
BILLS

SUPPLEMENT No. 4

27th March, 2024

BILLS SUPPLEMENT

to The Uganda Gazette No. 22, Volume CXVII, dated 27th March, 2024

Printed by UPPC, Entebbe, by Order of the Government.

*National Council for Older Persons
(Amendment) Bill*

Bill No. 30

2024

**THE NATIONAL COUNCIL FOR OLDER PERSONS
(AMENDMENT) BILL, 2024**

MEMORANDUM

1. Policy and principles of the Bill

The policy behind the Bill is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure (RAPEX) which was adopted by the Cabinet on 22nd February 2021.

2. Defects in existing law

The Constitution establishes a definite number of Government agencies, including constitutional commissions, authorities, boards, local councils, and other statutory bodies. These were established to perform certain specified constitutional functions. Over the years, however, there has been a proliferation of agencies established by Acts of Parliament, Executive Orders and administrative arrangements. Whereas most of the agencies are necessary due to the critical nature of the functions they perform, Government has established that a certain limited number of agencies were established without due consideration to the aspects of institutional harmony, functional duplications, overlaps and affordability. Government has also established that some agencies have served the purpose for which they were established. The mandate of a few other agencies has been overtaken by events. Such agencies need to be rationalised.

More importantly, the proliferation of agencies has created mandate overlaps and jurisdictional ambiguities among the agencies. Additionally, the high cost of administering the agencies has drained the national treasury at the expense of effective service delivery. This has overstretched the capacity of Government to sustain them. Government has also established that the generous salary structures of the agencies has created salary disparities between employees of the agencies and public officers in the traditional civil service leading to demotivation of human resources in the mainstream public service.

3. Remedies proposed in the Bill.

The intention of the Bill is to amend the National Council for Older Persons Act, 2013, Act 2 of 2013, to—

- (a) enable the mainstreaming of the functions of the secretariat for the National Council for Older Persons into the Ministry responsible for special interest groups' councils, thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure on funding various secretariats for special interest groups' councils yet the Ministry can provide the necessary secretariat services to all the special interest groups' councils;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the ministry responsible for special interest groups, thereby, avoiding duplication of mandates and functions;
- (c) promote coordinated administrative arrangements, policies and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;

- (ii) enabling the Government to play its proper role more effectively; and
- (iii) enforcing accountability.

4. Provisions of the Bill

The Bill has 10 clauses. Clause 1 provides for the interpretation of the terms used in the Bill. Clause 2 provides for the objectives of the Bill. Clause 3 provides for the purpose of amending the National Council for Older Persons Act, 2013, which is to dissolve the secretariat for National Council for Older Persons and mainstream its functions into the Ministry responsible for special interest groups (Ministry of Gender, Labour and Social Development). Clause 4 provides for the dissolution of the secretariat for the National Council for Older Persons. The remaining clauses of the Bill seek to give effect to the consequential amendments resulting from the dissolution of the secretariat for the National Council for Older Persons.

BETTY ONGOM AMONGI (MP)

Minister of Gender, Labour and Social Development

**THE NATIONAL COUNCIL FOR OLDER PERSONS (AMENDMENT)
BILL, 2024**

ARRANGEMENT OF CLAUSES

Clause

1. Interpretation
2. Objectives
3. Purpose of amendment of Act 2 of 2013
4. Dissolution of secretariat for National Council for Older Persons
5. Amendment of section 1 of Act 2 of 2013
6. Substitution of section 11 of principal Act
7. Repeal of section 12 of principal Act
8. Amendment of section 13 of principal Act
9. Repeal of section 14 of principal Act
10. Savings

A Bill for an Act

ENTITLED

**NATIONAL COUNCIL FOR OLDER PERSONS
(AMENDMENT) ACT, 2024**

An Act to amend the National Council for Older Persons Act, 2013, Act 2 of 2013 to give effect to the Government Policy on Rationalisation of Government Agencies and Public Expenditure; to dissolve the secretariat for the National Council for Older Persons and mainstream its functions into the Ministry responsible for special interest groups, and for related purposes.

BE IT ENACTED by Parliament as follows:

1. Interpretation

In this Act, unless the context otherwise requires—

“agency” means a body established by an Act of Parliament and includes an authority;

“commission” means a body established by the Constitution;

“Government” means the Government of Uganda;

“Ministry” means the Ministry of Gender, Labour and Social Development.

2. Objectives

(1) The main objective of this Act is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure adopted by the Cabinet on 22nd February 2021 and contained in Cabinet Minute No. 43(CT 2021).

(2) Without prejudice to the general effect of subsection (1), the following objectives shall be deemed to fall under the objective specified in that subsection—

- (a) the merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- (b) the facilitation of 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) the promotion of coordinated administrative arrangements, policies and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
 - (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 in Government agencies and departments.

3. Purpose of amendment of Act 3 of 2013

The purpose of amending the National Council for Older Persons Act, 2013. Act 2 of 2013 is to dissolve the secretariat for the National Council for Older Persons and mainstream its functions into the Ministry responsible for special interest groups which shall be responsible for providing secretariat functions to all special interest groups' councils.

4. Dissolution of secretariat for National Council for Older Persons

On the commencement of this Act, the secretariat for the National Council for Older Persons shall be dissolved.

5. Amendment of section 1 of Act 2 of 2013

Section 1 of the National Council for Older Persons Act, 2013, hereinafter referred to as the "principal Act" is amended by repealing the definition of "Executive Secretary".

6. Substitution of section 11 of principal Act

For section 11 of the principal Act, there is substituted the following—

"11. Secretariat

The secretariat of the council shall be the department responsible for special interest groups in the Ministry".

7. Repeal of section 12 of principal Act

Section 12 of the principal Act is repealed.

8. Amendment of section 13 of principal Act

Section 13 of the principal Act is amended—

- (a) in the marginal note by substituting for "Executive Secretary" the word "secretariat";
- (b) by repealing subsection (1);

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- (c) in subsection (2) by substituting for “Executive Secretary” the words “head of the secretariat or his or her representative”; and
- (d) by repealing subsection (3).

9. Repeal of section 14 of principal Act

Section 14 of the principal Act is repealed.

10. Savings

(1) The staff of the National Council for Older Persons including the Executive Secretary serving immediately before the commencement of this Act, shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) The staff of the of the National Council for Older Persons serving immediately before the commencement of this Act may be redeployed to serve in the public service subject to the availability of positions.