEAR ENDED 30TH JUNE 2012

2.55

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay on Table a report of the Auditor-General on the financial statements of the Amnesty Commission for the year ended 30 June 2012. I beg to lay.

II) NATIONAL FORESTRY AUTHORITY SECOND ENVIRONMENT CAPACITY BUILDING PROJECT (EMCBP II) IDA CREDIT NO. 45040-UG, REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR YEAR ENDED 30TH JUNE 2012

2.55

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay on Table a report of the Auditor-General on the financial statements of the National Forestry Authority Second Environmental Capacity Building Project IDA Credit No. 45040-UG for the year ended 30 June 2012.

III) REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF INSURANCE REGULATORY AUTHORITY FOR THE YEAR ENDED 30TH JUNE 2012

2.56

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report of the Auditor-General on the financial statements of insurance regulatory authority for the year ended 30 June 2012.

IV) REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE BROADCASTING COUNCIL FOR 18-MONTH PERIOD ENDED 31ST DECEMBER 2012

2.56

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report of the Auditor-General on the financial statements of the Broadcasting Council for the 18-month period ended 31 December 2012.

V) REPORT AND OPINION OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF UGANDA PROPERTY HOLDINGS LIMITED FOR YEAR ENDING 30TH JUNE 2012

2.57

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report and opinion of the Auditor-General on the financial statements of Uganda Property Holdings Limited for year ending 30 June 2012.

VI) REPORT AND OPINION OF THE AUDITOR- GENERAL ON THE FINANCIAL STATEMENTS OF UGANDA WILDLIFE EDUCATION CENTRE FOR THE YEAR ENDED 30TH JUNE 2012

2.57

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report and opinion of the Auditor-General on the financial statements of Uganda Wildlife Education Centre for the year ended 30 June 2012.

VII) REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF UGANDA LAW REFORM COMMISSION FOR THE YEAR ENDED 30TH JUNE 2012

2.58

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report of the Auditor-General on the financial statements of the Uganda Law Reform Commission for the year ended 30 June 2012.

VIII) UGANDA NATIONAL ROADS AUTHORITY (UNRA) FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2012 TOGETHER WITH THE REPORT AND OPINION THEREON BY THE AUDITOR-GENERAL

2.58

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report and opinion thereon of the Auditor-General on the financial statements of Uganda National Roads Authority for the year ended 30 June 2012.

IX) REPORT AND OPINION OF THE AUDITOR- GENERAL ON THE FINANCIAL STATEMENTS OF ELECTRICITY REGULATORY AUTHORITY (ERA) FOR THE YEAR ENDED 30TH JUNE 2012

2.59

**THE CHAIRPERSON, COMMITTEE ON COMMISSIONS, STATUTORY AUTHORITIES AND STATE ENTERPRISES)(Mr Patrick Amuriat):** Mr Speaker, I beg to lay a report and opinion of the Auditor-General on the financial statements of the Electricity Regulatory Authority for the year ended 30 June 2012.

**THE DEPUTY SPEAKER:** Thank you very much. Honourable members, let the records capture those items laid under item No.4 of the agenda clauses (I) to (IX). And they stand referred to the Committee on Commissions, Statutory Authorities and State Enterprises for expeditious handling and at an appropriate time report to the House.

X) AUDIT REPORTS FOR UNDP FUNDED NATIONALITY IMPLEMENTED GOVERNMENT PROGRAMMES/PROJECTS AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST DECEMBER, 2011

2.59

**THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE (Mr Kassiano Wadri):** Mr Speaker, I wish to lay on Table the audit reports for the UNDP-funded nationality implementedGovernment programmes/projects and financial statements for the year ended 31 December 2011. I beg to lay.

XI) LAKE VICTORIA ENVIRONMENTAL MANAGEMENT PROJECT PHASE II IDA CREDIT NO. 4531-UG REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2012

3.00

**THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE (Mr Kassiano Wadri):** Mr Speaker, I beg to lay on Table Lake Victoria Environmental Management Project Phase II under IDA Credit No. 4531-UG report of the Auditor-General on the financial statements for the year ended 30 June 2012.

XII) UGANDA CANCER INSTITUTE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2012 TOGETHER WITH THE REPORT AND OPINION THEREON BY THE AUDITOR-GENERAL

3.00

**THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE (Mr Kassiano Wadri):** Mr Speaker, I beg to lay on Table the Uganda Cancer Institute financial statements for the year ended 30 June 2012 together with the report and opinion thereon by the Auditor-General. I beg to lay.

XIII) REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF LAW DEVELOPMENT CENTRE FOR THE YEAR ENDED 30TH JUNE 2012

3.01

**THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE (Mr Kassiano Wadri):** Mr Speaker, I wish to lay on Table the report of the Auditor-General on the financial statements of the Law Development Centre for the year ended 30 June 2012.

XIV) ROAD DEVELOPMENT PROGRAMME – PHASE III IDA CREDIT NO. 3976-UG AND GRANT NO. H122-UG FINANCIAL STATEMENT FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2012 TOGETHER WITH THE REPORT AND OPINION THEREON BY THE AUDITOR-GENERAL

3.01

**THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE (Mr Kassiano Wadri):** Mr Speaker, I beg to lay on Table the Road Development Programme – Phase III IDA Credit No. 3976-UG and Grant No. H122-UG financial statement for the year ended 30 June 2012 together with the report and opinion thereon by the Auditor-General. I beg to lay.

XV) REPORT AND OPINION OF THE AUDITOR- GENERAL ON THE FINANCIAL STATEMENTS OF MINISTRY OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT FOR THE YEAR ENDED 30TH JUNE 2012

3.02

**THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE (Mr Kassiano Wadri):** Mr Speaker, I beg to lay on Table the report and opinion of the Auditor-General on the financial statements of the Ministry of Finance, Planning and Economic Development for the year ended 30 June 2012. I beg to lay.

**THE DEPUTY SPEAKER:** Let the records capture those papers that have been laid from items 4(X) to (XV). Those papers stand referred to the Public Accounts Committee for expeditious handling and reporting to the House within time.

XVI) EAST AFRICAN LEGISLATIVE ASSEMBLY UGANDA CHAPTER REPORT ON THE PROGRESS MADE BY THE THIRD ASSEMBLY FROM 5TH JUNE 2012 – 12TH JUNE 2013

3.02

**THE CHAIRPERSON, COMMITTEE ON EAST AFRICAN COMMUNITY AFFAIRS (Ms Sarah Mwebaza):** Mr Speaker, I beg to lay on Table the East African Legislative Assembly Uganda Chapter report on the progress made by the Third Assembly covering a year from 5th June 2012 – 12th June 2013 presented to the committee. I beg to lay.

**THE DEPUTY SPEAKER:** Let the records capture that and it stands referred to the appropriate Committee on East African Community Affairs for handling and reporting to the House.

**MR OLANYA:** Thank you, Mr Speaker. The point of procedure I want to raise is this: We have two Order Papers in this House and we do not know which one we are following. Is it procedurally right for two Order Papers to be given out for the same sitting?

**THE DEPUTY SPEAKER:** Honourable members, there was an Order Paper which was published earlier. But after a meeting with the Speaker the subsequent Order Paper was issued. That is the final copy; I have only one and the items on it are:

1. Prayers

2. Communication from the Chair

3. Petition

4. Laying of Papers

5. Bills Third Reading

6. Bills Second Reading

7. State of the Nation Address

8. Adjournment

That is the Order Paper I have.

**MS BEATRICE ATIM:** Thank you, Mr Speaker. As it has been raised, we indeed have two different Order Papers and our Rules of Procedure state that if there is any change on the original Order Paper – as the Speaker, you had the prerogative to have done that. Now that we are in the confusion of two Order Papers, please help us and clarify. According to the original one which I saw before getting in is different from the one you are reading. Please help us and harmonise this and tell us which one to follow.

**THE DEPUTY SPEAKER:** I have just done that; I have read the items on the Order Paper which was agreed upon with the Speaker and issued as the final Order Paper for today. And I have read those items on it.

**MR WAFULA OGUTTU:** Thank you, Mr Speaker. About two hours ago, I was in a team of MPs who went to see the Speaker. And in our discussion we also discussed the Order Paper. The Order Paper that I got when I came here does not have some items on the new Order Paper. It means therefore that some new items have been put on the new Order Paper or smuggled, which is a better word, in violation of our Rules of Procedure; Rule 26 sub rule (1)(b) which says that if any new matter is to come on the Order Paper, it should come at least three hours before the sitting. I seek clarification from you, Mr Speaker, on how we should proceed regarding the two Order Papers.

**THE DEPUTY SPEAKER:** Honourable members, this is not very new. We have had situations where we have amended Order Papers from the Chair here and we have proceeded with business. I said I was part of a meeting in the Speaker’s Board Room this afternoon from about midday where the matters in the final Order Paper were discussed and released. The Order Paper I have is the one that has these items which - I did not receive any other Order Paper apart from this one.

So, this is the one I have and it has item: No. 4, Laying of papers, as I have said; item No.5, Bills Third Reading, The Public Order Management Bill, 2012; item No.6, Bills Second Reading, The Industrial Property Bill, 2009; item No.7, debate on the reply to the Address of the State of the Nation. That is what I have and item No.8 is adjournment. So if you have another Order Paper, please take the one I have just read as the final Order Paper that was issued by the House.

**MR TODWONG:** Thank you, Mr Speaker. I would like to invite my friends to read Rule 24 (6) which says: *“Any item of business standing on the Order Paper on any particular day, which has not been completed or reached on the interruption of business under the relevant provision of these Rules, shall be placed on the Order Paper for the next sitting in such order as the Speaker may decide.”*

So, Mr Speaker, we are within the Rules of Procedure. Is it procedurally right for our colleagues to start reading the rules partially?

**THE DEPUTY SPEAKER:** Honourablemembers, I have just said there was a meeting. If there was an earlier Order Paper that was released, which I have no knowledge of- Please, I was part of the meeting where this Order Paper was agreed upon and released. The Speaker’s Office does not draft Order Papers. The people who draft Order Papers must have acted on the instructions of the Speaker who was chairing this meeting. That is the information I am giving you. So the Order Paper that you have is accordingly amended to conform to the Order Paper that was released after. If you have another one that does not have these items, there is now one that does.

**MR MUSINGUZI:** Thank you very much, Mr Speaker. I wish to guide the House, through the Speaker, that a mere Order Paper should not derail the business of Parliament. If people do not have copies of the Order Paper that the Speaker is reading then we should photocopy more. Otherwise, some of us have come here for business. We have not been around and today we have come for business, let us discuss and finish the day.

**THE DEPUTY SPEAKER:** Can I have the Chairperson, Committee on Human Rights? Can we finish with item 4?

XVII) THE CHECKLIST FOR HUMAN RIGHTS

3.11

**THE CHAIRPERSON, COMMITTEE ON HUMAN RIGHTS (Ms Jovah Kamateeka):** Mr Speaker, I beg to lay a checklist of human rights compliance for the Parliament of Uganda produced by the Human Rights Committee to guide Parliament and Government in what to look for in mainstreaming human rights in laws, policies and programmes. We urge Members to use the checklist while examining -

**THE DEPUTY SPEAKER:** Hon. Member, lay the paper.

**MS KAMATEEKA:** Much obliged, Mr Speaker. I beg to lay the checklist.

**THE DEPUTY SPEAKER:** Let the records capture that. The paper stands committed to the Committee on Human Rights.

XVIII) THE REPORT OF THE DELEGATION FROM THE PARLIAMENT OF UGANDA TO THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY HELD IN BRUSSELS IN JULY 2013

**THE DEPUTY SPEAKER:** ACP hon. Rose Akol or any Member who was part of this delegation. Hon. Akol is not here so -

BILLS

THIRD READING

THE PUBLIC ORDER MANAGEMENT BILL, 2011

3.12

**THE LEADER OF THE OPPOSITION (Mr Nathan Nandala-Mafabi):** Thank you very much, Mr Speaker. I have the Order Paper here, which was delivered to my office from the Clerk’s Office and the items therein include: item No.5, Bills Second Reading, The Industrial Properties Bill. According to you, you are reading Bills Third Reading of the Public Order Management Bill. I do not control the Office of the Clerk, it is the Speaker who controls it. Our Rules say that the Speaker, after confirming the various issues, will tell the Clerk to issue the Order Paper, which will then be issued three hours –

Mr Speaker, in good spirit because what we are handling is a law, which is raising everybody’s tempers. You have heard and in fact taken action in suspending three of our colleagues. I am sure some Members want the Bill passed and others are still - In the best way for us to move, let us follow the Order Paper, which was issued earlier and which all of us have got officially. If this one has to come in, we also want to engage our colleagues across on this item you are talking about. We need to engage them because the law we are passing is for all of us Ugandans and not a few.

So, I would ask you to be tolerant and we follow the earlier Order Paper. I have also just seen this one here because I never saw it earlier. We can then handle the rest. We appeal to your inner part because the earlier Order Paper was also issued by the Speaker and you are also a Speaker. I thank you.

3.14

**THE MINISTER OF COMMUNICATION AND INFORMATION COMMUNICATION TECHNOLOGY (Mr John Nasasira):** Thank you, Mr Speaker, for the clarification about the Order Paper. I thought by the time we adjourned last week on this Bill, we were in the process of just finalising it and either because of time or the incidents that happened here, in your wisdom you adjourned the House until today. If we check, you adjourned the House until today so that we could come and complete the business of this Bill. Therefore, I do not see any reason why we should not continue with the Order Paper as it is now.

**THE DEPUTY SPEAKER:** Honourable member, were you part of the meeting where this matter was decided with the Speaker and not the Deputy Speaker? Were you part of that meeting?

**MR NASASIRA:** Yes, I was part of that meeting as a Member of the Government team that came to discuss the conclusion of the business. In that meeting, under the chairpersonship of the Speaker, it was agreed that we complete this business –*(Interjections)*– yes.

**THE DEPUTY SPEAKER:** Please, that is the meeting for which I even came late – please sit, honourable members. I even came late because I didn’t have notice for it. All I knew was that I was coming to preside over the House this afternoon. I came back late last night; I could only come to Parliament as early – I came in at about midday. That is when I came to Parliament today. I found out that there was a meeting going on. So, I went to the Speaker’s Boardroom where I found the honorable members sitting in a meeting chaired by the Speaker.

A decision was taken that this Oder Paper be issued. I sat in the office waiting for it because I didn’t find a copy of it in my office. When I got it, I matched here. That is the Order paper I have. Actually I have three copies of it. Please, please, let me now confirm to you that I was part of this meeting and in this meeting, a decision was taken and it was chaired by the Speaker. That was agreed on and that is what is on the Order Paper. If this item is not on the copies of Order Paper that you have, please amend to conform to this one.

**MS AOL:** Mr Speaker, guidance –

**THE DEPUTY SPEAKER:** Please, you cannot really all stand at the same time. This is the same thing which happened last week.

**MS AOL:** Mr Speaker, this morning, hon. Wafula Ogutu, hon. Paul Mwiru and I, went to the Office of the Speaker in good faith, to highlight on what happened last week. But also to say in good spirit that the temperatures were not yet down. *(Laughter)* However, we also told the Speaker that there was need for the two sides – those who believe in that clause 8 (b) and those who do not believe in that clause of the Public Order Management Bill, to come together outside this Parliament, to harmonise the two sides. The Speaker actually agreed on what we took to her. She told us of a meeting that we would be called for at midday. But we were not called for that meeting.

Mr Speaker, in all fairness that we received an Order Paper, which actually put off the Public Order Management Bill for today –*(Interjections)*– it put it off! I have a copy of that Order Paper. So, is it really fair that we should again push, the way we did last week? I think let us be fair. This law is going to be for all of us –*(Interruptions)*

**MR MWIRU:** Mr Speaker, I had the benefit of being a part of the team. Actually, the spirit was that as we carry our business – of course, mistakes must have happened, but it only takes the courage of a man to accept that mistakes were made. Otherwise, we cannot also sit in this Parliament to perfect our mistakes. That is why we are saying that having looked at Rule 26 (1)(b), which says that we must get copies of the Order Paper three hours to the time of the sitting - some Members don’t have offices at Parliament. They came and got the earlier Order Paper, but now we are being ambushed with another one.

So, we are seeking your indulgence, Mr Speaker, that in light of the discussions we had, I don’t see any problem with our colleagues – Mr Speaker, even the ministers accept that but they only think they must come and teach us a lesson in this House.

That is why, Mr Speaker, I seek your indulgence that in the spirit of harmony in the House and looking at our history, which features in the preamble of our Constitution, we need to, with your indulgence, to defer this matter, we engage our colleagues on the side so that we can move on as a country. But if hon. John Nasasira thinks that by suspending all of us in this House they will have achieved a point, here we are, Mr Speaker. Otherwise, my humble appeal is that you exercise the heart that you exercised last time to guide us properly.

**THE DEPUTY SPEAKER:** Please, honourable member for Gulu District, wind up.

**MS ANYWAR:** Further information. Thank you, honourable colleague for giving way. Mr Speaker, I thought we would not engage in this. Anyway, the information I want to give is that over the weekend, I was in Kitgum District, which is my constituency and the message the people there have sent to the honourable House is that this Bill must be withdrawn and we go back to them – *(Interjections)* – to consult and that is my position.

**THE DEPUTY SPEAKER:** Order in the House, Members.

**MS ANYWAR:** This message was given to be delivered to you. Thank you.

**MR PETER LOKII:** Mr Speaker, the question of withdrawing the Order Paper is not the business of Parliament now. But we seem to be getting into debating what is not even a subject of discussion now. So, is the honourable member in order to begin making reports from her constituency when we are discussing the Order Paper? Is she in order?

**THE DEPUTY SPEAKER:** Honourable members, I think I have been clear enough. The meeting that I attended issued this Order Paper and it was issued by the Speaker. I am only presiding over this House. The Order paper was issued under the direction of the Speaker and that is what I have here, “Bills Third Reading”.

**MS AOL:** Mr Speaker, I was still holding the Floor. Let me complete.

**THE DEPUTY SPEAKER:** Please, wind up.

**MS AOL:** In all the fairness, the Opposition has this Order Paper from *– (Interjections)* - we don’t make Order Papers. We got this Order Paper in good time, which was at least three hours before the sitting. We are only getting another version of the Order Paper from the House. Please, be fair to the Opposition. Mr Speaker, use your authority to be fair to this House.

**THE DEPUTY SPEAKER:** Okay. Honourable members, in the public gallery this afternoon, we have pupils and teachers of King David Education Centre, represented by hon. Ssali Baker and hon. Dorothy Mpiima in Buikwe District. They have come to observe the proceedings of the House. Please join me in welcoming them. (*Applause*)

In the VIP Gallery this afternoon, we have a former Member of Parliament, hon. Baguma Isoke. He has come to observe the proceedings of the House. And I now see the hon. Miria Matembe, but she is not on my list. She has also come to observe the proceedings. (*Applause*)

Also in the public gallery we have pupils and teachers of Uganda Martyrs Primary School, represented by hon. Kasirivu Atwooki and hon. Mable Bakeine Komugisha in Kibaale District. They have also come to observe the proceedings of the House. (*Applause*)

We also have pupils and teachers of St Gerald Primary School, represented by hon. Matia Kasaija and hon. Mable Bakeine in Kibaale District. They have also come to observe the proceedings. Please join me in welcoming them. (*Applause*)

We also have pupils and teachers of Natete Junior School, represented by hon. Ken-Lukyamuzi and hon. Nabilah Sempala, Kampala District. They have come to observe the proceedings. Please join me in welcoming them. (*Applause*)

In the public gallery we also have a delegation from Isis-WICCE International. They have come to observe the proceedings of the House. Please join me in welcoming them. (*Applause*)

We also have student leaders from St Mary’s Senior Secondary School Nkozi represented by hon. Kiyingi Bbosa and hon. Sarah Nakawunde, Mpigi District. They have come to observe the proceedings of the House. (*Applause*)

Honourable members, last week, a motion was moved for this House’s decision. I put that motion to vote by roll call and tally and you remember the events that ensued after that; we were not able to do that vote by roll call and tally. So, today we will use the voice voting mechanism to take this decision. I now put the question that the Bill entitled, “The Public Order Management Bill, 2011” be read the third time and do pass.

*(Question put and agreed to.)*

A BILL FOR AN ACT ENTITLED “THE PUBLIC ORDER MANAGEMENT ACT, 2013”

**THE DEPUTY SPEAKER**: Congratulations, hon. Members. (*Applause*)

BILLS

SECOND READING

THE INDUSTRIAL PROPERTY BILL, 2009

**THE DEPUTY SPEAKER:** Hon. Minister for Internal Affairs.

3.29

**THE MINISTER OF STATE FOR JUSTICE AND CONSTITUTIONAL AFFAIRS/THE DEPUTY ATTORNEY-GENERAL (Mr Fred Ruhindi):** Mr Speaker, I beg to move that the Bill entitled, “The Industrial Property Bill, 2009” be read the second time.

**THE DEPUTY SPEAKER:** Is the motion seconded? The motion is seconded by the hon. Member for Jonam County, the hon. Member from Makindye East and hon. Member for Katerera County. The motion is properly before the House. Would you like to speak to the motion?

**MR RUHINDI:** Mr Speaker, the Industrial Property Bill provides for the promotion of inventive and innovative activities –(*Interjections*)– it intends to facilitate-

**THE DEPUTY SPEAKER:** Honourable members, by the authority of Rule 80 of our Rules of Procedure, I accordingly suspend the following Members: the hon. Member for Soroti District, hon. Osegge Angelline, is suspended for three sittings of Parliament. She cannot access the precincts of Parliament; she cannot participate in any procedure of Parliament; she will not to participate in the committees of Parliament. She is so accordingly suspended and I hereby ask her to withdraw from the Chamber of this House.

**MR RUHINDI:** Mr Speaker, this Bill intends to provide for the promotion of inventive and innovative activities to facilitate the acquisition of technology through the grant and regulation of patents, utility models, technovations and industrial designs. It also intends to provide for the designation of a registrar, the powers and functions of the registrar and the establishment of a register of industrial property rights and for incidental and connected purposes.

Mr Speaker, this Bill is part of the commercial reform programme. Under that programme we have seen in this House the following Bills passed: the Trade Secrets Protection Act; the Higher Purchase Act; the Partnership Act; the Contracts Act; the Geographical Indications Bill; the Companies Bill (Insolvency) and many others.

This Bill is in recognition of that mission of Parliament to ensure that laws that regulate our commercial transactions are made or revived. Accordingly, this Bill is certainly in the right direction.

Mr Speaker, I beg to move.

**THE DEPUTY SPEAKER:** This Bill was referred to the appropriate Committee on Legal and Parliamentary Affairs. They have examined this Bill and they have a report.

3.36

**THE CHAIRPERSON, COMMITTEE ON LEGAL AND PARLIAMENTARY AFFAIRS (Mr Stephen Tashobya):** Thank you very much, Mr Speaker. This is a report of a sectoral Committee on Legal and Parliamentary Affairs on the Industrial Property Bill, 2009.

The Industrial Property Bill, 2009 was read for the first time on 9 July 2009 in the Eighth Parliament. It was reintroduced by a resolution of Parliament in the Ninth Parliament on 31 October 2011 and re-read for the first time on 23 February 2012.

It was referred to the Committee on Legal and Parliamentary Affairs in accordance with Rules 117 and 118 of the Rules of Procedure of Parliament.

In analysing the Bill, the committee was guided by Rule 118 of the Rules of Procedure of Parliament.

Background

The Industrial Property Bill, 2009 in part is part of the programme of reform of commercial laws of Uganda to support private sector development, commercial justice reform and to encourage private investments. It should be noted that Uganda is a member of the state of the World Intellectual Property Organisation, a member of African Region Intellectual Property Organisation, a signatory to the Paris Convention Patent Corporation Treaty, and a recognised user of the NIS Agreement on Clarification of Goods and Services. Uganda is obliged to enact this law, among other reasons, as a new engine of growth for the enhancement of social and economic prosperity.

To put it safely, this is a Bill for a law that seeks Ugandans inventions, creations or designs of inventors operating within Uganda.

In the process of analysing the Bill, the committee discussed the Bill and received memoranda from the following stakeholders: Ministry of Justice and Constitutional affairs; Uganda Law Reform Commission; Uganda Law Society; Law Development Centre; Uganda Registration Services Bureau; and Private Sector Foundation Uganda.

**THE DEPUTY SPEAKER:** Mr Chairman, what are your final recommendations on the Bill? What should the House do with it?

**MR TASHOBYA:** Mr Speaker, having observed that there is need to develop intellectual property in Uganda, the committee recommends that the government should take a lead in the development of intellectual property, by establishing special institutions for the development of intellectual property as it is the case in Kenya that has established the Kenya Industrial Property Institute.

The committee recommends that the Bill be passed into law subject to the proposed amendments.

Here, I lay on Table the minutes of the meeting and also of the meetings we had with stakeholders.

**THE DEPUTY SPEAKER:** Let the records capture the minutes of the committee meetings. Hon. Members, that is the report of the Committee of Legal and Parliamentary Affairs on the Bill entitled, “The Industrial Property Bill, 2009.”

The motion is that the Bill entitled, “The Industrial Property Bill, 2009” be read the second time. Is there any debate on the principles of the Bill? Is the House agreeable to the principles of this Bill so that we can proceed to the committee stage of the Bill?

I put the question that the Bill entitled, “The Industrial Property Bill, 2009” be read the second time.

*(Question put and agreed to.)*

**THE DEPUTY SPEAKER:** This Bill entitled, “The Industrial Property Bill, 2009” has passed for the second reading. We will be dealing with committee stage later.

DEBATE IN REPLY TO THE ADDRESS ON THE STATE OF THE NATION DELIVERED TO PARLIAMENT BY H.E THE PRESIDENT ON THURSDAY 6TH JUNE 2013

MOTION THAT THANKS OF PARLIAMENT BE RECORDED FOR THE CLEAR AND PRECISE EXPOSITION OF GOVERNMENT POLICY CONTAINED IN THE ADDRESS ON THE STATE OF THE NATION BY THE H.E THE PRESIDENT

*(Debate continues)*

**THE DEPUTY SPEAKER:** Hon. Members, this debate has taken a long time, contributions have been made, the time slotted for this particular motion has ended. I am going to ask the Prime Minister to make his reply to the general debate. That will close the debate.

3.43

**THE PRIME MINISTER/LEADER OF GOVERNMENT BUSINESS (Mr Amama Mbabazi):** Thank you very much, Mr Speaker and hon. Members - only those who are honourable.

On 6 June 2013, the President of the Republic of Uganda, His Excellency, Yoweri Kaguta Museveni, fulfilled his obligation and addressed Parliament on the State of the Nation. Last month, July 2013, Hon. Nandala Mafabi, the Leader of Opposition in Parliament, presented to Parliament a response to the President’s State of the Nation address. I wish to present the rejoinder of Government in reply to the Leader of Opposition’s response to the President’s address.

The government will not waiver from its stand of holding the Opposition to standards expected of a useful and necessary institution in any democratic society. The Opposition is expected to offer a viable alternative for the office it is vying for, other than presenting destructive criticisms that aim at collapsing the institution it vies to inherit.

 It is interesting to note the inconsistencies exhibited by the Leader of the Opposition in responding to the President’s address. For instance, in 2012, when responding to the President’s State of the Nation Address, the Leader of Opposition lambasted the President for referring to the overall performance of the NRM Government. He said that the President should limit his address to only issues that have taken place in the ending financial year. This time round, hon. Nandala-Mafabi is saying, *“The State of the Nation Address should be an honest analysis of the crisis we face, showing where we are coming from, where we are going and how we will reach there.”* In other words, hon. Nandala-Mafabi is saying that the State of the Nation Address should bring out the overall state of affairs of the nation.

We should not blame hon. Nandala-Mafabi for being capricious but should congratulate him for realising and accepting that what we said last year was the correct thing to do.

When one reads paragraph six of hon. Nandala-Mafabi’s statement, one gets a feeling that the honourable member and his group wrote their statement even before the President made his address otherwise, how else should a sober person who attended and/or read the President’s address interpret the following outrageous in hon. Nandala-Mafabi’s statement and I quote: “*The State of the Nation Address has turned into an occasion without constitutional accountability and governance imports. The President now takes it as his time to show people and remind them how far he and a few others have come as entities, rather than telling us what is in store for our children*”.

In paragraph seven, the Leader of the Opposition states and I quote, *“… this year, the President showed total disregard to the problems facing this nation.”* To a person who never attended the President’s address nor read it anywhere, these two statements above would leave an impression that maybe the President talked about things like his holiday experience on a Mombasa Beach!

Mr Speaker, allow me to make a brief summary of the President’s address so that we can judge whether there was “a total disregard of the problems facing the nation” and whether it is a tale of one man and a few others telling the nation about their personal experience.

In his introduction, the President mentioned that his main concerns, apart from peace, are *“Socio-economic transformation of our society and the economy and the integration of the African Continent.”* He mentioned the 10 strategic bottlenecks that would anchor the socio-economic transformation. Was that total disregard to problems facing the nation?

The President mentioned Uganda’s strategy in regional integration; how the universal immunisation against the six preventable killer diseases has had great impact. He mentioned the government’s education strategy in UPE, USE, students’ loans scheme, free education for the top 4,000 best performers in tertiary institutions, etcetera.

On health, the President elaborated on the health units that have been established at different government levels and these are all listed on page 4. He mentioned the efforts made and the prospects on power generation and oil exploration on pages 5 to 7.

On investments - the President mentioned mechanised agriculture, phosphate and iron ore under a conducive atmosphere for the private sector growth. He elaborated on how the poor fishing methods that have depleted the lakes of mature fish could be handled.

Mr Speaker, I believe that by this time, most, if not all, of the Members have had a chance to look at the two documents and can bear witness that the Leader of the Opposition did not pay much attention to the President’s address but had his own ideas he wanted to put forward.

If our aim in this House and in our various interactive fora is to build the nation then we must be honest in our deliberations. Hon. Nandala-Mafabi would have achieved more in his response if he brought out realistic positive and constructive criticism on the issues handled by the President.

For instance, it was not correct for hon. Nandala-Mafabi to assert that the President never mentioned any challenges or as hon. Nandala-Mafabi said, “failures of the government”. If the honourable member was honest, he would have referred to the several occasions when, the President, in his address, accepted that there are several challenges that need to be addressed.

For example, the President mentioned on page 3 that the challenge in UPE and USE is eliminating corruption in these schemes especially the enforced collection of school fees. On page 4, the President accepts that the universal education scheme faces a challenge of lacking vocational skills and science education. The President again mentions on the same page that there is a big problem of maternal mortality.

The President mentions that there is inadequate software facility in the health centres and that we still lack full staffing in these centres. He also mentioned that malaria is still a big health challenge, which accounts for 40 to 50 percent of outpatients and 20 percent of the inpatients of all the deaths in Uganda.

In the sector of agriculture and fisheries, the President mentions that there is a problem of overfishing on Lake Victoria.

Mr Speaker, with all that sincerity, who is honest and who is dishonest! Is it the President who on page 12 explicitly states that, “Of course, not all the things I talked about last year were fulfilled because many of them take time, and in any case the resources are limited,” or is it hon. Nandala-Mafabi*,* who after listening to the President and reading his speech came up with the statement in paragraph seven that, “We expected the head of state to tell the nation, how far his government had gone to fulfil the numerous pledges; but he did not!”In any case, we shall always fulfil our obligation to make responses to our friends.

Respecting Government institutions

Mr Speaker, the Leader of the Opposition in paragraph eight complained that instead of the President fighting corruption, “People charged with criminal greed were simply handed ridiculous sentences while they walk away with taxpayers’ money scot-free.” While everybody must condemn corruption and relentlessly fight it, we still need to respect the institutions we have democratically established. It is also incumbent on people at a level and I want to repeat this; it is also incumbent on people especially at a level of a Member of Parliament to understand the workings of some institutions better than the common person. It is no doubt that hon. Nandala in that paragraph was referring to the five-year sentence that was given to Mr Geoffrey Kazinda, the former Principal Accountant in the Office of the Prime Minister.

When an ordinary person on the streets of Kampala or in my village complains about the sentence given to Mr Kazinda, it is understandable; but a Member of Parliament does not need to be a lawyer to understand a few things. Mr Kazinda was convicted on one count of abuse of office, 25 counts of forgery, one count of making a document without authority and two counts of unlawful possession of government stores. All these offences carry a maximum sentence of seven years and a minimum of two years. The judge has discretion to decide a sentence within the minimum and maximum limits. It is not illegal or unusual for a person to serve several sentences concurrently.

Mr Kazinda is still on trial on more grave charges of embezzlement, false accounting and conspiracy to commit a felony. These offences carry far graver or heavier sentences. If the Member had cared to know those facts, I think he would not have condemned the institution of the Judiciary but he deliberately decided to behave like a lay person. This is called cultivated ignorance.

In paragraph 15 of his presentation, the Leader of the Opposition made yet another outrageous statement. He said, “*State institutions in this country have been stripped off their legitimacy and denied the mandated functionalities intended in the Constitution*” but the same hon. Nandala in paragraph eight bashed the Judiciary saying it gives ridiculous sentences. Is that being respectful to the institution of the Judiciary? I need to learn from my colleague, hon. Nandala, whether it needs telling blatant falsehoods in order for him to make a point.

In paragraph 13 of his submission, he refers to an incident in November 2012 when wives of policemen in Naguru Barracks demonstrated protesting against Umeme’s action of cutting off power. This incident happened during broad day light and everybody knows what happened and hon. Nandala would have made a better point if he had decried the laxity in the system that had led to the delays of salaries, and violations and illegal power connections than to tell lies that the police officers brutalised their wives and stripped them naked in a bid to curb the demonstrators.

On the economy, hon. Nandala refers to the statistics given by the President about the economy on page 12 as mere flowery figures and he said, “*The evidence of the state of the economy can be found in the markets, streets and gardens.”* Mr Speaker, we could excuse hon. Nandala if he made outrageous statements on the legal procedures because he is innocent of the law, but how does he, a Certified Chartered Accountant, explain his gross misrepresentation in economic issues? Does he want us to believe that the President and the Minister of Finance, Planning and Economic Development when talking about the economy, should be talking about the price of cabbages in a market?

In paragraph 37, he expressed discontent at Government’s projections of growth and development. He ridiculed the vision 2020, 2025, 2030 and 2040. Interestingly, in his elaboration of these various visions, hon. Nandala did not find any fault in them. His only problem was that they seemed to be too good to be true and that they were mere dreams. His other problem was that it was wrong to postulate more than one vision. I need to inform hon. Nandala and all those who share his sentiments that to be in Government is to be a trustee of the people of Uganda and, therefore, we must plan for this country.

The Leader of the Opposition made yet another deliberate sweeping statement about roads and I have attached to my statement, for all of you to read, especially those of you who do not have the information, what this government has achieved so far in terms of road construction.

He spoke about the rating of UPE and USE and again, I have included in appendix 2 what I call the rating of our education system.

On funding of local governments, I want to inform this House that the local governments have never had greater funding than we have now.

Let me assure this House that the President addressed a true and correct statement of the state of the nation. I take this opportunity, Mr Speaker, to assure you that the government is grateful to Parliament for the time and wishes to have –*(Interruptions)*– I want to thank hon. Nandala and the Opposition for giving us the opportunity to make these clear clarifications.

I want to talk about Government legislation programmes. The following, and as Cabinet may add later on, shall constitute legislation programmes for the financial year 2013/14. I have listed and I want to lay it on Table for it to inform part of my official statement and Government presentation to Parliament of the Bills that we intend to move. Thank you very much, for listening to me.

**THE DEPUTY SPEAKER:** Hon. Members, the motion is that thanks of Parliament be recorded for the clear and precise exposition of government policy contained in the address on the State of the Nation by H.E, the President to this Parliament on Tuesday, 6 June 2013. That is the motion we have debated. I put the question to that motion.

*(Question put and agreed to.)*

*(Motion adopted)*

**THE DEPUTY SPEAKER:** Tomorrow, we will start the general debate on the budget and we will start by receiving the statement of the shadow minister of finance, who should have made his statement today but was not able to. So, he will be making his statement tomorrow at 2.00 O’clock and reply to the Budget Speech of the Minister of Finance.

Hon. Members, that marks the end of today’s business. The House is adjourned to tomorrow at 2.00 O’clock.

*(The House rose at 4.05 p.m. and adjourned until Wednesday, 7 August 2013 at 2.00 O’clock.)*